

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

BOBBY WAYNE RUSSELL

)
) Case: 1:22-mj-00194
) Assigned To : Magistrate Judge Meriweather, Robin M.
) Assign. Date : 8/23/2022
) Description: Complaint w/ Arrest Warrant
)

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay*(name of person to be arrested)***BOBBY WAYNE RUSSELL**

who is accused of an offense or violation based on the following document filed with the court:

- ☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☒ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

18 U.S.C. § 111(a)(1)- Assaulting, Resisting, or Impeding Certain Officers,
 18 U.S.C. § 231(a)(3)- Civil Disorder,
 18 U.S.C. § 1752(a)(1)- Entering and Remaining in a Restricted Building or Grounds,
 18 U.S.C. § 1752(a)(2)- Disorderly and Disruptive Conduct in a Restricted Building or Grounds,
 18 U.S.C. § 1752(a)(4)- Engaging in Physical Violence in a Restricted Building or Grounds,
 40 U.S.C. § 5104(e)(2)(F)- Act of Physical Violence in the Capitol Grounds or Buildings.

Date: 08/23/2022

2022.08.23

13:01:38 -04'00'

*Issuing officer's signature*City and state: Washington, D.C.Robin M. Meriweather, U.S. Magistrate Judge*Printed name and title*

Return

This warrant was received on (date) 8/23/22, and the person was arrested on (date) 8/24/22
 at (city and state) FALKVILLE, AL

Date: 8/24/22
Arresting officer's signature

JACOB DICK, FBI SA
Printed name and title

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

BOBBY WAYNE RUSSELL

DOB: XXXXXX

Case: 1:22-mj-00194

Assigned To : Magistrate Judge Meriweather, Robin M.

Assign. Date : 8/23/2022

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)- Assaulting, Resisting, or Impeding Certain Officers,
 18 U.S.C. § 231(a)(3)- Civil Disorder,
 18 U.S.C. § 1752(a)(1)- Entering and Remaining in a Restricted Building or Grounds,
 18 U.S.C. § 1752(a)(2)- Disorderly and Disruptive Conduct in a Restricted Building or Grounds,
 18 U.S.C. § 1752(a)(4)- Engaging in Physical Violence in a Restricted Building or Grounds,
 40 U.S.C. § 5104(e)(2)(F)- 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.*Complainant's signature*

Jacob Dick, 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: 08/23/2022

2022.08.23

12:59:31 -04'00'

*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, Jacob Dick, is a Special Agent of the Federal Bureau of Investigation. 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, detection, 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, 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 that 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.

Within the West Front of the Restricted Grounds there were additional temporary barriers due to preparations and ongoing construction for the Inauguration including green snow fencing and signage stating, “Area Closed By order of the United States Capitol Police Board.” The exterior plaza of the U.S. Capitol was also closed to members of the public. The below picture indicates all area within the red lines designated as a secure area with no public access as previously referenced in the “Area Closed By order of the United States Capitol Police Board.”



Figure 1

According to records obtained through a search warrant which was served on Google, a mobile device associated with Google Device ID 140364435 was present at the Capitol on January 6, 2021. The records also showed that Google account ID 559437646514 was associated with Device ID 140364435, that the email address associated with the account was possumcods2000@gmail.com, that name on the Google account was “schuck2000 possumcods,” and that the recovery SMS telephone number was 256-595-3151. 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 source(s) 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 ten 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 location data showed that a device associated with Google Device ID 140364435 was on the restricted grounds of the Capitol on January 6, 2021, between approximately 1:12 PM (EST) and 4:32 PM (EST).

According to records provided by AT&T, the mobile device associated with phone number 256-595-3151 was registered in the name of “Bobby Russell” with an address in Falkville, Alabama. The records listed “Bobby Russell” as the financially responsible party.

I have reviewed U.S. Capitol Surveillance Video, Open-Source Videos, and Washington, D.C. Metropolitan Police Department (“MDP”) Body Worn Camera (“BWC”) footage capturing events from January 6, 2021, in attempting to identify unknown subjects who assaulted law enforcement.

During my review of BWC footage, I observed an individual your affiant believes to be Bobby Wayne RUSSELL. The subject was wearing a brown coat, a red hooded sweatshirt with the words “Alabama Crimson Tide” on the front, a red and white hat, jeans, and brown shoes. I observed the subject at two different locations outside of the U.S. Capitol.

