

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

UNITED STATES OF AMERICA	:	
	:	Case No.: 22-CR-265-1 (RC)
	:	
v.	:	18 U.S.C. § 1752
	:	18 U.S.C. § 641
TIMOTHY WAYNE WILLIAMS,	:	
	:	
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, Timothy Wayne Williams, 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.

Timothy Wayne Williams' Participation in the January 6, 2021, Capitol Riot

8. The defendant, Timothy Wayne Williams, lives in Trinidad, Colorado. On January 5, 2021, the defendant traveled to Washington, D.C., with his girlfriend. They stayed in D.C. at a hotel near the Capitol. The purpose of the defendant's trip to Washington, D.C., was to protest Congress's certification of the Electoral College and what he believed was a fraudulent presidential election.

9. On January 6, 2021, the defendant attended the "Stop the Steal" rally in support of then-President Trump. After President Trump's speech at the rally, the defendant walked to the Capitol and eventually made his way to the area beside the northwest scaffolding that was in the process of being assembled for the upcoming Presidential Inauguration. The defendant wore a black and white Hortilux cap, a black backpack, and a black hoodie. The defendant also carried an American flag.

10. The defendant was part of the first wave of rioters to breach police lines at the scaffolding and entered the Capitol at approximately 2:14 p.m. through the Senate Wing Door, less than two minutes after its initial breach.

11. At one point shortly after his 2:14 p.m. entry, the defendant stole a black U.S. Capitol Police bag containing an officer's riot helmet that was left with other U.S. Capitol Police equipment by the Law Library Door. The defendant picked the bag up, carried it with him through the Capitol, and took it with him when he eventually exited the Capitol.

12. Between his entry through the Senate Wing Door at approximately 2:14 p.m. and exit through the East Rotunda Doors at approximately 2:49 p.m., the defendant went through numerous different areas of the Capitol, including joining a mob that pushed against law enforcement officers in the Crypt, entering offices in the Speaker of the House's suite, going out on the Speaker's Balcony, walking through the Rotunda and Statuary Hall, and climbing stairs and walking through hallways on the upper floor.

13. The defendant freely admitted to the FBI that he entered the Capitol, that he walked around inside the Capitol, saw a person throw a fire extinguisher, and said that he did not damage any property or take any souvenirs or anything from the Capitol.

Elements of the Offenses

14. Timothy Wayne Williams knowingly and voluntarily admits to all the elements of 18 U.S.C. § 1752(a)(1), Entering or Remaining in a Restricted Building or Grounds. Specifically, the defendant admits that he knowingly entered or remained in a restricted building, namely, the U.S. Capitol Building, without lawful authority to do so.

15. Timothy Wayne Williams knowingly and voluntarily admits to all the elements of 18 U.S.C. § 641, Theft of Government Property. Specifically, the defendant admits that he stole,

embezzled, or knowingly converted to his own use a U.S. Capitol Police bag containing a helmet, which were property belonging to the United States or any of its departments or agencies.

Respectfully submitted,

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

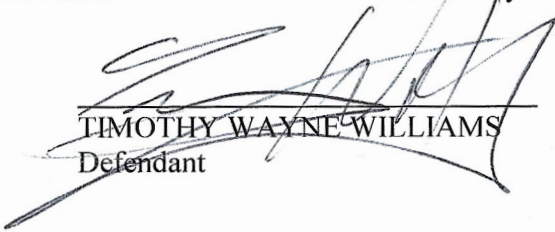
By: /s/ James D. Peterson
JAMES D. PETERSON
Special Assistant United States Attorney
VA Bar No. 35373
United States Department of Justice
1331 F St. NW 6th Floor
james.d.peterson@usdoj.gov
Desk: (202) 353-0796
Mobile: (202) 230-0693

/s/ Nathaniel K. Whitesel
NATHANIEL K. WHITESEL
Assistant United States Attorney
DC Bar No. 1601102
601 D Street NW
Washington, DC 20530
nathaniel.whitesel@usdoj.gov

DEFENDANT'S ACKNOWLEDGMENT

I, **Timothy Wayne Williams**, 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: 2/2/23


TIMOTHY WAYNE WILLIAMS
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: 02/10/2023


JOSEPH CONTE
Attorney for Defendant