

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

LEONARD LOBIANCO,  
also known as "Riddler,"

Defendant.

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Case No.: 23-CR-436-RCL-1

18 U.S.C. § 231(a)(3)

*was this be filed  
Roger C. Smith  
U.S.D.C. 9/23/24*

STATEMENT OF OFFENSE

Pursuant to Fed. R. Crim. P. 11, the United States of America, by and through its attorney, the United States Attorney for the District of Columbia, and the defendant, Leonard Lobianco, with the concurrence of the defendant's attorney, agree and stipulate to the below factual basis for the defendant's guilty plea—that is, if this case were to proceed to trial, the parties stipulate that the United States could prove the below facts beyond a reasonable doubt:

*The Attack at the U.S. Capitol on January 6, 2021*

1. The U.S. Capitol, which is located at First Street, SE, in Washington, D.C., is secured twenty-four hours a day by U.S. Capitol Police (USCP). Restrictions around the Capitol include permanent and temporary security barriers and posts manned by USCP. Only authorized people with appropriate identification are allowed access inside the Capitol.

2. On January 6, 2021, the exterior plaza of the Capitol was closed to members of the public. The grounds around the Capitol were posted and cordoned off, and the entire area as well as the Capitol building itself were restricted as that term is used in Title 18, United States Code, Section 1752, due to the fact that the Vice President and the immediate family of the Vice President, among others, would be visiting the Capitol complex that day.

3. On January 6, 2021, a joint session of the United States Congress convened at the Capitol. 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 Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on Tuesday, November 3, 2020. This joint session of Congress was an official proceeding as that term is used in Title 18, United States Code, Section 1512. 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.

4. As the proceedings continued in both the House and the Senate, and with Vice President Pence present and presiding over the Senate, a large crowd gathered outside the Capitol. Temporary and permanent barricades, as noted above, were in place around the exterior of the Capitol, and USCP officers were present and attempting to keep the crowd away from the Capitol and the proceedings underway inside. By shortly after 1:00 p.m., the situation at the Capitol had become a civil disorder as that term is used in Title 18, United States Code, Section 231, and throughout the rest of the afternoon the civil disorder obstructed the Secret Service's ability to perform the federally protected function of protecting Vice President Pence.

5. It also affected commerce within the District of Columbia. For example, it affected the sales of Safeway grocery stores within the District of Columbia, whose products also travel in interstate commerce before being sold in the District. D.C. Mayor Muriel Bowser imposed a 6 PM curfew on January 6 in response to the riot, and Safeway stores in the District of Columbia closed at 4 PM (instead of 11 PM) as a result, resulting in lost sales.

6. At approximately 2:00 p.m., certain individuals in the crowd forced their way through, up, and over the barricades. Officers of the USCP were forced to retreat and the crowd advanced to the exterior façade of the building. Officers with the D.C. Metropolitan Police Department were called to assist officers of the USCP who were then engaged in the performance of their official duties. The crowd was not lawfully authorized to enter or remain in the building and, prior to entering the building, no members of the crowd submitted to security screenings or weapons checks as required by USCP officers or other authorized security officials.

7. At such time, the certification proceedings were still underway, and the exterior doors and windows of the Capitol were locked or otherwise secured. Members of the USCP attempted to maintain order and keep the crowd from entering the Capitol; however, shortly after 2:00 p.m., individuals in the crowd forced entry into the Capitol, including by breaking windows and by assaulting members of law enforcement, as others in the crowd encouraged and assisted those acts. The riot resulted in substantial damage to the Capitol, requiring the expenditure of more than \$2.9 million dollars for repairs.

8. Shortly thereafter, at approximately 2:20 p.m., members of the House of Representatives and of the Senate, including the President of the Senate, Vice President Pence, were instructed to—and did—evacuate the chambers. Accordingly, all proceedings of the United States Congress, including the joint session, were effectively suspended until shortly after 8:00 p.m. on January 6, 2021. In light of the dangerous circumstances caused by the unlawful entry to the Capitol—including the danger posed by individuals who had entered the Capitol without any security screening or weapons check—Congressional proceedings could not resume until after every unauthorized occupant had been removed from or left the Capitol, and USCP confirmed that the building was secured. The proceedings resumed at approximately 8:00 p.m. after the building

had been secured. Vice President Pence remained in the Capitol from the time he was evacuated from the Senate Chamber until the session resumed.

