

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA

v.

STEVEN MILES,

Defendant.

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

18 U.S.C. § 111(a)(1)

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, Steven Miles, 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.

Steven Miles' Participation in the January 6, 2021, Capitol Riot

8. In early January 2021, Steven MILES, a member of the Proud Boys, traveled from his home near Tampa, Florida to Washington, D.C. to attend one or more rallies in support of former President Donald Trump.

9. On January 6, 2021, MILES dressed in a beige desert camouflage jacket, green jungle camouflage pants, and tan boots; he also wore a red “Make America Great Again” baseball hat, gloves, and a gray backpack. *See* Image 1.



Image 1

10. Later that morning, MILES rendezvoused with other members of the Proud Boys—including his co-defendant, Matthew LeBrun—and they marched as a group to the west front of the U.S. Capitol. MILES walked with his jacket open, revealing a black t-shirt reading “TRUMP 2020 Fuck Your Feelings” underneath. *See* Image 2.



Image 2

11. When MILES, LeBrun, and the group of other Proud Boys with them reached the west front of the Capitol, they breached the restricted perimeter and approached the Capitol building from the west side. *See Image 2.* MILES knew they lacked authority to be where they were.



Image 3

12. On the west front, MILES 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, MILES, LeBrun, and other rioters engaged in a confrontation with U.S. Capitol Police officers who were protecting the Capitol. During this confrontation, MILES shoved and attempted to punch police officers as LeBrun cheered him on from behind, as seen in Images 4 and 5. MILES acted with the intent to forcibly assault, resist, oppose, or interfere with the officers. In addition to intending to commit the assault itself, MILES made physical contact with officers and assaulted them with a second intent: to obstruct, impede, or interfere with the officers' attempts to respond to the civil disorder underway on Capitol grounds, in violation of 18 U.S.C. § 231(a)(3).



Image 4



Image 5

14. The police used chemical irritants, among other methods, to repel and contain the rioters, including MILES, who removed his mask and gaiter to splash water on his face in an attempt to deal with the effects of the irritants. *See* Image 6.



Image 6

15. MILES also assisted other rioters who had been sprayed with those chemical irritants, as shown in Image 7.



Image 7

16. 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. MILES and LeBrun maneuvered their way through the crowd and under the scaffolding so that they could access that staircase. See Image 8.

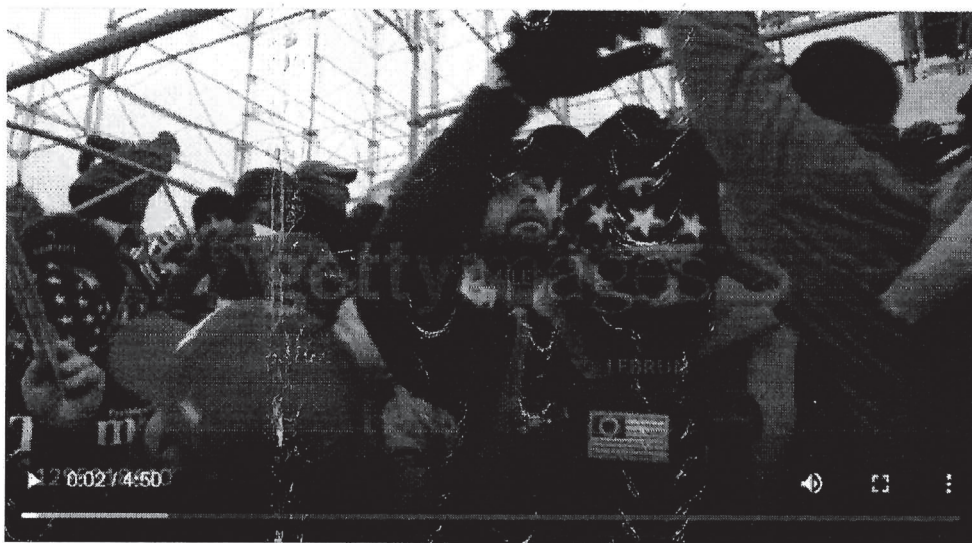


Image 8

17. At approximately 2:10 p.m., MILES and LeBrun traveled up the staircase from the west front to the Upper West Terrace of the Capitol. *See* Image 9.



