

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

Holding a Criminal Term

Grand Jury Sworn in on June 14, 2024

UNITED STATES OF AMERICA	:	CRIMINAL NO. 22-CR-408
	:	
v.	:	VIOLATIONS:
	:	18 U.S.C. § 231(a)(3)
EDWARD KELLEY,	:	(Civil Disorder)
	:	18 U.S.C. §§ 1512(c) and 2
Defendant.	:	(Obstruction of an Official Proceeding)
	:	18 U.S.C. § 111(a)(1)
	:	(Assaulting, Resisting, or Impeding
	:	Certain Officers)
	:	18 U.S.C. § 1361
	:	(Destruction of Government Property)
	:	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)(B)
	:	(Entering and Remaining in the Gallery of
	:	Congress)
	:	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)
	:	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, **EDWARD KELLEY** committed and attempted to commit an act to obstruct, impede, and interfere with law enforcement officers, that is, officers from the United States Capitol Police Department, who were 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, **EDWARD KELLEY** attempted to, and did, corruptly alter, destroy, mutilate, and conceal a record, document, and other object, with the intent to impair the object's integrity or availability for use in an official proceeding, and otherwise 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) and 2)

**COUNT THREE**

On or about January 6, 2021, within the District of Columbia, **EDWARD KELLEY** 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), that is, A.C., an officer from the United States Capitol Police Department 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, in violation of Title 18, United States Code, Section 111(a)(1))**

#### **COUNT FOUR**

On or about January 6, 2021, within the District of Columbia, **EDWARD KELLEY** did willfully injure and commit depredation against property of the United States, and of any department and agency thereof, and any property which has been and is being manufactured and constructed for the United States, and any department and agency thereof, that is, the West Front Senate Wing Door, causing damage in an amount exceeding \$1,000.

**(Destruction of Government Property, in violation of Title 18, United States Code, Section 1361)**

#### **COUNT FIVE**

On or about January 6, 2021, within the District of Columbia, **EDWARD KELLEY** did willfully injure and commit depredation against property of the United States, and of any department and agency thereof, and any property which has been and is being manufactured and constructed for the United States, and any department and agency thereof, that is, a window at the United States Capitol adjacent to the West Front Senate Wing Door, causing damage in an amount less than \$1,000.

**(Destruction of Government Property, in violation of Title 18, United States Code, Section 1361)**

**COUNT SIX**

On or about January 6, 2021, in the District of Columbia, **EDWARD KELLEY** 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.

**(Entering and Remaining in a Restricted Building or Grounds**, in violation of Title 18, United States Code, Section 1752(a)(1))

**COUNT SEVEN**

On or about January 6, 2021, in the District of Columbia, **EDWARD KELLEY** 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.

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

**COUNT EIGHT**

On or about January 6, 2021, in the District of Columbia, **EDWARD KELLEY** 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 and would be temporarily visiting.

**(Engaging in Physical Violence in a Restricted Building or Grounds**, in violation of Title 18, United States Code, Section 1752(a)(4))

**COUNT NINE**

On or about January 6, 2021, in the District of Columbia, **EDWARD KELLEY** willfully and knowingly entered and remained in the gallery of either House of Congress, without authorization to do so.

**(Entering and Remaining in the Gallery of Congress, in violation of Title 40, United States Code, Section 5104(e)(2)(B))**

**COUNT TEN**

On or about January 6, 2021, in the District of Columbia, **EDWARD KELLEY** 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 ELEVEN**

On or about January 6, 2021, in the District of Columbia, **EDWARD KELLEY** 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))**

**COUNT TWELVE**

On or about January 6, 2021, in the District of Columbia, **EDWARD KELLEY** 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.

A handwritten signature in cursive script that reads "Matthew M. James".

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