

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

UNITED STATES OF AMERICA	:	Case No.: 23-CR-185 (APM)
	:	
v.	:	18 U.S.C. § 111(a)(1)
	:	
RAYMUND CHOLOD, A/K/A RAYMOND CHOLOD,	:	
	:	
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, Raymund Cholod, also known as Raymond Cholod, with the concurrence of the defendant’s 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. 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. Officers with the D.C. Metropolitan Police Department were called to assist officers of the USCP who were then engaged in the performance of their official duties. 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 \$2.9 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.

The Defendant's Participation in the January 6, 2021, Capitol Riot

8. On January 6, 2021, beginning at approximately 2:42 p.m., numerous members of the mob attacked members of the USCP and MPD who were lawfully engaged in the performance of their official duties defending an entrance to the U.S. Capitol on the Lower West Terrace known as “the tunnel.” Over the course of more than two hours, members of the mob threw items at police, struck police with items, sprayed police with chemical irritants, pushed against the police and stole items from the police defending the tunnel.

9. At approximately 2:41 p.m., Cholod was among the first group of rioters to enter the tunnel on the Lower West Terrace. By approximately 2:44 p.m., Cholod was located at the front of the police line in the tunnel. During this time, the mob was physically pushing up against

the police inside the tunnel. Cholod pushed up against a nearby police officer despite the officer telling him to “stop” and briefly grabbed the edge of a U.S. Capitol police riot shield.

10. Cholod left the tunnel at approximately 2:54 p.m. but remained in the area immediately outside the tunnel on the Inaugural Stage on the Lower West Terrace.

11. At or around 4:30 p.m., Cholod, who remained among the crowd gathered outside the tunnel, picked up a long black solid stick from the ground and threw it into the mouth of the tunnel where he knew that police officers were standing and attempting to keep rioters out of the U.S. Capitol building.

12. The solid stick was capable of causing serious bodily injury (extreme physical pain or the protracted impairment of a function of a bodily member, organ, or mental faculty; or requiring medical intervention such as surgery, hospitalization, or physical rehabilitation), and Cholod threw it with the intent to commit bodily injury (any significant injury; e.g., an injury that is painful and obvious, or is of a type for which medical attention would ordinarily be sought).

13. By engaging in the above-described conduct, Cholod intended to commit an act to obstruct, interfere, or interfere with law enforcement officers lawfully engaged in their official duties incident to and during the commission of a civil disorder.

Elements of the Offense

14. The parties agree that Assaulting, Resisting, or Impeding Officers, in violation of 18 U.S.C. § 111(a)(1) requires the following elements:

- a. The defendant assaulted, resisted, opposed, impeded, intimidated, or interfered with officers from the MPD or USCP;
- b. The defendant did such acts forcibly;
- c. The defendant did such acts voluntarily and intentionally; and

- d. The officer or officers who were assaulted, resisted, opposed, impeded, intimidated, or interfered with were officers or employees of the United States who were then engaged in the performance of their official duties or assisting officers of the United State who were then engaged in the performance of their official duties.
- e. The offense involved physical contact with the victim or the intent to commit another felony.

Defendant's Acknowledgments

15. The defendant knowingly and voluntarily admits to all the elements as set forth above. Specifically, the defendant admits that he forcibly assaulted, resisted, opposed, intimidated, impeded, and interfered with members of the MPD and USCP who were engaged in the performance of their official duties. He did so with the intent to commit another felony; namely, a violation of the civil disorder statute, 18 U.S.C. § 231(a)(3).

Respectfully submitted,

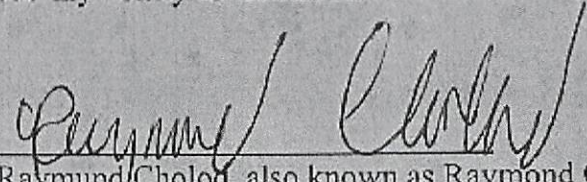
MATTHEW M. GRAVES
United States Attorney
D.C. Bar No. 481052

By: /s/ Kaitlin Klamann
KAITLIN KLAMANN
Assistant United States Attorney
IL Bar No. 6316768
Capitol Siege Section
U.S. Attorney's Office
District of Columbia
(202) 252-6778
Kaitlin.klamann@usdoj.gov

DEFENDANT'S ACKNOWLEDGMENT

I, Raymund Cholod, also known as Raymond Cholod, 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.

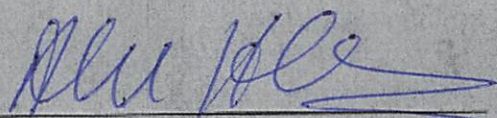
Date: 12/18/2023


Raymund Cholod, also known as Raymond Cholod
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: January 8, 2024


Allen Orenberg
Attorney for Defendant