

**FILED**

**JAN 27 2021**

Clerk, U.S. District and  
Bankruptcy Courts

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

<b>UNITED STATES OF AMERICA</b>	:	<b>CRIMINAL NO:</b>
	:	
<b>v.</b>	:	<b>MAGISTRATE NO. 21-mj-00085</b>
	:	
<b>ROBERT GIESWEIN,</b>	:	<b>VIOLATIONS:</b>
	:	
<b>Defendant.</b>	:	<b>Count 1: 18 U.S.C. § 1512(c)(2)</b>
	:	<b>(Obstruction of an Official Proceeding)</b>
	:	
	:	<b>Counts 2-4: 18 U.S.C. § 111(a)(1) and (b)</b>
	:	<b>(Assaulting, Resisting, or Impeding</b>
	:	<b>Certain Officers Using a Dangerous</b>
	:	<b>Weapon)</b>
	:	
	:	<b>Count 5: 18 U.S.C. § 1361, 2</b>
	:	<b>(Destruction of Government Property)</b>
	:	
	:	<b>Count 6: 18 U.S.C. § 1752(a)(1)</b>
	:	<b>(Entering and Remaining in a Restricted</b>
	:	<b>Building or Grounds with a Deadly or</b>
	:	<b>Dangerous Weapon)</b>

**INDICTMENT**

The Grand Jury charges that:

**COUNT ONE**

On or about January 6, 2021, within the District of Columbia and elsewhere, ROBERT GIESWEIN attempted to, and did, corruptly obstruct, influence, and impede an official proceeding; that is, a proceeding before Congress, by entering and remaining in the United States Capitol without authority, committing an act of civil disorder, and engaging in disorderly and disruptive conduct.

**(Obstruction of an Official Proceeding,**  
in violation of Title 18, United States Code, Sections 1512(c)(2))

**COUNT TWO**

On or about January 6, 2021, within the District of Columbia, ROBERT GIESWEIN, using a deadly or dangerous weapon, that is, an aerosol irritant spray and baseball bat, did forcibly assault, resist, oppose, impede, intimidate, and interfere with, an officer and employee of the United States, and of any branch of the United States Government (including any member of the uniformed services), that is, officers from the United States Capitol police, while such officers and employees were engaged in and on account of the performance of official duties.

**(Assaulting, Resisting, or Impeding Certain Officers Using a Dangerous Weapon,  
in violation of Title 18, United States Code, Sections 111(a)(1) and (b))**

**COUNT THREE**

On or about January 6, 2021, within the District of Columbia, ROBERT GIESWEIN, using a deadly or dangerous weapon, that is, an aerosol irritant spray and baseball bat, did forcibly assault, resist, oppose, impede, intimidate, and interfere with, an officer and employee of the United States, and of any branch of the United States Government (including any member of the uniformed services), that is, officers from the United States Capitol police, while such officers and employees were engaged in and on account of the performance of official duties.

**(Assaulting, Resisting, or Impeding Certain Officers Using a Dangerous Weapon,  
in violation of Title 18, United States Code, Sections 111(a)(1) and (b))**

#### **COUNT FOUR**

On or about January 6, 2021, within the District of Columbia, ROBERT GIESWEIN, using a deadly or dangerous weapon, that is, an aerosol irritant spray and baseball bat, did forcibly assault, resist, oppose, impede, intimidate, and interfere with, an officer and employee of the United States, and of any branch of the United States Government (including any member of the uniformed services), that is, N.V., an officer from the United States Capitol police, while such officer and employee was engaged in and on account of the performance of official duties.

**(Assaulting, Resisting, or Impeding Certain Officers Using a Dangerous Weapon,**  
in violation of Title 18, United States Code, Sections 111(a)(1) and (b))

#### **COUNT FIVE**

On or about January 6, 2021, within the District of Columbia, ROBERT GIESWEIN did willfully injure and commit depredation against property of the United States, and of any department and agency thereof, and any property which has been and is being manufactured and constructed for the United States, and any department and agency thereof, that is, a window of the U.S. Capitol, causing damage in an amount more than \$1,000.

**(Destruction of Government Property,**  
in violation of Title 18, United States Code, Sections 1361, 2)

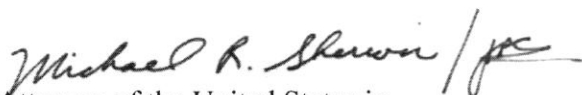
**COUNT SIX**

On or about January 6, 2021, in the District of Columbia, ROBERT GIESWEIN did unlawfully and knowingly enter and remain in a restricted building and grounds, that is, any posted, cordoned-off, and otherwise restricted area within the United States Capitol and its grounds, where the Vice President and Vice President-elect were temporarily visiting, without lawful authority to do so, and, during and in relation to the offense, did use and carry a deadly and dangerous weapon, that is, an aerosol irritant spray and a baseball bat.

**(Entering and Remaining in a Restricted Building or Grounds with a Deadly or Dangerous Weapon, in violation of Title 18, United States Code, Section 1752(a)(1) and (b)(1)(A))**

A TRUE BILL:

FOREPERSON.

  
Attorney of the United States in  
and for the District of Columbia.