

Case: 1:23-mj-00061  
Assigned To : Faruqi, Zia M.  
Assign. Date : 3/20/2023  
Description: Complaint W/ Arrest Warrant

## STATEMENT OF FACTS

Your affiant, Courtney Jacobs, is a Special Agent with the Federal Bureau of Investigation (FBI), assigned to the Las Vegas Field Office. In my duties as a special agent, I have investigated allegations associated with domestic terrorism, international terrorism, and transnational organized crime. I have completed training and gained experience in interviewing and interrogation techniques, arrest procedures, search warrant applications, the execution of searches and seizures, and various other criminal laws and procedures. Currently, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. As a Special Agent, 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.

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 were 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.

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

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

At such time, the certification proceedings were still 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.

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 Mike 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.

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 without authority to be there.

***Facts Concerning the Identification of Bradley Scott Nelson***

Following the events of January 6, 2021, the FBI Public Tips Line received information about an individual who was present at the attack on the U.S. Capitol. Specifically, the tip line received a screenshot of a post from a Twitter account with the username “nelson\_bradley” and display name Bradley Nelson (hereinafter, the “Twitter account”). The Twitter post includes a caption that reads in part, “I was one of those that breach that I was in the capital I was in the tundra area when everybody got pushed through and all hell broke loose. . . .” A screenshot of the Twitter post is included below as “Image 1.”



*Image 1*

The FBI subsequently identified additional Tweets from the Twitter account relating to the attack on the Capitol on January 6, 2021. Some examples of these identified Tweets follow.

The Twitter account posted a tweet on December 24, 2020 that reads, “I’m going to be at the capital building on January 6 who is going to be there with me.”

The Twitter account posted a Tweet on January 6, 2021 that includes a caption reading “I was there today I was in the group to breach the capital I’m sorry but till the death that’s what we where told.” A screenshot of the Twitter post is included below as “Image 2.”



*Image 2*

The Twitter account posted a Tweet on January 8, 2021 reads in part that “we took that capital if we wanted it we could’ve kept it do you understand that I was the first through the door and I am a patriot . . .” A screenshot of the Twitter post is included below as “Image 3.”



*Image 3*

Another Twitter post from the Twitter account on January 8, 2021 states, “If all of us that were there had taken our guns easiest decision do you think that that capital building would be in control of the capital police or do you think would be in control of it patriot Americans because we didn’t break a goddamn thing.” A screenshot of the Twitter post is included below as “Image 4.”



*Image 4*

*Evidence Identifying Bradley Scott Nelson*

The FBI took steps to identify the individual associated with the Twitter account who claimed that they had gone inside the Capitol Building on January 6, 2021. The FBI obtained driver's license information and photo for a BRADLEY SCOTT NELSON at a North Las Vegas, Nevada address. Using that photo, the FBI searched publicly available videos from the attack on the U.S. Capitol, some of which are discussed further below, and identified an individual consistent with the appearance of NELSON's driver license photo.

The FBI also conducted background checks that indicated that NELSON was associated with a cell phone number xxx-xxx-3318 (the phone number ending in -3318). According to information provided by AT&T, subsequent to legal process previously served by the FBI, a cell phone using the phone number ending in -3318 utilized a cell site consistent with providing service to a geographic area that included the interior of the United States Capitol building on the afternoon of January 6, 2021.

On June 23, 2021, another agent with the FBI conducted a voluntary interview by telephone with NELSON. The FBI contacted NELSON by calling the phone number ending in -3318, and the person on the line identified himself as Bradley NELSON. During the interview, NELSON admitted to being inside the Capitol building on January 6, 2021 in the rotunda area and the hallway leading into the rotunda. When the FBI agent asked NELSON about Twitter posts he had made about the January 6, 2021 attack on the Capitol, NELSON stated that it was "just a bunch of bullshit because everyone was excited and pissed off," and that he never intended to cause or participate in any violence.

On October 21, 2022, another agent with the FBI conducted an interview with Witness-1, who has interacted with NELSON in person on at least three occasions prior to approximately September 2021. Witness-1 identified the man who appears in the below still images from videos from inside or on the grounds of the U.S. Capitol on January 6, 2021 as "Bradley," who lived at a North Las Vegas address consistent with the address of Nelson in database checks. These still images are included below as "Images 5 through 10."



