

# UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

KATELYN BARTOW

)  
 ) Case: 1:22-mj-00226  
 ) Assigned to: Judge Meriweather, Robin M.  
 ) Assign Date: 10/21/2022  
 ) Description: COMPLAINT W/ ARREST WARRANT  
 )

*Defendant*

## ARREST WARRANT

To: Any authorized law enforcement officer

**YOU ARE COMMANDED** to arrest and bring before a United States magistrate judge without unnecessary delay

(name of person to be arrested) KATELYN BARTOW,


who is accused of an offense or violation based on the following document filed with the court:

- Indictment   
  Superseding Indictment   
  Information   
  Superseding Information   
 Complaint  
 Probation Violation Petition   
 Supervised Release Violation Petition   
 Violation Notice   
 Order of the Court

This offense is briefly described as follows:

- 18 U.S.C. § 1752(a)(1)- Entering and Remaining in a Restricted Building or Grounds;
- 18 U.S.C. § 1752(a)(2)- Disorderly and Disruptive Conduct in a Restricted Building or Grounds;
- 40 U.S.C. § 5104(e)(2)(D)- Disorderly Conduct in a Capitol Building;
- 40 U.S.C. § 5104(e)(2)(G)- Parading, Demonstrating, or Picketing in a Capitol Building.

Date: 10/21/2022


 2022.10.21  
 14:30:45 -04'00'

*Issuing officer's signature*

City and state: Washington, D.C.

Robin M. Meriweather, U.S. Magistrate Judge

*Printed name and title*

### Return

This warrant was received on (date) 10/21/2022, and the person was arrested on (date) 10/27/2022  
at (city and state) Hadley, NY.

Date: 10/27/2022



*Arresting officer's signature*

Michael P. DiCaprio / Special Agent

*Printed name and title*

Removal Doc. NYND# 1:22-MJ-649 (CFH)

UNITED STATES DISTRICT COURT

for the District of Columbia

United States of America v. KATELYN BARTOW, ( [REDACTED] ) TRAVIS BARTOW, ( [REDACTED] )

Case: 1:22-mj-00226 Assigned to: Judge Meriweather, Robin M. Assign Date: 10/21/2022 Description: COMPLAINT W/ ARREST WARRANT



Defendant(s)

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 District of Columbia, the defendant(s) violated:

Table with 2 columns: Code Section, Offense Description. Rows include 18 U.S.C. § 1752(a)(1), 18 U.S.C. § 1752(a)(2), 40 U.S.C. § 5104(e)(2)(D), and 40 U.S.C. § 5104(e)(2)(G).

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.

Handwritten signature of Michael DiCaprio

Complainant's signature

Michael DiCaprio, 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: 10/21/2022

2022.10.21 13:32:09 -04'00'

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, Michael P. DiCaprio, is a Special Agent with the Federal Bureau of Investigation (FBI) and assigned to the Joint Terrorism Task Force (JTTF) with the FBI Albany Division in Albany, NY. Among other duties, your Affiant is responsible for conducting national security investigations of potential violations of federal criminal law. Your Affiant is tasked with investigating criminal activity in and around the United States Capitol (Capitol) grounds in Washington, D.C. on January 6, 2021. Your Affiant has served as a Special Agent with the FBI since 2007. As a Special Agent with the FBI, your Affiant is authorized by law or by a Government agency to engage in or supervise the prevention, detention, investigation, or prosecution of violations of Federal criminal laws.

The facts in this Affidavit come from my personal observations, my training and experience, and information obtained from other agents, witnesses, and agencies or is based on a review of various documents, records, and reports. Because this Affidavit is submitted for the limited purpose of establishing probable cause, it does not contain every fact known by me or the FBI. The dates and times listed in this Affidavit should be read as "on or about".

### **Background: Events at 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, 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.

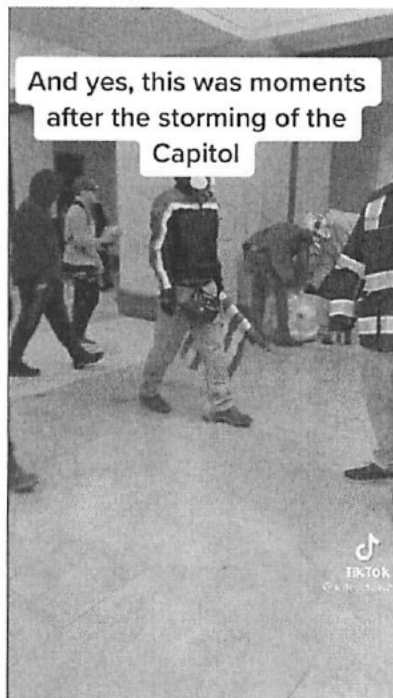
Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress 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.