During my review of Metropolitan Police Officer M.T., M.R., S.C.B., and A.M.’s BWC, I observed that at approximately 1:56 p.m., Ofcs. M.T., M.R., S.C.B., A.M., and others were in a group of MPD and U.S. Capitol Police officers who were holding a line of bicycle barricades on the southwest side of the Capitol grounds and within the restricted area outlined in Figure 1 above. Ofc. M.T. and M.R.’s BWC showed a white male, approximately 45 years of age, wearing the clothing described in the above paragraph. Ofc. M.T. and M.R.’s BWC showed the subject standing with his back turned to the officers and using his buttocks and back to push up against the bicycle barricade that Ofcs. M.T., M.R. and multiple other officers were holding in place. At least one officer told the subject to “back off the fence,” and to “back up”:



Figure 2



Figure 3

Ofcs. M.T., M.R., and other officers attempted to remove the subject from the barricade by pushing him away, and at that point, the subject turned and grabbed the barricade with his right hand:



Figure 4

Ofc. M.T. then sprayed the subject with Oleoresin Capsicum spray (commonly referred to as pepper spray):



Figure 5

The subject then turned fully around to face the officers and grabbed the barricade with both hands:



Figure 6

The subject's hat fell to the ground. The subject continued to grip the barricade with both hands:



Figure 7



Figure 8

The subject then put his right arm through the bars of the bicycle barricade:



Figure 9

The subject leaned over the bars in the direction of the officers:



Figure 10

The barricade then broke apart and the subject pulled the jacket of Ofc. M.T. causing Ofc. M.T. and the subject to fall at least four steps to the ground:



Figure 11



Figure 12

A still from an Axon body camera showing a large crowd of people at a protest. A red circle highlights a person in the foreground holding a yellow object. The top right corner displays the date and time: 2021-01-06 18:57:17 -0500, and the camera model: AXON BODY 3 X6069802X.

Figure 14



Figure 15

During my review of Metropolitan Police Officer C.F.'s BWC, I observed a white male, approximately 45 years of age, wearing a red hooded sweatshirt with the words "Alabama Crimson Tide" on the front, a red and white hat, jeans, and brown shoes, standing with a white female, wearing a grey petit coat, black hat, and jeans, standing in front of the Capitol building near the Senate Wing doors on the northwest side. I observed the male and female standing in that area from approximately 3:28 p.m. until approximately 4:20 p.m.:



Figure 16

During my review of Metropolitan Police Officer C.F., C.B., P.D., and M.M.'s BWC, I observed that at approximately 4:20 p.m., law enforcement guarding the area formed a line, began walking towards the rioters gathered in the area including the subject, and shouted "move back" repeatedly, in an effort to clear the area. Despite these orders, the subject refused to move and instead pushed his back and buttocks into the shields of several officers, resisting their orders to move:



Figure 17



Figure 18



Figure 19



Figure 20

The subject then turned around to face Ofc. C.B., and said “I’m not scared of you and I’m not weak”:



Figure 21

I also interviewed Prince George’s County Corporal J.B., who identified himself in Figures 17 through 20 above as the individual with the two handcuffs on his belt. Corporal J.B. stated he remembered RUSSELL because prior to the police’s push to clear the area, RUSSELL said to the police, “There’s more of us than you guys, you’re gonna lose.” Then when the police began to move in a line formation, RUSSELL pushed back against Corporal J.B. and other officers’ riot shields.

I conducted an open-source search of the Facebook account entitled, “bobby.russell.927,” and located the photographs depicted in Figures 22 and 23 below. The photograph in Figure 22 was posted to the account for “bobby.russell.927” on January 19, 2021, and appears to show RUSSELL and the same woman he was with at the Capitol as seen in Figures 16 and 21 above – who your affiant believes to be RUSSELL’s wife, Deborah Russell – standing in front of the Lincoln Memorial Reflecting Pool with the Washington Monument in the background. The subject appears to be wearing the same brown coat, red hooded sweatshirt with the words “Alabama Crimson Tide” on the front, red and white hat, jeans, and brown shoes that he wears in the Figures above. Facebook records for account “bobby.russell.927” also showed that the account holder provided the name “Bobby Russell” and the phone number 256-595-3151 (which is the phone number associated with Google Device ID 140364435).

I have additionally compared the woman in Figures 16, 21, and 22, with the individual pictured on the Alabama driver’s license photograph for Deborah Russell, and the individuals pictured are consistent. The Alabama driver’s license for Deborah Russell lists the same address in Alabama as the address listed on RUSSELL’s Alabama driver’s license.



Figure 22

The photograph in Figure 23, below, appears to depict RUSSELL in Washington, D.C. on January 6, 2021, standing in front of the crowd. In Figure 23, RUSSELL can be seen wearing what appear to be the same red sweatshirt and hat that the subject can be seen wearing in Figures 3-5, 16, and 21-22, above.