*Images 5 through 10*

According to information provided by Twitter, subsequent to legal process, the Twitter account is also associated with the phone number ending in -3318. As noted above, the Twitter account also has a similar display name to BRADLEY SCOTT NELSON's name, and during his voluntary interview with the FBI, NELSON did not deny making the Twitter posts from the Twitter account. Accordingly, I believe that NELSON made the posts above originating from the Twitter account concerning the events of January 6, 2021.

***Bradley Scott Nelson's Involvement with the Attack on the Capitol on January 6, 2021***

I have reviewed publicly available videos and images from the attack on the Capitol on January 6, 2021. I have further reviewed CCTV footage from inside the Capitol building on January 6, 2021. Based on my review, I have identified NELSON in the videos and images that follow below from inside the Capitol building or on the Capitol grounds. I know that the man who appears in those videos and images is NELSON for the following reasons.

First, as noted above, Witness-1 identified the man in still images from videos from inside or on the grounds of the Capitol on January 6, 2021 as "Bradley," who I know to be BRADLEY SCOTT NELSON.

Second, I have reviewed a driver's license image of BRADLEY SCOTT NELSON and compared it to man depicted on the CCTV and open source footage noted above and below, and they appear to be the same person.

Third, according to information provided by Facebook, subsequent to legal process, the Facebook account with user ID Bradley.Nelson.9216 is associated with the phone number ending in -3318. A publicly available photo from that Facebook page dated August 10, 2022 is below as “Image 11,” and depicts a man with a grey goatee and wearing a straw hat, a blue flag, and a green jacket. I have compared this photo to the man depicted on the CCTV and open source footage noted below, and it is consistent with the appearance of the man and the clothing he was wearing in CCTV and open source videos on January 6, 2021.



*Image 11*

According to NELSON’s June 23, 2021 voluntary interview with the FBI, NELSON is a commercial truck driver from North Las Vegas, NV. On January 6, 2021, he drove his truck to Washington, DC, and parked at a local inspection station.

The following facts are drawn from my review of the open source and Capitol surveillance footage. On January 6, 2021, NELSON approached the U.S. Capitol Building on foot from the northwest. In a publicly available video, NELSON can be seen in the crowd by the bottom of the northwest scaffolding, holding up a phone, as reflected in the still image included below as “Image 12,” with NELSON circled in red.



*Image 12*

NELSON entered the northwest scaffolding between the Lower West Terrace and Upper West Terrace. The entry to the scaffolding had been earlier been breached by rioters. A video posted on the platform Parler, available at the website <https://projects.propublica.org/parler-capitol-videos/>, which indicates that the video was taken at approximately 1:53 p.m., shows officers defending the scaffolding from rioters. The video further depicts NELSON, who states: “We’re at the gate. We’re coming through this motherfucker tonight. We’re at the door. We’re right here. We’re coming in. They’re not stopping us now, goddamnit. This is our house, motherfuckers.” A still image from the video is included below as “Image 13.”



*Image 13*

Another publicly available video from inside the scaffolding appears to depict NELSON holding his phone. A still image from that video is included below as “Image 14.”



*Image 14*

At some point, NELSON exited the scaffolding to stand on the stone railing immediately north of the scaffolding, within view of the crowd on the ground. A still image from another publicly available video is included below as “Image 15,” with NELSON circled in red.



*Image 15*

NELSON then returned into the scaffolding to rejoin the mob as it pushed law enforcement up the scaffolding. At the top of the scaffolding, rioters clashed with a line of police officers—exchanging blows, spraying the officers, and scuffling over barricades. Still images from a publicly available video showing NELSON feet away from these violent clashes are included below as “Image 16” (NELSON not depicted) and “Image 17” (NELSON circled in red).



*Image 16*



*Image 17*

The rioters overcame the police line at the top of the scaffolding. As NELSON and the rest of the mob pushed forward towards the Upper West Terrace, the same publicly available video depicts NELSON commenting to another rioter in substance, “If we go beyond this point we’ll be going to jail tonight.” A still image from this video is included below as “Image 18.”



*Image 18*

The mob then overran another line of officers defending the stairs leading to the Upper West Terrace. At approximately 2:09 p.m., CCTV footage from the exterior of the Capitol depicts NELSON running up the stairs to the Upper West Terrace. A still image from that footage, with NELSON circled in red, is included below as "Image 19."