9. The attack at the U.S. Capitol adversely affected the United States Secret Service, which was protecting Vice President Michael Pence, and the United States Capitol Police's protection of the Capitol and its occupants. It also affected commerce within the District of Columbia. For example, it affected the sales of Safeway grocery stores within the District of Columbia, whose products also travel in interstate commerce before being sold in the District. D.C. Mayor Muriel Bowser imposed a 6 p.m. curfew on January 6 in response to the riot, and Safeway stores in the District of Columbia closed at 4 p.m. (instead of 11 p.m.) as a result, resulting in lost sales.

10. The attack at the U.S. Capitol was a "civil disorder" as defined in 18 U.S.C. § 232(1).

***Leonard Lobianco and the Proud Boys***

11. Leonard Lobianco is a 53-year-old resident of the state of Florida. In November of 2020, Lobianco was a member of the "Zone 5" chapter of the Proud Boys organization, which was based in southwest Florida and was also known as the "Hurricane Coast" chapter.

12. The Proud Boys describes itself as a "pro-Western fraternal organization for men who refuse to apologize for creating the modern world; aka Western Chauvinists." Proud Boys members routinely attend rallies, protests, and other events, some of which have resulted in violence. There is an initiation process for new members of the Proud Boys, and members often wear black and yellow polo shirts or other apparel adorned with Proud Boys logos and slogans to public events.

13. There are varying “ranks” of Proud Boys members. Before becoming a member, individuals are called prospects and vetted by members of the Proud Boys. After being vetted, they become the lowest rank, a first-degree Proud Boy. The Proud Boys have four degrees of membership, with the fourth-degree being the highest rank. Lobianco was a first-degree Proud Boy.

14. Lobianco was an active member of the “Zone 5” chapter of the Proud Boys, consisting of individuals based in from parts of central Florida, including Daniel Lyons Scott (also known as “Milkshake”), Christopher Worrell, and Tom Vournas. On December 18, 2020, Lobianco wrote in the “Clouty Mutha Fuckas” Telegram chat, “What up family” and “. . . I hope to see all my PB on site tomorrow! Look forward to seeing all you guys tomorrow! POYB!” Telegram is an encrypted messaging application. Lobianco’s Telegram display name was “RIDDLER OF THE NORTH-1<sup>st</sup>.degree Z5.”

***Lobianco’s Participation in the January 6, 2021 Capitol Riot***

15. Lobianco traveled from Florida to Washington, D.C. to participate in the events of January 6. He knew that President Trump was speaking and people were traveling to Washington, D.C. to “stop the steal.”

16. On the morning of January 6, 2021, Lobianco met a group of approximately one hundred Proud Boys members near the Washington Monument at approximately 10 a.m. Lobianco wore a black baseball cap with white “Trump 2020” lettering, a black hooded sweatshirt, a black tactical vest with a radio and folding radio antenna, a multi-colored neck gaiter, orange glasses, and black hard-knuckled gloves.

17. At the Washington Monument, Lobianco gathered near other members of “Zone 5” chapter of the Proud Boys, including Tom Vournas, as well as Proud Boys from other chapters.



*Image 1: Lobianco (circled in green) and Vournas (circled in red) with members of the Zone 5 chapter of the Proud Boys and others in front of the Washington Monument on January 6, 2021*

18. Shortly after 10 a.m., the leaders of the large group of Proud Boys marched the group away from the rally that was taking place near the Washington Monument. One of the leaders of the march announced to the group that they were going to march to the Capitol.

19. As the group marched toward the Capitol, the leaders of the march addressed the group, which included Lobianco, through a megaphone—telling them that the police and government had failed them. As the group walked past the west side of the Capitol at approximately 11:20 a.m.—more than an hour prior to the initial breach—one of the leaders announced, “We represent the spirit of 1776. If you haven’t noticed, real men are here. We know what the oath is [unintelligible] to support and defend the Constitution . . . Let us remind those who have forgotten what that means.”

20. A few minutes later, as the group marched past U.S. Capitol Police officers at approximately 11:28 a.m., one leader of the marching group gave the group of officers the middle

finger, and others taunted them, yelling “treason.” Worrell warned the officers, “don’t make us go against you.”

