

## STATEMENT OF FACTS

Your affiant, [REDACTED], is a Special Agent with the Federal Bureau of Investigation, assigned to the [REDACTED], Joint Terrorism Task Force. In my duties as a Special Agent, I investigate domestic terrorism. I have been employed in a law enforcement capacity since September 2005, first with the Fairmont West Virginia Police Department (2005-2007), then with the Clarksburg West Virginia Police Department (2007-2017), then with the National Instant Criminal Background Check System (2017-2022), and since 2022 with the FBI. As a law enforcement officer, I have participated in a wide variety of criminal investigations concerning, among other things, robbery, drug and violent crimes, white collar crimes, and other non-violent crime. In addition, I have participated in the preparation and execution of many searches and arrests. Among other things, 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 the prevention, detection, investigation, or prosecution of a violation of Federal criminal laws.

### **I. Background Regarding The Events Of 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, S.E., 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.

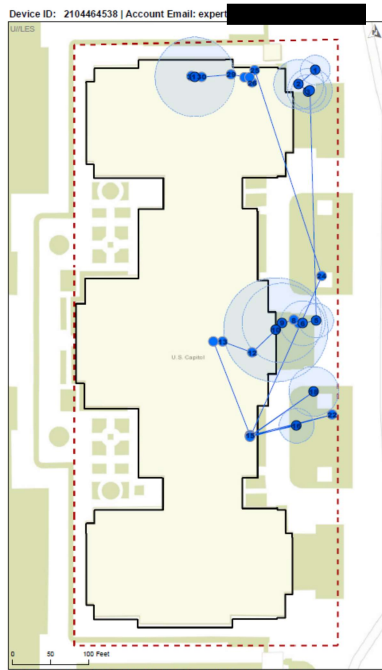
During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of violations of local and federal law, including scores of individuals inside the U.S. Capitol building without authority to be there.

## **II. Identification of Willard and Colby Purkel**

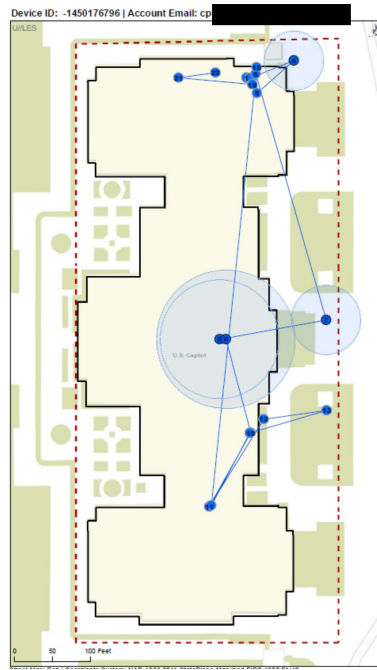
According to records obtained through a search warrant served on Google, mobile devices using the emails expertXXX@XXX.com and cpXXX@XXX.com were present at the U.S. Capitol on January 6, 2021. Google estimates device location using sources including GPS data and information about nearby Wi-Fi access points and Bluetooth beacons. This location data varies in its accuracy, depending on the sources 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 records showed that the mobile devices using expertXXX@XXX.com and cpXXX@XXX.com were present at the locations illustrated in Images 1 and 2 below, respectively. The mobile devices were within the U.S. Capitol at locations reflected by each darker blue circle in Images 1 and 2 below, with the “maps display radius” reflected by each lighter blue ring around each darker blue circle. As illustrated in Image 1, the listed locations for the device using expertXXX@XXX.com encompass areas that are at least partially within the U.S. Capitol Building between approximately 2:49 PM and 4:22 PM. And as illustrated in Image 2, the listed locations for the device using cpXXX@XXX.com encompass areas that are at least partially within the U.S. Capitol Building between approximately 2:48 PM and 4:22 PM.

