

UNITED STATES DISTRICT COURT
for the
District of Columbia

United States of America)
v.)
Shawn Price) Case No.
DOB: [REDACTED])
)
)
)

Defendant(s)

CRIMINAL COMPLAINT

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

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

Code Section

Offense Description

18 U.S.C. § 1752(a)(1) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority,
18 U.S.C. § 1752(a)(2) - Knowingly Engaging in Disorderly or Disruptive Conduct in any Restricted Building or Grounds,
40 U.S.C. § 5104(e)(2)(D) - Violent Entry and Disorderly Conduct on Capitol Grounds,
18 U.S.C. § 231(a)(3) - Obstruction of Law Enforcement During Civil Disorder,
18 U.S.C. § 1512(c)(2) - Obstruction of Justice/Congress,
18 U.S.C. § 2 - Obstruct, influence, or impede any official proceeding, or attempt to do so, or to aid, abet, counsel, command,
or induce or procure the commission of that offense.

This criminal complaint is based on these facts:

See attached statement of facts.

☒ Continued on the attached sheet.



Complainant's signature

[REDACTED] Officer
Printed name and title

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

Date: 06/07/2021

 2021.06.07
13:11:53 -04'00'

Judge's signature

City and state: Washington, D.C.

Robin M. Meriweather, U.S. Magistrate Judge
Printed name and title

STATEMENT OF FACTS

1. Your affiant, [REDACTED] is a Task Force Officer (TFO) assigned to the Federal Bureau of Investigation (FBI)/Joint Terrorism Task Force (JTTF). I am assigned to the Garret Mountain Resident Agency (GMRA) of the Newark Field Office. I have been a TFO with the FBI JTTF since October of 2016 and assigned to the GMRA since November of 2018. In my current duties, I am responsible for investigating individuals engaging in Domestic and International Terrorism. Since my time with the FBI, I have led and participated in investigations of criminal violations of federal laws including, but not limited to, threats, mass shootings and providing material support to terrorists. I have participated in the execution of search warrants involving violent crimes and digital devices. Currently, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. As a TFO, 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.

2. 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 are 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.

3. 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 Michael Pence was present and presiding, first in the joint session, and then in the Senate chamber.

4. As the proceedings continued in both the House and the Senate, and with Vice President 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.

5. At such time, the certification proceedings were 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.

6. 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 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.

7. Based on my training and experience, I know that it is common for individuals to carry and use their cell phones during large gatherings, such as the gathering that occurred in the area of the U.S. Capitol on January 6, 2021, described above. Such phones are typically carried at such gatherings to allow individuals to capture photographs and video footage of the gatherings, to communicate with other individuals about the gatherings, to coordinate with other participants, and to post on social media and digital forums.

8. 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 and upon the U.S. Capitol grounds without authority to be there.

9. Many subjects seen on news footage in the area of the U.S. Capitol are using a cell phone in some capacity. It appears some subjects were recording the events occurring in and around the U.S. Capitol and others appear to be taking photos, to include photos and video of themselves after breaking into the U.S. Capitol itself, including photos of themselves damaging and stealing property. As reported in the news media, others inside and immediately outside the U.S. Capitol live-streamed their activities, including those described above as well as statements about these activities.

10. In the federal investigation that followed the above-described events, the FBI obtained via warrant business records from Facebook relating to the account of a Facebook user named “Shawn Price.” These records included subscriber information for that account, including several phone numbers, one of which (a phone number ending in -0400) is serviced by T-Mobile US, Inc. The records also stated that his current city was “West Orange, New Jersey.” Subsequent business records obtained from T-Mobile US, Inc. revealed that the subscriber of that phone number ending in -0400 is also named “Shawn Price” with an address in “Orange, New Jersey.”

11. These Facebook records contained messages and media exchanged between PRICE and other Facebook users that, as is explained further below, show PRICE to potentially have a leadership position within a New Jersey chapter of the Proud Boys organization and to have participated in events as a Proud Boy member in Washington D.C. in November and December of 2020. The records further contain evidence that PRICE participated in the riot at the U.S. Capitol building on January 6, 2021.