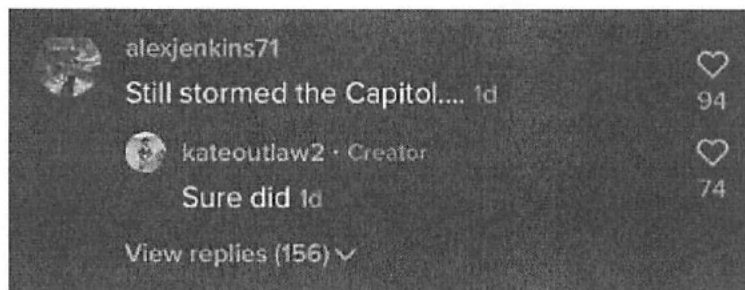
### Identification of KATELYN BARTOW

On January 25, 2021, W-1 informed the FBI that W-1 had observed a video posted to the TikTok account @kateoutlaw2, which was associated with an individual later determined to be KATELYN BARTOW. W-1 described the video to capture activity inside the Capitol building, and added that the video contained a caption that read “What the media doesn’t want to show...Picking up trash inside the Capitol after two trash cans were tipped over. And yes, this was moments after the storming of the Capitol.”





In the comments associated with the above-mentioned video, KATELYN BARTOW's account states "Sure did" in response to a comment that read "Still stormed the Capitol...."



Upon further review of KATELYN BARTOW's TikTok account, W-1 observed a second video capturing activity from inside the Capitol building. The video contained a caption that read "Here's another for everyone who's offended by the last."



In addition to the above-mentioned videos, W-1 further observed two videos posted on KATELYN BARTOW's TikTok account capturing footage from outside of the Capitol building. One of the videos was filmed, amongst the crowd, on the steps of the Capitol building, and contained a caption that read "We will not be silent." (Outside Video 1). The other video was filmed amongst the crowd in the vicinity of the Washington monument (Outside Video 2). "Outside Video 2" captured a female voice heard in the background saying "go ahead, Trav, twirl."



### Outside Video 1



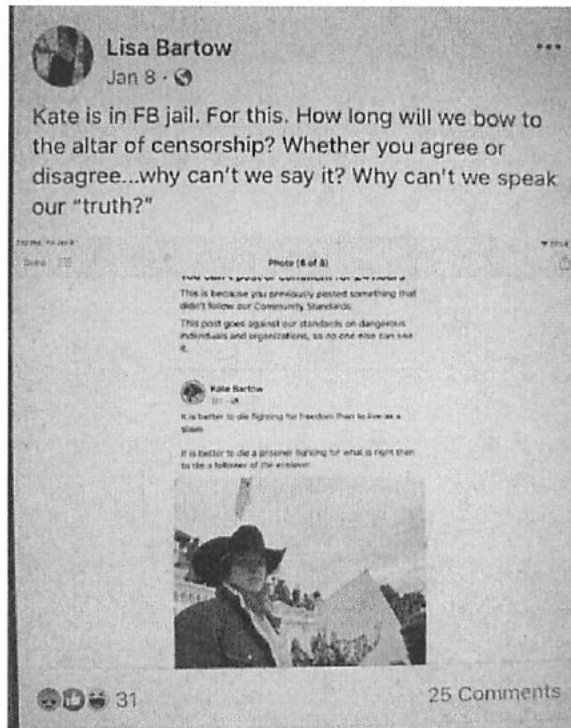
### Outside Video 2

After reviewing KATELYN BARTOW's TikTok account, W-1 conducted an additional open-source Internet search, which identified a Facebook account later confirmed to be associated with KATELYN BARTOW. Review of KATELYN BARTOW's Facebook account revealed a post made on January 5, 2021, which stated "Does anyone have friends near Washington, D.C. where I could keep my horses for a night?"



On January 21, 2021, your affiant conducted a search of the publicly available Facebook account under display name "Lisa Bartow." This search revealed a post made on January 8, 2021, which contained a screenshot of a Facebook post made to KATELYN BARTOW's account with

the caption “It is better to die fighting for freedom than to live as a slave. It is better to die a prisoner fighting for what is right than to die a follower of the enslaver.” The post also contained an image of a White female wearing a black cowboy hat and a blue jacket, standing in a crowd, with what appeared to be the Capitol building in the background.



Review of New York State and Colorado State Driver’s License Photographs for KATELYN BARTOW, as well as photographs posted to a public facing Facebook account associated with KATELYN BARTOW, confirmed the individual captured in open-source videos and the security camera footage from inside the Capitol building, as later detailed, are a match to KATELYN BARTOW.

On February 1, 2021, FBI agents interviewed KATELYN BARTOW at her residence located at 1467 Hadley Hill Road, Hadley, NY 12835. KATELYN BARTOW advised that she had traveled to Washington, D.C. on January 5, 2021 and stayed in a hotel overnight. KATELYN BARTOW was shown the above-mentioned videos and admitted that the associated TikTok and Facebook accounts belonged to her and she was the person who recorded the footage. On the morning of January 6, 2021, she walked to the grounds surrounding the Capitol building. When confronted about “Outside Video 2,” she confirmed it was her voice heard in the background stating “go ahead Trav, twirl.” She further confirmed that she has a brother named Travis. KATELYN BARTOW advised that she was present inside of the Capitol building on January 6, 2021. At the time she entered, KATELYN BARTOW explained that the door was open and there was no law enforcement preventing her entrance. Upon entering the building, she noticed a man acting aggressive toward a law enforcement officer, and also garbage scattered all over the area inside. At that time, she directed others to help pick up the trash. She cited her reason for attending

the rally was to voice her opinion on how the votes (regarding the 2020 Presidential election) were not being conveyed accurately to the public.

