

UNITED STATES DISTRICT COURT
for the
District of Columbia

United States of America
v.
Audrey Ann Southard-Rumsey (AKA: Audrey Ann
Southard) DOB: [REDACTED]
Case No.
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

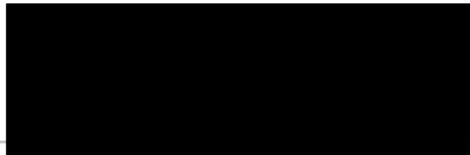
Offense Description

- 18 U.S.C. § 111(a)(1) - Assault on a Federal Officer or Employee,
18 U.S.C. § 231(a)(3) - Obstruction of Law Enforcement During Civil Disorder,
18 U.S.C. § 1512(c)(2) - Obstruction of Justice/Congress,
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,
18 U.S.C. § 1752(a)(4) - Knowingly Engages in any act of Physical Violence Against any Person or Property in any Restricted Building or Grounds,
40 U.S.C. § 5104(e)(2)(D) - Disorderly Conduct in a Capitol Building,
40 U.S.C. § 5104(e)(2)(G) - Parading, Demonstrating, or Picketing in a Capitol Building,
40 U.S.C. § 5104(e)(2)(F) - Engaging in an act of Physical Violence in the Grounds or any of the Capitol Buildings.

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.



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: 06/01/2021

Digitally signed by G. Michael Harvey
Date: 2021.06.01 16:05:09 -04'00'

Judge's signature

City and state: Washington, D.C.

G. Michael Harvey, U.S. Magistrate Judge
Printed name and title

STATEMENT OF FACTS

Your affiant, [REDACTED] is a Special Agent of the Federal Bureau of Investigation. In my duties as a special agent, I have conducted and/or assisted in criminal investigations of a variety of Federal criminal laws. 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, detention, 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. On January 6, 2021, only authorized people with appropriate identification were allowed access inside the U.S. Capitol. Additionally, on that date, 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, S.E., 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.

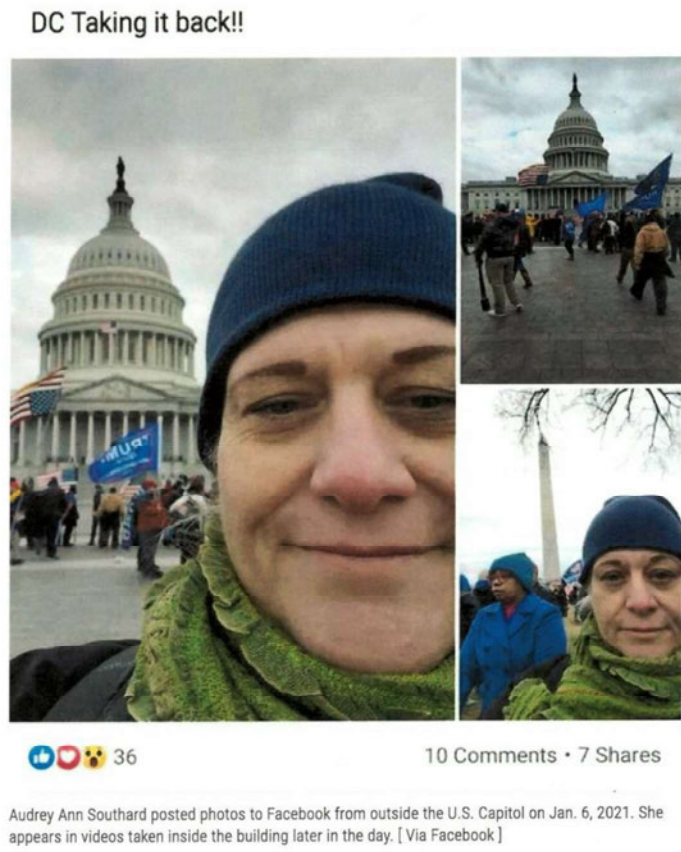
At such time, the certification proceedings were still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, shortly around 2:00 p.m., individuals 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.

