

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

Holding a Criminal Term

Grand Jury Sworn in on November 10, 2021

UNITED STATES OF AMERICA	:	CRIMINAL NO.
	:	
v.	:	MAGISTRATE NO. 21-MJ-649
	:	
TIM LEVON BOUGHNER,	:	VIOLATIONS:
	:	18 U.S.C. § 231(a)(3)
Defendant.	:	(Civil Disorder)
	:	18 U.S.C. §§ 1512(c)(2), and 2
	:	(Obstruction of an Official Proceeding)
	:	18 U.S.C. § 111(a)(1) and (b)
	:	(Assaulting, Resisting, or Impeding
	:	Certain Officers Using a Dangerous
	:	Weapon)
	:	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)
	:	18 U.S.C. § 1752(a)(4) and (b)(1)(A)
	:	(Engaging in Physical Violence in a
	:	Restricted Building or Grounds with a
	:	Deadly or Dangerous Weapon)
	:	40 U.S.C. § 5104(e)(2)(F)
	:	(Act of Physical Violence in the Capitol
	:	Grounds or Buildings)

INDICTMENT

The Grand Jury charges that:

COUNT ONE

On or about January 6, 2021, within the District of Columbia, **TIM LEVON BOUGHNER**, committed and attempted to commit an act to obstruct, impede, and interfere with a law enforcement officer, that is, Officer C.W., an officer from the Metropolitan Police Department, Officer C.B., an officer from the Metropolitan Police Department, and Officer A.G., an officer from the United States Capitol Police, lawfully engaged in the lawful performance of their official duties incident to and during the commission of a civil disorder which in any way and degree obstructed, delayed, and adversely affected commerce and the movement of any article and commodity in commerce and the conduct and performance of any federally protected function.

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

COUNT TWO

On or about January 6, 2021, within the District of Columbia and elsewhere, **TIM LEVON BOUGHNER**, 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 THREE

On or about January 6, 2021, within the District of Columbia, **TIM LEVON BOUGHNER**, using a deadly and dangerous weapon, that is, a metal crowd control barrier 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, Officer

A.G., an officer from the United States Capitol Police, while such person was engaged in and on account of the performance of official duties, and where the acts in violation of this section involve physical contact with the victim and the intent to commit another felony.

(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, within the District of Columbia, **TIM LEVON BOUGHNER**, using a deadly and 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, Officer C.B., an officer from the Metropolitan Police Department, and Officer C.W., an officer from the Metropolitan Police Department, while such officer or employee was engaged in or on account of the performance of official duties, and where the acts in violation of this section involve physical contact with the victim and the intent to commit another felony.

(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 FIVE

On or about January 6, 2021, within the District of Columbia, **TIM LEVON BOUGHNER**, 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 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 and a metal crowd control barrier.

(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 SIX

On or about January 6, 2021, within the District of Columbia, **TIM LEVON BOUGHNER**, 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 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 and a metal crowd control barrier.

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

COUNT SEVEN

On or about January 6, 2021, within the District of Columbia, **TIM LEVON BOUGHNER**, 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 was 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 and a metal crowd control barrier.

(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 EIGHT

On or about January 6, 2021, within the District of Columbia, **TIM LEVON BOUGHNER**, 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.