

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

BRIAN JONES

Defendant.

:
:
:
:
:
:
:
:
:
:
:

Case No.: 22-CR-00205-TJK

40 U.S.C. § 5104(e)(2)(G)

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, Brian Jones, 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 United States Capitol on January 6, 2021

1. The United States Capitol, which is located at First Street, SE, in Washington, D.C., is secured twenty-four hours a day by United States Capitol Police (USCP). Restrictions around the United States 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 United States 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 United States 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 United States Capitol. Temporary and permanent barricades, as noted above, were in place around the exterior of the United States Capitol, and USCP officers were present and attempting to keep the crowd away from the United States 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 United States Capitol were locked or otherwise secured. Members of the USCP attempted to maintain order and keep the crowd from entering the United States Capitol; however, shortly after 2:00 PM, individuals in the crowd forced entry into the United States 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 United States 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 United States 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 United States 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 United States Capitol from the time he was evacuated from the Senate Chamber until the session resumed.

Brian Jones's Participation in the January 6, 2021, Capitol Riot

8. The defendant, Brian Jones, who lives in the State of Washington, traveled to Washington, D.C., prior to January 6 with his co-defendant, Patrick King. The purpose of Jones's trip was to attend President Trump's "Stop the Steal" rally.

9. In the afternoon of January 6, Jones made his way to the west side of the United States Capitol grounds. A police barricade was toppled in that area, which allowed rioters to access a set of stairs that led to the building. Law enforcement officers were positioned on the west side of the building and attempted to keep the rioters away from the building. However, the rioters were able to push past the officers and access the building.

10. Many rioters ascended stairs that led to the upper west terrace outside of the Senate Wing Doors. At approximately 2:13 PM rioters forced their way into the building in this location. This was the first breach into the United States Capitol building on January 6. At

approximately 2:21 PM, Jones entered the building through the Senate Wing Door as alarms sounded.

11. Upon entering, Jones walked through the Rotunda and Statutory Hall before arriving at the Rotunda Doors. While in that location, Jones met up with his co-defendant, Patrick King, who entered the building in that location. Jones and King walked through the Rotunda and adjoining hallways. Jones eventually exited the building through the Rotunda Doors at approximately 2:52 PM.

Elements of the Offense

12. Jones knowingly and voluntarily admits to all the elements of Parading, Demonstrating, and Picketing in the United States Capitol building. Specifically, Jones admits that he willfully and knowingly entered the United States Capitol building knowing that that he did not have permission to do so. Jones further admits that while inside the United States Capitol building, he willfully and knowingly paraded, demonstrated, or picketed.

Respectfully submitted,

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

By: /s/ Matthew Moeder
MATTHEW MOEDER
Assistant United States Attorney
Missouri Bar #: 64036
400 East 9th Street, Room 5510
Kansas City, Missouri 64106
(816) 426-4103
Matthew.Moeder@usdoj.gov

DEFENDANT'S ACKNOWLEDGMENT

I, Brian Jones, 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: 2-10-23



Brian Jones
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: 2-10-23



Gregory Geist
Attorney for Defendant