IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	**Case No.: 22-CR-108**
v.	:	**18 U.S.C. § 231(a)(3)**
NARAYANA RHEINER,	:	
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, NARAYANA RHEINER, 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 separate chambers of 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.

NARAYANA RHEINER's Participation in the January 6, 2021, Capitol Riot

8. The defendant, **NARAYANA RHEINER,** lives in Baltimore, Maryland. On or about January 6, 2021, the defendant traveled from Baltimore to Washington, D.C., via automobile. The purpose of the defendant's trip to Washington, D.C., was to protest Congress' certification of the Electoral College.

9. On January 6, the defendant attended the "Stop the Steal" rally and then marched with other protestors to the Capitol.

10. At about 2:00 p.m., the defendant was part of a mob that gathered on the Upper West Plaza. Officers from the U.S. Capitol Police and the Metropolitan Police Department attempted to maintain a police line to prevent the mob from advancing further into the restricted area of the Capitol. At approximately 2:04 p.m., the defendant went to the front of the police line and waved other rioters to come forward toward the police line and yelled to other rioters to "push

up" on the line. The defendant pushed against officers and grabbed an officer's riot shield. The defendant attempted to pull the shield away from the officer, while the officer attempted to hold onto the shield. The defendant pulled the riot shield out of the officer's hands, and the officer fell on the ground.

11. At approximately 2:44 p.m., the defendant entered the Capitol building through the Upper West Terrace door. The defendant proceeded with other rioters to the Rotunda area of the Capitol building. At approximately 2:50 p.m., the defendant was part of a group of rioters who attempted to gain access to a hallway that was blocked by police. The police deployed chemical irritants against the rioters. The defendant yelled at the police, "You know how many times I've been sprayed today? That shit ain't nothing!" and "Why don't you just go home!" While other rioters continued to yell at the police officers, the defendant stood in close proximity to the officers, and said "We're not backing up!" At about 2:57 p.m., the defendant exited the Capitol building through a broken window on the South side of the Senate Wing door.

Elements of the Offense

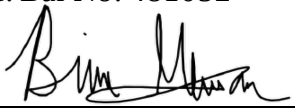
12. NARAYANA RHEINER knowingly and voluntarily admits to all the elements of 18 U.S.C. § 231(a)(3). Specifically, defendant admits that

- The defendant knowingly obstructed, impeded, and interfered with law enforcement officers lawfully engaged in the lawful performance of their official duties incident to and during a civil disorder, which obstructed, delayed, and adversely affected commerce and the movement of articles and commodities in commerce and the conduct and performance of a federally protected function.

Respectfully submitted,

MATTHEW M. GRAVES

United States Attorney
D.C. Bar No. 481052

By: 

Brian Morgan
Trial Attorney
NY Bar No. 4276804

DEFENDANT'S ACKNOWLEDGMENT

I, NARAYANA RHEINER, 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: 10/26/22

/s/ Narayana Rheiner
NARAYANA RHEINER
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: 10/26/22

/s/ John L. Machado
John L. Machado
Attorney for Defendant