After picking up trash near the entrance of the Capitol building, KATELYN BARTOW moved to the area she referred to as the "Visitor Center." At that point, she observed a group of protesters acting aggressively toward law enforcement. KATELYN BARTOW stated she yelled at the group for confronting officers. While in the visitor center area, she overheard law enforcement officers, who were talking with a group of protesters, tell the group that someone had been shot and that they should leave. After hearing the officer's statements, KATELYN BARTOW left the area around the Capitol building and returned to her hotel. KATELYN BARTOW stated she did not visit any other locations inside the Capitol other than the entrance area and the visitor center area. She departed Washington, D.C. on the morning of January 7, 2021.

KATELYN BARTOW advised that she was with a small group during her time in Washington, D.C., and although she was willing to discuss her actions on January 6, 2021, she preferred not to discuss the actions of anyone else from that day.

Legal process determined the aforementioned TikTok and Facebook accounts were registered to KATELYN BARTOW, which also identified telephone numbers and email addresses associated with KATELYN BARTOW. Additional legal process served on Google and Verizon Wireless communication accounts further confirmed that all accounts are associated with KATELYN BARTOW. In addition, IP address analysis from TikTok returns show IP address activity in Washington, D.C for the time period of 01/05/2021 through 01/07/2021, which is consistent with statements provided by KATELYN BARTOW.

#### **Identification of TRAVIS BARTOW**

According to records obtained through a search warrant which was served on Verizon, on January 6, 2021, in and around the time of the incident, telephone number ending in x9026, which is associated with TRAVIS BARTOW, was identified as having utilized a cell site consistent with providing service to a geographic area that included the interior of the United States Capitol building.

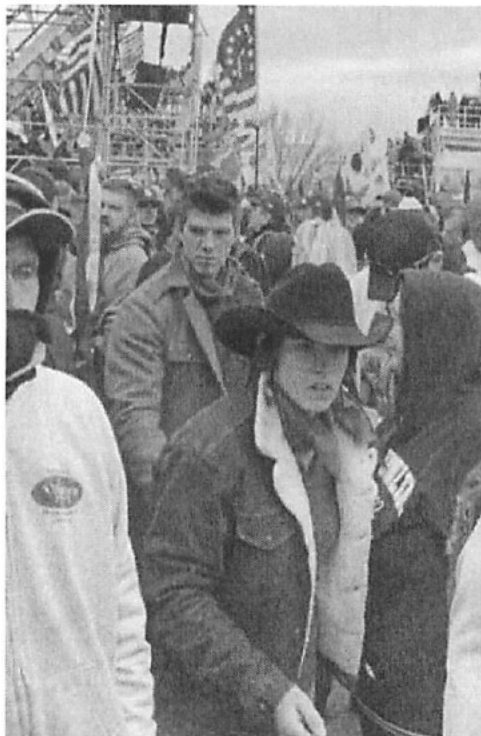
Additional open-source research identified videos depicting the events that occurred at the United States Capitol on January 6, 2021. Specifically, within an unlisted video posted to "The Patriot" YouTube account, TRAVIS BARTOW is captured wearing similar clothing to the previously documented security camera footage from inside of the Capitol building. The video depicts TRAVIS BARTOW near the barricades within the restricted area of the Capitol building. Below is a screenshot of TRAVIS BARTOW as detailed above.



Within a now-deleted YouTube video, TRAVIS BARTOW and KATELYN BARTOW are captured wearing similar clothing to the previously documented security camera footage from inside of the Capitol building. The video depicts TRAVIS BARTOW (circled in yellow) and KATELYN BARTOW (circled in red) being questioned by a news reporter while walking toward the Capitol building. Below is a screenshot from the video of TRAVIS BARTOW and KATELYN BARTOW as detailed above.



Within a video posted to the Parler website, TRAVIS BARTOW and KATELYN BARTOW are captured walking inside of the restricted area of the Capitol building. The location is determined by the scaffolding that is present in the background of the video. Below is a screenshot of TRAVIS BARTOW and KATELYN BARTOW as detailed above.



Review of Tennessee State Driver's License Photograph for TRAVIS BARTOW, as well as photographs posted to a public facing Facebook account associated with TRAVIS BARTOW, confirmed the individual captured in the above-mentioned open-source videos and the security camera footage from inside the Capitol building are a match to TRAVIS BARTOW.

On January 6, 2022, your affiant interviewed TRAVIS BARTOW by way of telephone. TRAVIS BARTOW stated he traveled from Tennessee to Washington, D.C. on January 5, 2021, joined the large gathering at the Washington Monument, and then joined a group walking towards the Capitol. When approaching the West side of the Capitol building, TRAVIS BARTOW stated he heard the loud noises from the deployment of tear gas cannisters by law enforcement. He followed others in climbing a piece of metal fencing to reach the landing near the Capitol entrance. Although he observed uniformed law enforcement in the area, TRAVIS BARTOW reported that the group he was with was not stopped or prevented from entering the Capitol.

After entering the Capitol, TRAVIS BARTOW followed a group to the Visitor's Center where he recalled observing a physical encounter between protesters and law enforcement. At some point, TRAVIS BARTOW heard a law enforcement officer telling protesters that someone had been killed and that they should all leave. After hearing the officer's statements, TRAVIS BARTOW stated he proceeded to exit the Capitol building.