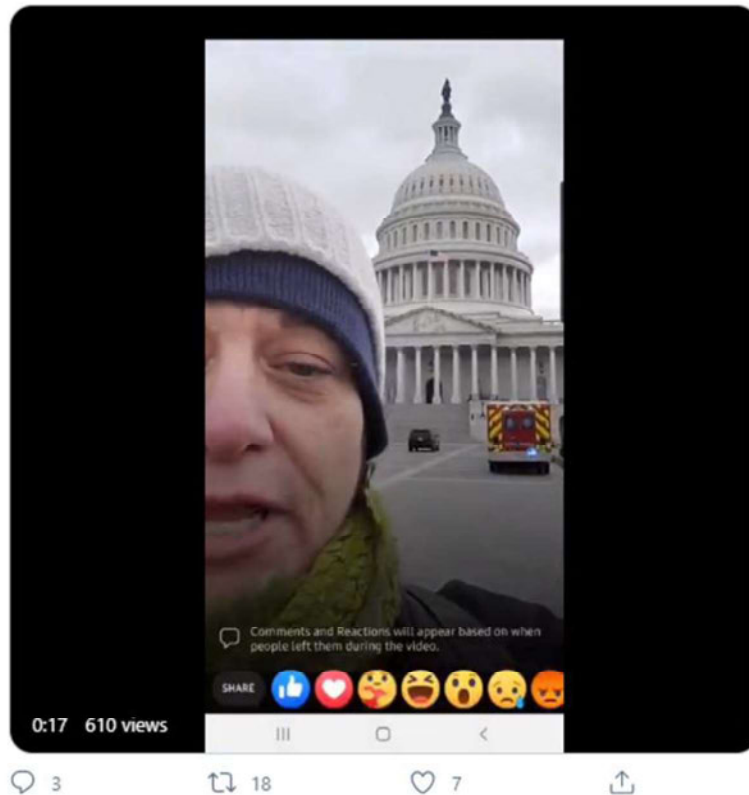
During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of

violations of local and federal law, including scores of individuals inside the U.S. Capitol building without authority to be there.

The FBI is investigating **Audrey Ann Southard-Rumsey, a/k/a Audrey Ann Southard (“SOUTHARD-RUMSEY”)**’s role in the Capitol Attack. On or about January 11, 2021, the FBI received a tip via its online tip submission portal. The tipster advised that SOUTHARD-RUMSEY was in the Capitol Building on January 6, 2021. The tipster told the FBI that SOUTHARD-RUMSEY, while using her Facebook profile, posted an image that captured her in front of the Capitol Building with the caption “DC Taking it back!!”



The tipster also captured a Twitter feed of SOUTHARD-RUMSEY outside the Capitol Building stating “I’m doing a live feed. Standing in front of the Capitol Building ready to take it. As soon as we get enough people up here. To run the Capitol Building. It’s going to be fun.”



Social media checks also revealed text messages from SOUTHARD-RUMSEY stating, “Going to DC tomorrow...Patriot’s vs Traitors” and “We The People are making a declaration...1776!!” The postings have since been removed from SOUTHARD-RUMSEY’s social media page.

I checked SOUTHARD-RUMSEY’s identity against her driver’s license photo which shows her to be the same person appearing in the photos posted on her Facebook account, audreyann.southard.



On or about January 16, 2021, the FBI conducted an interview of a known SOUTHARD-RUMSEY associate (“W-1”). W-1 confirmed traveling from Florida in a rental car with SOUTHARD-RUMSEY and two (2) other individuals on January 5, 2021. The group arrived late that day in the Williamsburg, Virginia area and rented a condo at The Historic Powhatan

Resort. On January 6, 2021, W-1, SOUTHARD-RUMSEY and the other individuals drove into Washington, D.C. arriving sometime between 9:00 a.m. to 10:00 a.m.

W-1 claimed SOUTHARD-RUMSEY and the rest of the group were unable to get near the area where President Trump was speaking so they headed towards the Capitol Building. W-1, SOUTHARD-RUMSEY and the other two (2) individuals were present on the steps of the east side of the Capitol Building. W-1 became separated from SOUTHARD-RUMSEY when the crowd surged forward towards the Capitol Building. After being separated from SOUTHARD-RUMSEY for a period of time, W-1 found SOUTHARD-RUMSEY crying and sitting on steps located on the east side of the Capitol Building. SOUTHARD-RUMSEY informed W-1 she had entered the Capitol Building.

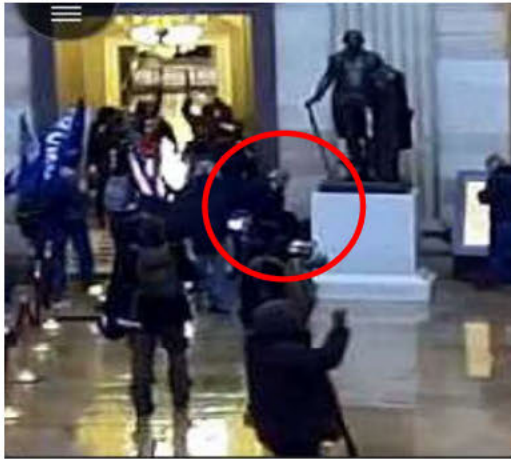
I have reviewed numerous video clips from inside the Capitol Building in which SOUTHARD-RUMSEY is present. SOUTHARD-RUMSEY entered the Capitol Building through the Rotunda Door at approximately 2:26 p.m. on January 6, 2021. The Rotunda Door is located on the east side of the Capitol Building. The route SOUTHARD-RUMSEY took in the Capitol Building is depicted below from screenshots taken of the reviewed video clips. SOUTHARD-RUMSEY was seen removing various clothing items as she progressed through the Capitol Building.