*Image 19*

Rioters encountered yet another police line and barricades defending the entry to the Upper West Terrace. The mob quickly pulled away the barricades and overran the police line, forcing them to retreat. NELSON, who appears in circled in red in the still image from a publicly available video included below as "Image 20," was in the immediate area as rioters breached this police line.



*Image 20*

NELSON and the mob streamed into the Upper West Terrace. In another publicly available video, Nelson can be seen celebrating by raising his first in the air. A still image from that video is included below as “Image 21,” with Nelson circled in red.



*Image 21*

At 2:12 pm, Capitol CCTV captures NELSON waving the blue flag he was holding as he walks across the Upper West Terrace. A still image from that CCTV footage is included below as “Image 22,” with NELSON circled in red.



*Image 22*

NELSON then appears to look over the balcony at the crowd below, as reflected in a publicly available image included below as “Image 23,” with NELSON circled in red.



*Image 23*

At 2:15 p.m., Capitol CCTV captured NELSON walking back towards the Upper West Terrace. A still image from that CCTV footage is included below as “Image 24,” with NELSON circled in red.



*Image 24*

At approximately 2:16 p.m., NELSON entered the Capitol for the first time, through the Senate Fire Door near the Senate Parliamentarian's office. NELSON is captured by Capitol CCTV footage as he enters. Still images from that CCTV footage are included below as "Image 25" and "Image 26," with NELSON circled in red.

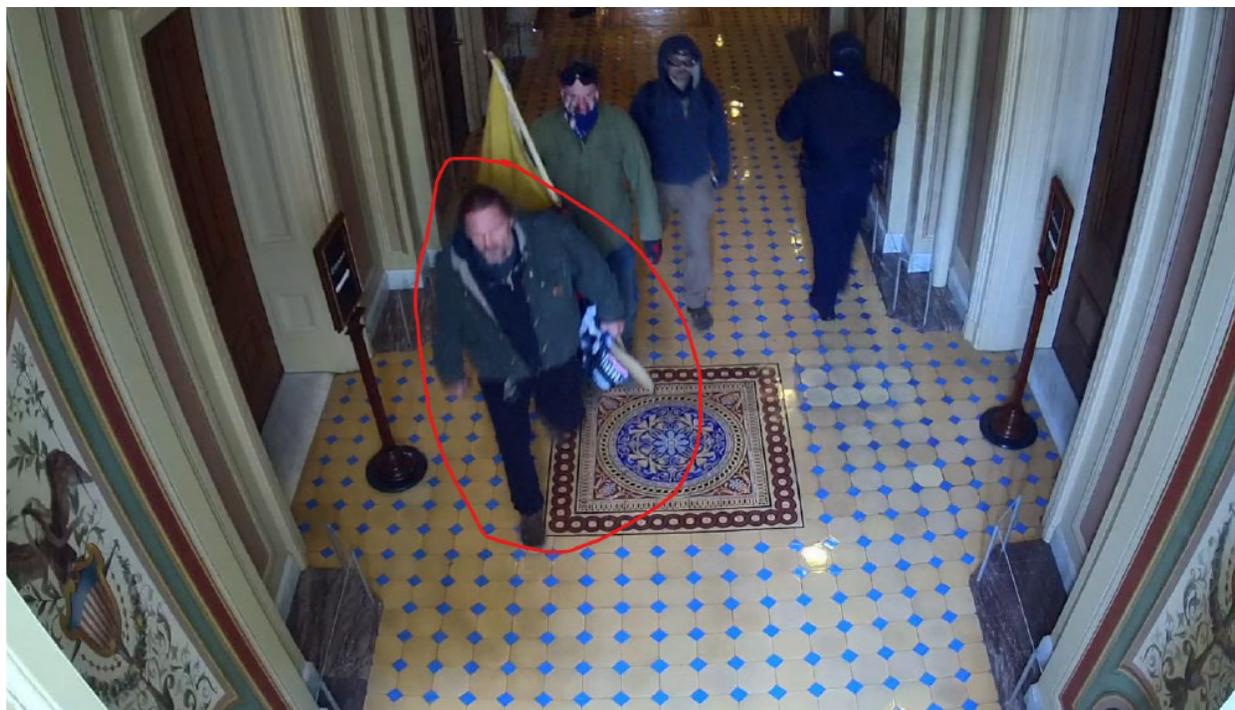


*Image 25*



*Image 26*

According to the CCTV footage, NELSON left through the same door at approximately 2:17 p.m., about a minute later. A still image from that CCTV footage is included below as “Image 27,” with NELSON circled in red.



