

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America

v.

Leo Brent Bozell IV



Case: 1:21-mj-00222

Assigned to: Judge Faruqui, Zia M

Assign Date: 2/11/2021

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
District of Columbia, the defendant(s) violated:

Table with 2 columns: Code Section, Offense Description. Rows include 18 U.S.C. Section 1512(c)(2), 18 U.S.C. Section 1752(a)(1) and (2), and 40 U.S.C. Section 5104(e)(2).

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet.

Handwritten signature of Lynda W. Thomas

Complainant's signature

Lynda W. Thomas, 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 (specify reliable electronic means).

Date: 02/11/2021

Judge's signature

City and state: Washington, DC

Zia M. Faruqui, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT****LEO BRENT BOZELL IV****Date of Birth 08/22/1979**

I, Lynda W. Thomas, being first duly sworn, depose and state as follows:

**AFFIANT'S BACKGROUND**

1. I am a Special Agent of the Federal Bureau of Investigation ("FBI") assigned to the Washington Field Office. My responsibilities include investigating criminal activity in and around the grounds of the U.S. Capitol in connection with the events of January 6, 2021. I am authorized by law to engage in and supervise the prevention, detention, investigation, and prosecution of violations of United States federal criminal laws.
2. I am familiar with the facts and circumstances set forth below from my personal participation in the investigation, my review of documentation and publicly-available information, and my conversations with other law enforcement officers. Where the actions, statements, and conversations of others are recounted herein, they are recounted in substance and part, unless otherwise indicated. Where the affidavit contains items in quotation marks, those quotations are based on agent notes and may not be completely verbatim. Because this affidavit is being submitted for the limited purpose of supporting a criminal complaint, I am setting forth only those facts and circumstances necessary to establish probable cause for the issuance of the requested complaint. Unless otherwise indicated, all written and oral statements referred to herein are set forth in substance and in part, rather than verbatim.

**PURPOSE OF AFFIDAVIT**

3. This affidavit is in support of a criminal complaint charging Leo Brent Bozell IV ("Bozell") with violations of 18 U.S.C. § 1512(c)(2) (corruptly obstructing, influencing, and impeding any official proceeding, and attempting to do so), 18 U.S.C. §§ 1752(a)(1) and (2) (restricted building and grounds), and 40 U.S.C. § 5104(e)(2) (disorderly conduct).

**FACTUAL BASIS SUPPORTING PROBABLE CAUSE**

4. 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 are 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.
5. 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.

6. 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 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.
7. 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 after 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.
8. 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 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.
9. 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.
10. The FBI received information from three witnesses who have provided tips and information to the FBI National Threat Operations Center (“NTOC”). These witnesses, identified herein as W-1, W-2, and W-3, found video and digital information from various public and social media sources that establish that Bozell was inside of the U.S. Capitol Building on January 6, 2021. According to multiple public source records, Bozell resides in Palmyra, Pennsylvania.
11. On January 14, 2021, W-1 submitted an online tip to the FBI NTOC regarding the rioting at the United States Capitol. The tip stated that W-1 was shown a photo of a man walking out of the U.S. Capitol Building on January 6, 2021, by a friend. The photo was a screenshot of a Twitter video. W-1 was immediately able to positively identify the individual walking out of the U.S. Capitol Building as Bozell. W-1 advised that Bozell also goes by the nickname “Zeek or Zeeker”. W-1 was affiliated with the same school that Bozell’s children attended and had multiple interactions with Bozell prior to January 6, 2021. On January 19, 2021, W-1 was interviewed by an FBI agent. During the interview,