SOUTHARD-RUMSEY entering the Capitol Building through the Rotunda Door.



After arriving in Rotunda, SOUTHARD-RUMSEY heads south towards Statuary Hall.



SOUTHARD-RUMSEY places an item at the base of the George Washington Statue in the Rotunda.



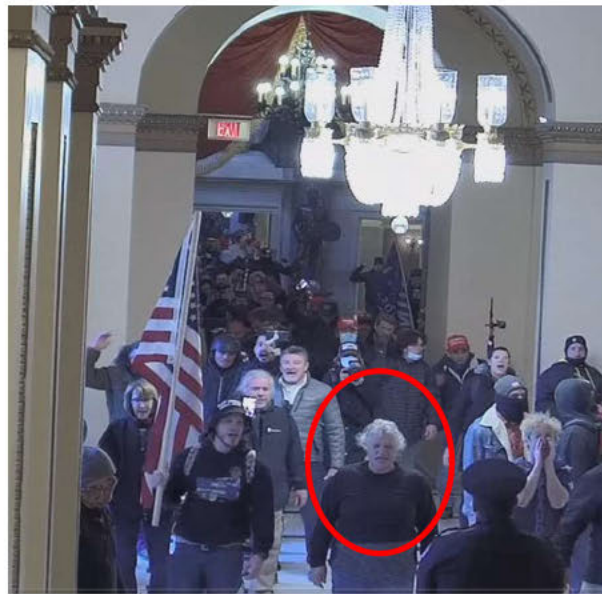
SOUTHARD-RUMSEY in Statuary Hall heading south towards the Statuary Hall Connector.



SOUTHARD-RUMSEY discarding her jacket as she enters the Statuary Hall Connector.



SOUTHARD-RUMSEY within the Statuary Hall Connector.



SOUTHARD-RUMSEY standing in front of Sgt. V. in the Statuary Hall Connector before the doors leading onto the House Floor.

After arriving in the Statuary Hall Connector area, SOUTHARD-RUMSEY stopped and stood in front of United States Capitol Police (USCP) Sergeant N.V. (“Sgt. V.”). Several other

USCP Officers stood behind Sgt. V. SOUTHARD-RUMSEY can be heard in the video clips yelling the following at the USCP Officers:

- “Tell Pelosi we are coming for that bitch.”
- “You ready, you ready.”
- “There’s a hundred thousand of us, what’s it going to be?”
- “Last friend, last bullet. What’s it going to be?”

SOUTHARD-RUMSEY can also be heard yelling at the other rioters, in substance, “Alright push in here;” and “You ready to go again?”

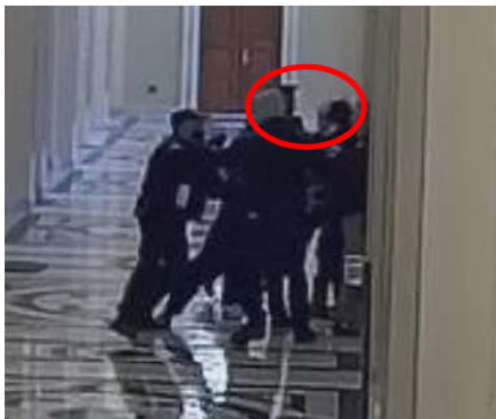
Video footage reveals that as SOUTHARD-RUMSEY pushes into Sgt. V. that she is moving on her own volition. The crowd is not pushing her in to him. She is moving forward voluntarily.



SOUTHARD-RUMSEY holding the flagpole against Sgt. V.

On January 26, 2021, Sgt. V. was interviewed by the FBI concerning his assignment on the day of the Capitol Building siege. Sgt. V., along with several other USCP officers, had been reassigned from their normal posts to a hallway in the Capitol Building located between Statuary Hall and the Hall of the House of Representatives (“House”). Sgt. V. was given instructions to hold or delay the rioters who arrived at this location. Sgt. V. claimed there were two main agitators in the group who approached his location. After being shown a video clip along with several photos of the location he had been assigned in the Capitol Building, Sgt. V. identified SOUTHARD-RUMSEY as one of the two main agitators in the group of rioters facing him. While standing before him, SOUTHARD-RUMSEY said the following to Sgt. V., in substance, “We’re coming, we’re coming” and “Let us through. We have the building already.”

