

UNITED STATES DISTRICT COURT  
for the  
District of Columbia

United States of America )  
v. )  
                            ) Case No.  
                            )  
KAROL J. CHWIESIUK     )  
DOB: XXXXXX           )  
\_\_\_\_\_  
*Defendant*

**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:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 1752(a)(1), (2)	Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority
40 U.S.C. § 5104(e)(2)(C)(i), (D), (G)	Violent Entry and Disorderly Conduct on Capitol Grounds

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.



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: June 10, 2021

*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, [REDACTED] is a Special Agent with the Federal Bureau of Investigation (FBI). 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 a violation of Federal criminal laws. Currently, I am tasked with investigating criminal activity in and around the United States Capitol (the Capitol) grounds on January 6, 2021.

The U.S. Capitol is secured twenty-four hours a day by U.S. Capitol Police (USCP). Restrictions around the Capitol include permanent and temporary security barriers and posts manned by USCP. Only authorized people with appropriate identification are allowed access inside the Capitol. On January 6, 2021, the exterior plaza of the Capitol was also closed to members of the public.

On January 6, 2021, a joint session of the United States Congress convened at the 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 Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on Tuesday, November 3, 2020. The joint session began at approximately 1:00 PM. Shortly thereafter, by approximately 1:30 PM, 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 Capitol. As noted above, temporary barricades and permanent barricades were in place around the exterior of the Capitol. USCP 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 Capitol were locked or otherwise secured. Members of the USCP attempted to maintain order and to keep the crowd from entering the Capitol. However, around 2:00 PM, individuals in the crowd forced entry into the Capitol. Some members of the crowd gained access and entry to the Capitol by breaking windows and assaulting members of the USCP. Others in the crowd encouraged and assisted those acts.

Shortly thereafter, at approximately 2:20 PM, members of the House of Representatives and 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

PM. Vice President Pence remained in the 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 Capitol without authority to be there.

Since January 6, 2021, the FBI has been investigating and identifying those who were inside of the Capitol without authority and disrupted the proceedings. During that investigation, and pursuant to legal process, the FBI learned that a device associated with the Google account [REDACTED]@gmail.com (the subject account) was present near or inside of the Capitol between approximately 2:37 PM and 3:24 PM (EST) on January 6, 2021. The subject account is associated with the name kchwiesiuk and a recovery telephone number of +1 [REDACTED] (the subject telephone number). Legal process to the service provider of the subject telephone number identified the name of the individual to whom that number is registered as the defendant—**Karol J. CHWIESIUK**—and identified the defendant's address as [REDACTED]  
[REDACTED] Chicago, IL [REDACTED].

A search of publicly available resources identified the defendant as an employee of the Chicago Police Department (CPD). The FBI confirmed with CPD that the defendant is currently employed as a Police Officer with the CPD—badge # 7156. CPD employment records show that the defendant listed the subject telephone number as his home phone number.

Through legal process, your affiant obtained and reviewed geolocation and communication records associated with the subject account. Notably, on Tuesday, January 5, 2021, at approximately 10:46 PM, defendant received an email from an account that identified itself as Ali Alexander, Stop The Steal <Ali@stopthesteal.us>. The subject line of the email is: **Tomorrow is going to be a historic day in Washington DC.** The text of the email is as follows:

*Patriots,*

*Tomorrow is going to be a historic day in Washington DC. There are going to be millions of likeminded patriots attending the Stop The Steal events that we have scheduled.*

*Please pay close attention to the following event details:*

**Venue Address #1**

*The Ellipse w/ Your President Donald J Trump  
Constitution Ave NW between 15<sup>th</sup> St NW & 17<sup>th</sup> St NW  
Washington, DC 20230*

*Doors open at 7:00 AM EST. The event will begin at 9:00 AM EST.*

**Parking**

*There is no designated parking area for this event. Arriving on foot or via ride share is strongly encouraged. There are many local lots in downtown D.C. Please see below for road closure information.*

**Guest Arrival Information**

*Gates open at 7:00 AM EST. The event will begin at 9:00 AM EST.*

*First Come First Serve*

***\*\* Expect heavy traffic delays and plan to arrive early \*\****

*Please enter Constitution Ave NW by foot from the National Mall (south of Constitution Ave NW).*

**Venue Address #2**

*US Capitol*

*Capitol Hill North East by Constitution Avenue Northeast*

*Washington, DC 20230*

*Begins at 1:00 PM*

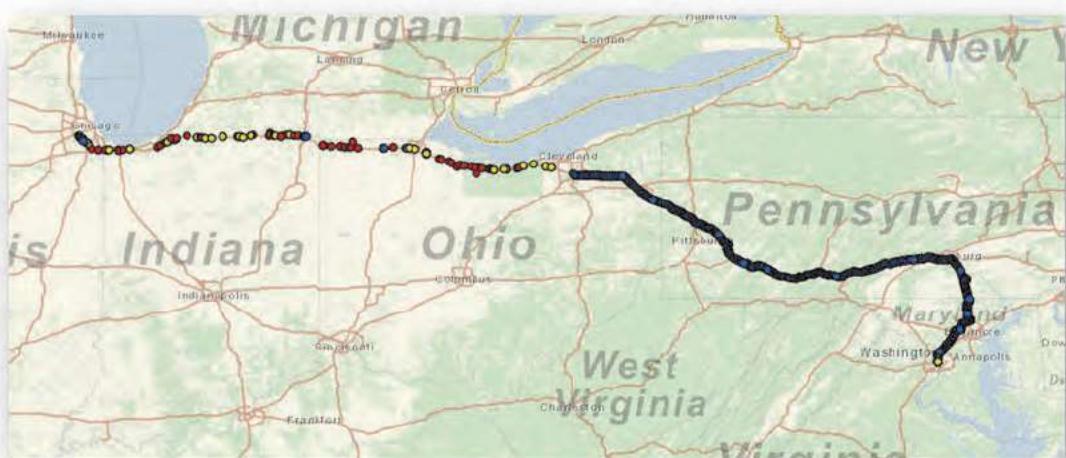
*Our presence outside of the US Capitol building will let Members of Congress know that we stand with Rep. Mo Brooks and his colleagues in the House of Representatives who will bravely object to the certification of the Electoral College.*

