

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

UNITED STATES OF AMERICA	:	Case No.: 21-CR-312 (JEB)
	:	
v.	:	18 U.S.C. § 1752(a)(1)
	:	18 U.S.C. § 1752(a)(2)
BRADLEY STUART BENNETT,	:	40 U.S.C. § 5104(e)(2)(B)
	:	40 U.S.C. § 5104(e)(2)(D)
Defendant.	:	40 U.S.C. § 5104(e)(2)(G)
	:	
	:	

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, Bradley Stuart Bennett, with the concurrence of his attorney, agree and stipulate to the below factual basis for defendant’s guilty plea—that is, if this case were to proceed to trial, the parties stipulate that the following facts are true and undisputed, and that the United States could prove the below facts beyond a reasonable doubt:

The Attack at the 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 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 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 p.m., 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 p.m., 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 p.m., 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 p.m. on January 6, 2021. Considering 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 p.m. 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.

Bennett's Participation in the January 6, 2020, Capitol Riot

8. Prior to January 6, 2021, Bradley Stuart Bennett used his Facebook account to encourage people to go to Washington, D.C., on January 6, 2021. Bennett also announced that he would be present. For example, on December 28, 2020, Bennett posted, “Who’s headed to the nations CAPITOL to make some EPIC HUGE noise with 1 million PATRIOTS January 6?! Sounds like a massive event coming together to be a part of history!” By January 2, 2021, Bennett changed his profile picture to an image of the text, “FAIR WARNING. IF THIS ELECTION IS STOLEN FOR BIDEN . . . PATRIOTS WILL GO TO WAR.”

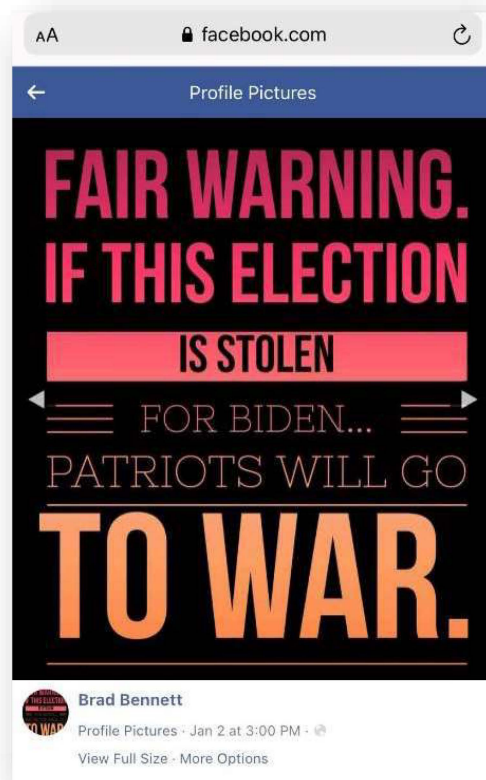


IMAGE 1: A screenshot of Bennett’s Facebook profile picture as it appeared on January 2, 2021.

9. Bennett knew Congress’s certification of the Electoral College vote was occurring at the Capitol on January 6, 2021, and that Vice President Mike Pence was presiding over the proceeding. Bennett sent a text message on December 4, 2020 that read “Patriots to dc,” and another text on December 14, 2020, that read, in part, “January 6 is the official UNITED STATES CONGRESS vote day.”

10. Bennett traveled with his then-girlfriend and codefendant, Elizabeth Rose Williams, from Florida to Washington, D.C., on or about January 5, 2021, to attend a speech given by the former President the next morning. On January 6, 2021, the two walked to the speech location, meeting up with others along the way. While Bennett was at the speech location, he stated, “Hundreds of thousands of people here baby, fighting for freedom, stop the steal, election

fraud. We are a part of history.” Before the former President finished¹ speaking, however, the two walked with other protestors down Pennsylvania Avenue to the U.S. Capitol.

11. Bennett arrived at the Capitol around 11:50 a.m., where he saw other protestors standing across the street and in front of the restricted Capitol grounds near Peace Circle. He also saw police officers standing guard on the grass and grounds, and plastic fencing surrounding the grounds with signs reading: Area Closed. Bennett and Williams followed behind other rioters as the other rioters breached the police line at Peace Circle and made their way towards the Capitol.

