

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	Case No.: 22-CR-00069 (TFH)
	:	
v.	:	40 U.S.C. § 5104(e)(2)(G)
	:	
JEFFREY SCHAEFER,	:	
	:	
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, Jeffrey Schaefer, 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 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.

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

8. The defendant, Jeffrey Schaefer, lives in Milton, Delaware. On January 4, 2021, Schaefer posted on his Facebook page, “The world has gone mad” and “prepping for DC. Game face on.” On January 5, 2021, after being asked if he felt confident “Trump will remain,” Schaefer replied, “Yeppppp.”

9. On January 5, 2021, Schaefer traveled from Delaware to the Washington, D.C. area via his personal automobile. He knew there was going to be a “Stop the Steal” rally in Washington, D.C. on January 6, 2021, and, at 4:31 p.m., boasted on social media that he was “D.C. Bound.”

10. On January 6, 2021, Schaefer watched television and observed rioters assembling on the grounds of the United States Capitol. Afterward, Schaefer traveled from an acquaintance’s home in Alexandria, Virginia to the United States Capitol.

11. Schaefer approached the Capitol building from the west front, observed police officers lined up blocking an accessway to the Capitol, police officers clashing with rioters, and climbed over a short wall near scaffolding to gain access to the Capitol.

12. At approximately 2:50 p.m. ET, Schaefer entered the Capitol building through an already broken window near the Senate Wing doors. Shortly after entering the Capitol building, Schaefer started chanting with other rioters in the Senate Wing foyer; he also started recording videos and taking photographs with this cellular telephone.

13. While inside the Capitol building, Schaefer traveled from the Senate Wing foyer to the Crypt and to a conference/meeting room.

14. At the direction of police officers, Schaefer exited the Capitol building through the Senate Wing door at approximately 3:18 p.m. ET.

15. After exiting the Capitol building, Schaefer remained on the grounds of the Capitol and took numerous photographs.

16. On January 6, 2021, Schaefer posted images to his Facebook page of a broken Capitol building window looking out of the conference/meeting room toward the west front of the Capitol, rioters inside the Capitol, and police standing guard outside the Capitol building.

17. Schaefer also made several posts to his Facebook page in which he boasted that he had “been tear gassed 10 times” and “they can’t stop us.” He also posted profanities about CNN and indicated that he had observed rioters destroy media’s camera equipment.

18. On January 7, 2021, Schaefer sent a text in which he stated that he had not been tear gassed, but he witnessed “concussion grenades and lots of tear gas.”

19. On January 12, 2021, Schaefer sent a text in which he stated that he was “laying low from politics.”

20. On January 13, 2021, Schaefer sent a text in which he stated that he had deleted Twitter. He also sent a series of texts in which he stated, “They stole the election. It’s all so fucked up . . . I’m just sickened . . . Treason and utter betrayal . . . After all the destruction for the last year and billions in damage and 25-30 deaths, they’re calling a few impassioned people who took selfies an insurrection? Gimme a break.”

21. Schaefer deleted the photographs and videos that he recorded on January 6, 2021 from his cellular telephone.

Elements of the Offense

22. Schaefer knowingly and voluntarily admits to all the elements of 40 U.S.C. 5104(e)(2)(G). Specifically, Schaefer admits that he willfully and knowingly entered the U.S. Capitol Building knowing that that he/she 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,

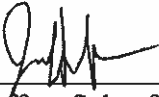
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ANITA EVE
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DEFENDANT'S ACKNOWLEDGMENT

I, Jeffrey Schaefer, 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: 7/27/2022



Jeffrey Schaefer
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: 7/27/22



Joshua Insley
Attorney for Defendant