*This will be one of the most historic events of our lifetime.*

*I look forward to making history with you,*

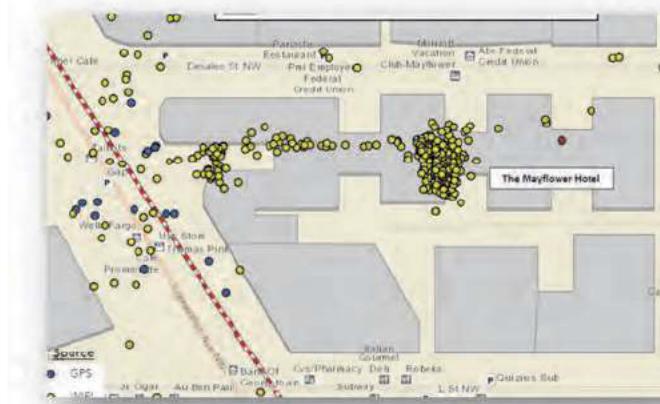
*Ali Alexander – Founder of Stop The Steal*

The subject account's geolocation data shows that the defendant left Chicago on January 4, 2021, and arrived in Washington, D.C., on January 5, 2021. The defendant departed Washington, D.C., on January 7, 2021, and returned to Chicago on January 8, 2021.



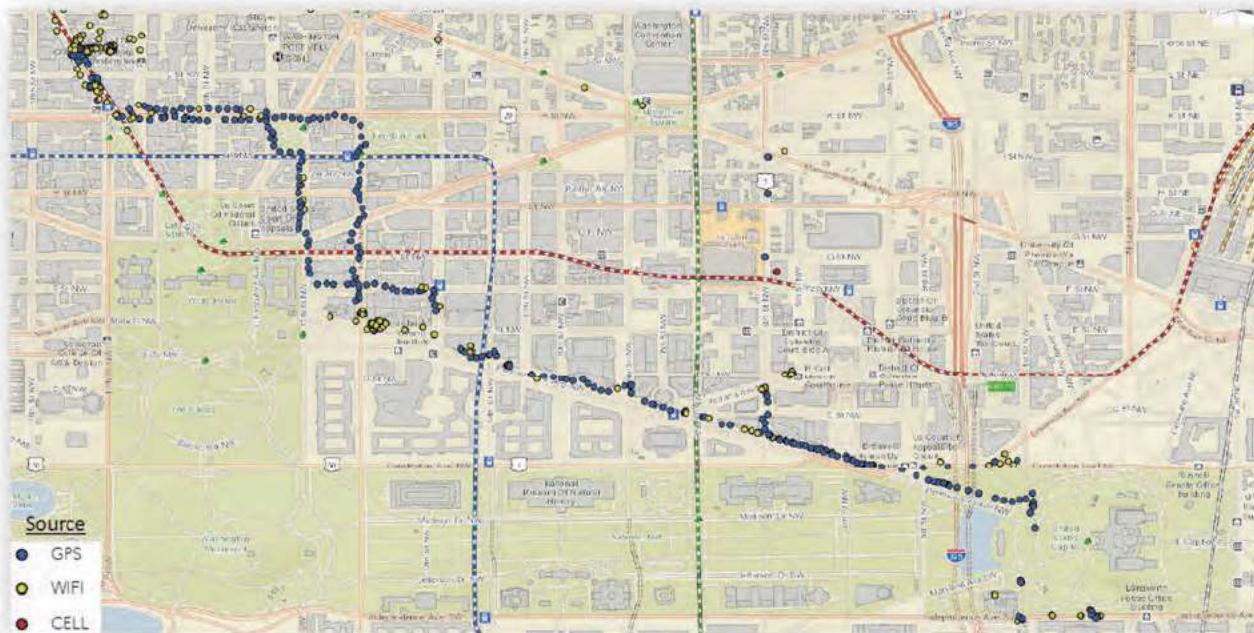
**IMAGE 1:** A screenshot of the defendant's geolocation data showing him traveling from Chicago, IL, to Washington, D.C.

Once the defendant arrived in Washington, D.C., the defendant's geolocation data shows that he spent a significant amount of time in and around a location that your affiant has identified as The Mayflower Hotel. Your affiant has confirmed that The Mayflower Hotel had a reservation under the name of an individual who has been identified as the defendant's sister.



