

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America
v.

Robin Lee Reiersen
DOB: XXXXXX

Defendant(s)

Case: 1:23-mj-00215

Assigned To : Harvey, G. Michael

Assign. Date : 8/18/2023

Description: Complaint W/ Arrest Warrant

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 6, 2021 in the county of in the
in the District of Columbia, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 231(a)(3) - (Civil Disorder),

18 U.S.C. § 111(a)(1) - (Assaulting, Resisting, or Impeding Certain Officers),

18 U.S.C. § 1752(a)(1) - (Entering and Remaining in a Restricted Building or Grounds),

18 U.S.C. § 1752(a)(2) - (Disorderly and Disruptive Conduct in a Restricted Building or Grounds),

18 U.S.C. § 1752(a)(4) - (Engaging in Physical Violence in a Restricted Building or Grounds),

40 U.S.C. § 5104(e)(2)(D) - (Disorderly Conduct in a Capitol Building),

40 U.S.C. § 5104(e)(2)(F) - (Act of Physical Violence in the Capitol Grounds or Buildings).

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.

[Redacted signature]

Complainant's signature

[Redacted name and title]

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1
by telephone.

Date: 08/18/2023

Judge's signature

City and state: Washington, D.C.

Honorable G. Michael Harvey

United States Magistrate Judge

Case: 1:23-mj-00215  
Assigned To : Harvey, G. Michael  
Assign. Date : 8/18/2023  
Description: Complaint W/ Arrest Warrant

**STATEMENT OF FACTS**

Your affiant, [REDACTED], is a Special Agent with the Federal Bureau of Investigation (FBI) assigned to the Chicago Field Office. In my duties as a Special Agent, I handle initial threat information, criminal complaints, events and suspicious activities. Currently, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. As a Special Agent I am authorized by law or by a Government agency to engage in or supervise the prevention, detection, investigation, or prosecution of a violation of Federal criminal laws.

The U.S. Capitol is secured 24 hours a day by U.S. Capitol Police. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by U.S. Capitol Police. Only authorized people with appropriate identification were allowed access inside the U.S. Capitol. On January 6, 2021, the exterior plaza of the U.S. Capitol was also closed to members of the public.

On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in separate chambers of the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Shortly thereafter, by approximately 1:30 p.m., the House and Senate adjourned to separate chambers to resolve a particular objection. Vice President Mike Pence was present and presiding, first in the joint session, and then in the Senate chamber.

As the proceedings continued in both the House and the Senate, and with Vice President Mike Pence present and presiding over the Senate, a large crowd gathered outside the U.S. Capitol. As noted above, temporary and permanent barricades were in place around the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside.

At such time, the certification proceedings were still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, around 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows and by assaulting members of the U.S. Capitol Police, as others in the crowd encouraged and assisted those acts.

Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress was effectively suspended until shortly after 8:00 p.m. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the sessions resumed.

During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of

violations of local and federal law, including scores of individuals inside the U.S. Capitol building without authority to be there.

### **BOLO #433**

In mid-July 2021, based on a review of body-worn camera (BWC) footage from Washington, D.C.'s Metropolitan Police Department (MPD),<sup>1</sup> FBI investigators identified a male wearing a brown jacket, gray hoodie, light colored gloves, jeans, and a black motorcycle helmet<sup>2</sup> who engaged with MPD officers on the Lower West Terrace of the U.S. Capitol on January 6, 2021. The FBI later assigned this unidentified subject BOLO-AFO #433 ("Be On the Lookout – Assault on Federal Officer").