Records obtained through requests to Google revealed that the user of the expertXXX@XXX.com email was “Will Purkel,” and the user of the cpXXX@XXX.com email was “Colby Purkel.” The expertXXX@XXX.com email had a recovery phone number beginning with “985,” a Louisiana area code. Checks of open source data identified “Will Purkel” as “Willard Purkel,” residing in Covington, Louisiana, with the same phone number as the recovery number.



*Image 1: Movement of device used by Willard Purkel*



*Image 2: Movement of device used by Colby Purkel*

I have compared driver's license photographs and other publicly available images from social media of Willard John Purkel, Jr. and Colby John Purkel to open-source and Closed-Circuit Video ("CCV") footage from the vicinity of the Capitol on January 6, 2021. Based on that review, I believe that both Willard Purkel and Colby Purkel were in Washington, D.C. that day, and entered the restricted perimeter that had been established around the Capitol grounds, and ultimately the Capitol building itself.

On October 27, 2021, FBI agents attempted to interview Willard and Colby Purkel at their home. Both refused to speak with the FBI, though the agents were able to verify that the Purkels are, in fact, photographed in the images marked "agent identified" below. Those photos in which the agents could not verify that the Purkels were photographed because their faces were obscured, can instead be identified by the clothing they wore in the photos where they were identified.

Additionally, I conducted remote surveillance on the Purkels' house over the course of several months. From approximately 15 to 20 yards away, I observed both Willard Purkel and Colby Purkel walking in their driveway and in vehicles. I can confirm that the men I saw were those in the photos included in this affidavit.

On September 21, 2023, I interviewed a former neighbor of the Willard Purkel and Colby Purkel ("Witness-1"). Witness-1 was familiar with the appearance of the Purkels, in part because Colby Purkel frequently visited Witness-1's house. I showed Witness-1 Image 3, which was taken in the vicinity of the U.S. Capitol on January 6, 2021. Witness-1 identified both Willard Purkel (circled in yellow) and Colby Purkel (indicated with a green box) in the photograph.



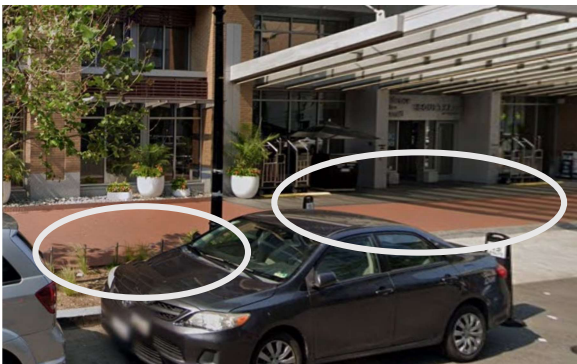
*Image 3: Photo shown to Witness-1 (agent identified)*

Further, on August 25, 2023, I interviewed an associate of the Purkels who was with them in Washington, D.C. on January 6, 2021. I showed the associate the picture of the Purkels and others below. The associate confirmed that the man circled in green was “Colby,” though did not know his last name. Colby Purke’s face in the photo the associate reviewed matches that in other photos from January 6, 2021.



*Image 4: Image shown to an associate of the Purkels. Colby Purkel is circled in green (agent identified).*

Finally, I also reviewed the bank records of Willard Purkel that Hancock Whitney Bank produced in response to a subpoena. Those records showed that Willard Purkel paid for a hotel room in Washington D.C. with his credit card on January 4, 2021, two days before the attack on the Capitol. Notably, Image 4 above appears to have been taken outside the Courtyard Marriott at 905 L Street NW in Washington DC. The sidewalk (gray then brick) and fenced greenspace seen in the photo match the entrance to that hotel, and the glass awning in the distance matches that of the building across the street from the hotel.



