

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

UNITED STATES OF AMERICA

v.

Case No.: 1:22-CR-RJL

ZACHARY JOHNSON

_____/

STATEMENT OF OFFENSE

Pursuant to Fed. R. Crim. P. 11, the United States of America, ZACHARY JOHNSON, the Defendant, with the concurrence of his attorney, agree and stipulate to the below factual basis for Mr. Johnson's guilty plea:

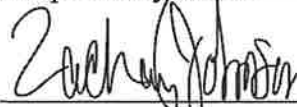
1. I, ZACHARY JOHNSON, live in Florida. On January 5, 2021, I traveled from Florida to Washington, D.C. via Southwest Airlines to protest Congress' certification of the Electoral College vote establishing Joseph R. Biden as president-elect.
2. On January 6, 2021, I marched with a group to the U.S. Capitol. I, along with other protesters, confronted UCSP officers who were standing behind metal barricades bearing "AREA CLOSED" signs near the Peace Monument. I walked past the metal barriers, which had been moved by other protestors, and the UCSP officers, into the restricted grounds of the Capitol Building. I advanced into the restricted grounds of the Capitol Building knowing that I was not permitted to be in that area.

3. I later moved to the terrace of the west side of the Capitol Building. At 3:15 p.m., I walked through the arched entrance (the 'Archway') to a passageway that connects the Lower West Terrace and the interior of the U.S. Capitol Building, which has become known as the 'Tunnel.' There were UCSP officers in the Tunnel carrying riot shields blocking entry into the U.S. Capitol Building. The UCSP officers were lawfully protecting the U.S. Capitol Building.
4. Between approximately 3:16 p.m. and 3:18 p.m., I, along with others, pushed against UCSP officers—in a concerted rocking fashion—with the intent of getting past the UCSP officers and entering the interior of the U.S. Capitol Building. Soon thereafter, the UCSP officers pushed me and the other protesters outside of the Tunnel.
5. After being pushed outside of the Tunnel, I joined another group of protesters outside of the Archway, and we again began to push in a concerted fashion with the intent to breach the line of UCSP officers and gain entry to the Tunnel and ultimately the interior of the Capitol building.
6. While outside the Archway and Tunnel, I helped pass a cannister of OC/pepper spray to other protesters closer to the Archway and the Tunnel. My intent was that the other protestors would use the OC/pepper spray against the UCSP officers protecting the Tunnel and the Capitol Building, which would impair the UCSP officers' ability to protect the Tunnel and the Capitol Building and to further the ongoing civil disorder. As a result, the other protesters, including possibly myself, would be able to breach the UCSP officers' protective lines and enter the Tunnel

and the interior of the Capitol Building. After I passed the OC/pepper spray closer to the Archway and the Tunnel, the OC/pepper spray was sprayed by another protester at the UCSP officers protecting the Capitol building. At least one UCSP officer was physically contacted by the discharged OC/pepper spray.

7. The OC/pepper spray was capable of causing serious bodily injury, including extreme physical pain and the protracted impairment of bodily organs, including the eyes and lungs.

Respectfully submitted,



ZACHARY JOHNSON

ATTORNEY'S ACKNOWLEDGMENT

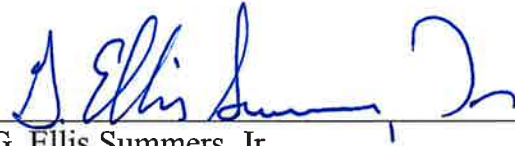
I have read this Statement of Offense and reviewed it with my client fully. I concur in my client's desire to submit this Statement of Offense.

Date:

August 2, 2023³

GES

RL



G. Ellis Summers, Jr.
Attorney for Defendant