

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Dillon Paul Homol

DOB: XXXXXX

Defendant(s)

Case: 1:21-mj-00278

Assigned To : Meriweather, Robin M.

Assign. Date : 3/4/2021

Description: Complaint w/ Arrest Warrant

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 6, 2021 in the county of _____ in the
 _____ in the District of Columbia, the defendant(s) violated:

*Code Section**Offense Description*

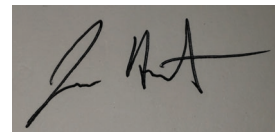
18 U.S.C. § 1752(a)(1) & (2) - Knowingly Entering or Remaining in any Restricted Building or
 Grounds Without Lawful Authority,

40 U.S.C. § 5104(e)(2)(D) & (G) - Violent Entry and Disorderly Conduct on Capitol Grounds,

18 U.S.C. §§ 1512(c)(2) & 2 - Obstruction of Justice/Congress.

This criminal complaint is based on these facts:

See attached statement of facts.

☒ Continued on the attached sheet.

*Complainant's signature*Jacob Hamilton, Special Agent*Printed name and title*

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1
 by telephone.

Date: 03/05/2021


2021.03.05

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*Judge's signature*City and state: Washington, D.C.Robin M. Meriweather, U.S. Magistrate Judge*Printed name and title*

STATEMENT OF FACTS

Your affiant, Jacob Hamilton, is a Special Agent assigned to the FBI Tampa Field Office. In my duties as a special agent, I am assigned to the Joint Terrorism Task Force, tasked with investigating criminal activity. Currently, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. As a Special Agent, I am authorized by law or by a Government agency to engage in or supervise the prevention, detention, investigation, or prosecution of a violation of Federal criminal laws.

Background – The U.S. Capitol on January 6, 2021

The U.S. Capitol is secured 24 hours a day by U.S. Capitol Police. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by U.S. Capitol Police. Only authorized people with appropriate identification were allowed access inside the U.S. Capitol. On January 6, 2021, the exterior plaza of the U.S. Capitol was also closed to members of the public.

On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in separate chambers of the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Shortly thereafter, by approximately 1:30 p.m., the House and Senate adjourned to separate chambers to resolve a particular objection. Vice President Mike Pence was present and presiding, first in the joint session, and then in the Senate chamber.

As the proceedings continued in both the House and the Senate, and with Vice President Mike Pence present and presiding over the Senate, a large crowd gathered outside the U.S. Capitol. As noted above, temporary and permanent barricades were in place around the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside.

At such time, the certification proceedings were still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, shortly around 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows and by assaulting members of the U.S. Capitol Police, as others in the crowd encouraged and assisted those acts.

Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress was effectively suspended until shortly after 8:00 p.m. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the sessions resumed.

During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of violations of local and federal law, including scores of individuals inside the U.S. Capitol building without authority to be there.

Facts Specific to Dillon Paul Homol

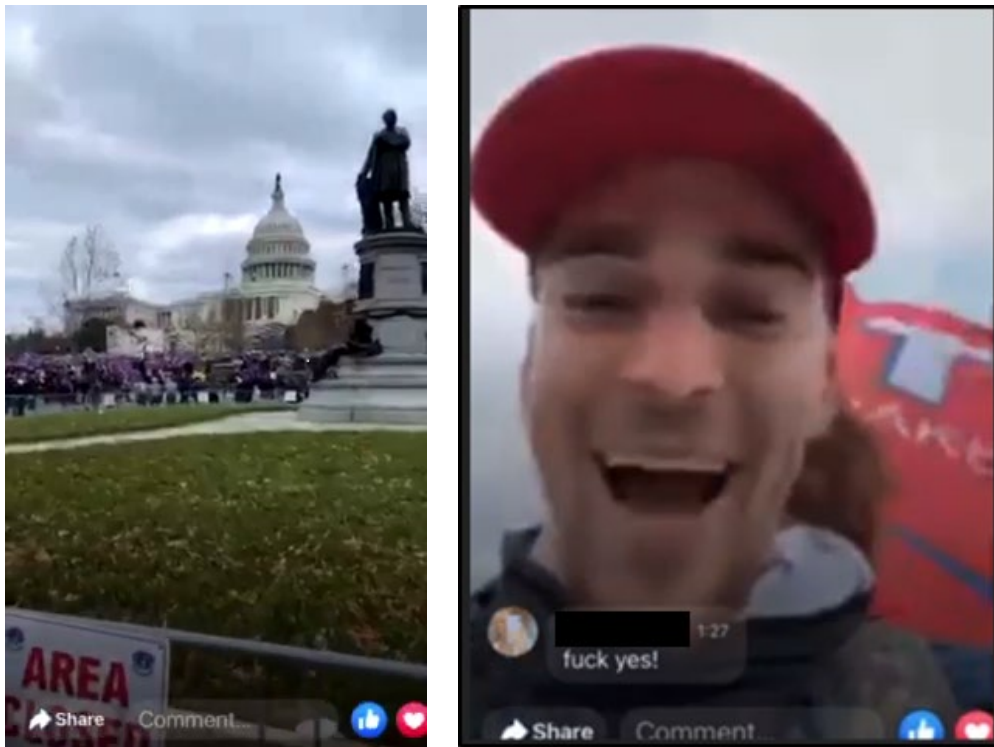
FBI received two initial tips identifying Dillon Paul Homol (“HOMOL”) as one of the rioters inside the Capitol building. WITNESS 1 and WITNESS 2 were former classmates with HOMOL, and each provided information that HOMOL was streaming to Facebook Live while storming the Capitol Building. WITNESS 1 and WITNESS 2 each captured videos HOMOL took during the events of January 6, 2021. On January 27, 2021, an interview was conducted with WITNESS 1 who confirmed the above information and provided videos captured from HOMOL’s Facebook. On February 2, 2021, an interview was conducted with WITNESS 2 who confirmed the above information and provided videos captured from HOMOL’s Facebook and Snapchat story.

