

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

**Holding a Criminal Term**

**Grand Jury Sworn in on January 8, 2021**

|                                 |   |   |
|---------------------------------|---|---|
| <b>UNITED STATES OF AMERICA</b> | : | <b>CRIMINAL NO.</b>                             |
|                                 | : |   |
| <b>v.</b>                       | : | <b>MAGISTRATE NO. 21-MJ-186</b>                 |
|                                 | : |   |
| <b>PETER J. SCHWARTZ,</b>       | : | <b>VIOLATIONS:</b>                              |
|                                 | : | <b>18 U.S.C. §§ 111(a)(1) and (b), 2</b>        |
| <b>Defendant.</b>               | : | <b>(Assaulting, Resisting, or Impeding</b>      |
|                                 | : | <b>Certain Officers Using a Dangerous</b>       |
|                                 | : | <b>Weapon)</b>                                  |
|                                 | : | <b>18 U.S.C. § 231(a)(3), 2</b>                 |
|                                 | : | <b>(Civil Disorder)</b>                         |
|                                 | : | <b>18 U.S.C. §§ 1512(c)(2), 2</b>               |
|                                 | : | <b>(Obstruction of an Official Proceeding)</b>  |
|                                 | : | <b>18 U.S.C. § 1752(a)(1) and (b)(1)(A)</b>     |
|                                 | : | <b>(Entering and Remaining in a Restricted</b>  |
|                                 | : | <b>Building or Grounds with a Deadly or</b>     |
|                                 | : | <b>Dangerous Weapon)</b>                        |
|                                 | : | <b>18 U.S.C. § 1752(a)(2) and (b)(1)(A)</b>     |
|                                 | : | <b>(Disorderly and Disruptive Conduct in a</b>  |
|                                 | : | <b>Restricted Building or Grounds)</b>          |
|                                 | : | <b>18 U.S.C. § 1752(a)(3)</b>                   |
|                                 | : | <b>(Impeding Ingress and Egress in a</b>        |
|                                 | : | <b>Restricted Building or Grounds)</b>          |
|                                 | : | <b>18 U.S.C. § 1752(a)(4) and (b)(1)(A)</b>     |
|                                 | : | <b>(Engaging in Physical Violence in a</b>      |
|                                 | : | <b>Restricted Building or Grounds)</b>          |
|                                 | : | <b>40 U.S.C. § 5104(e)(2)(D)</b>                |
|                                 | : | <b>(Disorderly Conduct in a the Capitol</b>     |
|                                 | : | <b>Grounds or Buildings)</b>                    |
|                                 | : | <b>40 U.S.C. § 5104(e)(2)(E)</b>                |
|                                 | : | <b>(Impeding Passage Through the Capitol</b>    |
|                                 | : | <b>Grounds or Buildings)</b>                    |
|                                 | : | <b>40 U.S.C. § 5104(e)(2)(F)</b>                |
|                                 | : | <b>(Act of Physical Violence in the Capitol</b> |
|                                 | : | <b>Grounds or Buildings)</b>                    |

**INDICTMENT**

The Grand Jury charges that:

**COUNT ONE**

On or about January 6, 2021, between approximately 2:30 p.m. to 2:33 p.m., within the District of Columbia, **PETER J. SCHWARTZ**, using a deadly or dangerous weapon, that is, a lachrymatory agent, to wit: pepper spray, did forcibly assault, resist, oppose, impede, intimidate, and interfere with, an officer and employee of the United States, and of any branch of the United States Government (including any member of the uniformed services), and any person assisting such an officer and employee, that is, an officer from the Metropolitan Police Department, while such officer or employee was engaged in or on account of the performance of official duties.

