IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	**Case No: 22-CR-307**
v.	:	
	:	**40 U.S.C. § 5104(e)(2)(G)**
SUSAN MANWARING	:	
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, Susan Manwaring, with the concurrence of her 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 $1.4 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.

Susan Manwaring's Participation in the January 6, 2021, Capitol Riot

8. In early January 2021, Susan Manwaring and her son traveled together to Washington, D.C. to attend rallies in support of former President Donald Trump.

9. On January 5, 2021, the defendant and her son attended a rally where they were informed by the speakers and fellow rally-goers that the plan for the next day, January 6, 2021, was for people to attend former President Trump's rally on January 6, 2021, and, after former President Trump's speech ended, then march to the U.S. Capitol to communicate their support for President Trump and to attempt to influence the Senate while the Senate tallied the votes of the Electoral College.

10. On January 6, 2021, the defendant and her son attended former President Trump's rally and then marched to the U.S. Capitol as anticipated. As she approached the U.S. Capitol building from the west, she saw metal bicycle rack barricades that had been pushed aside.

11. The defendant and her son proceeded with the crowd through the U.S. Capitol's west plaza, where rioters were physically battling police amidst clouds of tear gas. She then followed the crowd up the stairs to the U.S. Capitol building's second level.

12. At approximately 2:23 p.m., the defendant and her son entered the U.S. Capitol building through the Senate Wing Door, which had been first breached just approximately ten minutes earlier. At the time the defendant entered the U.S. Capitol building, an alarm was sounding, other rioters were climbing into the building through broken windows on either side of the Senate Wing Door, and at least one of the windows of the Senate Wing Door itself was broken.

13. Over the next thirty minutes, the defendant and her son walked throughout the U.S. Capitol building. They proceeded from the Senate Wing Door to the Crypt to Statuary Hall to the area outside of the Speaker of the House Nancy Pelosi's office to the Rotunda. They then walked down the Old Supreme Court Chamber stairs before finally exiting through the Senate Wing Door at approximately 2:53 p.m. Along the way, the defendant saw broken windows, observed multiple uniformed and armed police officers, posed for photographs, and took photographs of other rioters.

14. The defendant was aware that at some point that day the Senate would be meeting to tally the Electoral College votes.

Elements of the Offense

15. The defendant knowingly and voluntarily admits to all the elements of Unlawful Parading, Demonstrating, or Picketing in a Capitol Building, in violation of 40 U.S.C. § 5104(e)(2)(G) (Count One). Specifically, defendant admits that on January 6, 2021, in violation of 40 U.S.C. § 5104(e)(2)(G), the defendant willfully and knowingly paraded, demonstrated, and picketed in a United States Capitol Building, specifically the United States Capitol.

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, Susan Manwaring, 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: Sept. 10, 2022

Susan Manwaring
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: 9/12/22

Scott C. Williams
Attorney for Defendant