

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

Case No: 1:22-cr-136-JMC

v.

18 U.S.C. § 1752(a)(1)

MATTHEW LEBRUN

Defendant.

**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, Matthew LeBrun, 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.

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; 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 \$2.9 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.

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

8. In early January 2021, Matthew LEBRUN, a member of the Proud Boys and Oath Keepers, traveled from his home near New Orleans, Louisiana to Washington, D.C. to attend rallies in support of former President Donald Trump.

9. In the late evening hours of January 5, 2021 and the early morning hours of January 6, 2021, LEBRUN exchanged a series of text messages with members of the Oath Keepers in which they discussed plans for LEBRUN to meet up with a group of Oath Keepers at their base of operations in Virginia. After initially agreeing to join the Oath Keepers group, LEBRUN changed his mind and informed his Oath Keepers contact that he was instead going to

meet members of the Proud Boys at Freedom Plaza to join them in a confrontation with Black Lives Matter supporters.

10. On January 6, 2021, LEBRUN dressed in a dark long-sleeved shirt, a grey vest, a black tactical vest, a dark American flag gaiter, a navy bandana with stars on it, dark sunglasses, black gloves, jeans and dark shoes. *See* Image 1. LEBRUN affixed a body camera to the tactical vest, as well as patch showing an altered American flag bearing the logo of a militia group known as the Three Percenters (also known and/or referred to as “III%ers,” “3%ers,” or “threepers”). *See id.*



**Image 1**

11. Later that morning, LEBRUN rendezvoused with other members of the Proud Boys—including his co-defendant, Steven Miles—and they marched as a group to the west front

of the U.S. Capitol, where they breached the restricted perimeter and approached the Capitol Building from the west side. *See* Image 2. Lebrun knew they lacked authority to be where they were.



**Image 2**

12. On the west front, LEBRUN observed and ignored multiple indications that he was not permitted on the Capitol grounds, including barricades, signs, and lines of police officers in riot gear. None of that deterred him.

13. While on the west front, LEBRUN, Miles, and other rioters engaged in a confrontation with police officers who were protecting the Capitol. Although LEBRUN did not strike police officers himself, he encouraged those who did, like Miles. For example, during this confrontation, Miles shoved and attempted to punch police officers as LEBRUN cheered him on from behind, as seen in Image 3.



**Image 3**

14. The police used chemical irritants, among other methods, to repel and contain the rioters. LEBRUN assisted rioters who had been sprayed with those chemical irritants, as shown in Image 4.



**Image 4**

15. Later, on the northwest side of the Capitol, rioters slashed the plastic sheeting surrounding the scaffolding, which revealed a staircase under the scaffolding that led to the



Upper West Terrace. LEBRUN and Miles maneuvered their way through the crowd and under the scaffolding so that they could access that staircase. *See* Image 5.



**Image 5**

16. At approximately 2:10 p.m., LEBRUN and Miles traveled up the staircase from the west front to the Upper West Terrace of the Capitol. *See* Image 6.



**Image 6**

17. At approximately 2:12 p.m., U.S. Capitol CCTV footage depicts individuals banging on the Senate Wing Door and the windows on either side of the door with their fists and other blunt items, including planks of wood and a U.S. Capitol Police riot shield. Within one minute, rioters successfully smashed in a window on one side of the Senate Wing Doors and unlawfully entered the U.S. Capitol Building. A handful of people entered the building through the broken window and opened the Senate Wing Door. They were the first to breach the interior of the Capitol. Meanwhile, other rioters, including Miles, continued to smash the window on the other side of the Senate Wing Door. Miles then entered through the window he had helped to smash. LEBRUN entered the Capitol building through that smashed window shortly after Miles. *See Image 7.*



**Image 7**

18. After briefly walking through the Capitol building, LEBRUN and Miles exited through the Senate Carriage Door. *See Image 8.*





Image 8

19. In total, LEBRUN spent approximately three minutes inside the Capitol building.

**Elements of the Offense**

20. The defendant knowingly and voluntarily admits to all the elements of Entering or Remaining in a Restricted Building or Grounds, in violation of 18 U.S.C. § 1752(a)(1) (Count Four). Specifically, defendant admits that on January 6, 2021, in violation of 18 U.S.C. § 1752(a)(1), the defendant knowingly entered or remained in any restricted building or grounds without lawful authority to do.

Respectfully submitted,

MATTHEW M. GRAVES  
United States Attorney  
DC Bar No. 481052

By: /s/ Michael M. Gordon  
Michael M. Gordon  
Assistant United States Attorney

DEFENDANT'S ACKNOWLEDGMENT

I, Matthew LeBrun, 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.

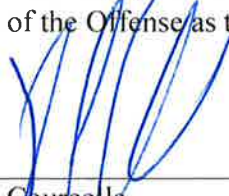
Date: 10/13/23

  
Matthew LeBrun  
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: 10/13/23

  
David Courcelle  
Attorney for Defendant