

UNITED STATES DISTRICT COURT
for the
District of Columbia

United States of America
v.
Mitchell Paul Vukich
DOB: XXXXXX

Case: 1:21-mj-00476
Assigned To : Harvey, G. Michael
Assign. Date : 6/14/2021
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
in the District of Columbia, the defendant(s) violated:

Code Section

Offense Description

- 18 U.S.C. § 1752(a)(1) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority,
18 U.S.C. § 1752(a)(2) - Disorderly and Disruptive Conduct in a Restricted Building or Grounds,
18 U.S.C. § 641 - Theft of Government Money, Property, or Records,
40 U.S.C. § 5104(e)(2)(D) - Disorderly Conduct on Capitol Grounds,
40 U.S.C. § 5104(e)(2)(G) - Parading, Demonstrating, or Picketing in a Capitol Building.

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.



Complainant's signature



Printed name and title

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

Date: 06/21/2021

Digitally signed by G. Michael Harvey
Date: 2021.06.21 10:39:48 -04'00'

Judge's signature

City and state: Washington, D.C.

G. Michael Harvey, U.S. Magistrate Judge
Printed name and title

STATEMENT OF FACTS

1. Your affiant, [REDACTED], is a Special Agent with the Federal Bureau of Investigation (“FBI”). I am assigned to a Joint Terrorism Task Force (“JTTF”) with the FBI Pittsburgh Division in Pittsburgh, PA. Currently, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. I have served as a Special Agent since 2010. 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 violations of Federal criminal laws.

2. 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.

Incursion at the U.S. Capitol on January 6, 2021

3. 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.

4. 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.

5. 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.

6. 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.

7. 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.

Evidence Linking VUKICH to Assault on the U.S. Capitol

A. Complainants

8. An individual by the name of Mitchell Paul Vukich (“VUKICH”) was identified from approximately 7 online tips as a possible participant in the civil unrest at the U.S. Capitol on January 6, 2021. Special Agents of the FBI Pittsburgh Field office interviewed Complainant 1 who provided screenshots from the Twitter account of “Mitch Vuk” [REDACTED], including those below:

- 3:15 PM. 1/6/21. “I was one of the first 15 people in the #Capitol. Wild stuff. Be safe out there.”



- 7:51 PM. 1/6/21. “A lot of people have opinions on an event they did not witness. #USCapitol”



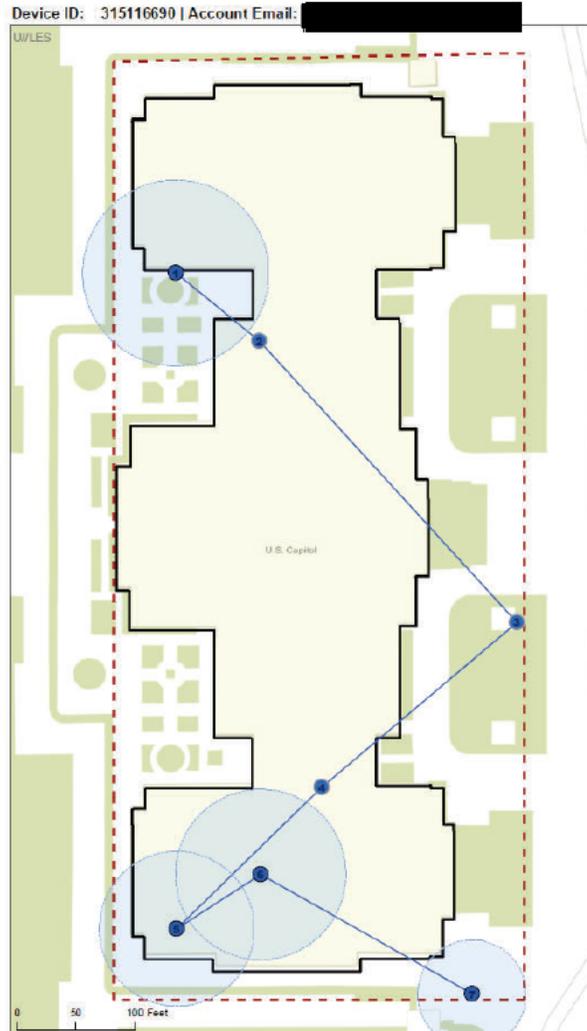
9. In addition to the above screen shots, FBI employees have reviewed other postings by VUKICH that appear to make reference to the events at the U.S. Capitol from the perspective of someone who was a participant and eyewitness.

