

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

UNITED STATES OF AMERICA	:	Case No: 22-cr-00344 (DLF)
	:	
	:	
v.	:	40 U.S.C. § 5104(e)(2)(G)
	:	
IAN ROSS HORVATH,	:	
	:	
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, Ian Ross Horvath, 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 U.S. 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 U.S. 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 U.S. 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 U.S. 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 \$2.7 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 U.S. Capitol from the time he was evacuated from the Senate Chamber until the session resumed.

Ian Ross Horvath's Participation in the January 6, 2021, U.S. Capitol Riot

8. On or about January 5, 2021, defendant Ian Ross Horvath (“Horvath”) traveled with an acquaintance from Indiana to Washington, D.C. The purpose of the trip to Washington, D.C. was to attend the rally to see then-President Donald Trump and to protest Congress’ certification of the Electoral College occurring at the U.S. Capitol Building.

9. On January 6, 2021, Horvath attended the rally which took place at the ellipse. From the rally, Horvath walked with a group to the U.S. Capitol after hearing that others were going that way. After stopping at the Peace Monument, Horvath moved to the Northwest side of the U.S. Capitol building and walked up the stairs near scaffolding to reach the Capitol Building. When he reached the building, the doors on the West front had been breached. Horvath walked

into the building through the Senate Wing doors at approximately 2:18 p.m. and began to record his presence and movements with his cell phone.

10. Once inside the Capitol Building, Horvath followed the crowd to the Crypt, where he commingled with other rioters from approximately 2:21 p.m. until approximately 2:25 p.m.

11. Horvath climbed a staircase near the Memorial Doors to reach the Rotunda, where he arrived at approximately 2:32 p.m. and remained for approximately 20 minutes. While inside the Rotunda, Horvath also continued to record video with his cell phone.

12. Horvath returned to the Senate Wing Door foyer at approximately 2:47 p.m. and witnessed police officers attempting to block other rioters from entering the Capitol through the Senate Wing doors. Horvath stood in the foyer for several minutes and recorded the police officers being pushed back by the rioters and the foyer fill with the rioters. Once the foyer was completely filled with rioters, Horvath exited the Capitol Building through the Senate Wing doors at approximately 2:50 p.m. As he exited, Horvath motioned with his hand for others to come into the Capitol and stated, "come on in, all are welcome."

13. Horvath streamed some of his activities inside the Capitol and on the Capitol grounds after he left the Capitol Building on his Facebook live account and also used Facebook Messenger to communicate with an acquaintance that he met with on the ledge near the scaffolding on the grounds of the Capitol Building about his activities.

14. Horvath deleted evidence of his presence at the United States Capitol on January 6, 2021 from his Facebook account.

Elements of the Offense

15. Horvath knowingly and voluntarily admits to all the elements of 40 U.S.C. § 5104(e)(2)(G). Specifically, he admits that he willfully and knowingly entered the U.S. Capitol Building, and, while inside the U.S. Capitol, he willfully and knowingly paraded, demonstrated, or picketed.

Respectfully submitted,

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

By: */s/ Anita Eve*
Anita Eve
Assistant United States Attorney
PA Bar No. 45519

DEFENDANT'S ACKNOWLEDGMENT

I, Ian Horvath, 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 Jan 2023

Ian Ross Horvath
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: 5 Jan 2023


Peter A. Cooper
Attorney for Defendant