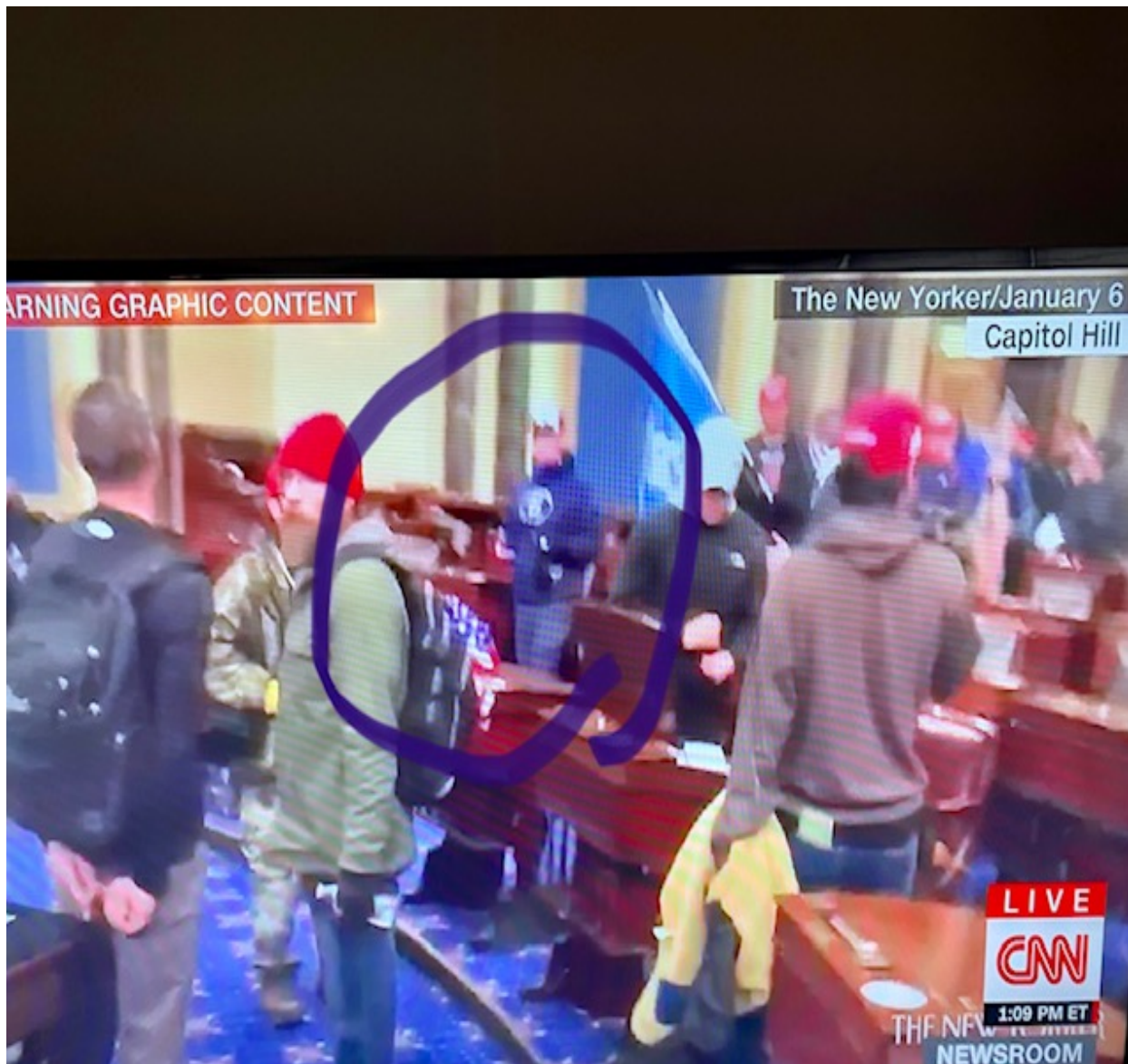
W-1 told the Agent that Bozell was wearing a red and white hat and a blue sweatshirt with the writing "Hershey Christian Academy" across the front while exiting the U.S. Capitol Building on January 6, 2021. W-1 emailed the Agent a screenshot of the aforementioned Twitter video showing the individual identified as Bozell leaving the U.S. Capitol Building. W-1 also provided a link to the Twitter video so the agent could review the footage.