During the interview, your affiant initiated a FaceTime video call with TRAVIS BARTOW. At that time, your affiant observed TRAVIS BARTOW and confirmed him to be the individual captured in the above-mentioned open-source videos and security camera footage from inside the Capitol building on January 6, 2021. TRAVIS BARTOW was then shown the below screenshots (Photo 1 and Photo 2) of the security camera footage. He admitted to entering the Capitol building on that day and identified himself as the individual captured in the screenshots, wearing the green jacket and blue jeans. TRAVIS BARTOW initially advised that he attended the event alone. However, when informed that KATELYN BARTOW was previously interviewed by the FBI and made statements of admission that she entered the Capitol building on January 6, 2021 and identified herself in security camera footage, TRAVIS BARTOW then advised that he was in Washington, D.C. with KATELYN BARTOW on January 6, 2021. TRAVIS BARTOW then declined to answer any questions regarding KATELYN BARTOW's actions on that day.

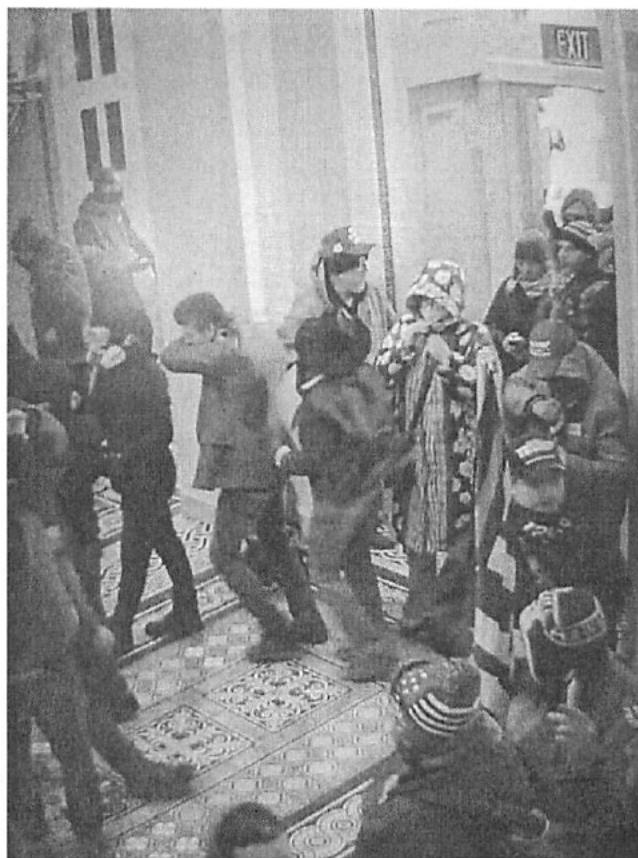


Photo 1



Photo 2

**Video Footage Regarding KATELYN BARTOW and TRAVIS BARTOW**

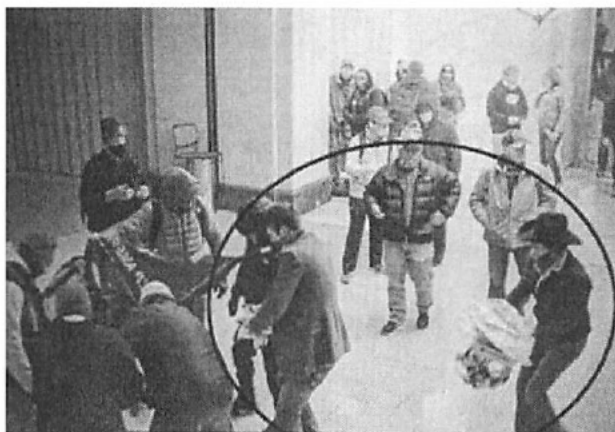
Your affiant has reviewed security camera footage from inside the Capitol building on January 6, 2021. The footage appears to show a White female wearing the same black cowboy hat, and blue jacket, as depicted in the above-mentioned image posted to KATELYN BARTOW's Facebook account, entering the Senate Wing Door on the Northwest side of the Capitol building at approximately 2:24 p.m. EST. She was joined by TRAVIS BARTOW who was wearing a green jacket and blue jeans. Upon entering the building, KATELYN and TRAVIS BARTOW walk, with the crowd, down a hallway which leads to the Crypt area.



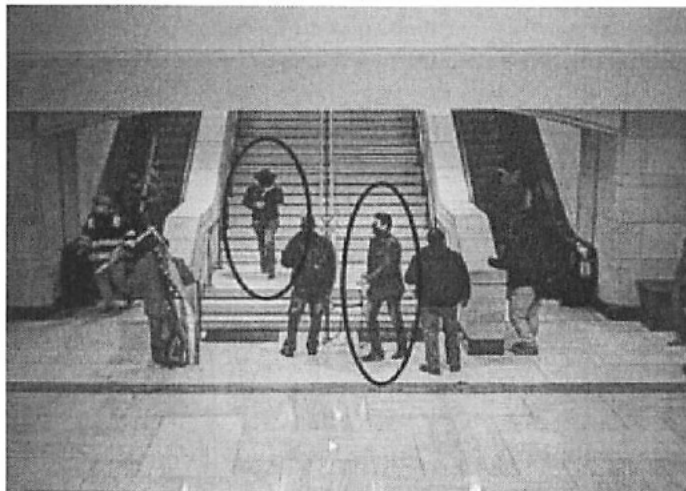
At approximately 2:30 p.m., footage shows KATELYN and TRAVIS BARTOW entering the East Crypt Lobby area, amongst the crowd. Both are wearing blue masks over their faces.