12. Within the records produced by Facebook pertaining to PRICE’s account are photographs that he uploaded and shared with other Facebook users and photographs in which other Facebook users “tagged” him. Below are four such photographs that PRICE uploaded and/or was “tagged” in by other users on Facebook in December of 2020. I have compared these photographs to the photograph of a “Shawn Price” in the records of the New Jersey Motor Vehicles Commission and believe them to depict the same person. The first photograph from the left, which PRICE used as his Facebook profile picture at one point, shows PRICE wearing an American flag-patterned neck gaiter. The second photograph from the left shows him in a black hooded sweater

with white stripes. The third and fourth photographs from the left show him with a baseball hat featuring a double laurel wreath insignia in black and yellow, along with the letters “PB NJ.” I understand those emblems, colors, and letters to be associated with the Proud Boys organization, and presumably a New Jersey-based chapter of the organization.



13. On November 15, 2020, another Facebook user sent thirty photographs and videos to PRICE containing images of numerous white males dressed in yellow and black, which are the colors that Proud Boy members wear to demonstrate affiliation with the organization. The images show these presumed Proud Boy members attending an event in Washington D.C. identified by your affiant through open-source research as the November 14, 2020 “MAGA March.” Featured within these photographs and videos is a white male wearing a black knit cap, 3M brand goggles (positioned on his hat/on top of his head), a yellow and black bandana with what appears to be Proud Boys/“Don’t Tread on Me” insignia) tied around the lower portion of his face, a Fred Perry brand black golf shirt with yellow trim along the collar and sleeves, blue denim jeans, brown boots, red/white/black gloves, and a black North Face backpack (with the North Face logo on the shoulder straps and rear and a small grey imperfection, object or zipper pull on the left side bottom rear of the backpack).



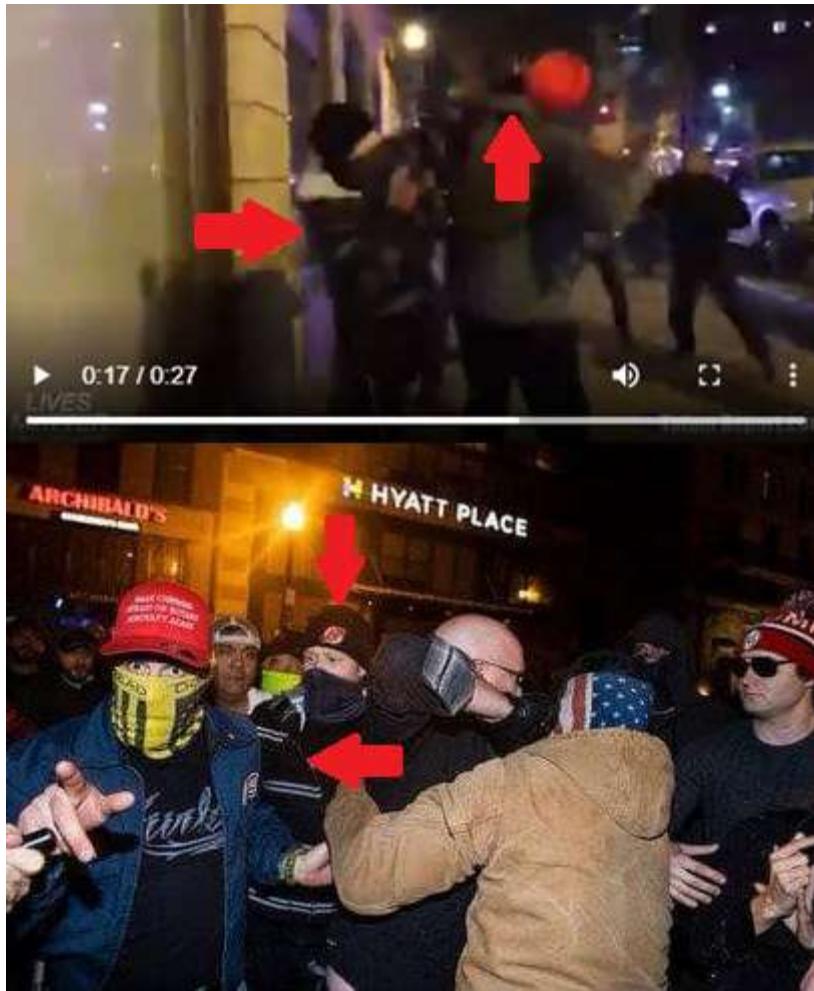


14. On November 30, 2020, PRICE referenced his attendance at the MAGA March on November 14, 2020, to another Facebook user: "Just alot between the club nothing crazy. We had [the] party then went to washington dc for a rally at 5am the next day all hungover lol no one was happy." In an earlier message, PRICE had messaged others about a party on November 13, 2020, which would be consistent with them leaving the next morning (November 14) to attend the MAGA March in Washington, D.C.