*Image 5: Gray and brick sidewalk and fenced greenspace outside the L Street Courtyard Marriott matches that in Image 4*



*Image 6: Frosted glass awning of building across the street from L Street Courtyard Marriott matches that in image 4*

### **III. Actions Of Willard John Purkel, Jr. And Colby John Purkel On January 6, 2021**

On January 6, 2021, Willard Purkel attended the “Stop the Steal” rally near the Washington Monument. He wore a tan jacket, tan pants, black tactical vest with American flag on it, and navy-blue cap. He also carried a tan backpack. Willard photographed or videotaped moments from the rally on his phone.

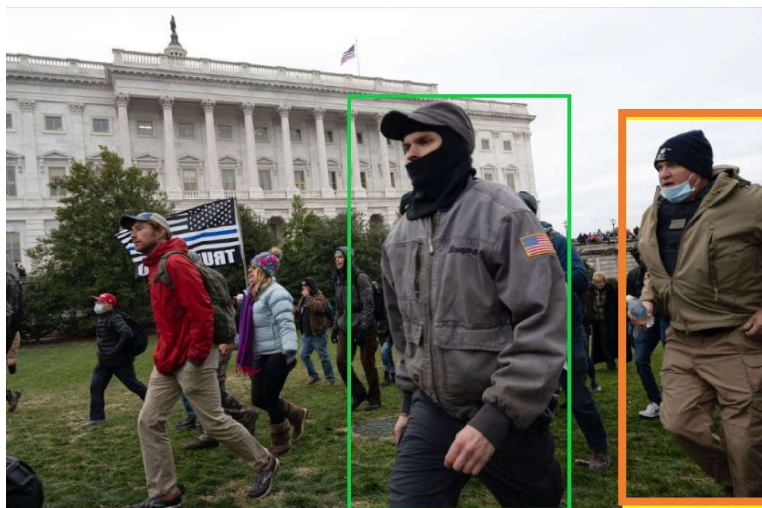


*Image 7: Willard Purkel (circled in orange) at the Stop the Steal rally (agent identified)*



*Image 8: Willard Purkel at the Stop the Steal rally (agent identified)*

Sometime after the rally, both Willard and Colby Purkel made their way to the Capitol, where they walked north to get to the building's east side. Willard was wearing the same clothes described above. Colby wore a gray jacket, gray hat, gray or navy pants, and black ski mask.

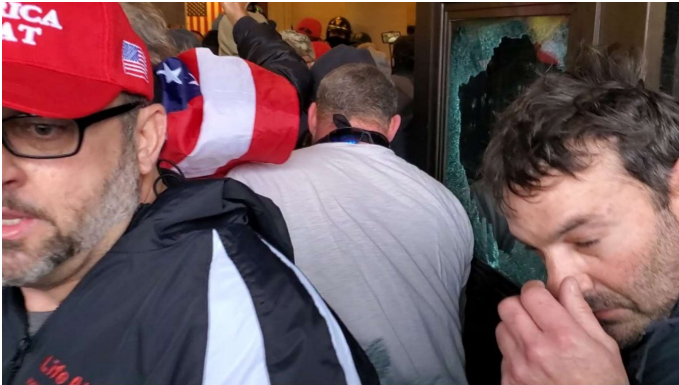


*Image 9: Willard Purkel (indicated in orange) and Colby Purkel (indicated in green) walking around the Capitol's north side (agent identified)*

On the east side of the Capitol building, the Purkels were part of the crowd that forced their entry through the East Rotunda Doors into the Capitol. Colby raised his phone up in the air to videotape the moment. A glass window in the door was partly smashed, and a loud siren could be heard, indicating that the door had been breached:



*Image 10: Colby Purkel (circled in green) and Willard Purkel (circled in orange) outside the East Rotunda Doors (identified by clothing)*



*Image 11: Smashed glass in the East Rotunda Door*



*Image 12: Willard Purkel visible in the same video moments earlier (agent identified)*

At approximately 3:07 p.m., a group of rioters tried to enter through the East Rotunda Door, while another group of rioters tried to exit. Police, meanwhile, tried to shut the doors to stop an influx of rioters. Willard and Colby Purkel, attempting to get in, pushed against the officers, blocking them from closing the doors before the police managed to do so. Willard Purkel briefly made contact with at least one officer, touching the officer as Willard Purkel tried to push through, before Willard Purkel himself was pushed back by another officer.