Between the time of 2:31 p.m. and 2:34 p.m., footage shows KATELYN and TRAVIS BARTOW in the East Crypt Lobby area, picking up garbage that had been scattered on the ground during the crowd's initial entrance into that area of the Capitol building. Both appear to engage unknown individuals within the crowd, who are later observed helping pick up trash.



At approximately 2:37 p.m., footage shows KATELYN and TRAVIS BARTOW walking down stairs leading to the Capitol Visitor's Center (CVC) Orientation Lobby. They both then walk out of view of the camera heading in the direction of the CVC South Orientation Lobby area.



Between the time of 2:39 p.m. and 2:41 p.m. EST, footage shows KATELYN and TRAVIS BARTOW entering the South Orientation Lobby area, while what appears to be a violent encounter between the crowd and uniformed law enforcement officers occurs in that area. Both remain in the area and observe the violent encounter, but do not participate.



At approximately 2:41p.m. EST, shortly after the physical encounter between members of the crowd and uniformed law enforcement officers, a line of uniformed officers forms in front of a doorway, across from the crowd. KATELYN and TRAVIS BARTOW appear to move to the front of the crowd and stand in between the crowd and uniformed law enforcement officers. Facing the crowd with her back to law enforcement personnel, KATELYN BARTOW appears to be talking to the crowd.



Between the time of 2:44 p.m. and 2:46 p.m. EST, footage shows uniformed law enforcement officers walk toward the crowd and the crowd appears to gather around the officers. As the crowd surrounds the officers, KATELYN and TRAVIS BARTOW move to the center of the crowd. One of the officers appears to speak to the crowd. The crowd then disperses and leaves the CVC South Orientation Lobby area without further incident. KATELYN and TRAVIS BARTOW remain with the uniformed officers and appear to speak with them before leaving the CVC South Orientation Lobby area.



At approximately 2:46 p.m. EST, footage shows KATELYN and TRAVIS BARTOW entering the CVC Orientation Lobby area and then walking up the stairs toward the Crypt area.



At approximately 2:47 p.m. EST, footage shows KATELYN and TRAVIS BARTOW exiting the Crypt area, heading North toward the Senate Wing of the building.



At approximately 2:49 p.m. EST, footage shows KATELYN and TRAVIS BARTOW walking from the hallway, toward the Senate Wing door. They join a large group gathered in the area near the Senate Wing door and wait as the group exits the Capitol building through the door.



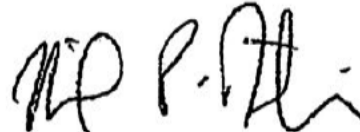
At approximately 2:54 p.m. EST, footage shows TRAVIS BARTOW exiting the building through a window located near the Senate Wing door. KATELYN BARTOW is then observed exiting through the same window, after her brother.



#### Probable Cause Conclusions

Based on the foregoing, your affiant submits that there is probable cause to believe that KATELYN BARTOW and TRAVIS BARTOW 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 attempt or conspire 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 KATELYN BARTOW and TRAVIS BARTOW 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.



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Michael DiCaprio  
Special Agent  
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 21<sup>st</sup> day of October 2022.



2022.10.21  
13:33:04 -04'00'

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HONORABLE ROBIN M. MERIWEATHER  
UNITED STATES MAGISTRATE JUDGE

# UNITED STATES DISTRICT COURT

for the  
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United States of America  
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KATELYN BARTOW

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*Defendant*

## ARREST WARRANT

To: Any authorized law enforcement officer


**YOU ARE COMMANDED** to arrest and bring before a United States magistrate judge without unnecessary delay  
(name of person to be arrested) KATELYN BARTOW,  
who is accused of an offense or violation based on the following document filed with the court:

- Indictment       Superseding Indictment       Information       Superseding Information       Complaint
- Probation Violation Petition       Supervised Release Violation Petition       Violation Notice       Order of the Court

This offense is briefly described as follows:

- 18 U.S.C. § 1752(a)(1)- Entering and Remaining in a Restricted Building or Grounds;
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- 40 U.S.C. § 5104(e)(2)(G)- Parading, Demonstrating, or Picketing in a Capitol Building.

Date: 10/21/2022

 2022.10.21  
14:30:45 -04'00'

\_\_\_\_\_  
*Issuing officer's signature*

City and state: Washington, D.C.

Robin M. Meriweather, U.S. Magistrate Judge  
*Printed name and title*

### Return

This warrant was received on (date) \_\_\_\_\_, and the person was arrested on (date) \_\_\_\_\_  
at (city and state) \_\_\_\_\_.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Arresting officer's signature*

\_\_\_\_\_  
*Printed name and title*

AO 466A (Rev. 12/09) Waiver of Rule 5 & 5.1 Hearings (Complaint or Indictment)

UNITED STATES DISTRICT COURT  
for the  
Northern District of New York



United States of America )

v. )

Katelyn Bartow )

Defendant )

Case No. 1:22-MJ-649(CFH)

Charging District's Case No. 1:22-MJ-226

WAIVER OF RULE 5 & 5.1 HEARINGS  
(Complaint or Indictment)

I understand that I have been charged in another district, the (name of other court) District of Columbia

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing within 14 days of my first appearance if I am in custody and 21 days otherwise — unless I am indicted — to determine whether there is probable cause to believe that an offense has been committed;
- (5) a hearing on any motion by the government for detention;
- (6) request transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- an identity hearing and production of the warrant.
- a preliminary hearing.
- a detention hearing.
- an identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that those hearings be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: 10/27/2022

Defendant's signature

Signature of defendant's attorney

Jeremy Spahn

Printed name of defendant's attorney

Print

Save As...