Figure 23

I have compared the individual shown in Figures 2 through 23 above with the individual pictured on the Alabama driver's license photograph for Bobby Wayne RUSSELL, and the individuals pictured are consistent.

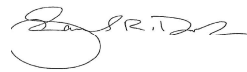
Based on the foregoing, your Affiant submits that there is probable cause to believe that Bobby Wayne RUSSELL violated:

1. 18 U.S.C. § 111(a)(1), which makes it a crime to forcibly assault, resist, oppose, impede, intimidate, and interfere with, an officer and employee of the United States, and of any branch of the United States Government (including any member of the uniformed services), and any person assisting such an officer and employee, while such persons were engaged in and on account of the performance of official duties, and where the acts in violation of this section involve physical contact with the victim of the assault and the intent to commit another felony.
2. 18 U.S.C. § 231(a)(3), which makes it a crime 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, and adversely affects commerce and the movement of any article and commodity in commerce and the conduct and performance of any federally protected function. "Civil

disorder” means any public disturbance involving acts of violence by assemblages of three or more persons, which causes an immediate danger of or results in damage or injury to the property or person of any other individual. “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; and such term shall specifically include, but not be limited to, the collection and distribution of the United States mails. 18 U.S.C. §232(1).

3. 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; and (4) knowingly engage 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.
4. 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.

As such, your Affiant respectfully requests that the court issue an arrest warrant for Bobby Wayne RUSSELL. The statements above are true and accurate to the best of my knowledge and belief.



Jacob Dick
Special Agent
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 23rd day of August 2022.



ROBIN M. MERIWEATHER
U.S. MAGISTRATE JUDGE

2022 Aug-24 PM 05:41
U.S. DISTRICT COURT
N.D. OF ALABAMA

AO 466A (Rev. 12/17) Waiver of Rule 5 & 5.1 Hearings (Complaint or Indictment)

UNITED STATES DISTRICT COURT
for the

Northern District of Alabama

United States of America

v.

Bobby Wayne Russell

Defendant

Case No. 2:22-mj-347-NAD

Charging District's Case No.

1:22-mj-194

WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint or Indictment)

I understand that I have been charged in another district, the (name of other court) _____

District of Columbia

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing to determine whether there is probable cause to believe that an offense has been committed, to be held within 14 days of my first appearance if I am in custody and 21 days otherwise, unless I have been indicted beforehand.
- (5) a hearing on any motion by the government for detention;
- (6) request a transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- ☒ an identity hearing and production of the warrant.
- ☒ a preliminary hearing.
- ☒ a detention hearing.
- ☐ an identity hearing, production of the judgment, warrant, and warrant application, and any preliminary or detention hearing to which I may be entitled in this district. I request that my
☐ preliminary hearing and/or ☐ detention hearing be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date:

8/24/22Bobby Wayne Russell
Defendant's signatureJake Watson
Signature of defendant's attorneyJAKE WATSON
Printed name of defendant's attorney

AO 467 (Rev. 01/09) Order Requiring a Defendant to Appear in the District Where Charges are Pending and Transferring Bail

UNITED STATES DISTRICT COURT

for the

Northern District of Alabama

United States of America

v.

BOBBY WAYNE RUSSELL

Defendant

Case No. 2:22-mj-347-NAD

Charging District: District of Columbia

Charging District's Case No. 1:22-mj-194

**ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICT
WHERE CHARGES ARE PENDING AND TRANSFERRING BAIL**

After a hearing in this court, the defendant is released from custody and ordered to appear in the district court where the charges are pending to answer those charges. If the time to appear in that court has not yet been set, the defendant must appear when notified to do so. Otherwise, the time and place to appear in that court are:

Place: DISTRICT OF COLUMBIA
MAGISTRATE JUDGE ZIA M. FARUQUI

Courtroom No.: ZOOM

Date and Time: 9/1/2022 1:00 PM ET

The clerk is ordered to transfer any bail deposited in the registry of this court to the clerk of the court where the charges are pending.

