

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America
v.

Jeffrey Scott Brown
DOB: XXXXXX

) Case: 1:21-mj-00565
) Assigned to: Judge Faruqui, Zia M.
) Assign Date: 8/16/2021
) Description: COMPLAINT W/ ARREST WARRANT
)
)

Defendant(s)

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:

Code Section

Offense Description

18 U.S.C. §§ 111(a)(1) and (b) - Inflicting Bodily Injury on Certain Officers,
18 U.S.C. § 231(a)(3) - Obstruction of Law Enforcement During Civil Disorder,
18 U.S.C. §§ 1752(a)(1), (2) and (4) - Entering and Remaining in a Restricted Building or Grounds, Disorderly
and Disruptive Conduct in a Restricted Building for Grounds, and Engaging in Physical Violence in a Restricted
Building or Grounds,
40 U.S.C. §§ 5104(e)(2)(D), (E), and (F) - Disorderly Conduct in a Capitol Building, Impeding Passage
Through the Capitol Grounds or Buildings, and Act of Physical Violence in the Capitol Grounds or Buildings.

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.

[Redacted signature area]

Complainant's signature

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: 08/16/2021

[Seal and signature of Judge Zia M. Faruqui]

2021.08.16
19:44:04 -04'00'

Judge's signature

City and state: Washington, D.C.

Zia M. Faruqui, 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”) and have been so employed since November 2014. Currently, I am tasked with investigating criminal activity in and around the U.S. 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, detection, investigation, and prosecution of violations 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.

### **FACTS RELATED JEFFREY SCOTT BROWN**

During the course of the investigation into the events of January 6, 2021, law enforcement has identified communications that documented planning and coordination amongst individuals in advance of January 6, 2021. As detailed below, the investigation has established that JEFFREY SCOTT BROWN participated in a Telegram group chat on an encrypted messaging app in the days leading up to January 6. In the Telegram chat “about” section was the following description: “This group will serve as the Comms for able bodied individuals that are going to DC on Jan 6. Many of us have not met before and we are all ready and willing to fight. We will come together for this moment that we are called upon.”

One of the members of this chat was Telegram user “JB” (UID XXXXXX1832). On January 5, 2021, at approximately 6:30 a.m. PST, Telegram user “JB” posted a picture of himself with the caption “Boarding LAX.” LAX is the airport code for the Los Angeles International Airport.



*(Picture posted by “JB” in Telegram Group “The California Patriots- DC Brigade”)*

Based on my training and experience, I know that Telegram is an encrypted messaging service that is usually accessed through a smartphone application that the user downloads to his or her personal smartphone. I also know that, in order to post this photograph and message to the DC Brigade Telegram chat, BROWN must have been a member of that chat.

On March 12, 2021, I coordinated with our Los Angeles International Airport Residence Agency (LAXRA) in an attempt to identify JB. LAXRA confirmed the photo was taken in LAX Terminal 1, which is serviced by Southwest Airlines. Based on the time that the photo was taken, law enforcement was able to review manifests for the initials "JB" and identified "JB" as JEFFREY SCOTT BROWN of Irvine, California. According to flight records, BROWN traveled from LAX to IAD (Washington, D.C.) on January 5, 2021, and returned to LAX on January 7, 2021. BROWN provided a telephone number ending in -9487 and email address jeffbrownXX@XXXXXX.com on the reservation.

### **BROWN IDENTIFIED IN FBI BOLO172-AFO**

Based on additional investigation, in January 2021 the FBI's Washington Field Office initiated an investigation of a suspect identified as BOLO172-AFO based on information that BOLO172-AFO was involved in the assault of numerous federal officers in and around the Lower West Terrace during the breach of the Capitol building.

On July 1, 2021, I showed the below seeking information poster and photographs of BOLO172-AFO to a WITNESS who has known BROWN for approximately four to five years. The WITNESS identified BOLO172-AFO as BROWN.



# SEEKING INFORMATION

## ASSAULT ON FEDERAL OFFICERS AND VIOLENCE AT THE UNITED STATES CAPITOL

WASHINGTON, D.C.

JANUARY 6, 2021



Photograph #164-AFO



Photograph #165-AFO



Photograph #166-AFO



Photograph #167-AFO



Photograph #168-AFO



Photograph #169-AFO



Photograph #170-AFO



Photograph #171-AFO



Photograph #172-AFO



Photograph #173-AFO

### DETAILS

The Federal Bureau of Investigation's (FBI) Washington Field Office is seeking the public's assistance in identifying individuals who made unlawful entry into the United States Capitol Building and assaulted federal law enforcement personnel on January 6, 2021, in Washington, D.C.

