

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

DISTRICT OF COLUMBIA,
400 6th Street, N.W, 10th Floor
Washington, D.C. 20001,

Plaintiff,

v.

PROUD BOYS INTERNATIONAL, L.L.C.,
108 Durango Dr.
Aubrey, TX 76227,

OATH KEEPERS,
5130 Fort Apache Rd.
Las Vegas, NV 89148,

RYAN ASHLOCK,
711 S. Spruce Cir.
Gardner, KS 66030-1632,

JOSEPH RANDALL BIGGS,
114 Camino Cir.
Ormond Beach, FL 32174,

MARC ANTHONY BRU,
10013 NE Hazel Dell Ave.
Vancouver, WA 98685-5203,

THOMAS EDWARD CALDWELL,
274 Wadesville Rd.
Berryville, VA 22611,

WILLIAM CHRESTMAN,
16393 S. Sunset St.
Olathe, KS 66062-2707,

Case No. 1:21-cv-03267

JURY TRIAL DEMANDED

LOUIS ENRIQUE COLON,
131 SW 27th St.
Blue Springs, MO 64015-3342,

DONOVAN RAY CROWL,
216 N Main St.
Woodstock, OH 43084-9700,

NICHOLAS DECARLO,
712 SW Sunset Ln.
Burleson, TX 76028-5220,

CHARLES DONOHOE,
2840 Cole Rd.,
Winston Salem, NC 27107-4510,

MATTHEW GREENE,
264 Burns Ave.
Syracuse, NY 13206-2532,

JOSEPH HACKETT,
8457 Cypress Lake Cir.
Sarasota, FL 34243-2915,

KENNETH HARRELSON,
2885 Saint Marks Dr.
Titusville, FL 32780-6743,

ARTHUR JACKMAN,
4030 N. Econlockhatchee Trail
Orlando, Fl. 32817-1327,

JOSHUA JAMES,
1463 Brashiers Chapel Rd.
Arab, AL 35016-2727,

JONATHANPETER KLEIN,
25180 SW Labrousse Rd.
Sherwood, OR 97140-8807,

CHRISTOPHER KUEHNE,
16657 S. Chalet Dr.
Olathe, KS 66062-2513,

CONNIE MEGGS,
14100 SW 101St LN.
Dunnellon, FL 34432-4700,

KELLY MEGGS,
14100 SW 101St LN.
Dunnellon, FL 34432-4700,

ROBERTO A. MINUTA,
120 Gray LN.,
Prosper, TX 75078-3010,

DAVID MOERSCHEL,
117 Angol St.
Punta Gorda, FL 33983-5324,

ETHAN NORDEAN,
31930 169th Ave. SE
Auburn, WA 98092,

NICHOLAS ROBERT OCHS,
3245 Virginia St
Apt 56,
Miami, FL 33133-5250,

BENNIE ALVIN PARKER,
1170 Essex Gln.
Morrow, OH 45152-8486,

SANDRA RUTH PARKER,
1170 Essex Gln.
Morrow, OH 45152-8486,

WILLIAM JOSEPH PEPE,
85 Judson St.
Apt. 2

Beacon, NY 12508,

DOMINIC PEZZOLA,
4039 Lake Ave.
Rochester, NY 14612,

ZACHARY REHL,
3058 Almond St.
Philadelphia, PA 19134-5028,

ELMER STEWART RHODES III,
4600 Sapphire Ln.
Granbury, TX 76049-6611,

JON RYAN SCHAFFER,
5162 Timber Ridge Dr.
Columbus, IN 47201-8816,

DANIEL LYONS SCOTT,
122 W Perry LN
Englewood, FL 34223-2943,

LAURA STEELE,
249 Newcastle Ct.
Thomasville, NC 27360-7175,

HENRY "ENRIQUE" TARRIO,
5730 SW 142 Ct.
Miami, FL 33184,

BRIAN ULRICH,
161 Pinehill Estates Rd.
Guyton, GA 31312-5054,

EDWARD VALLEJO,
3342 E. Monte Vista Rd.
Phoenix, AZ 85008-2935,

JESSICA MARIE WATKINS,
2586 Hickory Mill Dr.

Hilliard, OH 43026-9464,

CHRISTOPHER JOHN WORRELL,
282 Stanhope Cir.
Naples, FL 34104-0810,

GRAYDON YOUNG,
7147 Lago St.,
Sarasota, FL 34241

AND

JOHN AND JANE DOES 1-50

Defendants.

AMENDED COMPLAINT¹

1. The District of Columbia (the “District”) brings this action against Proud Boys International, L.L.C. (“Proud Boys” or “PBI”), the Oath Keepers (“Oath Keepers”), their leadership, certain of their members, and others, for conspiring to terrorize the District by planning, promoting, and participating in the violent January 6, 2021, attack on the United States Capitol Building (the “Capitol”).

NATURE OF THIS ACTION

2. Following the 2020 Presidential Election, two organizations—the Proud Boys and the Oath Keepers—through and with their leadership and certain members and affiliates, conspired to commit acts of violence and attack the United States Congress on January 6, 2021 (the “January 6th Attack” or the “Attack”), with the express purpose of preventing members of Congress and

¹ A redline of this Amended Complaint against the Complaint filed on December 14, 2021, *see* ECF No. 1, is attached hereto as Exhibit A.

then Vice President Michael Pence from discharging their official constitutional duties and declaring Joseph Biden the winner of the 2020 Presidential Election.

3. Over the course of several weeks, the Proud Boys, the Oath Keepers, their leadership, and certain of their members and affiliates—motivated by a desire to overturn the legal results of the election and initiate a second term of Donald Trump’s presidency—worked together to plot, publicize, recruit for, and finance their planned attack.

4. The result of that planning, the January 6th Attack on the Capitol, was not a protest or a rally. It was a coordinated act of domestic terrorism.

5. Would-be insurgents from across the country came to the District, marched through its streets, and ultimately gathered at the United States Capitol, ready and eager to carry out a violent attack on the lawful operation of government.

6. Then, as the Proud Boys, the Oath Keepers, their leadership, and certain of their members and affiliates had planned, Defendants and others rioted, broke through police barricades, and physically forced their way into the Capitol. In doing so, they threatened, assaulted, and injured those who tried to stop them, including officers of the District’s Metropolitan Police Department (“MPD”), and incited terror among those inside and around the building, including members of Congress who were discharging the official duties of their offices.

7. In the wake of this assault, the Capitol was left in shambles, with the District left to deal with the aftermath of the violent disruption to what should have been the peaceful transition of presidential power.

8. As detailed below, in the context of the ongoing criminal proceedings relating to the same events, many Defendants who played a key role in this Attack have now admitted to both the existence of this conspiracy as well as their roles in that conspiracy.

9. Through this action, the District seeks to hold the Defendants accountable under federal laws and the laws of the District of Columbia for the actions committed in furtherance of their conspiracy. The District seeks compensatory, statutory, and punitive relief, and, by filing this action, makes clear that it will not countenance the use of violence against the District, including its police officers.

PARTIES

10. **Plaintiff District of Columbia**: The District is a municipal corporation and is the local government for the territory constituting the permanent seat of the government of the United States. The District is represented by and through its chief legal officer, the Attorney General for the District of Columbia. The Attorney General has general charge and conduct of all legal business of the District and all suits initiated by and against the District and is responsible for upholding the public interest. D.C. Code § 1-301.81(a)(1).

11. **Defendant Proud Boys International, L.L.C.**: Proud Boys is a limited liability company organized and existing under the laws of Texas at the time of the actions and events alleged in this Amended Complaint.² PBI was created to “establish, maintain, govern, improve and promote the welfare of a fraternal order to be known as the ‘Proud Boys.’” The Proud Boys is a U.S.-based group that promotes and engages in political violence, including in service of its hate-motivated agenda. PBI is a citizen of Florida, Texas, Washington, Colorado, Georgia, Michigan, and Canada.³

² In February 2021, after it was sued for another violent attack on a church in the District that preceded the January 6th Attack, PBI’s officers sought to evade service by purporting to dissolve the entity. Under Texas law, PBI continues to exist for three years from the time its officers filed papers with the Texas government to dissolve the entity. *See* TEX. BUS. ORGS. CODE ANN. § 11.356 (West). Therefore, for purposes of this action, PBI remains a limited liability company organized and existing under the laws of Texas.

³ As a limited liability company, PBI’s citizenship is determined by the citizenship of its members. PBI’s members are the eight Proud Boys “brothers” who are elected by the membership of the Proud Boys fraternal order to lead the organization as “Elders.” The Proud Boys’ bylaws list the first chapter of Elders as including Enrique Tarrío of

12. **Defendant Oath Keepers:** The Oath Keepers is a nonprofit corporation incorporated in Nevada, with its principal place of business in Granbury, Texas. The Oath Keepers is a militia movement group united by baseless conspiracy theories arising from the idea that the federal government has been coopted by a nefarious group that is trying to strip United States citizens of their rights.

Individual Defendants

13. **Defendant Ryan Ashlock:** Ashlock is a resident and citizen of the state of Kansas. Ashlock is a member of the Proud Boys. Ashlock was criminally charged and indicted for his role in perpetrating the January 6th Attack in *US v. Kuehne*, No. 1:21-cr-00160-TJK, (D.D.C 2021). The Criminal Complaint (Dkt. 5), Affidavit in Support (Dkt. 5-1), and Kuehne, et al. Superseding Indictment (Dkt. 132) filed against Ashlock are publicly available documents that are hereby incorporated into the Amended Complaint by reference.⁴

14. **Defendant Joseph Randall Biggs:** Biggs, also known as “Sergeant Biggs,” is a resident and citizen of the state of Florida. Biggs is a member of the Proud Boys. Biggs was criminally charged and indicted for his role in perpetrating the January 6th Attack in *US v. Nordean*, No. 1:21-cr-00175-TJK (D.D.C. 2021). The Criminal Complaint (Dkt. 1), Affidavit in Support (Dkt. 1-1), and Nordean, et al. Second Superseding Indictment (Dkt. 305) filed against Biggs are publicly available documents that are hereby incorporated into the Amended Complaint by reference.

15. **Defendant Marc Anthony Bru:** Bru is a resident and citizen of the state of Washington. Bru is a member of the Proud Boys. Bru was criminally charged and indicted for

Florida, Joshua Hall of Texas, Ethan Nordean of Washington, Lucas Rohlfig of Colorado, Heath Hair of Georgia, Harry Fox of Michigan, Timothy Kelley of Canada, and Patrick William Roberts of Colorado.

⁴ The documents incorporated by reference can be found at <https://statesuniteddemocracy.org/legal/dcvproudboys-info-legal/>, where they are identified by the paragraph number in this Amended Complaint in which they appear.

his role in perpetrating the January 6th Attack in *US v. Bru*, No. 1:21-cr-00352-JEB (D.D.C 2021). The Criminal Complaint (Dkt. 1), accompanying Statement of Facts (Dkt. 1-1), and Superseding Indictment (Dkt. 31) filed against Bru are publicly available documents that are hereby incorporated into the Amended Complaint by reference.

16. **Defendant Thomas Edward Caldwell**: Caldwell, also known as “CAG,” “Spy,” and “CAG Spy,” is a resident and citizen of the state of Virginia. Caldwell is an affiliate or member of the Oath Keepers. Caldwell was criminally charged and indicted for his role in perpetrating the January 6th Attack in *US v. Rhodes*, No. 1:22-cr-00015-APM (D.D.C. 2022). The Rhodes, et al. Indictment (Dkt. 1) filed against Caldwell is a publicly available document that is hereby incorporated into the Amended Complaint by reference.

17. **Defendant William Chrestman**: Chrestman is a resident and citizen of the state of Kansas. Chrestman is a member of the Proud Boys. Chrestman was criminally charged and indicted for his role in perpetrating the January 6th Attack in *US v. Kuehne*, No. 1:21-cr-00160-TJK (D.D.C. 2021). The Criminal Complaint, Affidavit in Support, and Kuehne, et al. Superseding Indictment (Dkt. 132) filed against Chrestman are publicly available documents that are hereby incorporated into the Amended Complaint by reference.

18. **Defendant Louis Enrique Colon**: Colon is a resident and citizen of the state of Missouri. Colon is a member or affiliate of the Proud Boys. Colon was criminally charged and indicted for his role in perpetrating the January 6th Attack in *US v. Kuehne*, No. 1:21-cr-00160-TJK (D.D.C. 2021). The Kuehne, et al. Criminal Complaint, Affidavit in Support, and Kuehne, et al. Superseding Indictment (Dkt. 132) filed against Colon are publicly available documents that are hereby incorporated into the Amended Complaint by reference.

19. **Defendant Donovan Ray Crawl**: Crawl is a resident and citizen of the state of Ohio. Crawl is a member of the Oath Keepers. Crawl was criminally charged and indicted for his role in perpetrating the January 6th Attack in *US v. Caldwell*, No. 1:21-cr-00028-APM (D.D.C. 2021). The Watkins, et al. Amended Complaint (Dkt. 1), Affidavit in Support (Dkt 1-1), and Caldwell, et al. Seventh Superseding Indictment (Dkt. 583) filed against Crawl are publicly available documents that are hereby incorporated into the Amended Complaint by reference.

20. **Defendant Nicholas DeCarlo**: DeCarlo, also known as “Nick DeCarlo” or “Nick Lambaste,” is a resident and citizen of the state of Texas. DeCarlo is a member or affiliate of the Proud Boys. DeCarlo was criminally charged and indicted for his role in perpetrating the January 6th Attack in *US v. DeCarlo*, No. 1:21-cr-00073-BAH (D.D.C. 2021). The Criminal Complaint (Dkt. 1), accompanying Statement of Facts (Dkt. 1-1), and Superseding Indictment (Dkt. 68) filed against DeCarlo are publicly available documents that are hereby incorporated into the Amended Complaint by reference.

21. **Defendant Charles Donohoe**: Donohoe is a resident and citizen of the state of North Carolina. Donohoe is a member of the Proud Boys. Donohoe was criminally charged and indicted for his role in perpetrating the January 6th Attack in *US v. Nordean*, No. 1:21-cr-00175-TJK (D.D.C. 2021). The Nordean, et al. Second Superseding Indictment (Dkt. 305) filed against Donohoe is a publicly available document that is hereby incorporated into the Amended Complaint by reference.

22. **Defendant Matthew Greene**: Greene is a resident and citizen of the state of New York. Greene is a member of the Proud Boys. Greene was criminally charged and indicted for his role in perpetrating the January 6th Attack in *US v. Pezzola*, No. 1:21-cr-00052-TJK (D.D.C. 2021). On December 22, 2021, Greene pleaded guilty to counts of conspiracy and obstruction of

an official proceeding and stipulated to the entire Statement of Offense in the criminal action brought against him. The Superseding Indictment (Dkt. 34), Plea Agreement (Dkt. 104), and Statement of Offense (Dkt. 105) filed against Greene are publicly available documents that are hereby incorporated into the Amended Complaint by reference. On information and belief, Defendant Greene is aware of this action, and has been since it was filed and widely publicized.

23. **Defendant Joseph Hackett:** Hackett, also known as “Ahab” and “Faith,” is a resident and citizen of the state of Florida. Hackett is a member of the Oath Keepers. Hackett was criminally charged and indicted for his role in perpetrating the January 6th Attack in *US v. Rhodes*, No. 1:22-cr-00015-APM (D.D.C. 2022). The Rhodes, et al. Indictment (Dkt. 1) filed against Hackett is a publicly available document that is hereby incorporated into the Amended Complaint by reference. On information and belief, Defendant Hackett is aware of this action, and has been since it was filed and widely publicized.

24. **Defendant Kenneth Harrelson:** Harrelson is a resident and citizen of the state of Florida. Harrelson is a member of the Oath Keepers. Harrelson was criminally charged and indicted for his role in perpetrating the January 6th Attack in *US v. Rhodes*, No. 1:22-cr-00015-APM (D.D.C. 2022). The Rhodes, et al. Indictment (Dkt. 1) filed against Harrelson is a publicly available document that is hereby incorporated into the Amended Complaint by reference.

25. **Defendant Arthur Jackman:** Jackman is a resident and citizen of the state of Florida. Jackman is a member of the Proud Boys. Jackman was criminally charged and indicted for his role in perpetrating the January 6th Attack in *US v. Jackman*, No. 1:21-cr-00378-TJK (D.D.C. 2021). The Criminal Complaint (Dkt. 1), Affidavit in Support (Dkt. 1-1), and Second Superseding Indictment (Dkt. 72) filed against Jackman are publicly available documents that are hereby incorporated into the Amended Complaint by reference.

26. **Defendant Joshua James:** James is a resident and citizen of the state of Alabama. James is a member of the Oath Keepers. James was criminally charged and indicted for his role in perpetrating the January 6th Attack in *US v. Rhodes*, No. 1:22-cr-00015-APM (D.D.C. 2022). On March 2, 2022, James pleaded guilty to counts of seditious conspiracy and obstruction of an official proceeding and stipulated to the entire Statement of Offense in the criminal action brought against him. The Rhodes, et al. Indictment (Dkt. 1), Plea Agreement (Dkt. 59), and Statement of Offense (Dkt. 60) filed against James are publicly available documents that are hereby incorporated into the Amended Complaint by reference.

27. **Defendant Jonathanpeter Klein:** Klein is a resident and citizen of the state of Oregon. Klein is a member of the Proud Boys. Klein was criminally charged and indicted for his role in perpetrating the January 6th Attack in *US v. Klein*, No. 1:21-cr-00237-RDM (D.D.C. 2021). The Superseding Indictment (Dkt. 120) filed against Klein is a publicly available document that is hereby incorporated into the Amended Complaint by reference.

28. **Defendant Christopher Kuehne:** Kuehne is a resident and citizen of the state of Kansas. Kuehne is a member or affiliate of the Proud Boys. Kuehne was criminally charged and indicted for his role in perpetrating the January 6th Attack in *US v. Kuehne*, No. 1:21-cr-00160-TJK (D.D.C. 2021). The Kuehne et al. Criminal Complaint, Affidavit in Support, and Kuehne, et al. Superseding Indictment (Dkt. 132) are publicly available documents that are hereby incorporated into the Amended Complaint by reference.

29. **Defendant Connie Meggs (“C. Meggs”):** C. Meggs is a resident and citizen of the state of Florida. C. Meggs is a member of the Oath Keepers. C. Meggs was criminally charged and indicted for her role in perpetrating the January 6th Attack in *US v. Caldwell*, No. 1:21-cr-00028-APM (D.D.C. 2021). The Meggs et al. Criminal Complaint (Dkt. 1), Affidavit in Support

(Dkt. 1-1), and Caldwell, et al. Seventh Superseding Indictment (Dkt. 583) filed against C. Meggs are publicly available documents that are hereby incorporated into the Amended Complaint by reference.

30. **Defendant Kelly Meggs (“K. Meggs”)**: K. Meggs is a resident and citizen of the state of Florida and is the self-described leader of the Florida chapter of the Oath Keepers. K. Meggs was criminally charged and indicted for his role in perpetrating the January 6th Attack in *US v. Rhodes*, No. 1:22-cr-00015-APM (D.D.C. 2022). The Rhodes, et al. Indictment (Dkt. 1) filed against K. Meggs is a publicly available document that is hereby incorporated into the Amended Complaint by reference.

31. **Defendant Roberto A. Minuta**: Minuta is a resident and citizen of the state of Texas. Minuta is a member of the Oath Keepers. Minuta was criminally charged and indicted for his role in perpetrating the January 6th Attack in *US v. Rhodes*, No. 1:22-cr-00015-APM (D.D.C. 2022). The Rhodes, et al. Indictment (Dkt. 1) filed against Minuta is a publicly available document that is hereby incorporated into the Amended Complaint by reference.

32. **Defendant David Moerschel**: Moerschel, also known as “Hasty,” is a resident and citizen of the state of Florida. Moerschel is a member of the Oath Keepers. Moerschel was criminally charged and indicted for his role in perpetrating the January 6th Attack in *US v. Rhodes*, No. 1:22-cr-00015-APM (D.D.C. 2022). The Rhodes, et al. Indictment (Dkt. 1) filed against Moerschel is a publicly available document that is hereby incorporated into the Amended Complaint by reference. On information and belief, Defendant Moerschel is aware of this action, and has been since it was filed and widely publicized.

33. **Defendant Ethan Nordean**: Nordean, also known as “Rufio Panman,” is a resident and citizen of the state of Washington. Nordean is the self-described “Sergeant-at-Arms”

of the Seattle chapter of the Proud Boys. Nordean was criminally charged and indicted for his role in perpetrating the January 6th Attack in *US v. Nordean et al.*, No. 1:21-cr-00175-TJK (D.D.C. 2021). The Criminal Complaint (Dkt. 6), Affidavit in Support (Dkt. 6-1), and Nordean, et al. Second Superseding Indictment (Dkt. 305) filed against Nordean are publicly available documents that are hereby incorporated into the Amended Complaint by reference.

34. **Defendant Nicholas Robert Ochs**: Ochs is a resident and citizen of the state of Hawaii. Ochs is a founding member of the Proud Boys Hawaii chapter. Ochs was criminally charged and indicted for his role in perpetrating the January 6th Attack in *US v. DeCarlo*, No. 1:21-cr-00073-BAH (D.D.C. 2021). The Criminal Complaint (Dkt. 1), Affidavit in Support (Dkt. 1-1), and Superseding Indictment (Dkt. 68) filed against Ochs are publicly available documents that are hereby incorporated into the Amended Complaint by reference.

35. **Defendant Bennie Alvin Parker (“B. Parker”)**: B. Parker is a resident and citizen of the state of Ohio. B. Parker is a member or affiliate of the Oath Keepers. B. Parker was criminally charged and indicted for his role in perpetrating the January 6th Attack in *US v. Caldwell*, No. 1:21-cr-00028-APM (D.D.C. 2021). The Criminal Complaint (Dkt. 1), Affidavit in Support (Dkt. 1-1), and Caldwell, et al. Seventh Superseding Indictment (Dkt. 583) filed against B. Parker are publicly available documents that are hereby incorporated into the Amended Complaint by reference.