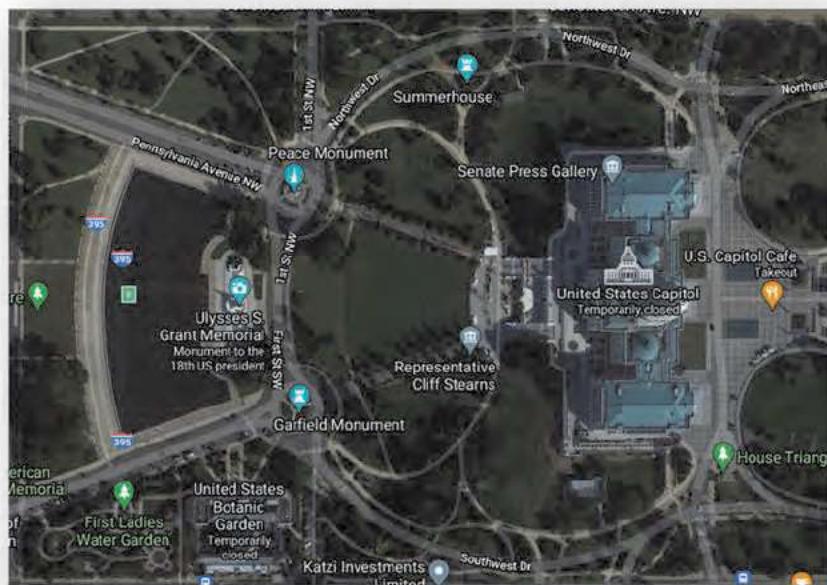
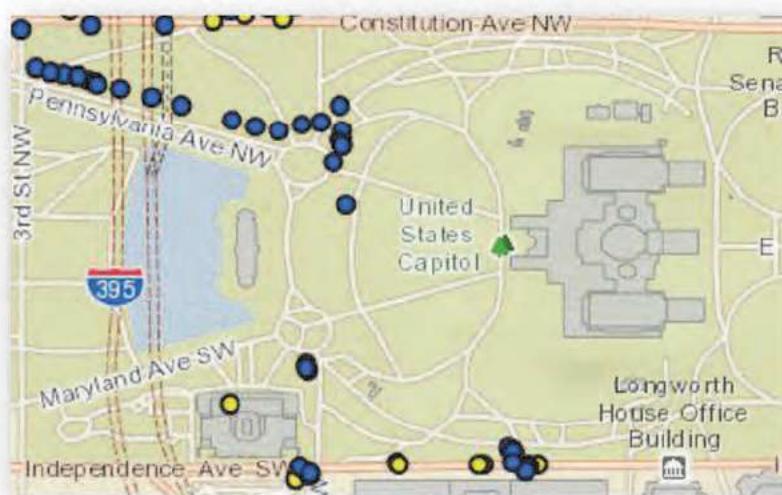
**IMAGE 2:** A screenshot of the defendant's geolocation data on a map of Washington, D.C., with a cluster of location data points at The Mayflower Hotel during a period that covers January 5-7, 2021.

A further review of the defendant's geolocation data during the period of January 5, 2021, shows that the defendant traveled from The Mayflower Hotel to the Capitol and back.



**IMAGE 3:** A screenshot of the defendant's geolocation data on a map of Washington, D.C., during a period that covers January 5, 2021.

As can be seen in IMAGE 3, the defendant traveled to the vicinity of the Capitol the night before the attack on the Capitol. According to the geolocation data, the defendant arrived in the vicinity of a location known as the Peace Monument at approximately 9:06 PM. As stated above, the defendant would not have been able to get any closer to the Capitol at that time because of the USCP security barricades that were already in place. Accordingly, the geolocation data shows the defendant traveling south along the barricade line and past the Garfield Monument to Independence Ave SW. According to the geolocation data, the defendant then traveled east to an area in the vicinity of the Longworth House Office Building, arriving there at approximately 9:27 PM. The defendant then appears to have backtracked and returned to The Mayflower Hotel.



**IMAGES 4, 5:** (top) A screenshot of the defendant's geolocation data in the vicinity of the Capitol, during the period of January 5, 2021, from approximately 9:00 PM to approximately 9:45 PM; (bottom) a screenshot of a satellite-view map of approximately the same area.

During the investigation, the FBI reviewed the toll records<sup>1</sup> associated with the subject telephone number. During the time period from January 5, 2021, at approximately 9:11 PM to approximately 9:39 PM, while the defendant was in the vicinity of the Capitol, the defendant sent approximately forty-four picture messages to three individuals whose identities are known to the FBI.

On January 6, 2021, the defendant's geolocation data shows that he was in the vicinity or inside of the Capitol between the approximate times of 2:37 PM and 3:24 PM.

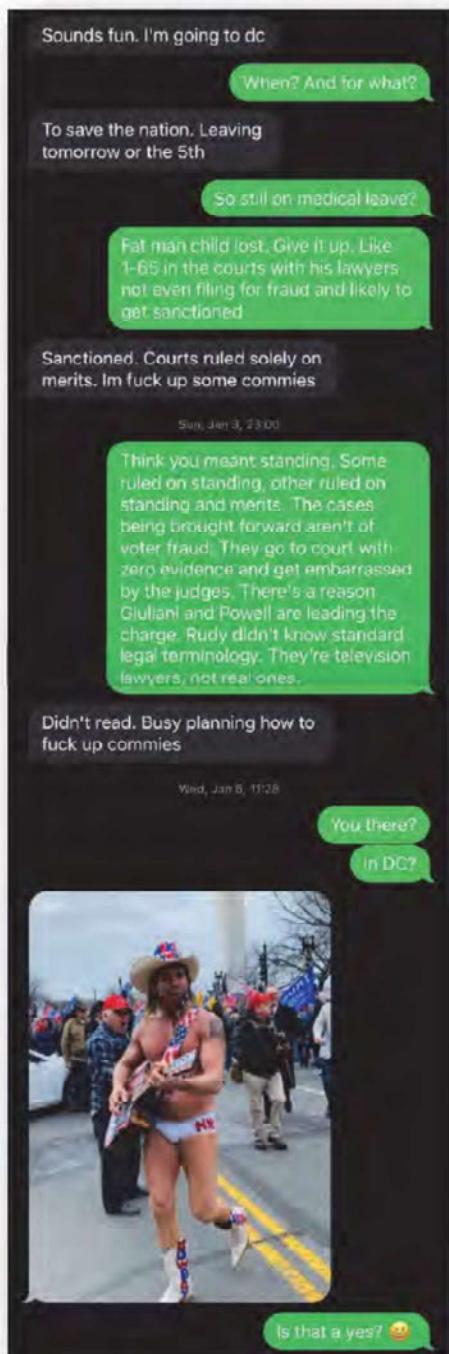


**IMAGE 6:** A screenshot of the defendant's geolocation data between approximately 2:37 PM and 3:24 PM showing him in the vicinity or inside of the Capitol.