15. On December 7, 2020, PRICE and another Facebook user exchanged messages discussing their affiliation with the Proud Boys and vetted each other as fellow members; PRICE stated "well you dont have to accept me but i am a njpb what position doesnt matter but north jersey is my area so you guys popped up out of no where" and asked the other user if he was approved to establish a Proud Boys chapter: "So you got permission from enrique to start your own chapter?" I understand "njpgb" in the above message to mean "New Jersey Proud Boy," as

Proud Boy members frequently refer to themselves as “PBs.” Your affiant understands “Enrique” to be Enrique Tarrio, whom I understand to be or to have been the chairman of the Proud Boys. After receiving confirmation from the other Facebook user, PRICE appeared to indicate that he had a leadership role in a chapter in northern New Jersey: “I got ya north jersey is my area so i just wanna make sure everything is good. Ill be in dc and if you want to meet up . . .” That is consistent with an earlier message from early November 2020 in which PRICE tells another individual they are going to “celebrate” his “getting vice president,” which I understand in the context of these other messages to likely mean that PRICE became vice president of his local Proud Boys chapter.

16. Between December 13, 2020 and December 15, 2020, PRICE sent several videos and photographs of violent nighttime skirmishes to other Facebook users accompanied by messages in which PRICE identifies himself as an individual wearing a black hooded sweater with white stripes and a black knit cap, who punched another individual in the head. PRICE told Facebook users “I tagged a guy good at 14 seconds i had the stripe sweater and black hat” and “me at 14 seconds in with stripe sweater and black hat...all those sticks and flags my guys were hitting them with they ripped out of their hands.” Review of one of these videos revealed a scuffle at approximately 14 seconds during which a white male wearing a black hooded sweater with white stripes and a black knit cap is observed punching another male in the head before chasing him down the sidewalk. This video bears several water marks including “Tatumreport.com,” which indicates that it was not taken by PRICE but shared by him from the public internet domain. PRICE included a photograph with several of these messages and comments. Identifiable within the photograph is a white male wearing a black sweater with white stripes and a black knit hat with a New Jersey Devils logo.



17. Open-source research revealed that the aforementioned photograph of a white male wearing a black sweater with white stripes and a black knit hat with a New Jersey Devils logo was likely taken in front of Archibald's Gentleman's Club and the Hyatt Place hotel on K Street NW in Washington D.C.; both establishments are visible in this photograph. Numerous groups including the Proud Boys participated in protest activity in Washington D.C. throughout the weekend of December 12-13, 2020.

18. PRICE also communicated his intention to travel to Washington D.C. for the January 6, 2021 certification of the Electoral College vote. On December 30, 2020, PRICE messaged Facebook user L.H.P., who law enforcement understands to be PRICE's mother, "Ill be gone tomorrow new year day and the 5th and 6th ill be in washington d.c. the 18th and 19th ill be in richmond virginia all at diffrent events and rallys. Theres alot going on in the near future." On January 5, 2021 he told L.H.P. that he was "going to dc to have fun."

19. On January 6, 2021, PRICE and L.H.P. continued this conversation at 19:57 UTC (2:57 PM EST):

L.H.P.: You ok. I just say they stormed the capital
PRICE: I led the storm!

L.H.P.: Did you get inside? I saw some did

L.H.P.: I also read they will arrest anyone on the street after 6pm

L.H.P.: National guards on the way

PRICE: They are already here and yes i did after getting tear gassed pepper sprayed and shot with rubber bullets

PRICE sent L.H.P. a video taken from the plaza on the West side of the U.S. Capitol building showing law enforcement officers deploying chemical irritant and impact ordinance into the crowd in his direction. In this video, from which the below images were taken, PRICE is yelling "Look at what these fucking scumbags are doing! Look at that shit! Look at that shit!"