**(Assaulting, Resisting, or Impeding Certain Officers Using a Dangerous Weapon**, in violation of Title 18, United States Code, Sections 111(a)(1) and (b))

**COUNT TWO**

On or about January 6, 2021, between approximately 2:30 p.m. to 2:33 p.m., within the District of Columbia, **PETER J. SCHWARTZ**, committed and attempted to commit an act to obstruct, impede, and interfere with a law enforcement officer, that is, an officer from the Metropolitan Police Department, lawfully engaged in the lawful performance of his/her official duties incident to and during the commission of a civil disorder, and the civil disorder obstructed, delayed, and adversely affected the conduct and performance of a federally protected function.

**(Civil Disorder**, in violation of Title 18, United States Code, Section 231(a)(3))

**COUNT THREE**

On or about January 6, 2021, at approximately 2:35 p.m., within the District of Columbia, **PETER J. SCHWARTZ**, using a deadly or dangerous weapon, that is, a lachrymatory agent, to wit: pepper spray, did forcibly assault, resist, oppose, impede, intimidate, and interfere with, an officer and employee of the United States, and of any branch of the United States Government (including any member of the uniformed services), and any person assisting such an officer and

employee, that is, an officer from the Metropolitan Police Department, while such officer or employee was engaged in or on account of the performance of official duties.

**(Assaulting, Resisting, or Impeding Certain Officers Using a Dangerous Weapon, in violation of Title 18, United States Code, Sections 111(a)(1) and (b))**

**COUNT FOUR**

On or about January 6, 2021, at approximately 2:35 p.m., within the District of Columbia, **PETER J. SCHWARTZ**, committed and attempted to commit an act to obstruct, impede, and interfere with a law enforcement officer, that is, an officer from the Metropolitan Police Department, lawfully engaged in the lawful performance of his/her official duties incident to and during the commission of a civil disorder, and the civil disorder obstructed, delayed, and adversely affected the conduct and performance of a federally protected function.

**(Civil Disorder, in violation of Title 18, United States Code, Section 231(a)(3))**

**COUNT FIVE**

On or about January 6, 2021, between approximately 3:07 p.m. to 3:10 p.m., within the District of Columbia, **PETER J. SCHWARTZ**, using a deadly or dangerous weapon, that is, a lachrymatory agent, to wit: pepper spray, did forcibly assault, resist, oppose, impede, intimidate, and interfere with, an officer and employee of the United States, and of any branch of the United States Government (including any member of the uniformed services), and any person assisting such an officer and employee, that is, an officer from the Metropolitan Police Department, while such officer or employee was engaged in or on account of the performance of official duties.

**(Assaulting, Resisting, or Impeding Certain Officers Using a Dangerous Weapon and Aiding and Abetting, in violation of Title 18, United States Code, Sections 111(a)(1) and (b) and 2)**

**COUNT SIX**

On or about January 6, 2021, between approximately 3:07 p.m. and 3:10 p.m., within the District of Columbia, **PETER J. SCHWARTZ**, committed and attempted to commit an act to obstruct, impede, and interfere with a law enforcement officer, that is, an officer from the Metropolitan Police Department, lawfully engaged in the lawful performance of his/her official duties incident to and during the commission of a civil disorder, and the civil disorder obstructed, delayed, and adversely affected the conduct and performance of a federally protected function.

**(Civil Disorder and Aiding and Abetting**, in violation of Title 18, United States Code, Section 231(a)(3) and 2)

**COUNT SEVEN**

On or about January 6, 2021, within the District of Columbia and elsewhere, **PETER J. SCHWARTZ**, attempted to, and did, corruptly obstruct, influence, and impede an official proceeding, that is, a proceeding before Congress, by attempting to enter the United States Capitol without authority, committing an act of civil disorder, and engaging in disorderly and disruptive conduct.

**(Obstruction of an Official Proceeding and Aiding and Abetting**, in violation of Title 18, United States Code, Sections 1512(c)(2) and 2)

**COUNT EIGHT**

On or about January 6, 2021, within the District of Columbia, **PETER J. SCHWARTZ**, did unlawfully and knowingly enter and remain in a restricted building and grounds, that is, any posted, cordoned-off, and otherwise restricted area within the United States Capitol and its grounds, where the Vice President and Vice President-elect were temporarily visiting, without

lawful authority to do so, and, during and in relation to the offense, did use and carry a deadly and dangerous weapon, that is, a lachrymatory agent, to wit: pepper spray.