The toll records further indicate that while the device associated with the subject telephone number was inside of the Capitol, approximately seventy-three SMS/MMS messages were sent to or received from multiple contacts. During that time frame, approximately thirty-six messages containing an image were sent from the subject telephone number. Seven messages were exchanged with one number in particular.

<sup>1</sup> Also known as a call detail record, a toll record is a data record produced by a telephone exchange or other telecommunications equipment that documents the details of a telephone call or other telecommunications transaction (e.g., text or media message) that passes through that facility or device. The record contains various attributes of the call or message, such as time, duration, completion status, source number, and destination number.

The FBI identified and spoke with the subscriber (whose identity and demographic information are known to the FBI) associated with that number. When interviewed by the FBI, the subscriber indicated that he has known the defendant for more than ten years and has maintained regular communication with the defendant. The subscriber further stated that he received text messages and pictures from the defendant on and around January 6, 2021.



The FBI's review of the text messages exchanged between the subscriber and the defendant shows the following:

*Sunday, January 3, 2021, @ Unknown Time*

**CHWIESIUK:** Sounds fun. I'm going to dc

**SUBSCRIBER:** When? And for what?

**CHWIESIUK:** To save the nation. Leaving tomorrow or the 5th

**SUBSCRIBER:** So still on medical leave? Fat man child lost. Give it up. Like 1-65 in the courts with his lawyers not even filing for fraud and likely to get sanctioned.

**CHWIESIUK:** Sanctioned. Courts ruled solely on merits. Im fuck up some commies

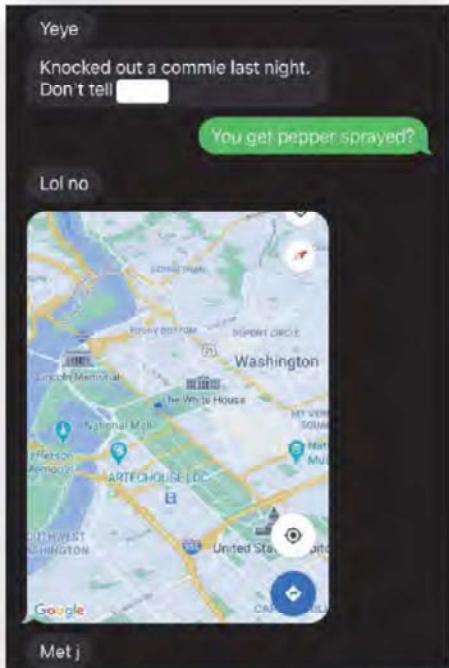
*Sunday, January 3, 2021 @ 11:00 PM*

**SUBSCRIBER:** Think you meant standing. Some ruled on standing, other ruled on standing and merits. The cases being brought forward aren't of voter fraud. They go to court with zero evidence and get embarrassed by the judges. There's a reason Giuliani and Powell are leading the charge. Rudy didn't know standard legal terminology. They're television lawyers, not real ones.

**CHWIESIUK:** Didn't read. Busy planning how to fuck up commies

*Wednesday, January 6, 2021 @ 11:28 AM*

**SUBSCRIBER:** You there? In DC?



**CHWIESIUK:** *[picture of street performer known as the Naked Cowboy<sup>2</sup> in the vicinity of the Washington Monument]*

**SUBSCRIBER:** Is that a yes?

**CHWIESIUK:** Yeye. Knocked out a commie last night. Don't tell [redacted]

**SUBSCRIBER:** You get pepper sprayed?

**CHWIESIUK:** Lol no

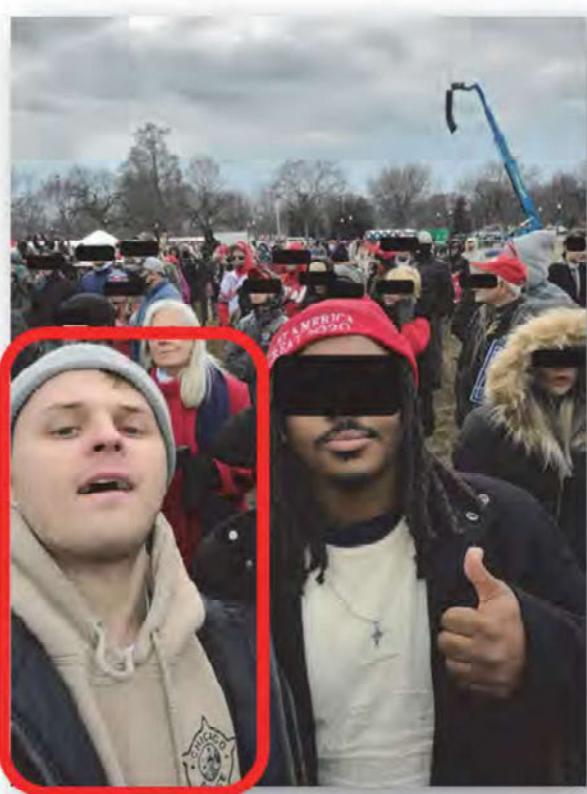
**CHWIESIUK:** *[image of a blue location circle on a map of Washington, D.C., in front of The White House]*

**CHWIESIUK:** Met j

**CHWIESIUK:** *[IMAGE 7 (below)]*

[THIS SPACE INTENTIONALLY LEFT BLANK]

<sup>2</sup> <https://www.usatoday.com/picture-gallery/news/nation/2021/01/06/trump-supporters-protest-election-results-washington/6560880002/#slide:6562626002>



**IMAGES 7, 8, 9:** (left to right, top to bottom) Photograph sent from the defendant to the subscriber showing the defendant (circled in red) wearing a beige hooded sweatshirt with a CHICAGO POLICE emblem, a black zip-up jacket, and a grey beanie; a close-up of the CHICAGO POLICE emblem from IMAGE 7; and an open source image of what appears to be the CHICAGO POLICE emblem on the defendant's hooded sweatshirt.

