

STATEMENT OF FACTS

Your affiant, [REDACTED], is a Special Agent assigned to the Dallas Field Office of the Federal Bureau of Investigation. In my duties as a Special Agent, I investigate national security matters. My training and experience have involved, among other things, interviewing witnesses and confidential human sources, executing court-authorized search warrants, conducting surveillance, and analyzing documentary and physical evidence. Currently, I am tasked with investigating criminal activity in and around the United States Capitol 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, detection, investigation, or prosecution of a violation of Federal criminal laws, and am authorized to execute warrants issued under the authority of the United States.

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, 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 DEFENDANT DANA JEAN BELL

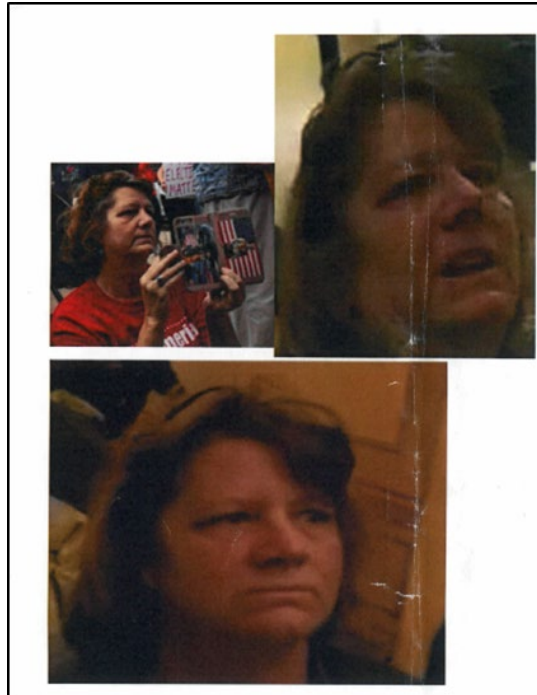
Following the riot at the United States Capitol and the unlawful breach of the Capitol Building, FBI reviewed a significant amount of photographic and video imagery of individuals who violated the law on January 6, 2021.

This photographic and video evidence, some of which is depicted below, revealed a white female with short brown hair, approximately 45 to 65 years old, wearing a dark leather-type jacket, a white long-sleeve shirt with a design on the front, and blue jeans. On January 6, 2021, the individual was seen at times carrying a purple backpack and wearing a gray knit winter hat. At other times, she was seen without the backpack and hat, but carrying an American flag. In addition, that individual was seen in photographic and video evidence, both inside and outside the United States Capitol, carrying a cell phone with a folio-style cover that was rose in color and consisted of an American flag backdrop and images of former President Donald Trump (one shirtless posing as the character Rocky Balboa from the movie *Rocky*).

The individual described above was assigned the “be on the lookout” (BOLO) #318 by the FBI on or about April 4, 2021. FBI published images of BOLO #318, some of which are included below.

Three separate witnesses who knew BELL personally and who lived in the same neighborhood in Texas identified BELL as the woman shown in the BOLO #318 images below. One of those witnesses had seen a public news broadcast for BOLO #318 and recognized the wanted person as BELL; that person had recorded the news broadcast on his or her phone at the time, and later provided it to the FBI after the interview. At least one witness confirmed that

BELL's phone number was 817-235-2654, and that she had moved in or around April 2022 to 11820 County Road, No. 496, Princeton, Texas. The three individuals who positively confirmed BELL's identity were shown the following photo collages, in which they identified the individual depicted as BELL. Some, but not all, of the photos below are from the U.S. Capitol on January 6.



I also obtained BELL's Texas driver's license photograph, compared it to the images above, and determined that they appear to be the same person.

In addition, after the BOLO was made public, the FBI was contacted by a Dallas defense attorney on or about April 5, 2022, who advised that BOLO #318 was BELL.

In open-source and other evidence, BELL can be seen on January 6, 2021, acting aggressively on Capitol Grounds within the restricted area, which included the Capitol Building itself, and its Grounds, as denoted by the red line in the aerial image below.