MPD BWC and open-source video from January 6, 2021, show BOLO #433 actively engaging with officers at the police line on the Lowest West Terrace. For instance, while rioters were attempting to overwhelm officers by breaching a metal barrier on the Lower West Terrace, BOLO #433 used his back and body to push on the metal barrier that officers were holding to maintain their police line. *See Images 1<sup>3</sup> and 2.<sup>4</sup>*

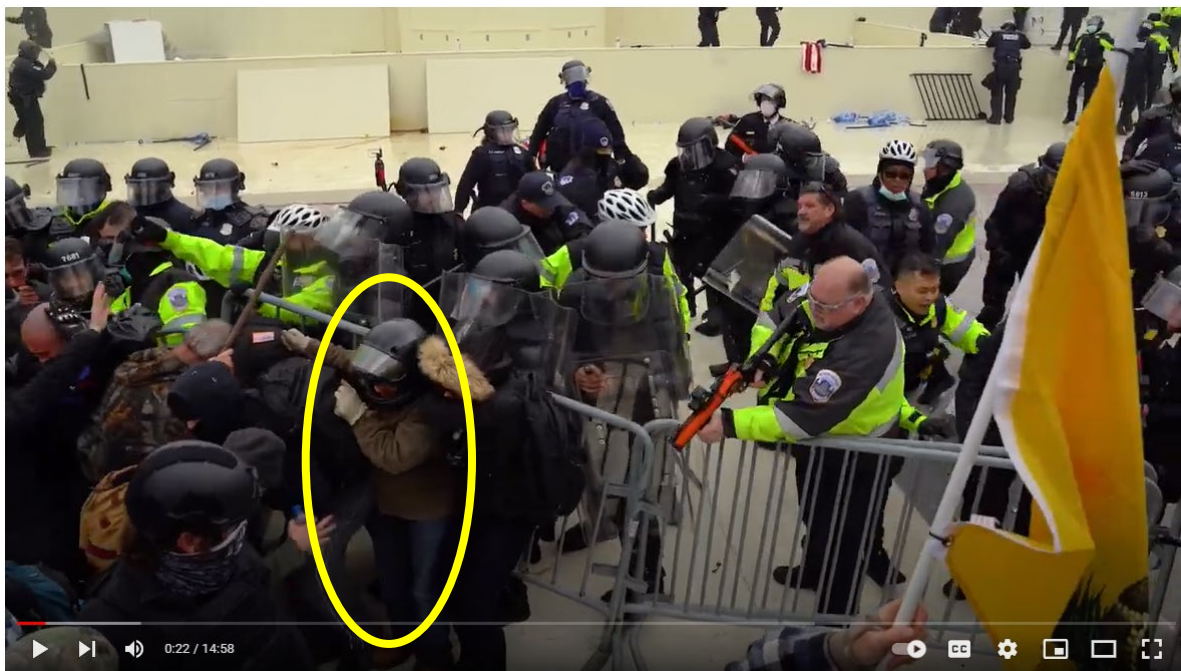


Image 1

<sup>1</sup> MPD was present at the Capitol on January 6, 2021, assisting U.S. Capitol Police.

<sup>2</sup> It is possible that this black helmet could also be some kind of work or welding helmet.

<sup>3</sup> Chaos on Capitol Hill (Full Version), YouTube, available at: <https://youtu.be/UN-La03NHoI>; (last visited April 24, 2023) (screenshot from 00:22 seconds, yellow circle added).

<sup>4</sup> *Id.* (screenshot from 00:23 seconds, yellow circle added).