**SUBSCRIBER:** Token black guy? You go down by yourself or with a group?

**CHWIESIUK:** Mericans yes. There's so many blacks here I'm actually in disbelief

**SUBSCRIBER:** "The Q crew?"

**CHWIESIUK:** Who?

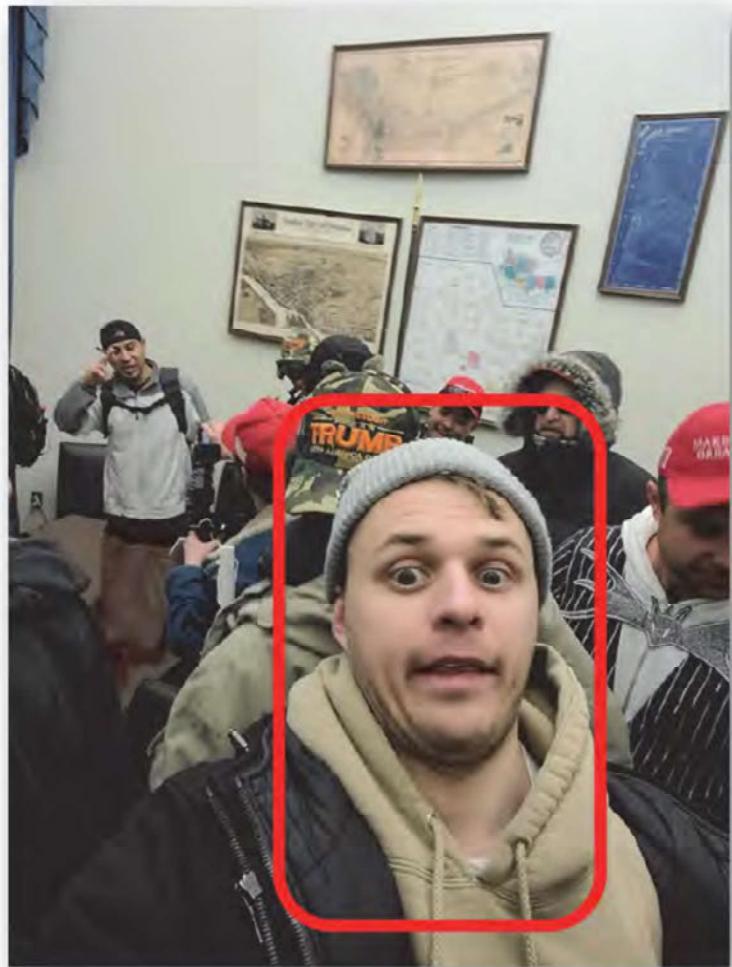
**SUBSCRIBER:** People down there lol

*Wednesday, January 6, 2021 @ 2:58 PM*

**SUBSCRIBER:** Wonder if I'll see you on tv

**CHWIESIUK:** [IMAGE 9 (below)]





**IMAGE 10:** Photograph sent from the defendant to the subscriber showing the defendant (circled in red) wearing a beige hooded sweatshirt, a black zip-up jacket, and a grey beanie.



**SUBSCRIBER:** Where's your maga hat?

**CHWIESIUK:** We inside the capital lmfao

**SUBSCRIBER:** I know. Guns were drawn in the chamber once window was broken. Shithousery.

**CHWIESIUK:** Yeah I was there

*Wednesday, January 13, 2021 @ 10:53 PM*

**CHWIESIUK:** Nigga Don't snitch

During his interview with the FBI, the subscriber stated in sum and substance that the individual wearing the beige hoodie in IMAGE 7 and IMAGE 10 is the defendant—**Karol J. CHWIESIUK**.

Regarding IMAGE 10 (above), the FBI believes that the defendant took the selfie when he was inside a room of the Capitol, specifically room S140. Your affiant knows Room S140 to be an office of Senator Jeff Merkley (D-OR). Sen. Merkley tweeted a video of the destruction to his office on January 6, 2021.<sup>3</sup> At approximately 2:36 of that video, the following screenshot appears:



**IMAGE 11:** (left) A screenshot from approximately 2:36 of a video filmed by Sen. Merkley of the destruction caused to his office (S140) as compared to IMAGE 10 (right), the selfie photograph of the defendant. The flagpole and wall hangings appear to be identical.

<sup>3</sup> <https://twitter.com/SenJeffMerkley/status/1347039504528498688>

Further, The New Yorker photographer Balazs Gardi took a photo inside of Sen. Merkley's office that was published as part of Luke Mogelson's article *Among the Insurrectionists*.<sup>4</sup> Although the defendant cannot be seen in Gardi's photo, the defendant's selfie appears to have been taken at approximately the same time.



**IMAGE 12:** (left) A photograph taken by Balazs Gardi published in *The New Yorker* magazine in a location identified as Sen. Merkley's office (S140) as compared to IMAGE 10 (right), the selfie photograph of the defendant. The flagpole and wall hangings appear to be identical, and many of the individuals in the photos appear to be in the same or similar locations.