*Image 13: Colby Purkel joins crowd trying to enter through East Rotunda Doors (agent identified)*



*Image 14: Willard Purkel joins crowd trying to enter through East Rotunda Doors (agent identified)*



*Image 15: Willard and Colby Purkel struggling with police around 3:07 p.m. (agent identified)*

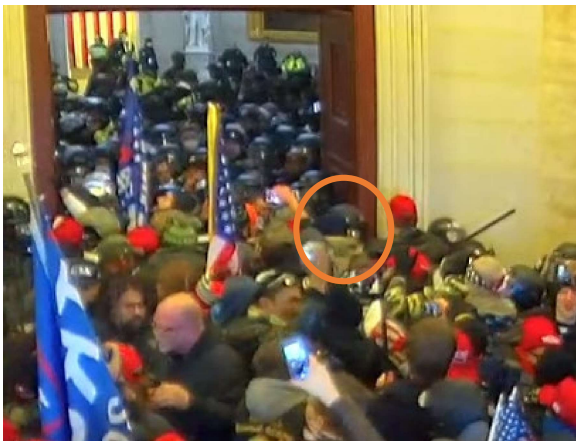
Around 3:21 p.m., with the doors opened again to get rioters out of the building, the Purkels managed to push their way in, streaming into the lobby outside the Rotunda.



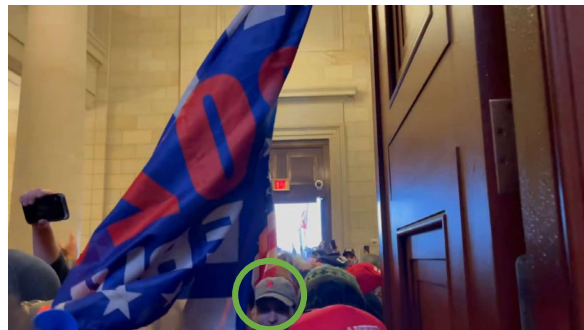


*Image 16: Willard and Colby Purkel around 3:21 p.m. (agent identified for Willard Purkel; Colby identified by clothing)*

Willard and Colby Purkel then joined in a crowd that pushed against police who were trying to prevent the protesters from entering the Rotunda itself. Shortly before the police could close the door around 3:25 p.m., the Purkels forced themselves into the Rotunda.



*Image 17: Willard Purkel near inner Rotunda doors (identified by clothing)*



*Image 18: Colby Purkel near inner Rotunda doors (identified by clothing)*

Once inside, the rioters were surrounded by a group of officers, who were able to control the situation. As the police worked to get control of the area, Willard Purkel took a selfie, while Colby Purkel looked at his phone.

