

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	Case No.: 22-CR-111 (JEB)
	:	
v.	:	40 U.S.C. § 5104(e)(2)(G)
	:	
CHARLES HAND, III,	:	
	:	
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, **Charles Hand, III**, 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 \$2.7 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.

Charles Hand, III's Participation in the January 6, 2021, Capitol Riot

8. The defendant, Charles Hand, III, lives in Taylor County, Georgia. On or before January 6, 2021, defendant traveled from Butler, Georgia to Washington, D.C with his wife, Mandy Robinson-Hand. The purpose of the defendant's trip to Washington, D.C., was to attend the "Stop the Steal" rally.

9. On January 6, at about or between 1:30 p.m. and 4 p.m., defendant was on restricted grounds as part of the crowd that had gathered on the Lower West Terrace of the Capitol. While there, defendant broke off a piece of metal fencing and placed it in his back pants pocket. Defendant observed downed fencing, tear gas being deployed against rioters, and attacks on law enforcement. At 2:26 p.m., the defendant and Ms. Robinson-Hand entered the Capitol through the Senate Wing Door. While inside they traveled through the Crypt, the Capitol Visitor Center, and into Emancipation Hall. At one point the defendant observed rioters fighting with law enforcement

and moved towards the altercation. However, Ms. Robinson-Hand pulled the defendant away, discouraging him from intervening. The defendant and Ms. Robinson-Hand then exited the Capitol and remained on Capitol Grounds until approximately 4:30 p.m.

10. On or after January 6, 2021, the defendant recounted his time at the Capitol in a Facebook post to his account. In the post, he described himself as “an eye witness of the storming of the United States Capitol on 1-6-2021” and said that he was “on the scene from 1:30pm to 4:00pm.” He further stated that he “saw makeshift fencing that had been torn down,” a crowd of people “rushing the Capitol Police,” for which “tear gas, rubber bullets, mace and etc wasn’t stopping them” and [t]housands upon thousands of angry Americans marching onto the Capitol to protest and stop the certification of what I personally believe to be an election stolen from the American people”.

11. From the events he observed, the defendant should have known that he did not have permission to be inside the Capitol on January 6, 2021.

Elements of the Offense

12. Charles Hand, III knowingly and voluntarily admits to all the elements of Parading, Demonstrating or Picking in a Capitol Building, a violation of Title 40, United States Code, Section 5104(e)(2)(G). Defendant further admits that while inside the Capitol, he willfully and knowingly paraded or demonstrated.

Respectfully submitted,

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DEFENDANT'S ACKNOWLEDGMENT

I, Charles Hand, III, 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: 9-28-22



Charles Hand, III
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: 10-1-22



Greg Smith
Attorney for Defendant