12. W-1 described the video as people jubilantly exiting the U.S. Capitol Building. Some of these people can be seen wearing gas masks, helmets, and waving flags. W-1 advised that at the 23-second mark of the video, the viewer can see Bozell exiting the U.S. Capitol Building, wearing a red and white hat and a blue "Hershey Christian Academy" sweatshirt, while talking on a cell phone.  
(See pictures below)





13. While watching footage of the riot from CNN news, W-1 again identified Bozell on video. This time Bozell could be seen inside the U.S. Senate Chamber. W-1 went on to discover the source of the footage W-1 saw on CNN was from The New Yorker. W-1 advised that the URL to watch the footage from inside the Senate Chamber was: <https://www.newyorker.com/news/video-dept/a-reporters-footage-from-inside-the-capitol-siege>
14. At approximately the .23 second mark in the New Yorker video, the viewer can see Bozell in front of a large blue flag. The footage of Bozell is only a few seconds long, but he is easily identifiable because he was wearing the same red and white hat and blue sweatshirt with the words, "Hershey Christian Academy." W-1 took a photo of the CNN / New Yorker video with a cell phone and circled BOZELL with a blue circle and emailed the screenshot to the interviewing agent.  
(See picture below)



15. On January 24, 2021, W-1 emailed the agent, and provided a link to a YouTube video titled "January 6, 2021- Leo Brent Bozell IV on the U.S. Capitol Senate Balcony." The video is approximately 19 seconds long and shows a group of people on the balcony of the U.S. Senate Chamber shouting "Treason". At approximately the 5-6 second mark of the video a man holding a document and wearing a red and white hat with a blue sweatshirt turns toward the camera. This man was again identified by W-1 as Bozell. The URL to the YouTube video is <https://youtu.be/Lk9EX02VzWE>.  
(See picture below)



January 6, 2021 - Leo Brent Bozell IV on the U.S. Capitol Senate Balcony

16. On January 15, 2021, W-2 called the FBI NTOC to report a photo posted on Twitter of Bozell, who appears to be walking out of the U.S. Capitol Building on January 6, 2021, in Washington, D.C. W-2 reported that Bozell was wearing identifiable clothes as he was pictured in a blue Hershey Christian Academy sweatshirt with a red and white hat.
17. On January 25, 2021, an FBI agent interviewed W-2. After viewing the photo of an individual walking out of the U.S. Capitol Building on January 6, 2021, wearing a blue Hershey Christian Academy sweatshirt, W-2 began researching Hershey Christian Academy. W-2 went to the Hershey Christian Academy Facebook page and began looking at profile pictures of people who either commented or “liked” posts from the Hershey Christian Academy. W-2 came across a profile picture of “Zeeker Bozell” whom W-2 believed was the same person pictured coming out of the U.S. Capitol on January 6, 2021.
18. W-2 began researching “Zeeker Bozell”. Through photos and other publicly available information, W-2 was able to determine that “Zeeker Bozell’s” true name was Leo Brent Bozell IV. W-2 was able to determine that Bozell was a girls’ basketball coach in the Hershey, Pennsylvania, area and confirmed that the photo of the man walking out of the U.S. Capitol Building on January 6, 2021, matched a known photo of Bozell.
19. W-2 had been conducting research on the January 6, 2021, riot at the U.S. Capitol Building, and during W-2’s research they had come upon a website that had posted hundreds of Parler videos from in, and around the U.S. Capitol on January 6, 2021. This website had filtered the videos based off the geolocation of where the video was posted. The website put the videos into three categories: “Around D.C.”, “Around the Capitol”, and “Inside the Capitol.” The website also put the videos into sequential order based on the time the video

was posted on January 6, 2021. The website W-2 had viewed was <https://projects.propublica.org/parler-capitol-videos> (“ProPublica”).

