

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	Case No.: 21-CR-00667-FYP
	:	
v.	:	40 U.S.C. § 5104(e)(2)(G)
	:	
MAHAILYA PRYER,	:	
	:	
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, Mahailya Pryer, with the concurrence of her 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 United States Capitol on January 6, 2021

1. The United States Capitol, which is located at First Street, SE, in Washington, D.C., is secured twenty-four hours a day by United States Capitol Police (USCP). Restrictions around the United States 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 United States 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 United States 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 United States Capitol. Temporary and permanent barricades, as noted above, were in place around the exterior of the United States Capitol, and USCP officers were present and attempting to keep the crowd away from the United States 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 United States Capitol were locked or otherwise secured. Members of the USCP attempted to maintain order and keep the crowd from entering the United States Capitol; however, shortly after 2:00 PM, individuals in the crowd forced entry into the United States 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 United States 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 United States 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 United States 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 United States Capitol from the time he was evacuated from the Senate Chamber until the session resumed.

Mahailya Pryer’s Participation in the January 6, 2021, Capitol Riot

8. The defendant, Mahailya Pryer, who lives in Missouri, traveled to Washington, D.C., prior to January 6, 2021, with others. The purpose of Pryer’s trip to Washington, D.C., was to protest Congress’ certification of the Electoral College.

9. The morning of January 6, 2021, Pryer and her group attended the “Stop the Steal” rally to protest the results of the 2020 presidential election. Following the rally, Pryer and her group walked to grounds of United States Capitol. Pryer and her co-defendant, Cara Hentschel, then walked into the restricted area of the United States Capitol grounds. Pryer was wearing a red, white, and blue stocking hat with the number “45” on it. Hentschel and Pryer assembled with others on the east side of the building. At approximately 2:40 p.m., Hentschel and Pryer entered the United States Capitol building through the Rotunda Doors as alarms sounded. Hentschel and Pryer eventually traveled to the Rotunda where they walked around. Hentschel and Pryer then

walked into the Rotunda Doors area and an adjoining hallway. Hentschel and Pryer exited the United States Capitol through the Rotunda Doors at approximately 2:52 p.m.

Elements of the Offense

10. Pryer knowingly and voluntarily admits to all the elements of Parading, Demonstrating, and Picketing in the United States Capitol building. Specifically, Pryer admits that she willfully and knowingly entered the United States Capitol building knowing that that she did not have permission to do so. Pryer further admits that while inside the United States Capitol building, she willfully and knowingly paraded, demonstrated, or picketed.

Respectfully submitted,

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

By:

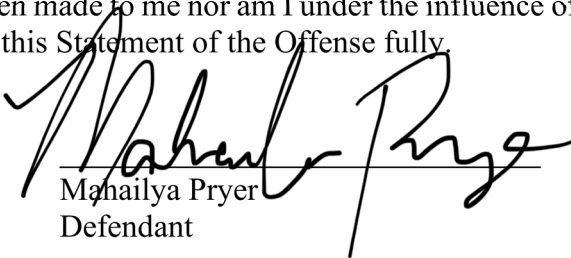


MATTHEW MOEDER
Assistant United States Attorney
Missouri Bar #: 64036
400 East 9th Street, Room 5510
Kansas City, Missouri 64106
(816) 426-4103
Matthew.Moeder@usdoj.gov

DEFENDANT'S ACKNOWLEDGMENT

I, Mahailya Pryer, 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: 5/13/22




Mahailya Pryer
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: 5/13/22



Michelle Peterson
Attorney for Defendant