

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	Case No.: 1:21-CR-00334-TJK
	:	
v.	:	18 U.S.C. § 111(a) and
	:	18 U.S.C. § 1512(c)(2) and 2
DALE JEREMIAH SHALVEY,	:	
aka DJ	:	
	:	
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, **DALE JEREMIAH SHALVEY**, 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 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 \$2.7 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.

Dale Jeremiah Shalvey's Participation in the January 6, 2021, Capitol Riot

8. On January 6, 2021, the defendant, **DALE JEREMIAH SHALVEY and Tara Aileen Stottlemyer (Stottlemyer)**, lived in Bentleyville, Pennsylvania. On the morning of January 6, 2021, defendant traveled with Stottlemyer and **Katharine Hallock Morrison (Morrison)** from Bentleyville, Pennsylvania to Washington, D.C., via automobile. Morrison drove from her home in Dansville, New York to meet with defendant and Stottlemyer. The purpose of the defendant, Stottlemyer and Morrison's trip to Washington, D.C., was to protest Congress' certification of the Electoral College.

9. On January 6, defendant, Stottlemyer, and Morrison attended the Women for Trump rally and then marched with other protestors to the Capitol.

10. At about approximately 2:09 p.m., while defendant, and Stottlemyer were on restricted grounds on the West Front of the Capitol, defendant walked up to a bike rack, which

was staged as a barricade to prevent protesters from accessing the Capitol, and assaulted law enforcement by throwing an object that hit a D.C. Metropolitan Police Officer; Stottlemeyer saw defendant throw the object. Defendant and Stottlemeyer then retreated into a crowd of protesters.

11. At approximately 2:20 p.m. defendant, Stottlemeyer, and Morrison breached the Capitol, entering the Senate Wing door, and then going to various areas in the Capitol, including, but not limited to the Crypt, the Speaker of the House's Suite, the Rotunda, and the Senate Chamber.

12. While in the Rotunda, defendant moved the velvet rope stanchions to help protesters walk through the Rotunda. Defendant, Stottlemeyer, and Morrison then went to the third floor of the Capitol. While in the Senate Gallery hallway, defendant showed Stottlemeyer, and Morrison zip ties and handcuff restraints that he had in his hands. The trio then went to the Senate Chamber Press Gallery, and back to the second floor. They entered the Senate Chamber at approximately 2:29 p.m. There, defendant, Stottlemeyer, and Morrison looked through Senators' desks and took pictures of documents that were in and on those desks. Defendant took a letter written by Senator Mitt Romney to Vice-President Michael Pence from a Senator's desk and destroyed it after leaving the Capitol. Defendant, Stottlemeyer, and Morrison exited the Senate Chamber at approximately 2:59 p.m. They exited the Capitol building through the Senate Carriage door at approximately 3:05 p.m. Defendant sent a picture of the letter that he stole to a friend before he destroyed it.

13. On March 9, 2021, defendant responded to the Washington Field Office of the FBI where he was arrested regarding his illegal activity at the Capitol on January 6, 2021. The FBI read defendant his *Miranda* rights and defendant voluntarily waived those rights and interviewed with

the FBI. In his interview, defendant falsely claimed that he was unaware of any assaults on law enforcement and that he did not participate in any violent acts.

Elements of the Offense

14. Defendant knowingly and voluntarily admits to all the elements of 18 U.S.C. § 111(a)(1). 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 threw an object, which hit a law enforcement officer who was stationed on the West Front of the Capitol on January 6, 2021, and that officer was a person who was an officer and employee of the Metropolitan Police Department. The defendant further admits that he knew at that time of the assault the officer was engaged in the performance of his official duties and that he assaulted the officer on account of their performance of his official duties.

15. Defendant also knowingly and voluntarily admits to all the elements of 18 U.S.C. § 1512(c)(2) and 2. Defendant admits that he willfully and knowingly entered the U.S. Capitol Building knowing that he did not have permission to do so. Defendant further admits that while inside the Capitol, he corruptly obstructed, influenced, and impeded an official proceeding, that is, a proceeding before Congress, specifically, Congress's certification of the Electoral College vote as set out in the Twelfth Amendment of the Constitution of the United States and 3 U.S.C. §§ 15-18.

Respectfully submitted,

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

By: /s/Anthony L. Franks
Anthony L. Franks
Assistant United States Attorney
Missouri Bar No. 50217MO

DEFENDANT'S ACKNOWLEDGMENT

I, **Dale Jeremiah Shalvey**, 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: 9/26/2022


ID RNd7ePxvao1dLuj8bkxzpJQQ

Dale Jeremiah Shalvey
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: 9/26/2022



Cody Cofer
Attorney for 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: 9/26/2022



James Luster
Attorney for Defendant

eSignature Details

Signer ID:	RNd7ePxvao1dLUj8bkxzpJQQ
Signed by:	Dale Jeremiah Shalvey
Sent to email:	jeremiah@freefolkpastures.com
IP Address:	45.38.182.228
Signed at:	Sep 26 2022, 11:02 am CDT




[FINAL] SHALVEY - Statement of Offense

Final Audit Report

2022-09-26

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By:	James Luster (jluster@coferluster.com)
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