36. **Defendant Sandra Ruth Parker (“S. Parker”)**: S. Parker is a resident and citizen of the state of Ohio. S. Parker is a member or affiliate of the Oath Keepers. S. Parker was criminally charged and indicted for her role in perpetrating the January 6th Attack in *US v. Caldwell*, No. 1:21-cr-00028-APM (D.D.C. 2021). The Criminal Complaint (Dkt. 1), Affidavit in Support (Dkt. 1-1), and Caldwell, et al. Seventh Superseding Indictment (Dkt. 583) filed against

S. Parker are publicly available documents that are hereby incorporated into the Amended Complaint by reference.

37. **Defendant William Joseph Pepe:** Pepe is a resident and citizen of the state of New York. Pepe is a member of the Proud Boys. Pepe was criminally charged and indicted for his role in perpetrating the January 6th Attack in *US v. Pezzola*, No. 1:21-cr-00052-TJK (D.D.C. 2021). The Criminal Complaint (Dkt. 1), accompanying Statement of Facts (Dkt. 1-1), and Superseding Indictment (Dkt. 34) filed against Pepe are publicly available documents that are hereby incorporated into the Amended Complaint by reference.

38. **Defendant Dominic Pezzola:** Pezzola, also known as “Spaz” or “Spazzo,” is a resident and citizen of the state of New York. Pezzola is a member of the Proud Boys. Pezzola was criminally charged and indicted for his role in perpetrating the January 6th Attack in *US v. Pezzola*, No. 1:21-cr-00052-TJK (D.D.C. 2021). The Criminal Complaint (Dkt. 1), Affidavit in Support (Dkt. 1-1), and Superseding Indictment (Dkt. 34) filed against Pezzola are publicly available documents that are hereby incorporated into the Amended Complaint by reference. Pezzola was also criminally charged and indicted for his role in perpetrating the January 6th Attack in *US v. Nordean*, No. 21-cr-00175-TJK (D.D.C. 2021). The Second Superseding Indictment (Dkt. 305) filed against Pezzola is a publicly available document that is hereby incorporated into the Amended Complaint by reference.

39. **Defendant Zachary Rehl:** Rehl is a resident and citizen of the state of Pennsylvania. Rehl is the president of the Philadelphia Proud Boys chapter, and a member of the Proud Boys. Rehl was criminally charged and indicted for his role in perpetrating the January 6th Attack in *US v. Nordean*, No. 1:21-cr-00175-TJK (D.D.C. 2021). The Nordean, et al. Second

Superseding Indictment (Dkt. 305) filed against Rehl is a publicly available document that is hereby incorporated into the Amended Complaint by reference.

40. **Defendant Elmer Stewart Rhodes III:** Rhodes is a resident and citizen of the state of Texas. Rhodes is the founder and longstanding leader of the Oath Keepers. Rhodes was criminally charged and indicted for his role in perpetrating the January 6th Attack in *US v. Rhodes*, No. 1:22-cr-00015-APM (D.D.C. 2022). The Rhodes, et al. Indictment (Dkt. 1) filed against Rhodes is a publicly available document that is hereby incorporated into the Amended Complaint by reference. On information and belief, Defendant Rhodes is aware of this action, and has been since it was filed and widely publicized. Defendant Rhodes was also previously served in this action in his capacity as a corporate officer of the Oath Keepers. Dkt. 50 at 2.

41. **Defendant Jon Ryan Schaffer:** Schaffer is a resident and citizen of the state of Indiana. Schaffer is a founding, lifetime member of the Oath Keepers. Schaffer was criminally charged and indicted for his role in perpetrating the January 6th Attack in *US v. Schaffer*, No. 1:21-cr-00306-APM (D.D.C. 2021). In connection with a promise to cooperate with investigators and potentially testify in criminal cases related to the conspiracy to commit the January 6th Attack, Schaffer pleaded guilty to the entire Statement of Offense in the criminal action brought against him, which included two felony offenses: (1) trespass of the Capitol while armed with a deadly or dangerous weapon and (2) obstruction of an official proceeding of Congress. The Criminal Complaint (Dkt. 1) filed against Schaffer—as well as Schaffer’s Plea Agreement (Dkt. 29) and the accompanying Statement of Offense (Dkt. 30) describing his conduct—are publicly available documents that are hereby incorporated into the Amended Complaint by reference.

42. **Defendant Daniel Lyons Scott:** Scott, also known as “Milkshake,” is a resident and citizen of the state of Florida. Scott is a member of the Proud Boys and has a tattoo of the

organization's name on his upper arm. Scott was criminally charged and indicted for his role in perpetrating the January 6th Attack in *US v. Scott*, No. 1:21-cr-00499-EGS (D.D.C. 2021). The Criminal Complaint (Dkt. 1), accompanying Statement of Facts (Dkt. 1-1), and Updated Superseding Indictment (Dkt. 42-1) filed against Scott are publicly available documents that are hereby incorporated into the Amended Complaint by reference.

43. **Defendant Laura Steele:** Steele is a resident and citizen of the state of North Carolina. Steele is a member of the Florida chapter of the Oath Keepers. Steele was criminally charged and indicted for her role in perpetrating the January 6th Attack in *US v. Caldwell*, No. 1:21-cr-00028-APM (D.D.C. 2021). The Meggs et al. Criminal Complaint (Dkt. 1), Affidavit in Support (Dkt. 1-1), and Caldwell, et al. Seventh Superseding Indictment (Dkt. 583) filed against Steele are publicly available documents that are hereby incorporated into the Amended Complaint by reference.

44. **Defendant Henry "Enrique" Tarrío:** Tarrío is a resident and citizen of the state of Florida. Tarrío has been a member of the Proud Boys since 2017 and was the Chairman—the most senior role in, and the face of, the organization—from November 20, 2018 until at least February 2, 2022. As the Proud Boys' Chairman, Tarrío, in coordination with the Proud Boys Elders, has acted as the voice of the organization on matters of public concern, according to the Proud Boys' Bylaws. Tarrío was criminally charged and indicted for his role in perpetrating the January 6th Attack in *US v. Nordean*, No. 21-cr-00175-TJK (D.D.C. 2021). The Nordean, et al. Second Superseding Indictment (Dkt. 305) filed against Tarrío is a publicly available document that is hereby incorporated into the Amended Complaint by reference.

45. **Defendant Brian Ulrich:** Ulrich, also known as "Molon Labe" and "Bilbo," is a resident and citizen of the state of Georgia. Ulrich is a member of the Oath Keepers. Ulrich was

criminally charged and indicted for his role in perpetrating the January 6th Attack in *US v. Rhodes*, No. 1:22-cr-00015-APM (D.D.C. 2022). The Rhodes, et al. Indictment (Dkt. 1) filed against Ulrich is a publicly available document that is hereby incorporated into the Amended Complaint by reference. On information and belief, Defendant Ulrich is aware of this action, and has been since it was filed and widely publicized.

46. **Defendant Edward Vallejo**: Vallejo is a resident and citizen of the state of Arizona. Vallejo is a member of the Oath Keepers. Vallejo was criminally charged and indicted for his role in perpetrating the January 6th Attack in *US v. Rhodes*, No. 1:22-cr-00015-APM (D.D.C. 2022). The Rhodes, et al. Indictment (Dkt. 1) filed against Vallejo is a publicly available document that is hereby incorporated into the Amended Complaint by reference. In *US v. Vallejo*, No. 2:22-mj-05032-DMF (D. Ariz. 2022), the government moved for Vallejo to be detained until trial. The government's memorandum in support of that motion (Dkt. 7) is a publicly available document that is hereby incorporated into the Amended Complaint by reference. On information and belief, Defendant Vallejo is aware of this action, and has been since it was filed and widely publicized.

47. **Defendant Jessica Marie Watkins**: Watkins is a resident and citizen of the state of Ohio. Watkins is a member of the Oath Keepers. Watkins was criminally charged and indicted for her role in perpetrating the January 6th Attack in *US v. Rhodes*, No. 1:22-cr-00015-APM (D.D.C. 2022). The Rhodes, et al. Indictment (Dkt. 1) filed against Watkins is a publicly available document that is hereby incorporated into the Amended Complaint by reference.

48. **Defendant Christopher John Worrell**: Worrell is a resident and citizen of the state of Florida. Worrell is a member of the Proud Boys. Worrell was criminally charged and indicted for his role in perpetrating the January 6th Attack in *US v. Worrell*, No. 1:21-cr-00292-

RCL (D.D.C. 2021). The Criminal Complaint (Dkt. 1), accompanying Statement of Facts (Dkt. 1-1), and Superseding Indictment (Dkt. 129) filed against Worrell are publicly available documents that are hereby incorporated into the Amended Complaint by reference.

49. **Defendant Graydon Young**⁵: Young is a resident and citizen of the state of Florida. Young is a member of the Florida chapter of the Oath Keepers. Young was criminally charged and indicted for his role in perpetrating the January 6th Attack in *US v. Caldwell*, No. 1:21-cr-00028-APM (D.D.C. 2021). Young subsequently pleaded guilty to the entire Statement of Offense in the criminal action brought against him. The Criminal Complaint (Dkt. 1) and Affidavit in Support (Dkt. 1-1) filed against Young—as well as Young’s Plea Agreement (Dkt. 249) and the Statement of Offense (Dkt. 250) describing Young’s conduct—are publicly available documents that are hereby incorporated into the Amended Complaint by reference.

50. **Defendants John and Jane Does 1–50**: Upon information and belief, Defendants John and Jane Does 1–50 are individuals whose names and addresses are unknown and who planned, conspired to carry out, and executed the January 6th Attack. The District expressly excludes from John and Jane Does 1–50 any citizens of the District.

51. Defendants Ashlock, Biggs, Bru, Caldwell, Chrestman, Colon, Crawl, DeCarlo, Donohoe, Greene, Hackett, Harrelson, Jackman, James, Klein, Kuehne, C. Meggs, K. Meggs, Minuta, Moerschel, Nordean, Ochs, B. Parker, S. Parker, Pepe, Pezzola, Rehl, Rhodes, Schaffer,

⁵ On February 28, 2022, Young filed a petition under Chapter 7 of the United States Bankruptcy Code in the United States Bankruptcy Court for the Middle District of Florida. On March 2, 2022, counsel for Young filed a suggestion of bankruptcy in this case, announcing that “[p]ursuant to 11 U.S.C. 362 all actions against [Young] are stayed.” ECF No. 78. In accordance with the automatic stay, the District is not prosecuting or continuing any actions against Young at this time. All changes in the Amended Complaint are directed entirely against Defendants other than Young. The Amended Complaint asserts no new claims or requests for relief against Young, nor does it allege any new facts about Young’s involvement in the January 6th Attack—it merely preserves the status quo as to Young. For the avoidance of doubt, the District will not be advancing its claims against Young unless and until the District is able to pursue and obtain appropriate relief from the bankruptcy court, which may include relief from the automatic stay, and all related rights are reserved.

Scott, Steele, Tarrio, Ulrich, Vallejo, Watkins, Worrell, Young, and John and Jane Does 1–50 are collectively referenced herein as the “Individual Defendants.”

52. As alleged more fully below, the Individual Defendants conspired together and participated in planning, promoting, financing, organizing, and carrying out the January 6th Attack. Defendants Proud Boys and Oath Keepers also participated in the conspiracy, playing a key role in the planning, promotion, financing, organizing, and carrying out of the January 6th Attack by lending their experience—and in some cases, organizational resources—to the planned January 6th Attack.

53. The Defendants are jointly and severally liable for the damages suffered by the District as a result of their unlawful conspiracy.

JURISDICTION AND VENUE

54. The Court has jurisdiction over this action under 28 U.S.C. § 1331 and over the District’s state law claims under 28 U.S.C. § 1367.

55. Additionally, and in the alternative, this Court has jurisdiction over this entire action under 28 U.S.C. § 1332 because there is complete diversity among the parties and the amount in controversy exceeds \$75,000.

56. Venue is properly in this District pursuant to 28 U.S.C. § 1391(b) because a substantial part of the events giving rise to Plaintiff’s claims occurred in this District.

FACTUAL ALLEGATIONS

I. Both the Proud Boys and the Oath Keepers Have a Long History of Inciting and Engaging in Coordinated Violence.

57. The violence perpetrated by the Proud Boys, Oath Keepers, their leadership, and certain of their members and affiliates through the January 6th Attack—while unique in its severity

and scope—is far from an isolated occurrence. Violence is an inextricable part of both organizations and a common link between them.

A. The Proud Boys’ Organization and History of Violence

58. The Proud Boys is a U.S.-based group that has repeatedly and persistently instigated, incited, and executed acts of violence and intimidation against their perceived enemies. The Canadian government has designated the Proud Boys as a terrorist entity.

59. Violence has been a key component of the Proud Boys’ mission and conduct since its creation. PBI’s original Constitution and Bylaws, which set forth the rules and procedures governing the Proud Boys fraternal order, mandated that membership be limited to men who undergo violent initiation rituals, including getting beaten by other members. The highest level of membership, for example, required “a material sacrifice or service,” which Proud Boys founder Gavin McInnes has described as getting arrested or committing a violent act in support of the Proud Boys.⁶

60. As a result, when Proud Boys members assemble in large groups at public demonstrations, violence becomes more likely.

61. The Proud Boys members have a long-standing practice of instigating and committing acts of violence under the guise of self-defense by responding to small slights with coordinated, brutal force.

62. For example, on October 12, 2018, 10 men connected to the Proud Boys were arrested following violent attacks on protestors outside of the Metropolitan Republican Club on the Upper East Side of Manhattan. The Proud Boys involved in those attacks punched, kicked,

⁶ In October 2018, as law enforcement sought members of the Proud Boys for their role in a fight outside the Metropolitan Republican Club, Proud Boys leadership released a “clarified” set of bylaws that purported to contradict the Proud Boys’ prior, violent rhetoric. The new language asserts: “Any requirement that a brother commit a violent or illegal act as a condition precedent to receiving a fourth degree is, by this bylaw, abolished.”

and “stomped” four protestors who were wearing black clothes and masks. The Proud Boys later claimed that their members were assaulted by these protestors, but security camera footage revealed that a Proud Boys member initiated the violence.

63. Similarly, in April 2019, Proud Boys members used messaging platforms to coordinate and plan violence in advance of an April 2019 rally in Providence, Rhode Island. As one of the Proud Boys instructed before that rally on the encrypted chat service, Telegram: “If any contact is made with you, that’s assault. If they take your hat, spray you with silly string, spit, push It’s assault. We need to have all our guys there before we retaliate though if we can. The cops aren’t going to let us fight long. We need to inflict as much damage as possible in the time we have.”

64. A few months later, in advance of an August 2019 rally in Portland, Oregon, Biggs suggested that his cohort arm themselves and be prepared for violence. He posted videos of himself holding a spiked baseball bat, telling the camera: “We’re going to put this to good use.” He also posed wearing a t-shirt reading: “I’m Just Here for the Violence.”

65. On several occasions in August 2020, Proud Boys members violently confronted protestors and others in Portland, Oregon, following the police killing of George Floyd in Minneapolis. The Proud Boys came to the Oregon protests armed with bear mace, clubs, and firearms. Proud Boys members engaged in multiple acts of violence at the protests, including, on August 15, 2020, spraying a journalist with bear mace and, on August 22, 2020, charging and severely beating protestors affiliated with the movement against police brutality.

66. The Proud Boys’ acts of violence are often anticipated, instigated, coordinated, and encouraged by those elected to the organization’s leadership.

67. Under the group's Bylaws, eight "brothers" are elected by the membership of the Proud Boys fraternal order to lead the organization as "Elders." These eight Elders (together, the "Elders Chapter") are tasked with taking "legal action on behalf of the fraternity," holding "property in the name of the national fraternity and collect[ing] suggested voluntary dues for the benefit of the fraternity or for charity," "establish[ing] organizations, funds or trusts to which both members and non-members of the fraternity could contribute for charitable purposes," and generally serving as "the final authority on chapter status, membership criteria, and rituals of the fraternity."

68. The Elders Chapter is also responsible for electing the "Chairman of the Proud Boys," and, "through the Chairman, serving as the voice of the fraternity as a whole on matters of public concern."

69. The Chairman holds the most senior role in the organization. The Bylaws of PBI vest the Chairman with the sole authority to speak for the Proud Boys fraternal order, which includes PBI, the Elders Chapter, and all other chapters established throughout the country.

70. The Proud Boys' membership is controlled by local chapter leadership that reports to national leaders. While the organization's membership is not publicly disclosed, members frequently self-identify on social media or by appearing at events organized by Proud Boys or their affiliates, often in apparel that displays their affiliation, including clothing in the Proud Boys' official colors, black and yellow.

71. Proud Boys member Defendant Matthew Greene has pleaded guilty to two criminal offenses arising from the January 6th Attack: (1) conspiracy and (2) obstruction of an official proceeding.

72. In connection with his plea deal, Greene admitted to the contents of a Statement of Offense, which included an admission that he “conspired with” Defendants Dominic Pezzola and William Pepe, “along with other members of the Proud Boys, to unlawfully enter the Capitol grounds by overwhelming police defenses, for the purpose of interfering with the certification of the Electoral College Vote taking place inside the Capitol building.”

B. The Oath Keepers’ Organization and History of Violence

73. Oath Keepers is a militia movement group united by the view that the federal government has been coopted by a nefarious group trying to strip United States citizens of their rights.

74. Oath Keepers and its members galvanize their supporters by perpetuating perceived threats posed by the federal government, including that the federal government will use a major destabilizing event—like a pandemic or terrorist attack—as an excuse to institute martial law, force citizens into detention camps, and strip them of their right to keep and bear arms in order to enslave them under a one-world socialist government, which its members refer to as the “The New World Order.”

75. Oath Keepers and its members present themselves as a bulwark and a militia pitted against these imagined and manufactured threats. The group’s members are known for being heavily armed, and for being willing to engage in armed confrontations with the government and with people and groups they perceive as supporting government actions, including people who have political beliefs that differ from those of Oath Keepers.

76. The rules and procedures governing Oath Keepers are set forth in the group’s Bylaws.

77. Oath Keepers leadership—including the Board of the Oath Keepers, which is made up of the founder of the organization, Defendant Rhodes, and at least 10 additional trustees—has

repeatedly urged its members to be prepared to fight in what they perceive to be an impending civil war.

78. In addition to national leadership, on the local level, many Oath Keepers self-organize and form official, semi-official, or informal groupings of Oath Keepers. Rhodes described the “action arm of the Oath Keepers” to be county-level and urged local militias to self-organize.

79. Oath Keepers members and affiliates often demonstrate their commitment to the organization by evincing a willingness to engage in armed confrontation. One Oath Keepers member justified the use of these tactics, noting: “I like to use the Revolutionary War as an example. The militias were there, well-armed and organized, not looking to pick a fight but ready when it happened.”

80. Like members and affiliates of the Proud Boys, members and affiliates of Oath Keepers have been arrested in connection with, and convicted of, a wide range of violent criminal activities, including various firearms violations, conspiracy to impede federal workers, possession of explosives, and threatening public officials.

81. In 2010, Oath Keepers member Matthew Fairfield was sentenced to 20 years in prison for storing a live napalm bomb at his home and for storing other explosives at his friend’s home in Ohio.

82. In 2014, members of Oath Keepers participated in an armed standoff at the Bundy Ranch in Nevada. Members came from Arizona and New Hampshire to take up an armed defense of Cliven Bundy, a Nevada rancher who was defying an order from the federal Bureau of Land Management to remove his animals from federal land. The members of Oath Keepers who joined

Bundy aimed their weapons at Bureau of Land Management agents until the agents retreated from the standoff.

83. The same year, members of Oath Keepers came to Ferguson, Missouri, when the city was under a state of emergency after the police shooting of Michael Brown. Oath Keepers members in Ferguson claimed to be protecting private businesses from looting and arson. They took tactical positions on top of buildings while armed with firearms in positions across the city. The group eventually dispersed, but only after local police threatened arrest.

84. Members of Oath Keepers reconvened in Ferguson on the anniversary of Michael Brown's death in 2015, dressed in military garb and openly brandishing firearms in the streets after officials had declared a state of emergency.

85. Also in 2015, a federal grand jury indicted a member of Oath Keepers, Daniel Hayden, for tweeting threats of a violent attack on Oklahoma state government officials, writing "the WAR wWIL [*sic*] start on the stepes [*sic*] of the Oklahoma State Capitol. I will cast the first stone..." and "START THE KILLING NOW!"

86. On August 8, 2018, Oath Keepers announced and began to raise funds for its new "Spartan Training Group," which was established to train a vigilante force. As Oath Keepers described:

Our goal is to form training groups in as many states as possible. To join your local training group, membership in Oath Keepers will not be required, but will be encouraged. In the era of the Founding Fathers, they formed "training bands" with the express goal of training the public up to the high standards of the militia. The Spartan program is the modern equivalent. Our qualified and experienced military, law enforcement and first responder veterans will train the American people up to a similar high standard. Such individuals will form a pool of trained, organized volunteers who will be able to serve as the local militia under the command of a *patriotic* governor loyal to the Constitution, or if called upon by President Trump to serve the nation.

Short of being called upon by the President, governor, local Sheriff, or to provide disaster relief, members will be trained to serve as volunteer security for local events, churches and effective neighborhood watches for their communities.

87. During the summer of 2020, Oath Keepers leader and founder, Defendant Rhodes encouraged members of Oath Keepers to make a showing of force at demonstrations against police brutality. Oath Keepers who attended those events were a self-appointed vigilante force to protect businesses and private property, wearing military gear and carrying weapons in an effort to intimidate the demonstrators.

88. A founding, lifetime member of Oath Keepers—Defendant Jon Ryan Schaffer—was the first person to plead guilty to criminal charges arising from the January 6th Attack. Schaffer pleaded guilty to two felony offenses: (1) trespass of the Capitol while armed with a deadly or dangerous weapon, and (2) obstruction of an official proceeding of Congress.

89. In connection with his plea deal, Schaffer admitted to the contents of a Statement of Offense, which included an admission that he unlawfully entered the Capitol building on January 6th “with the purpose of influencing, affecting, and retaliating against the conduct of government by stopping or delaying the Congressional proceeding by intimidation or coercion.”