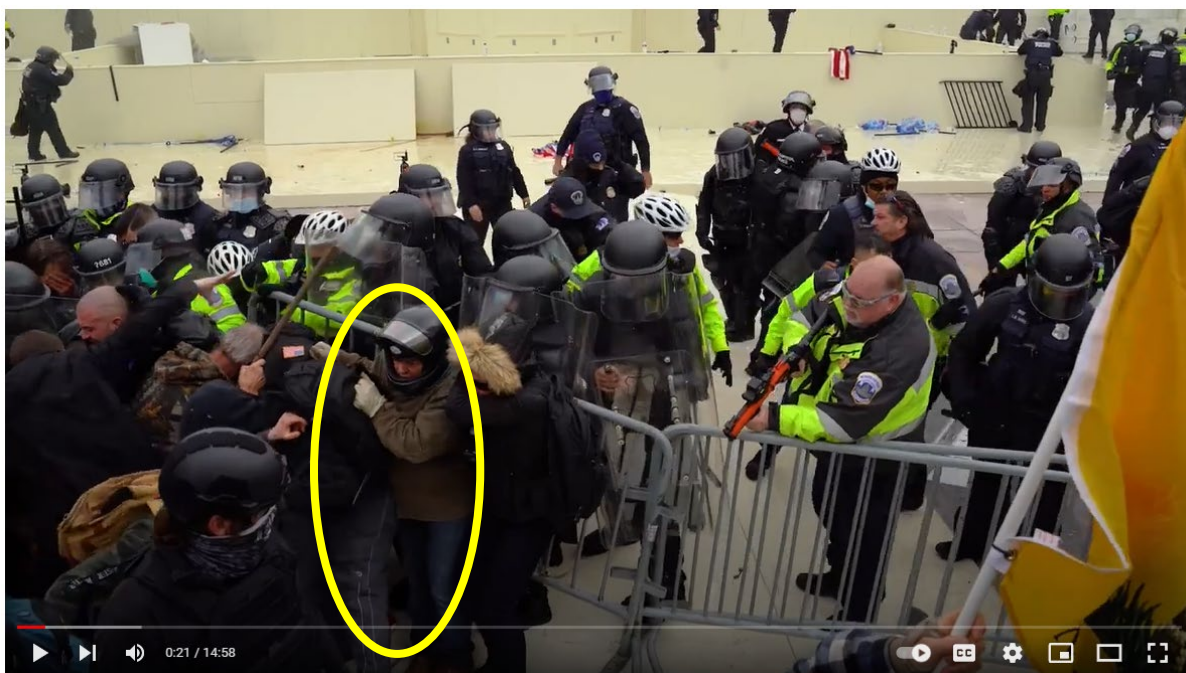


Image 2

In addition, at approximately 2:30 p.m. on January 6, 2021, BOLO #433 physically pushed officers using both hands and by lowering his shoulder into officers. *See Images 3 and 4.*



Image 3



Image 4

FBI analysis of MPD BWC footage revealed one of the officers pushed by BOLO #433 to be MPD Officer B.R. Furthermore, a nearby officer's BWC captured BOLO #433 grabbing and attempting to take possession of Officer B.R.'s baton. *See* Images 5 and 6.



Image 5



Image 6

In a publicly-available video on YouTube, the same male wearing a black motorcycle helmet, brown jacket, and gray hoodie can be seen in a crowd that is actively chanting “Stop the Steal!” See Image 7.<sup>5</sup> I believe that the individual depicted in this video is BOLO #433, because he is wearing the same black motorcycle helmet, brown jacket, and gray hoodie.



Image 7

<sup>5</sup> FULL FOOTAGE: Patriots STORM U.S. Capitol (4K60fps), Former Wagie (UCANz\_VxdPNarqUF3Vcse3DQ), available at: <https://www.youtube.com/watch?v=iNFcdpZdkh0&t=1934> (last visited April 24, 2023) (screenshot from 32:13; yellow circle added).

In an additional publicly available video on YouTube, a white male can be heard telling members of the crowd multiple times, “Don’t stop, keep going. Put the cameras down, keep going.” *See* Image 8.<sup>6</sup> I believe the individual depicted in this video and the screenshot below is the same individual identified as BOLO #433, because he is wearing the same brown jacket with a gray hoodie underneath as depicted in the previous screenshots. In this video, he has removed his motorcycle helmet, exposing his face.



Image 8

Finally, an archived, open-source photograph shows BOLO #433 as he walks away from the Capitol building. BOLO #433 is identifiable as wearing the same brown jacket with a gray hoodie underneath, and he is carrying the black motorcycle helmet he was wearing in the previously described videos. *See* Image 9<sup>7</sup>.

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<sup>6</sup> Save America capitol descent, Roxanne Kravitz (UCBhPcu4JP8PcBc6UFMJ0L1w), YouTube, available at: <https://www.youtube.com/watch?v=8ZagivtJLiw&t=160> (last accessed April 24, 2023) (screenshot from 02:39, yellow circle added).

<sup>7</sup> Available at: <https://archive.org/details/CXM7StYWh2k8t8L6R/CXM7StYWh2k8t8L6R>.jpg.

