

STATEMENT OF FACTS

Your affiant, Task Force Officer [REDACTED] with the Federal Bureau of Investigation ("FBI") is assigned to Joint Terrorism Task Force (JTTF) in Chicago, IL. In my duties as a Task Force Officer, I investigate criminal violations related to Domestic and International Terrorism. Currently, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. As a Task Force Officer, I am authorized by law or by a Government agency to engage in or supervise the prevention, detection, 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 are 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 U.S. Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the U.S. House of Representatives and the U.S. Senate were meeting in separate chambers of the U.S. 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 House and the 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 U.S. Congress was effectively suspended until shortly after 8:00 p.m. Vice President Pence remained in the U.S. 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.

On about January 15, 2021, FBI Dallas received a tip from an individual who explained that that his/her spouse received, via text message, three photos that appeared to be taken from inside the U.S. Capitol building. The tipster shared the photos with the FBI, and agents confirmed by comparison to surveillance footage and other sources that the pictures were taken inside the U.S. Capitol building at around 2:25 – 2:30 pm on January 6, 2021. The tipster reported that the texts were sent from KIMBERLY DIFRANCESCO from cell phone number (XXX) XXX-3675. The tipster reported that DIFRANCESCO was a friend of his/her spouse. Two of the texted photos are provided below:



According to records obtained through a search warrant served on AT&T, on January 6, 2021, the cell phone associated with (XXX) XXX-3675 was identified as having utilized a cell site consistent with providing service to a geographic area that included the interior of the U.S. Capitol building. Subscriber records for number (XXX) XXX-3675 indicated the registered owner of the account is KIMBERLY DIFRANCESCO, with a subscriber address in Elmhurst, Illinois.

Toll records for KIMBERLY DIFRANCESCO's phone indicated that KIMBERLY DIFRANCESCO made contact with another cell phone on January 6, with the number (XXX) XXX-1555. The (XXX) XXX-1555 number was identified through AT&T records as also having utilized a cell site consistent with providing service to a geographic area that included the interior of the U.S. Capitol building on January 6, 2021. AT&T records indicted the phone associated with (XXX) XXX-1555 is assigned to TRUDY DiFrancesco, at the same address in Elmhurst, Illinois.

The AT&T services for (XXX) XXX-1555 are also paid for by KIMBERLY DIFRANCESCO. Based on the fact that both KIMBERLY DIFRANCESCO and TRUDY DiFrancesco are on the same phone account, and that they reported the same last name, I believe that they are related, though I have not determined the precise nature of their relationship. Law enforcement database records indicate that TRUDY DiFrancesco currently uses the name TRUDY CASTLE and has also used the name Trudy Von Keudell.

After learning this information indicating that both DIFRANCESCO and CASTLE were inside the U.S. Capitol on January 6, 2021, agents attempted to identify these individuals and locate them in video or photos taken inside the Capitol that day. I have reviewed driver's license photos taken for both individuals and compared those photos with video footage taken on January 6. Based on this comparison, I have located video footage of a woman I believe to be DIFRANCESCO wearing a red hooded sweatshirt, green pants, gray gym shoes, black jacket, black backpack, and black hat or gaiter, approaching the Senate Wing Door to the U.S. Capitol at around 2:19 pm on January 6—just minutes after the first rioters breached the Capitol building through a broken window next to the same door. An image from this video footage is shown at Figure 1:

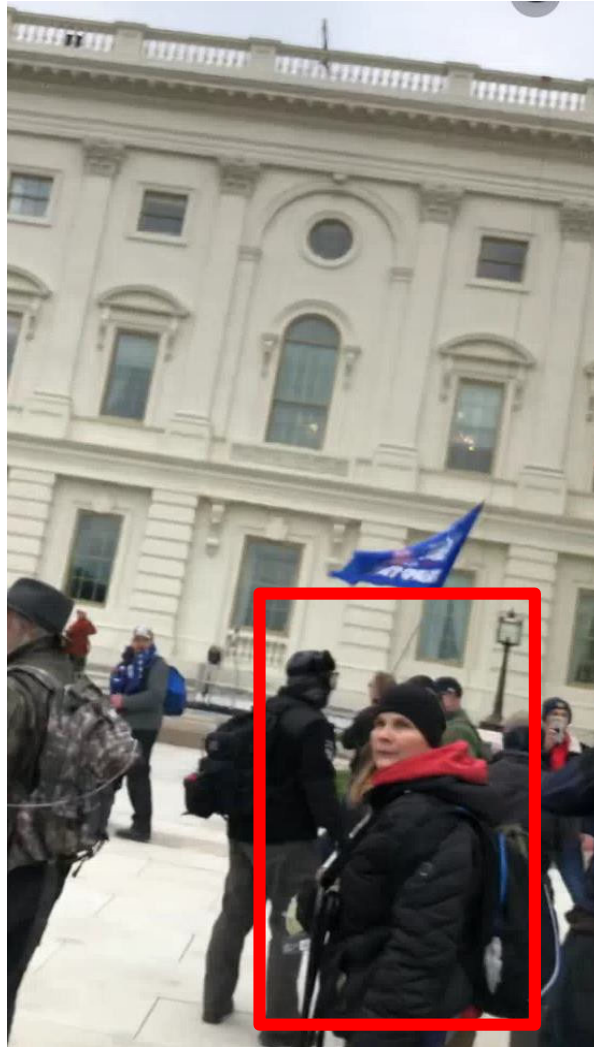


Figure 1

A few minutes later, at approximately 2:24 pm, the same woman can be seen entering the U.S. Capitol through the Senate Wing Door. Next to her is another woman, who based on my review of driver's license records and the video footage I believe to be CASTLE, who is wearing a white jacket, dark pants, a red, white, and blue knit "Trump" hat with a pom-pom, carrying multiple small American flags and a black satchel. An image of both women entering through the Senate Wing Door at approximately 2:24 pm is shown at Figure 2:

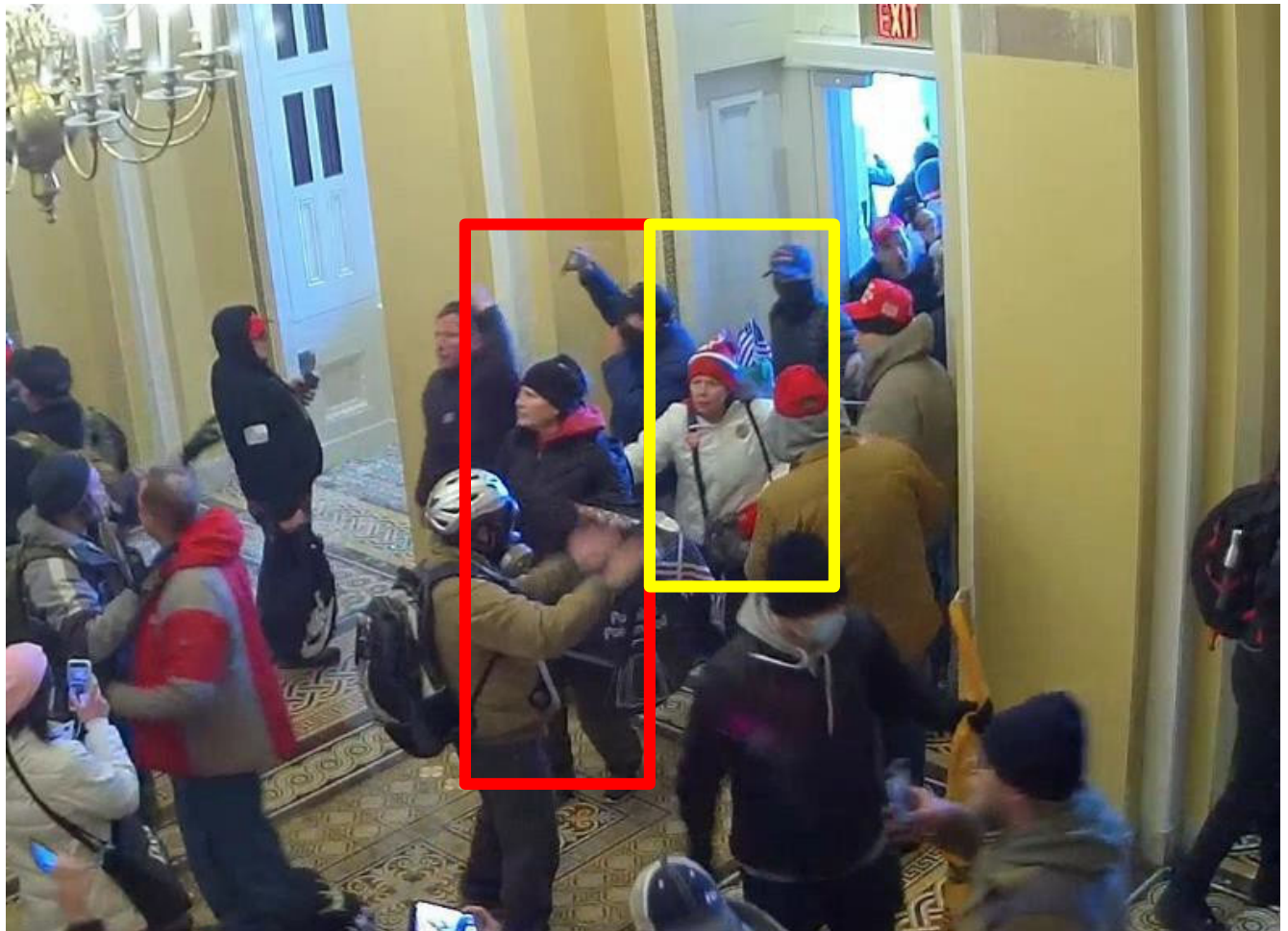


Figure 2

Video from inside the Capitol shows that by around 2:29 pm, the two women made their way from the Senate Wing Door on the northwest side of the building, to the elevator lobby near the Visitor's Center on the southeast side of the building, which is accessible by walking through the Crypt. CASTLE can be seen in the image shown at Figure 3, just after rioters interfered with the operation of a security door that appears intended to but unsuccessful at blocking access to the adjacent hallway. She then walked through the security door as it was opening, using her arm in what appears to be an effort to protect her head or move the door up should the door deploy downward again, as shown at Figure 4. Moments later, DIFRANCESCO can be seen following CASTLE through the doorway.