**(Entering and Remaining in a Restricted Building or Grounds with a Deadly or Dangerous Weapon**, in violation of Title 18, United States Code, Section 1752(a)(1) and (b)(1)(A))

**COUNT NINE**

On or about January 6, 2021, in the District of Columbia, **PETER J. SCHWARTZ**, did knowingly, and with intent to impede and disrupt the orderly conduct of Government business and official functions, engage in disorderly and disruptive conduct in and within such proximity to, a restricted building and grounds, that is, any posted, cordoned-off, and otherwise restricted area within the United States Capitol and its grounds, where the Vice President and Vice President-elect were temporarily visiting, when and so that such conduct did in fact impede and disrupt the orderly conduct of Government business and official functions and, during and in relation to the offense, did use and carry a deadly and dangerous weapon, that is, a lachrymatory agent, to wit: pepper spray.

**(Disorderly and Disruptive Conduct in a Restricted Building or Grounds**, in violation of Title 18, United States Code, Section 1752(a)(2) and (b)(1)(A))

**COUNT TEN**

On or about January 6, 2021, in the District of Columbia, **PETER J. SCHWARTZ**, did knowingly, and with intent to impede and disrupt the orderly conduct of Government business and official functions, obstructed and impeded ingress and egress to and from a restrict building and grounds, that is, any posted, cordoned-off, and otherwise restricted area within the United States Capitol and its grounds, where the Vice President and Vice President-elect were temporarily visiting.

**(Impeding Ingress and Egress in a Restricted Building or Grounds**, in violation of Title 18, United States Code, Section 1752(a)(3))

**COUNT ELEVEN**

On or about January 6, 2021, in the District of Columbia, **PETER J. SCHWARTZ**, did knowingly, engage in any act of physical violence against any person and property in a restricted building and grounds, that is, any posted, cordoned-off, and otherwise restricted area within the United States Capitol and its grounds, where the Vice President and Vice President-elect were temporarily visiting, and during and in relation to the offense, did use and carry a deadly and dangerous weapon, that is, a lachrymatory agent, to wit: pepper spray.

**(Engaging in Physical Violence in a Restricted Building or Grounds with a Deadly or Dangerous Weapon**, in violation of Title 18, United States Code, Section 1752(a)(4) and (b)(1)(A))

**COUNT TWELVE**

On or about January 6, 2021, in the District of Columbia, **PETER J. SCHWARTZ**, willfully and knowingly engaged in disorderly and disruptive conduct in any of the Capitol Grounds and any of the Capitol Buildings with the intent to impede, disrupt, and disturb the orderly conduct of a session of Congress and either House of Congress, and the orderly conduct in that building of a hearing before or any deliberation of, a committee of Congress or either House of Congress.

**(Disorderly Conduct in the Capitol Grounds or Buildings**, in violation of Title 40, United States Code, Section 5104(e)(2)(D))

**COUNT THIRTEEN**

On or about January 6, 2021, in the District of Columbia, **PETER J. SCHWARTZ**, willfully and knowingly obstructed, and impeded passage through and within, the United States Capitol Grounds and any of the Capitol Buildings.

**(Impeding Passage Through the Capitol Grounds or Buildings**, in violation of Title 40, United States Code, Section 5104(e)(2)(E))


**COUNT FOURTEEN**

On or about January 6, 2021, in the District of Columbia, **PETER J. SCHWARTZ**, willfully and knowingly engaged in an act of physical violence within the United States Capitol Grounds and any of the Capitol Buildings.

**(Act of Physical Violence in the Capitol Grounds or Buildings**, in violation of Title 40, United States Code, Section 5104(e)(2)(F))

A TRUE BILL:

FOREPERSON.

  
Attorney of the United States in  
and for the District of Columbia.