IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	
	:	
v.	:	
	:	**Case No: 21-cr-201 (DLF)**
ZACHARY MARTIN,	:	
MICHAEL QUICK,	:	
STEPHEN QUICK,	:	**40 U.S.C. § 5104(e)(2)(G)**
KARI KELLEY	:	
	:	
Defendants.	:	

STATEMENT OF OFFENSE

Pursuant to Federal Rule of Criminal Procedure 11, the United States of America, by and through its attorney, the United States Attorney for the District of Columbia, and the defendant, with the concurrence of his/her attorney, 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 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.

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

3. 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.

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 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.

5. At approximately 2:00 p.m., certain individuals in the crowd forced their way through, up, and over the barricades, and officers of the U.S. Capitol Police, and the crowd advanced to the exterior facade 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 by U.S. Capitol Police Officers or other authorized security officials.

6. 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 law enforcement, as others in the crowd

encouraged and assisted those acts. The riot resulted in substantial damage to the U.S. Capitol, requiring the expenditure of more than $1.4 million dollars for repairs.

7. 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, all proceedings of the United States Congress, including the joint session, were effectively suspended until shortly after 8:00 p.m. the same day. In light of the dangerous circumstances caused by the unlawful entry to the U.S. Capitol, including the danger posed by individuals who had entered the U.S. Capitol without any security screening or weapons check, Congressional proceedings could not resume until after every unauthorized occupant had left the U.S. Capitol, and the building had been confirmed secured. The proceedings resumed at approximately 8:00 p.m. after the building had been secured. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the session resumed.

Evidence of the Defendants' Conduct

8. Zachary Martin, Michael Quick, Stephen Quick and Kari Kelley planned to travel together to Washington, D.C. On January 4, 2021, Kari Kelley posted a Go Fund Me page seeking donations for the trip "…some friends and I are renting a Caravan and driving to Washington DC for the Jan 6th rally…" She obtained $130 in donations.

9. On January 5, 2021, Kelley posted a photograph of a map on FACEBOOK indicating that she was with "Zac Martin" and two other persons, stating; "Almost there!!!"

10. On the morning of January 6, 2021 at 5:37 am Kelley posted a photograph on FACEBOOK of all four defendants, tagging each defendant as present. The post stated: "Good Morning America . . . we are leaving our room and headed to the action."

11. On January 6, 2021, Zachary Martin, Michael Quick, Stephen Quick, and Kari Kelley entered the Capitol through a broken window near the Senate Wing Door.

12. Security footage from about 2:56 p.m. shows Zachary Martin, Michael Quick, Stephen Quick, and Kari Kelley inside the capitol during the riot and proceeding near the door for the Senate Wing.

13. STEPHEN QUICK's SD card also included video that appeared to be taken inside the Capitol.

14. As observed on security footage, the defendants paraded through the crypt and down to the House Wing Door.

15. During the riot, Zachary Martin "livestreamed" a video of himself in the Capitol on FACEBOOK. The livestream video was in front of the portrait of former New York Congresswoman Shirley Chisholm.

16. The defendants each knew, at the time that they entered the U.S. Capitol building, that they did not have permission to enter the building. Each defendant entered the building and paraded, demonstrated, and/or picketed within the building.

Respectfully submitted,

Matthew M. Graves
United States Attorney
D.C. Bar No. 481052

/s/ Brenda J. Johnson
Brenda J. Johnson
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DEFENDANT'S ACKNOWLEDGMENT

I have read this factual proffer and have discussed it with my attorney, Joseph Passanise, Esquire. I fully understand this factual proffer. I agree and acknowledge by my signature that this proffer of facts 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 factual proffer fully.

Date: 12/7/21

Zachary Martin
Defendant

ATTORNEY'S ACKNOWLEDGMENT

I have read this factual proffer and have reviewed it with my client fully. I concur in my client's desire to adopt this factual proffer as true and accurate. To my knowledge, my client's decision to agree to and adopt this factual proffer is an informed and voluntary one.

Date: 12/7/21

Joseph Passanise, Esquire
Counsel for the Defendant

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Date: 12/7/21

Stephen Quick
Defendant

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Joseph Passanise, Esquire
Counsel for the Defendant

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Michael Quick
Defendant

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Joseph Passanise, Esquire
Counsel for the Defendant