

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the District of Columbia

Western District of Oklahoma MJ-24-443-AMG

United States of America v. TRINA REYES, (09/09/1956) LESLIE BOGUE, (06/25/1957)

Case: 1:24-mj-00174 Assigned to: Judge Upadhyaya, Moxila A. Assign Date: 5/15/2024 Description: COMPLAINT W/ ARREST WARRANT

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 6, 2021 in the county of in the in the District of Columbia, the defendant(s) violated:

Code Section

Offense Description

- 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, 40 U.S.C. § 5104(e)(2)(D) - Disorderly Conduct in a Capitol Building or Grounds, and 40 U.S.C. § 5104(e)(2)(G) - Parading, Demonstrating, or Picketing in the Capitol Grounds of Buildings.

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.

Complainant's signature

Complainant's signature

David L. Harrell, Special Agent

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone.

Date: 05/15/2024

Judge's signature

Judge's signature

City and state: Washington, D.C.

Moxila A. Upadhyaya, U.S. Magistrate Judge

Printed name and title

Case: 1:24-mj-00174
Assigned to: Judge Upadhyaya, Moxila A.
Assign Date: 5/15/2024
Description: COMPLAINT W/ ARREST WARRANT

STATEMENT OF FACTS

Your affiant, David L. Harrell, is a special agent with the Federal Bureau of Investigation assigned to the FBI San Antonio Joint Terrorism Task Force. 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.

The U.S. Capitol Building is equipped with closed circuit video recording camera (hereinafter "CCTV") at numerous locations in the Capitol Building. These CCTV cameras recorded a significant amount of the activity that day. In addition, 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. Photographs and videos of several of these persons were disseminated via social media and other open-source online platforms.

During the course of the investigation into the events of January 6, 2021, your affiant has identified Trina REYES and Leslie BOGUE as two of the individuals who were unlawfully inside of the Capitol and the restricted area. On January 6, 2021, REYES was wearing a long, black puffer-style jacket with a fur-like lined hood, red scarf, and brown boots. BOGUE was wearing a blue "Trump 2020" baseball cap, tan jacket with white lining, blue jeans, and sneakers. Both are depicted in the below photographs from January 6, 2021, Exhibit 1 and Exhibit 2.



Exhibit 1



Exhibit 2

In addition, I have located U.S. Capitol CCTV footage where REYES and BOGUE are captured entering the U.S. Capitol through the East Rotunda Doors at approximately 2:40 pm on January 6, 2021, as depicted below in Exhibit 3.



Exhibit 3 – Capitol Police CCTV screenshot

CCTV footage documented that REYES and BOGUE entered the Capitol Building less than two minutes after other rioters already inside the building had forced the doors open from the inside, as depicted below in Exhibit 4, allowing REYES, BOGUE, and others gathered outside of the door to stream in.



Exhibit 4 - Capitol Police CCTV screenshot

Once inside the Capitol Building REYES and BOGUE moved on to the Rotunda, which they entered at approximately 2:43 pm. Once they entered the Rotunda they remained there with dozens of other rioters, as depicted in Exhibit 5. They remained there until approximately 2:56 pm, when they left the Rotunda from the same direction they had entered. Exhibit 6.



Exhibit 5 - Capitol Police CCTV screenshot



Exhibit 6 - Capitol Police CCTV screenshot

The two remained in the building until approximately 2:58 pm, when they exited together through the East Rotunda Doors, as depicted in Exhibit 7.



Exhibit 7 - Capitol Police CCTV screenshot

During the course of the investigation, REYES agreed to be interviewed by FBI agents. During the interview on January 29, 2022, REYES admitted to agents that she had travelled to Washington, D.C. from Texas in advance of January 6, 2021. She said that on January 4, 2021, she drove to the Dallas area, where she met a friend, LESLIE BOGUE, who had travelled down from the Oklahoma-Texas border area where she lived to meet REYES. REYES said that the two of them then drove on to Washington, D.C., stopping enroute for the night in North Carolina. They then travelled to Washington, D.C. the next day and booked a two night stay at a hotel in the area. REYES said that on the morning of January 6th she and BOGUE went to the rally at which then-President Trump was scheduled to speak. After hearing the speech she and BOGUE walked toward the Capitol Building. In the interview REYES stated that she noticed as she approached the Capitol that the officers standing at the barricades were removing and moving the barricades so as to let people past, and towards the U.S. Capitol. However, she also stated that as she and BOGUE continued up the steps to the Capitol Building that she saw tear gas being fired and that she was even exposed to some of the tear gas.

REYES further claimed that once she and BOGUE approached the front of the U.S. Capitol they saw an officer open the door to the U.S. Capitol, and allow people to enter the building. She said that she and BOGUE then entered the building. REYES said that once in the building she took a few photos, then she and BOGUE followed the crowd in to the Rotunda. She went on to say that once inside the Rotunda she and BOGUE took a few pictures, then saw others being disrespectful to the U.S. Capitol by placing "MAGA" hats on top of statues and vandalizing paintings. She said that they decided they did not want to be a part of that and immediately walked back out of the U.S. Capitol. During the interview Reyes verified that photos shown to her by agents were in fact her at the rally, at the U.S. Capitol, and inside the U.S. Capitol on January 6, 2021. Among the photos she identified were Exhibit 2 and Exhibit 8, below.