*Image 27*

In the interim period, however, police officers with riot gear had taken steps to secure the Senate Fire Door from additional rioters. Based on a video obtained from another rioter, from

which a still image is included below as “Image 28,” NELSON had to pass through these officers now defending the Senate Fire Door from the mob:



*Image 28*

Almost immediately after he left, at approximately 2:18 p.m., NELSON then entered the Capitol a second time—through the Senate Wing Door immediately perpendicular to the Senate Fire Door. NELSON is circled in red in the still image from Capitol CCTV included below as “Image 29.”



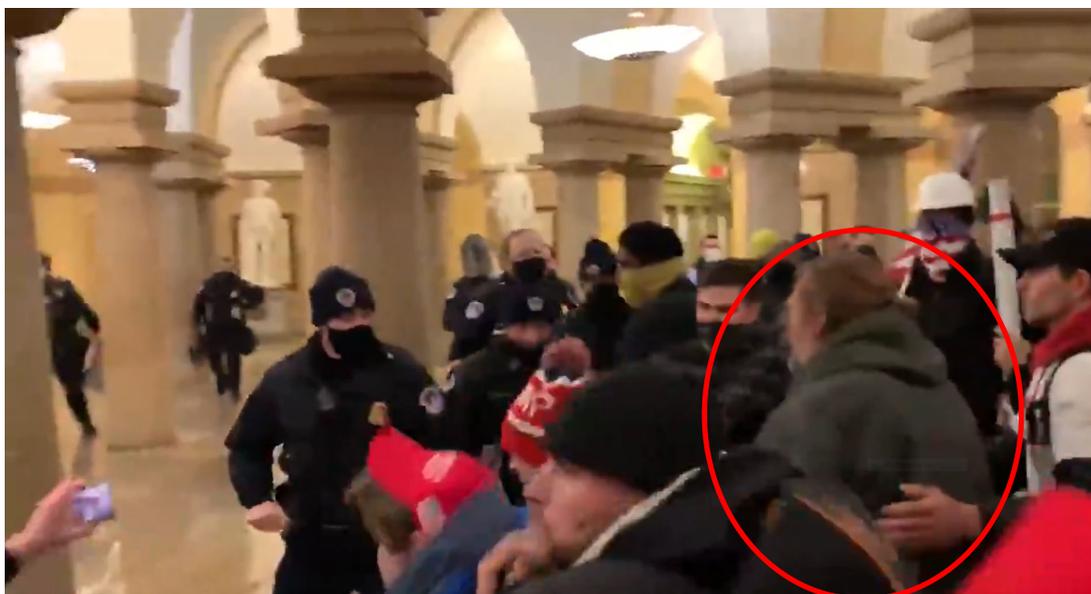
*Image 29*

NELSON then walked from the Senate Wing Door to the Crypt, where a crowd of rioters had begun to press up against a police line. NELSON appears circled in red in the still image included below as “Image 30” from CCTV footage at approximately 2:19 p.m.