90. In January 2022, after Schaffer’s plea, a grand jury indicted Oath Keepers Defendants Rhodes, K. Meggs, Harrelson, Watkins, James, Minuta, Hackett, Moerschel, Ulrich, Caldwell, and Vallejo on charges including, *inter alia*, seditious conspiracy, which is, in relevant part, a conspiracy to overthrow, put down, or destroy by force the Government of the United States or to prevent, hinder or delay the execution of any law of the United States.

91. The indictment alleges that these Defendants and others conspired to oppose by force the execution of the laws governing the transfer of presidential power by January 20, 2021. In furtherance of their conspiracy, these individuals planned and executed the January 6th Attack.

92. Defendant James has pleaded guilty to two criminal offenses charged in that indictment: (1) seditious conspiracy and (2) obstruction of an official proceeding.

93. In connection with his plea deal, James admitted to the contents of a Statement of Offense, which included, *inter alia*, admissions that he (1) was the regional leader of the Alabama chapter of the Oath Keepers; (2) agreed to participate in a plan, developed by Defendant Rhodes, to use force to stop the lawful transfer of presidential power; and (3) in the Capitol on January 6, 2021, intimidated and coerced government personnel who were participating in or supporting the Congressional certification of the Electoral College vote, including Members of Congress and Capitol Police and MPD officers.

II. The Proud Boys' and Oath Keepers' Efforts to Incite Coordinated Violence Coalesced around the 2020 Presidential Election.

94. The Proud Boys and Oath Keepers used the lead-up to the 2020 Presidential Election—and the immediate aftermath of former President Donald Trump's loss—to recruit new members, threaten their detractors with violence, and mobilize forces to engage in acts of violence, including in connection with their ultimate conspiracy to commit the January 6th Attack.

A. Before the Election, the Proud Boys, Oath Keepers, Their Leadership, and Some of Their Members and Affiliates Readied Themselves to Incite Violence.

95. In the weeks leading up to the 2020 Presidential Election, the Proud Boys, Oath Keepers, their leadership, and certain members and affiliates of both groups openly advertised their willingness to use violence to support their political agenda, including to support their efforts to reelect then-President Trump.

96. On September 29, 2020, during the first presidential debate of his reelection campaign, President Trump specifically addressed the Proud Boys, stating: “Proud Boys, stand

back and stand by, but I'll tell you what, somebody's got to do something about Antifa and the left, because this is not a right-wing problem. This is a left-wing problem."

97. During and following the debate, the Proud Boys leadership immediately took to the social media application Parler to show support for a violent response following President Trump's statement.

98. Consistent with the organizational Defendants' plan to leverage President Trump's rhetoric to mobilize the groups' followers, Defendant Biggs, a prominent Proud Boys leader, publicly interpreted President Trump's words on Parler, suggesting that the President's words should be interpreted to encourage violence: "Trump basically said to go fuck them up! [T]his makes me so happy." Proud Boys' Chairman, Defendant Enrique Tarrio, echoed Biggs's sentiment, posting: "Standing by sir."

99. Oath Keepers saw its members as a militia that could be "called forth 'to execute the Laws of the Union, suppress Insurrections and repel Invasions,'" including to preserve former President Trump's power: "All he has to do is call us up. We WILL answer the call." Consistent with this messaging, Oath Keepers pledged to have "volunteer security teams" at Trump rallies and on Election Day to "protect" Trump voters.

100. Based on past behavior, Oath Keepers members were willing to uphold that pledge using violence. On October 20, 2020, in an online chat room for members of Oath Keepers, members discussed their course of action if President Biden were to be elected. As one member made clear, the plan would include "[c]hoos[ing] a side and fight[ing], looking down the sights of a rifle at our fellow Americans."

101. Oath Keepers publicly trumpeted the idea that members were standing ready to engage in a civil war, tweeting from the group's account: "We ARE on the verge of a HOT civil

war. Like in 1859. That's where we are. And the Right has ZERO trust or respect for anything the left is doing. We see THEM as illegitimate too.”

B. After the Election, The Proud Boys, Oath Keepers, Their Leadership, and Some of Their Members and Affiliates Used President Trump's Loss to Recruit New Members.

102. On November 4, 2020, President Trump falsely declared that he had won the presidential election, even though a significant number of votes had yet to be counted.

103. On November 5, 2020, Proud Boys leader Defendant Biggs posted on social media: “It's time for fucking War if they steal this shit,” referring to the presidential election.

104. Also on November 5, 2020, Oath Keepers leader Defendant Rhodes sent a message to an invitation-only, end-to-end encrypted group chat on the Signal application titled “Leadership intel sharing secured” (the “Leadership Intel Chat”). The Leadership Intel Chat included Defendant K. Meggs and others. In the message, Rhodes urged his followers to refuse to accept the results of the presidential election and said: “We aren't getting through this without a civil war. Too late for that. Prepare your mind, body, spirit.” Defendant James joined the Leadership Intel Chat on November 16, 2020.

105. On November 6, 2020, the Proud Boys' Chairman, Defendant Enrique Tarrio, publicly posted online: “The media constantly accuses us of wanting to start a civil war. Careful what the fuck you ask for we don't want to start one . . . but we will sure as fuck finish one.”

106. On November 7, 2020, most media outlets began projecting President Biden as the winner of the 2020 presidential election.

107. After President Trump's loss, the Proud Boys and Oath Keepers immediately began trumpeting their plans to bring terror and violence to the District and recruiting others to join their efforts.

108. On November 7, 2020, Tarrio posted to Parler, “we’re rolling out” and stated that former President Trump’s “Standby order has been rescinded.” Also on November 7, 2020, Proud Boys member Daniel Goodwyn, who would eventually join the Defendants on January 6, 2021, posted on Twitter: “Stand back and stand by! Show up at your state Capitol at noon today local time. Await orders from our Commander in Chief. #StopTheSteal!”

109. The Oath Keepers also increased efforts to recruit new members. On November 7, 2020, Rhodes wrote to the Leadership Intel Chat: “[W]e must now do what the people of Serbia did when Milosevic stole their election[—][r]efuse to accept it and march en-mass [*sic*] on the nation’s Capitol.” Rhodes then sent a link to a video on “Bitchute.com” titled “STEP BY STEP PROCEDURE, HOW WE WON WHEN MILOSEVIC STOLE OUR ELECTIONS.” Rhodes then said:

I am in direct context with the Serbian author of that video. His videos are excellent. Here is his written advice to us:

- “- Peaceful protests, good, well played round 1
- A complete civil disobedience, they are not your representatives. They are FOREIGN puppet government.
- Connect with the local police and start organize [*sic*] by neighborhoods to stay safe (we didn’t need this step)
- We swarmed the streets and started confronting the opponents. I know, not nice, but it must be done if the institutions stop to exist
- Millions gathered in our capital. There were no barricades strong enough to stop them, nor the police determined enough to stop them
- Police and Military aligned with the people after few hours of fist-fight
- We stormed the Parliament
- And burned down fake state Television!

WE WON!”

On November 10, 2020, Rhodes publicized this plan of action on the Oath Keepers’ website in a “Call to Action!” The headline was “WHAT WE THE PEOPLE MUST DO.”

110. On November 9, 2020, Oath Keepers member Defendant Watkins sent text messages to individuals who had expressed interest in joining the paramilitary group she formed, which she called the “Ohio State Regular Militia.” In Watkins’ phone, these individuals were labeled “recruits.” In the messages, Watkins stated, among other things, that the militia had a week-long “Basic Training class coming up in the beginning of January,” and Watkins told one recruit, “I need you fighting fit by innauguration [*sic*].” Watkins told another individual: “It’s a military style basic, here in Ohio, with a Marine Drill Sergeant running it.” The same day, Watkins also asked a recruit to download Zello, an app that allows a cellphone to operate like a push-to-talk walkie-talkie, saying her group uses it “for operations.”

111. Also on November 9, 2020, Rhodes hosted an online meeting on GotoMeeting titled “Oath Keepers National Call – Members Only.” Defendants K. Meggs, Harrelson, Watkins, and Hackett attended, along with other Oath Keepers, including one whom Rhodes appointed as the operation leader for the January 6th Attack. During the meeting, Rhodes outlined a plan to stop the lawful transfer of presidential power that included preparing to use force. Rhodes urged listeners to participate. Rhodes said: “We’re going to defend the president, the duly elected president, and we call on him to do what needs to be done to save our country. Because if you don’t guys, you’re going to be in a bloody, bloody civil war, and a bloody – you can call it an insurrection or you can call it a war or fight.” Rhodes further called upon his followers to go to the District to let President Trump know “that the people are behind him.” He continued, “I do want some Oath Keepers to stay on the outside, and to stay fully armed and prepared to go in

armed, if they have to. . . . So our posture's gonna be that we're posted outside of DC, um, awaiting the President's orders. . . . We hope he will give us the orders. We want him to declare an insurrection, and to call us up as the militia."

112. After Rhodes finished speaking, Watkins and K. Meggs asked questions and made comments about the types of weapons that were legal in the District of Columbia.

113. Immediately after the meeting, K. Meggs sent a message to an invitation-only Signal group chat titled "OKFL [Oath Keepers Florida] Hangout" (the "OKFL Hangout Chat"). The group included Defendants Harrelson, Hackett, and Moerschel, along with others. K. Meggs wrote: "Anybody not on the call tonight. We have been issued a call to action for DC. This is the moment we signed up for[.]"

114. The same day, K. Meggs posted on Facebook, lamenting that he saw people "talking" but not "doing." Meggs invited others to contact him if they wished to "join the fight": "This fight is face to face, not far away. If your [*sic*] ready to really join the fight [direct message] me."

115. Defendant Caldwell contacted Rhodes the same day with the results of a lengthy "recce"—reconnaissance—trip he had taken to the District and to coordinate for an upcoming "op" in the District.

116. On November 12, 2020, Proud Boys Chairman Defendant Tarrio posted: "Fuck Unity. No quarter. Raise the black flag."

117. On November 14 and 15, 2020, Oath Keepers members Defendants Rhodes, James, and Caldwell, along with others, met at Caldwell's Virginia farmhouse, where plans to forcibly oppose the lawful transfer of presidential power were discussed.

118. On November 16, 2020, Proud Boys member Defendant Nordean posted that “[a]ny militia groups” in the Pacific Northwest area should contact him on an encrypted social media application to coordinate.

119. Also on November 16th, Tarrio posted that “[i]f Biden steals this election, [the Proud Boys] will be political prisoners. We won’t go quietly . . . I promise.”

120. On November 17, 2020, an Oath Keepers’ recruit asked Defendant Watkins what she thought would happen in 2021. Watkins responded that “Biden may still yet be our President. If he is, our way of life as we know it is over. Our Republic would be over. Then it is our duty as Americans to fight, kill, and die for our rights.”

121. On November 22, 2020, the Oath Keepers’ Florida chapter—which included K. Meggs, Harrelson, and Hackett, along with others—held a training session on “unconventional warfare.”

122. On November 23, 2020, Caldwell sent a text message to Defendant Watkins previewing the violence to come. Caldwell remarked: “I don’t know what will happen but like you I am very worried about the future of our country.” He continued: “I believe we will have to get violent to stop this, especially the antifa maggots who are sure to come out en masse even if we get the Prez for 4 more years. Stay sharp and we will meet again. You are my kinda person and we may have to fight next time. . . .”

123. On November 24, 2020, Proud Boys leader Defendant Biggs responded to a social media post that called for unity. Biggs posted: “No bitch. This is war.”

124. On November 25, 2020, President-Elect Biden posted on social media, “[w]e need to remember: We’re at war with a virus – not with each other.” Tarrio reposted this message and

then posted: “No, YOU need to remember the American people are at war with YOU. No Trump . . . No peace. No quarter.”

125. On November 27, 2020, Proud Boys member Defendant Nordean posted on social media:

We tried playing nice and by the rules, now you will deal with the monster you created. The spirit of 1776 has resurfaced and has created groups like the Proudboys [*sic*] and we will not be extinguished. We will grow like the flame that fuels us and spread like love that guides us. We are unstoppable, unrelenting and now . . . unforgiving. Good luck to all you traitors of this country we so deeply love . . . you’re going to need it.

126. Also on November 27, 2020, Proud Boys member Defendant Rehl posted: “Hopefully the firing squads are for the traitors that are trying to steal the election from the American people.”

127. On December 3, 2020, Defendant Young emailed a membership application to the Oath Keepers’ Florida chapter, writing that he was “looking to get involved in helping.” Hackett responded on December 19, 2020, stating: “I believe we only need to do this when important info is at hand like locations, identities, Ops planning.” Hackett attached a photo to the email of a notepad with cursive writing stating: “Secure Comms Test. Good talk tonight guys! Rally Point in Northern Port Charlotte at Grays if transportation is possible. All proton mails [(a type of encrypted email service)]. May consider a [rally point] that won’t burn anyone. Comms – work in progress. Messages in cursive to eliminate digital reads. Plans for recruitment and meetings.”

128. On December 11, 2020, Rhodes sent a message to an invitation-only Signal group chat titled “Dec 12 DC Security/Leadership,” which included Defendants James and Minuta, along with others. Rhodes wrote that, if President-Elect Biden assumed the presidency, “[i]t will be a bloody and desperate fight. We are going to have a fight. That can’t be avoided.”

129. On December 12, 2020, the Oath Keepers' North Carolina chapter held a training session. The leader of the chapter said the training session would focus on "vehicle operations,[] road blocks,[] vehicle recovery, convoy operations, . . . setting up hasty ambushes, and reacting to ambushes, but the first thing we are going to do is fall into a formation when we assemble. . . ." Defendant Watkins planned to attend that training session but ultimately did not do so.

C. The Proud Boys, Oath Keepers, Their Leadership, and Certain of Their Members and Affiliates Used Coordinated Violence at Post-Election Events to Intimidate the Public and the Government.

130. The Proud Boys' and Oath Keepers' coordination efforts escalated with both groups mobilizing large forces to wreak havoc on the District at post-election events that previewed the January 6th Attack.

131. The first of these events was the "Million MAGA March," which was held on November 14, 2020, and attended by Oath Keepers, Proud Boys, and members and affiliates from both groups. Violent clashes between self-identified Proud Boys members and protestors broke out that night.

132. The violence increased at the next event: the "Stop the Steal" rally held on December 12, 2020. Oath Keepers and Proud Boys attended the rally in droves. In one particularly disturbing incident on the National Mall, a large group of Proud Boys surrounded a man and punched and kicked him.

133. Several Proud Boys members were also involved in an altercation that resulted in one Proud Boys member suffering a knife wound. Other Proud Boys members were also injured.

134. After engaging in violence against protestors, law enforcement, and others, the Proud Boys fanned out across the city to steal and deface anti-racism signs that had been posted by District residents and businesses. They publicly vandalized and destroyed these signs—

including at least one that Defendant Tarrio took credit for lighting on fire—while their supporters celebrated. *See* Figure 1.



Figure 1. Proud Boys members burn racial justice banners in the District.

135. During the “Stop the Steal” rally, Oath Keepers leader and founder Rhodes gave a speech on behalf of Oath Keepers in which he called on President Trump to invoke the Insurrection Act to prevent President Biden from taking office.

136. Rhodes threatened that if President Trump failed to do so, “[w]e’re going to have to do it ourselves later, in a much more desperate, much more bloody war.”

III. Defendants Conspire to Deploy Violent Forces in the District in an Effort to Frustrate and Undermine the Formal Process Required to Declare a Presidential Election Winner.

137. Following the Stop the Steal Rally, Proud Boys and Oath Keepers members openly acknowledged an alliance between their two groups and began to plan and coordinate violence, hoping to maximize their impact through joint efforts on January 6th.

A. The Defendants Agreed to Form an Alliance and Coordinate Their Actions for the Planned January 6th Event.

138. On December 19, 2020, at 1:42 a.m., President Trump announced a January 6, 2021, rally in the District, tweeting: “Big protest in D.C. on January 6th. Be there, will be wild!”

139. The date of the rally was not a coincidence: January 6, 2021, was the date on which members of Congress and the Vice President, as President of the Senate, were required by certain provisions of the U.S. Constitution and Electoral Count Act of 1887 to count the certified electoral votes and formally declare the winner of the presidential election.

140. President Trump’s supporters, including Defendants and Defendants’ affiliates, took to social media, amplifying President Trump’s message, interpreting the tweet as “marching orders” for Defendants’ scheme to frustrate the final process in the presidential election:

- “Well, shit. We’ve got marching orders, bois [*sic*].”
- “That’s a marching order if I ever heard one...”
- “THE COMMANDER IN CHIEF HAS ISSUED HIS ORDERS. JANUARY 6TH. WASHINGTON D.C.”
- “No excuses . . . GEOTUS [“God Emperor of the United States”] ISSUED US OUR MARCHING ORDERS!”
- “If you’ve been waiting for a signal, THAT’S IT.”

141. The Proud Boys and Oath Keepers immediately began working together to coordinate their efforts at the planned January 6th Attack. On December 19, 2020, K. Meggs of the Oath Keepers stated that he had formed an alliance with the Proud Boys and other groups to “work together” and “shut this shit down.” *See* Figure 2.

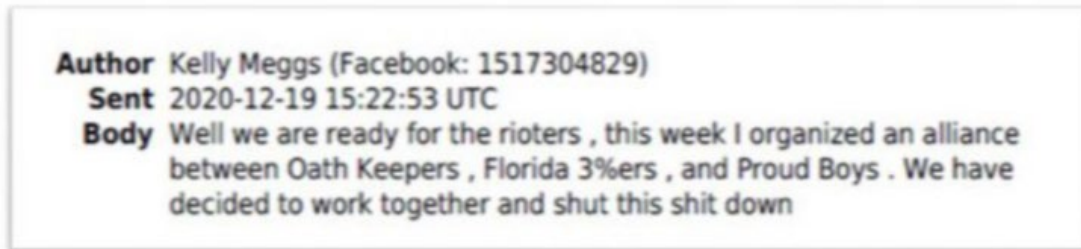


Figure 2. K. Meggs posts on social media about coordinating with the Proud Boys.

142. This was a coordinated plan for violent action.⁷

143. A few days later, on December 22, 2020, K. Meggs made clear that his discussions with the Proud Boys had continued and that they had reached an agreement on how to coordinate forces.

144. In a social media post outlining their plan, K. Meggs explained that there would be “at least 50-100” Oath Keepers in the District on January 6th and that they would join with the Proud Boys, who Meggs described as a “force multiplier.” Meggs specifically noted that he had “made [c]ontact” with the Proud Boys, and that his group would join the “main group of [Proud Boys]” on January 6th. *See* Figure 3. Meggs further acknowledged that his group had a plan regarding how to position itself in relation to the “main group” of Proud Boys in order to maximize their impact.

⁷ In describing this plan, Defendant K. Meggs also referred to “3%ers,” i.e., persons subscribing to Three Percenter ideology. Three Percenters (also known as “3%ers,” “III%ers,” or “Threepers”) constitute a major part of the broader militia movement and share a false belief that only three percent of the colonial population fought in the American Revolution. Three Percenters believe that, just as a small revolutionary vanguard overthrew the tyrannical British rule during the Revolution, a dedicated group of modern patriots could rid the United States of today’s alleged tyranny. Today, some Three Percenters form militia groups, while others form non-paramilitary groups or create online networks, and even more are active as individual or unaffiliated Three Percenters.



Figure 3. K. Meggs discusses plans for violence, including that he is in contact with the Proud Boys.

145. On the same day, K. Meggs further stated that he would be going to the Capitol to “make it WILD” and encouraged other members to join him, saying “Gentlemen we are heading to DC pack your shit!!”

146. On December 25, 2020, K. Meggs posted another Facebook message discussing communications with Proud Boys leadership and how Oath Keepers had “orchestrated a plan with the [P]roud [B]oys.” See Figure 4.

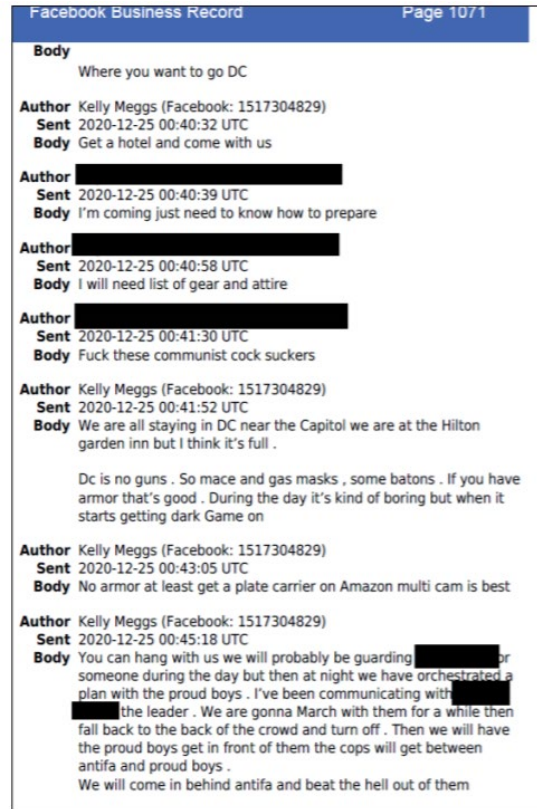


Figure 4. K. Meggs discusses accommodations near the District for the attack on the Capitol, recommendations for tactical gear, and coordination with the Proud Boys.

147. In his message, Meggs further elaborated on the plan he had initially outlined in his December 22 posts, stating that he had agreed with Proud Boys leadership that the Oath Keepers group would march with the Proud Boys for some period of time, but would then separate from the Proud Boys. Then, when the police tried to intervene in conflicts between the Proud Boys and other protestors, Oath Keepers would be able to come up behind the other protestors and “beat the hell out of them” without police interference.

B. The Defendants Carefully Planned and Coordinated the January 6th Attack.

148. The Defendants used social media and electronic messaging platforms to coordinate the Attack, including by recruiting individuals to participate in the Attack, promoting strategic tactics for use during the Attack, coordinating collection and distribution of tactical gear

and weapons, and planning and organizing travel for themselves and their co-conspirators. These efforts began well before January 6th.⁸

1. The Defendants Recruited Participants for the Attack.

149. The Defendants’ efforts to recruit co-conspirators—which began following the 2020 Presidential election—intensified as January 6th approached.

