

FILED

NOV 10 2022

Clerk, U.S. District and
Bankruptcy Courts

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	Case No.: 21-CR-286 (BAH)
	:	
v.	:	18 U.S.C. § 111(a)
	:	40 U.S.C. § 5104(e)(2)(D)
GRADY DOUGLAS OWENS,	:	
	:	
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, **GRADY OWENS**, with the concurrence of his 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 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 separate chambers of 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 \$1.4 million dollars for repairs.

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.

Grady Douglas Owens' Participation in the January 6, 2021, Capitol Riot

8. The defendant, GRADY OWENS, lives in Blanco, Texas. On January 5, 2021, defendant traveled from San Antonio, Texas to Washington, D.C., via plane with his father, Jason Owens. The purpose of the defendant's trip to Washington, D.C., was to protest Congress' certification of the Electoral College.

9. On January 6, defendant attended the "Stop the Steal" rally and then marched with other protestors to the Capitol building.

10. At about 2:00 PM, defendant was on the west lawn area of the Capitol grounds with Jason Owens. A group of Metropolitan Police Department ("MPD") officers on their way to the Lower West Terrace of the building walked through the crowd. As the officers walked by, defendant assaulted one of them.

11. Specifically, MPD Officer C. B. was with a group of fellow officers walking on the west lawn headed to help other officers at the Capitol building. The crowd was dense and officers had to push people aside to make their way through. As Officer C.B. pushed a protestor aside, GRADY OWENS turned, raised a skateboard in the air, and struck Officer C.B. on the side of his body. Thereafter, a skirmish erupted between other officers in the group and protestors. This skirmish resulted in assaults on other officers.

12. During this same time on the west lawn, Jason Owens, assaulted a separate MPD officer by pushing him.

13. GRADY OWENS and Jason Owens continued to yell and point at the officers after the assaults.

14. GRADY OWENS and Jason Owens then made their way to the east side of the Capitol. Around 3:25 PM GRADY OWENS and Jason Owens were a part of a crowd that attempted to push their way into the East Rotunda doors without success. Jason Owens again assaulted another officer near the East Rotunda doors by grabbing his baton and fighting over it. The officer was from the Capitol Police.

15. On January 6, 2022, GRADY OWENS made several video recordings of his time at the Capitol and made a number of statements while watching rioters including, "Hold these traitors accountable," "We will not concede," "You can't stop us," and "Tear gas ain't shit, folks." These statements illustrate and support GRADY OWENS' intent to impede, disrupt, and disturb the orderly session of Congress, that is the certification proceedings related to the 2020 Presidential Election.

Elements of the Offense

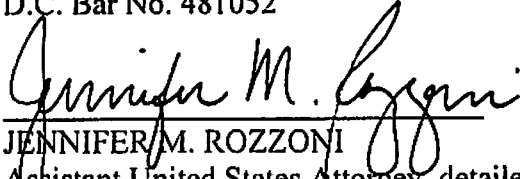
16. GRADY OWENS knowingly and voluntarily admits to all the elements of assault on a federal officer, in violation of 18 U.S.C. § 111(a). Specifically, defendant admits that he forcibly assaulted, resisted, opposed, impeded, intimidated, or interfered with any person designated in 18 U.S.C. § 1114 while engaged in or on account of the performance of their official duties. Specifically, the defendant admits that he struck the law enforcement officer with a skateboard. The officer was a person assisting the United States Capitol Police, that is, an officer from the Metropolitan Police Department. The defendant further admits that he knew at that time of the assault of the officer that the officer was engaged in the performance of their official duties.

17. GRADY OWENS further knowingly and voluntarily admits to all the elements of disorderly conduct in a Capitol grounds or building, in violation of 40 U.S.C. § 5104(e)(2)(D). Specifically, GRADY OWENS admits that he willfully and knowingly engaged in disorderly and disruptive conduct on the grounds of the United States Capitol and did so with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress. GRADY OWENS did so by engaging in an assault of a law enforcement officer while the officer was attempting to assist Capitol officers at the United States Capitol on January 6, 2021. The officers were attempting to defend the United States Capitol building and its occupants against a crowd of rioters, including GRADY OWENS. GRADY OWENS and the rioters were attempting to stop the orderly conduct of a session of Congress, that is, the certification of the 2020 Presidential Election.

Respectfully submitted,

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DEFENDANT'S ACKNOWLEDGMENT

I, GRADY DOUGLAS OWENS, 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: 11/3/2022

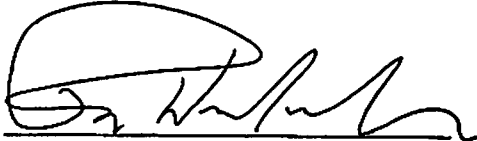


GRADY DOUGLAS OWENS
Defendant

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: 11/3/2022



PAT M. WOODWARD
Attorney for Defendant