Date: 8/24/2022



Judge's signature

Nicholas A. Danella, U.S. Magistrate Judge

Printed name and title

U.S. District Court
Northern District of Alabama (Southern)
CRIMINAL DOCKET FOR CASE #: 2:22-mj-00347-NAD-1
Internal Use Only

Case title: USA v. Russell

Date Filed: 08/24/2022

Other court case number: 1:22-mj-194 District of Columbia

Assigned to: Magistrate Judge
Nicholas A Danella

Defendant (1)

Bobby Wayne Russell

represented by **Jake Watson**
FEDERAL PUBLIC DEFENDER
Northern District of Alabama
505 20th Street North, Ste. 1425
Birmingham, AL 35203
205-208-7170
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kevin L Butler
FEDERAL PUBLIC DEFENDER
Northern District of Alabama
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Public Defender or Community
Defender Appointment*

Pending Counts

None

Disposition

**Highest Offense Level
(Opening)**

None

Terminated Counts

None

Disposition

Highest Offense Level
(Terminated)

None

Complaints

Disposition

18 U.S.C. §111(a)(1) –
Assaulting, Resisting, or
Impeding Certain Officers; 18
U.S.C. § 231(a)(3) – Civil
Disorder; 18 U.S.C. § 1752(a)(1)
– Entering and Remaining in a
Restricted Building or Grounds;
18 U.S.C. § 1752(a)(2) –
Disorderly and Disruptive
Conduct in a Restricted Building
or Grounds; 18 U.S.C. §
1752(a)(4) – Engaging in Physical
Violence in a Restricted Building
or Grounds; 40 U.S.C. §
5104(e)(2)(F) – Act of Physical
Violence in the Capitol Grounds
or Buildings

Plaintiff

USA

represented by **Prim F. Escalona, US Attorney**
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Designation: Retained

US Probation

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USM

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Hugo Black Courthouse, Room 240

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Designation: Retained

Date Filed	#	Page	Docket Text
08/24/2022			Arrest (Rule 5 out of the District of Columbia) of Bobby Wayne Russell (ASL) (Entered: 08/24/2022)
08/24/2022	<u>1</u>		RULE 5 – COMPLAINT out of the District of Columbia as to Bobby Wayne Russell (Attachments: # <u>1</u> Statement of Facts)(ASL) (Entered: 08/24/2022)
08/24/2022	2		TEXT ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Bobby Wayne Russell; FPD Kevin L Butler appointed for Bobby Wayne Russell. Signed by Magistrate Judge Nicholas A Danella on August 24, 2022. (ASL) (Entered: 08/24/2022)
08/24/2022			Minute Entry for proceedings held before Magistrate Judge Nicholas A Danella:Initial Appearance in Rule 5(c)(3) Proceedings & Attorney Appointment as to Bobby Wayne Russell held on 8/24/2022; deft present & deemed eligible for court appointed counsel, FPD (Watson) present & appointed; AUSA Harrington; USPO Williams; rights & charges explained; advised of rights under Rule 5 and Rule 20; court accepts deft's waiver of identity hrg and production of warrant; Brady reminder for gov't; court accepts deft's waiver of prel hrg in NDAL & DC; agreement for release; court finds there are appropriate conditions for release; deft released on \$5,000 u/s bond with special conditions (Tape 3B) (ASL) (Entered: 08/24/2022)
08/24/2022	<u>4</u>		WAIVER of Rule 5 & 5.1 Hearings by Bobby Wayne Russell (ASL) (Entered: 08/24/2022)
08/24/2022	<u>5</u>		Unsecured Bond Entered as to Bobby Wayne Russell in amount of \$ 5,000, with special conditions (ASL) (Entered: 08/24/2022)
08/25/2022	<u>6</u>		NOTICE OF ATTORNEY APPEARANCE: Jake Watson appearing for Bobby Wayne Russell (Watson, Jake) (Entered: 08/25/2022)
08/25/2022	7		TEXT ORDER as to Bobby Wayne Russell. Based on the defendant's waiver in open court of his right to an identity hearing and to production of the warrant, as

		<p>well as the defendant's written waiver of that right, the court finds that the government has presented sufficient evidence to establish probable cause that the defendant is the same person named in the complaint and the warrant. The defendant waived in open court and in writing his right to a preliminary hearing in this district and in the charging district. By agreement, the defendant was released on bond. By separate order, the defendant will be required to appear in the charging district for further proceedings. Signed by Magistrate Judge Nicholas A Danella on 08/25/2022.(Danella, Nicholas) (Entered: 08/25/2022)</p>
08/25/2022	<u>8</u>	<p>ORDER as to Bobby Wayne Russell: REQUIRING DEFENDANT TO APPEAR IN THE DISTRICT WHERE CHARGES ARE PENDING AND TRANSFERRING BAIL; defendant is ordered to appear by ZOOM on 9/1/22 at 1:00 PM Eastern Time for the District of Columbia. Signed by Magistrate Judge Nicholas A Danella on August 24, 2022. (ASL) (Entered: 08/25/2022)</p>