

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

UNITED STATES OF AMERICA	:	Case No.: 23-mj-109 (RMM)
	:	
v.	:	U.S.C 40 5104(2)(2)(G)
	:	
SCOTT COLUMBUS,	:	
	:	
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, Scott Columbus, 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

- 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.
- On January 6, 2021, the exterior plaza of the Capitol was closed to members of the public.
- 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.
- 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.

- 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.

- 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 \$2.8 million dollars for repairs.

- 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

- On January 5, 2021, SCOTT COLUMBUS and RENEE FATTA drove together from New York state to

Maryland to attend former President Donald Trump's "Stop the Steal" rally on the Ellipse on January 6, 2021.

COLUMBUS and FATTA were unhappy with the 2020 election results and intended to protest. FATTA had learned of the rally on a YouTube channel called "Rightside Broadcasting."

- On January 6, 2021, COLUMBUS and FATTA traveled to Washington, D.C. on the Metro and attended the rally. COLUMBUS had a facemask with 'TRUMP' printed on it. FATTA was wearing a pink knit hat with a 'TRUMP' embroidery.

- After the rally, COLUMBUS and FATTA walked to the United States Capitol to continue protesting and entered the restricted perimeter.

- COLUMBUS and FATTA spent time on the West lawn before making their way up to the Upper West Terrace of the Capitol Building exterior.

- COLUMBUS and FATTA entered the United States Capitol through the Parliamentarian doors at approximately 2:45PM just three minutes after the doors were kicked in by other rioters. FATTA pumped her fist in the air as she entered the Capitol.

- Once inside, COLUMBUS and FATTA entered an office to the immediate right of the Parliamentarian doors. As they entered the office, other rioters were actively ransacking the office.

- Approximately twenty seconds later, COLUMBUS and FATTA exited the office, walking over smashed glass, and proceeded down the hallway, further into the Capitol Building.

- COLUMBUS and FATTA's advancements were stopped by a line of Metropolitan Police Department officers who were preventing rioters from further advancement into the Capitol Building.

- Rioters in this location were yelling "push back!" and tried to get around law enforcement.

- Officers began to pepper spray the crowd causing rioters, including COLUMBUS and FATTA, to exit the building.

- COLUMBUS and FATTA exited the United States Capitol Building at approximately 2:48 PM.

- COLUMBUS and FATTA continued to remain on the Upper West Terrace of the Capitol building exterior through at least 3:18 PM.

- COLUMBUS and FATTA took a photograph together on the Upper West Terrace which FATTA later posted to her Facebook account.

Elements of the Offense

- The parties agree that 40 U.S.C. § 5104(e)(2)(G), Parading Demonstrating, or Picketing in a Capitol Building requires the following elements: (a) paraded, demonstrated, or picketed; (b) did so in any of the Capitol Buildings; and (c) did so willfully and knowingly.

Defendant's Acknowledgments

- The defendant knowingly and voluntarily admits to all the elements as set forth above. Specifically, the defendant admits that he knowingly and willfully entered the United States Capitol Building, without permission, via the Parliamentarian doors. COLUMBUS also admits that, while inside the Capitol, he willingly and knowingly paraded, demonstrated, and picketed.

Respectfully submitted,

MATTHEW M. GRAVES

United States Attorney

D.C. Bar No. 481052


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DEFENDANT'S ACCEPTANCE

I have read every page of this Agreement and have discussed it with my attorney, **Lana Manitta**, I fully understand this Agreement and agree to it without reservation. I do this voluntarily and of my own free will, intending to be legally bound. No threats have been made to me nor am I under the influence of anything that could impede my ability to understand this Agreement fully. I am pleading guilty because I am in fact guilty of the offense(s) identified in this Agreement.

I reaffirm that absolutely no promises, agreements, understandings, or conditions have been made or entered into in connection with my decision to plead guilty except those set forth in this Agreement. I am satisfied with the legal services provided by my attorney in connection with this Agreement and matters related to it.

Date: 8-12-2023




Scott Columbus
Defendant

ATTORNEY'S ACKNOWLEDGMENT

I have read every page of this Agreement, reviewed this Agreement with my client, **Scott Columbus**, and fully discussed the provisions of this Agreement with my client. These pages accurately and completely set forth the entire Agreement. I concur in my client's desire to plead guilty as set forth in this Agreement.

Date: 8/23/2023



Lana Manitta
Attorney for Defendant