12. Bennett stood among the crowd outside the Capitol on the Lower West Terrace. Bennett saw other rioters breach the police line on the Lower West Terrace and stayed in the area of the West Terrace for approximately one hour. While near the West Terrace, Bennett observed officers discharging tear gas and chemical irritants. He also observed officers physically attempting to move rioters from the restricted area.

13. Ignoring the officers’ efforts to clear the area of people, and knowing that the area was restricted to him, Bennett climbed through scaffolding to reach the Upper West Terrace. There, he filmed himself saying: “We’ve climbed up, we’ve stormed it. We went through the, uh, the scaffolding. We’re now going to go through the door over here. Here we go. Freedom, baby. Tyranny ends today, January 6, 2021. One million strong in DC. If we go down, we’re going to go down trying, we’re going to go down fighting for freedom. We’re not going to sit on the couch. We’re going to do what we’ve gotta do.”

14. Bennett entered the Capitol at approximately 2:23 p.m. through the Senate Wing Door, knowing that he was not permitted to enter. Bennett recorded his entry into the Capitol and,

¹ Former President Donald J. Trump’s speech at the Ellipse began at approximately 12:00 p.m. on January 6, 2021.

once he walked through the Senate Wing Door, he recorded himself saying: “We are inside the Capitol.” As he entered, Bennett could hear the Capitol’s audible alarm blaring.

15. Bennett then made his way south to the Crypt. At approximately 2:27 p.m., Bennett was in the Crypt and saw other rioters verbally and physically attacking police officers. While in the Crypt, Bennett filmed a video. In that video Bennett says: “Baby, we’re in the Capitol” and “we’re in the Capitol.” Bennett then made his way up to the second floor of the Capitol and entered the Grand Rotunda. While there, Bennett joined another group of rioters in prayer before moving east to the foyer of the East Rotunda Door. Bennett walked past the door, which would have led him back outside, and at approximately 2:41 p.m. walked up another staircase to the third floor of the Capitol.

16. Bennett, Williams, and other rioters then walked down several non-public hallways with private offices on their way to the area outside the Senate Gallery. Only a few police officers were there, and the rioters quickly overwhelmed those officers. The rioters then gained access to the Senate Gallery, and Bennett entered at approximately 2:43 p.m. Once in the Gallery of the Senate Chamber, Bennett recorded himself saying, “Look where I am!” Bennett showed the Senate Chamber behind him in his video.



IMAGE 2: A screenshot from Bennett's video while Bennett was in the Senate Gallery on January 6, 2021.

16. After a short time in the Senate Gallery, Bennett left the Chamber. He and other rioters explored some areas on the east side of the Senate Chamber, then descended to the second floor and continued exploring rooms and hallways on the east side of the Capitol. At one point, he stood at an exit door looking out at the crowd on the East Plaza of the Capitol. Bennett did not exit at this time and continued further into the Capitol building.



IMAGE 3: A screenshot of Bennett (circled in yellow) and Williams (circled in red) on the east side of the second floor of the Capitol, at approximately 2:48 p.m. (The time shown is in Coordinated Universal Time (UTC), which is five hours ahead of Eastern Standard Time.)

17. Bennett then descended to the first floor where officers instructed him to leave, which he did via the Senate Carriage Door. Bennett exited the Capitol at approximately 2:50 p.m., spending nearly 30 minutes inside of the building.

18. Bennett discussed his actions on Facebook. For example, on January 6, 2021, he posted a message that read, in part: "CAPITOL WAS STORMED...They gassed us...We were

also flashbanged and hardcore tear gassed by cap police on the front steps of the Capitol before breach.” The full message is below in Image 4.

Time 2021-01-06 22:00:20 UTC
Message CAPITOL WAS STORMED. I DO BELIEVE A PATRIOT WAS SHOT. WE LOST A FEMALE. MY deepest heartfelt love and sympathy goes out to losing one of our own. There were Ant-ifa instigators. They embedded as supporters. They gassed us. The Trump folks never broke a thing. I saw no severe violence. And certainly not from the right. We were also flashbanged and hardcore tear gassed by cap police on the front steps of the Capitol before breach. But GREATER is he that lives in us than he than lives in the world. Despite a few weirdos (it's a million to two million people) .. everyone was orderly. WE are safe and nursing one wounded warrior with us who took not one but two flashbangs to the leg and then face. Please pray for John TODAY WAS A REVOLUTIONARY MESSAGE. You Can argue who went inside all you want, but the truth is the lying media has a narrative of chaos and insurrection by 1 million people being painted as in the wrong for anger over lockdowns, hurt businesses & a stolen election. WE ARE CIVIL. BUT WE WON'T GO AWAY WE WILL FIND VICTORY! ✕

IMAGE 4: Screenshot of record received from Facebook showing Bennett's Facebook post on January 6, 2021 at approximately 5:00 p.m. (The time shown is in Coordinated Universal Time (UTC), which is five hours ahead of Eastern Standard Time.)

