

UNITED STATES DISTRICT COURT
for the
District of Columbia

United States of America
v.
Thomas Edward Blackwood
DOB: XXXXXX

) Case: 1:24-mj-00038
) Assigned To : Harvey, G. Michael
) Assign. Date : 1/30/2024
) 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) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority,
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 the Capitol Grounds or Buildings,
40 U.S.C. § 5104(e)(2)(G) - Parading, Demonstrating, or Picketing in a Capitol Building.

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.



Printed name and title

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

Date: 01/30/2024

Judge's signature

City and state: Washington, D.C.

G. Michael Harvey, U.S. Magistrate Judge

Printed name and title

Case: 1:24-mj-00038
Assigned To : Harvey, G. Michael
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STATEMENT OF FACTS

Your affiant, [REDACTED] is a Task Force Officer (TFO) assigned to the Charleston, South Carolina Resident Agency of the FBI's Columbia, South Carolina Field Office. In my duties as a TFO, I have received specialized training from the FBI and my agency, the Charleston Police Department, including training in the investigation of domestic terrorism and anti-government violent extremism. My investigative duties include, among other violations of federal law, domestic and international terrorism, anti-government violent extremism and racially motivated violent extremism. During my ten years as a police officer, I have served as a member of the SWAT critical incident response unit, as an Explosives Detection Canine Handler and I am a certified FBI Hazardous Devices School (HDS) Bomb Technician. Currently, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. As a Task Force Officer, 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 Specific to BLACKWOOD

According to video surveillance footage from U.S. Capitol Police CCTV, Thomas Edward BLACKWOOD, Sr. entered the U.S. Capitol building two times on January 6, 2021. BLACKWOOD was accompanied by his friend, N.B., who has been charged elsewhere. BLACKWOOD and N.B. are circled in red in the images below. BLACKWOOD and N.B. first entered through the Parliamentarian Door (also known as the Senate Fire Door) at 2:55 pm:



Image 1 (View from the back of N.B., holding a flag, followed by BLACKWOOD entering the U.S. Capitol building at 2:55 pm)