WITNESS 1 and WITNESS 2 provided the FBI with video recordings of HOMOL’s Facebook profile, Facebook Live videos, and Snapchat story, all of which depicted HOMOL livestreaming from inside and around the Capitol building starting at approximately 2:54PM according to the cellphone time stamps from the Facebook video. Snapchat video depicted HOMOL holding a red “Make America Great Again” (*i.e.*, MAGA) flag, wearing a camouflage backpack, a blue and black plaid long sleeve button up shirt, blue jeans, brown and black boots, a red “TRUMP” hat, and a “mullet” hairstyle:



WITNESS 1 and WITNESS 2 identified HOMOL as the person depicted in the referenced videos, that is, the person depicted above. Your affiant has reviewed the Facebook Live videos provided by WITNESSES 1 and 2. I have identified the individual in them as HOMOL through comparison of those images to photographs and videos available through DMV records checks and social media available online. Among other things, I observed:

In one Facebook video clip, the camera is directed toward the Capitol building from a point of view southwest of the Capitol. HOMOL states: "It's the Capitol building, they are counting the electorals in there right now and we stormed it. Look at them Trump flags up top." HOMOL then turns the camera towards his face and states: "They can't stop us all, come on we are going into the Capitol, can't stop us all."

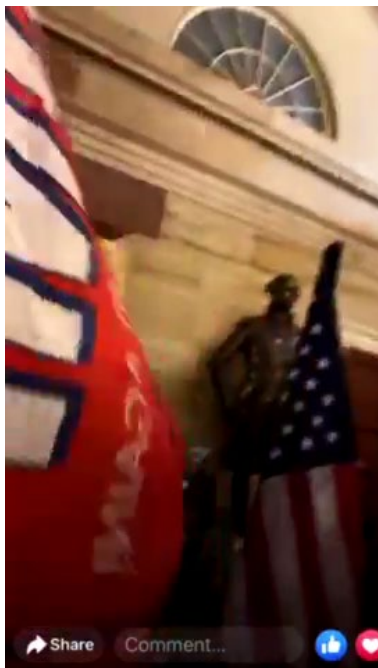


In another Facebook video clip, HOMOL is walking toward the Capitol building with a group of individuals. HOMOL states: "American people are sick and tired of it, we're tired of it, the communist cops of Washington DC, we're storming the Capitol building. We're storming the Capitol, this is our country."

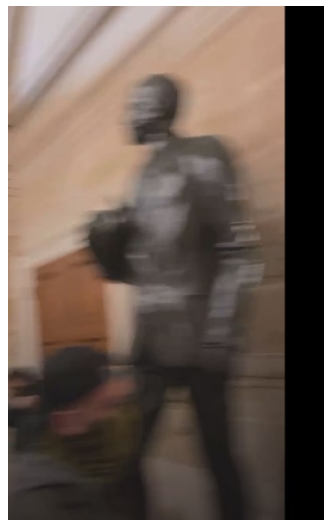
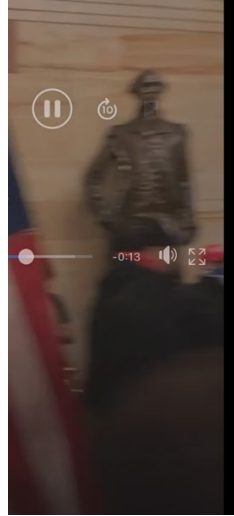
In another Facebook video clip, HOMOL is holding the camera amid a crowd of rioters on the Capitol steps on the west side of the Capitol, facing a group of police officers who are guarding the Capitol. HOMOL is chanting, “USA, USA,” along with other rioters.



Another Facebook video clip appears to have been taken inside the Capitol building among crowds of rioters. HOMOL states: “Come on people.” The camera moves to show a red MAGA flag waving. This appears to be the same red MAGA flag HOMOL was carrying in other pictures, which he is waving in front of the camera.



