

UNITED STATES DISTRICT COURT
for the
District of Columbia

United States of America

v.

RAECHEL GENCO

[REDACTED]

)
)
Case: 1:21-mj-00231
)
Assigned to: Judge Faruqui, Zia M
)
Assign Date: 2/12/2021
)
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:

Code Section

Offense Description

18 U.S.C. § 1752(a)(1), and (2)

Knowingly entering or remaining in any restricted building or grounds without
lawful authority

This criminal complaint is based on these facts:

See attached affidavit.

Continued on the attached sheet.



Complainant's signature

Stewart Curcio, FBI 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 (specify reliable electronic means).

Date: 02/12/2021



2021.02.12 15:19:43
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Judge's signature

City and state: Washington, D.C.

Zia M. Faruqui, U.S. Magistrate Judge

Printed name and title

STATEMENT OF FACTS

Your affiant, STEWART CURCIO, is a special agent with the Federal Bureau of Investigation currently assigned to the Washington Field Office (WFO) in Washington D.C. and on the Violent Crimes Task Force. In my duties as a special agent, I have investigated a variety of violent crimes, including kidnappings, carjacking, fugitive cases, and other crimes of violence involving deadly weapons. Currently, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. As a Special Agent for the FBI, 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.

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 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 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.

BACKGROUND

Raechel Genco (DOB XX/XX/1983)

Following an investigation, Ryan Stephen Samsel (“SAMSEL”) was charged by complaint on January 29, 2021, with violating 18 USC § 111, 18 USC § 231(a)(3), and 18 USC § 1512(c)(2) relating to SAMSEL’s activities at the U.S. Capitol on January 6, 2021. SAMSEL was arrested on those charges on January 30, 2021. During that investigation, the FBI discovered that Raechel Genco (“GENCO”) had traveled to Washington, D.C. with SAMSEL on January 6, 2021. Following SAMSEL’S arrest, while at GENCO’s residence, your affiant observed and met GENCO.

Footage taken in Washington, D.C. on January 6, 2021 depicts an individual I recognize as GENCO walking with SAMSEL in Washington. D.C.:



Figure 1: Image of GENCO with SAMSEL on January 6, 2021, in Washington, D.C.

At approximately 12:45 p.m. on January 6, 2021, as the proceedings described above continued in the House and the Senate, a large crowd gathered to the West of the U.S. Capitol around the Peace Monument, located in the Pennsylvania Ave NW and 1st St. NW roundabout, that was commonly referred to as “Peace Circle” by U.S. Capitol Police Officers.

The crowd then moved southeast along the sidewalk that connects Peace Circle to the U.S. Capitol Building, commonly referred to as the “Pennsylvania Ave Walkway” by U.S. Capitol Police Officers. The crowd walked over barricades designed to close the sidewalk access to and maintain a buffer zone from the U.S. Capitol Grounds perimeter fence line. This fence line was intended to keep the public away from the Capitol building and the Congressional proceedings underway inside. The fence line was manned by uniformed U.S. Capitol Police Officers and was constructed of metal bike rack barriers, physically linked end to end, and reinforced with dark colored plastic mesh safety fencing affixed behind the metal bike racks. The fence line was clearly marked with large white “AREA CLOSED” signs affixed to the fencing with bold red lettering.

At approximately 12:50 p.m., SAMSEL and another individual were observed leading the crowd up to the fence line, and after a brief struggle with uniformed U.S. Capitol Police Officers, up and over the barricades. Prior to this approach, GENCO can be seen following behind SAMSEL as he walks toward the barriers (see figure 2 below). The crowd was not lawfully authorized to enter or remain on the U.S. Capitol grounds and prior to entering the grounds, no members of the crowd submitted to security screenings or weapons checks by U.S. Capitol Police Officers or other authorized security officials.