Exhibit 8 – still image from open source video located at <https://archive.org/details/capital-hill-occupy-ovfr-18/Capital+Hill+Occupy+-ovfr18.mp4>

Although REYES stated in her interview that officers outside of the Capitol were removing and moving barricades to let people pass, an open source video previously posted on the internet shows that during the time an individual matching REYES' distinct appearance was at the barricades at the East Front of the Capitol officers were actively trying to restrict the crowd for breaching the barricades. Notwithstanding their efforts the officers were eventually overwhelmed and overrun by the rioters. In the video, REYES appears on the front line of the protestors. The video then shows the minutes afterwards where Capitol Police are pushed back by rioters in that same area of the East Plaza of the Capitol.



Exhibit 9 – still image of video located at <https://www.youtube.com/watch?v=ZjLvYqJ2-EM&t=206s> at timestamp 3:25

Although REYES also claimed that once she got to the doors an officer opened the doors to let protestors in to the building, additional open source video of the East Rotunda Doors just before the time REYES and BOGUE entered shows that officers were actively resisting allowing protestors to enter the building. In the video officers can be seen at the East Rotunda Doors being shoved and grabbed by individuals trying to open the doors to the Capitol. During the video a Capitol Police Officer is pulled by the back of his uniform jacket away from the doors and down to the ground. Exhibit 10. REYES and BOGUE can be identified by their distinctive appearance looking toward him as the officer falls to the ground a few feet away from them as the crowd looks down at him. Exhibit 11.



Exhibit 10 – still image of video located at <https://www.gettyimages.com/detail/video/mob-of-pro-trump-rioters-and-protesters-break-into-the-u-news-footage/1294938866> at timestamp 1:21



Exhibit 11 – still image of video located at <https://www.gettyimages.com/detail/video/mob-of-pro-trump-rioters-and-protesters-break-into-the-u-news-footage/1294938866> at timestamp 1:30

During the course of the investigation BOGUE also agreed to be interviewed by FBI agents in Oklahoma. During her interview, which occurred on July 12, 2022, BOGUE admitted that she and REYES had traveled to Washington, D.C. together and were at the Captiol on January 6, 2021. She identified herself and REYES in a photograph shown to her, Exhibit 2, and she identified REYES in a separate photo from inside the Capitol Building, Exhibit 8.

Although BOGUE identified REYES in the photograph from inside the Capitol, which was a still frame of a video posted on the internet, she stated to agents during her interview that she herself had not gone inside of the Capitol with REYES. Though BOGUE claimed to have not entered the Capitol, the same video from which the earlier still frame was obtained shows that an individual dressed exactly as BOGUE was that day walking with REYES as she departed the Capitol Building, consistent with numerous Capitol CCTV videos from that day.



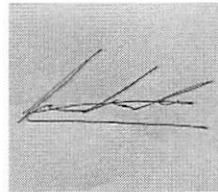
Exhibit 12 – still image from open source video located at <https://archive.org/details/capital-hill-occupy-ovfr-18/Capital+Hill+Occupy+-+ovfr18.mp4> at timestamp 02:37

Bogue was re-interviewed by FBI agents in February of 2024. During this interview BOGUE admitted that she had entered the U.S. Capitol Building on January 6, 2021, and that she was with REYES while she was inside of the building.

Based on the foregoing, your affiant submits that there is probable cause to believe that Trina REYES and Leslie BOGUE 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 Trina REYES and Leslie BOGUE violated 40 U.S.C. § 5104(e)(2)(D) and (G), which makes it a crime to willfully and (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.



David L. Harrell
Special Agent
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 15th day of May 2024.



HONORABLE MOXILA A. UPADHYAYA
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America

v.

LESLIE BOGUE

)
) Case: 1:24-mj-00174
) Assigned to: Judge Upadhyaya, Moxila A.
) Assign Date: 5/15/2024
) Description: COMPLAINT W/ ARREST WARRANT
)
)

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
(name of person to be arrested) LESLIE BOGUE,
who is accused of an offense or violation based on the following document filed with the court:

- Indictment Superseding Indictment Information Superseding Information Complaint
 Probation Violation Petition Supervised Release Violation Petition Violation Notice Order of the Court

This offense is briefly described as follows:

- 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,
- 40 U.S.C. § 5104(e)(2)(D) - Disorderly Conduct in a Capitol Building or Grounds, and
- 40 U.S.C. § 5104(e)(2)(G) - Parading, Demonstrating, or Picketing in the Capitol Grounds of Buildings.

Date: 05/15/2024

Issuing officer's signature

City and state: Washington, D.C.

Moxila A. Upadhyaya, U.S. Magistrate Judge
Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____.

Date: _____

Arresting officer's signature

Printed name and title