

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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| UNITED STATES OF AMERICA | : | Case No.: 21-CR-615 (PLF) |
| | : | |
| v. | : | 40 U.S.C. § 5104(e)(2)(G) |
| | : | |
| STEVEN DANIEL THURLOW, | : | |
| | : | |
| 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, Steven Daniel Thurlow, 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.

Steven Daniel Thurlow's Participation in the January 6, 2021, Capitol Riot

8. The defendant, Steven Daniel Thurlow, lives in St. Clair Shores, Michigan. In January 2021, defendant traveled from Michigan to Washington, D.C. The purpose of the defendant's trip to Washington, D.C., was to protest Congress' certification of the Electoral College.

9. Prior to January 6, 2021—Defendant posted the following picture of himself on his Facebook account:



In the photo he is wearing military gear, a firearm, and a “Boogaloo”¹ patch. He did not dress as photographed above on January 6, 2021 when he was at the Capitol.

10. Defendant traveled from Michigan to Washington, D.C. in January 2021 to attend a rally protesting the election results on January 6, 2021. Thurlow attended ex-President Trump’s speech on January 6, 2021. During that time, Thurlow created video recordings during the speech, while walking to the U.S. Capitol Building, inside the U.S. Capitol Building, and again outside of the U.S. Capitol Building once he exited.

¹ “Boogaloo” is a term referencing a violent uprising or impending civil war.

11. Thurlow walked to the U.S. Capitol and unlawfully entered the restrict Capitol grounds. As he was walking to the Capitol, he stated “here we are, right at the Capitol; pretty much chaos at this point; people are inside” while making a video of what he was seeing.

12. At approximately 2:56 p.m., Thurlow entered the U.S. Capitol through the North Senate Wing Door, near the Brumidi Corridor. He then walked through the halls of the Senate side of the Capitol building, even entering one of the rooms on the Senate side. Additionally, Thurlow walked up to the second floor of the Capitol building, near the Senate Chambers.

13. Thurlow made a number of recordings and statements while he was on the restrict U.S. Capitol grounds and inside the building. He was in the Capitol for at least 15 minutes and stayed on the restricted grounds for approximately two hours.

14. On January 6, 2021 and after that, Defendant Thurlow shared many of his pictures and recordings from January 6 on social media and with his friends/family on his phone.

Elements of the Offense

15. Steven Daniel Thurlow knowingly and voluntarily admits to all the elements of Title 40, United States Code, Section 5104(e)(2)(G). Specifically, defendant admits that he willfully and knowingly entered the U.S. Capitol Building knowing that that he did not have permission to do so. Defendant further admits that while inside the Capitol, defendant willfully and knowingly paraded, demonstrated, or picketed.

Respectfully submitted,

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

By: Sarah W. Rocha
Sarah W. Rocha
Trial Attorney
Texas Bar No. 24060845

DEFENDANT'S ACKNOWLEDGMENT

I, Steven Daniel Thurlow, 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: 05/05/2022




Steven Daniel Thurlow
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: 5/5/2022



James Gerometta
Attorney for Defendant