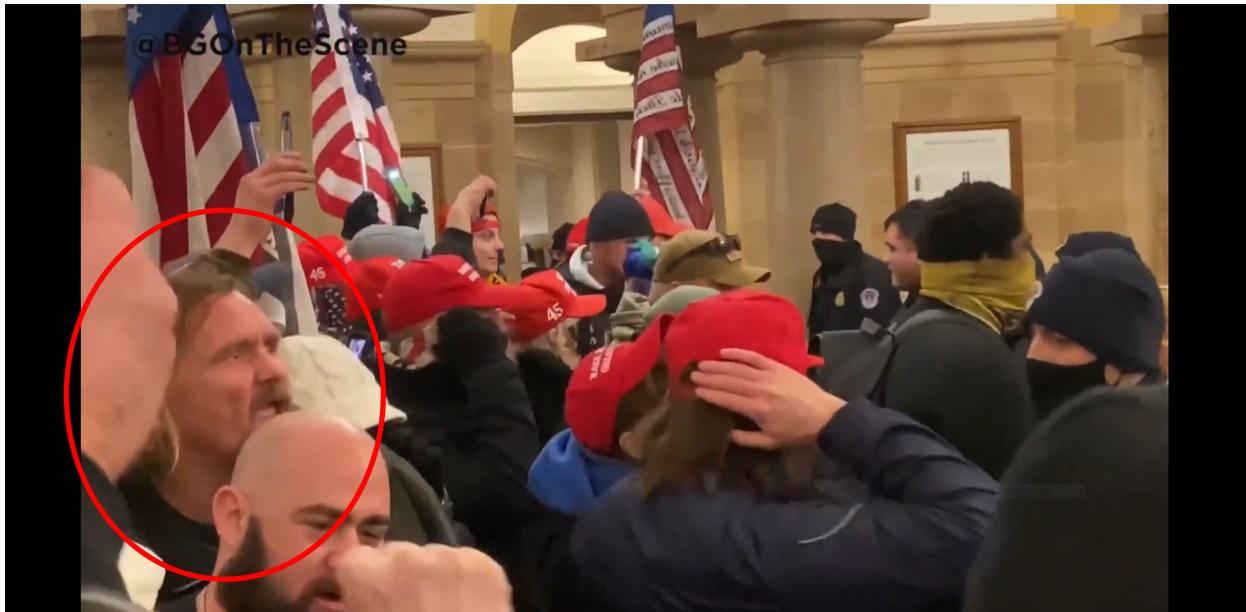
*Image 30*

NELSON made his way to the front of the crowd. As reflected in the still image from publicly available video included below as “Image 31,” NELSON, circled, was within feet of scuffles between law enforcement and other rioters.



*Image 31*

NELSON also joined in the mob's chants of "Our House" and "USA!" while inside the Crypt as reflected in a still image from a publicly available video included below as "Image 32," with NELSON circled in red.



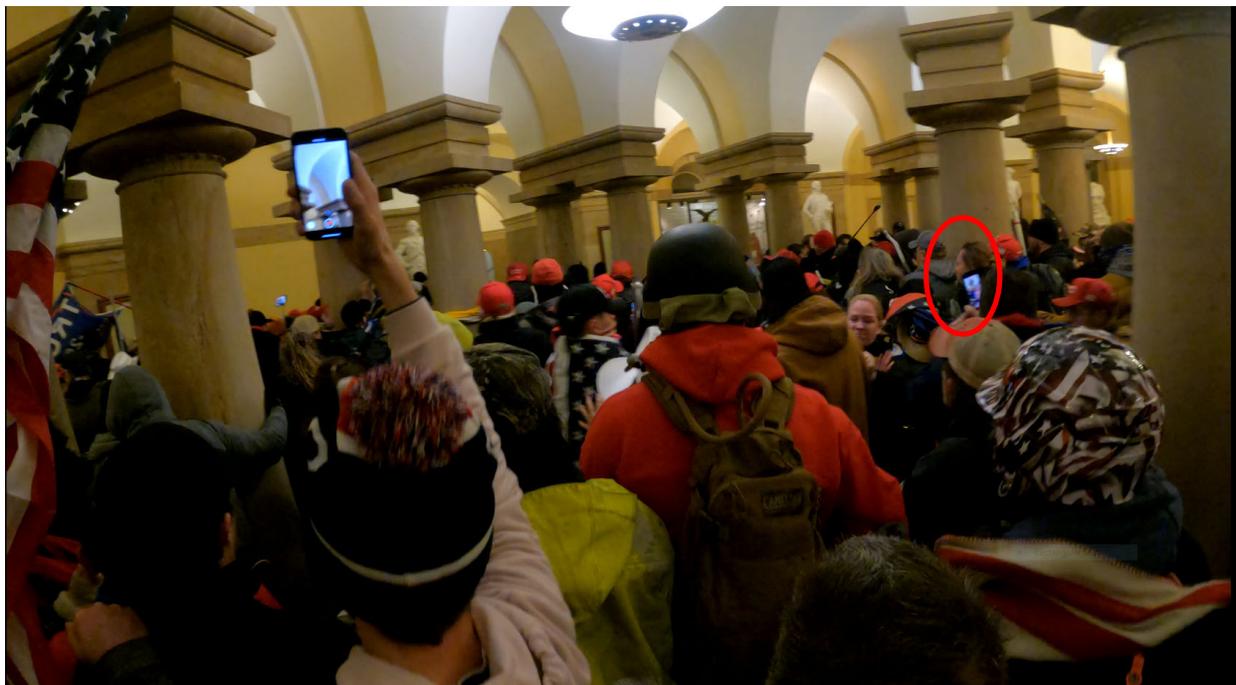
*Image 32*

At some point while in the Crypt, NELSON took off his green jacket. Nelson is featured without his jacket in the Crypt in the still image included below as "Image 33" from another publicly available video.



