

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	Case No: 1:23-cr-00086
	:	
v.	:	
	:	18 U.S.C. § 231(a)(3)
CAMERON HESS	:	
	:	
Defendant.	:	

not filed.
Roger C. Lanthier
U.S. D.C. 10/6/23

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, Cameron Hess, 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 (“USCP”). Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by USCP. 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 USCP were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside. By shortly after 1:00 p.m., the situation at the Capitol had become a civil disorder as that term is used in Title 18, United States Code, Section 231, and throughout the rest of the afternoon the civil disorder obstructed the USCP's ability to perform their federally protected function to protect the U.S. Capitol building and its occupants.

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 USCP, 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 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 U.S. 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 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 Capitol, requiring the expenditure of more than \$2.8 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.

Cameron Hess's Participation in the January 6, 2021 Capitol Riot

8. The defendant, Cameron Hess, traveled from Pennsylvania to support the former president on January 6, 2021. Hess crossed into the restricted area on Capitol Grounds and pushed into the Capitol building through the East Rotunda Doors at 3:24 p.m. *See* Image 1 below (Hess is circled in yellow in the doorway).



Image 1

9. This occurred while law enforcement officers attempted to direct the rioters out of the doors. These officers can be seen at the bottom of Images 1 and 2. Throughout his attempts to push through the doors, Hess holds his jacket up over his mouth and nose to help protect himself from pepper balls being fired by law enforcement. These pepper balls can be seen impacting the walls near the doorframe in this Capitol Surveillance footage.



Image 2

10. At 3:25 p.m., seen above, Hess pushed further into the Capitol building, separated by just a few rioters from the line of police officers trying to clear rioters out of the building.

11. At 3:30 p.m., officers regained control of the doorway. Hess approached the officers from outside, shielding his face with his jacket, and pushed a Metropolitan Police (“MPD”) Officer who was trying to close the doors. *See* Image 3 below.



Image 3

12. Despite the officer telling Hess to “stop” multiple times, Hess physically engaged with the officer with his right arm while holding the door open with his left. *See* Images 4-5 below.



Image 4



Image 5

13. After this confrontation, law enforcement successfully closed the East Rotunda Doors, but Hess remained just outside for at least ten more minutes. *See* Image 6 below.



Image 6

14. On January 6, Hess sent text messages saying: “people storming the Capitol” and that he was “in the thick of it. Got pepper sprayed and teargassed.” That evening he bragged, “I was brawling at the door.” But several days later, Hess sent a message saying: “Don’t tell anyone I was there.”

Elements

15. Hess obstructed, impeded, and interfered with a MPD officer, in violation of 18 U.S.C. § 231(a)(3).

16. Hess admits that the MPD officer was lawfully engaged in the lawful performance of his official duties incident to and during the commission of a civil disorder.

17. Hess admits that the civil disorder obstructed, delayed, or adversely affected commerce or the movement of any article or commodity in commerce.

18. Hess admits that the civil disorder obstructed, delayed, or adversely affected the conduct or performance of a federally protected function.

Respectfully submitted,

MATTHEW M. GRAVES
United States Attorney

By: /s/ Tighe Beach
TIGHE BEACH
Assistant United States Attorney

DEFENDANT'S ACKNOWLEDGMENT

I, Cameron Hess, 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: 10/06/2023 Cameron Hess
Cameron Hess
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: 10/6/2023 Elita Amato
Elita Amato
Attorney for Defendant