B. [REDACTED]

10. According to records obtained through a search warrant which was served on Google, on January 6, 2021, in and around the time of the incident, a mobile device associated with [REDACTED] was present at and in the interior of the U.S. Capitol on January 6, 2021.¹ Through its investigation, FBI has determined that the account [REDACTED] is used by VUKICH.²

¹ Google estimates device location using sources including GPS data and information about nearby Wi-Fi access points and Bluetooth beacons. This location data varies in its accuracy, depending on the source(s) of the data. As a result, Google assigns a “maps display radius” for each location data point. Thus, where Google estimates that its location data is accurate to within 10 meters, Google assigns a “maps display radius” of 10 meters to the location data point. Finally, Google reports that its “maps display radius” reflects the actual location of the covered device approximately 68% of the time. In this case, Google location data shows that a device associated with [REDACTED] was detected at 7 different points within the U.S. Capitol and/or its curtilage from approximately 2:11pm until 2:36pm EST. Google records show that the “maps display radius” was less than 100ft for 4 of these points, and at least 1 such point encompasses an area that is entirely within the U.S. Capitol Building.

² According to records provided by Google, the phone number that Google associates with the account [REDACTED] does not appear to be the same cellular telephone number currently being used by VUKICH.



C. Video

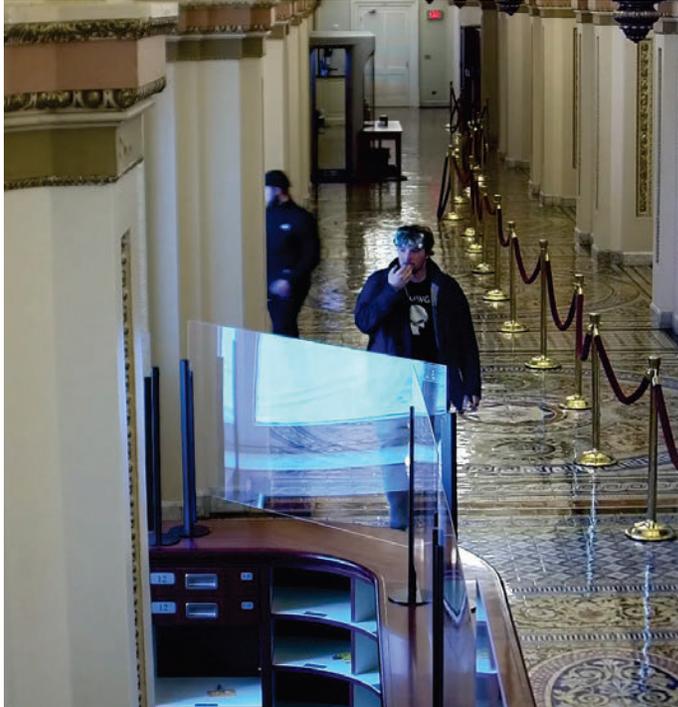
11. FBI employees have conducted a review of surveillance camera footage obtained from fixed-position security cameras located inside the U.S. Capitol Building. In the course of this review, an individual consistent with the physical description of VUKICH can be seen walking throughout multiple locations inside the Capitol. The following does not represent an exhaustive analysis of all available surveillance footage, but rather a summary of VUKICH's movement through the U.S. Capitol building.



East Corridor
Approximately 2:19pm
Individual matching the
description of VUKICH wearing
goggles on his forehead (on right
of screen).



Gallery West
Approximately 2:25pm
Individual matching the
description of VUKICH securing
paperwork that he appears to
have picked up from inside the
U.S. Capitol.



Gallery West
Approximately 2:30pm
Individual matching the
description of VUKICH wearing
goggles on his forehead.

D. Admissions

12. On April 26, 2021, Special Agents of the Las Vegas Division of the FBI conducted an interview of VUKICH while he was traveling through the Las Vegas Airport. Among other things, during the interview, VUKICH was shown multiple still photographs (below) taken from U.S. Capitol Security Cameras during the events of January 6, 2021. VUKICH affirmed that he was the individual depicted in the images in the photos (below), wearing goggles on his head and a distinctive T-shirt. He admitted to being present in the U.S. Capitol during the events of January 6, 2021, and further admitted to taking paperwork, which he described as a congressional session agenda, and removing it from the Capitol premises. In the interview, VUKICH also affirmed that the Twitter posts related to his presence and entry into the U.S. Capitol on January 6, 2021, provided by complainants (see section A above) were in fact from his Twitter account and posted by him.





13. Based on the aforementioned evidence, there is probable cause to believe that VUKICH was present inside the U.S. Capitol on January 6, 2021, during the riot and related offenses that occurred at the U.S. Capitol Building, located at 1 First Street, NW, Washington, D.C., 20510 at latitude 38.88997 and longitude -77.00906 on January 6, 2021 and participated in the obstruction of the Congressional proceedings.

14. Accordingly, your affiant submits that there is probable cause to believe that VUKICH 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.

15. Your affiant submits there is also probable cause to believe that VUKICH violated 18 U.S.C. § 641, which makes it a crime to steal property of the United States, namely congressional documents, valued at \$1,000 or less.

16. Your affiant submits there is also probable cause to believe that VUKICH 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
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 21st day of June, 2021.

A handwritten signature in cursive script, appearing to read "G. Michael Harvey".

Digitally signed by G. Michael
Harvey
Date: 2021.06.21 10:40:29 -04'00'

G. MICHAEL HARVEY
U.S. MAGISTRATE JUDGE