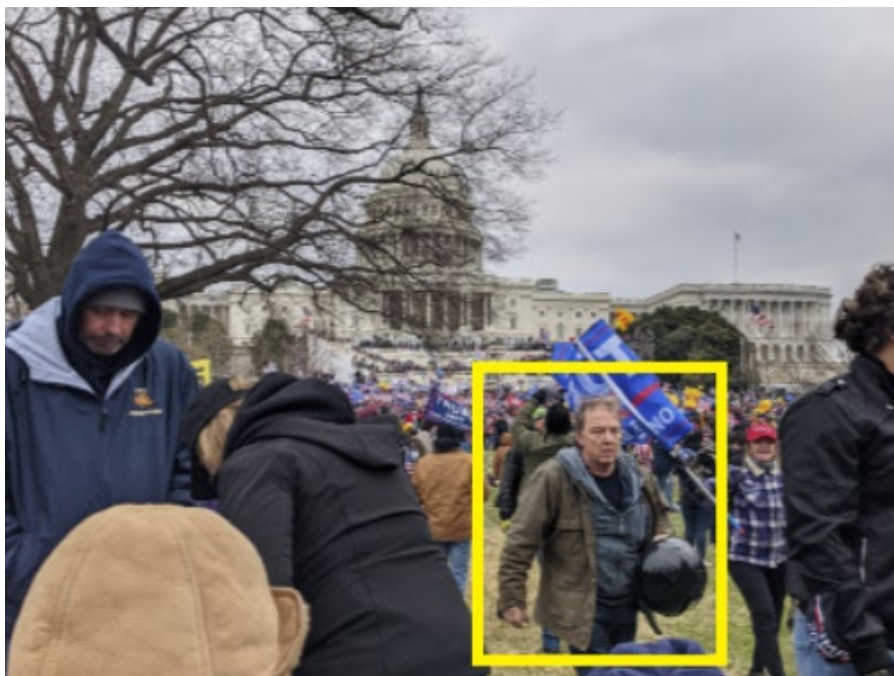


Image 9

***Identification of FBI BOLO #433 as Robin Reierson***

On or around January 13, 2021, an online tip reported to the FBI that an employee of Argonne National Laboratory, Robin Reierson, was possibly involved in the January 6th riots at the United States Capitol.

The FBI then compared Image 8, above, with the Illinois Driver's License of Robin Lee Reierson ("REIERSON"). I concluded that the photographs depicted the same individual and proceeded in my investigation with the presumptive identification of BOLO #433 as REIERSON.

In October 2022, REIERSON's identity was confirmed by a local police officer. The local police officer knows REIERSON as a member of the community and as a result of being dispatched to REIERSON's address in Schiller Park, Illinois in April 2021. The officer confirmed that the Driver's License photograph that the FBI had obtained depicted REIERSON and that Image 8, above, matched the Driver's License photograph.

In January 2023, an FBI Task Force Officer ("TFO") conducted surveillance on REIERSON's residence and saw a white male leave the house. The TFO confirmed that the individual who the TFO saw leave the house is the same individual depicted in the videos and photographs from January 6, 2021, described above, and is the same individual as depicted in REIERSON's driver's license.

In February 2023, I conducted surveillance on REIERSON's residence and saw a white male leave the house. I believe that the individual who I saw left the house is the same individual depicted in the videos and photographs from January 6, 2021, described above, and is the same as individual depicted in REIERSON's driver's license. I observed, the individual (whom I believe



to be REIERSON) depart the house in a cargo van with the same Illinois license plate that was driven to Washington, D.C., on January 5, 2021, and back to Illinois on January 7, 2021, as described more fully below.

Illinois State Toll Highway Authority Records for REIERSON's I-PASS indicate that REIERSON'S registered vehicle, a 2004 Chevrolet Express 1500 cargo van with an Illinois plate ending in \*\*\*\*67, traveled through the Indiana, Ohio, and Pennsylvania Turnpikes on both January 5, 2021, and again on January 7, 2021. The same Illinois plate number, when run through a License Plate Number database for Washington, D.C., produced a positive return for a partial hit.

