

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

UNITED STATES OF AMERICA	:	
	:	
	:	CRIMINAL NO.: 22-CR-381
v.	:	
	:	
JACOB MICHAEL THERRES,	:	18 U.S.C. § 111(a)(1) and (b) (Assaulting,
	:	Resisting, or Impeding Certain Officers
	:	Using a Dangerous Weapon)
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, JACOB MICHAEL THERRES, 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 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.

THERRES's Participation in the January 6, 2021 Capitol Riot

8. On January 6, 2021, THERRES traveled from his residence in Belcamp, Maryland to Washington, D.C. to attend the “Stop the Steal” rally and election-related events occurring on January 6, 2021. The purpose of THERRES’s trip to Washington, D.C., was to attend the “Stop the Steal Rally” so he could see and hear President Trump’s speech.

9. On January 6, 2021, THERRES attended the rally in Washington, D.C. and later walked to the U.S. Capitol complex. THERRES was wearing a blue Trump hat, a red hooded

sweatshirt with a black, blue and green backpack, light-colored pants, tennis shoes, and sometimes wearing a white mask.

10. When THERRES arrived at the U.S. Capitol on January 6, 2021 at approximately 1:30 p.m., a large crowd had assembled on the restricted grounds surrounding the U.S. Capitol building. THERRES observed that law enforcement officers were actively attempting to keep the crowd away from the building, indicating that the building was closed to the public.

11. At approximately 2:10 p.m., THERRES was near the front of a line of protestors up against a police line of federal law enforcement officers wearing riot gear on the West Plaza near the inaugural stage. THERRES was standing in close proximity to his stepfather, Douglas Steven Wyatt, who was yelling at the officers in the police line. At around 2:10 p.m., protestors began breaching the police line and engaging in physical altercations with officers. At this time, THERRES twice threw small objects that he picked up off the ground at the police line.

12. At around 2:14 p.m., Wyatt picked up a long, 4”X4” wooden plank off the ground and handed it to THERRES, who took the wooden plank and threw it at the police line. The wooden plank thrown by THERRES struck the helmet of U.S. Capitol Police (“USCP”) Officer J.W., who briefly lost consciousness after the impact. USCP Officer J.W. continued to experience concussion symptoms following January 6, 2021. At around 2:20 p.m., THERRES took a chemical spray gun from a black bag on the inaugural stage area on the West plaza and began spraying law enforcement officers from the inaugural stage.

Elements of the Offense

13. JACOB MICHAEL THERRES knowingly and voluntarily admits to all the elements of 18 U.S.C. § 111(a) and (b)(1). Specifically, defendant admits that

- The defendant forcibly assaulted, resisted, opposed, impeded, intimidated, or interfered with any person designated in 18 U.S.C. § 1114 while engaged in or on account of the performance of their official duties. Specifically, the defendant admits that he sprayed several MPD and Capitol Police officers with a chemical spray while those MPD officers were assisting the United States Capitol Police. The defendant further admits that he knew at that time of the assault of the officers that the officers were engaged in the performance of their official duties or that he assaulted the officers on account of their performance of their official duties.

Respectfully submitted,

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

By: /s/ Andrew J. Tessman
Andrew J. Tessman
Assistant United States Attorney

DEFENDANT'S ACKNOWLEDGMENT

I, JACOB MICHAEL THERRES, 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: 1/5/2022

Jacob Michael Therres
JACOB MICHAEL THERRES
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: Jan. 6, 2023

[Signature]
Nathan Silver, II
Attorney for Defendant