19. As another example, on January 6, 2021, and as depicted below in Image 5, Bennett posted a comment on Facebook that read, in part, “Wildest day ever and it’s still so surreal we stormed the greatest Capitol on earth.”

Time 2021-01-07 01:11:05 UTC
Type Comments
Summary Brad Bennett replied to a comment on a post from January 6. `You bet! Wildest day ever and it's still so surreal we stormed the greatest Capitol on earth. That was so intense. We are so fatigued.`
Object Id S:_11099008920:10160761809532942:115

IMAGE 5: Screenshot of record received from Facebook showing Bennett's Facebook post on January 6, 2021 at approximately 8:11 p.m. (The time shown is in Coordinated Universal Time (UTC), which is five hours ahead of Eastern Standard Time.)

20. Later on January 6, 2021, and as depicted below in Image 6, Bennett posted a comment on Facebook that read, in part, “I Went in that senate room.”

Time 2021-01-07 02:21:12 UTC
Type Comments
Summary Brad Bennett commented on a post from January 6. ` I Went in that senate room. It was Antifa acting the fool `
Object Id S:_I1099008920:10160761809532942:121

***IMAGE 6:** Screenshot of record received from Facebook showing Bennett's Facebook post on January 6, 2021 at approximately 9:21 p.m. (The time shown is in Coordinated Universal Time (UTC), which is five hours ahead of Eastern Standard Time.)*

21. As depicted below in Image 7, Bennett sent a message on Facebook on January 6, 2021 that read: "If they had really wanted to stop people from getting in they could have, but it would have taken more force. I actually think Trump wanted for people to get in. And it served a purpose of making a statement, as well as stopping the senate vote."

Author Brad Bennett (Facebook: 1099008920)
Sent 2021-01-07 04:57:46 UTC
Body If they had really wanted to stop people from getting in they could have, but it would have taken more force. I actually think Trump wanted for people to get in. And it served a purpose of making a statement, as well as stopping the senate vote.

***IMAGE 7:** Screenshot of record received from Facebook showing Bennett's Facebook post on January 6, 2021 at approximately 11:57 p.m. (The time shown is in Coordinated Universal Time (UTC), which is five hours ahead of Eastern Standard Time.)*

Elements and Maximum Sentences of the Offenses

Count Two: Entering and Remaining in a Restricted Building and Grounds

22. Bradley Stuart Bennett agrees that the elements of 18 U.S.C. § 1752(a)(1) are as follows:

- i. First, the defendant entered or remained in a restricted building or grounds without lawful authority to do so.
- ii. Second, the defendant did so knowingly.

23. Bennett knowingly and voluntarily admits to all the elements of 18 U.S.C. § 1752(a)(1). Specifically, Bennett admits that entered the restricted area around the U.S. Capitol and the Capitol building itself, and remained there, despite knowing that he did not have lawful authority to be there. In addition, Bennett knew that the grounds and building were restricted and that Vice President Pence was visiting the Capitol on January 6, 2021.

24. Bennett acknowledges that the maximum penalties for a violation of 18 U.S.C. § 1752(a)(1) are a term of imprisonment of one year, a fine of \$100,000, up to 1 year of supervised release, and a \$25 special assessment. In addition, Bennett may be ordered to pay restitution.

Count Three: Disorderly and Disruptive Conduct in a Restricted Building and Grounds

25. Bradley Stuart Bennett agrees that the elements of 18 U.S.C. § 1752(a)(2) are as follows:

- i. First, the defendant engaged in disorderly or disruptive conduct in, or in proximity to, any restricted building or grounds.
- ii. Second, the defendant did so knowingly, and with the intent to impede or disrupt the orderly conduct of Government business or official functions.
- iii. Third, the defendant's conduct occurred when, or so that, his conduct in fact impeded or disrupted the orderly conduct of Government business or official functions.