*Image 33*

Moments after that image, the mob pushed against and overran the police line in the Crypt. Nelson surged forward with the crowd, as seen in the still images from two publicly available videos included below as “Image 34” and “Image 35.”



*Image 34*



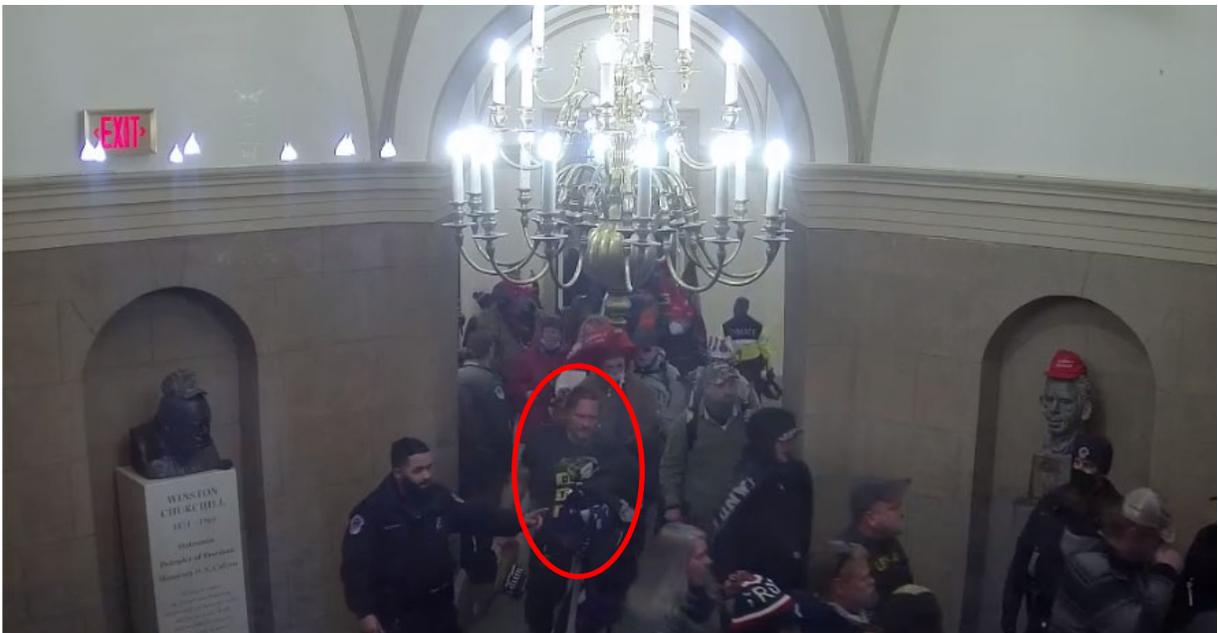
*Image 35*

NELSON is captured on CCTV by the Memorial Door at approximately 2:28 p.m., as reflected in the still image from CCTV footage included below as “Image 36,” in which NELSON is circled in red. NELSON continues to follow the crowd forward.



*Image 36*

NELSON reappears on the same CCTV camera at approximately 2:40 p.m. With police officers directing the crowd, NELSON walked back towards the Crypt at approximately 2:42 p.m. A still image from the CCTV footage is included below as “Image 37,” with NELSON circled in red.