L.H.P.: When are you heading home

PRICE: They just shot and killed 2 people in front of us

L.H.P.: You need to get out of there

L.H.P.: Get out now anyone even in a car will be arrested after 6pm

PRICE: I know there is a militia of 3000 men on the way in to take over the capitol its going to get crazy were gathering everyone now

PRICE: And geting out

L.H.P.: Ok let me know when your out of the city

L.H.P.: Its insane

PRICE: I need milk and some kind of remedy for pepper spray

L.H.P.: Milk will only help if it was actual pepper spray not tear gas

L.H.P.: Try washing them with baby shampoo

L.H.P.: And water

L.H.P.: Mostly water in the eyes. Baby shampoo or dawn mixed with water for the skin around the area

L.H.P.: Did you make it out

PRICE: Yea

L.H.P.: OK good

(This conversation ended at 22:59 UTC (5:59 PM EST))

20. PRICE sent the above-described video and other videos taken from the plaza on the lower west terrace of the U.S. Capitol building to numerous Facebook users on January 6, 2021. The area depicted in the above referenced video and in the following photographs is on the U.S. Capitol Grounds under 40 U.S.C. 5104(e) and is within a restricted building or grounds under 18 U.S.C. § 1752. In these videos, from which the below screen captures were taken, PRICE can be heard making the following remarks:

- While PRICE is within a crowd and in proximity to a line of law enforcement officers securing the Capitol, he says: “Let’s go . . . let’s go . . . let’s go!” and “They thought we couldn’t do it, they wanted to hold us back, now look at this shit! More tear gas, going in the building. They’re going anyway, they’re going. USA . . . USA . . . USA . . .” and “Fuck that tear gas . . . we took this shit over baby!”
- In a video taken directly in front of a line of law enforcement officers standing behind bicycle rack fencing and blocking off an entrance to the Capitol building, PRICE says: “I didn’t get this far . . . (inaudible) . . . let’s go! Traitors, traitors . . .”
- Referring to law enforcement officers in a video taken from the lower west terrace (adjacent to the U.S. Capitol building), PRICE says: “Trying to whack us with, ah, pepper balls and tear gas . . . Capitol’s being stormed . . . they’re about to shoot.”
- In response to the deployment of chemical agent and impact ordinance by law enforcement officers, PRICE says: “Look at what these scumbags are doing! Look at that shit! Look at that shit!” and “Fuck you assholes! It’s go time guys! Fuck you! Fucking shoot at us! Fuck you!” and “You fucking coward, fuck you . . . fuck you! They’re dead, they’re dead!”



21. In the hours following the January 6, 2021 attack on the U.S. Capitol, PRICE sent a selfie-style video to other Facebook users featuring himself and an associate. In the video, PRICE is wearing the same black sweater with white stripes and black knit hat with a New Jersey Devils logo that he wore while participating in acts of violence in Washington D.C. in December of 2020. Also, a contusion or mark of some kind is visible on his left hand.



In this video, PRICE and his associate discuss their participation in the Capitol riot while talking over each other:

PRICE: Its way bigger than that, honey

Associate: Just, just so we know

PRICE: It's all good

Associate: Just so we know . . . today we stormed the mother fucking capitol of our country . . . took some shots . . . my boy over here . . . we fucking handled it . . . first motherfuckers (inaudible) that's how we do