At some point during Sgt. V.'s interaction with SOUTHARD-RUMSEY, she obtained a flagpole which she held in her hands and pressed against his chest. Once SOUTHARD-RUMSEY had the flagpole on Sgt. V.'s chest, she did not remove it and he felt pressure from it. SOUTHARD-RUMSEY was the only one holding onto the flagpole. When the second agitator of the group yelled "Let's go," SOUTHARD-RUMSEY started pushing Sgt. V. with the flagpole and drove him back into the first set of doors leading onto the House floor. When Sgt. V. hit the doors, the doors flew open and he was pushed into the Lafayette marble statue striking the back left side of his head on the base of the statue. Sgt. V. felt like he was being trampled during the ordeal.



SOUTHARD-RUMSEY pushing Sgt. V. with the flagpole toward the house floor doors.

Following the Capitol Building siege on January 6, 2021, FBI Task Force Officer (TFO) Siobhan Maseda had obtained and reviewed video footage from inside the Capitol Building and identified SOUTHARD-RUMSEY. TFO Maseda is assigned to the FBI's Tampa Field Office and has previously had multiple interactions with SOUTHARD-RUMSEY in relation to her protesting activities in Florida.

According to records obtained through a search warrant served on Google, a mobile device associated with [REDACTED] 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 [REDACTED] was within the U.S. Capitol at coordinates associated with the center of the Capitol Building from approximately 2:21 p.m. until 3:36 p.m. Google records show that the "maps display radius" for this location data ranged from 13 meters to 145 meters. Furthermore, surveillance footage from the entrance of the Rotunda doors are time-stamped within

minutes of 2:21p.m., the first Google coordinates identified inside the building, which demonstrates SOUTHARD-RUMSEY entering the Capitol Building.

The FBI has reviewed the available information for [REDACTED] in order to determine whether there was any evidence that devices associated with that address could have lawfully been inside the U.S. Capitol Building on January 6, 2021. The information for that address did not match any information for persons lawfully within the Capitol. Accordingly, I believe that the individual possessing this device was not authorized to be within the U.S. Capitol Building on January 6, 2021.

Records provided by Google revealed that the mobile device associated with [REDACTED] belonged to a Google account registered in the name of Audrey Ann SOUTHARD. The Google account also lists a recovery SMS phone number ending in [REDACTED] and a recovery email of [REDACTED]

Records provided by Charter Communications show that the phone number ending in [REDACTED] is registered in the name of Audrey SOUTHARD. The records also include a username of [REDACTED]

Based on the foregoing, your affiant submits that there is probable cause to believe that SOUTHARD-RUMSEY violated 18 U.S.C. § 111(a)(1), which makes it unlawful to forcibly assault, resist, oppose, impede, intimidate, or interfere with any person designated in section 1114 of this title while engaged in or on account of the performance of official duties. 18 U.S.C. § 1114 identifies “any person” as an officer or employee of the United States or of any agency in any branch of the United States Government (including any member of the uniformed services) while such officer or employee is engaged in or on account of the performance of official duties.

Your affiant submits there is also probable cause to believe that SOUTHARD-RUMSEY violated 18 U.S.C. § 231(a)(3), which makes it unlawful to commit or attempt to commit any act to obstruct, impede, or interfere with any fireman or law enforcement officer lawfully engaged in the lawful performance of his official duties incident to and during the commission of a civil disorder which in any way or degree obstructs, delays, or adversely affects commerce or the movement of any article or commodity in commerce or the conduct or performance of any federally protected function. For purposes of Section 231 of Title 18, a federally protected function means any function, operation, or action carried out, under the laws of the United States, by any department, agency, or instrumentality of the United States or by an officer or employee thereof. This includes the Joint Session of Congress where the Senate and House count Electoral College votes.

Your affiant submits there is also probable cause to believe that SOUTHARD-RUMSEY violated 18 U.S.C. § 1512(c)(2), which makes it a crime to obstruct, influence, or impede any official proceeding, or attempt to do so. Under 18 U.S.C. § 1515, congressional proceedings are official proceedings.

Your affiant submits there is also probable cause to believe that SOUTHARD-RUMSEY violated 18 U.S.C. §§ 1752(a)(1), (2), and (4) which make it a crime to (1) knowingly enter or

remain in any restricted building or grounds without lawful authority to do; (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; and (4) knowingly engages in any act of physical violence against any person or property in any restricted building or grounds; 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.

Finally, your affiant submits there is probable cause to believe that SOUTHARD-RUMSEY violated 40 U.S.C. §§ 5104(e)(2)(D), (F) and (G), which make 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; (F) engage in an act of physical violence in the Grounds or any of the Capitol Buildings; and (G) parade, demonstrate, or picket in any of the Capitol Buildings.

Date: June 1, 2021



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 1st day of June 2021.



Digitally signed by G. Michael
Harvey
Date: 2021.06.01 16:07:12
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THE HON. G. MICHAEL HARVEY
U.S. MAGISTRATE JUDGE