

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

UNITED STATES OF AMERICA	:	Case No.: 21-CR-153 (RBW)
	:	
v.	:	18 U.S.C. § 1752(a)(1)
	:	
DANIEL GOODWYN,	:	
	:	
Defendant.	:	
	:	

STATEMENT OF OFFENSE

Pursuant to Fed. R. Crim. P. 11, the United States of America, by and through its attorney, the United States Attorney for the District of Columbia, and the Defendant, Daniel Goodwyn, with the concurrence of his attorneys, agree and stipulate to the below factual basis for the Defendant’s guilty plea—that is, if this case were to proceed to trial, the parties stipulate that the United States could prove the below facts beyond a reasonable doubt:

The Attack at the U.S. Capitol on January 6, 2021

1. The U.S. Capitol, which is located at First Street, SE, in Washington, D.C., is secured twenty-four hours a day by U.S. Capitol Police (USCP). Restrictions around the Capitol include permanent and temporary security barriers and posts manned by USCP. Only authorized people with appropriate identification are allowed access inside the Capitol.

2. On January 6, 2021, the exterior plaza of the Capitol was closed to members of the public.

3. On January 6, 2021, a joint session of the United States Congress convened at the 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 the Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election,

which had taken place on Tuesday, November 3, 2020. The joint session began at approximately 1:00 PM. Shortly thereafter, by approximately 1:30 PM, 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.

4. 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 Capitol. Temporary and permanent barricades, as noted above, were in place around the exterior of the Capitol, and USCP officers were present and attempting to keep the crowd away from the Capitol and the proceedings underway inside.

5. At approximately 2:00 PM, certain individuals in the crowd forced their way through, up, and over the barricades. Officers of the USCP were forced to retreat and the crowd advanced to the exterior façade of the building. The crowd was not lawfully authorized to enter or remain in the building and, prior to entering the building, no members of the crowd submitted to security screenings or weapons checks as required by USCP officers or other authorized security officials.

6. At such time, the certification proceedings were still underway, and the exterior doors and windows of the Capitol were locked or otherwise secured. Members of the USCP attempted to maintain order and keep the crowd from entering the Capitol; however, shortly after 2:00 PM, individuals in the crowd forced entry into the Capitol, including by breaking windows and by assaulting members of law enforcement, as others in the crowd encouraged and assisted those acts. The riot resulted in substantial damage to the Capitol, requiring the expenditure of more than \$2.8 million dollars for repairs according to the Architect of the Capitol (AOC).

7. Shortly thereafter, at approximately 2:20 PM, members of the House of Representatives and of the Senate, including the President of the Senate, Vice President Pence, were instructed to—and did—evacuate the chambers. Accordingly, all proceedings of the United States Congress, including the joint session, were effectively suspended until shortly after 8:00 PM on January 6, 2021. In light of the dangerous circumstances caused by the unlawful entry to the Capitol—including the danger posed by individuals who had entered the Capitol without any security screening or weapons check—Congressional proceedings could not resume until after every unauthorized occupant had been removed from or left the Capitol, and USCP confirmed that the building was secured. The proceedings resumed at approximately 8:00 PM after the building had been secured. Vice President Pence remained in the Capitol from the time he was evacuated from the Senate Chamber until the session resumed.

Daniel Goodwyn’s Participation in the January 6, 2021, Capitol Riot

8. The Defendant, Daniel Goodwyn, lives in Corinth, Texas as a condition of his release. In January 2021 he was a legal resident of California where he intends to return. On or about January 1, 2021, Defendant traveled from San Francisco, California to Washington, D.C. A purpose of the Defendant’s trip to Washington, D.C., was to support Senator Cruz's objection with call for investigation and to protest Congress’ certification of the Electoral College.

9. Prior to January 6, on November 7, 2020, Defendant posted a picture on Twitter (“tweeted”) of the Proud Boys logo and stated, “Stand back and stand by! Show up at your state Capitol at noon today local time. Await orders from our Commander in Chief. #StopTheSteal! StopTheSteal.US.” The January 6, 2021 events at the Ellipse were not announced until approximately December 18, 2020. On December 28, 2020, the Defendant tweeted “#FightForTrump” and “#StopTheSteal” and linked a GiveSendGo account where he was soliciting donations to fund his travel to Washington, D.C. on January 6, 2021.

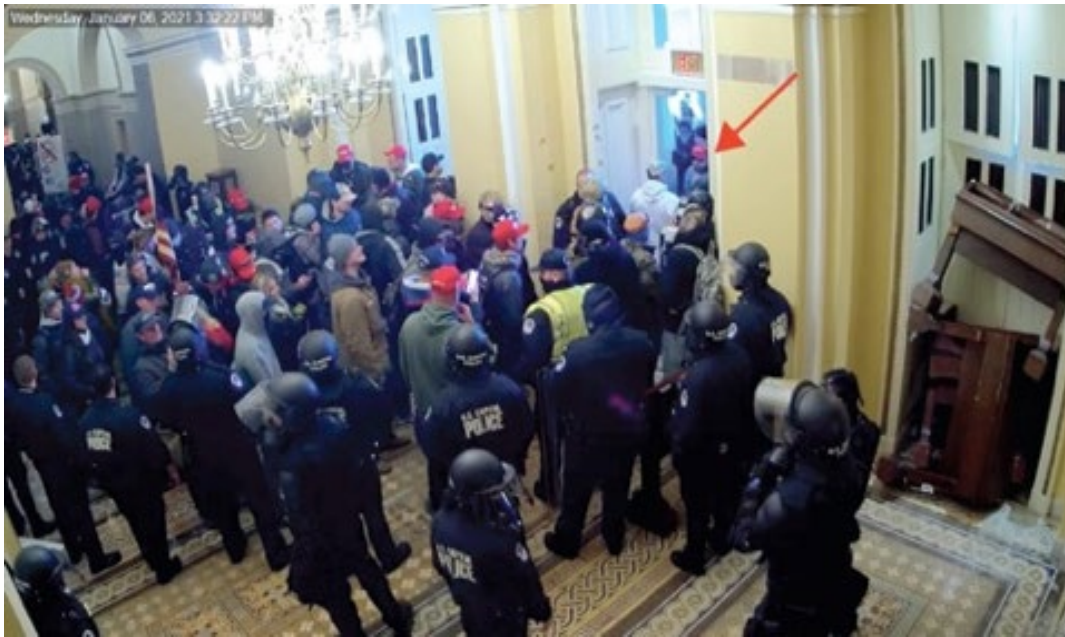
10. On January 6, Defendant attended the “Stop the Steal” rally and then marched with other protestors to the Capitol.