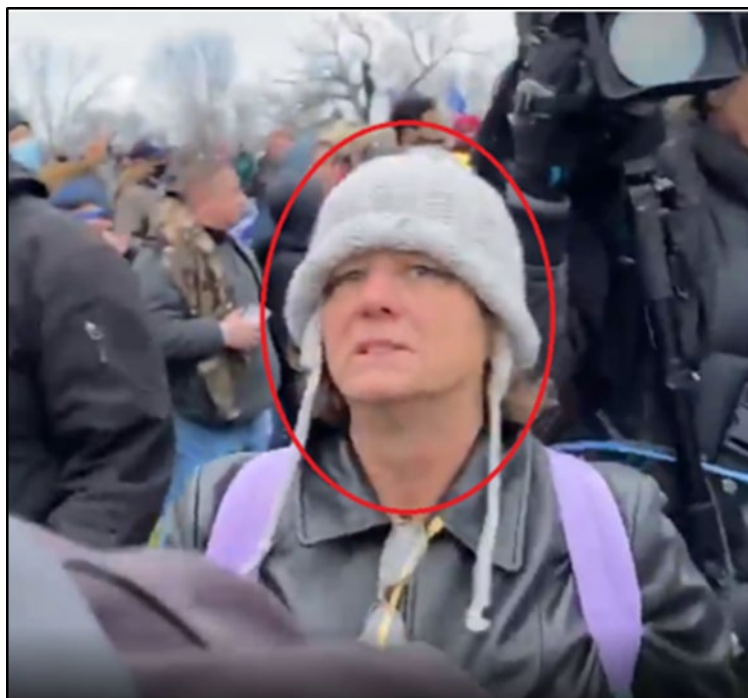
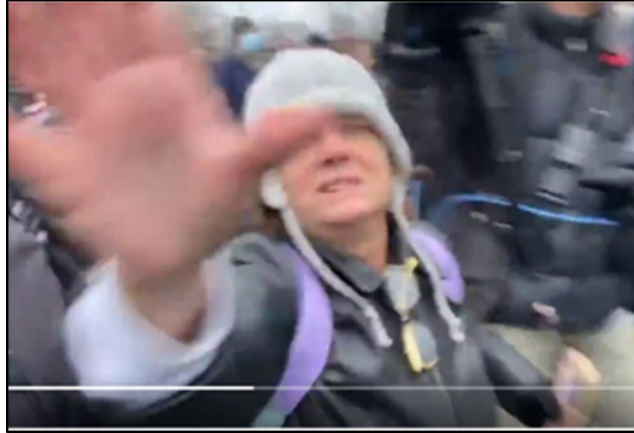
For example, in a video posted publicly on Twitter, BELL is seen assaulting a member of the press (a local news anchor from Fox 5).

The video shows an angry group of rioters yelling at members of the media, calling them “traitors” and “fake news,” and telling them to “get out.” They use expletives and “flip off” the camera crew. BELL appears to move forward and reach out in an aggressive manner and attempts to push or grab at the news anchor. Notably, BELL’s distinctive telephone case can be observed in video footage capturing the assault, including in some of the still shots from that footage, depicted below. Both outside and inside the Capitol, BELL wears the same leather jacket with pointed collar, jeans, and has glasses with brown frames and gold trim hanging by her neck.



The news anchor also recorded the assault on her cell phone as it was happening and uploaded it to Twitter, still shots of which are captured below.

