

FILED

JAN 26 2023

Clerk, U.S. District and
Bankruptcy Courts

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

UNITED STATES OF AMERICA	:	
	:	No: 1:21-cr-00358-EGS BAH
v.	:	18 U.S.C. § 231(a)(3)
	:	
HOWARD ADAMS,	:	
	:	
Defendant.	:	

STATEMENT OF OFFENSE

Pursuant to Federal Rule of Criminal Procedure 11, the United States of America, by and through the United States Attorney for the District of Columbia, and the defendant, Howard Adams, 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, S.E., in Washington, D.C., is secured 24 hours a day by the 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 December

14, 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 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 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 \$1.84 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.

8. The attack at the Capitol on January 6, 2021 constituted a civil disturbance that affected interstate commerce by, among, other things drastically reducing, on that date, the sales of groceries and other goods, shipped in interstate commerce, at Safeway stores in Washington, D.C.

Defendant's Participation in the January 6, 2021, Capitol Riot

9. Defendant Howard Adams unlawfully approached the U.S. Capitol across the east plaza, starting at approximately 1:53 p.m., after rioters in the defendant's presence pushed through a line of USCP officers.

10. At 2:26, p.m., after the defendant had proceeded across the east plaza to the East Rotunda doorway, group of people unlawfully pushed away police officers blocking the doorway and entered the building, followed moments later by the defendant himself.

11. The defendant then proceeded to the Rotunda and then into and through Statuary Hall.

12. The defendant and other persons unlawfully in the Capitol then proceeded into a hallway known as the Statuary Hall connector, which leads to a doorway to the House chamber, where they were stopped by a line of police officers. Over the next several minutes more and more persons unlawfully in the building joined the group in the Statuary Hall connector.

13. At approximately 2:36 p.m., moments after others in the group pushed aside police officers, the defendant proceeded to the House chamber doorway.

14. The defendant, along with other persons unlawfully in the Capitol building, then amassed outside the doorway for several minutes, during which the group chanted, "Break it down!" and "Stop the steal!" The group was unable to open the doorway. During this time period, a USCP officer fatally shot a rioter who was attempting to unlawfully enter the Speaker's Lobby.

15. After several more minutes, the defendant left that area and returned to the Rotunda at approximately 2:59 p.m., which at the time was filled with numerous other persons unlawfully present in the Capitol.

16. Several minutes later, multiple law enforcement members entered the Rotunda in order to clear the room of persons unlawfully present in the Capitol. The defendant intentionally walked toward the line of officers, instead of proceeding toward the exit opposite from the line of officers. As he did so he unfurled and raised a flag, while raising both hands.

17. At approximately 3:08 p.m. the defendant made physical contact with one of the officers as the officer attempted to push the defendant in the opposite direction, toward the exit, and deployed a chemical irritant against the defendant. As this was occurring, several other persons unlawfully in the Rotunda were behind the defendant, in contact with the defendant's person, and were surging forward toward the police line.

18. After several moments the defendant turned and proceeded toward the exit from the Rotunda and then to the East Rotunda doorway. The defendant exited the building through that doorway at approximately 3:15 p.m.

19. The defendant's conduct in the Rotunda, as described above, impeded or interfered with law enforcement officers engaged in their official duties, which included clearing the Rotunda and the entire Capitol building of persons unlawfully present in the building.

Respectfully submitted,


MATTHEW M. GRAVES
United States Attorney

by: */s/Michael C. Liebman*
Michael C. Liebman
Assistant United States Attorney

DEFENDANT'S ACKNOWLEDGMENT

I, Howard Adams, 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.

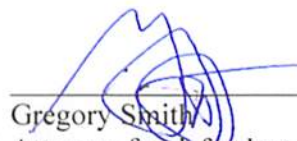
Date: 1/26/2023

by: 
Howard Adams
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: 1/26/2023


Gregory Smith
Attorney for defendant