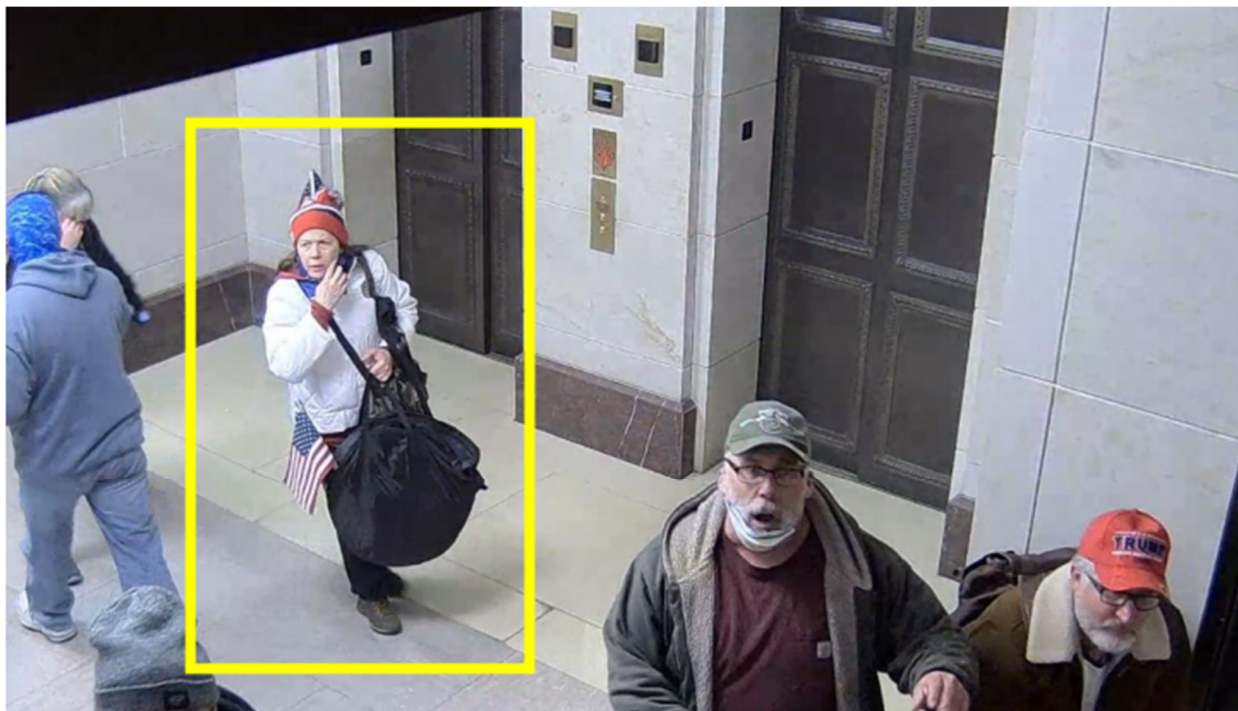


Figure 3



Figure 4

From there, DIFRANCESCO and CASTLE can be seen making their way down to the lower level Visitor's Center at around 2:30 pm, where DIFRANCESCO appears to be talking on a handheld radio, as shown in Figure 5. At around 2:34, the women went back upstairs and exited

the same elevator at the first floor lobby, then made their way back down the stairs to the Visitor's Center and up again between around 2:34 and 2:46 pm. At around 2:47, they walked back through the Crypt and on to the Senate Wing Door, where video footage shows that they exited the building at approximately 3:02 pm.



Figure 5

Video footage of the Capitol grounds that afternoon shows that the two women did not leave the vicinity after they exited the building. In fact, they sat outside for some time, and met up with a man while they were outside. Based on my comparison of an Illinois driver's license photograph and the images taken outside the Capitol, I believe the man they met up with, shown in Figure 6, is Castle's adult son, Nicholas Von Keudell, from Hampshire, Illinois.

