

JUN 27 2018

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

JULIA C. DUDLEY, CLERK
BY: *[Signature]*
DEPUTY CLERK

UNITED STATES OF AMERICA)

v.)

JAMES ALEX FIELDS JR.)

Criminal Number: 3:18cr00011

In Violation of:

18 U.S.C. § 245(b)(2)(B)

18 U.S.C. § 249(a)(1)

18 U.S.C. § 3591

18 U.S.C. § 3592

INDICTMENT

The Grand Jury charges:

1. Defendant JAMES ALEX FIELDS JR. is a white male who, on August 12, 2017, was twenty years old.

2. Prior to August 12, 2017, Defendant JAMES ALEX FIELDS JR. obtained multiple social media accounts, which he used to express his beliefs regarding race, national origin, religion and other topics. On these accounts, FIELDS expressed and promoted his belief that white people are superior to other races and peoples; expressed support of the social and racial policies of Adolf Hitler and Nazi-era Germany, including the Holocaust; and espoused violence against African Americans, Jewish people and members of other racial, ethnic and religious groups he perceived to be non-white. FIELDS also expressed these views directly in interactions with individuals known to him.

3. In or around the spring and summer of 2017, an event referred to as the “Unite the Right” rally was organized and scheduled to occur on August 12, 2017, at Emancipation Park in Charlottesville, Virginia, which is within the Western District of Virginia. This rally was widely promoted on social media and internet sites associated with white supremacist individuals and groups, and was scheduled to feature a lineup of well-known white supremacist speakers.

4. On or before August 8, 2017, Defendant JAMES ALEX FIELDS JR. decided to attend the Unite the Right rally in Charlottesville, Virginia.

5. On August 11, 2017, as Defendant JAMES ALEX FIELDS JR. prepared to leave his home in Maumee, Ohio, to travel to Charlottesville, Virginia, a family member sent him a text message urging him to be careful. FIELDS replied to the text message that “We’re not the ones who need to be careful.” To the message, FIELDS attached an image of Adolf Hitler. FIELDS departed for Charlottesville, Virginia, shortly thereafter.

6. On or about the afternoon of August 11, 2017, Defendant JAMES ALEX FIELDS JR. departed Maumee, Ohio, driving his gray Dodge Challenger bearing Ohio license plate GVF-1111, and arrived in Charlottesville, Virginia, in the early morning of August 12, 2017.

7. On the morning of August 12, 2017, Defendant JAMES ALEX FIELDS JR. arrived in and around the immediate vicinity of Emancipation Park in Charlottesville, Virginia, to attend the Unite the Right rally. Multiple groups and individuals espousing white supremacist and other anti-Semitic and racist views also attended the rally. That morning, these rally participants, including FIELDS, engaged in chants promoting or expressing white supremacist and other racist and anti-Semitic views.

8. On August 12, 2017, shortly before the scheduled start of the Unite the Right rally, law enforcement declared an “unlawful assembly” and required rally participants, including

Defendant JAMES ALEX FIELDS JR., to disperse. FIELDS later returned to his vehicle and began to drive on the streets of Charlottesville, Virginia.

9. On August 12, 2017, Defendant JAMES ALEX FIELDS JR. drove his car onto Fourth Street, a narrow, downhill, one-way street in downtown Charlottesville. At or around that same time, a racially and ethnically diverse crowd of individuals had gathered at the bottom of the hill, at the intersection of Fourth and East Water (“Water”) Streets. Many of the individuals in the crowd were chanting and carrying signs promoting equality and protesting against racial and other forms of discrimination. FIELDS slowly proceeded in his vehicle toward the crowd and stopped and observed the crowd while idling in his vehicle. With no vehicle behind him, FIELDS then slowly reversed his vehicle back toward the top of the hill, near the intersection of Fourth and East Market (“Market”) Streets.

10. At or around that same time, the members of the crowd began to walk up Fourth Street toward Market Street, populating the streets and sidewalks between the buildings on Fourth Street.

11. At or near the top of the hill and the intersection of Fourth and Market Streets, Defendant JAMES ALEX FIELDS JR. stopped his vehicle. FIELDS rapidly accelerated, through a stop sign and across a raised pedestrian mall, and drove directly into the crowd. FIELDS’s vehicle stopped only when it struck another vehicle near the intersection of Fourth and Water Streets. FIELDS then rapidly reversed his car and fled the scene. As FIELDS drove into and through the crowd, FIELDS struck numerous individuals, killing Heather Heyer and injuring many others.