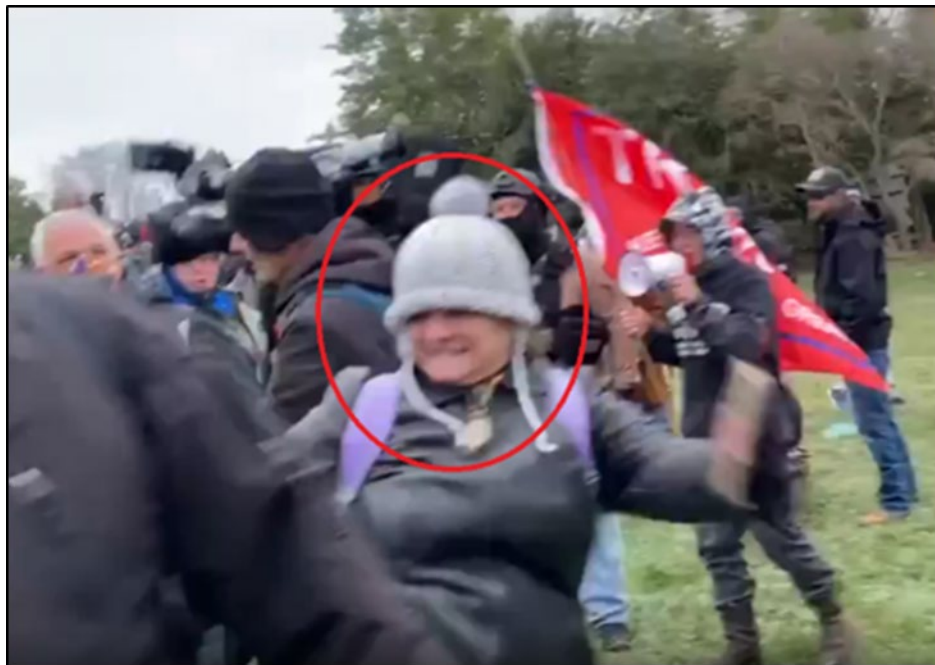




These videos also show that an African American male in a black mask stepped in to protect the anchor, at which point BELL began violently engaging with him, too:



The video shows BELL appearing to aggressively kick the posterior area of the male, who appeared to be part of a news team.



The video then shows BELL again turning her attention to the news anchor (a female with black hair in a ponytail, wearing a black mask and long sleeve shirt, blue jeans, and knee-high black boots). Again, BELL appears to engage the female and kick her in the front lower legs:



Eventually, BELL appears to make her way to the United States Capitol Building itself. She pushes with the mob to the Rotunda Doors, which were being actively protected by law enforcement personnel, some in riot gear and holding riot shields. At this point, BELL is not wearing her knit hat or purple backpack.