Image 9

18. 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.

19. Meanwhile, MILES used a wooden board to help smash the window on the other side of the Senate Wing Door. *See* Image 10.



Image 10

20. MILES then entered through the window he had helped to smash. *See* Image 11.



Image 11

21. LeBrun entered the Capitol building through that smashed window shortly after MILES. *See* Image 12.

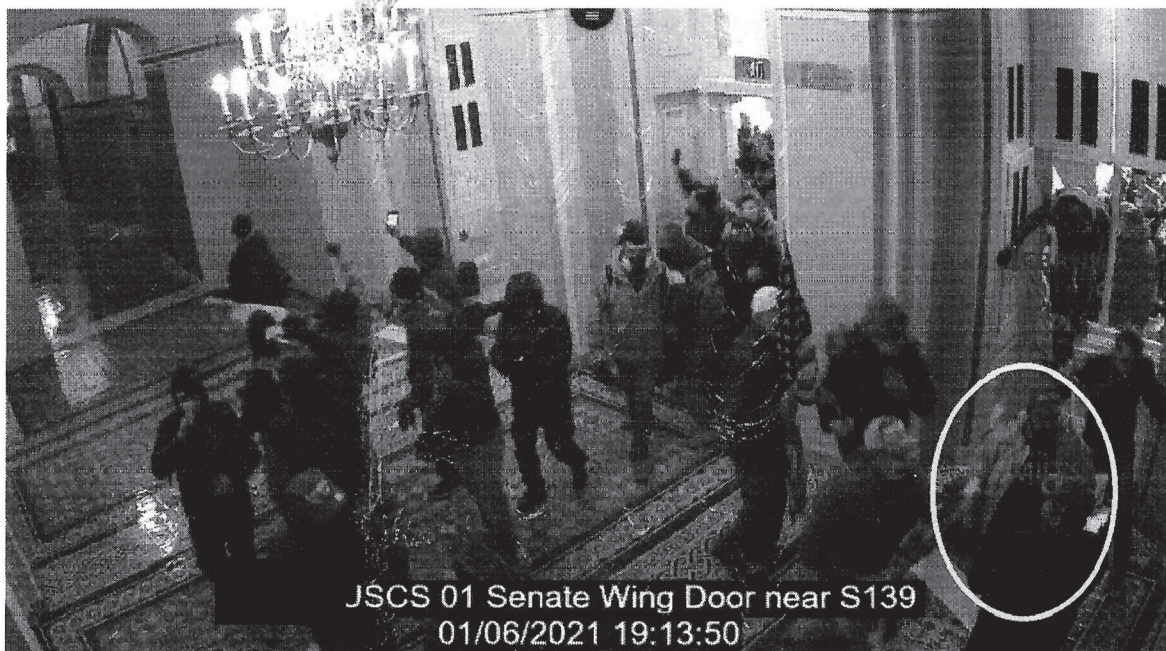


Image 12

22. After briefly walking through the Capitol building, MILES and LeBrun exited through the Senate Carriage Door. *See* Image 13.



Image 13

23. In total, MILES spent approximately three minutes inside the Capitol building.

Elements of the Offense

24. The defendant knowingly and voluntarily admits to all the elements of Assaulting, Resisting, or Impeding Certain Officers, in violation of 18 U.S.C. § 111(a)(1) (Count Two). Specifically, defendant admits that on January 6, 2021, in violation of 18 U.S.C. § 111(a)(1), the defendant forcibly assaulted, resisted, opposed, impeded, intimidated, and/or interfered with an officer or employee of the United States, or of any branch of the United States government, or any person assisting such an officer or employee, including but not limited to an officer from the United States Capitol Police, while such person was engaged in or on account of the performance of official duties, and where the defendant's acts involved physical contact with the victim and/or intent to commit another felony.

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, Steven Miles, 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: 6 Oct 2023



Steven Miles
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: 10/16/23



Ray Lopez
Attorney for Defendant