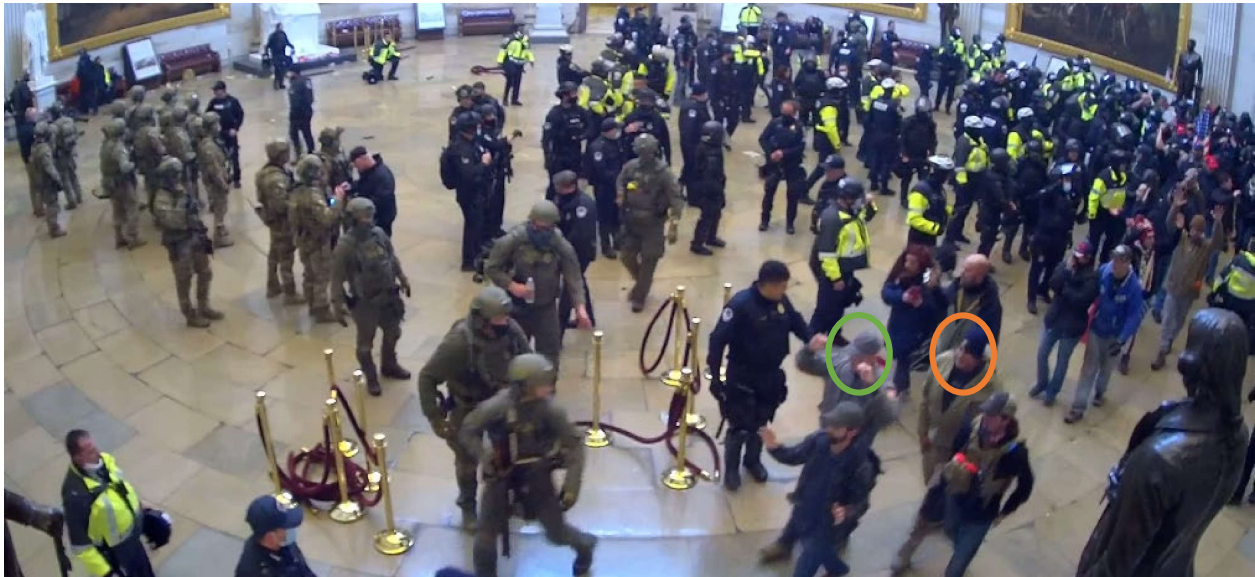


*Image 19: Willard Purkel takes selfie in the Capitol Rotunda (agent identified)*

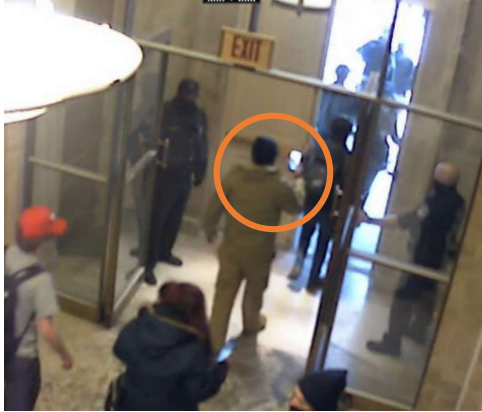


*Image 20: Colby Purkel looks at phone in the Capitol Rotunda (agent identified)*

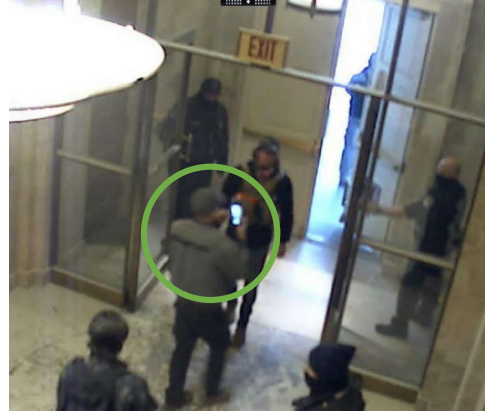
After a few minutes, the Purkels, along with other protesters, were escorted out of the Rotunda—Colby Purkel with his hands raised—and taken out of the building. Both Willard and Colby appeared to photograph or video their exit.



*Image 21: Willard and Colby Purkel escorted out of the Rotunda (agent identified for Willard Purkel; Colby Purkel identified by clothing)*