150. On December 14, 2020, the presidential electors from each state and from the District cast their votes in the presidential election. The same day, Defendant Rhodes published on the Oath Keepers’ website a letter advocating for the use of force to stop the lawful transfer of presidential power.

151. The same day, Rhodes shared similar messages in the Leadership Intel Chat. Rhodes also sent a similar message on an invitation-only Signal group chat called “Oath Keepers of Georgia.” Defendant Ulrich responded: “Well I’m not a soldier but I’m focused and I stayed at a holiday inn once! so it’s game on time!!”

152. Defendant Young also recruited new Oath Keepers members during this time, posting in a Facebook group: “Please check out Oath Keepers as a means to get more involved. Recruiting is under way. [Direct message] me if you want more info.”

153. Between December 12, 2020 and January 3, 2021, Oath Keepers member K. Meggs organized approximately 10 online meetings on GoToMeeting, titled “se leaders dc 1/6/21 op call,” “dc planning call,” and “florida dc op planning chat.” K. Meggs used the code name “Gator 1” in these meetings. Oath Keepers member Harrelson also participated in these meetings.

⁸ For example, a video posted online by Proud Boys leader Defendant Biggs on January 3, 2021, described the Proud Boys’ approach to planning its events as follows: “When we set out to do an event, we go alright, what is our main objective? And that’s the first thing we discuss. We take three months to plan an event. And we go, what’s our main objective? And then we plan around that, to achieve that main objective, that goal that we want.”

154. Around the same time, in December 2020 and January 2021, Defendants Rhodes and James administered and participated in invitation-only online meetings on GoToMeeting to facilitate planning for the January 6th Attack.

155. Meanwhile, Proud Boys Chairman, Defendant Tarrio, began identifying himself as a “war time” leader and changed his Parler display name to “Wartime Tarrio.” By the end of December, for example, in posts on Parler and Telegram, Tarrio bragged that Proud Boys had already stopped using a particular hotel as a “hub” in light of the group’s growing size: “With the new ability I’ve been able to put 1000 boots on the ground we outgrew any single hotel.”

156. Defendant Nordean also used social media to recruit Proud Boys members and supporters. In early December, he posted, “You can take a hard stand now, or watch as everything we’ve all built crumble before your eyes and have nothing to leave your children. Enough is enough.” By the end of the month, Nordean’s message on social media was clear: “Fight now, or lose everything.”

157. On December 19, 2020, shortly after the upcoming January 6th “rally” was announced, Defendant Biggs wrote in a private message to Tarrio that the Proud Boys “recruit losers who wanna drink” and suggested, “[l]et’s get radical and get real men.”

158. Around the same time—in late December 2020—Tarrio and a few other Proud Boys members created a new chapter that would include Proud Boys members from across the country. The new chapter was called the “Ministry of Self Defense,” or “MOSD.” According to Tarrio, the MOSD was a “national rally planning” chapter that would include only “hand selected members.”

159. MOSD leadership included Tarrio, Nordean, Biggs, Rehl, and Donohoe. Immediately after the MOSD was formed, its leaders began preparing for the January 6th Attack.

2. Defendants Coordinated Strategies to Disguise Their Identities and Plans for the Attack.

160. Defendants' coordination was not limited to recruiting participants for the Attack; they also planned strategies to allow them to blend into the crowd and to communicate privately about the Attack. These efforts were intended to give Defendants a tactical advantage against law enforcement when they convened in the District on January 6, 2021.

161. In December 2020 and January 2021, the Proud Boys announced on social media that they would attend the January 6, 2021, rally "incognito." As Proud Boys leader Defendant Biggs explained in a social media post in December 2020, the Proud Boys would come to the District not "in colors" (i.e., the traditional black and yellow worn by Proud Boys members), but disguised to blend in with other demonstrators in the District.

162. Other members of the Proud Boys made similar posts promoting the same "incognito" tactic.

163. On December 29, 2020, Proud Boys Chairman Tarrío posted to Parler announcing that members of the Proud Boys would "turn out in record numbers on Jan 6th but this time with a twist We will not be wearing our traditional Black and Yellow. We will be incognito and we will be spread across downtown DC in smaller teams. And who knows we might dress in all BLACK for the occasion." Law enforcement investigating the January 6th Attack have attributed Tarrío's statement about dressing in black as a reference to dressing like "antifa," whom the Proud Boys have pegged as their enemy and who are often depicted by certain media as dressing in all black when attending demonstrations.

164. In the same post, Tarrío instructed Proud Boys members to (i) "spread across downtown D.C. in smaller teams" than in the past, (ii) "conceal your intentions," (iii) "pose as a friend, work as a spy," (iv) "crush your enemy totally," and (v) "keep others in suspended terror."

165. The same day, Biggs posted a similar message on Parler: “[W]e will not be attending DC in colors. We will be blending in as one of you. You won’t see us. You’ll even think we are you. . . . We are going to smell like you, move like you, and look like you. The only thing we’ll do that’s us is think like us! Jan 6th is gonna be epic.”

166. At various times, Nordean, Rehl, and Donohoe also reiterated that Proud Boys members should not wear Proud Boys colors on January 6th.

167. Defendants also coordinated their strategic methods for secret communication before and during the Attack. For example, starting on December 30, 2020 and continuing through the January 6th Attack, Rhodes administered an invitation-only Signal group chat called “DC OP: Jan 6 21.” K. Meggs, Harrelson, Watkins, James, Minuta, Hackett, Ulrich, and Vallejo, along with others, were members. On or around January 3, 2021, Watkins, K. Meggs, Young, Hackett, Moerschel, and Harrelson and other Oath Keepers joined an invitation-only encrypted Signal group message entitled “OK FL DC OP Jan 6.” Similarly, Defendant James acknowledged communicating with a fellow Oath Keeper using a burner phone.⁹

168. Young later admitted in his plea agreement that he and others conspiring to thwart the certification of the presidential election “discussed the need to maintain operational security and accordingly used encrypted messaging applications to communicate with one another.”

169. Proud Boys members also established channels for secret communication. On December 20, 2020, Tarrío created an encrypted messaging group for MOSD leadership (the “MOSD Leaders Group”). The group included Tarrío, Nordean, Biggs, Rehl, and Donohoe, along

⁹ A burner phone is an inexpensive, prepaid mobile phone that can be discarded or destroyed when it is no longer needed. Burner phones can be used to avoid detection by authorities and are difficult to trace and track. They are commonly purchased with cash to avoid creating a paper trail that would tie the phone number to a specific person.

with two other unidentified individuals. A third unidentified individual was later added to the group.

3. The Defendants Coordinated Collection of Weapons and Tactical Supplies for the Attack.

170. On December 25, 2020, K. Meggs shared a list of provisions on Facebook regarding how to prepare for the planned violence in the District on January 6th. Meggs wrote: “DC is no guns. So mace and gas masks, some batons. If you have armor that’s good.” In the same post, Meggs said: “You can hang with us [Oath Keepers] we will probably be guarding [redacted] or someone during the day but then at night we have orchestrated a plan with the proud boys. I’ve been communicating with [redacted] the leader[.]”

171. Rhodes told K. Meggs, Watkins, and other Oath Keepers to bring “collapsible batons,” “good hard gloves,” “eye protection,” and helmets. Similarly, Meggs messaged at least one other participant to tell them to bring “mace,” “gas masks,” “batons,” and “armor.”

172. On December 30, 2020, Rhodes purchased two night-vision devices and one weapon sight for approximately \$7,000 and shipped those items to another individual in Virginia, near the District. The night-vision devices and weapon sight arrived in Virginia on January 4, 2021.

173. On December 31, 2020, Oath Keepers member Ulrich messaged the “DC OP: Jan 6 21” Signal group: “Someone tell me if I’m crazy but I’m planning on having a backpack for regular use and then a separate backpack with my ammo load out with some basics that I can just switch too is [sic] shit truly the [sic] fan blades. . . .” Ulrich then wrote: “I will be the guy running around with the budget AR.” “AR,” which stands for “Armalite rifle,” is commonly used as shorthand for the AR-15, a popular semiautomatic rifle manufactured by Armalite.

174. Other co-conspirators—including Watkins, Caldwell, and their Oath Keepers cohorts—discussed transporting guns across state lines. And on January 1, 2021, Ulrich messaged James on Signal: “Hey we told [*sic*] to bring guns and maybe stage them in VA?? But you are showing hotels in DC for Alabama. Are we bring [*sic*] guns or no if so how will that work?” Defendant James responded: “We[’]re working on a Farm location[.] Some are bringing long rifles some sidearms. . . . I’m bringing sidearm.”

175. The Oath Keepers also created the Quick Reaction Force as a way to bring additional weaponry and firearms to the Capitol in the event that violent clashes broke out or if they were called to act by President Trump. On December 31, 2020, a member of the Quick Reaction Force from Arizona messaged Rhodes via Signal and informed him that the Quick Reaction Force member, along with Defendant Vallejo and others, were traveling to the District. The Quick Reaction Force member wrote: “everyone coming has their own technical equipment and knows how to use it.” The message included a “winking face” emoji. Rhodes responded: “awesome!” The Quick Reaction Force member wrote that the group would have “rifles” and “man power.”

176. In advance of the January 6th Attack, K. Meggs sought to ensure that the Quick Reaction Force teams would have adequate ammunition. On January 3, 2021, K. Meggs messaged the “DC OP: Jan 6 21” Chat, “Ammo situation: Are we bringing or are we set at QRF? I mean I’m always gonna have a couple hundred. But if SHTF [shit hits the fan] we got ample availability.” The same day, K. Meggs messaged the Florida Signal Chat, “Ammo situation. I am checking on as far as what they will have for us if SHTF. I’m gonna have a few thousand just in case. If you’ve got it doesn’t hurt to have it. No one ever said[,] shit I brought too much.”

177. Before January 5, 2021, Oath Keepers member Jonathan Conrad Walden applied to be part of the January 6th Oath Keepers operation, emailing Defendant James, “I am interested in the [Quick Reaction Force] team in D.C. I am a former Firefighter, EMT-B and have a K-9 trained for security patrol (82 lb. German Shepherd named ‘Warrior’). I have a Jump Bag with Trauma supplies and have ALL the necessary [Second Amendment] gear that the situation may require. PLEASE ADVISE. As soon as I hear from you I can hit the road to join up!”

178. Between January 1 and January 5, 2021, Defendants Rhodes, K. Meggs, Harrelson, Watkins, James, Hackett, Moerschel, Ulrich, and Vallejo, along with other co-conspirators, transported firearms, ammunition, and other equipment to the Washington D.C. metropolitan area.

179. During this period, Defendant Rhodes spent approximately \$15,500 on firearms and related equipment, purchasing some of these weapons while en route to the District.

180. On January 1 and 2, 2021, Rhodes spent approximately \$5,000 on a shotgun, scope, magazines, sights, optics, a bipod, a mount, a case of ammunition, and gun-cleaning supplies.

181. Shortly thereafter, as Rhodes departed Granbury, Texas and traveled toward the District on January 3, 2021, he stopped in Texas and purchased an AR-platform rifle and more firearms equipment, including sights, mounts, triggers, slings, and other attachments. Rhodes spent approximately \$6,000 on this equipment.

182. Rhodes made yet another purchase on January 4, 2021—as he was still en route to the District—this time stopping in Mississippi; the items he purchased included sights, mounts, an optic plate, a magazine, and various firearms parts that cost approximately \$4,500.

183. Additionally, in the days leading up to the January 6th Attack, Proud Boys members and affiliates also obtained tactical vests and military-style communications equipment which could be used during the siege on the Capitol. At the same time, self-described Proud Boys

“Sergeant-at-Arms” Defendant Nordean used social media to solicit donations of “protective gear” and “communications equipment” for use in the Attack.

4. The Defendants Coordinated Travel to the District.

184. Defendants and their co-conspirators also coordinated their plans to travel to and stay in or near the District for the Attack, including by using coordinated efforts to raise money online to cover transportation and accommodations costs.

185. Defendants’ planning, promotion, and coordination efforts leading to the January 6th Attack also extended to travel logistics, as they sought to ensure that the co-conspirators traveled together or had nearby hotel accommodations to allow for additional in-person coordination before convening near the Capitol on January 6, 2021.

186. Oath Keepers Defendants Caldwell, Watkins, S. Parker, B. Parker, K. Meggs, and C. Meggs coordinated their travel, convening at the Comfort Inn Ballston in Arlington, Virginia. This coordination manifested in many ways, such as Defendant Oath Keepers members reserving three rooms for use by various Quick Reaction Force teams, two of which K. Meggs paid for. In a social media message, Caldwell confirmed that this is where he would be “Meeting up with Oathkeepers [*sic*] from North Carolina and Patriot group from the Shenandoah Valley.”

187. In a December 29, 2020 text message to a coconspirator, Watkins confirmed that “[w]e plan on going to DC on the 6th. . . Trump wants all able bodied Patriots to come . . . If Trump activates the Insurrection Act I’d hate to miss it[.]”

188. Oath Keepers Quick Reaction Force members from Arizona, including Defendant Vallejo, occupied a room at the Comfort Inn Ballston. Quick Reaction Force teams from North Carolina and Florida also occupied rooms at the Comfort Inn Ballston. The Quick Reaction Force teams used these rooms to store and guard firearms.

189. On December 31, 2020, an individual contacted Defendant James via Signal stating “i have friends not far from DC with a lot of weapons and ammo if you get un trouble i ca. [sic] Coordinate help.” James responded: “That might be helpful, but we have a shitload of [Quick Reaction Force] on standby with an arsenal.”

190. Later that day, James messaged another individual and asked if they “have a farm location for weapons[.]” The individual responded, “Not that I am aware of yet. If nothing else, my hotel is in VA and has secured underground parking. About 15-20 minutes outside DC, less if you really don’t care about speed limits... would be great if we had someone with an enclosed truck type vehicle and had a quick response unit just outside the city.” James responded, “I agree.” On January 1, 2021, Defendant Caldwell sent a message to Defendant Crowl recommending a room at the Comfort Inn Ballston for January 5-7, 2021, writing: “This is a good location and would allow us to hunt at night if we wanted to. I don’t know if Stewie has even gotten out his call to arms but its [sic] a little friggin late. This is one we are doing on our own. We will link up with the north Carolina [sic] crew.”

191. Crowl wrote to Caldwell: “Happy New year, to you Sir!! Guess I’ll be seeing you soon. Will probably call you tomorrow...mainly because...I like to know wtf plan is. You are the man Commander.” Around that time, Crowl was traveling to the Washington, D.C. area from Ohio, along with Defendants Watkins, S. Parker, and B. Parker. In another message, Crowl separately confirmed the reason for his trip: “been busy planning for this week. . . . We are enroute [sic] to DC right now for a few days on an Oathkeepers Op.”

192. On January 2, 2021, Caldwell wrote to Crowl: “Check with Cap. I recommended the following hotel to her which STILL has rooms (unbelievable) [sic].” Defendant Caldwell then sent a link to the Comfort Inn Ballston, the same hotel that he recommended to others.

193. As Caldwell explained further: “Sharon and I are setting up shop there. Paul has a room and is bringing someone. He will be the quick reaction force. Its [*sic*] going to be cold. We need a place to spend the night before minimum. . . . I will probably do pre-strike on the 5th though there are things going on that day. Maybe can do some night hunting. Oathkeeper [*sic*] friends from North Carolina are taking commercial buses up early in the morning on the 6th and back same night. Paul will have the goodies in case things go bad and we need to get heavy.”¹⁰

194. The same day, Rhodes messaged K. Meggs on Signal: “If you want to stow weapons with [the operation leader] you can. He’ll have a secure car trunk or his hotel room (or mine).” K. Meggs responded: “Last night call . . . we discussed a [Quick Reaction Force] RP [Rally Point] so we may do that. As well as the [North Carolina] team has a hotel room close by.” Rhodes responded: “Ok. We WILL have a [Quick Reaction Force]. [T]his situation calls for it.”

195. That evening, K. Meggs posted a map of Washington, D.C. in the “DC OP: Jan 6 21” Signal Chat, accompanied by a message, “1 if by land[,] North side of Lincoln Memorial[,] 2 if by Sea[,] Corner of west basin and Ohio is a water transport landing!!” K. Meggs’ message continued “QRF rally points[,] Water of [*sic*] the bridges get closed,” to which a North Carolina Oath Keeper responded, “My sources DC working on procuring Boat transportation as we speak.”

196. That same evening, Caldwell sent messages to his contacts seeking boats that could quickly ferry Quick Response Teams and “heavy weapons” across the Potomac if the need arose.

197. On January 4, 2021, C. Meggs joined K. Meggs and a group of other Florida Oath Keepers members and affiliates in a caravan from Florida to the Washington, D.C. metropolitan

¹⁰ Among others, Defendants Young and Steele traveled to the District together from North Carolina.

area. They stopped and spent the night of January 4th at the residence of the leader of the North Carolina chapter of the Oath Keepers.

198. As she has since confessed, C. Meggs attended a firearms class with K. Meggs and Harrelson in preparation for the January 6th Attack.

199. On January 4, 2021, Defendants James and Ulrich traveled to the District with Oath Keepers member Mark Grods—who has since pleaded guilty to counts of conspiracy and obstruction of Congress in connection with the January 6th Attack—and others. James brought a semi-automatic handgun. Ulrich and others brought firearms including a rifle, a shotgun, and a semi-automatic handgun, as well as ammunition.

200. On January 5, 2021, Defendant Steele and others departed North Carolina, traveled to the Washington D.C. metropolitan area, and checked into the Holiday Inn in Springfield, Virginia. Steele and others brought firearms, which they left in their vehicle in the hotel parking lot when they went into Washington, D.C. on January 6, 2021.

201. Proud Boys members also made plans to travel to the District. In connection with his plea deal, Proud Boys member Defendant Greene admitted that, on December 19, 2020, he saw President Trump's tweet referencing the "wild" protest that would take place on January 6, 2021. Greene decided to attend the event and reserved a hotel in the District for January 5 through January 7, 2021. Greene coordinated plans with Proud Boys Defendant Pezzola and other Proud Boys members. Greene used an encrypted messaging application and participated in a planning channel among Proud Boys chapters in New York whose members planned to travel to the District.

202. On December 30, 2020, Defendant Rehl posted a link to a fundraising campaign called "Travel Expenses for upcoming Patriot Events," which generated more than \$5,500 in donations by January 4, 2021.

203. On January 2, 2021, Defendant Tarrio sent Defendant Nordean photographs of a family member's debit card, which Nordean used to book his flight to the District.

C. As January 6th Neared, the Defendants' Promotion of the Attack Became Increasingly Fervent.

204. Defendants' promotion of the January 6th Attack reached a fever pitch as the day approached.

205. In the weeks before January 6th, Oath Keepers leader Defendant Rhodes instructed Defendant James and others to be prepared, if called upon, to secure the perimeter around the White House and, if necessary, use lethal force against anyone who tried to remove President Trump, including the National Guard or other government actors.

206. On December 21, 2020, James posted a message to the Leadership Intel Chat, which at that point included K. Meggs, Watkins and others, stating "SE Region is creating a NATIONAL CALL TO ACTION FOR DC JAN 6TH. . . 4 states are mobilizing." In a follow-up message, James wrote, "DID NO ONE HEAR ME!!!! 3 STATES ARE MOBILIZING TO DC!!! Everyone in this channel should understand the magnitude [I] just sent!!"

207. On December 22, 2020, Rhodes said in an interview with a regional Oath Keepers leader that if President-elect Biden assumed the presidency, "[w]e will have to do a bloody, massively bloody revolution against them. That's what's going to have to happen." Rhodes urged President Trump to use military force to stop the lawful transfer of presidential power and described January 6th as "a hard constitutional deadline" by which to do so.

208. On December 23, 2020, Rhodes published another open letter on the Oath Keepers' website. Referencing the certification of the electoral college vote that would take place on January 6th, Rhodes wrote that "tens of thousands of patriot Americans, both veterans and non-veterans, will already be in Washington D.C., and many of us will have our mission-critical gear

stowed nearby just outside D.C.” Rhodes also wrote that he and others might have to “take to arms in defense of our God given liberty.”

209. The same day, James sent Rhodes’s letter to Grods and told Grods that it was required reading.

210. Rhodes, K. Meggs, Harrelson, Hackett, and Moerschel, along with others, communicated in the OKFL Hangout Chat. Rhodes continued to advocate using force to stop the lawful transfer of presidential power.

211. On December 25, 2020, K. Meggs messaged the OKFL Hangout Chat about the upcoming Joint Session of Congress: “We need to make those senators very uncomfortable with all of us being a few hundred feet away.” Rhodes responded: “I think Congress will screw him [President Trump] over. The only chance we/he has is if we scare the shit out of them and convince them it will be torches and pitchforks time is [*sic*] they don’t do the right thing. But I don’t think they will listen.” Rhodes also wrote that President Trump “must know that if he fails to act, we will. He has to understand that we will have no choice.”

212. On December 31, 2020, Rhodes advised members of the Leadership Intel Chat—which, at the time, included Defendants K. Meggs, James, Watkins, and others—to “[b]e prepared for a major let down on the 6-8th and get ready to do it ourselves.” Rhodes later wrote in the chat: “On the 6th, they are going to put the final nail in the coffin camp of this Republic, unless we fight our way out. With Trump (preferably) or without him, we have no choice.”

213. On January 1, 2021, Caldwell explained on social media that he would no longer make efforts to act peacefully: “I swore to support and defend the Constitution of the United States against all enemies foreign and domestic. I did the former, I have done the latter peacefully but they have morphed into pure evil even blatantly rigging an election and paying off the political

caste. We must smite them now and drive them down.” The next day, Caldwell wrote: “It begins for real Jan 5 and 6 on [*sic*] Washington D.C. when we mobilize in the streets. Let them try to certify some crud on Capitol Hill with a million or more patriots in the streets. This kettle is set to boil.”

214. On January 3, 2021, K. Meggs stated that people should “tell [their] friends this isn’t a Rally!” making explicit that he was preparing for something other than a mere protest.

