

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

UNITED STATES OF AMERICA	:	Case No.: 22-CR-306 (JMC)
	:	
v.	:	18 U.S.C. § 1752(a)(1)
	:	D.C. Code §§ 4504(a), 1803
WILLIAM KIT,	:	
	:	
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, William Stephon Kit, 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.

William Kit's Participation in the January 6, 2021, Capitol Riot

8. The defendant, William Kit, lives in Washington, D.C. On January 6, 2021, Defendant went to the U.S. Capitol area to protest Congress' certification of the Electoral College.

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

10. At approximately 2:50 PM, Defendant joined a crowd of rioters on the Upper West Terrace area where police officers, including officers wearing face shields and holding batons, were attempting to prevent rioters from continuing toward the Capitol building. Defendant verbally confronted the officers and stated, among other things, "Are you willing to fucking die for this shit?" And, "We are here to die for this shit today."

11. At approximately 2:57 PM, Defendant willingly entered the Capitol through a location known as the Senate Wing Door knowing that he did not have lawful authority to do so.

Defendant, among a crowd of rioters, stated, “Where are those goddamn politicians at? [We’re] taking over the goddamn Capitol.”

12. Defendant willfully remained in the Capitol building until approximately 3:01 PM, when he exited the Capitol building through a broken window.

13. On July 29, 2022, agents with the Federal Bureau of Investigation arrived at Defendant’s home in southeast Washington, D.C. to execute an arrest warrant for the Defendant in relation to his conduct at Capitol on Jan. 6, 2021. Agents observed Defendant leave his home and approached him, which caused Defendant to flee from the agents on foot. As Defendant fled from agents, Defendant removed a handgun from his waistband and threw it to the ground. FBI agents apprehended Defendant and recovered the handgun.

14. The handgun discarded during Defendant’s flight from FBI agents on July, 29, 2022 was a Berretta APX, 9mm firearm with the serial number A056743X loaded with 13 rounds of ammunition. The recovered firearm appeared fully functional, was designed to expel a projectile by means of an explosion, had a barrel length of less than 12 inches, and was capable of being fired with one hand. At the time of the offense, Defendant was not licensed to carry a firearm in the District of Columbia and was not otherwise excused from the District’s firearm licensing and registration requirements. Defendant’s possession of the recovered firearm was also voluntary and on purpose, and not by mistake or accident.

Elements of the Offense


Defendant William Kit knowingly and voluntarily admits to all the elements of Title 18, United States Code, Section 1752(a)(1) and Title 22, D.C. Code, Sections 4504(a), 1803. Specifically, Defendant admits that he knowingly entered and remained in a restricted building and grounds without lawful authority to do so, in violation of 18 U.S.C. § 1752(a)(1). Further,

Defendant admits that on or about July 29, 2022, within the District of Columbia, he attempted to carry, openly and concealed on or about his person, in a place other than his dwelling place, a place of business, or another land possessed by him, a pistol, without license issued pursuant to law, in violation of D.C. Code §§ 4504(a) and 1803.

Respectfully submitted,

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

By:



J. Hutton Marshall
Assistant United States Attorney
D.C. Bar No. 1721890

DEFENDANT'S ACKNOWLEDGMENT

I, William Stephon Kit, 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: 11/30/22




William Stephon Kit
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: 11-30-22



Atiq Ahmed, Esq.
Attorney for Defendant