According to REIERSON's credit card statements, obtained in response to a grand jury subpoena, gasoline credit purchases for REIERSON were made in Elkhart, Indiana; Mantua, Ohio; and Myersville, Maryland on January 5, 2021, which tracks a reasonable route from Illinois to the D.C./Maryland/Virginia region. *See* Figure 1, below. REIERSON's credit card statements also indicate gasoline purchases in Hunker, Pennsylvania and West Unity, Ohio on January 7, 2021, tracking a reasonable route from the Washington, D.C./Maryland/Virginia region back to Illinois. *See* Figure 2, below.

According to registration records from the Holiday Inn National Airport/Crystal City, address of 2650 Richmond Highway, Arlington, VA 22202, Robin REIERSON of Schiller Park, Illinois, date of birth \*\*/\*\*/1954, stayed at that hotel with a check-in date of January 5, 2021, and a check-out date of January 7, 2021. REIERSON's credit card statements confirm the same.

Based on my training and experience, REIERSON's highway toll records and credit card purchase history between January 5, 2021 and January 7, 2021 are consistent with REIERSON travelling in the aforementioned Chevrolet Express cargo van from Schiller Park, Illinois to the greater Washington, D.C. area on January 5, 2021 and returning on January 7, 2021 as illustrated by Figures 1 and 2 below.

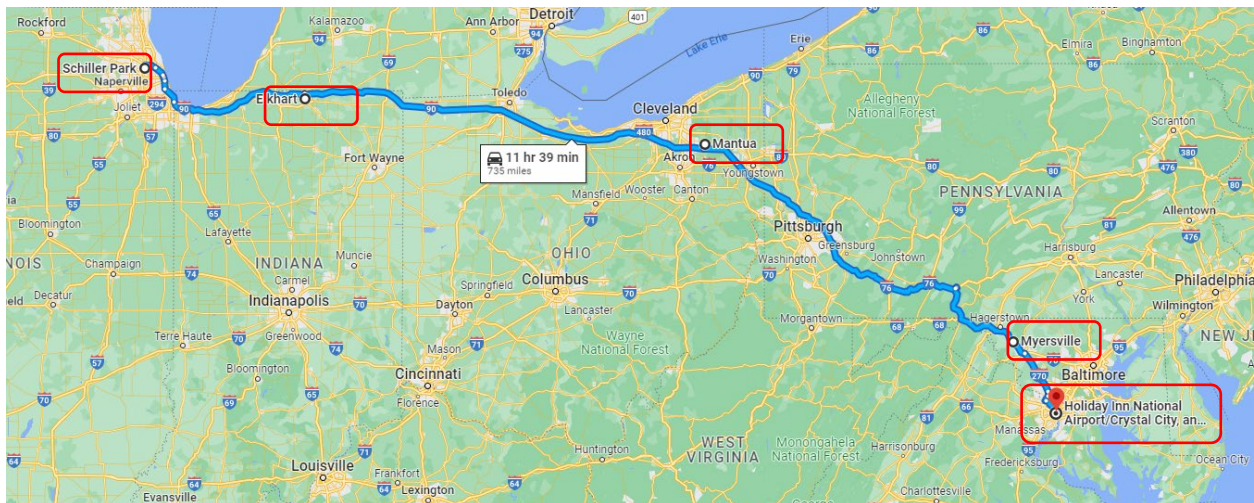


Figure 1: REIERSON's Gasoline Purchases on January 5, 2021, between his residence and the Holiday Inn National Airport/Crystal City via Google Maps