11. Between 2 p.m. and 4 p.m., Defendant was a part of the crowd that had gathered on the northern Lower West Terrace on the restricted grounds of the Capitol.



12. While there, the Defendant utilized a bullhorn handed to him by a stranger to encourage others to enter the Capitol. Defendant stated, “Behind me, the door is open” and “we need you to push forward, forward;” and “we need critical mass for this to work” and “Go behind me and go in.”

13. At 3:32 p.m., Defendant entered the Capitol through the open Senate Wing door.



As the Defendant entered the Capitol an officer reached out and touched the Defendant. The Defendant turned to the officer and continued inside the Capitol. While exiting the Capitol, Defendant was called out as "sftthoughtcriminal" by Anthime Gionet aka "Baked Alaska" who was inside the Capitol livestreaming his broadcast. Defendant slowed down and paused to identify

himself on the video as “Daniel Goodwyn” after having been told to leave the building by a law enforcement officer. As Defendant left, he told strangers in his vicinity that the officer was an “Oathbreaker” and to get his badge number. The Defendant then exited the Capitol at 3:33 p.m., 36 seconds after he entered.



14. On January 6, 2021, Defendant sent and received a number of text messages. For example, at 2:15 p.m., Defendant was asked by Christopher Goodwyn, "What's going on?" Then at 3:17 after no response Christopher Goodwyn wrote “Hey where are you?” At 3:39 the Defendant responded, “Capitol.” At 3:53 p.m. Christopher Goodwyn texted, "you safe and ok?" At 3:54 Christopher Goodwyn added "heard some knuckleheads stormed the capitol building." At 3:56 p.m. the Defendant answered "yes I'm safe" followed by the text “I went inside.” Christopher Goodwyn replied at 4:09 p.m., “Inside where?” At 4:29 p.m., the Defendant responded, “The capitol building.” At 4:54 p.m. Christopher Goodwyn asked, “Why?” At 5:01 p.m. the Defendant responded, "That's what we were doing." At 8:02 p.m., the Defendant sent Christopher Goodwyn and three other persons private texts with a link to a CBS News live update article which followed the certification

of the electoral vote.

15. At 4:02 p.m. Laura McGregor texted the Defendant that it seemed like Antifa was present. At 4:03 p.m., Defendant messaged Laura McGregor, "Patriots rushed the Capitol."

16. On January 6, 2021, at 9:41 p.m., in response to DrewHLive's Twitter status the Defendant posted on Twitter, "They WANT a revolution. They're proving our point. They don't represent us. They hate us. (DrewHLive's status is available at: <https://web.archive.org/web/20210107020503/https://twitter.com/DrewHLive/status/1347001087975432192>.)

17. On the night of January 6, 2021, Mr. Goodwyn posted on his Instagram story account @DanielGoodwyn that was banned and deleted; "I didn't break or take anything."

Elements of the Offense

18. Daniel Goodwyn knowingly and voluntarily admits to all the elements of Entering or Remaining in a Restricted Building or Grounds, a violation of Title 18, United States Code, Section 1752(a)(1). Specifically, defendant admits he entered or remained in a restricted building or grounds without lawful authority to do so and that he did so knowingly. A person acts "knowingly" if he realizes what he is doing and is aware of the nature of his conduct, and does not act through ignorance, mistake, or accident.

Respectfully submitted,

MATTHEW M. GRAVES
United States Attorney
D.C. Bar No. 481052

By: *Brian Brady*
Brian Brady
Trial Attorney
D.C. Bar No. 1674360

DEFENDANT'S ACKNOWLEDGMENT

I, Daniel Goodwyn, have read this Statement of the Offense and have discussed it with my attorney. I fully understand this Statement of the Offense. I agree and acknowledge by my signature that this Statement of the Offense is true and accurate. I do this voluntarily and of my own free will. No threats have been made to me nor am I under the influence of anything that could impede my ability to understand this Statement of the Offense fully.

Date: 12/20/2022

Daniel Goodwyn
Daniel Goodwyn
Defendant

ATTORNEY'S ACKNOWLEDGMENT

I have read this Statement of the Offense and have reviewed it with my client fully. I concur in my client's desire to adopt this Statement of the Offense as true and accurate.

Date: 12/20/2022

/s/ Joseph McBride
Joseph McBride
Attorney for Defendant

Date: 12/20/2022

/s/ Carolyn Stewart
Carolyn Stewart
Attorney for Defendant