Reset

United States District Court  
Northern District of New York



United States of America

V.

ORDER SETTING CONDITIONS  
OF RELEASE

Katelyn Bartow

Case Number :1:22-MJ-649(CFH)

IT IS ORDERED that the release of the defendant is subject to the following conditions:

- (1) The defendant must not commit any offense in violation of federal, state, or local law while on release in this case.
- (2) The defendant must cooperate in the collection of a DNA sample if such collection is authorized by 34 U.S.C. § 40702.
- (3) The defendant must timely advise the Court or Pretrial Services in writing before making any change of residence or telephone number.
- (4) The defendant must appear at all proceedings as required and, if convicted, must surrender for service of any sentence imposed as directed. The defendant must next appear at

\_\_\_\_\_ on \_\_\_\_\_  
place date and time

If blank, defendant will be notified of next appearance.

**Additional Conditions of Release**

Pursuant to 18 U.S.C. § 3142(c)(1)(B), the Court may impose the following least restrictive condition(s) only as necessary to reasonably assure the appearance of the person as required and the safety of any other person and the community.

IT IS FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

- ( ) (5) The defendant must sign an Appearance Bond. If ordered to do so, the defendant must provide the Court with the following indicia of ownership of the property posted, or the following amount or percentage of the such property:

\_\_\_\_\_

- ( ) (6) The defendant is placed in the custody of:

(Name of person or organization): \_\_\_\_\_

(Address): \_\_\_\_\_ (Tel. No.) \_\_\_\_\_

who agrees (a) to supervise the defendant in accordance with all the conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the Court immediately in the event the defendant violates any conditions of release or disappears.

Signed: \_\_\_\_\_ Date \_\_\_\_\_  
Custodian or Proxy

## Additional Conditions of Release (continued)

- (7) The defendant must:
- (a) Report to Pretrial Services within 24 hours of release, telephone number (315) 234-8700 / (518) 257-1700, and as directed thereafter.
  - (b) Allow a probation officer to visit at anytime at the defendant's home or elsewhere, and must permit confiscation of any contraband observed in plain view of the probation officer.
  - (c) Refrain from possessing a firearm, destructive device, or other dangerous weapon.
  - (d) Execute a bail bond with solvent securities in the amount of \$
  - (e) Maintain or actively seek employment.
  - (f) Maintain or commence an educational program.
  - (g) Surrender any passport to: **The Clerk of the Court**<sup>1</sup>.
  - (h) Obtain no passport or other international travel documents.
  - (i) Restrict travel to the Northern District of New York unless approved by Pretrial Services or the Court. *+ District of Columbia*
  - (j) Remain at an authorized address as approved by Pretrial Services or the Court.
  - (k) Avoid all contact with codefendants and defendants in related cases unless approved by Pretrial Services or the Court.
  - (l) Avoid all contact, directly or indirectly, with any persons who are or who may become a victim or potential witness in the subject investigation or prosecution, including but not limited to : \_\_\_\_\_
  - (m) Submit to a mental health evaluation and/or treatment as approved by Pretrial Services or the Court. The defendant must contribute to the cost of services rendered in an amount to be determined by Pretrial Services based on ability to pay or availability of third-party payments.
  - (n) Return to custody each (week)day as of after being released each (week)day as of for employment, schooling, or the following limited purpose(s): .
  - (o) Maintain residence at a halfway house or community corrections center, as approved by Pretrial Services or the Court.
  - (p) Refrain from ( ) any  excessive consumption of alcohol.
  - (q) Refrain from possession, use, distribution, importation, or manufacture of any and all controlled substances and any and all controlled substance analogues, as defined in 21 U.S.C. §802, except that possession and use of a controlled substance properly prescribed by a licensed medical practitioner is permitted.
  - (r) Submit to any method of testing required by the pretrial services office or the supervising officer for determining whether the defendant is using a prohibited substance. Such methods may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing.
  - (s) Participate in and successfully complete a program of outpatient or inpatient substance abuse therapy and counseling. Outpatient treatment may be approved by Pretrial Services or the Court. Inpatient substance abuse treatment must be approved by the Court. The defendant must contribute to the cost of services rendered in an amount to be determined by the probation officer based on ability to pay or availability of third-party payments.
  - (t) Refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing, and/or computer or electronic monitoring which is (are) required as a condition(s) of release.
  - (u) Participate in one of the following monitoring or location restriction programs and abide by all the requirements of the program. The defendant must pay all or part of the cost of the program as determined by Pretrial Services based upon ability to pay.
    - (i) **Curfew.** The defendant is restricted to the defendant's residence every day ( ) from \_\_\_\_\_ to \_\_\_\_\_, subject to modifications by Pretrial Services, or ( ) as directed by Pretrial Services or the Court.
    - (ii) **Home Detention.** The defendant is restricted to the defendant's residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities as pre-approved by Pretrial Services or the Court.
    - (iii) **Home Incarceration.** The defendant is restricted to the defendant's residence at all times except for medical needs or treatment, religious services, and court appearances pre-approved by Pretrial Services or the Court.
    - (iv) **Stand Alone Monitoring.** The defendant has no residential curfew, home detention, or home incarceration restrictions. However, The defendant must comply with the location or travel restrictions as imposed by the court.  
Note: Stand Alone Monitoring should be used in conjunction with global positioning system (GPS) technology.
  - (v) Submit to the following location monitoring technology and comply with its requirements as directed:
    - (i) Location monitoring technology as directed by Pretrial Services or supervising officer; or
    - (ii) Voice Recognition; or
    - (iii) Radio Frequency; or
    - (iv) GPS.
  - (w) Report within 72 hours, to Pretrial Services or the Court any contact with any law enforcement personnel, including, but not limited to, any arrest, questioning, or traffic stop.
  - (x) Not commit another crime, in the United States or elsewhere (including any criminal violation of the law of any province, or