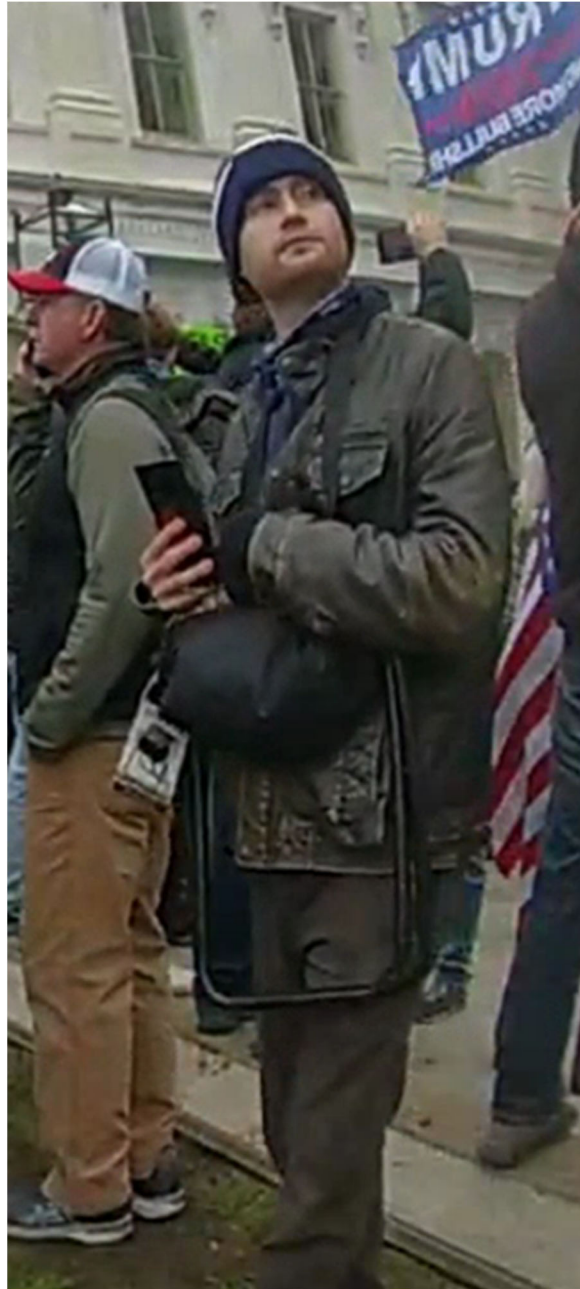


Figure 6

At around 4:21 pm, CASTLE and DIFRANCESCO can be seen in video footage outside the Capitol re-approaching the Senate Wing Door in what appears to be an effort to re-enter the building. At that time, law enforcement officers pushed away the rioters, and the women appear to depart, as shown in Figure 7. By around 4:33 pm, the women were seen on video surveillance footage on the north side of the building.



Figure 7

In an effort to determine the identity of these individuals, as described above, I compared the surveillance footage with known photos of DIFRANCESCO, CASTLE, and Von Keudell. Based on these comparisons, and based on the location of the cell phones used by CASTLE and DIFRANCESCO at the U.S. Capitol building and grounds on January 6, I believe the individuals described above are likely CASTLE and DIFRANCESCO, and that the man they met with after leaving the building was Von Keudell.

In a further attempt to identify the individuals, agents conducted interviews with individuals who knew the women. On September 2021, agents interviewed a neighbor of DIFRANCESCO's who has lived next door to DIFRANCESCO since 2010 and has spoken to her on several occasions. The neighbor reviewed Figure 8, a still image from interior US Capitol surveillance footage, and reported that he was confident that the woman in the black coat was DIFRANCESCO.



Figure 8

Also in September 2021, agents interviewed an employee at the apartment complex where law enforcement records indicate CASTLE lived in from 2014 through June 2021. The employee reported he/she has been working full time at the apartment complex since 2017 and speaks with the residents on a day-to-day basis. The employee reviewed Figures 3 (above) and 9 (below), and recognized the woman in the white coat as TRUDY CASTLE. The employee did not recall seeing her recently so checked their database and indicated she no longer rents there.



Figure 9

I have reviewed telephone toll records for DIFRANCESCO and CASTLE's phones, which indicate that both DIFRANCESCO and CASTLE used their telephones to make and receive calls and text messages during the afternoon of January 6, 2021, including during the time they were seen in and around the U.S. Capitol building. I have reviewed historical cell site location data associated to the toll records which plotted the location of DIFRANCESCO and CASTLE's cell phones from January 5, 2021 to January 7, 2021 which showed travel from Chicago area to Washington DC and back to Chicago area during that time frame.

I have reviewed iCloud data from DIFRANCESCO's Apple account, which Apple records show is registered to DIFRANCESCO. In that account, I located the three images, described above, that were sent by text message to the tipster's spouse. I also located additional photographs, taken with DIFRANCESCO's Apple iPhone, that show DIFRANCESCO and CASTLE on January 6 that appear to be taken outside the U.S. Capitol, including Figure 10, below.

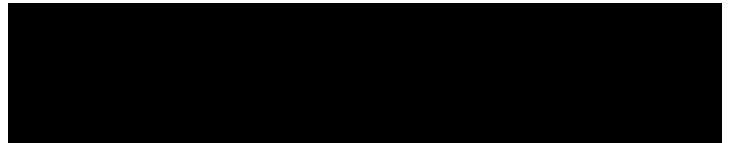


Figure 10

Based on the foregoing, your affiant submits that there is probable cause to believe that KIMBERLY DIFRANCESCO and TRUDY CASTLE, aka Trudy DiFrancesco, aka Trudy Von Keudell, 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 KIMBERLY DIFRANCESCO and TRUDY CASTLE, aka Trudy DiFrancesco, aka Trudy Von Keudell, 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.



Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 27th day of May 2022.

ROBIN M. MERIWEATHER
U.S. MAGISTRATE JUDGE