

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

Case No 22-CR-071 (ABJ)

18 U.S.C. § 111(a) and (b)

v.

SAMUEL LAZAR,

Defendant.

**FILED**

**MAR - 8 2022**

Clerk, U.S. District and  
Bankruptcy Courts

STATEMENT OF OFFENSE

Pursuant to Federal Rule of Criminal Procedure 11, the United States of America, by and through its attorney, the United States Attorney for the District of Columbia, and the defendant, Samuel Lazar, 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 24 hours a day by 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.

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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 November 3, 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;

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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 \$1.4 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.

*Lazar's Participation in the January 6, 2021 Capitol Riot*

8. Lazar traveled from Ephrata, Pennsylvania to Washington, D.C. on January 5, 2021. On January 6, 2021, Lazar went to the U.S. Capitol. He wore a camouflaged tactical vest, black hooded sweatshirt, and blue jeans. On his tactical vest was a patch that read, "Blessed be the Lord, my rock, who trains my hands for war, and my fingers for battle." At times, Lazar wore green ski goggles to protect his eyes from chemical irritants deployed by law enforcement. He had his face painted in a camouflaged design and carried a red and white bullhorn. At some point on the Capitol grounds, Lazar found or was given a cannister of a lachrymatory agent.

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9. Earlier this day, at approximately 1:00 p.m., a crowd of violent rioters assembled on the West Plaza of the U.S. Capitol. U.S. Capitol Police formed a line of bike racks extending from the north end of the West Plaza to the south end to act as a barrier against the crowd. Officers were standing watch behind this line and fending off repeated attempts by the rioters to pull on the bike racks, either with their hands or with ropes and straps. Lazar approached the line of U.S. Capitol Police and D.C. Metro Police and aimed the cannister of lachrymatory agent at them but did not discharge it.

10. At approximately 1:13 p.m., Lazar walked along the police line, grabbed the bike rack and pulled it with his left hand in an attempt to remove it, while unintentionally discharging the lachrymatory agent from the cannister in his right hand. Police told Lazar to "get back" and they deployed a lachrymatory agent causing Lazar to retreat down the steps. Lazar then turned to face D.C. Metro Police Officer M.C. and intentionally redeployed his lachrymatory agent toward Officer M.C. and U.S. Capitol Police Officer S.L. a second time, causing an officer to momentarily lose the ability to see.

11. When Lazar sprayed a lachrymatory agent at Officers M.C. and S.L., he knew that the officers were engaged in the performance of official duties.

12. At approximately 1:41 p.m., Lazar again approached the line of police officers on the West Plaza with his bullhorn and displayed his middle finger to them. Then, he yelled "forward!" to the hundreds of other rioters while signaling them to charge the police. Lazar then yelled to police through his bullhorn, "Stand the fuck down, LEO's<sup>1</sup>. Stand the fuck down" while also telling them to "get the fuck out of the way, tyrants!" Lazar offered for the police to

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<sup>1</sup> LEO is short for "law enforcement officer."

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“join” him and when none did, he declared to the police, “you now have fucking enemies on both sides!” Lazar again took out his cannister of lachrymatory agent and held it.

13. At another point on January 6, Lazar yelled through his bullhorn, “Let’s get their guns! Let’s get their guns!” encouraging others to forcefully take law enforcement’s weapons from them.

14. Later in the day on January 6, 2021, Lazar was interviewed and stated on video, “They maced us, those tyrannical pieces of shlt, and we maced them right the fuck back and now they’re taking the building.” Lazar continued, “They attacked the people. We have a right to defend ourselves. Fuck the tyrants. There’s a time for peace and there’s a time for war” while pointing to the above-referenced patch on his chest. The defendant answered a question from someone nearby by stating, “I was right at the front, on the tip of the spear, brother. That’s where you gotta be.”

15. Lazar understands and acknowledges that he acted intentionally, not by mistake or accident, and did not have any legal justification to assault law enforcement.

Respectfully submitted,

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

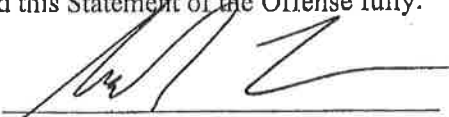
By: /s/ Douglas G. Collyer  
Douglas G. Collyer  
Assistant United States Attorney

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DEFENDANT'S ACKNOWLEDGMENT

I, Samuel Lazar, have read this Statement of the Offense and have discussed it with my attorneys. 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: 2-11-22

  
Samuel Lazar  
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: 2-21-22

  
Hope C. Lefebvre, Esq.  
Attorney for Defendant

Date: 2/20/22

  
David B. Benowitz, Esq.  
Attorney for Defendant

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