state, county, town, city, village, or other subdivision of a country, or of any recognized tribe).

- ( ) (sc.1) The defendant must not possess or use a computer, data storage device, or any internet capable device without the approval of Pretrial Services or the Court.
- ( ) (sc.2) The defendant must not use or possess any computer, data storage device, or any internet capable device, at any location, except at his/her place of employment, unless The defendant participates in the Computer and Internet Monitoring Program (CIMP), or unless authorized by the Court or Pretrial Services. If placed in the CIMP, the defendant will comply with all the rules of the program and pay the costs associated with the program. Pretrial Services may use and/or install any hardware or software system that is needed to monitor the defendant's use of a computer or internet capable device. The defendant must permit Pretrial Services to conduct periodic, unannounced examinations of any computer equipment, including any data storage device, and internet capable device he/she uses or possesses. This equipment may be removed by the Pretrial Services or their designee for a more thorough examination. The defendant may be limited to possessing one personal internet capable device, to facilitate Pretrial Services' ability to effectively monitor his/her internet related activities.
- ( ) (sc.3) The defendant must not frequent places where persons under the age of 18 are likely to congregate. This shall include, but is not limited to, schools, parks and arcades, unless it is approved by Pretrial Services or the Court.
- ( ) (sc.4) The defendant must not have any direct contact with a person under the age of 18 unless it is supervised by a person approved of by Pretrial Services or the Court. The defendant must not have indirect contact with a person under the age of 18 through another person or through a device (including a telephone, computer, radio, or other means) unless it is supervised by a person approved of by Pretrial Services or the Court. The defendant must reasonably avoid and remove himself/herself from situations in which he/she has any other form of contact with a minor. While this condition would not be violated by unintended, incidental contact with a minor in a public place, any significant personal interaction with a minor, even if unintended or incidental, should be reported to Pretrial Services within 72 hours.
- ( ) (sc.5) The defendant must not subscribe to or use any Internet services at any location without the approval of Pretrial Services or the Court. Telephone bills, credit card bills and service agreements must be provided upon the request of Pretrial Services or the Court.
- ( ) (sc.6) The defendant must not utilize any internet site directly or through another person unless it is approved by Pretrial Services or the Court.
- ( ) (sc.7) The defendant must participate in a mental health program which shall include medical, psychological, or psychiatric evaluation, and may include participation in a treatment program for sexual disorders. The program shall be approved by Pretrial Services.
- ( ) (sc.8) The defendant must contribute to the cost of any evaluation, testing, treatment and/or monitoring services rendered in an amount to be determined by Pretrial Services based on his/her ability to pay and the availability of third party payments.
- ( )
- ( )
- ( )

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<sup>1</sup>For U.S. Passports, the passport will be returned to the U.S. Office of Passport Policy and Planning upon conviction; For Foreign Passports, the passport will be forwarded to the Bureau of Immigration and Customs Enforcement (ICE); The passport will **only** be returned to the defendant if the case is dismissed.

**Advice of Penalties and Sanctions**

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

A violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of release, an order of detention, and a prosecution for contempt of court and could result in a term of imprisonment, a fine or both.

The commission of a Federal offense while on pretrial release will result in an additional sentence of a term of imprisonment of not more than ten years, if the offense is a felony; or a term of imprisonment of not more than one year, if the offense is a misdemeanor. This sentence shall be in addition to any other sentence.

Federal law makes it a crime punishable by up to 10 years of imprisonment and a \$250,000 fine or both to obstruct a criminal investigation. It is a crime punishable by up to ten years of imprisonment, and a \$250,000 fine or both to tamper with a witness, victim or informant; or to intimidate or attempt to intimidate a witness, victim, juror, informant or officer of the court. The penalties for tampering, retaliating and intimidation are significantly more serious if they involve a killing or attempted killing.

If after release, you knowingly fail to appear as required by the conditions of release, or to surrender for the service of sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, you shall be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, you shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, you shall be fined not more than \$250,000 or imprisoned for not more than two years, or both;
- (4) a misdemeanor, you shall be fined not more than \$100,000 or imprisoned for not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be in addition to the sentence for any other offense. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

**Acknowledgment of Defendant**

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

  
\_\_\_\_\_  
Signature of Defendant

  
\_\_\_\_\_  
City and State

**Directions to United States Marshal**

( X ) The defendant is ORDERED released after processing.