215. On January 4, 2021, K. Meggs followed up his January 3 message by expressing his contempt for District police officers on Facebook, writing, “Fucking DC cops protect those antifa fuckers though pisses me off.”

216. The same day, Defendant Vallejo messaged K. Meggs: “Sir, Ed Vallejo of Arizona in Tenn. With cadre requesting coordinates to Allied encampment outside DC boundaries to rendezvous. Please respond ASAP. For the Republic.”

217. Oath Keepers also issued a public call on the group’s official website on January 4, 2021 for “patriots” to come to the District “to stand tall in support of President Trump” and “[p]repare to do whatever must be done to honor our oaths to defend the Constitution against all enemies, foreign and domestic . . . whatever happens.”

218. Around the same time, Defendant Tarrío and other Proud Boys members also intensified their promotion of the January 6th Attack. On December 20, 2020, a member of the MOSD Leaders Group wrote: “I am assuming most of the protest will be at the capital [*sic*] building given what’s going on inside.” Tarrío proposed scheduling a video chat for the following day to discuss the MOSD and January 6th.

219. On December 26, 2020, Tarrío announced that MOSD leadership would be divided into a Marketing Council and an Operations Council, which would work together. The Marketing

Council consisted of Tarrío, Biggs, and Nordean. The Operations Council included Rehl and two other unidentified individuals. Other MOSD leaders, including Donohoe, were designated regional leaders.

220. On December 27, 2020, Tarrío created an additional encrypted messaging group for recruiting potential MOSD members (the “MOSD Prospect Group”). Tarrío emphasized that MOSD members must follow the directions of MOSD leaders. Tarrío told prospective MOSD members to “[f]it in [] or fuck off.”

221. The same day, Donohoe reposted a message in the MOSD Prospect Group stating that access to the District on January 6, 2021 would be limited. Donohoe wrote that “[t]hey want to limit the presence so they can deny Trump has the People’s support. We can’t let them succeed. This government is run FOR the People, BY the People . . . Congress needs a reintroduction to that fact.”

222. On December 28, 2020, Tarrío wrote in the MOSD Prospect Group that the “DC trip” would consist of “two groups”—the MOSD and everyone else—and that no one should wear the Proud Boys’ colors.

223. On December 29, 2020, Tarrío informed the MOSD Prospect Group that a virtual meeting about “how this all works” would take place the following day. Tarrío wrote that the MOSD would “have a top down structure” and advised prospective members that, if they were not comfortable with that arrangement, they should not bother to attend the virtual meeting. Tarrío explained that “upper tier leadership” would include the Operations Council, which consisted of Rehl and two unidentified individuals; and the Marketing Council, which consisted of Tarrío, Biggs, and Nordean. Tarrío further explained that the “second tier” leadership would consist of eight regional members.

224. On December 29, 2020, Pezzola sent Tarrío a direct message on an encrypted messaging system: “Hey boss, [I’m] one of the guys bringing the [decorative] shield down . . . I’ll be in dc w a few other brothers from NY.” From December 30 to December 31, 2020, Pezzola traveled to North Carolina and South Carolina to visit another Proud Boys member and brought a decorative shield to present to that member.

225. On December 30, 2020, Tarrío convened the virtual meeting for prospective MOSD members. Tarrío, Donohoe, and other MOSD leaders reiterated that MOSD members must follow commands from leadership. Tarrío again told prospective members that they could “fit in or fuck off.” Rehl warned that January 6th would be a “completely different operation” and that the Proud Boys would not be conducting a “night march and flexing our [arms] and shit.”

226. Between December 30 and December 31, 2020, a John Doe Defendant sent Tarrío a nine-page document titled “1776 Returns.” The document contained a plan for as “many people as possible” to occupy six to seven “crucial buildings” in the District on January 6th—including House and Senate office buildings around the Capitol—to “show our politicians We the People are in charge.” The John Doe Defendant who sent Tarrío the document then said that “[t]he revolution is more important than anything.” Tarrío replied, “[t]hat’s what every waking moment consists of . . . I’m not playing games.”

227. The 1776 Returns document consisted of five parts: “Infiltrate,” “Execution,” “Distract,” “Occupy,” and “Sit-In.” It recommended recruiting at least 50 people—who should appear “unsuspecting” and “not look tactical”—to enter each of the government buildings. The document then recommended that once the crowds at each building were “full and ready to go,” “leads and seconds” should enter and open doors for others and, if necessary, should “cause[] trouble” to distract security guards. If the crowds were unable to enter the government buildings

quickly, people should pull fire alarms at nearby businesses and museums to distract any guards or police officers. Protestors should occupy the government buildings, conduct sit-ins, and chant slogans including “We the people” and “No Trump, No America.”

228. The 1776 Returns document further advised “scop[ing] out” road closures near the target buildings in the days leading up to January 6th. It also suggested that “scouts” drive around the buildings and look for “roadblocks.”

229. Much of the 1776 Returns document was marked for “internal” use. However, it also contained a section called the “Patriot Plan” that was apparently intended for public distribution. The Patriot Plan recommended that crowds begin to gather at the target buildings at 1:00 p.m. on January 6th. Thirty minutes later, the Patriot Plan suggests, crowds should await a “signal from lead” and then “storm” the buildings. The timing set forth in the Patriot Plan coincides with the timing of the Attack on the Capitol.

230. On December 31, 2020, Tarrio posted a picture of Pezzola at the December 12, 2020 Stop the Steal rally and wrote, “Lords of War. #J6 #J20”—a reference to January 6th and January 20, 2021, which was Inauguration Day.

231. On January 1, 2021, Tarrio posted on social media: “Let’s bring this new year with one word in mind . . . Revolt” and “New Years Revolution.”

232. On January 2, 2021, Tarrio created yet another encrypted messaging group for recruits who were accepted to become MOSD members (the “MOSD Members Group”). Tarrio posted in the group: “Open for business.” The MOSD Members Group included at least 65 members, including Defendants Tarrio, Nordean, Biggs, Rehl, and Donohoe; and three John Doe MOSD leaders. One John Doe MOSD leader later added Pezzola.

233. On January 3, 2021, members of the MOSD Members Group exchanged messages about attacking the Capitol. One MOSD member—who had been hand-selected by Tarrío to join the MOSD—wrote that it was “time to stack those bodies in front of Capitol Hill.” One member asked, “so are the normies and other attendees going to push thru police lines and storm the capitol buildings? A few million vs A few hundred coptifa should be enough.” The same MOSD member also asked, “what would they do [if] 1 million patriots stormed and took the capital [*sic*] building. Shoot into the crowd? I think not.” A member of MOSD leadership responded that “[t]hey would do nothing because they can do nothing.”

234. Also on January 3, 2021, Tarrío shared a post to 7,000 followers on Telegram, asking: “[w]hat if we invade it?” The first reply answered: “January 6th is D day in America.”

235. Biggs also posted to Parler: “Every law makers [*sic*] who breaks their own stupid Fucking laws should be dragged out of office and hung.”

236. By January 3, 2021, the MOSD leaders’ planning efforts were intensifying. Tarrío wrote in the MOSD Leaders Group that he wanted to wait until January 4th to make final plans. At 7:10 p.m. on January 3rd, one MOSD leader responded with a voice note that said:

I mean the main operating theater should be out in front of the house of representatives. It should be out in front of the Capitol building. That’s where the vote is taking place and all of the objections. So, we can ignore the rest of these stages and all that shit and plan the operations based around the front entrance to the Capitol building. I strongly recommend you use the national mall and not Pennsylvania avenue though. It’s a wide-open space, you can see everything coming from all angles.

Rehl responded that the Capitol was a “good start.”

237. On January 4, 2021, at 7:36 a.m., Tarrío sent a voice note to the MOSD Leaders Group saying that he “didn’t hear this voice note until now, you want to storm the Capitol.”

238. Also on January 4th, as Tarrío arrived in the District for the January 6th Attack, MPD officers arrested him for his role in the burning of a church banner after the December 12, 2020, Stop the Steal rally. While arresting Tarrío, MPD officers discovered two illegal high-capacity firearm magazines bearing the gold Proud Boys insignia. Tarrío's high-capacity magazines were compatible with AR-16 and M4 rifles. Tarrío was immediately ordered to stay away from the District pending his criminal trial.¹¹

239. Within an hour of Tarrío's arrest, Donohoe created a new encrypted messaging group for MOSD leadership (the "New MOSD Leaders Group") that initially excluded Tarrío. Seeking to destroy evidence of the unlawful conspiracy, Donohoe advised the MOSD leaders to "personally clear our history of that MOSD chat." Rehl responded that "you gotta manually delete each message from each chat" and added that "since [Tarrío] knew the cops were for him, hopefully he logged outta" the encrypted messaging service. Donohoe replied: "Well at least they won't get our boots on ground plans because we are one step ahead of them."

240. Donohoe also created a new encrypted messaging group for MOSD members (the "New MOSD Members Group")—which had approximately 90 members, including Defendants Nordean, Biggs, Rehl, Donohoe, and Pezzola; and the three other MOSD leaders—and advised members to leave the original MOSD Members Group because "we are nuking that one." One MOSD leader advised that he had "removed everyone from the other group" and that that group had been "nuked."

241. On January 4, 2021, at 7:15 p.m., Donohoe wrote in the New MOSD Members Group: "Hey [*sic*] have been instructed and listen to me real good! There is no planning of any

¹¹ In litigation concerning that order, the D.C. Court of Appeals observed that Tarrío's "conduct and statements in this case evince an inability to appreciate the difference between lawful protest and criminal activity under the laws of the District of Columbia; he has telegraphed his intentions to incite or participate in further criminal activity if permitted to return to the District. . . ."

sorts. I need to be put into whatever new thing is created. Everything is compromised and we can be looking at Gang charges.” Donohoe then instructed MOSD members to “[s]top everything immediately,” explaining that “[t]his comes from the top.” A member of the MOSD Members Group had posted the same messages there.

242. Later that evening, at 8:20 p.m., an unidentified MOSD leader wrote in the New MOSD Leaders Group that “[w]e had originally planned on breaking the guys into teams. Let’s start divying [*sic*] them up and getting [B]aofeng channels picked out.” Baofeng is a manufacturer of communications equipment, including handheld radios.

243. By January 5, 2021, members of the Proud Boys and Oath Keepers made good on their plans and descended on the District.

244. On January 5, 2021, Defendants C. Meggs, K. Meggs, Harrelson, Hackett, Moerschel, Caldwell, and others dropped off firearms, ammunition, and related gear with the Quick Reaction Force teams at the Comfort Inn Ballston. Among others, these Quick Reaction Force teams included Vallejo.

245. Also on January 5, 2021, while K. Meggs and co-conspirators were unloading their weapons, K. Meggs messaged Rhodes: “Yes we are just outside of town unloading at [Quick Reaction Force] on our way in. Left [the North Carolina Oath Keepers leader’s] place at 4:30am[.]”

246. K. Meggs also confirmed his location as the Comfort Inn Ballston when Vallejo texted K. Meggs that day: “Sir, this is Ed Vallejo. We must have copied your number incorrectly as we never received response [*sic*] to our text requesting campground address. We made it as far as Wytheville VA & had to get a room. Please text location so we will know where to begin in the morning. Thank you kindly.”

247. Meanwhile, Defendant Caldwell used Google Maps to map out a route between the Capitol building and an address one block from the Comfort Inn Ballston. On January 5, 2021, the day before the Attack, Caldwell drove into Washington, D.C., around the Capitol, and back to the Comfort Inn Ballston, in what he described as a “recce,” or a reconnaissance mission.

248. Oath Keepers defendants Rhodes, James, Minuta, and others stayed at the Hilton Garden Inn in Vienna, Virginia. James and Ulrich, and other co-conspirators, transported firearms and ammunition there.

249. As he has admitted in connection with his plea deal, on January 5, 2021, Proud Boys member Defendant Greene drove from Syracuse, New York to the District in a caravan with one other car, which included three Proud Boys members from central New York. One of those three members was Defendant Pezzola. Greene, Pezzola, and these other Proud Boys members stayed at a hotel in downtown Washington, D.C. that night. Greene received a message that Proud Boys members would meet at the Washington Monument the next morning at 10:00 a.m., where they would receive further instruction.

250. Proud Boys member Defendant Rehl also traveled to the District on January 5, 2021. As he communicated to other co-conspirators in the New MOSD Leaders Group, Defendant Rehl brought multiple radios, and had arranged for someone to program them later that evening. At 9:03 p.m., Rehl notified Nordean, Biggs, Donohoe, and others that he had arrived in the District. Donohoe requested one of Rehl’s radios.

251. That night, Greene helped program Baofeng radios for individuals at his hotel, including Pezzola, the central New York Proud Boys who had traveled with Greene, and others whom Greene understood to be Proud Boys members. Greene had emailed himself a “chirp” file, which allowed him to program the radios so that they would communicate only with other radios

that contained the same file. Pezzola told Greene that the Proud Boys' Chairman, Defendant Tarrio, would stop by so that Greene could program his radio, but Tarrio—who had been arrested and ordered to leave the District—did not stop by.

252. Also on January 5th, Biggs sent instructions to his co-conspirators using the secure “Boots on the Ground” channel—an encrypted messaging channel with more than 60 users used to disseminate orders and otherwise engage in acts of coordination—telling them to “avoid getting into any shit” the night before the planned attack, because “[t]omorrow’s the day.” Defendants Nordean, Rehl, Donohoe, and Pezzola; and the three unidentified MOSD leaders were members of the Boots on the Ground channel. Biggs also wrote, “Just trying to get our numbers. So we can plan accordingly for tonight and tomorrow’s plan”; “We have a plan”; and “I’m here with [Nordean] and a good group.”

253. That night at 8:00 p.m., Pezzola wrote in the Boots on the Ground channel: “Anybody need coms [*sic*] programmed hit me up.”

254. That night at 8:27 p.m., a MOSD member who was in the District with Nordean and Biggs wrote in the New MOSD Members Group that “[e]veryone needs to meet at the Washington Monument at 10am tomorrow morning! Do not be late! Do not wear colors! Details will be laid out at the pre meeting! Come out at as patriot [*sic*]!” At 8:28 p.m., an unidentified MOSD leader posted the same message in the Boots on the Ground channel.

255. At 9:09 p.m., an unidentified MOSD leader instructed the New MOSD Leaders Group to “[s]tand by for the shared [B]aofeng channel and shared zello [*sic*] channel, no Colors, be decentralized and use good judgement [*sic*] until further orders.” This MOSD leader added that Nordean was “in charge, cops are the primary threat, don’t get caught by them or BLM, don’t get

drunk until off the street.” The MOSD leader then provided a radio frequency: 477.985. At 9:11 p.m., Donohoe posted the same messages in the New MOSD Members Group.

256. At 9:17 p.m., Biggs wrote in the New MOSD Leaders Group that “[w]e just had a meeting with *[sic]* a lot of guys. Info should be coming out.” He then wrote: “Just spoke with Enrique [Tarrio].”

257. At 9:20 p.m., an unidentified MOSD leader added Tarrio to the New MOSD Leaders Group.

258. At approximately the same time, Biggs wrote in the New MOSD Leaders Group that “[w]e have a plan. I’m with [Nordean].” Donohoe responded: “What’s the plan so I can pass it to the MOSD guys.” Biggs replied that he “gave Enrique [Tarrio] a plan. The one I told the guys and he said he had one.”

259. At 9:36 p.m., Donohoe added Tarrio to the New MOSD Members Group.

260. On January 6, 2021, at 12:01 a.m., Tarrio wrote a message in the New MOSD Leaders Group. At 12:03 a.m., Donohoe wrote: “Standby” and then reposted the instructions, from the Boots on the Ground and New MOSD Members groups, to meet at the Washington Monument at 10:00 a.m.

261. In the early morning of January 6, 2021, Proud Boys Defendant Pepe arrived at Defendant Greene’s hotel room and slept on the floor.

D. The Defendants Were Not Deterred by Law Enforcement Efforts to Control and Prevent Their Planned Violence.

262. In response to the Defendants’ rhetoric and messaging around the January 6th “rally,” including the many promises for violence, law enforcement officials made substantial efforts to disrupt and prevent the planned violence in advance.

263. For example, on January 4, 2021, MPD officers arrested Tarrio for his role in the burning of the church banner after the Stop the Steal rally. Tarrio's arrest prevented him from being in the District on January 6th—and should have deterred those intent on committing violent acts at the January 6th “rally.”

264. Law enforcement officials in surrounding areas also advised residents not to engage in or join the planned “rally.” For example, the County Executive for Montgomery County, Maryland, which neighbors the District, released a statement on the morning of January 5, 2021, warning residents not to put themselves in harm's way by joining what “w[ould] not be ordinary protests,” explaining: “Protest organizers and the groups they represent have shown an alarming affinity for violence. Sadly, they have not been shy about suggesting the need for violence. There is talk of disrupting the counting of votes in Congress, which would require extreme actions. This could create a volatile situation that may get out of hand, and we do not want people putting themselves in harm's way. . . . If there is an effort to disrupt the vote count, which would require an attempt to prevent the actual counting in Congress, there will be a confrontation.”

265. Similarly, on January 5, 2021, the Federal Bureau of Investigation (“FBI”) issued a warning that it had intelligence that extremists from several states would be traveling to the District to commit violence and “war” on January 6, 2021.

266. The FBI's Norfolk, Virginia field office warned that these individuals had been sharing a map of the Capitol and its tunnels and were convening in the areas from several states.

267. Proud Boys leaders proceeded with their plans. Although advised by a Proud Boys member in an ongoing group chat on Telegram that participants “[s]houldn't be typing plans to commit felonies into your phone,” those on the chat demonstrated the Proud Boys members' intent

to coordinate their activities on January 6th. Proud Boys member Defendant Donohoe explained in the chat that “details will be laid out at the pre-meeting.”

268. In another Parler message group, which included Proud Boys leaders and members including Defendants Nordean, Biggs, and Donohoe, the parties continued to convey their intent to cause violence in the District on January 6th, suggesting that they planned to “smash” police to dust and “burn [the] city to ash today.” Defendant Donohoe responded, “I’m leaving with a crew of 15 at 0830 to hoof it to the monument no colors.”

E. The Defendants Launched the January 6th Attack to Target Officials Charged with Certifying Electoral College Votes and Declaring a Presidential Election Winner.

269. The Defendants’ conspiracy, which culminated in the January 6th Attack, targeted in part a process established by federal law to count the certified electoral votes and formally declare the winner of the Presidential election.

270. Once popular votes for President and Vice President have been cast, certain provisions of the U.S. Constitution together with the Electoral Count Act of 1887 create official duties both for members of Congress and the Vice President, as President of the Senate.

271. Specifically, after voting for the presidency has concluded, and after presidential Electors compile, sign, and certify lists of votes, the certified lists are transmitted to the seat of the government of the United States, directed to the President of the Senate. U.S. Const. amends. XII, XXIII. At that point, “[t]he President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted.” *Id.* amend. XII.

272. The Electoral Count Act of 1887 provides that “Congress shall be in session on the sixth day of January succeeding every meeting of the electors.” 3 U.S.C. § 15. The statute sets out a detailed process that requires a joint meeting of the “Senate and House of Representatives . . . in the Hall of the House of Representatives at the hour of 1 o’clock in the afternoon on that date”

during which “the President of the Senate [opens] all the certificates and papers purporting to be certificates of the electoral votes . . .” of each State. *Id.*

273. After pre-appointed tellers from the Senate and House of Representatives read the certificates of electoral votes “in the presence and hearing of the two Houses,” the law provides that the tellers “shall make a list of the votes as they shall appear from the said certificates.” *Id.* § 15. Once the votes have been “ascertained and counted” pursuant to this process, “the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice President of the United States[.]” *Id.*

IV. Defendants Assemble Forces in the District for Their January 6th Attack.

274. On January 5, 2021 around 5:00 p.m., Tarrío was released from detention pending his criminal trial for burning the church banner following the Stop the Steal rally. Tarrío was under a court order to leave the District. Tarrío did not immediately comply with that order.

275. Instead, following Tarrío’s release from detention that afternoon—less than 24 hours before the January 6th Attack—Tarrío (the then-leader of the Proud Boys) and Rhodes (the leader of the Oath Keepers) convened in a parking garage near the Phoenix Park Hotel in downtown Washington, D.C. In addition to Tarrío and Rhodes, at least four other John Does were present at this gathering, which lasted approximately 30 minutes. A documentary film crew was also present and detected audio of one participant referencing the U.S. Capitol building. At the gathering, Tarrío told another individual that he had cleared all messages from his phone before his arrest and that no one would be able to access the contents of his phone because “two steps” were required to gain access.

276. Tarrio then left the District for Baltimore, Maryland. That evening, Tarrio used other John Doe co-conspirators' phones to make calls and to log back into his encrypted messaging accounts. He assured his cohorts that his phone was not compromised.



Figure 5. Approximately 24 hours before the January 6th Attack, Proud Boys Chairman Defendant Tarrio and Oath Keepers leader Defendant Rhodes meet in a parking garage in the District.

277. On January 6, 2021, the Proud Boys, Oath Keepers, and their members and affiliates—including the Individual Defendants—attended President Trump's rally and prepared for violence.

278. Earlier that morning, the vast majority of the Individual Defendants and other currently unidentified John and Jane Doe Defendants, along with their Proud Boys and Oath Keepers co-conspirators, traveled together or otherwise convened in the District, congregating in groups and readying themselves for action.

279. At approximately 6:27 a.m. on January 6th, Oath Keepers leader Defendant Rhodes messaged the “DC OP: Jan 6 21” Signal chat: “We will have several well equipped [Quick Reaction Force members] outside DC. And there are many, many others, from other groups, who will be watching and waiting on the outside in case of worst case scenarios.”

280. At 6:37 a.m., Proud Boys Defendant Donohoe asked the New MOSD Leaders Group whether there would be “a commanders briefing before the 10 a.m.” Donohoe then wrote to the New MOSD Members and Boots on the Ground groups that he was on his way to the Washington Monument and that he “ha[d] the keys until [Nordean] and [Rehl] show[ed] up.”

