

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Holding a Criminal Term

Grand Jury Sworn in on September 15, 2022

UNITED STATES OF AMERICA	:	CRIMINAL NO. 21-CR-589 (RDM)
	:	
v.	:	MAGISTRATE NO. 21-MJ-560
	:	
JOSEPH IRWIN,	:	VIOLATIONS:
	:	18 U.S.C. §§ 1512(c)(2), 2
Defendant.	:	(Obstruction of an Official Proceeding)
	:	18 U.S.C. § 1752(a)(1) and (b)(1)(A)
	:	(Entering and Remaining in a Restricted
	:	Building or Grounds with a Deadly or
	:	Dangerous Weapon)
	:	18 U.S.C. § 1752(a)(2) and (b)(1)(A)
	:	(Disorderly and Disruptive Conduct in a
	:	Restricted Building or Grounds with a
	:	Deadly or Dangerous Weapon)
	:	40 U.S.C. § 5104(e)(2)(A)
	:	(Entering and Remaining on the Floor of
	:	Congress)
	:	40 U.S.C. § 5104(e)(2)(D)
	:	(Disorderly Conduct in
	:	a Capitol Building)
	:	40 U.S.C. § 5104(e)(2)(G)
	:	(Parading, Demonstrating, or Picketing in
	:	a Capitol Building)

SUPERSEDING INDICTMENT

The Grand Jury charges that:

COUNT ONE

On or about January 6, 2021, within the District of Columbia and elsewhere, **JOSEPH IRWIN**, attempted to, and did, corruptly obstruct, influence, and impede an official proceeding, that is, a proceeding before Congress, specifically, Congress's certification of the Electoral College

vote as set out in the Twelfth Amendment of the Constitution of the United States and 3 U.S.C. §§ 15-18.

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

COUNT TWO

On or about January 6, 2021, in the District of Columbia, **JOSEPH IRWIN**, did 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 was and would be 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 metal-tipped flagpole and a spear-shaped wood stick.

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

COUNT THREE

On or about January 6, 2021, in the District of Columbia, **JOSEPH IRWIN**, 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 was and would be 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 metal-tipped flagpole and a spear-shaped wood stick.

(Disorderly and Disruptive Conduct in a Restricted Building or Grounds with a Deadly or Dangerous Weapon, in violation of Title 18, United States Code, Sections 1752(a)(2) and (b)(1)(A))

COUNT FOUR

On or about January 6, 2021, in the District of Columbia, **JOSEPH IRWIN**, willfully and knowingly entered and remained on the floor of a House of Congress and in any cloakroom and lobby adjacent to that floor, in the Rayburn Room of the House of Representatives, and in the Marble Room of the Senate, without authorization to do so.

(Entering and Remaining on the Floor of Congress, in violation of Title 40, United States Code, Section 5104(e)(2)(A))

COUNT FIVE

On or about January 6, 2021, in the District of Columbia, **JOSEPH IRWIN**, willfully and knowingly engaged in disorderly and disruptive conduct within the United States Capitol Grounds and in 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 a Capitol Building, in violation of Title 40, United States Code, Section 5104(e)(2)(D))

COUNT SIX

On or about January 6, 2021, in the District of Columbia, **JOSEPH IRWIN**, willfully and knowingly paraded, demonstrated, and picketed in any United States Capitol Building.

(Parading, Demonstrating, or Picketing in a Capitol Building, in violation of Title 40, United States Code, Section 5104(e)(2)(G))

A TRUE BILL:

FOREPERSON.

*Matthew M. Gonzales by
GJB*

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