

## STATEMENT OF FACTS

Your affiant, [REDACTED] is a Special Agent with the Federal Bureau of Investigation (“FBI”) and has been so employed since February 2009. I have been assigned to the Vernal Resident Agency of the Salt Lake Division of the FBI since August 2021. Currently, I am tasked with investigating criminal activity in and around the U.S. Capitol grounds on January 6, 2021. As an FBI agent, I am authorized to investigate violations of federal law and am a “federal law enforcement officer” within the meaning of Federal Rule of Criminal Procedure 41(a)(2)(C).

### *Background: Events at the U.S. Capitol on January 6, 2021*

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.

### *Identification of Nejourde Meacham*

On May 16, 2023, I arrested and interviewed Odin Meacham, in Myton, Utah for his participation in the January 6, 2021, attack on the U.S. Capitol. During the interview, Odin stated that on January 5, 2021, he traveled to Washington, D.C. with his 19-year-old nephew, Nejourde Meacham (“N. MEACHAM”). On the morning of January 6, 2021, they attended the rally at the Washington Monument. They then walked with the crowd to the U.S. Capitol building. As they approached the Capitol, Odin became separated from N. MEACHAM. Later that afternoon, they reunited and left the area.

On May 17, 2023, I conducted a voluntary interview with N. MEACHAM. He stated that although he traveled to the U.S. Capitol building with Odin on January 6, 2021, he did not enter the building. While he was outside of the building, he saw protestors break reporters’ cameras and smelled what he believed to be tear gas in the air. And at one point while on the western side of the Capitol building grounds, he was swept forward by the crowd and separated from Odin for about an hour.

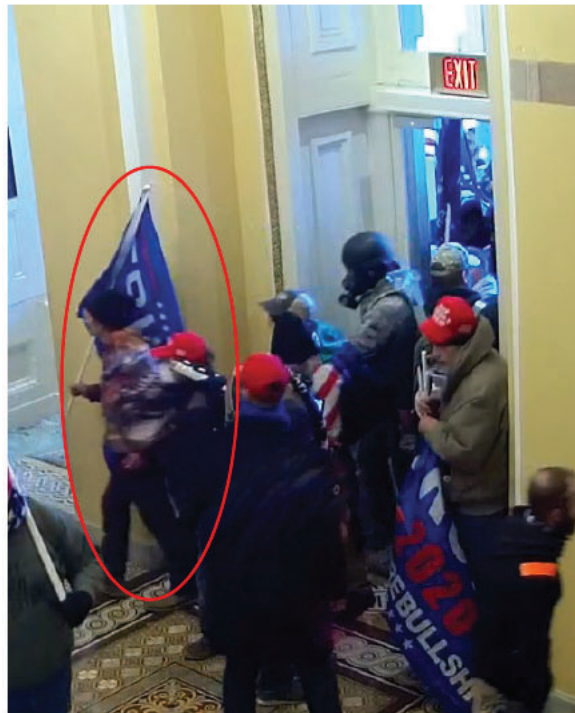
During the interview, N. MEACHAM provided his phone number as [REDACTED] (“the [REDACTED]”). According to records obtained through a search warrant which was served on AT&T, on January 6, 2021, in and around the time of the incident, the cellphone associated with [REDACTED] utilized a cell-site consistent with providing service to a geographic area that included the interior of the U.S. Capitol building from approximately 1:48 p.m. to 2:40 p.m.

To confirm N. MEACHAM’S story, I reviewed available open-source media and U.S. Capitol closed-circuit television (“CCV”) footage from January 6, 2021. Queries using N. MEACHAM’s Utah driver’s license photo returned multiple hits inside and outside the building. Based on my time spent interview N. MEACHAM, I am confident that N. MEACHAM is the individual identified in the images below.