281. At approximately 8:30 a.m., Defendant Rhodes and others departed a hotel in Virginia and drove to the area surrounding the Capitol.

282. Meanwhile, Defendant Vallejo and others remained on standby at the Comfort Inn Ballston. Vallejo and another member of the Arizona Quick Reaction Force team wheeled in bins and bags of weapons, ammunition, and essential supplies that could last 30 days. They monitored communications from co-conspirators in the District and awaited a call to bring them weapons.



Figure 6. Surveillance footage from the Comfort Inn Ballston showing Defendant Vallejo (left) and an Arizona Quick Reaction Force member (right) wheeling in bins and bags of weapons

283. On a podcast that morning, Defendant Vallejo and a member of the Arizona Quick Reaction Force team discussed the possibility of “armed conflict” and “guerilla war” and explained that “there are people who are prepared, have the will, have the facilities to do more than taunt.” The Arizona Quick Reaction Force member said that he and Vallejo had arrived in the District around noon the prior day, “hooked up with the Oath Keepers,” and “bivouacked with them in Arlington.” The Arizona Quick Reaction Force member explained that he and Vallejo had “a little bit of inside information with the powers that would oppose the powers that be. . . . The idea is we’re here. We are applying as much pressure as we can. The only and obvious next step is to go into armed conflict but hoping very much that that doesn’t happen.”

284. Vallejo added: “I’m just praying to God that Trump has his head on fucking straight, he has got the machinations behind him, he’s got all the proof in the world, and he’s going to bring the fucking hammer down! That’s the only hope, the only chance. If that doesn’t happen, then this shit is on.” Vallejo also announced that he intended to use violence to fix what he perceived as a broken election system: “I’m the motherfucker that’s gonna fix it for them if they tell me today it’s broken. . . . [F]or years I’m the guy that everybody said, ‘no Ed, you can’t shoot them yet, it’s too soon. No Ed, you can’t shoot the bastards yet, it’s too soon.’ Well I’ve been telling them for about five, six months[.] They quit telling me.”

285. Around 10:00 a.m., approximately 100 Proud Boys members from across the country followed the instructions of Proud Boys’ leadership and convened at the Washington Monument. Nordean, Biggs, Rehl, and Donohoe were present; as were Greene, Pezzola, Pepe, and others who had traveled with them from Syracuse. As Tarrio instructed, Nordean, Biggs, Rehl, Donohoe, Pezzola, Greene, and Pepe refrained from wearing the traditional Proud Boys colors—black and yellow. Several men, including Biggs and Rehl, carried walkie-talkie style

communication devices that MOSD members had helped them obtain. Nordean and Biggs also used a bullhorn to direct the group. Following the more senior Proud Boys leaders, including Nordean and Biggs, the group marched on the National Mall toward the Capitol.

286. Nordean and Biggs led a group of Proud Boys members along First Street, Northwest, where they passed a pedestrian entrance to Capitol grounds that was guarded by Capitol Police officers. Prominent signs posted on metal barriers at the pedestrian entrance and elsewhere read: “AREA CLOSED By order of the United States Capitol Police Board.”

287. At approximately 11:25 a.m., a YouTube video from Proud Boys member and live-streamer Eddie Block showed members of the Proud Boys lining up before the Attack, shouting out their home states. Proud Boys leader Defendant Biggs is shown organizing Proud Boys members and speaking into a walkie-talkie. Defendant Nordean is shown speaking to the group through a bullhorn. Defendant Scott is captured in Block’s video footage shouting “let’s take the fucking Capitol!” In response, another Proud Boys member chastised Defendant Scott for talking about their plan, saying “don’t yell it, do it.”



Figure 7. Image from video capturing Defendant Scott’s direction to other Proud Boys on

January 6th

288. At 12:00 p.m., Donohoe—who had been marching with Rehl in a group led by Nordean and Biggs—messed an encrypted group chat among Proud Boys members that the group was at the Capitol. He later added: “WE ARE WITH 200-300 PBS [Proud Boys].”

289. At 12:17 p.m., President Trump directed his supporters to the Capitol. “We’re going to walk down to the Capitol—and we’re going to cheer on our brave senators and congressmen and women, and we’re probably not going to be cheering so much for some of them,” President Trump said.

290. At this point, the Defendants, who were stationed throughout the crowd, began to tell others that the time to break into the Capitol had come, yelling: “YEAH! LET’S TAKE THE CAPITOL!”

291. For his part, President Trump called the crowd to action, using his position to echo and amplify the message Defendants had already started to send out: “You’ll never take back our country with weakness. You have to show strength, and you have to be strong.”

292. Again, the crowd responded: “YES! STORM THE CAPITOL! INVADE THE CAPITOL BUILDING! Let’s take the Capitol! Right now!!”

293. Twenty minutes before President Trump’s speech concluded, members of Oath Keepers, including Defendant Watkins, left the “rally” and began marching toward the Capitol.

294. As President Trump’s comments neared their conclusion, his rhetoric fanned the flames that Defendants had ignited, imploring the crowd to “fight like hell” or risk losing the country: “Something is wrong here, something is really wrong, can’t have happened and we fight, we fight like hell, and if you don’t fight like hell, you’re not going to have a country anymore.” The crowd chanted in response: “FIGHT LIKE HELL!”

295. At 1:11 p.m., President Trump concluded: “So let’s walk down Pennsylvania Avenue.” Proud Boys member and live-streamer Eddie Block filmed his co-conspirators’ actions during President Trump’s speech, including Proud Boys leader Defendant Biggs’ efforts directing the march of approximately 60 Proud Boys on the Capitol. Biggs shouted orders to the group to “tighten up,” “hold,” and “turn.”

296. As President Trump concluded his speech, other Individual Defendants, including dozens of members of the Proud Boys in military-style tactical gear, marched toward the Capitol building.

297. Oath Keepers member Defendant Watkins posted a message on an audio app, saying, “Trump’s been trying to drain the swamp with a straw. We just brought a shop vac.”

298. Meanwhile, Proud Boys members coordinated their movements using handheld radios and encrypted communication channels, including the Boots on the Ground channel, which was used by Proud Boys leaders Biggs and Nordean.

299. As they approached the Capitol, members of the Proud Boys encouraged and directed the group. Consistent with the plans articulated by Proud Boys Chairman Defendant Tarrío, members of the group were not wearing typical Proud Boys colors of black and yellow but were instead dressed “incognito” in dark clothing, and several held walkie-talkie-style communication devices.

300. Although the Proud Boys were told not to wear Proud Boys indicators, photos and video footage show some of them, including Defendant Pezzola, wearing clothing with the Proud Boys slogan “Fuck Around and Find Out,” or “FAFO.”

301. Members and affiliates of Oath Keepers donned paramilitary equipment, helmets, reinforced vests, and clothing with Oath Keepers paraphernalia. Specifically, before arriving at

the Capitol building—in preparation for the violent acts that the Defendants had been planning, and together with several other currently unidentified John and Jane Doe Defendants—Defendants Crowl, Watkins, Caldwell, S. Parker, B. Parker, Young, Steele, K. Meggs, and C. Meggs equipped themselves with communication devices and donned reinforced vests, helmets, and goggles.

V. Defendants Attacked the Capitol Using Coordinated Violence.

A. Defendants Stormed the Capitol and Forced Their Way Inside.

302. None of the Defendants had authorization to enter the U.S. Capitol, which is secured 24 hours a day by U.S. Capitol Police, has permanent and temporary security barriers and posts manned by Capitol Police, and permits only authorized individuals to enter.

303. The District’s MPD also provides security for the Capitol from time to time.

304. Nonetheless, by approximately 11:30 a.m., a large group had congregated outside the Capitol, including Proud Boys and Oath Keepers leadership and certain of their members and affiliates.

305. Outside the Capitol, members of the Proud Boys and Oath Keepers, including Defendant Biggs, provided tactical direction to fellow Defendants, including other currently unidentified Defendant John and Jane Does.

306. Defendant Greene described, as part of his guilty plea, a mood shift in the crowd at that point. Greene likened the shift to his Army experience in Afghanistan—where he observed protests as they transitioned from peaceful to violent.

307. Defendants and their cohort began violently clashing with the MPD and Capitol Police officers who tried to prevent them from entering the building. During the clash, Defendants screamed at the police, repeating messages like those Defendants promoted before the mob convened, such as: “We were invited here! We were invited by the President of the United States!” and “Our president wants us here. We wait and take orders from our president.” As Officer

Aquilino Gonall, a Capitol Police officer, later testified before the House Select Committee to Investigate the January 6th Attack on the U.S. Capitol (“House Select Committee”): “[a]ll of them—all of them were telling us [the police officers] ‘Trump sent us.’”



Figure 8. The crowd clashes with MPD and Capitol Police officers outside the Capitol.

308. By 12:53 p.m., the Defendants, including Proud Boys members Defendants Biggs, Nordean, Rehl, Donohoe, Chrestman, Colon, Kuehne, Bru, Greene, Pezzola, Pepe, and other currently unidentified John and Jane Doe Defendants, overwhelmed the police and breached the outermost barricade that had been erected to protect the Capitol. Greene, Pezzola, Pepe, and other Proud Boys members ran up a walkway that extended toward the Capitol. Along the way, some Proud Boys members moved additional barricades.

309. Nordean, Biggs, Rehl, Donohoe, and Pezzola, among others, moved toward the plaza on the west side of the Capitol, where additional metal barricades and law enforcement officers were protecting the Capitol and its occupants from the crowd. As Biggs moved toward the Capitol, he recorded himself saying: “Dude, we’re right in front of the Capitol right now. American citizens are storming the Capitol—taking it back right now. There’s millions of people out here; this is fucking crazy. Oh my God! This is such history! This is insane. We’ve gone through every barricade thus far. Fuck you!”

310. Nordean, Biggs, Rehl, Donohoe, Pezzola, and other Proud Boys members soon moved to the front of the crowd. Nordean, Biggs, and others tore down a black metal fence that separated the crowd from law enforcement officers—thereby facilitating access to MPD officers.

311. In connection with his guilty plea, Greene admitted that he saw some Proud Boys members tear down the fencing—which was guarded by U.S. Capitol Police—around the plaza on the west side of the Capitol building and storm into the plaza. Greene and Pezzola were among the first wave of individuals to cross the police barrier and storm into this plaza. Nordean, Biggs, Rehl, and Donohoe, along with others whom Nordean and Biggs had led to the Capitol, also stormed this plaza. Nordean, Biggs, Rehl, Donohoe, and Pezzola positioned themselves at or near the front of the crowd, where, standing before law enforcement officers in riot gear, Nordean and Biggs hugged and shook hands.

312. Biggs recorded another video, in which he announced: “we’ve just taken the Capitol.”

313. At 1:00 p.m., a joint session of the U.S. Congress (the “Joint Session”) convened at the Capitol for members of Congress and Vice President Pence to carry out their Constitutional and statutory duties of receiving and counting the Electoral College votes.

314. At approximately the same time, Capitol Police and MPD officers in riot gear arrived to reinforce the line of officers on the Capitol steps. Undeterred, Defendants and others in the crowd climbed the barriers, while an unidentified John Doe Defendant with a bullhorn instructed the crowd to push forward. Members of the Proud Boys led the charge at the front of the mob trying to breach the Capitol. Other members of the crowd even scaled the walls of the Capitol Complex. *See* Figure 9.



Figure 9. Members of the crowd scale the walls of the Capitol Complex.

315. Members of the Proud Boys and Oath Keepers forced their way past the barricades, assaulted officers, and rushed toward the Capitol building.

316. Shortly after 1:00 p.m., two unidentified MOSD leaders instructed the New MOSD Leaders Group to “[p]ush inside! Find some eggs and rotten tomatoes!” They also wrote: “They deploy the mace yet.” Donohoe responded: “We are trying.”

317. Nordean, Biggs, and Rehl moved to the rear of the west plaza. Nordean, Biggs, and others then moved to the Capitol lawn. At 1:27 p.m., Biggs filmed a selfie-style video of himself, Nordean, and others who had marched with them, in which he said: “So we just stormed the fucking Capitol. Took the motherfucking place back. That was so much fun.” He then said: “January 6 will be a day in infamy.”

318. Proud Boys member Defendant Bru grabbed a police barricade in an attempt to wrench it from law enforcement protecting the Capitol. *See* Figure 10.



Figure 10. Defendant Bru and others attempt to wrestle control of the barricades away from police as they march on the Capitol.

319. After pushing their way past another barricade, Proud Boys member Defendant Klein obtained and used the police barricade to help others climb the Capitol walls and gain access to an external stairwell. Proud Boys member Defendant Worrell, equipped with a tactical vest and communications equipment, sprayed a noxious substance (seemingly pepper spray gel) toward a line of police officers guarding an entryway to the Capitol on the west side.

320. Shortly before 1:30 p.m., in response to an Oath Keepers affiliate who claimed in the Signal Leadership Intel Chat that Antifa had breached the Capitol, Oath Keepers leader Defendant Rhodes wrote: “Nope. I’m right here. These are Patriots.” Rhodes then wrote: “Pence is doing nothing. As I predicted.” Rhodes added: “All I see Trump doing is complaining. I see no intent by him to do anything. So the patriots are taking it into their own hands. They’ve had enough.”

321. By approximately 1:30 p.m., the House and Senate adjourned to separate chambers to resolve an objection to the vote count, with Vice President Pence presiding over the Senate

chamber. As the proceedings continued in both the House and the Senate, the crowd outside the Capitol continued to grow in size and became more restless.

322. Around the same time, an individual who was with Rhodes wrote in the Leadership Intel Chat: “We are acting like the founding fathers – can’t stand down. Per Stewart [Rhodes] and I concur[.]” Rhodes added: “Hey, the founding generation stormed the governors [*sic*] mansion in MA and tarred and feathered his tax collectors. And they seized and dumped tea in water. They didn’t fire on them, but they street fought. That’s where we are now. Next comes our ‘Lexington[.]’ It’s coming.”

323. By approximately 1:37 p.m., Proud Boys member Defendant Scott and others made it to the lower western part of the plaza, just outside the Capitol. A line of law enforcement officers stood on the steps leading to the Capitol building. As is clear from videos of this scene posted to the social media site Parler, Defendant Scott pushed two Capitol Police officers backwards, up the steps to the Capitol. This violent act instigated a broader violent confrontation with the police. Defendant Scott grabbed and pulled a police officer toward the mob, until another officer ultimately intervened.



Figure 11. Defendant Scott (man in green jacket and blue hat) pushing an officer



Figure 12. Defendant Scott confronting an officer, while a second officer attempts to intervene

324. Proud Boys member Defendant Pezzola stole a riot shield from a U.S. Capitol police officer. Proud Boys member Defendant Donohoe threw two water bottles at a line of law enforcement officers, who were trying to stop the mob's advance on the Capitol's west plaza. Donohoe then helped Pezzola carry the riot shield through the plaza. At 1:37 p.m., Donohoe posted a message that said, "Got a riot shield." At the rear of the plaza, Donohoe photographed Pezzola holding the riot shield and making a hand gesture that is associated with the Proud Boys.

325. Shortly before 2:00 p.m., Defendant Pezzola, along with Defendants Greene, Donohoe, Nordean, Biggs, and other Proud Boys members, breached a police line and rushed up the stairs to the Capitol building's upper west terrace, which was covered by a partially constructed stage for President-Elect Biden's upcoming inauguration. Greene and other Proud Boys members proceeded to move police barricades out from under the scaffolding. The crowd overwhelmed law enforcement officers.

326. At the top of the stairs, Pezzola shouted at Capitol Police officers words to the effect of: "We ain't stopping! We ain't fucking stopping! Fuck you! . . . You think Antifa's fucking bad, just you wait!"

327. Shortly before 2:00 p.m., on an invitation-only Signal group chat called “Jan 5/6 DC Op Intel team”—which included Defendants Rhodes and James, among others—an individual shared a link to a video called “live stream of patriots storming capital [*sic*].” Another individual asked: “Are they actually Patriots – not those who were going to go in disguise as Patriots and cause trouble[?]” Rhodes responded: “Actual Patriots. Pissed off patriots[.] Like the Sons of Liberty were pissed off patriots[.] James added: “We[’]re coming to Capitol ETA 30 MIN[.]”

328. Around the same time, Oath Keepers member Defendant Watkins made an announcement on the “Stop the Steal 16” channel on Zello, an application that emulates push-to-talk walkie-talkies over cellular telephone networks: “It has spread like wildfire that Pence has betrayed us, and everybody’s marching on the Capitol . . . We have about 30-40 of us. We are sticking together and sticking to the plan.”

329. At 2:00 p.m., Watkins delivered another message on the same “Stop the Steal 16” Zello channel, announcing “Y’all, we’re one block away from the Capitol right now. I’m probably gonna go silent when we get there, because I’m gonna be a little busy.”

330. Shortly past 2:00 p.m., Defendant Caldwell sent Defendant Watkins a text message: “Where are you? Pence has punked out. We are screwed. . . . I am here at the dry fountain to the left of the Capitol.”



Figure 13. Storming the Capitol Complex

331. Shortly after 2:00 p.m., Defendant Harrelson joined the mob that first breached the barricades on the east side of the Capitol and rushed toward the steps that lead up to the east side Rotunda doors. Together with Oath Keepers member Jason Dolan,¹² Harrelson maneuvered to the front of the crowd and remained on the steps as the crowd pushed the police line further back up the steps toward the east side Rotunda doors.

332. Around 2:12 p.m., Rhodes entered the restricted area of the Capitol grounds and directed his followers to meet him at the Capitol.

333. At approximately 2:15 p.m., the mob, led by several Individual Defendants, breached the Capitol by breaking windows and climbing inside the building, opening doors for co-conspirators to follow. *See* Figure 14.



Figure 14. Defendant Pezzola uses a stolen Capitol Police riot shield to break a window of the

¹² Dolan was criminally charged and indicted for his role in perpetrating the January 6th Attack in *US v. Caldwell*, No. 21-cr-00028 (D.D.C. 2021). On September 15, 2021, Dolan pleaded guilty to counts of conspiracy and obstruction of an official proceeding (Congress) and stipulated to the entire Statement of Offense in the criminal action brought against him. The Fifth Superseding Indictment (Dkt. 328), Plea Agreement (Dkt. 427), and Statement of Offense (Dkt. 428) filed against Dolan are publicly available documents that are hereby incorporated into the Amended Complaint by reference.

Capitol.

334. Proud Boys members Defendants Pezzola, Biggs, and Nordean were among the first to enter the Capitol, along with a large group of other Proud Boys-affiliated Individual Defendants and unidentified John and Jane Doe Defendants.

335. At approximately 2:13 p.m., as seen in Figure 14, Proud Boys member Defendant Pezzola was the first person to breach the Capitol building. He entered by breaking a window using a police shield stolen from a Capitol Police officer. Members of the mob entered through the window and forced open an adjacent door.

336. At approximately 2:14 p.m., Biggs entered the Capitol through the door adjacent to the window that Pezzola had broken. He was with other MOSD members.¹³

337. Biggs exited the Capitol on the east side and posed for a picture with other Proud Boys members. Biggs recorded a video, in which he surveyed the crowd and then said: “We’ve taken the Capitol.”

338. At approximately 2:16 p.m., Defendants James, Minuta, and other members of Oath Keepers heard that individuals had breached the Capitol. Defendant Minuta stated: “Now we’re talking, that’s what I came here for!” Defendant James instructed the group to gather their gear and head towards the Capitol. Minuta had on tactical gear, including hard-knuckles, ballistic goggles, a tactical vest, a radio with an earpiece, and bear spray.

339. Oath Keepers member Walden and Defendants Minuta and James, along with other associates, then drove golf carts towards the Capitol, swerving around law enforcement and multiple barricades as they rushed to join the assault. As they drove, Defendant Minuta declared:

¹³ Prior evidence indicated that Biggs may have helped to break the window and entered the Capitol through the broken window.

“Patriots are storming the Capitol building; there’s violence against patriots by the D.C. Police; so we’re en route in a grand theft auto golf cart to the Capitol building right now . . . it’s going down, guys; it’s literally going down right now Patriots storming the Capitol building . . . fucking war in the streets right now . . . word is they got in the building . . . let’s go.”

340. Rhodes, who coordinated logistical details for many involved in the Attack in real time, messaged another Oath Keepers leader, informing him that members of the team had “taken ground at the capital [*sic*],” instructing that “[w]e need to regroup any members who are not on mission.” Rhodes instructed his group to report to the “South Side of the Capitol,” suggesting that they had strategically planned to simultaneously (or near-simultaneously) enter the Capitol from a different entrance than the Proud Boys in order to weaken the building’s defense by forcing law enforcement to defend multiple doors.

341. Around 2:22 p.m., Defendants Crawl, Watkins, S. Parker, B. Parker, Steele, K. Meggs, C. Meggs, Hackett, Moerschel and others, entered the Capitol grounds. Upon entering the grounds, they gathered in a circle.

342. At 2:24 p.m., Defendant Vallejo—staged at the Comfort Inn Ballston—messaged the “DC OP: Jan 6 21” Signal chat: “Vallejo back at hotel and outfitted. Have 2 trucks available. Let me know how I can assist.”

343. At 2:24 p.m., Defendant Rhodes called Defendant K. Meggs. The call went to voicemail.

344. At 2:24 p.m., Defendant K. Meggs received the message from Defendant Rhodes to come to the south side of the Capitol. At 2:25 p.m., Rhodes forwarded a message to the “DC OP: Jan 6 21” Signal group chat with the same instructions and posted a photograph showing the southeast side of the Capitol.

345. Shortly thereafter, Defendants Crawl, Watkins, S. Parker, Young, Steele, K. Meggs, C. Meggs, Hackett, and Moerschel joined together with other currently unidentified John and Jane Doe Defendants to form a “military stack” (“Stack One”) formation of individuals wearing Oath Keepers clothing, patches, insignia, and battle gear. At least one of the Oath Keepers members wore a patch that warned: “I don’t believe in anything. I’m just here for violence.”

346. At around 2:32 p.m., Rhodes exchanged a 97-second telephone call with K. Meggs, who was in Stack One.

347. At 2:35 p.m., Stack One maneuvered together in an organized and coordinated fashion up the steps of the Capitol, with each person keeping a hand on the shoulder of the person in front of them, as depicted in Figure 15.