( ) The United States Marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date:

  
\_\_\_\_\_  
Christian F. Hummel, United States Magistrate Judge

**U.S. District Court**  
**Northern District of New York - Main Office (Syracuse) [NextGen CM/ECF Release 1.7**  
**(Revision 1.7.1)] (Albany)**  
**CRIMINAL DOCKET FOR CASE #: 1:22-mj-00649-CFH-1**

Case title: USA v. Bartow

Date Filed: 10/27/2022

Other court case number: 1:22-MJ-226 District of Columbia

Date Terminated: 10/28/2022

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Assigned to: Magistrate Judge Christian F. Hummel

**Defendant (1)**

**Katelyn Bartow**

***TERMINATED: 10/28/2022***

represented by **Jeremy B. Sporn**

Office of the Federal Public Defender -  
Albany Office

54 State Street - Suite 310

Albany, NY 12207

518-436-1850

Email: [jeremy\\_sporn@fd.org](mailto:jeremy_sporn@fd.org)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

*Designation: Public Defender or*

*Community Defender Appointment*

*Bar Status: Active*

*Fee Status: waived\_2022*

**Pending Counts**

None

**Disposition**

**Highest Offense Level (Opening)**

None

**Terminated Counts**

None

**Disposition**

**Highest Offense Level (Terminated)**

None

**Complaints**

18:1752(a)(1)-Entering and Remaining in a  
Restricted Building or grounds; 1::1752(a)

**Disposition**

(2)-Disorderly and Disruptive Conduct in a Restricted Building or Grounds; 40:5104(e)  
 (2)(D) Disorderly Conduct in a Capitol Building; 40:5104(e)(2)(G)-Parading, Demonstrating, or Picketing in a Capitol Building

## **Plaintiff**

**USA**

represented by **Joshua R. Rosenthal**  
 Office of United States Attorney - Albany  
 James T. Foley U.S. Courthouse  
 445 Broadway, Room 218  
 Albany, NY 12207-2924  
 518-431-0389  
 Email: [joshua.rosenthal@usdoj.gov](mailto:joshua.rosenthal@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Assistant US Attorney*  
*Bar Status: Active*  
*Fee Status: waived\_2019*

Email All Attorneys

Email All Attorneys and Additional Recipients

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
10/27/2022	<a href="#">1</a>	Rule 5(c)(3) Documents Received as to Katelyn Bartow (tab) (Entered: 10/28/2022)
10/27/2022		Rule 5(c)(3) arrest of Katelyn Bartow. (tab) (Entered: 10/28/2022)
10/27/2022		Text Minute Entry for proceedings held before Magistrate Judge Christian F. Hummel: Initial Appearance pursuant to Rule 5(c)(3) as to Katelyn Bartow held on 10/27/2022. Appearance entered by AFDJ Jeremy B. Sporn for Katelyn Bartow; AUSA Joshua Rosenthal appearing on behalf of the government; USPO Kristin Bent, present. The Court issues the oral Rule 5(f) Reminder of Prosecutorial Obligation Order. The defendant is advised of her rights and the maximum penalties are stated. The Court advises the Defendant that she may not qualify for assigned counsel in the District of Columbia, but for purposes of today's removal hearing, the Court is assigning the FPD. The Government is not seeking detention and agrees with the report of pretrial services and the conditions to released that are proposed. The Court issues an Order setting Conditions of Release that are acknowledged by signature of the defendant. The Deft signs the waiver of Rule 5 hearings. The Court advises the Defendant that she will be required to appear in the District of Columbia Court, via remote Zoom on 11/3/2022 @ 1:00 PM before U.S. Magistrate Judge Moxila A. Upadhyaya. Defendant is ordered released, after processing. (Court Reporter Lisa Tennyson)2:17pm-2:33pm] (tab) (Entered: 10/28/2022)
10/27/2022	<a href="#">2</a>	WAIVER of Rule 5(c)(3) Hearings in this District by Katelyn Bartow (tab) (Entered: 10/28/2022)
10/27/2022	<a href="#">3</a>	ORDER SETTING CONDITIONS OF RELEASE as to Katelyn Bartow (1) ROR with standard and special conditions set. Signed by Magistrate Judge Christian F. Hummel on 10/27/2022.(Copies served upon other agencies as directed) (tab) (Entered: 10/28/2022)
10/28/2022	<a href="#">4</a>	CJA 23 Financial Affidavit by Katelyn Bartow (tab) (Entered: 10/28/2022)

10/28/2022	TEXT NOTICE to the Clerk, District of Columbia of a Rule 5, Appearance as to Katelyn Bartow: Your case number is: 1:22-MJ-226. On 10/27/2022, Defendant appeared in the NDNY as a result of an arrest warrant issued. The defendant waived her right to Identity Hearing, Detention Hearing and Preliminary Hearing in this district and was released on Pretrial Conditions. NDNY will transfer the passport, once collected. Please use PACER Court Links to access the public docket and documents. (tab) (Entered: 10/28/2022)
10/28/2022	<a href="#">5</a> PRETRIAL SERVICES INVESTIGATION REPORT - [LODGED] as to Katelyn Bartow. <b>[This document has been electronically lodged with the Court and is viewable by ONLY the attorney for the government, the attorney for the defendant, and the presiding judge. Any further distribution or dissemination is prohibited.]</b> (anp, ) (Entered: 10/28/2022)