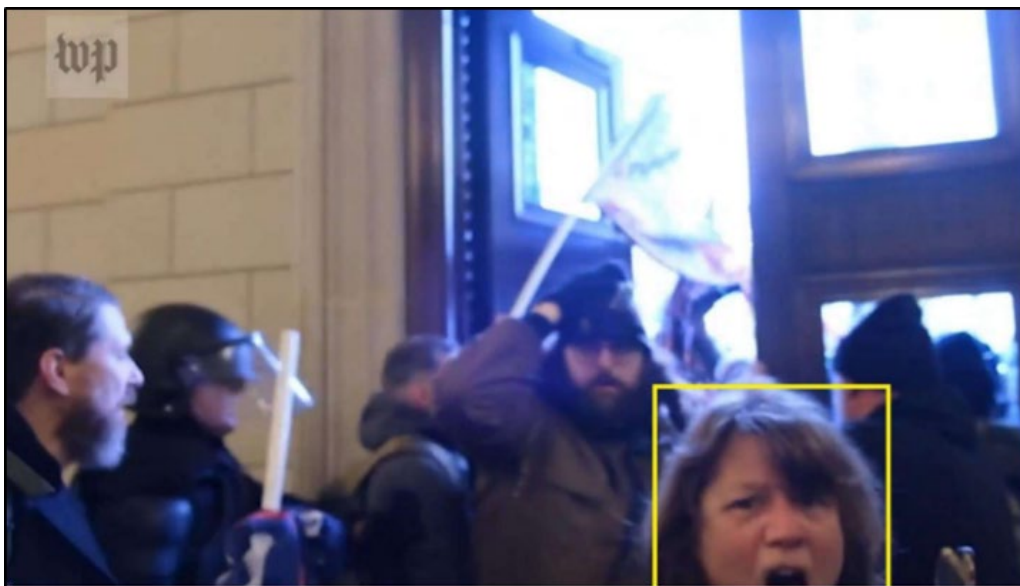




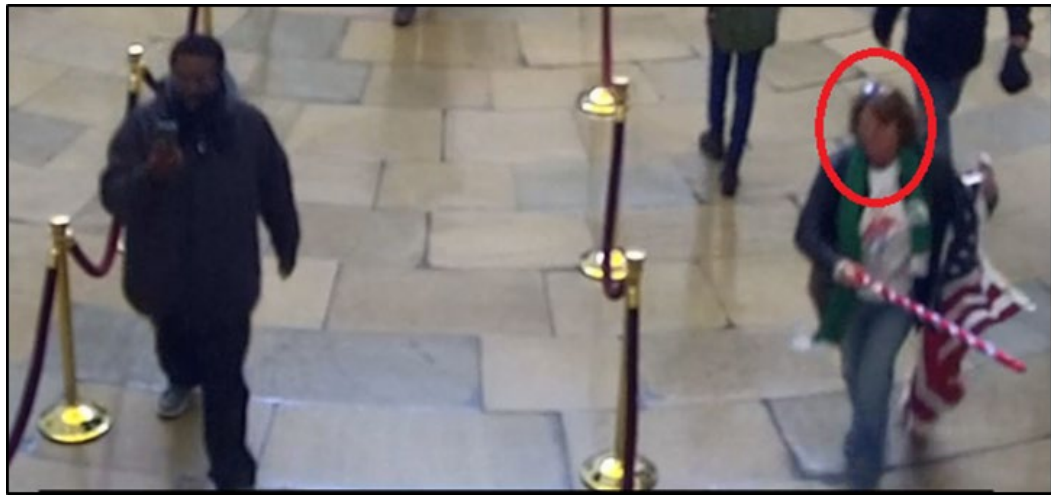
Then, as law enforcement actively attempts to keep a door to the Capitol Building closed to prevent further breach, BELL attempts to pull that door open. Below, BELL is identified in the yellow circle on the left, while her hand pulling the door open is circled in yellow on the right. Around the same time, a chemical irritant is deployed into the crowd, including law enforcement.



BELL then successfully enters the Capitol around 2:26 PM, soon after the Rotunda Doors are first breached. One open-source video, a screenshot from which is below, shows her appearing to celebrate her entry into the Capitol. The image that follows, from USCP security closed-captioned video footage, shows the same:



She then walks through the building, including in the Rotunda, where she is seen on video appearing to take pictures or videos with her cell phone.



Other images and footage from January 6, 2021, show BELL near the Speaker's Lobby; in the second image below, she appears to be holding her cell phone to her ear, as if she is placing or receiving a phone call:



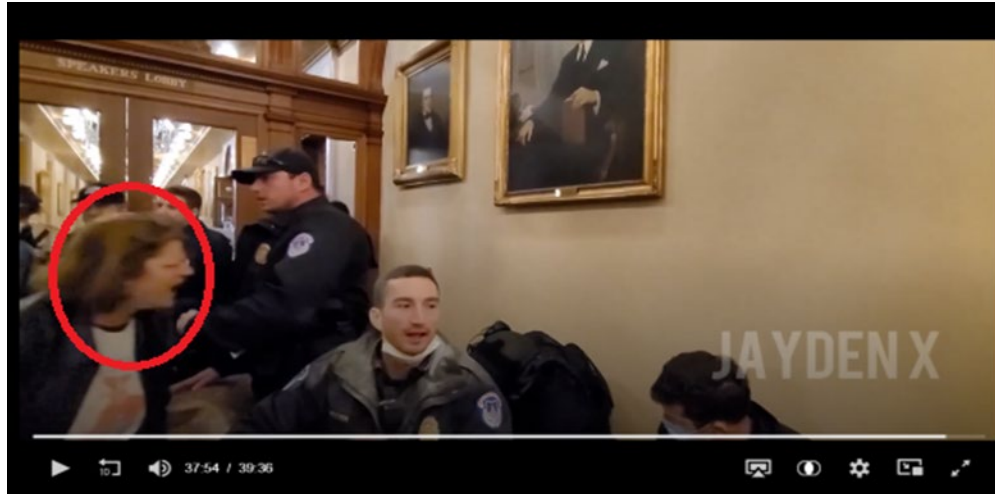


BELL also stops and appears to use her cell phone to film other rioters as they actively bang on the locked doors to the House Chamber:



In another open-source video, within a minute of the rioters' attempted breach of the Speakers' Lobby, which resulted in the shooting of rioter Ashli Babbitt, rather than heed officers' orders for the crowd to disperse and/or back up so they could render aid to the injured rioter, BELL instead approaches the officers. In the video from which the below screenshots are taken, BELL appears to aggressively yell toward various officers, showing them her middle finger. She also continues to disregard their commands.