The FBI reviewed additional open source videos, including a livestreamed video recorded and simulcast by the separately charged defendant Anthime Joseph Gionet (AKA Tim, AKA Baked Alaska).<sup>5</sup> An individual that appears to be the defendant is seen at approximately 7:27 just inside the Senate Wing doors in the DLive broadcast.

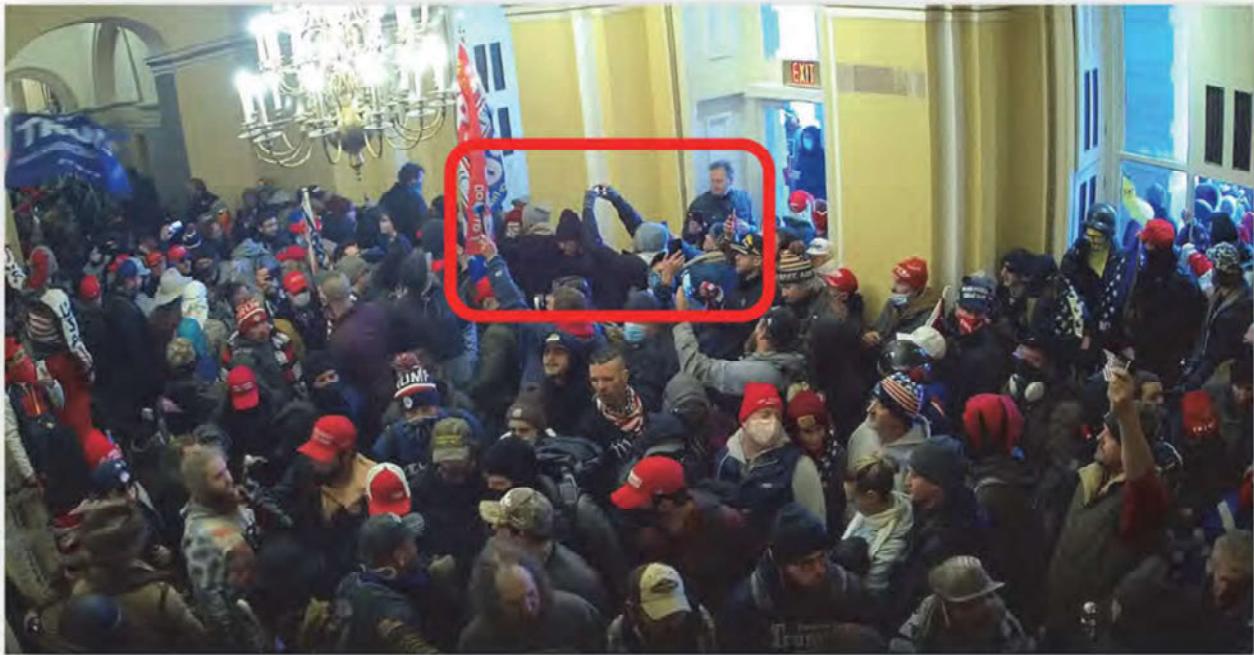
<sup>4</sup> <https://www.newyorker.com/magazine/2021/01/25/among-the-insurrectionists>

<sup>5</sup> U.S. v. Gionet, 21-mj-14 (Dist. of Columbia).



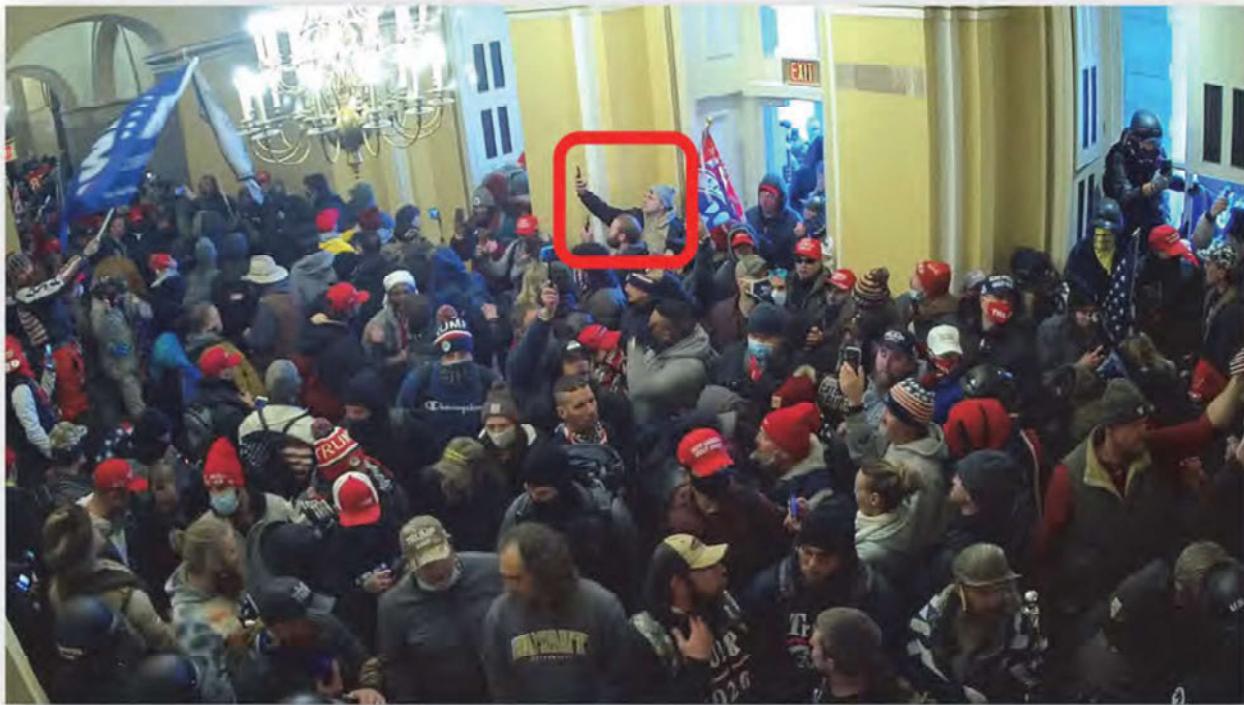
**IMAGE 13:** A screenshot from separately charged defendant Gioner's livestream (at approx. 7:27) showing the defendant wearing a beige hoodie and grey beanie holding a Trump flag just inside the Senate Wing doors.