Open-source footage places N. MEACHAM on the northwest steps of the U.S. Capitol at approximately 2:00 p.m., shortly after the initial breach of the staircase. N. MEACHAM made his way up the stairs to the Upper West Terrace. In the footage, N. Meacham is wearing an American flag over his shoulders, a red and white-checkered shirt, and black beanie. He is holding a white flagpole with a red, white, and blue “TRUMP 2020” flag.



At 2:22 p.m., approximately nine minutes after the initial breach, CCV footage shows N. MEACHAM entering the U.S. Capitol through the Senate Wing Doors:



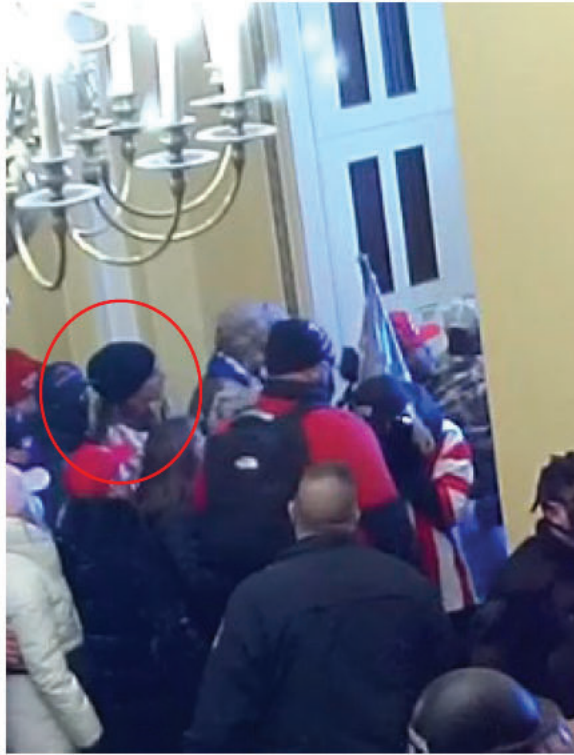
He then walked to a broken southern window, looked out, and raised his “TRUMP 2020” flag:



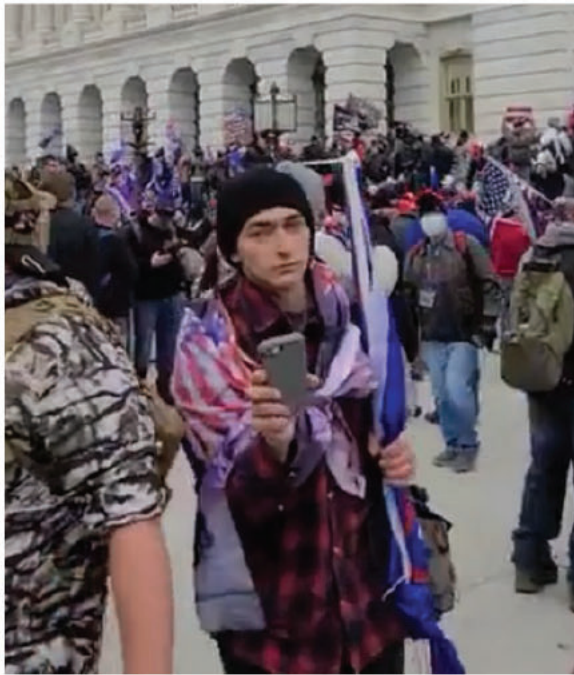
N. MEACHAM then moved down the northwest corridor. Open-source video shows N. MEACHAM walking around the Crypt:



At approximately 2:31 p.m., CCV footage shows law enforcement escorting N. MEACHAM out of the building through the southern window next to the Senate Wing Doors:



N. MEACHAM was later captured on open-source footage walking around the Upper West Terrace:



**Conclusion**

Based on the foregoing, I submit there is probable cause to believe that NEJOURDE MEACHAM 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.

I submit there is also probable cause to believe that NEJOURDE MEACHAM violated 40 U.S.C. § 5104(e)(2)(D & 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.



Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 14th day of July 2023.

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HONORABLE ZIA M. FARUQUI  
U.S. MAGISTRATE JUDGE