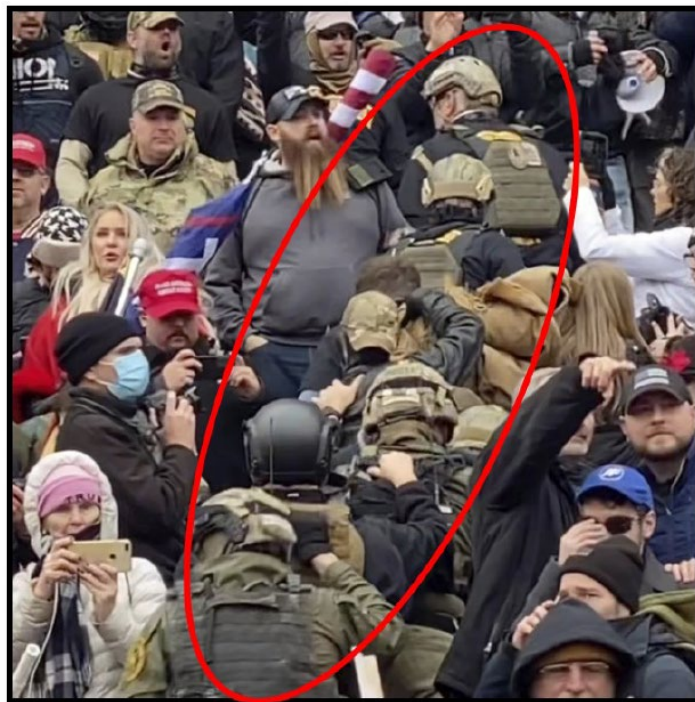


Figure 15. Oath Keepers advance on the Capitol in stack formation.

348. Towards the top of the steps, Oath Keepers member Dolan and Defendant Harrelson joined Stack One.

349. At 2:36 p.m., Proud Boys Chairman Defendant Tarrio posted publicly on social media: “After I finish watching this I’ll make a statement about my arrest . . . But for now I’m enjoying the show . . . Do what must be done. #WeThePeople.”

350. At approximately 2:37 p.m., Nordean entered the Capitol and joined other Proud Boys members who had entered with Biggs.

351. At 2:38 p.m., Tarrio posted publicly on social media: “Don’t fucking leave.”

352. Also at 2:38 p.m., Defendant Vallejo messaged the “DC OP: Jan 6 21” Signal chat: “[Quick Reaction Force] standing by at hotel. Just say the word”

353. At approximately 2:39 p.m.—in response to a Proud Boys member who had asked: “Are we a militia yet?”—Tarrio shared a voice note: “Yep.” Tarrio then posted two additional messages, first stating “Make no mistake . . .” and then admitting “We did this”

354. At approximately 2:40 p.m., Biggs re-entered the Capitol through the Columbus Doors on the east side, by pushing past at least one law enforcement officer.

355. Biggs and other Proud Boys members moved to the Senate chamber.

356. At approximately 2:40 p.m., Stack One—Oath Keepers member Dolan and Defendants Crawl, Hackett, Harrelson, Moerschel, Watkins, S. Parker, Young, Steele, K. Meggs, and C. Meggs, together with other currently unidentified John and Jane Doe Defendants in their group—forcibly entered the Capitol through the Rotunda door in the center of the east side of the building. The group assaulted police officers guarding the door in order to breach the building, including by throwing objects at the officers and deploying chemical irritants against them. This group of Defendants—each suited up in protective combat gear—continued to maintain their Stack formation as they entered, as depicted in Figures 15 and 16.



Figure 16. Oath Keepers in protective combat gear breach the Capitol Building.

357. At 2:44 p.m., Defendant Watkins stated on the “Stop the Steal J6” Zello channel, “We are in the mezzanine. We are in the main dome right now. We are rocking it. They are throwing grenades, they are fricking shooting people with paint balls. But we are in here.”

358. As Defendant Watkins later confirmed when challenged about whether she had actually forced her way into the Capitol: “Forced. Like Rugby. We entered through the back door of the Capitol.” Another of Defendant Watkins’s posts confirmed: “Yeah. We stormed the Capitol today. Teargassed, the whole, [sic] 9. Pushed our way into the Rotunda. Made it into the Senate even. The news is lying (even Fox) about the Historical Events we created today.”

359. Defendant Young later admitted in his plea agreement that “[a]t the time he forcibly entered the building, [Young] believed that he and [certain Oath Keepers] co-conspirators were trying to obstruct, influence, and impede an official proceeding, that is, a proceeding before Congress, specifically, Congress’s certification of the Electoral College vote.”

360. Around the same time, Proud Boys member Garcia uploaded a video to his Facebook account filmed from the inside of the Capitol building. He narrated his actions for his social media followers, stating: “We just went ahead and stormed the Capitol. It’s about to get ugly.” Later in the video, Proud Boys member Garcia can be observed directing those around him to overtake law enforcement in the Capitol. As officers attempted to stop him from advancing, he yelled, “USA! Storm this shit!” See Figure 17.

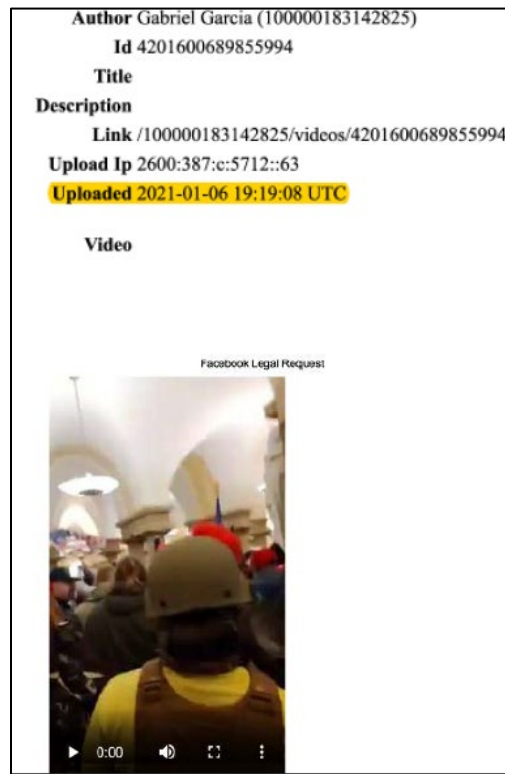


Figure 17. Garcia uploads a video on Facebook showing him directing the crowd to storm the Capitol.

361. Nearly simultaneously, Oath Keepers member Isaacs joined a mob advancing on the Columbus Doors at the central east entrance to the Capitol. The mob, including Isaacs, then assaulted the officers who were guarding the Columbus Doors, throwing objects and spraying chemical irritants at the officers as they violently pulled on the doors. At approximately 2:39 p.m., Isaacs and the mob breached the Columbus Doors and entered the Capitol.

362. Defendant Crowl confirmed the following day that the Defendants had agreed to simultaneously attack the Capitol building through separate doors, stating: “Yes. . . we went in through the east ‘back’ door. Just as they broke through the front door. I’ll have to tell you about it. . . . It. . . was. . . EPIC!!!”

363. At 2:41 p.m. on January 6th, Tarrío posted publicly on social media: “Proud Of My Boys and my country.”

364. By 2:48 p.m., Defendant Caldwell sent a social media message stating: “We are surging forward. Doors breached.”

365. At approximately 2:53 p.m., Proud Boys member Defendant Rehl entered the Capitol via the door on the west side of the building that was adjacent to the window Pezzola had broken.

366. As Nordean and Biggs moved into and out of the Capitol, Tarrío attempted to contact them. At 2:53 p.m., Tarrío called Nordean. At 2:54 p.m., Tarrío called Biggs; the call lasted 42 seconds. Biggs was outside the Capitol, having exited the Senate chamber minutes earlier.

367. At 2:57 p.m., Tarrío posted “1776” on social media. He then posted: “Revolutionaries are now at the Rayburn building,” referring to a House of Representatives office building that had been included in the “1776 Returns” plan that Tarrío had received on December 30, 2020.

368. Proud Boys, Oath Keepers, and their members and affiliates—including the Individual Defendants—continued to force their way into the building.

369. Oath Keepers members Defendants James, Minuta, and Ulrich, along with others, formed another Stack (“Stack Two”), breached the Capitol grounds, and marched from the west

to the east side of the Capitol building and up the east stairs. James was wearing a backpack, a combat shirt, tactical gloves, boots, a paracord attachment, and an Oath Keepers hat and patches. Minuta berated, taunted, and threatened law enforcement officers who were guarding the building. At 3:15 p.m., James and Minuta forcibly entered the Capitol through the east side of the Rotunda—the same path that members of Stack One had used to enter the Capitol earlier that day. Minuta was armed with bear spray and other tactical gear. Defendant Ulrich entered the Capitol building through the same doors shortly thereafter. Walden brought his 82-pound security dog into the building.

370. At 3:16 p.m., while in the Capitol lobby outside the Rotunda, James asked Minuta, “Want to keep pushing in?” Minuta responded, “yup.” James then pushed toward the Rotunda and yelled, “Keep fucking going!”

371. Proud Boys member Eddie Block livestreamed the actions of those around him as they assaulted the Capitol building, telling viewers that “flash bombs [were] going off. Rubber pellets were flying everywhere. Tear gas was everywhere.” Block positioned himself on the second-level balcony of the Capitol grounds where he would continue livestreaming until the police dispersed the crowd later that night.

B. Once Inside the Capitol, the Defendants Continued to Use Violence as They Moved Toward the Congressional Chambers.

372. Once inside, Defendants continued their violent rampage, actively seeking out the official election certification proceedings and individuals with official functions in an effort to disrupt the election certification process with threats and violence.



Figure 18. Defendants and their cohort marching through the halls of the Capitol

373. Defendants Bru, Pepe, and Jackman were captured on video and in photographs walking in the crowd among other Defendant John and Jane Does and others within the Capitol building after overtaking law enforcement outside of the building. *See* Figure 19.

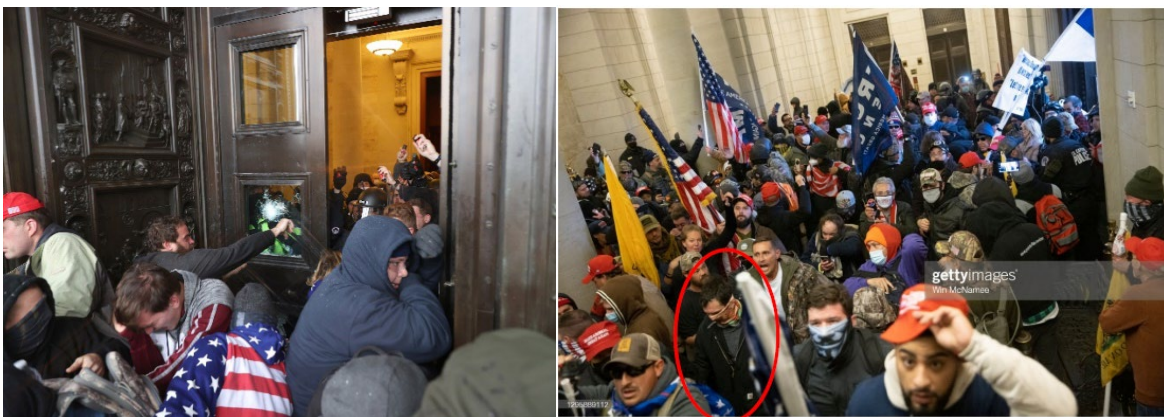


Figure 19. Defendants, including Bru, and their cohort, breach the Capitol and storm its halls.

374. Proud Boys member Defendant Chrestman was also in the crowd, carrying a wooden axe handle. Chrestman threatened a Capitol Police officer, telling him, “You shoot and I’ll take your fucking ass out!” *See* Figure 20.



Figure 20. Defendant Chrestman carrying a wooden axe handle through the Capitol

375. Oath Keepers member Dolan and Defendants Crowl, Hackett, Harrelson, Watkins, Moerschel, S. Parker, Young, Steele, K. Meggs, and C. Meggs, as well as other unidentified John and Jane Doe Defendants in the group, also joined the larger crowd, pushing past law enforcement who attempted to stop them. Some of these Defendants, including Watkins, headed toward the Senate chamber. Law enforcement officers forcibly stopped them. These Defendants then returned to the Rotunda, regrouped, and exited the building. The remaining Defendants from the group—including K. Meggs, Harrelson, Hackett, and Moerschel—moved toward the House of Representatives, searching for Speaker of the House Nancy Pelosi. They did not find her and exited the building.

376. Similarly, Oath Keepers Defendants Minuta and James joined other attackers in pushing a line of law enforcement officers who had formed a barrier between the Rotunda and the Capitol lobby. During this altercation, Defendant James yanked and pushed several police officers while repeatedly yelling, “Get out of my Capitol!” and “This is my fucking building! This is not yours! This is my Capitol!” In particular, James approached MPD Officer J.M., who was performing his official duties, and repeatedly told J.M. to “chill” and yelled, “Do you want out? Do you want out? Do you want out?” James then grabbed Officer J.M.’s vest and pulled him

toward the mob. Other officers behind J.M. grabbed J.M.'s vest and pulled him back into the line of officers. Defendant Minuta recorded these events on camera while yelling, "This is what's bound to happen, just get out! Get out! Get these cops out! It's our fucking building! Get 'em out, get out!" As other members of the mob, including Minuta, pushed James forward into the Rotunda, James yelled: "Keep going!"



Figure 21. Defendant Schaffer shouting as he marches through the Capitol

377. Defendant DeCarlo, who wore a t-shirt reading "Murder the Media," etched those same words into the Memorial Door on the East Front of the Capitol. The door was intended to honor two Capitol Police officers who died in the line of duty in 1998. At the same door, Defendant DeCarlo stole a pair of flexible handcuffs from a Capitol Police officer's bag.

C. Defendants Breached Congressional Chambers in Pursuit of Their Goal of Disrupting Certification of the Election Results.

378. When the mob first broke into the Capitol, members of the House of Representatives and the Senate were tallying the votes cast by members of the Electoral College in the 2020 Presidential Election.

379. Vice President Pence was also at the Capitol in his capacity as the President of the Senate, to preside over the tally of the Electoral College ballots. Having declined to suspend the Electoral College vote tally, Vice President Pence became a target of the mob's violent threats. They chanted, "Hang Mike Pence!"

380. In connection with his guilty plea, Proud Boys member Defendant Greene admitted that, in conspiring with others to enter the restricted area of the Capitol grounds, he intended to send a message to legislators and Vice President Pence. Greene intended to—and in fact did—obstruct, influence, and impede the ongoing congressional proceeding by intimidating or coercing government personnel.

381. As the events unfolded, the risk to the Vice President and members of Congress increased.

382. Police and security personnel barricaded the doors to the House chamber, where lawmakers and others were forced to take cover on the ground as the Defendants and others beat on the doors and attempted to force their way through the barricades. *See Figure 22.*



Figure 22. Capitol security barricades the House chamber with weapons drawn.



Figure 23. Rep. Jason Crow of Colorado, center, comforts Rep. Susan Wild of Pennsylvania while taking cover as the Defendants and others storm the Capitol.

383. At approximately 2:30 p.m., Defendants' unlawful attack on the Capitol had become so disruptive and such a threat to safety and security that congressional staff, members of Congress, and Vice President Pence were evacuated. The Joint Session was halted while law enforcement officers worked to restore order and clear the Capitol of the unlawful occupants, including Defendants.



Figure 24. Evacuation of Members of Congress



Figure 25. Evacuees wear gas masks as they flee the Capitol.



Figure 26. Vice President Pence in the process of being evacuated from the Capitol

384. Many individuals, including Defendants, breached the House and Senate chambers, continuing to flaunt their activities on social media. For example, Defendant Jackman broke into the Capitol with Defendants Biggs and Rehl, entered the gallery of the Senate chamber, and was

videotaped walking up a flight of stairs in the Capitol with his hand on Proud Boys leader Defendant Biggs' shoulder. Jackman entered the Senate chamber and proceeded to take a picture of himself.

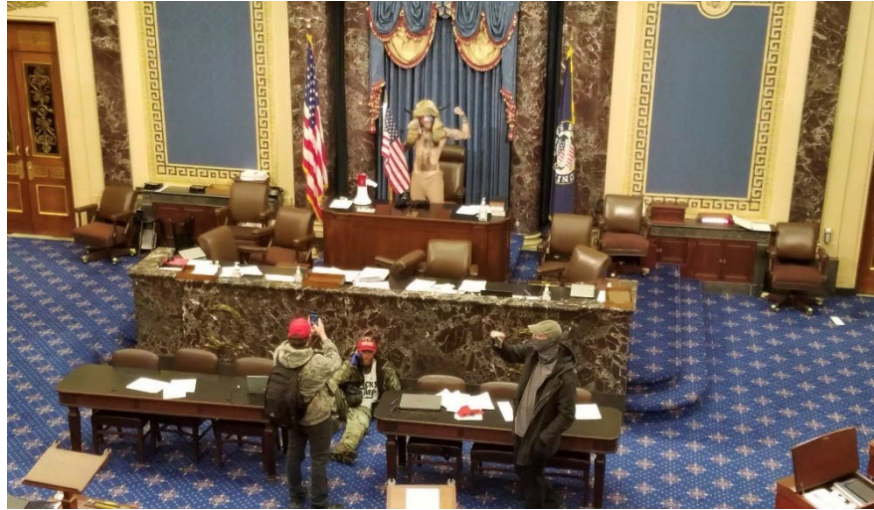


Figure 27. Posing for pictures after storming the Senate chambers

385. Several members of the Defendants' cohort, including some of those who entered the Congressional chambers, carried plastic zip handcuffs for the purpose of capturing and detaining persons, including members of Congress. *See* Figure 28.

386. At 3:09 p.m., an individual messaged the "DC OP: Jan 6 21" Signal chat: "[the] news is reporting Congress given gas masks and are trying to get out." Defendant Rhodes responded: "fuck em" and then posted a photograph of people storming the Capitol.

387. Tarrío posted a message to other Proud Boys leaders that said, "[t]hey'll fear us doing it again." At 4:14 p.m., responding to a group member who had asked what to do, Tarrío wrote, "[d]o it again."



Figure 28. Standing on the Senate floor, holding several plastic zip handcuffs

388. For hours that day, Defendants and thousands of others entered and occupied the grounds of the Capitol building using violence.



Figure 29. The Capitol on the afternoon of January 6th

389. The Joint Session could not reconvene until approximately 8:00 p.m. At approximately 3:40 a.m. on January 7th, Vice President Pence affirmed the election results, formally declaring now President Biden the President-elect.

390. Following the Attack, the Defendants celebrated the havoc they had wrought on the Capitol, in some cases even proudly admitting to the conspiracy between the Proud Boys, the Oath Keepers, their leadership, and certain of their members and affiliates to carry out the January 6th Attack.

391. After Oath Keepers member Defendant James exited the Capitol, he gathered with Rhodes and others about 100 feet from the Capitol, near the building's northeast corner. Rhodes told James that he was glad James and others had gone inside the Capitol.

392. At 11:16 p.m., Proud Boys Chairman Defendant Tarrio posted on social media a video of a masked man that resembled him, wearing a flowing black cape and standing in front of a deserted Capitol. The caption read: "Premonition."

D. Defendants Attacked Law Enforcement Officers Throughout Their Attack on the Capitol.

393. Several Defendants attacked police officers who attempted to defend the Capitol and members of Congress. *See* Figures 30 and 31.



Figure 30. The crowd attacked police as they began to breach the Capitol building.



Figure 31. The crowd clashed with police inside the Capitol building.

394. Members of the crowd sprayed law enforcement officers with bear mace, a pepper spray designed to deter bear attacks that is more concentrated than self-defense products meant to deter human attacks. When sprayed into the face, it causes temporary loss of sight, nasal congestion, and, in some, difficulty breathing.

395. Others dragged and kicked law enforcement officers, pushed them down stairs, trampled them, punched them, and ran over them in a stampede.

396. One MPD officer was beaten by members of the crowd with sticks and crutches, including by one person wielding an American flag. *See Figure 32.* The MPD officer later recalled during his testimony before the House Select Committee that attackers were lunging at him and trying to grab his gun while chanting “kill him with his own gun.”



Figure 32. The crowd of Defendants and others dragging and beating an MPD Officer on the Capitol steps

397. Defendant Pezzola participated in at least one group attack on another police officer. Defendant Pezzola ripped away a Capitol Police officer’s riot shield while the officer was physically engaged with others.

398. Shortly after breaching the Capitol in stack formation, Defendants Crawl, Watkins, S. Parker, Young, and Steele, along with Oath Keepers member Isaacs, moved from the Rotunda through the northbound hallway and attempted to enter the Senate’s wing of Congress.

399. In advancing towards the Senate, Oath Keepers member Isaacs waved the crowd down the hallways to the Senate and yelled “the fight’s not over.”

400. At 2:45 p.m. and afterward, Defendants Crawl, Watkins, S. Parker, and Young, along with Oath Keepers member Isaacs, joined a mob pushing against a line of riot police officers guarding the hallway connecting the Rotunda to the Senate. Defendant Watkins commanded those around her to “push, push, push,” and to “get in there, get in there,” while insisting, “they [the police officers] can’t hold us.”

401. Additional unidentified John and Jane Doe Defendants were involved in similar attacks.

402. Proud Boys member Defendant Nordean later posted a photo on Parler showing a U.S. Capitol Police officer, under siege, using pepper spray during the January 6th Attack, opining that “if you feel bad for the police, you are part of the problem” and urging, “BACK THE BLACK AND YELLOW.”

E. Defendants Coordinated Communications During the Attack.

403. The Individual Defendants and some or all of the currently unidentified John and Jane Doe Defendants kept in communication throughout the January 6th Attack, including through the use of two-way walkie-talkie-style radios, cellular telephones, and social media to coordinate their actions.