By reviewing CCTV from the Capitol, your affiant was able to identify and isolate a screenshot that shows approximately the same moment as IMAGE 13 from a different angle.

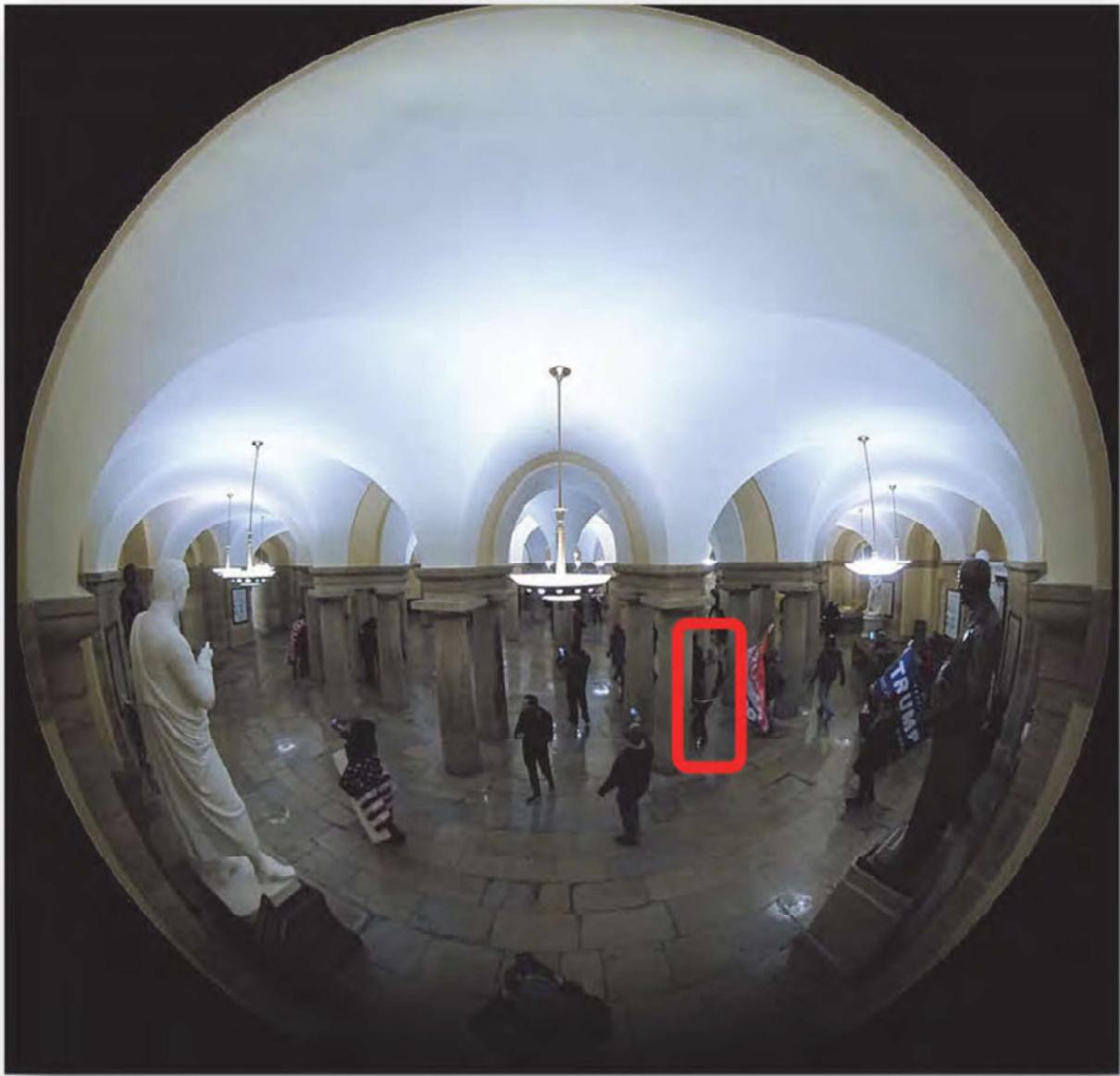


**IMAGE 14:** A screenshot from the Capitol's CCTV showing a different angle of the defendant (circled in red), his flag, and those around him at approximately the same time as IMAGE 13.