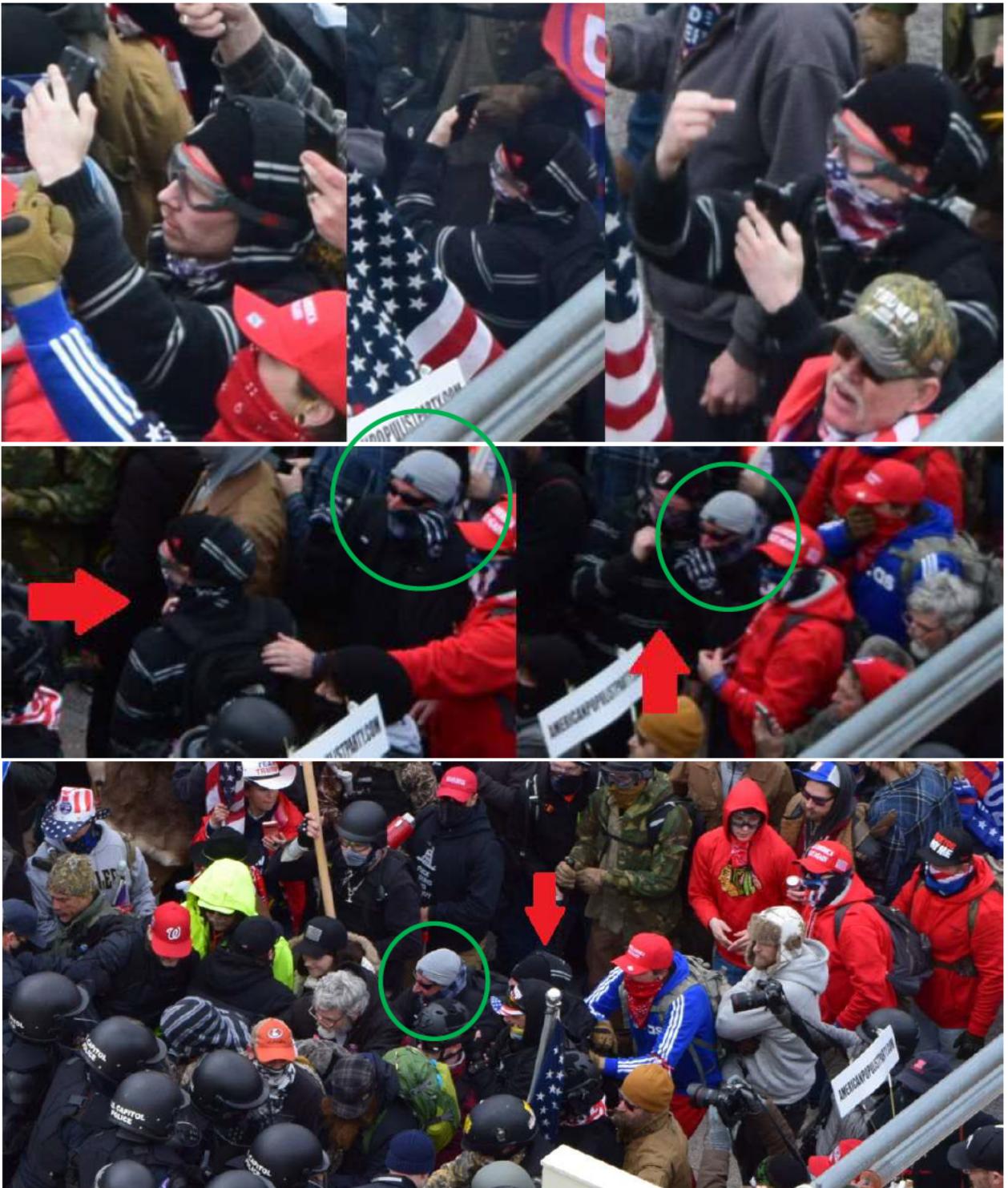
PRICE: Don't worry about it. It's gonna be all right. Trump isn't going anywhere honey . . . don't worry. Yeah . . . fuck yeah . . . that's how we do it baby (inaudible) . . . mother fucking cop . . . wolfpack

22. Also on January 6, 2021, PRICE messaged another Facebook user at 4:12 PM EST: "We did it bro we took it the fuck ober . . . Over . . . We are inside the capitol now." PRICE later told another user, at 6:11 PM EST: "We took it buddy . . . Me and 3 others stormed it and no one else would until we started then everyone stormed."