26. Bennett knowingly and voluntarily admits to all the elements of 18 U.S.C. § 1752(a)(2). Specifically, Bennett admits that he knowingly engaged in disorderly and disruptive conduct in the restricted area around the U.S. Capitol and in the building itself, despite knowing that he was not permitted to do so. Bennett acted with the intent to impede and disrupt the orderly

conduct Congress and, in particular, of Congress's joint session to certify the vote of the Electoral College.

27. Bennett acknowledges that the maximum penalties for a violation of 18 U.S.C. § 1752(a)(2) are a term of imprisonment of one year, a fine of \$100,000, up to 1 year of supervised release, and a \$25 special assessment. In addition, Bennett may be ordered to pay restitution.

Count Four: Entering and Remaining in the Gallery of Congress

28. Bradley Stuart Bennett agrees that the elements of 40 U.S.C. § 5104(e)(2)(B) are as follows:

- a. First, the defendant entered or remained in the Gallery of either House of Congress, without lawful authority to do so.
- b. Second, the defendant acted willfully and knowingly.

29. Bennett knowingly and voluntarily admits to all the elements of 40 U.S.C. § 5104(e)(2)(B). Specifically, Bennett admits that he knowingly and willfully entered the Gallery of the Senate, knowing that he had no lawful authority to do so.

30. Bennett acknowledges that the maximum penalties for a violation of 40 U.S.C. § 5104(e)(2)(B) are a term of imprisonment of 6 months, a fine of \$5,000, up to 5 years of probation, and a \$10 special assessment. In addition, Bennett may be ordered to pay restitution.

Count Five: Disorderly Conduct in a Capitol Building

31. Bradley Stuart Bennett agrees that the elements of 40 U.S.C. § 5104(e)(2)(D) are as follows:

- a. First, the defendant engaged in disorderly or disruptive conduct in any of the United States Capitol Buildings or Grounds.

b. Second, the defendant did so with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress.

c. Third, the defendant acted willfully and knowingly.

32. Bennett knowingly and voluntarily admits to all the elements of 40 U.S.C. § 5104(e)(2)(D). Specifically, Bennett admits that he knowingly and willfully engaged in disorderly and disruptive conduct in the Capitol and its grounds, and did so with the intent to disrupt the orderly conduct of Congress's joint session to certify the vote of the Electoral College.

33. Bennett acknowledges that the maximum penalties for a violation of 40 U.S.C. § 5104(e)(2)(D) are a term of imprisonment of 6 months, a fine of \$5,000, up to 5 years of probation, and a \$10 special assessment. In addition, Bennett may be ordered to pay restitution.

Count Six: Parading, Demonstrating, and Picketing in a Capitol Building

34. Bradley Stuart Bennett agrees that the elements of 40 U.S.C. § 5104(e)(2)(G) are as follows:

a. First, the defendant paraded, demonstrated, or picketed in any of the United States Capitol Buildings.

b. Second, the defendant acted willfully and knowingly.

35. Bennett knowingly and voluntarily admits to all the elements of 40 U.S.C. § 5104(e)(2)(G). Specifically, Bennett admits that he paraded, demonstrated, and picketed in the United States Capitol, and that he did so willfully and knowingly.

36. Bennett acknowledges that the maximum penalties for a violation of 40 U.S.C. § 5104(e)(2)(G) are a term of imprisonment of 6 months, a fine of \$5,000, up to 5 years of probation, and a \$10 special assessment. In addition, Bennett may be ordered to pay restitution.

Respectfully submitted,

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

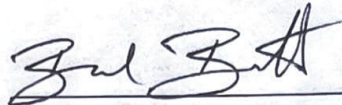
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DEFENDANT'S ACKNOWLEDGMENT

I, Bradley Stuart Bennett, 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: 1-4-2024




Bradley Stuart Bennett
Defendant

ATTORNEY'S ACKNOWLEDGMENT

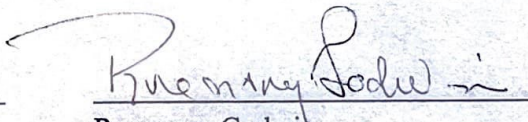
I have read this Statement of the Offense and have reviewed it with my client fully. I concur in my client's desire to adopt this Statement of the Offense as true and accurate.

Date: 1/4/24



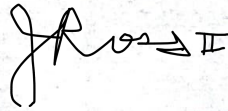
Leza Driscoll
Attorney for Defendant

Date: 1/4/24



Rosemary Godwin
Attorney for Defendant

Date: 1/4/2024



Joseph Ross
Attorney for Defendant