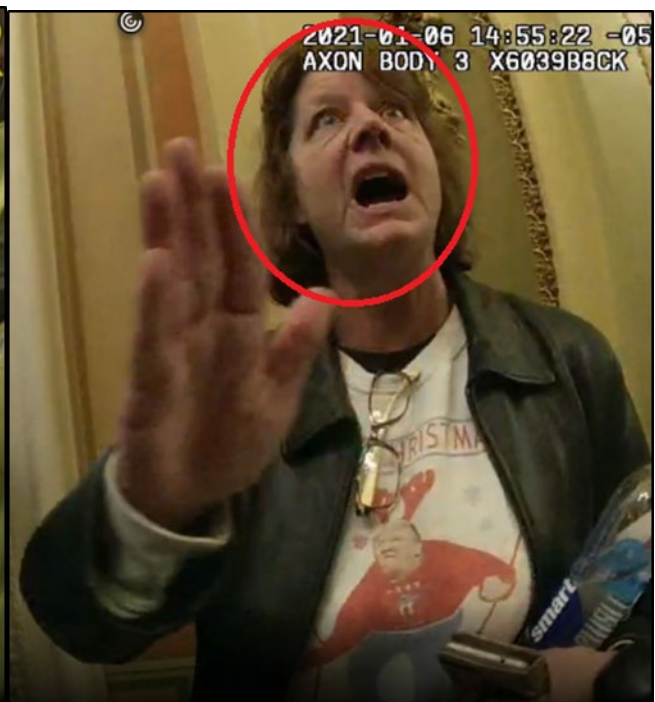


BELL was further seen on January 6, 2021, in a number of Metropolitan Police Department (MPD) officers' body-worn camera where she continually acts aggressively, uttering threatening or insulting language very close to officers' faces. For example, at one point, she can be heard on body-worn camera footage appearing to call an MPD officer a "fucking pussy traitor," "pussy traitor," and a "cunt." Still shots from those body-worn camera videos are below:





BELL is also heard telling officers, “Do not touch me,” while appearing to actively resist and/or push back against officers as she is being forced to exit the Capitol. She is also heard telling an MPD officer, “y’all suck.” while flipping her middle finger in the officer’s face.





During this confrontation, at approximately 2:55 PM, BELL grabs an officer's baton with her right hand, as seen in the screenshot above.

Then, BELL is seen in other body-worn camera footage actively resisting and/or pushing against an officer while speaking aggressively towards him. He is also among the officers who are attempting to clear the crowd from the U.S. Capitol and direct them toward an exit:



Other open-source video shows BELL appearing to yell at officers inside the Capitol, such as the following image.



Approximately 20 seconds later, BELL is seen in Capitol Police surveillance video appearing to, again, actively push back against and yell at officers who were attempting to clear the crowd from the Capitol through an exit door. A screenshot is below:





BELL exited the U.S. Capitol around 2:56 PM, after spending approximately thirty minutes inside the building.



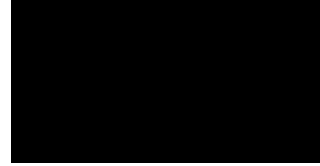
Based on the foregoing, your affiant submits that there is probable cause to believe that DANA JEAN BELL violated 18 U.S.C. § 111(a)(1), which makes it a crime to forcibly assault, resist, oppose, impede, intimidate, or interfere with a designated person while that person is engaged in the performance of official duties, or on account of that person's performance of official duties. For the purposes of Section 111 of Title 18, a designated person includes officers or employees of the United States or of any agency in any branch of the United States Government. This includes officers of the U.S. Capitol Police, and also includes members of the Metropolitan Police Department when, as in the events described above, such officers were assisting a federal officer or employee in the performance of the federal officer's duties.

I also submit there is probable cause to believe that BELL violated 18 U.S.C. § 231(a)(3), which makes it unlawful to commit or attempt to commit any act to obstruct, impede, or interfere with any fireman or law enforcement officer lawfully engaged in the lawful performance of his official duties incident to and during the commission of a civil disorder which in any way or degree obstructs, delays, or adversely affects commerce or the movement of any article or commodity in commerce or the conduct or performance of any federally protected function. For purposes of Section 231 of Title 18, a federally protected function means any function, operation, or action carried out, under the laws of the United States, by any department, agency, or instrumentality of the United States or by an officer or employee thereof. This includes the Joint Session of Congress where the Senate and House count Electoral College votes.

I also submit that there is probable cause to believe that BELL 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 BELL 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
FBI

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 6th day of December 2023.

G. MICHAEL HARVEY
U.S. MAGISTRATE JUDGE