23. During the January 6, 2021 riot at the U.S. Capitol, numerous riot participants and individuals occupying the restricted space surrounding the U.S. Capitol building photographed and video recorded their experience and shared their photographs and video through numerous social medial platforms to include Parler. Videos from the U.S. Capitol riot shared publicly through Parler were archived by ProPublica and are available for public review at ProPublica.org. Your affiant reviewed these videos and observed PRICE, wearing a black hooded sweater with white stripes, a black knit hat with a New Jersey Devils logo, a black North Face backpack (with the same logo and markings as that identified above), 3M brand goggles, and an American flag patterned neck gaiter, within the crowd on the lower west terrace of the U.S. Capitol. PRICE appeared to be directing the movement of a group of associates. Images obtained from these videos are included below:



24. During the January 6, 2021 riot at the U.S. Capitol, photographs of the crowd occupying the restricted space outside of the U.S. Capitol building were taken by the U.S. Capitol Police. These photographs were shared with the FBI and reviewed by your affiant who located images containing PRICE and his associates. PRICE is identifiable by his sweater, his goggles, his black hat, and his American flag-patterned neck gaiter, along with his general appearance. In these photographs, PRICE can be seen using his mobile phone and moving about the plaza in a coordinated fashion with other individuals. PRICE is also seen appearing to push forward into a line of U.S. Capitol and Washington D.C. Metropolitan Police Department officers who were actively securing the capitol building. Although PRICE does not appear to make direct physical contact with officers in these photographs, he is helping to push a crowd forward into the line of law enforcement officers in the last two photographs included below. PRICE is identified by red arrows. The associate of PRICE's who appears in the selfie-style video described in Paragraph 21 is circled in green in these photographs and appears next to PRICE during this sequence.





25. Members of the press were also present at the U.S. Capitol on January 6, 2021, and photographed events as they unfolded. Photographs taken by one such photographer depict PRICE in roughly the same position in the lower west terrace, helping to push other individuals forward into a line of law enforcement officers. The officers are resisting and deploying chemical irritant in an apparent attempt to disperse the crowd. Again, PRICE is identified by a red arrow in these photographs.





26. In a Facebook message sent on January 6, 2021 at 7:13 PM EST, PRICE stated: "... i got really fucked up but me and 4 of my chapter brothers pushed that line and started it ourselves had to be done."

27. I believe that PRICE is the individual identified in all of the photographs above for the following reasons. First, in photographs from November 2020 that PRICE uploaded to Facebook, used as his profile picture, or was "tagged" in, his face is clearly visible, and PRICE is wearing a black hooded sweater with white stripes and an American flag-patterned neck gaiter. In November 2020, PRICE and other members of the Proud Boys attended a "MAGA March" in Washington D.C. At this event, PRICE wore a black North Face backpack and 3M brand goggles. In December 2020, PRICE and other members of the Proud Boys attended a rally in Washington D.C.; PRICE wore the same black hooded sweater with white stripes and a black knit cap with a New Jersey Devils logo. On January 6, 2021, PRICE uploaded a video of himself, with his face visible, in which he is wearing his black hooded sweater with white stripes, a black knit hat with a New Jersey Devils logo, and an American flag-patterned neck gaiter. Other photographs show the same individual (with the same sweater, 3M brand goggles, and black North Face backpack) on the lower west terrace. Moreover, the selfie-style video of PRICE with his face exposed included his audio commentary; other videos taken by PRICE from the lower west terrace of the U.S. Capitol building contained similar audio commentary in the same distinguishable voice. Finally, PRICE's communications with L.H.P. include admissions that he was at the U.S. Capitol building and was close enough to receive chemical irritant from law enforcement.

28. Based on the foregoing, your affiant submits that there is probable cause to believe that PRICE violated 18 U.S.C. § 1752(a)(1) and (2), 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; 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.

29. Your affiant submits there is also probable cause to believe that PRICE violated 40 U.S.C. § 5104(e)(2)(D), 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.

30. Your affiant submits there is also probable cause to believe that PRICE 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.

31. Your affiant submits there is also probable cause to believe that PRICE violated 18 U.S.C. § 1512(c)(2) and 18 U.S.C. § 2, which makes it a crime to obstruct, influence, or impede any official proceeding, or attempt to do so, or to aid, abet, counsel, command, or induce or procure the commission of that offense. Under 18 U.S.C. § 1515, congressional proceedings are official proceedings.

[REDACTED]
[REDACTED]
FBI [REDACTED] Officer

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1
by telephone, this 7th day of June, 2021.

 2021.06.07
13:12:51 -04'00'

ROBIN M. MERIWEATHER
U.S. MAGISTRATE JUDGE