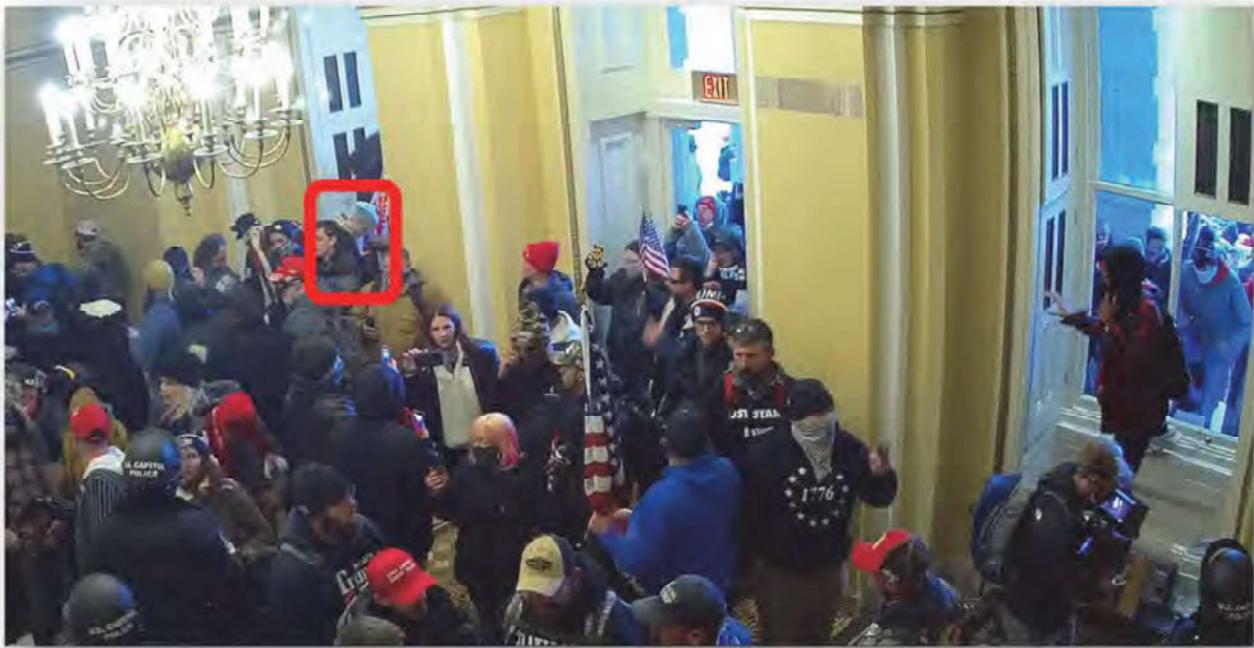
Additional CCTV video shows the defendant at various locations throughout the Capitol, including taking a selfie in the vicinity of the Senate Wing doors, walking through a location known as the Capitol Crypt, and leaving through a window near the Senate Wing doors.



**IMAGE 15:** A screenshot from the Capitol's CCTV showing the defendant (circled in red), taking a selfie in front of the Senate Wing doors.



**IMAGE 16:** A screenshot from the Capitol's CCTV showing the defendant (circled in red), inside the Capitol Crypt wearing a beige hoodie, a grey beanie, and holding the same flag as previously shown.



**IMAGE 17:** A screenshot from the Capitol's CCTV showing the defendant (circled in red), leaving the Capitol through a window in the vicinity of the Senate Wing doors wearing a beige hoodie, a grey beanie, and holding the same flag as previously shown.

In sum, on January 3, 2021, the defendant indicated that he was going to travel to Washington, D.C., “to save the nation,” and that he was going to leave on January 4 or 5, 2021. In response, the subscriber told the defendant to “give it up,” and that the “man child lost.”<sup>6</sup> In response, the defendant minimized the courts’ decisions against then-President Trump by stating that the courts ruled solely on merits (the defendant likely meant to say standing). After a lengthy response by the subscriber, the defendant glibly responded that he had not read the text because he was “[b]usy planning how to fuck up commies.”

The defendant followed through on his stated intent to travel to Washington, D.C., to save the nation by traveling from Chicago, IL, to Washington, D.C. Based on geolocation data, the defendant left Chicago on January 4, 2021, at approximately 8:30 PM and arrived in Washington, D.C., on January 5, 2021, at approximately 7:50 AM.

On the evening of January 5, 2021, the defendant walked to the Capitol and surveyed the barricades that were already set out and in place. While in the vicinity of

<sup>6</sup> Taken in context of the current events of that period, specifically then-President Trump’s various unsuccessful legal challenges to the results of the 2020 presidential election, your affiant believes this exchange between the defendant and the subscriber shows that the defendant supports the belief that then-President Trump won the election and is willing to take action to help Trump achieve the victory in an election that Trump did not win.

the Capitol, the defendant sent forty-four images to three individuals. The next day, the defendant went to the White House at approximately the same time that then-President Trump was giving a speech, and texted the subscriber that he “met j,” a likely reference to then-President Donald J. Trump.

The defendant then walked approximately the same route as the evening before, but this time he walked past the barricades that he had seen the previous evening. Together with a large group—many of whom were climbing through broken windows as seen in IMAGE 14 and many of whom were screaming and chanting—the defendant entered the Capitol.

Once inside, the defendant proceeded to S140, Senator Merkley’s office where at least two individuals are seen smoking what appear to be cigars at approximately the same time that the defendant is in S140. While inside S140, the defendant stopped to take a picture and brag to the subscriber that he was “inside the capital [sic] lmfao.”

After leaving S140, the defendant walks through the Capitol Crypt, then returns to the Senate Wing door and appears to leave through a broken-out window.

Your affiant submits there is probable cause to believe that **Karol J. CHWIESIUK** violated 18 U.S.C. §§ 1752(a)(1) and (2), which make 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 18 U.S.C. § 1752, 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 **Karol J. CHWIESIUK** violated 40 U.S.C. §§ 5104(e)(2)(C)(i), (D), and (G) which make it a crime to willfully and knowingly (C) with the intent to disrupt the orderly conduct of official business, enter or remain in a room in any of the Capitol Buildings set aside or designated for the use of—(i) either House of Congress or a Member, committee, officer, or employee of Congress, or either House of Congress; (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 10th day of June 2021.

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ROBIN M. MERIWEATHER  
U.S. MAGISTRATE JUDGE