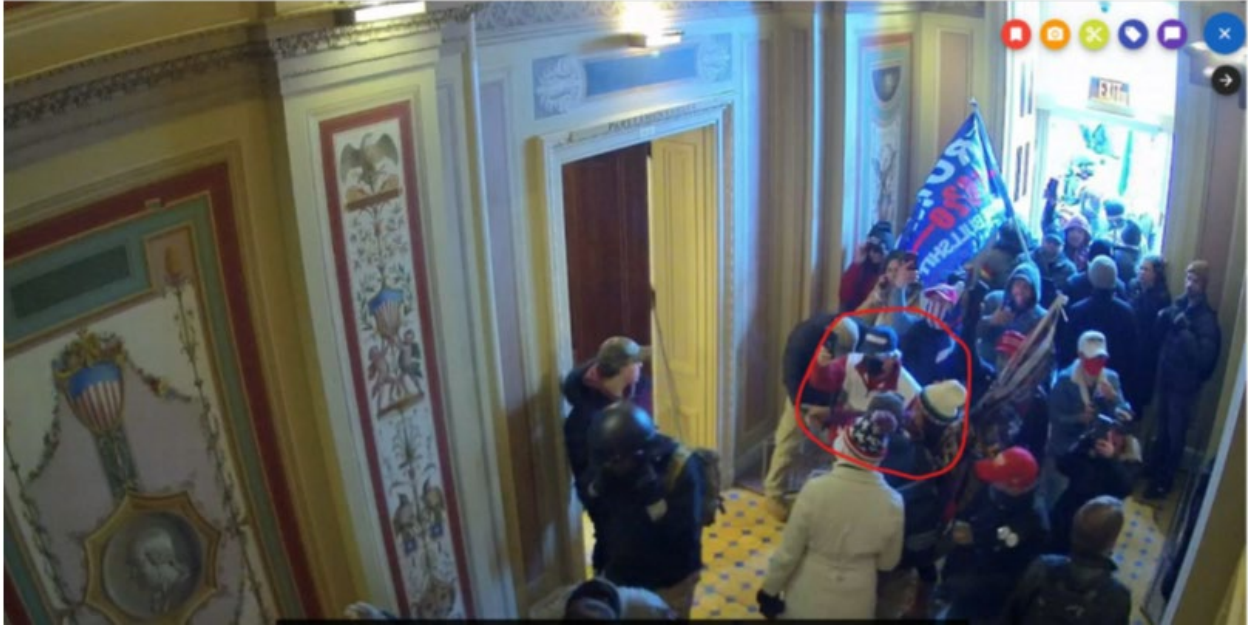


Image 2 (View from the front of N.B. and BLACKWOOD, holding a phone, entering the U.S. Capitol building at 2:55 pm)

BLACKWOOD and N.B., surrounded by police, walked out that same door at 3:02 pm:

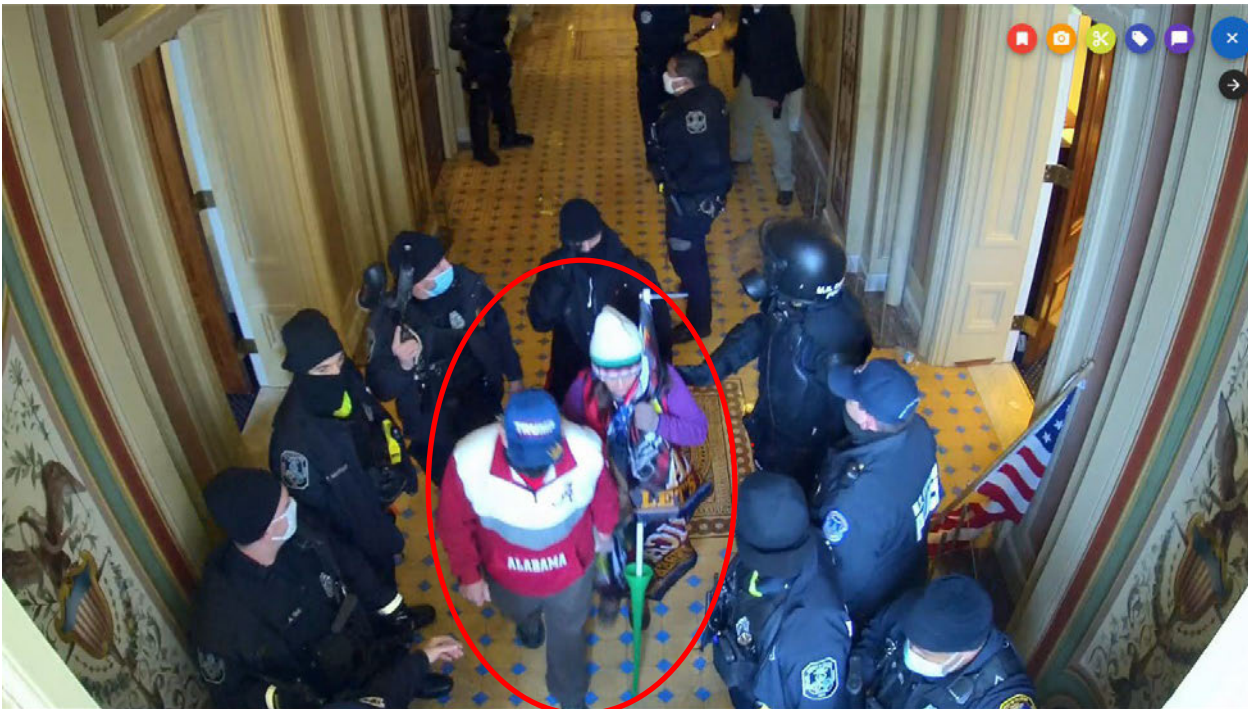


Image 3 (BLACKWOOD in the Alabama jacket and N.B., still holding the flag)

Undeterred, BLACKWOOD and N.B. re-entered the Capitol building at 3:10 pm, this time through the Senate Wing door:

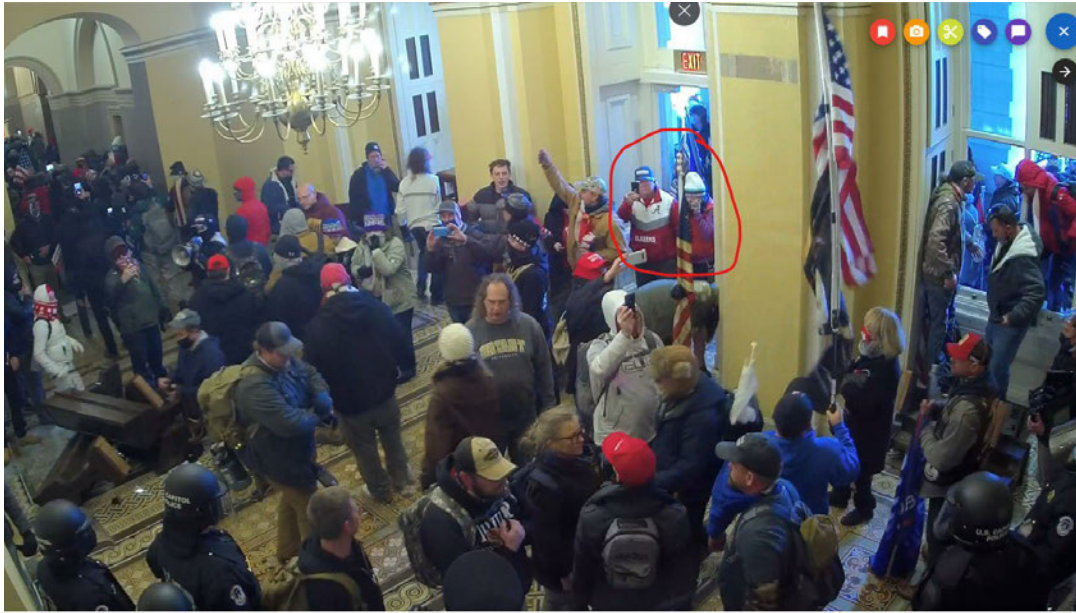


Image 4 (BLACKWOOD, with his phone, and N.B., with her flag, re-enter the U.S. Capitol building, while other protesters enter through the broken window)

After re-entering the U.S. Capitol building, BLACKWOOD and N.B. walked to, and then around, the Crypt for approximately 15 minutes:

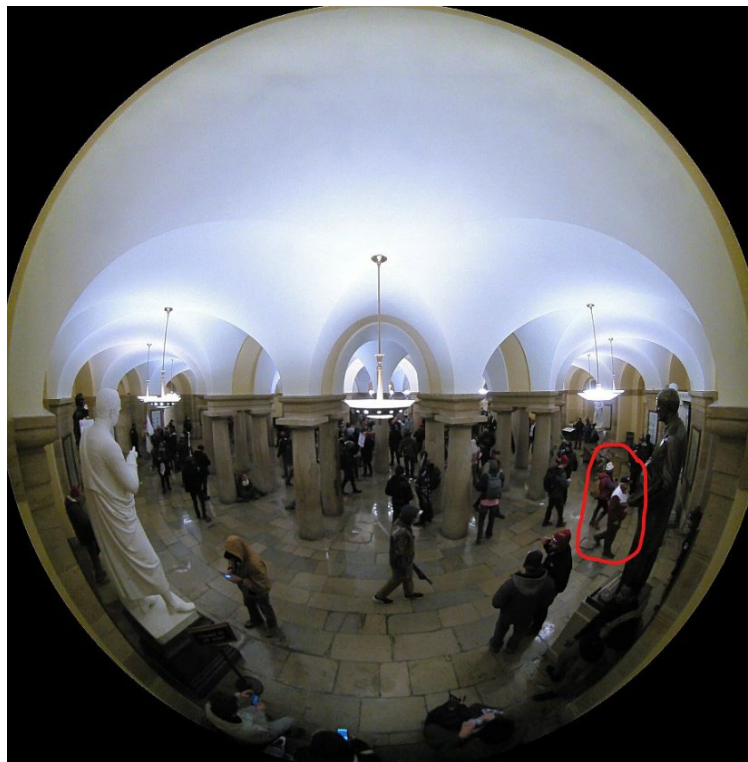


Image 5 (BLACKWOOD and N.B. in the Crypt)

