IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	
	:	
v.	:	**Case No. 23-CR-372 (TNM)**
	:	
RYAN KEITH YATES,	:	**Violations:**
	:	**18 U.S.C. § 231(a)(3)**
Defendant.	:	**(Civil Disorder)**
	:	**18 U.S.C. § 1752(a)(1)**
	:	**(Entering and Remaining in a Restricted**
	:	**Building or Grounds)**
	:	**18 U.S.C. § 1752(a)(2)**
	:	**(Disorderly and Disruptive Conduct in a**
	:	**Restricted Building or Grounds)**
	:	**40 U.S.C. § 5104(e)(2)(D)**
	:	**(Disorderly Conduct in**
	:	**a Capitol Building)**
	:	**40 U.S.C. § 5104(e)(2)(G)**
	:	**(Parading, Demonstrating, or Picketing in**
	:	**a Capitol Building)**

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, Ryan Keith Yates, 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. By shortly after 1:00 PM, 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 Secret Service's ability to perform the federally protected function of protecting Vice President Pence.

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, Yates entered the Capitol grounds' restricted area around the United States Capitol building. He stood outside the Capitol building, along the northwest corner, near the scaffolding that was set up for the inauguration. Yates pushed away barricades that had been set up to block protesters from reaching the Capitol.

9. Yates entered the Capitol at approximately 2:17 p.m., through the Senate Wing Door. His phone's flashlight was on, and he held the device as if recording the scene. Yates subsequently traveled down the Statuary Hall Connector and to the House side of the building, where he stood near a group of rioters, apparently typing on his phone, as they tried to break into the House floor. Yates also traveled to the Capitol Rotunda and Crypt.

10. Around 3:20 p.m., Yates went to the interior Rotunda door, which connects the Rotunda to the east entrance of the Capitol. As rioters rushed from the outside to get into the Rotunda, Yates joined in the effort. Yates began to pump his fist as rioters streamed into the Capitol, and joined as the crowd surged forward. He worked his way to the front of the group, and, along with a handful of other rioters, was able to push against police to enter the Rotunda itself before officers were able to close the door. Inside the Rotunda, surrounded by police, Yates was escorted out of the building with his arms raised. Later in the day, Yates remained on the Capitol grounds, within the restricted area.

Elements of the Offense

11. The parties agree that a violation of Civil Disorder, 18 U.S.C. § 231(a)(3) requires the following elements:

a. First, the defendant knowingly committed or attempted to commit an act with the intended purpose of obstructing, impeding, or interfering with one or more law enforcement officers.

b. Second, at the time of the defendant's actual or attempted act, the law enforcement officer or officers were engaged in the lawful performance of their official duties incident to and during a civil disorder.

c. Third, the civil disorder in any way or degree obstructed, delayed, or adversely affected commerce or the conduct or performance of any federally protected function.

Defendant's Acknowledgments

12. The defendant knowingly and voluntarily admits to all the elements as set forth above. Specifically, the defendant admits that:

a. First, he knowingly committed an act with the intended purpose of obstructing, impeding, or interfering with one or more law enforcement officers.

b. Second, at the time of the defendant's act, the law enforcement officer or officers were engaged in the lawful performance of their official duties incident to and during a civil disorder.

c. Third, the civil disorder obstructed, delayed, or adversely affected commerce and the conduct or performance of any federally protected function.

Respectfully submitted,

DATED: January 4, 2024

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

By: /s/ Brendan Ballou
Brendan Ballou
DC Bar No. 241592
Special Counsel
United States Attorney's Office
601 D Street NW
Washington, DC 20001
(202) 431-8493
brendan.ballou-kelley@usdoj.gov

DEFENDANT'S ACKNOWLEDGMENT

I, Ryan Keith Yates, 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: 1.12.24

Ryan Keith Yates
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 17, 2024

Serguel Mawuko Akiti
Attorney for Defendant