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FEDERAL BUREAU OF INVESTIGATION

Date of entry 05/08/2023

DETECTIVE MATTHEW NICKERSON, METROPOLITAN POLICE DEPARTMENT ("MPD"), CAD Number 5863, was interviewed at the U.S. Attorney's Office for the District of Columbia, 601 D Street, NW, Washington, D.C. 20001. AUSAs Samantha Miller and Sean McCauley attended the interview. After being advised of the identity of the interviewing Agent and the nature of the interview, NICKERSON provided the following information:

NICKERSON joined MPD in 2000 and was assigned to the Seventh District ("7D"). NICKERSON was promoted to Sergeant after about six-and-a-half years. He held different assignments until about May 2018, when he joined an apprehension (warrants) squad.

On January 6, 2021, NICKERSON was assigned to transport arrestees. He began his shift before noon. NICKERSON and his squad, about 40 or 50 officers in total, staged at 7th and L Streets by the convention center at the beginning of the day. NICKERSON understood his role was to pay attention to the radio and "go where called." This was typical mass arrest protocol.

At some point in the afternoon, NICKERSON heard a "1033 call." A "1033 call" was police code for an "officer in trouble." Commander GLOVER issued the 1033 call for officers to deploy to the U.S. CAPITOL ("USC"). The decision to deploy NICKERSON and his squad to the USC was confirmed about 20 or 30 minutes later.

NICKERSON and his squad approached the USC from the side of the building. Detective RODNEY ANDERSON was on NICKERSON's squad, and the two were side by side. NICKERSON wore his uniform, helmet, and gas mask. NICKERSON did not wear his helmet and gas mask frequently. He estimated he wore such gear only a dozen times in his career. NICKERSON did not wear a yellow jacket or have pads on.

The radio sounds were "like chaos." Officers were pointing NICKERSON forward. NICKERSON and his squad "got lined up." Once they walked around the corner, "that's where the chaos was." NICKERSON had experienced activity all summer resulting from GEORGE FLOYD's death, but "this was 3D (three dimensional), not street level, all around you, the rioters have the high ground." The police lines were "chaos" as well.

[AUTHOR'S NOTE: At this point, the AUSAs displayed a digital rendering of the USC grounds for NICKERSON. Areas of the rendering were labeled for identification.]

Based on his review of the digital rendering and his own recollections, NICKERSON confirmed he ended up at the Upper West Terrace after moving from the U.S. HOUSE side to the U.S. SENATE side. He did not recall how long he remained at this location.

There was a "lot of pushing and shoving on the line, people trying to push through." NICKERSON's group created

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a line to wedge the crowd away from the USC. NICKERSON recalled an unidentified male wielding a flagpole once the police line stabilized. The male with the flagpole was “trying to smash [NICKERSON] in the head.”

When the surges came forward, NICKERSON understood his job was to “be a break in the line,” e.g. keep the line “tight.” There were no formal orders given to NICKERSON. If he saw a bad situation, he “tried to fix” it.

NICKERSON understood he and his colleagues were trying “to establish a line to protect the CAPITOL from entry and invasion.”

NICKERSON reviewed his bodycam footage with the prosecution. NICKERSON confirmed the footage was his bodycam footage and his location was where he previously identified it to be. He remembered at least three or four “surges in the line” where the crowd advanced on the police. NICKERSON remembered the first surge depicted in the footage because he lost his asp baton there, which his lieutenant pointed out in a later review. He recalled one individual who came toward the police line with a small motorcycle behind a banner. NICKERSON tried to power off his bodycam when not engaging with people to conserve power.

[AUTHOR’S NOTE: At this point, the AUSAs identified for NICKERSON the individual wearing a tan jacket and camouflage hat, whom NICKERSON acknowledged. The AUSAs identified said individual as KENNETH THOMAS, and the defendant in the instant case. This individual will be named as “THOMAS” in the remainder of the 302 for clarity.]

Upon review, THOMAS made contact with NICKERSON’s hand, shoulder, and back on the second approach. NICKERSON did not recall this interaction. He remembered the location of the interaction based on his review. NICKERSON believed he was the voice saying “back up.” NICKERSON identified ANDERSON in his footage based on ANDERSON’s position and uniform.

A “hard cover group” eventually relieved NICKERSON. NICKERSON responded to another surge he saw with the Fifth or Sixth District officers. He did not see his other squad members after that point. NICKERSON and officers around him gradually took back the stadium stairs, then the stairs underneath the stadium. At this point, the sun had set. NICKERSON returned to his car in anticipation of mass arrests, which he executed for the rest of the night. NICKERSON did not end his shift until noon on January 7th. By this point, he estimated he worked a “20 or 30 hour shift.” NICKERSON deemed January 6 “a riot.”

NICKERSON has testified several times before D.C. Superior and District Courts. NICKERSON did not testify in any proceeding involving January 6, nor had he had any involvement in it prior to this interview. NICKERSON had an INSTAGRAM account, but did not post anything about January 6 on it.

[AUTHOR’S NOTE: At the conclusion of the interview, NICKERSON completed a GIGLIO questionnaire with AUSA Miller.]

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