COUNT ONE
(Hate Crime Act Resulting in Death)
18 U.S.C. § 249

12. The allegations set forth in paragraphs 1 through 11 are repeated and realleged as if set forth fully herein.

13. On or about August 12, 2017, in Charlottesville, Virginia, within the Western District of Virginia, Defendant JAMES ALEX FIELDS JR. willfully caused bodily injury to Heather Heyer, because of the actual and perceived race, color, religion, and national origin of individuals in a crowd gathered at and near the intersection of Fourth and Water Streets in Charlottesville, Virginia, resulting in Heather Heyer's death.

14. All in violation of Title 18, United States Code, Section 249(a)(1).

COUNTS TWO THROUGH TWENTY-NINE
(Hate Crime Act Involving Attempt to Kill)
18 U.S.C. § 249

15. The allegations set forth in paragraphs 1 through 11 are repeated and realleged as if set forth fully herein.

16. On or about August 12, 2017, in Charlottesville, Virginia, within the Western District of Virginia, Defendant JAMES ALEX FIELDS JR. willfully caused bodily injury to the below-listed victims, and attempted to cause bodily injury to the below-listed victims through the use of a dangerous weapon, to wit, a motor vehicle, because of the actual and perceived race, color, religion, and national origin of individuals in a crowd gathered at and near the intersection of Fourth and Water Streets in Charlottesville, Virginia:

COUNT TWO	M.B.
COUNT THREE	M.M.

COUNT FOUR	C.C.
COUNT FIVE	T.B.
COUNT SIX	W.B.
COUNT SEVEN	N.L.
COUNT EIGHT	E.B.
COUNT NINE	A.M.
COUNT TEN	N.M.
COUNT ELEVEN	C.A.
COUNT TWELVE	N.R.
COUNT THIRTEEN	M.A.N.
COUNT FOURTEEN	S.S.
COUNT FIFTEEN	K.A.
COUNT SIXTEEN	C.M.
COUNT SEVENTEEN	M.R.
COUNT EIGHTEEN	A.H.
COUNT NINETEEN	K.T.
COUNT TWENTY	S.L.
COUNT TWENTY-ONE	C.Y.
COUNT TWENTY-TWO	L.Q.

COUNT TWENTY-THREE	T.W.
COUNT TWENTY-FOUR	M.W.
COUNT TWENTY-FIVE	B.H.
COUNT TWENTY-SIX	L.S.
COUNT TWENTY-SEVEN	M.J.
COUNT TWENTY-EIGHT	A.J.
COUNT TWENTY-NINE	A.R.

Each offense included an attempt to kill.

17. All in violation of Title 18, United States Code, Section 249(a)(1).

COUNT THIRTY
(Bias-Motivated Interference with
Federally Protected Activity Resulting in Death)
18 U.S.C. § 245

18. The allegations set forth in paragraphs 1 through 11 are repeated and realleged as if set forth fully herein.

19. On or about August 12, 2017, in Charlottesville, Virginia, within the Western District of Virginia, Defendant JAMES ALEX FIELDS JR. by force and threat of force, willfully injured, intimidated, and interfered with, and attempted to injure, intimidate, and interfere with, individuals in a crowd gathered at and near the intersection of Fourth and Water Streets in Charlottesville, Virginia, because of their race, color, religion, and national origin, and because they were and had been participating in and enjoying a benefit, service, privilege, program, facility, and activity provided and administered by a State or subdivision thereof, to wit, the public streets and sidewalks of Charlottesville, Virginia, resulting in the death of Heather Heyer.

20. All in violation of Title 18, United States Code, Section 245(b)(2)(B).

**NOTICE OF SPECIAL FINDINGS PURSUANT TO
TITLE 18, UNITED STATES CODE, SECTIONS 3591 AND 3592**

The Grand Jury further finds:

21. The allegations set forth in paragraphs 1 through 11 are repeated and realleged as if set forth fully herein.

22. As to Count Thirty, Defendant JAMES ALEX FIELDS JR.:

- (a) was 18 years of age or older at the time of the offense;
- (b) intentionally killed Heather Heyer (18 U.S.C. § 3591(a)(2)(A));
- (c) intentionally inflicted serious bodily injury that resulted in the death of Heather Heyer (18 U.S.C. § 3591(a)(2)(B));
- (d) intentionally participated in an act, contemplating that the life of a person would be taken and intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and Heather Heyer died as a direct result of such act (18 U.S.C. § 3591(a)(2)(C));
- (e) intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and Heather Heyer died as a result of the act (18 U.S.C. § 3591(a)(2)(D));

