

STATEMENT OF FACTS

Your affiant, [REDACTED] is a Special Agent with the Department of Homeland Security (DHS), Federal Protective Service (FPS) assigned to the Federal Bureau of Investigation (FBI), DC Violent Crimes Task Force (DCVCTF) as a Task Force Officer (TFO). In my duties as a special agent, I am responsible for investigating violent crimes to include but not limited to kidnappings, bank robberies, assaults, armed carjackings, and threats to government officials. Currently, I am tasked with investigating criminal activity in and around the Capitol grounds 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, 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 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, 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 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.

On or about January 19, 2021, while investigating social media accounts believed to be connected to persons present at the U.S. Capitol building on January 6, 2021, an FBI analyst accessed a Facebook account bearing the username “lostforevermore.” The analyst observed that photographs posted to this account appeared similar to an unidentified man who was suspected of having committed criminal offenses on the Capitol grounds. The analyst obtained photographs made publicly available through this Facebook account.

Through a review of these photographs, I learned that on January 16, 2021, this account posted multiple photographs that appear to have been taken in Washington, D.C. Several of these photographs, captioned “The beginning of the libertarian right,” depicted a large gathering of people on the National Mall. Based on the size and location of the gathering and the presence of Trump 2020 flags, I assess that these photographs were taken on January 6, 2021. Also on January 16, 2021, photos of a person, later identified as Landon Kenneth Copeland, were posted to the lostforevermore Facebook account. In one set of images, Copeland and a woman posed for a photograph at the World War II Memorial, in front of the granite column representing Utah.



In another set of images, Copeland posed for a “selfie” photograph with this same woman at the Washington Monument.



In these photographs, Copeland wore a blue sweatshirt over a red collared shirt, with the collar visible through the sweatshirt’s neck. He also wore a brown/tan knit cap with a striped pattern. Copeland had a close-cropped brown beard with grey hairs around his chin.

Based on the investigation to date, Copeland entered the Capitol grounds on January 6, 2021, where he assaulted law enforcement officers and obstructed their efforts to carry out their duties on January 6. I have reviewed three videos depicting Copeland’s conduct: one from U.S. Capitol Police footage, one from YouTube, and one from Instagram, that depict Copeland’s assaultive and obstructive conduct. In each of these videos, Copeland wore the same distinct clothing, and had the same distinct beard, as described above.

In the U.S. Capitol Police footage and in the YouTube video, Copeland was present with a crowd of people who appeared to be attempting to breach the police line. Copeland stood at the front of the crowd, near the police line, and shouted at officers. Shortly thereafter, an unknown

person approached a police officer and began shouting at the officer. From behind, Copeland pushed that unknown person into the officer, and the officer appeared to fall to the ground. Other officers, bearing riot shields, pushed forward against the crowd, in an apparent attempt to protect the fallen officer. Copeland grabbed one of the riot shields and pushed back, against the police line. He also grabbed at an officer's jacket and pushed that officer backward. Then, he lowered his body to block officers as they advanced. After a brief struggle, the police forced Copeland back. Screenshots from this footage are included below:







In the Instagram footage, Copeland and other people had grabbed a metal fence serving as a barricade, and were trying to pull the barricade away from law enforcement officers. Based on their uniforms, these officers appeared to be from the U.S. Capitol Police and the Metropolitan Police Department. One or more officers deployed OC spray against members of the crowd, including Copeland. In response, Copeland pushed or threw the fence toward multiple law enforcement officers.



On February 1, 2021, in southern Utah, an FBI agent interviewed an individual who has known Copeland for several years. This person informed the FBI that Copeland took a week off work to travel to Washington, D.C., for the rally to be held on January 6, 2021. After Copeland returned to Utah, Copeland told this person about the events at the rally and admitted to getting into a scuffle with police outside the Capitol building. This person identified Copeland and Copeland's girlfriend in the photographs at the World War II Memorial and the Washington Monument, described above. This person further identified Copeland in the video segments described above.

On February 11, 2021, the FBI interviewed Copeland. Copeland admitted that he traveled to Washington, D.C., to attend a rally on January 6, 2021, and was present in a crowd of people outside the Capitol building. Copeland identified himself in the photographs and videos described above. Copeland admitted to fighting with police officers. According to Copeland, he felt that police officers were trying to "penetrate the line" of the protesters and "steal" individual members of the crowd, including one person who Copeland described as having been shot in the face by an officer. Copeland claimed that he did not enter the Capitol building.

Based on the foregoing, your affiant submits that there is probable cause to believe that Landon Kenneth Copeland 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.

Your affiant submits there is probable cause to believe that Landon Kenneth Copeland 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.

Your affiant also submits that there is probable cause to believe that Landon Kenneth Copeland violated 18 U.S.C. § 1752(a)(1), which makes it a crime to knowingly enter or remain in any restricted building or grounds without lawful authority to do.

Finally, your affiant also submits that there is probable cause to believe that Landon Kenneth Copeland violated 40 U.S.C. § 5104(e)(2)(F), which makes it a crime to willfully and knowingly engage in an act of physical violence in the Grounds or any of the Capitol Buildings.

[REDACTED]
[REDACTED]
FBI, DC VCTF

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 27th day of April 2021.



ROBIN MERIWEATHER
U.S. MAGISTRATE JUDGE