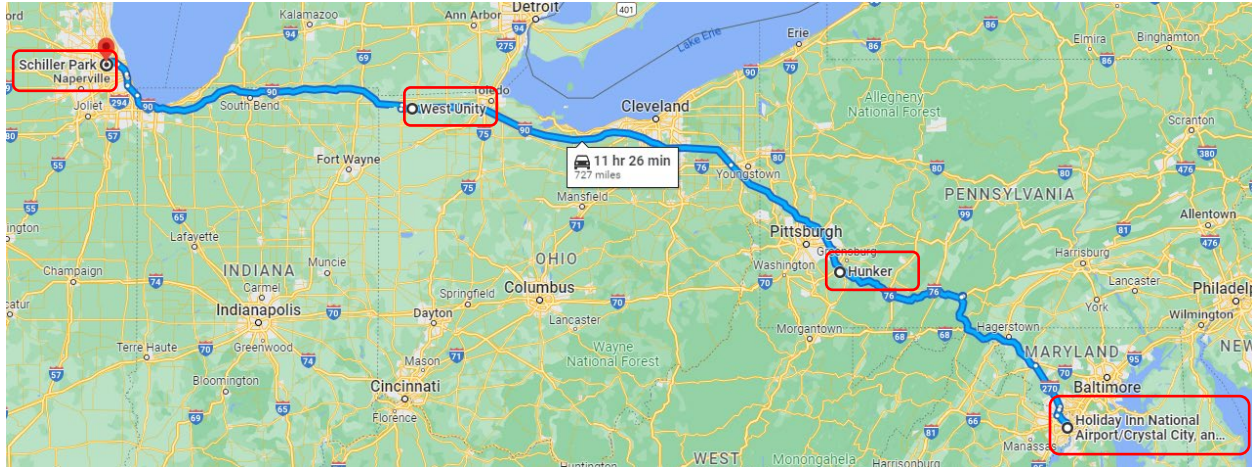


Figure 2: REIERSON's Gasoline Purchases on January 7, 2021, between the Holiday Inn National Airport/Crystal City and his residence via Google Maps

Finally, personnel records obtained by subpoena from REIERSON's employer indicate that REIERSON took vacation days on Tuesday, January 5, 2021 through Friday, January 8, 2021 (inclusive).

## CONCLUSION

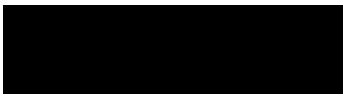

Based on the foregoing, I submit that there is probable cause to believe that ROBIN LEE REIERSON violated 18 U.S.C. §§ 111(a)(1), which makes it a crime to forcibly assault, resist, oppose, impede, intimidate, or interfere with any person designated in section 18 U.S.C. § 1114 as an officer or employee of the United States while engaged in or on account of the performance of official duties. Persons designated within section 1114 include any person assisting an officer or employee of the United States in the performance of their official duties. On January 6, 2021, MPD officers were assisting U.S. Capitol Police in the performance of their official duties.

I also submit that there is probable cause to believe that ROBIN LEE REIERSON violated 18 U.S.C. 231(a)(3), which makes it unlawful to commit or attempt to commit any act to obstruct, impede, or interfere with any fireman or law enforcement officer lawfully engaged in the lawful performance of his official duties incident to and during the commission of a civil disorder which in any way or degree obstructs, delays, or adversely affects commerce or the movement of any article or commodity in commerce or the conduct or performance of any federally protected function. For purposes of Section 231 of Title 18, a federally protected function means any function, operation, or action carried out, under the laws of the United States, by any department, agency, or instrumentality of the United States or by an officer or employee thereof. This includes the Joint Session of Congress where the Senate and House count Electoral College votes.

I further submit that there is probable cause to believe that ROBIN LEE REIERSON violated 18 U.S.C. § 1752(a)(1), (2) and (4), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do so; (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of

Government business or official functions; and (4) knowingly engage in any act of physical violence against any person or property in any restricted building or grounds; or attempt or conspire to do so. For purposes of Section 1752 of Title 18, a “restricted building” includes a posted, cordoned off, or otherwise restricted area of a building or grounds where the President or other person protected by the Secret Service, including the Vice President, is or will be temporarily visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance.

Finally, I submit that there is probable cause to believe that Robin REIERSON violated 40 U.S.C. § 5104(e)(2)(D) and (F), which makes it a crime to willfully and knowingly; (D) utter loud, threatening, or abusive language, or engage in disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of a hearing before, or any deliberations of, a committee of Congress or either House of Congress; and (F) engage in an act of physical violence in the Grounds or any of the Capitol Buildings.

  
  
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 18th day of August 2023.

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HONORABLE G. MICHAEL HARVEY  
UNITED STATES MAGISTRATE JUDGE