Approximately 30 minutes after they first entered, BLACKWOOD and N.B. walked back out through the Senate Wing Door at 3:25 pm:



Image 6 (N.B. and BLACKWOOD walking out of the Senate Wing Door at 3:25 pm)

After leaving the building, BLACKWOOD and N.B. stood outside the Senate Wing Door:



Image 7 (BLACKWOOD and N.B. standing outside the Senate Wing Door)

Identification and Interview of Thomas Blackwood

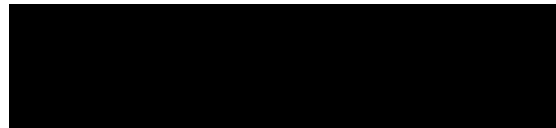
According to records obtained through a search warrant served on Google, a mobile device associated with b[REDACTED]@gmail.com was present at the U.S. Capitol on January 6, 2021. Google estimates device location using sources including GPS data and information about nearby Wi-Fi access points and Bluetooth beacons. This location data varies in its accuracy, depending on the source(s) of the data. As a result, Google assigns a “maps display radius” for each location data point. Thus, where Google estimates that its location data is accurate to within 10 meters, Google assigns a “maps display radius” of 10 meters to the location data point. Finally, Google reports that its “maps display radius” reflects the actual location of the covered device approximately 68% of the time. In this case, Google location data shows that a device associated with b[REDACTED]@gmail.com was within an area of the U.S. Capitol Building or Grounds that corresponds approximately to the restricted perimeter on January 6, 2021 from approximately 2:50:37 p.m. to 3:59:54 p.m., with a maps display radius ranging from 13 to 226 meters. Some of these location data points encompass an area that is partially within the U.S. Capitol Building. The “recovery SMS” listed for the account is x5788, a phone number which government databases attribute to BLACKWOOD. Further, the gmail address (b[REDACTED]@gmail.com) includes the name T.E. Blackwood, which are BLACKWOOD’s first and middle initials and his last name.

On December 9, 2021, agents interviewed BLACKWOOD at his home in Charleston, South Carolina. BLACKWOOD told the agents that he drove up to Washington, D.C. on January 5, 2021 and spent the night with his girlfriend, N.B., at her daughter’s home in Washington, D.C. BLACKWOOD and N.B. attended President Trump’s speech and then walked toward the U.S. Capitol with a large group of people. BLACKWOOD admitted that once they arrived at the Capitol grounds, he and N.B. entered the Capitol building. BLACKWOOD asserted that he and N.B. walked in through an open door and were waved in by police. BLACKWOOD said that while in the interior of the building, police officers were directing the flow of traffic through the hallways. When BLACKWOOD saw individuals inside offices and other individuals breaking windows, he decided that he and N.B. needed to leave. BLACKWOOD said he had been in the U.S. Capitol previously because he was a lobbyist, so he knew the direction they needed to go to leave the building. However, officers inside the building would not allow them to go in that direction. BLACKWOOD said he approached a police officer and asked him how to get out of the building. BLACKWOOD said he was directed to another police officer and told to follow him and take as many people as he could with him. BLACKWOOD stated that he and N.B. followed these directions. BLACKWOOD believed he and N.B. were inside the U.S. Capitol for three to five minutes. BLACKWOOD did not tell the interviewing agents that he had entered the Capitol building a second time.

Based on the foregoing, your affiant submits that there is probable cause to believe that BLACKWOOD 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 BLACKWOOD also 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.



Task Force Officer
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1
by telephone, this 30th day of January, 2024.

HONORABLE G. MICHAEL HARVEY
U.S. MAGISTRATE JUDGE