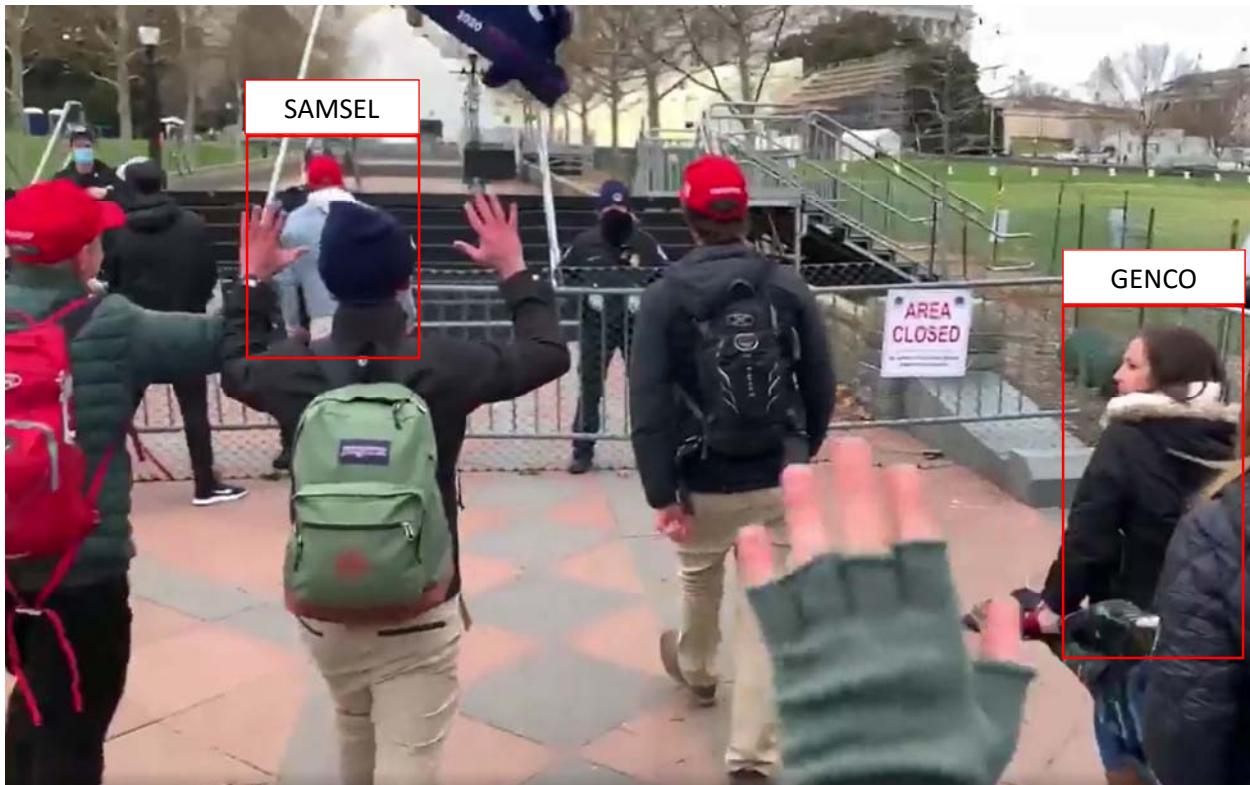


Figure 2: SAMSEL Confronting Uniformed U.S. Capitol Police Officers and GENCO behind to the right.

After arguing with a U.S. Capitol Police Officer, SAMSEL became visibly agitated and aggressively began to push and pull on the barricades. After unsuccessful attempts to tear down the barricade, SAMSEL removed his light blue jacket, revealing a long sleeve white hooded shirt under a black shirt. After removing his jacket, SAMSEL begins leading the crowd in violently pushing and pulling the barricades until the crowd successfully pushed the barricades down. SAMSEL can be seen advancing further into the U.S. Capitol Grounds, which remained closed to the public. Your affiant later observed GENCO in footage also advancing further in the U.S. Capitol Grounds, past these barriers.

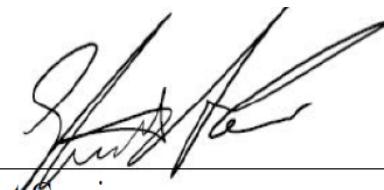
The area where GENCO was walking, as depicted below, was restricted and not open to the public on January 6, 2021 (see figure 4 below).



Figure 3: GENCO beyond the initial police barriers and on restricted Capitol grounds

As described above, SAMSEL was subsequently charged and arrested for his activities at the Capitol. On January 30, 2021, the FBI executed a residential search warrant at the residence where SAMSEL lives with GENCO and GENCO's family. During that search, your affiant met both SAMSEL and GENCO (DOB XX/XX/1983) and the person depicted in the photographs above appears to be GENCO. SAMSEL agreed to speak to law enforcement and stated that he and GENCO drove from Pennsylvania to Washington D.C., on the morning of January 6, 2021 in GENCO's Dodge Charger. Contrary to the footage described above, SAMSEL claimed that GENCO did not pass any barriers.

Based on the foregoing, your affiant submits that there is probable cause to believe that Raechel Genco (DOB XX/XX/1983) 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 so; 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.



Stewart Curcio
Special Agent

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1
by telephone, this 12th day of February 2021.



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ZIA M. FARUQUI
U.S. MAGISTRATE JUDGE