21. The marching group, including Lobianco, continued to the east side of the Capitol. As the group stood on the east side of the Capitol, Proud Boys member Scott yelled out, “let’s take the fucking Capitol.” Scott was chastised and told not to “say” that. Shortly before noon, the group marched back to the west side of the Capitol to a group of food trucks located at approximately 2nd Street and Constitution Avenue NW. They arrived at approximately 12:10 p.m. There the group stopped and waited for approximately thirty minutes. At approximately 12:45 p.m., fifteen minutes before the certification of the Electoral College vote was scheduled to start, leaders of the march mustered the men into a column and marched them back towards the Capitol. Lobianco and members of Zone 5 had broken away and would rejoin the larger group of Proud Boys minutes after the breach at Peace Circle, discussed below.

22. The Proud Boys arrived at the Peace Circle, at the edge of the restricted portion of Capitol grounds, at approximately 12:50 p.m. Before their arrival, the Peace Circle was uncrowded and relatively peaceful. The First Street pedestrian entrance to the Capitol, which was approximately 100 feet away, was guarded by a handful of Capitol Police officers. Prominent signs posted on metal barriers at the pedestrian entrance and other locations stated, “AREA CLOSED By order of the United States Capitol Police Board.”

23. Upon arriving at the Peace Circle, leaders of the Proud Boys led the crowd in chants that included “USA!”, “Where’s Antifa”, and “Whose Capitol? Our Capitol!” At 12:53 p.m., approximately one minute after the “Whose Capitol? Our Capitol!” chant, the crowd surged forward towards a police barricade.

24. Members of this crowd, including the Proud Boys, violently trampled the metal barriers, moved the barriers aside, and surged past officers to advance toward the Capitol.

25. As the Proud Boys breached Peace Circle, members of Zone 5 marched towards the Capitol. At approximately 1 p.m., within minutes of the police line at Peace Circle being breached, Scott, Worrell, Vournas, and Lobianco, and several other men who had joined their group moved together onto the restricted grounds of the Capitol past the downed barricades and trampled fencing. Worrell filmed the group, which captured a conversation between Vournas, and other members of Zone 5, including Scott and Worrell:

Scott: "Oh god, we're going to the Capitol, guys."  
Unidentified: "Kicking the doors in."  
Worrell: "Trump is coming to the Capitol."  
Vournas: "Taking that motherfucking Capitol back."  
Scott: "I've never been to the Capitol before."  
Vournas: "Zone 5, stay tight!"  
Scott: "Hey Zone 5, stay tight! Nobody gets around us."  
Vournas: "Stay tight boys. Zone 5, this way. Stay tight."  
Unidentified: "This is our Capitol! That's right, storm the Capitol!"  
Vournas: "Zone 5, watch where we are. Stay together."  
Worrell: "Mike, pay attention Mike. Go, go, go, go . . . Make a hole! Make a hole!"  
Vournas: "Let's move up to the rest of our guys. Move up to the rest of our guys."  
Worrell: "Let's go, yeah. Let's go let's catch them. Milkshake, give em the hammer step, bro."

26. For the next hour, the police struggled to contain the mob, while certain members of the Zone 5 Proud Boys, including Worrell, assaulted and engaged with the line of officers on the West Plaza. For example, at approximately 1:30 p.m., Lobianco, two to three rows deep in the crowd, was pushing people in front of him, as part of a larger group of rioters, into a line of law enforcement officers that were attempting to hold crowd-control barriers in place. In the two images below, Lobianco (circled in red) is seen actively pushing other rioters who in front were contacting a line of police officers in an attempt to overrun the police line. The surge was repelled



when a Metropolitan Police Department officer used pepper spray against the advancing rioters. Immediately after, Worrell sprayed pepper gel at the same police line.



*Image 2: Lobianco (circled in red) pushing with the mob against law enforcement officers*



*Image 3: Lobianco (circled in red) pushing with the mob against law enforcement officers*

27. Lobianco then moved to a set of steps on the Lower West Terrace directly next to the police line at the Northwest Stairs. From there, Lobianco turned his back to the Capitol and yelled to the mob, “What are we waiting for? We already voted and what have they done? They stole it! We want our fucking country back. Let’s take it! Let’s take it! Come on! Come on, let’s go! Everybody together! Let’s go, this is it!” Below is a still-frame from that video.



*Image 4: Lobianco (circled in red) screaming to the mob “let’s take it!”*

28. Between approximately 1:30 PM and 1:48 PM, Scott and Worrell moved a police barricade that was in front of the line of USCP officers guarding the Northwest Stairs of the West Terrace of the Capitol. During this period, Lobianco and other members of his Proud Boys chapter, including Vournas, also moved toward the base of the same stairs and stood behind Scott and among a group of Proud Boys that had assembled near the base of the stairs.