Anyone with information regarding these individuals, or anyone who witnessed any unlawful violent actions at the Capitol or near the area, is asked to contact the FBI's Toll-Free Tipline at 1-800-CALL-FBI (1-800-225-5324) to verbally report tips. You may also submit any information that could be relevant online at tips.fbi.gov. You may also contact your local FBI office or the nearest American Embassy or Consulate.

When calling to provide a tip on one of these individuals, please reference the above photo number, including the AFO.

**Field Office:** Washington D.C.

[www.fbi.gov](http://www.fbi.gov)

*(FBI Seeking Information Poster for BOLO164-AFO through BOLO173-AFO)*



*(Additional photographs of BOLO172-AFO at the US Capitol on January 6, 2021)*

In the footage from January 6, 2021, BROWN can be seen wearing a unique hat with cream/tan fleece and a black circle in the center, with a gold/tan football-shape inside of the black circle. This hat can be seen in numerous videos/still images detailed below.

### **REVIEW OF VIDEO FOOTAGE CAPTURING ASSAULTS AT U.S. CAPITOL**

On January 6, 2021, between approximately 2:56 p.m. and 3:11 p.m, a man who matches BROWN's description appeared on U.S. Capitol CCTV footage in the Lower West Terrace. Based on my training and experience, and after reviewing BROWN's California Department of Motor Vehicles photograph, I believe the man to be BROWN. And, the images in the CCTV are consistent with the person the WITNESS identified. The Lower West Terrace Door is an outdoor area on the west side of the U.S. Capitol building. On January 6, 2021, all parts of the Lower West Terrace were considered "restricted grounds" and were not accessible to the public. The Lower West Terrace Door led into the U.S. Capitol building through a tunnel. Between approximately 2:56 p.m. and 3:11 p.m., the Lower West Terrace Door was heavily guarded by U.S. Capitol Police and MPD personnel, who had formed a defensive line to prevent unauthorized access into the U.S. Capitol via the tunnel. As BROWN moved into the tunnel, he held a cell phone up in front of his face, in a manner that indicates he was using the phone to record the events in front of him.



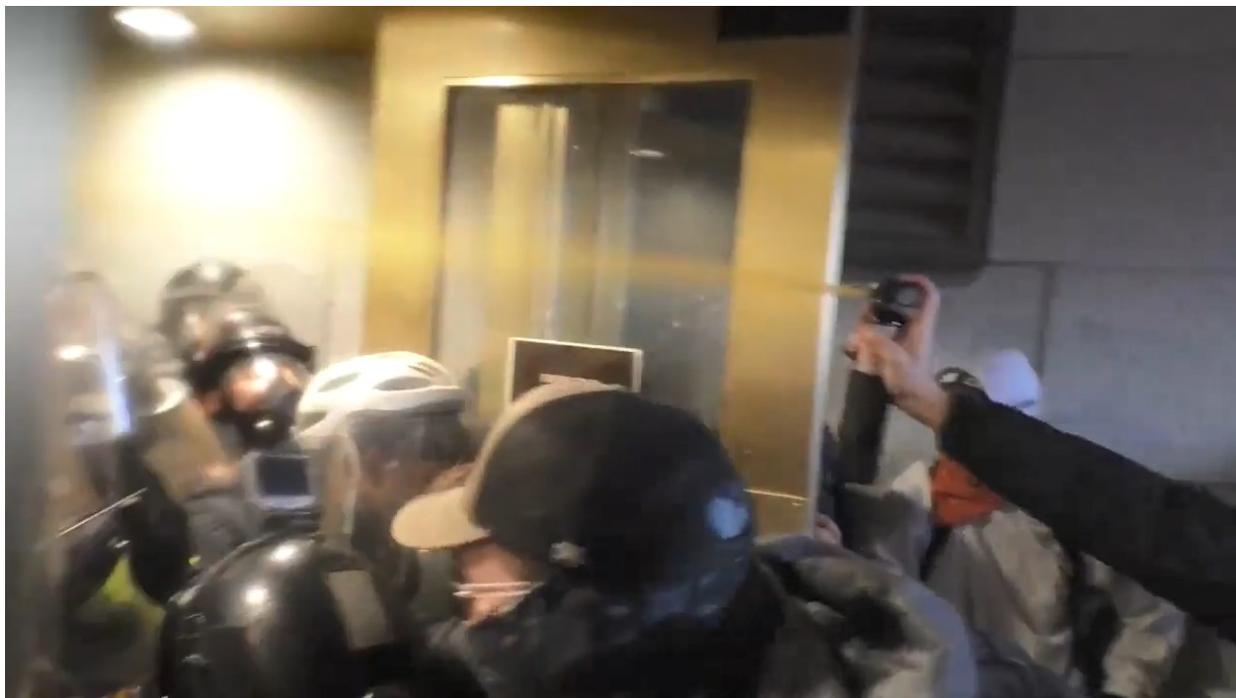
*(Screenshot of CCTV footage with BROWN entering the tunnel, phone in hand)*