20. W-2 advised that when a viewer filters the videos from ProPublica to “Inside the Capitol” and scroll to the 2:44 p.m. mark, one can view a video that is approximately 20 seconds long. The video shows Bozell on the balcony of the U.S. Senate Chamber near a male who appears to be a teenager. People in the video were chanting "Treason" repeatedly, though it is unclear from the video whether Bozell was also shouting this word. Bozell can be seen looking back at the camera and then jumping over a railing with the same teenage male.
21. On the same ProPublica website, W-2 was able to find the original video that W-2 had seen on Twitter showing Bozell walking out of the U.S. Capitol Building. W-2 advised that according to the ProPublica website, Bozell walked out of U.S. Capitol Building at 3:07 p.m.
22. On January 21, 2021, W-3 submitted a tip through <http://www.fbi.gov/USCapitol> with a photo of Bozell and an unidentified female minor holding a trophy on a basketball court. W-3 stated that they were “100% positive that Zeeker Bozell” was the individual seen walking out of the U.S. Capitol Building on January 6, 2021. On January 22, 2021, W-3 was interviewed by an FBI agent. W-3 advised that W-3 was affiliated with the Named School 1 in Hershey, Pennsylvania. Several days after the January 6, 2021, riot at the U.S. Capitol Building, a co-worker showed W-3 a photo of a man walking out of the U.S. Capitol Building wearing a blue Hershey Christian Academy sweatshirt. W-3 immediately identified the person in the photo as a parent of children that attended the Named School 1 and the former girls’ basketball coach at the school. W-3 could not immediately recall the name of the individual in the photo from the Capitol, but knew it was the former girls’ basketball coach at the Named School 1. W-3 had interacted with the individual pictured on multiple occasions and was positive it was the former coach.
23. After researching the name of the former girls’ basketball coach, W-3 recalled that the girls on the basketball team would call the coach, "Coach Zeeker". "Coach Zeeker's" real name is Leo Brent Bozell IV. Bozell stopped being the girls’ basketball coach in March 2020, as the team could no longer practice, or play games, due to the COVID-19 pandemic. There was a photo of Bozell on the school's website holding up a trophy with some of the players from the past season. W-3 advised that this photo was submitted with W-3’s tip to the FBI.

(See picture below)





24. Based on the information provided by the three witnesses, your affiant reviewed C-SPAN video footage from inside the U.S. Senate Chamber on January 6, 2021. The C-SPAN footage was reviewed by your affiant, who confirmed that the individual wearing a red and white hat with a blue Hershey Christian Academy sweatshirt, who was identified as Bozell, was on the balcony of the U.S. Senate Chamber and walked around the Senate Floor. Based on the timestamps of the C-SPAN video footage, the individual identified as Bozell was in the U.S. Senate Chamber from at least 2:46 p.m. through 2:55 p.m. on January 6, 2021. While on the U.S. Senate Chamber Balcony, the man identified as Bozell moved a camera so that the camera was pointing down to the ground of the balcony area. This was done as protestors began to enter the main floor of the U.S. Senate. By pointing the camera to the ground, the camera was unable to record protestors entering the main floor of the U.S. Senate Chamber. Simultaneously, a younger unidentified male can be seen covering a different camera with a jacket. My review of the C-SPAN video footage indicates that Bozell's movement of a camera, along with the other individual who covered a camera with a jacket was done in coordination in order to obstruct the view of the cameras recording protestors entering the U.S. Senate Chamber.

(See picture below)



25. The man identified as Bozell can be seen in the C-SPAN video on the Senate Floor as well. (See picture below)





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

27. Your affiant submits there is also probable cause to believe that Bozell violated 40 U.S.C. § 5104(e)(2)(D) and (G), which make it a crime to willfully and knowingly (D) 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.
28. Finally, your affiant submits there is probable cause to believe that Bozell 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.



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Special Agent Lynda W. Thomas  
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 11<sup>th</sup> day of February 2021.

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HON. ZIA M. FARUQUI  
U.S. MAGISTRATE JUDGE