*Image 5: Lobianco (circled in green) at the Northwest Stairs with Vournas (circled in red), Scott (circled in yellow), and Worrell (circled in blue)*

29. At the time, Officers N.C. and C.C. were in uniform and on duty, attempting to guard the Northwest Stairs leading up under the scaffolding and to the Upper West Terrace. At about 1:48 p.m., Scott was facing USCP Officers N.C. and C.C. when Scott suddenly moved forward and pushed the two officers backward and up the stairs. Almost immediately after Scott's violent charge, Vournas sprayed pepper gel at the same officers. The image below is a still frame from a video showing Lobianco and other members of Zone 5 seconds before the assault on the officers at the Northwest Stairs.



*Image 6: Lobianco ("A") with other members of Zone 5 ("B") at the NW Stairs*

30. Scott then grabbed USCP Officer C.C. and pulled the officer's head and torso down and into the crowd. Officer C.C. was able to free himself and retreated up the Northwest Stairs with Officer N.C.

31. The police line collapsed. The mob, including Vournas and Lobianco, then surged up the Northwest Stairs towards the Senate Wing Door.

32. Within 20 minutes, rioters, including Vournas and Lobianco, joined the first group of rioters to enter the Capitol—while Congress was still in session. Specifically, at approximately 2:13 p.m., Vournas and Lobianco entered the Capitol through the Senate Wing Door.



*Image 7: Lobianco (circled in red) entering the Capitol Building at approximately 2:13 p.m.*

33. Once inside, Lobianco proceeded deeper into the Capitol and encountered a line of police officers in the Crypt. During this time, Lobianco paced up and down and appeared to raise his arms while encouraging other rioters in the Crypt. Lobianco was then joined by Vournas, and they took one or more pictures together with Lobianco's phone. Lobianco and Vournas then exited through the Senate Wing Door at approximately 2:25 p.m.

34. Lobianco pushed other rioters who in front were contacting a line of police officers on the West Plaza and at the Northwest Stairs in an effort to take the country back from those who he believed had stolen the election from the people.

#### *Elements of the Offense*

35. The parties agree that Civil Disorder, 18 U.S.C. § 231(a)(3), requires the following elements:

- a. The defendant knowingly committed an act with the intended purpose of obstructing, impeding, or interfering with one or more law enforcement officers;

- b. At the time of the defendant's act(s), the law enforcement officers were engaged in the lawful performance of their official duties incident to and during a civil disorder;
- c. The civil disorder in any way or degree obstructed, delayed, or adversely affected commerce or the movement of any article or commodity in commerce, or the conduct or performance of any federally protected function.

*Defendant's Acknowledgments*

36. The defendant, Lobianco, knowingly and voluntarily admits to all the elements as set forth above. Specifically, Lobianco admits that he committed an act with the intended purpose of obstructing, impeding, or interfering with one or more law enforcement officers who were engaged in the lawful performance of their duties incident to a civil disorder. Additionally, Lobianco admits that the civil disorder obstructed, delayed, and adversely affected commerce and the movement of any article or commodity in commerce, and the conduct or performance of any federally protected function.

Respectfully submitted,

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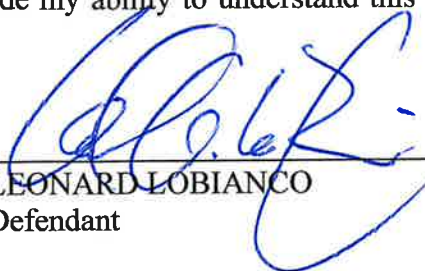
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**DEFENDANT'S ACKNOWLEDGMENT**

I, LEONARD LOBIANCO, have read this Statement of the Offense and have discussed it with my attorney, Christopher Macchiaroli. I fully understand this Statement of the Offense. I agree and acknowledge by my signature that this Statement of the Offense is true and accurate. I do this voluntarily and of my own free will. No threats have been made to me nor am I under the influence of anything that could impede my ability to understand this Statement of the Offense fully.


Date: 9/23/2024

  
LEONARD LOBIANCO  
Defendant

**ATTORNEY'S ACKNOWLEDGMENT**

I have read this Statement of the Offense and have reviewed it with my client, LEONARD LOBIANCO, fully. I concur in my client's desire to adopt this Statement of the Offense as true and accurate.

Date: 9/23/2024

  
CHRISTOPHER MACCHIAROLI  
Attorney for Defendant