At approximately 3:11 p.m., BROWN can be observed in the tunnel with a crowd of rioters, wearing the unique hat described above and depicted in the below photograph. BROWN can be seen towards the front of the group of rioters, near the police defensive line. BROWN can be seen reaching through the crowd towards another rioter, who provides BROWN with what appears to be a can of spray. At approximately 3:11 p.m., BROWN can be seen pointing the can towards the police defensive line and deploying the spray for several seconds in the direction of the police. Based on my training and experience, I assess this spray was pepper spray or a similar chemical spray.



*(BROWN deploying a can of spray in the tunnel towards the police defensive line)*

In a YouTube video titled “Scenes of Chaos Captured Inside US Capitol as Crowd Challenges Police,” which I obtained on May 24, 2021, at approximately 20:05 minutes, a hand can be seen holding and deploying a can of spray irritant into crowd of officers who are attempting to restrict access to the U.S. Capitol through the exterior door to the Lower West Terrace. The spray is deployed for several seconds. The individual holding the spray is assessed to be BROWN based on the similarity in clothing and positioning to the above photograph.



*(BROWN deploying a can of spray in the tunnel towards the police defensive line)*

At approximately 21:03 minutes, BROWN was at the front of the crowd of rioters in the tunnel, participating in the pushing action against officers who were attempting to restrict access to the U.S. Capitol through the exterior door to the Lower West Terrace. During this time, a Metropolitan Police Department Officer (“Officer Victim 1”) was at the front of the line of officers. This officer was being pressed between the crowd of rioters and the line of officers. His gas mask was ripped off by another individual and blood can be seen in his mouth.

On February 1, 2021, a U.S. Magistrate Judge in the District of Columbia, signed Federal Search Warrant electronic evidence account(s) associated with Gina Bisignano, based on Bisignano’s presence inside the U.S. Capitol on January 6, 2021. I reviewed two videos, titled IMG\_5082 and IMG\_5083, which were obtained pursuant to this warrant. The videos are 7 seconds and 15 seconds long, respectively, and depict the crowd of rioters in the Lower West Terrace of the U.S. Capitol on January 6, 2021. In the videos, BROWN was at the front of the crowd participating in the pushing action against officers who were attempting to restrict access to the U.S. Capitol through the exterior door to the Lower West Terrace. According to metadata, the videos were created on January 6, 2021 at approximately 8:11:37pm UTC (3:11:48pm EST) and 8:11:48pm UTC (3:11:48pm EST).



*(BROWN at the front of the crowd of rioters participating in the pushing action against officers)*



*(BROWN at the front of the crowd of rioters participating in the pushing action against officers)*

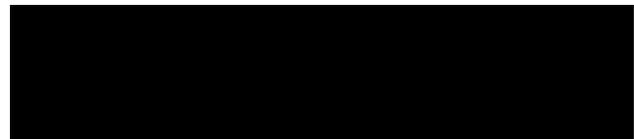
Based on the foregoing, your Affiant submits that there is probable cause to believe that JEFFREY SCOTT BROWN violated 18 U.S.C. § 111(a)(1) and (b), which makes it a crime to forcibly assault or interfere with any person designated in section 18 U.S.C. § 1114 as an officer or employee of the United States while engaged in or on account of the performance of official duties. Persons designated within section 1114 include any person assisting an officer or employee of the United States in the performance of their official duties. Subsection (b) includes an enhancement for violating this provision while using a deadly or dangerous weapon.

Your Affiant submits that there is probable cause to believe that JEFFREY SCOTT BROWN 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 submits there is also probable cause to believe that JEFFREY SCOTT BROWN violated 18 U.S.C. § 1752(a)(1), (2) and (4), 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; (4) knowingly engages in any act of physical violence against any person or property in any restricted building or grounds; 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 JEFFREY SCOTT BROWN violated 40 U.S.C. § 5104(e)(2)(D), (E), & (F), 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; (E) obstruct, or impede passage through or within, the Grounds or any of the Capitol Buildings; and (F) engage in an act of physical violence in the Grounds or any of the Capitol Buildings.



Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 16th day of August 2021.



A handwritten signature in blue ink, appearing to read 'ZMF'.

2021.08.16

19:46:37 -04'00'

ZIA M. FARUQUI

UNITED STATES MAGISTRATE JUDGE