After reviewing the footage from HOMOL's Facebook videos, still images were captured of two statues present in the video. These statues were identified as a Bronze Dennis Chavez statue and a Bronze George Clinton statue that are both located in the Senate Wing, 2nd Floor of the U.S. Capitol building. The statues were identified from the "Architect of the Capitol, National Statuary Hall Collection" website. Images are shown below, with the images from the Architect of the Capitol on the left and HOMOL's footage on the right:



On January 11, 2021, a search warrant was executed on HOMOL's Facebook account. According to search warrant returns, HOMOL shared a "Stop the Steal" related post in a chat with another user on or about November 9, 2020. Based on my training and experience, including experience in this investigation, I am aware that "Stop the Steal" is a political movement in the U.S. promoting the conspiracy theory that posits that widespread electoral fraud occurred during the 2020 presidential election that resulted in President Donald Trump losing the election. Search warrant returns also show that HOMOL was in a group chat on Facebook titled "DC Rally" with multiple other members who planned to attend the rally on January 6, 2021. Discussions in the group centered on planned meet-ups, a "security SOP" (standard operating procedure) for the

group, and various pictures (attached below) indicating a planned protest was to take place at the Capitol building on January 6, 2021 after a speech by President Trump earlier that same morning. One of the Facebook posts referred to the planned protest at the Capitol building as the “Wild Protest” and stated, “Congress cannot certify this fraudulent Electoral College.”



Facebook search warrant returns, referenced above, confirmed that HOMOL’s Facebook page was livestreaming at the time of the Capitol building being breached. Specifically, HOMOL’s Facebook account records revealed multiple Facebook Livestreams that took place on January 6, 2021 that matched with the videos submitted to the FBI tipline. HOMOL has since deleted his Facebook account and other social media accounts.

On January 28, 2021 an interview was conducted with the subject’s mother at her residence in Cocoa Beach, Florida. She confirmed her son, Dillon HOMOL, was in Washington, D.C. at the time of the riots. She claimed he was there “on vacation.” She would not speak further on her son’s activities while in D.C.

On January 28, 2021 the FBI conducted an interview with HOMOL over the telephone. HOMOL admitted that he went to Washington, D.C. on or around January 5, 2021 and stayed until Thursday, January 7, 2021. HOMOL stated that he drove to North Carolina and snowboarded for a few days before traveling on to Washington, D.C. HOMOL admitted that he participated in the events at the Capitol building on January 6, 2021.

HOMOL stated that he attended the planned rally at the Ellipse and listened to multiple speakers, including the President. HOMOL stated that the demeanor of the crowd at the rally was

peaceful and emotional. HOMOL claimed that he walked to the Capitol building at the President's request and thought the President was leading the crowd there. HOMOL stated there were already thousands of people present at the Capitol building when he arrived.

HOMOL stated that he was at the rear of the building and did not witness any violence or breaking of windows at the Capitol. HOMOL claimed that he was forced into the Capitol building by the crowd and he could not fight back against the crowd when he entered the building. HOMOL claimed that he walked in through a door to the building and did not have to enter through a window. HOMOL stated that he stayed in the Capitol building in a room he thought of as "the middle" or a rotunda for about 15-20 minutes before exiting the building.

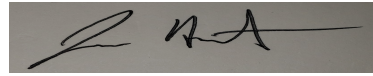
HOMOL claimed he did not witness anyone stopping people as they entered the Capitol. HOMOL stated that was sent a video by a friend of police removing barricades at the Capitol building and did not think he was in prohibited space. HOMOL advised that he did not know how other people were getting into other rooms in the Capitol building because they were blocked off from going any further in the area he was at. HOMOL stated that law enforcement were not giving any public service announcements to leave and HOMOL did not feel he did anything wrong.

Based on the foregoing, your affiant submits that there is probable cause to believe that HOMOL violated 18 U.S.C. §§ 1512(c)(2) and 2, which makes it a crime to corruptly otherwise obstruct, influence, or impede any official proceeding, or to attempt to do so, or to conspire to do so. Congressional proceedings are official proceedings under 18 U.S.C. § 1515(a)(1)(B).

Your affiant submits there is also probable cause to believe that HOMOL violated 18 U.S.C. § 1752(a)(1) and (2), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do; and (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions; or attempts or conspires to do so. For purposes of Section 1752 of Title 18, a "restricted building" includes a posted, cordoned off, or otherwise restricted area of a building or grounds where the President or other person protected by the Secret Service, including the Vice President, is or will be temporarily visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance.

Your affiant submits there is also probable cause to believe that HOMOL violated 40 U.S.C. § 5104(e)(2)(D) and (G), which makes it a crime to willfully and knowingly (D) utter loud, threatening, or abusive language, or engage in disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that

building of a hearing before, or any deliberations of, a committee of Congress or either House of Congress; and (G) parade, demonstrate, or picket in any of the Capitol Buildings.



Special Agent Jacob Hamilton
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 5th day of March 2021.



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ROBIN M. MERIWEATHER
U.S. MAGISTRATE JUDGE