

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

UNITED STATES OF AMERICA

No. 1:21-cr-00350-PLF

v.

ANTIONNE BRODNAX,

Defendant.

STATEMENT OF OFFENSE

Pursuant to Federal Rule of Criminal Procedure 11, the defendant and his counsel stipulate to the below factual basis for the defendant's guilty plea—that is, if this case were to proceed to trial, the defendant and his counsel stipulate that the United States could prove the below facts beyond a reasonable doubt:

The Events 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 passed through the barricades, and officers of the U.S. Capitol Police, 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 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; 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.

BRODNAX's Participation on the January 6, 2021

8. Defendant Brodnax entered the U.S. Capitol through the Senate Wing Door near room S139 at approximately 2:24 p.m. on January 6, 2021. As the defendant proceeded through the doorway, people were climbing through the broken windows. When he entered defendant Brodnax was trailing behind him a U.S. flag, which was partially tucked into his right front pants pocket.

9. At approximately 2:25 p.m. the defendant walked into the Rotunda. While in the Rotunda the defendant first stayed within the rope lines. After a couple of minutes, however, he walked outside of the rope lines toward a doorway leading to Statuary Hall (SH).

10. At approximately 2:28 p.m. the defendant entered SH. Repeating his behavior while in the Rotunda, he initially stayed within the rope lines but then stepped out of them. He then walked up to the base of one the statues, where he posed for a photograph. The defendant then exited the SH through a doorway that leads to an area known as the SH connector.

11. At approximately 2:29 p.m., the defendant was among a group of persons in the SH connector, all of whom were in the Capitol without authorization, where several police officers were positioned blocking the group from proceeding further. Over the next few minutes, more and more unauthorized persons entered the same area. At approximately 2:36 p.m., the group, including the defendant, pushed past the police line, the defendant was several feet back from the police line when it was breached and made no physical contact with any police officer, he was swept along with the group.

12. The group, including the defendant, then moved forward about 15 feet where they were pressed into a narrower area blocked by a closed doorway and more police officers. Over the next few minutes, the group attempted to get through the doorway, with several members of the group repeatedly and loudly yelling, "Break it down!" There is no evidence that Mr. Brodnax yelled anything, he appears pinned into the hallway by members of the group. The group was not successful in getting through the doorway.

13. At approximately 4:01 p.m., the defendant approached the East Rotunda Doorway exit of the Capitol and attempted to leave the building. He was unable to exit when multiple unauthorized persons standing outside the doorway pushed their way into the building. Several minutes later, at approximately 4:06 p.m., the defendant exited through the doorway.


14. While outside the Capitol building on January 6, the defendant posed for a photograph as he sat on the hood of a USCP SWAT vehicle.

15. The defendant knew that he did not have permission to behave in this manner. He acknowledges that his choice to enter the building and behave in this manner impeded, disrupted, or disturbed the orderly conduct of a session of Congress.

DEFENDANT'S ACKNOWLEDGMENT

I, Antionne Brodnax, 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: 10-21-2021

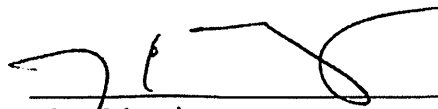


Antionne Brodnax
Defendant

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: 10/21/21



Mary Maguire
Assistant Federal Public Defender
Attorney for Defendant Brodnax