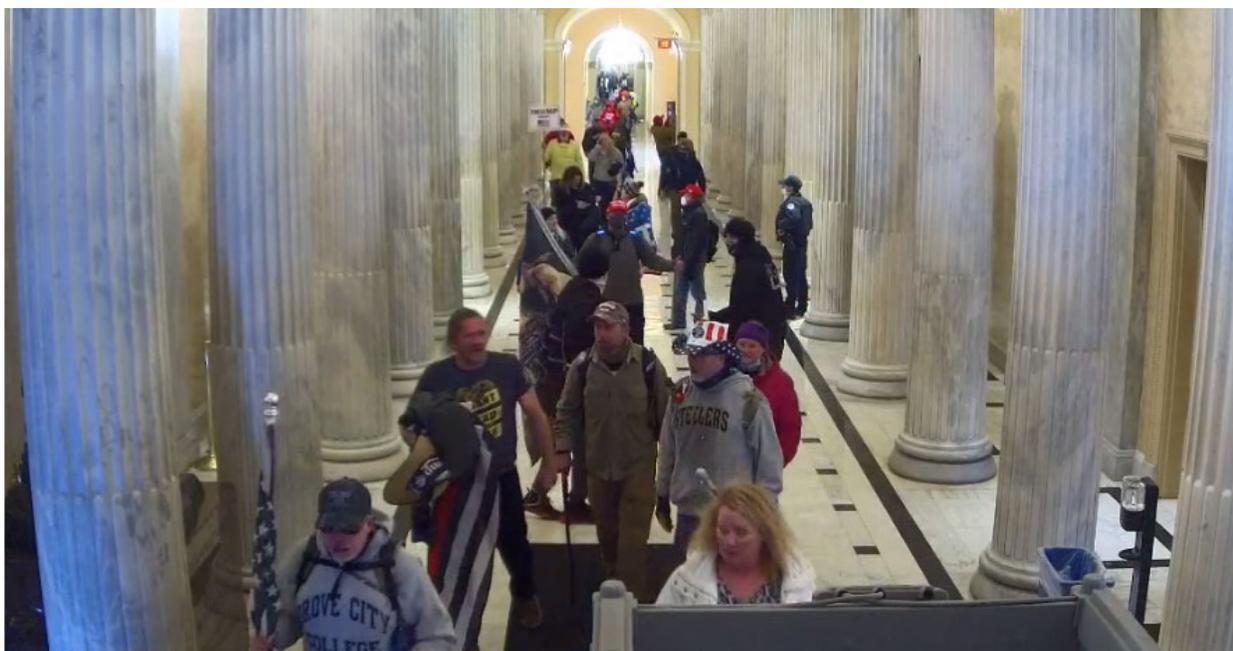


*Image 37*

NELSON walked south, past the House Wing door and through the Hall of Columns. He is picked up on CCTV footage between approximately 2:43 and 2:44 p.m., as reflected in the still images from CCTV included as “Image 38” and “Image 39” below.



*Image 38*



*Image 39*

NELSON exited the Capitol Building via the South Door at approximately 2:44 p.m., as reflected in the still image from CCTV footage included below as “Image 40.”



*Image 40*

After he left the Capitol, NELSON appears to speak to others near the Capitol grounds about his activities inside the Capitol building. In a video obtained from Facebook posted by another individual, NELSON tells the individual about his activities in the Capitol building:

We got in, I was one of the ones that got in, man. Yeah, there was thousands of us in there. . . . When they pushed. . . [ ] we got inside, there was the [ro]tund[a], but it's not a real big one, and they started pushing man and we couldn't do shit, all you could do is go with the flow. And there was a line of cops right there, and they just gave up and they all fell back. And they were jammed in there, there was a wall closed in. . . and thousands of people, that right there [points to crowd] was just pushing behind. . ."

In the same video, the individual says, "I heard the whole Senate was in the basement, they were scared." NELSON responds, "Good. Because I tell ya', fucking cocaine Mitch was on the goddamn bullseye. We were in . . . and I guarantee ya they were fucking shitting their pants. Look I'm going back to regroup and . . . we're coming back and taking this motherfucker again tonight." A still image from the video is included below as "Image 41." I understand NELSON's reference to "cocaine Mitch" to mean Senator Mitch McConnell.



*Image 41*

NELSON similarly told an individual near the Capitol who appeared to be reporting on the January 6 attack, “there’s people inside right now, we’re going go back in, we’re taking this this House tonight. This is not going to stop.” A still image from the publicly available video on Facebook is included below as “Image 42.”



*Image 42*

Based on the foregoing, your affiant submits that there is probable cause to believe that BRADLEY SCOTT NELSON 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; and (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 attempts or conspires 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.

Your affiant submits there is also probable cause to believe that BRADLEY SCOTT NELSON violated 40 U.S.C. § 5104(e)(2)(D) and (G), 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; and (G) parade, demonstrate, or picket in any of the Capitol Buildings.

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COURTNEY JACOBS  
FEDERAL BUREAU OF  
INVESTIGATION

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 20<sup>th</sup> day of March 2023.

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ZIA M. FARUQUI  
U.S. MAGISTRATE JUDGE