*Image 22: Willard Purkel leaving the Capitol building (identified by clothing)*



*Image 23: Colby Purkel leaving the Capitol building (identified by clothing)*

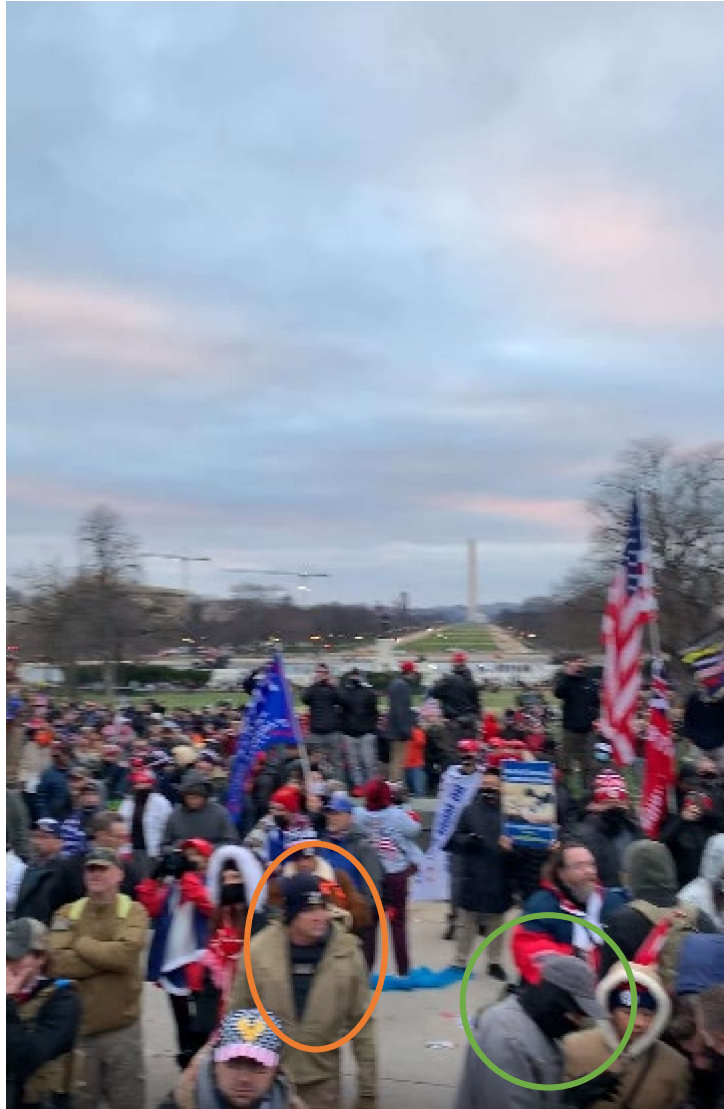
Though the Purkels left the Capitol building, they did not immediately leave the Capitol grounds. On the east side of the Capitol, for instance, Willard Purkel climbed atop an armored truck. Eventually, the Purkels walked to the west side of the Capitol, where rioters remained as police tried to clear the area.



*Image 24: Willard and Colby Purkel on the east side of the Capitol (agent identified)*



*Image 25: Willard Purkel atop an armored truck (identified by clothing)*



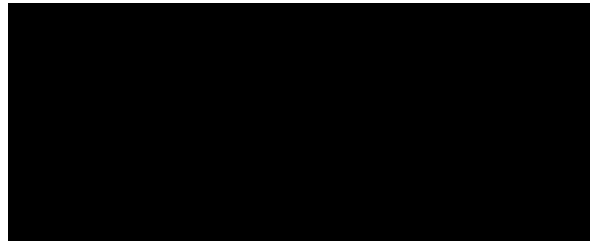
*Image 26: Willard and Colby Purkel on the west side of the Capitol (Willard Purkel identified by his face, Colby Purkel by his clothes)*

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Based on the foregoing, I submit that there is probable cause to believe that Willard John Purkel, Jr. and Colby John Purkel 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 18 U.S.C. § 231, 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 Secret Service's protection of the Vice President and his family and the Capitol Police's protection of the U.S. Capitol.

I also submit there is probable cause to believe that Willard John Purkel, Jr. and Colby John Purkel 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. 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.

I also submit that there is probable cause to believe that Willard John Purkel, Jr. and Colby John Purkel violated 40 U.S.C. § 5104(e)(2)(D) and (G), which makes it a crime to willfully and knowingly (D) 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 21st day of November, 2023.

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HONORABLE MOXILLA A. UPADHYAYA  
UNITED STATES MAGISTRATE JUDGE