404. Many of the Individual Defendants used a Signal chat to discuss the ongoing attack. At 2:41 p.m. that day, a co-conspirator wrote to the group chat, attaching a picture of the southeast side of the Capitol and adding, “South side of US Capitol. Patriots pounding on doors.” Around the same time, Defendants K. Meggs, Crawl, Watkins, S. Parker, Young, Steele, Hackett, Moerschel, and C. Meggs were breaching the doors to the Capitol.

405. Oath Keepers member Defendant Watkins also communicated with other members of Oath Keepers during the Capitol breach over a Zello channel called “Stop the Steal J6”:

- Watkins: “We have a good group. We have about 30-40 of us. We are sticking together and *sticking to the plan*.” (emphasis added).
- Unknown male: “We’ll see you soon, Jess. Airborne.”
- Unknown male: “You are executing citizen’s arrest. Arrest this assembly, we have probable cause for acts of treason, election fraud.”
- Watkins: “We are in the mezzanine. We are in the main dome right now. We are rocking it. They are throwing grenades, they are fricking shooting people with paint balls. But we are in here.”
- Unknown male responds, telling Watkins to be safe, and states: “Get it, Jess. Do your fucking thing. This is what we fucking [unintelligible] up for. *Everything we fucking trained for*.” (emphasis added).

406. At 3:30 p.m., Rhodes messaged the “DC OP: Jan 6 21” Signal chat: “Anyone in DC who is not tasked with a security detail, come yo [*sic*] US Capitol on the Supreme Court side. Come to Capitol on the NE corner.” After exiting the Capitol, K. Meggs, Harrelson, Watkins, James, Minuta, Hackett, Moerschel, and Ulrich, along with others, gathered with Rhodes just outside the Capitol.

407. By 3:57 p.m., Vallejo declared “We are at WAR.” He then attempted, but failed, to launch what he had earlier described in the “DC OP: Jan 6 21” Signal chat as a “drone with a 720p cam for recon use.”

408. Between 2:00 p.m. and 4:05 p.m., Defendant James exchanged multiple phone calls with the January 6th operation leader whom Rhodes had appointed.

409. Defendants also exchanged information about the location of members of Congress, who by that point had begun to hide from the mob that was hunting them.

410. When Caldwell posted a Facebook message that read, “Inside,” he received the following messages, among others:

- “Tom take that bitch over”;
- “Tom all legislators are down in the Tunnels 3 floors down”;
- “Do like we had to do when I was in the core start tearing out floors go from top to bottom”; and
- “Go through back house chamber doors facing N left down hallway down steps.”

411. One co-conspirator communicated to Caldwell: “All members are in the tunnels under capital [*sic*] seal them in. Turn on gas.”

412. Another affiliate, Keith Lee, reported on a podcast during the Attack that “backup” was arriving at the Capitol, including more Proud Boys.

413. In an indictment, prosecutors revealed that Rhodes, his deputy, and three additional members of the Oath Keepers who acted as guards for the political consultant Roger Stone on January 6th exchanged 19 phone calls during the January 6th Attacks totaling over three hours.

414. Although he was not physically present at the Capitol, Tarrio used social media to express his encouragement of, and pride in, those executing the Attack. *See supra* ¶¶ 349-67.

415. On January 7, 2021, Tarrio sent a message to MOSD members that read, “proud of y’all.”

F. Defendants’ Actions After the Attack Further Confirm That They Intended to Forcibly Impede the Election Certification and Prevent President Biden and Vice President Harris from Assuming Office.

416. In the immediate aftermath of the Attack, the Defendants reveled in their perceived victory. On January 6, 2021, after leaving Capitol grounds, Defendant Greene bragged on social media that “we took the [Capitol].” That same night, at Rhodes’s instruction, Oath Keepers

members Defendants Rhodes, James, and Vallejo, along with others, gathered at a restaurant in Vienna, Virginia to recount and celebrate the Attack.

417. As the night went on, however, it became clear that the Defendants' efforts had not succeeded in preventing certification of the electoral votes—and therefore had failed to prevent President Biden and Vice President Harris from assuming office.

418. Accordingly, the Defendants continued to plot in an effort to achieve their goals.

419. At the Vienna, Virginia restaurant, Rhodes discussed saving “the Republic” by stopping the transfer of presidential power and began planning to oppose the Inauguration on January 20, 2021, including by instructing others to openly carry firearms at state capitols nationwide.

420. While at the restaurant, Rhodes and James started to believe that law enforcement was searching for Rhodes. The group collected their belongings from their hotel and met at a nearby gas station, where James saw what he estimated to be thousands of dollars' worth of firearms, ammunition, and related equipment in Rhodes's vehicle. Rhodes divided up the firearms and other gear among James and others, who were in three different cars. Rhodes left his mobile phone with one person and departed with another person, so that law enforcement could not find and arrest him. The three cars drove off in separate directions.

421. James returned to Alabama with some of Rhodes's gear, including firearms and tactical equipment.

422. That evening, Greene ordered over 2,000 rounds of ammunition and a gas mask. In encrypted messages to other Proud Boys members, he said they had to “take back our country” and “stand together now or end up in the gulag separately.”

423. Later that night, Rhodes messaged the “DC OP: Jan 6 21” Signal Chat: “You ain’t seen nothing yet.”

424. That night, Defendant Vallejo messaged the same Signal group: “We’ll be back to [sic] 6am to do it again. We got food for 30 days.” He added: “We have only [begun] to fight!” and “‘After Action Reports’ will be dated 1/21/21”—the day after President Biden’s inauguration.

425. Defendant K. Meggs wrote: “We aren’t quitting!! We are reloading!!” Rhodes wrote: “Patriots entering their own Capitol to send a message to the traitors is NOTHING compared to what’s coming.”

426. On January 7, 2021, at 5:46 a.m., Defendant Vallejo messaged the “DC OP: Jan 6 21” Signal group: “We are going to probe their defense line right now 6 am they should let us in. We’ll see.” At 5:54 a.m., he wrote: “Departing for Recon now. Stewart [Rhodes] call me when you’re up.” Approximately ten minutes later, Vallejo wrote: “I’ll depart when cleared by my Commander Sir. Be well, and peace be with you.”

427. Vallejo then texted Rhodes in a private Signal message: “Status report posted in Ops[,] room extended 1 day[.] Standing by awaiting orders, Sir.”

428. Later that morning Defendant Vallejo and his fellow Arizona Quick Reaction Force team member reappeared on the same podcast they had appeared on before the Attack, confirming that, although the Defendants had tried and failed to prevent certification of the election results, they would not accept defeat. Vallejo’s team member stated: “We are here, prepared in all aspects, to support the Constitution and honor our Oaths It’s not really plausible to non-violently protest anymore because the entire area is closed, and cordoned, and curfewed. So the question becomes, when we realize that this wrong has been done, what are the next steps? I mean is this the shot heard ‘round the world moment?” When the podcast host asked Vallejo if he planned to

return to Arizona, Vallejo responded: “I don’t know. We’ve got to figure out what happens on the 20th [Inauguration Day].” Vallejo added: “I’m never done. . . . I’m waiting for orders from Stewart Rhodes.”

429. On January 8, 2021, Defendant Rhodes met with Defendant James in Alabama, where James showed Rhodes a video of James’s physical altercation with law enforcement officers inside the Capitol on January 6th. Rhodes expressed gratitude for James’s actions and instructed James to conceal his identity.

430. Also on January 8th, an individual whom James understood to be an attorney for the Oath Keepers messaged a Signal group chat that included James and Rhodes with instructions to delete “self-incriminating comments or those that can incriminate others.” James, in turn, instructed Ulrich and Oath Keepers member Grods to delete messages.

431. Also on January 8th, James collected his firearms and a shotgun belonging to Grods and traveled to Texas, where he stayed with Rhodes. The purpose of the stay was, in part, to act as security for Rhodes and to prepare to execute Rhodes’s instructions.

432. In the days that followed, Rhodes continued to prepare for battle. Between January 10 and January 19, 2021, Rhodes spent approximately \$17,500 on firearms parts, hundreds of rounds of ammunition, sights, bipods, mounts, scopes, backpacks, a gun grip, a magazine pouch, magazines, duffel bags, a gun light, a scope leveler, targets, a gun case, holsters, and gun-maintenance equipment, among other items. James accompanied Rhodes to purchase at least some of this equipment, and Rhodes gave James an AR-platform firearm, which James understood he was to use to defend Rhodes against law enforcement in the event of an arrest.

433. Rhodes also gave James a burner phone and instructed James to manufacture a false identity, which James did. Rhodes forbade James and others from having their mobile phones powered on or even nearby whenever they discussed the election and their next steps.

434. On January 10, 2021, Defendant James messaged Defendant K. Meggs asking if K. Meggs and other Florida Oath Keepers were coming to Texas. K. Meggs responded: “Fl stays home until shots fired!” The same day, Defendant Ulrich sent a Signal message to James saying that James and Rhodes should stay “below the radar.”

435. On January 11, 2021, Defendant Rhodes messaged Defendant Vallejo on Signal asking where Vallejo was. Rhodes explained that he was in the Fort Worth area. Vallejo replied: “C U there[.] Godspeed Sir.”

436. On January 12, 2021, an Arizona Quick Reaction Force member—who was driving through Texas on his way from the District to Arizona—messaged Defendant Rhodes: “Hi Stewart. I’m sure you’re busy[] but wanted to let you know that [Defendant Vallejo] and I are here. . . . We are excited to learn next steps and would like to know what we should be doing right now.”

437. Also on January 12, Rhodes wrote in the Leadership Intel Chat that unless President Trump invoked the Insurrection Act, “we need to accept reality and stop with the self-delusional nonsense and prepare to walk the Founder’s path.” On January 14, 2021, Rhodes shared a similar message in a Signal group chat of Wyoming Oath Keepers members, writing that “patriots” should “[p]repare to walk the same path as the Founding Fathers of condemnation of an illegitimate regime, nullification/mass non-compliance, defiance, mutual defense, and resistance.”

438. On January 20, 2021—Inauguration Day—Defendant James messaged another individual: “After this . . . if nothing happens . . . its [*sic*] war . . . Civil War 2.0.”

439. Around this time, Defendant Rhodes messaged others to organize local militias to oppose President Biden's administration.

440. On January 24, 2021—after the first co-conspirators were arrested—Defendant Rhodes took steps to conceal his participation in the conspiracy. He messaged Defendant Vallejo on Signal: “[K]eep in mind that is NOT a secure chat. Contains at least one turncoat snitch.” Vallejo responded: “[i]f you ever need me for ANYTHING I am on call and am at your service, Sir!”

VI. The District of Columbia Answered the Call to Provide Support during the January 6th Attack—and Was Injured as a Result.

441. In response to concerns leading up to January 6th, MPD deployed its officers on 12-hour shifts around the District. No officers were permitted to take leave on that day.

442. Other law enforcement partners such as the Metropolitan Transit Police and non-law enforcement agencies such as the District's Homeland Security and Emergency Management Agency and the Fire and Emergency Medical Services Department were also supporting these efforts.

443. The measures taken by MPD and others to prepare for January 6th were unprecedented: never before had the certification of an election required such significant allocation of law enforcement resources.

444. Nonetheless, these resources were insufficient to counter the unprecedented violent assault on the U.S. Capitol by Defendants in an attempt to halt the counting of the electoral ballots, an essential step in the peaceful transfer of the presidency.

445. As the events described above began to unfold, the Capitol Police quickly discovered that they could not defend the Capitol alone. Accordingly, at 12:58 p.m. on January 6th, the Chief of the Capitol Police asked for MPD's assistance at the Capitol.

446. MPD responded immediately, deploying several Civil Disturbance Unit Platoons.

447. By the time MPD officers arrived at the Capitol, the area was in chaos.

448. MPD officers were engaged in a battle for hours. Many were forced into hand--to-hand combat to prevent even more of the Defendants and their cohort from gaining entry into the Capitol.

449. By 2:30 p.m., MPD resources were so overwhelmed that the District had to request additional police officers from as far away as New Jersey.

A. MPD Officers Suffered Physical and Mental Injuries as a Result of the Defendants' Attack

450. At least 65 MPD officers reported sustaining injuries as a direct result of the January 6th Attack.

451. One officer was beaten in the face, including with his own baton, which was stripped from him by Defendants and their co-conspirators. The same officer was also hit by a metal pole that was hurled at him, causing a concussion and permanent injuries to his head and neck. The officer died by suicide after struggling with severe depression and brain injuries caused by the concussion.

452. Another officer was electrocuted multiple times as he was beaten unconscious by the crowd while screaming for help. While the crowd was beating him with fists and hard metal objects, they shouted "kill him with his own gun" and stripped his badge, radio, and ammunition from his body. As a result of his injuries, he lost consciousness for more than four minutes.

453. Other officers' physical injuries ranged from bruised arms and legs, swollen ankles and wrists, and lacerations, to more serious damage such as irritated eyes and lungs from sprayed chemicals, cracked ribs, shattered spinal discs, wounds from being hit with a metal fence stake,

and injuries from head blows from various objects, including metal poles ripped from inauguration-related scaffolding and an American flagpole.

454. Officers also suffered extensive psychological injuries. Dr. Beverly Anderson, a therapist who serves as the clinical director of the Metropolitan Police Employee Assistance Program, has worked with nearly 1,000 officers since the January 6th Attack in an effort to help them cope with the physical and emotional trauma caused by the Defendants and their cohort. During the course of her work, Dr. Anderson discovered that some officers suffered head traumas as a result of the Attack that had previously gone undiagnosed.

455. The effects of these wide-ranging injuries are severe and sustained over time. Some officers were still on leave months after the Attack as a result of the trauma they suffered at the Defendants' hands.

B. The District Has Incurred Significant Damages as a Result of Defendants' Unlawful Actions

456. For the District, the fiscal costs of this Attack—which are directly attributable to the Defendants' calculated, pre-planned, and coordinated actions—have been steep.

457. The Defendants' actions necessitated an unprecedented deployment of MPD resources. During the height of the Attack, approximately 850 MPD officers were at the Capitol; by the day's end, approximately 250 additional MPD officers were in the area to support the response and aftermath. These numbers far exceed the number of officers necessary for the MPD's usual duties, including usual duties carried out during non-violent rallies and protests, and the costs to the District arising from this expansive deployment of MPD resources was significant.

458. The District also incurred costs related to the emergency and other medical care provided to MPD officers who were injured as a result of the Defendants' actions. Dozens of MPD officers formally reported and were treated for injuries resulting from the Defendants' Attack.

Many MPD officers also required—and in some cases, still require—mental health care following the traumatic events that unfolded during the Attack. The District expects to pay for continued medical care for these officers as necessary going forward, including care related to the impact of the Attack on MPD officers’ mental health.

459. While the costs to the District are still being investigated and tallied, the District has preliminarily estimated that MPD incurred millions of dollars in costs during the week of January 6th alone.

COUNT I: 42 U.S.C. § 1985(1)
(ALL DEFENDANTS)

460. Plaintiff reincorporates by reference the allegations contained in all preceding paragraphs.

461. Plaintiff states Count One, under 42 U.S.C. § 1985(1), against all Defendants.

462. Defendants agreed and entered into a conspiracy amongst themselves and with other co-conspirators, in the United States, to storm the Capitol building violently and unlawfully on January 6, 2021 (the “Section 1985 Conspiracy”).

463. The object of the Section 1985 Conspiracy was to prevent, interrupt, hinder, and impede, through force, intimidation, and threat: (i) United States officials from discharging official duties of their offices and positions of trust as part of the formal process for counting and certifying the count of electoral votes for the 2020 presidential election and declaring a winner of the 2020 presidential election; (ii) President Biden and Vice President Kamala Harris from accepting or holding the offices of President of the United States and Vice President of the United States, respectively; and (iii) President Biden and Vice President Harris from discharging any duties of the offices of President of the United States and Vice President of the United States, respectively.

464. Defendants also conspired to injure Vice President Pence's person and property on account of his lawful discharge or performance of his duties as Vice President of the United States and President of the Senate with respect to the election.

465. In furtherance of the conspiracy, Defendants and their co-conspirators:

- a. engaged in preparations and took steps to advance the goals of their conspiracy against United States officials in advance of and on January 6, 2021, and
- b. violently overran federal and District police forces as Defendants forced their way into the Capitol building, where Defendants used force, intimidation, and threats to prevent Congress from following the constitutional process set out by the Twelfth Amendment and 3 U.S.C. § 15 for counting and certifying electoral votes for, and declaring a winner of, the 2020 presidential election.

466. Through these actions, Defendants and their co-conspirators perpetrated malicious and unlawful acts in furtherance of their conspiracy, including, but not limited to:

- a. unlawfully obstructing federal officials in the performance of their constitutional duties;
- b. unlawfully trespassing on federal property;
- c. physically threatening or attempting to cause physical injury to federal, state, and municipal police officers, including MPD officers employed by Plaintiff who were acting in the line of duty to protect the Capitol; and
- d. engaging in harmful bodily contact against federal, state, and municipal police officers, including MPD officers employed by Plaintiff, injuring many.

467. As a direct result of Defendants' and their co-conspirators' unlawful conspiracy and the actions taken in support of that conspiracy, the District suffered extraordinary damages and costs, including but not limited to:

- a. costs to dispatch hundreds of MPD officers to defend the Capitol and its surroundings against the Defendants' attack, including transportation, coordination, and overtime expenses;

- b. costs for emergency and other medical treatment for injured MPD officers; and
- c. costs for paid leave for MPD officers who could not work as a result of their injuries.

468. Based on the foregoing, Defendants are jointly and severally liable to Plaintiff under 42 U.S.C. § 1985(1) for the harms suffered by the District.

COUNT II: 42 U.S.C. § 1986
(ALL DEFENDANTS)

469. Plaintiff reincorporates by reference the allegations contained in all preceding paragraphs.

470. This Count is brought by Plaintiff against all Defendants.

471. Defendants had actual knowledge of the conspiracy among the Defendants and their unnamed co-conspirators described in Count I, *supra*.

472. As alleged in Count I, the District suffered damages as a result of Defendants' Section 1985 Conspiracy.

473. Defendants were well aware that the wrongs pled in Count I were about to and would be committed, as Defendants were present and participated actively in the conspiracy and the actions taken in furtherance of the conspiracy that resulted in the injuries suffered by the District. Thus, each of the Defendants had the power to prevent or aid in preventing the commission of the same.

474. Despite this awareness, Defendants neglected or refused to prevent the conspiracy. To the contrary, Defendants spread misinformation, fanned the flames of the conspiracy, actively encouraged and participated in the actions that left the Capitol in shambles, threatened a vital component of our democracy, and injured law enforcement.

475. Based on the foregoing, Defendants are liable to Plaintiff under 42 U.S.C. § 1986 for the harms they caused to the District.

COUNT III: ASSAULT
(CIVIL CONSPIRACY BY ALL DEFENDANTS)

476. Plaintiff reincorporates by reference the allegations contained in all preceding paragraphs.

477. This Count is brought by Plaintiff against all Defendants.

478. As set forth above, Defendants agreed to participate together in a common scheme to commit unlawful acts, or to commit lawful acts by unlawful means, including, but not limited to, unlawfully obstructing federal officials in the performance of their constitutional duties, unlawfully inciting and carrying out a riot, unlawfully trespassing on federal property, and committing numerous acts of intimidation, threats of violence, and violence.

479. Pursuant to and in furtherance of that common scheme, the Defendants' intentional acts caused individuals in and around the Capitol, including MPD officers, to suffer immediate apprehension of harmful or offensive bodily contact.

480. Based on the foregoing, all Defendants are liable to the District as civil co-conspirators for the resulting damage.

COUNT IV: BATTERY
(CIVIL CONSPIRACY BY ALL DEFENDANTS)

481. Plaintiff reincorporates by reference the allegations contained in all preceding paragraphs.

482. This Count is brought by Plaintiff against all Defendants.

483. As set forth above, Defendants agreed to participate together in a common scheme to commit unlawful acts, or to commit lawful acts by unlawful means, including, but not limited to, unlawfully obstructing federal officials in the performance of their constitutional duties,

unlawfully inciting and carrying out a riot, unlawfully trespassing on federal property, and committing numerous acts of intimidation, threats of violence, and violence.

484. Pursuant to, and in furtherance of that common scheme, the Defendants' intentional actions caused harmful and offensive bodily contact with individuals in and around the Capitol, including MPD officers.

485. Based on the foregoing, all Defendants are liable to the District as civil co-conspirators for the resulting damage.

COUNT V: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
(CIVIL CONSPIRACY BY ALL DEFENDANTS)

486. Plaintiff reincorporates by reference the allegations contained in all preceding paragraphs.

487. This Count is brought by Plaintiff against all Defendants.

488. As set forth above, Defendants agreed to participate together in a common scheme to commit unlawful acts, or to commit lawful acts by unlawful means, including, but not limited to, unlawfully obstructing federal officials in the performance of their constitutional duties, unlawfully inciting and carrying out a riot, unlawfully trespassing on federal property, and committing numerous acts of intimidation, threats of violence, and violence.

489. Pursuant to, and in furtherance of that common scheme, Defendants exhibited extreme and outrageous conduct that went beyond all possible bounds of decency. This conduct intentionally or recklessly caused MPD officers to suffer from severe emotional distress, as described *supra*.

490. Based on the foregoing, all Defendants are liable to the District as civil co-conspirators for the resulting damage.

PRAYER FOR RELIEF

Wherefore, Plaintiff respectfully requests an award of the following relief:

- A. A declaratory judgment that the actions described herein constitute a violation of 42 U.S.C. § 1985(1); 42 U.S.C. § 1986; and the torts of assault, battery, and intentional infliction of emotional distress.
- B. Injunctive relief enjoining Defendants from engaging in future violations of 42 U.S.C. § 1985(1); 42 U.S.C. § 1986; and the torts of assault, battery, and intentional infliction of emotional distress.
- C. Compensatory and statutory damages in an amount to be determined at trial as to damages incurred by the District resulting from the events alleged above.
- D. Punitive damages at an amount to be determined at trial.
- E. Attorneys' fees and court costs under 42 U.S.C. § 1988.
- F. Such other relief as the Court deems just and proper.

JURY DEMAND

The District demands a trial by jury for all claims so triable.

Dated: April 1, 2022

Counsel for Plaintiff District of Columbia:

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