

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA :  
 :  
 v. : Criminal No. 23-398 (CKK)  
 :  
 ALBERT A. CIARPELLI, :  
 :  
 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, Albert A. Ciarpelli, 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. The grounds around the Capitol were posted and cordoned off, and the entire area as well as the Capitol building itself were restricted as that term is used in Title 18, United States Code, Section 1752 due to the fact that the Vice President and the immediate family of the Vice President, among others, would be visiting the Capitol complex that day.

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. The defendant, Albert Ciarpelli, of Syracuse, New York, travelled to Washington, D.C., on or about January 5, 2021 to attend former President Trump's "Stop the Steal" rally. Ciarpelli stayed at a hotel that was close to the Ellipse and National Mall so that he could walk to the rally.

9. Throughout his time in Washington, D.C., and at the U.S. Capitol, Ciarpelli used his cellphone to record video of the events.

10. On January 6, 2021, Ciarpelli attended the rally as planned and remained there for approximately two to three hours. Ciarpelli then joined the amassing crowds walking from the Stop the Steal rally towards the Capitol. Ciarpelli approached the Capitol from the west, was one

of the first rioters to breach the restricted perimeter around Capitol Grounds established by USCP, and eventually made his way to the West Front of the Capitol. While on the west front, Ciarpelli participated with other rioters in pushing on a police barricade. Ciarpelli then ascended the Northwest Stairs to the Upper West Terrace, underneath the inaugural stage.

11. Once he reached the Upper West Terrace, Ciarpelli followed other rioters looking to make entry into the building – he banged on the Parliamentarian Door using his fist and eventually followed rioters into the building through the Senate Wing Door at approximately 2:13 PM, within approximately one minute of the first rioters entering the building. Before entering the building, Ciarpelli stood and watched as other rioters broke through glass windows near the Senate Wing Door. During this time, the crowd cheered on the rioters breaking down the windows and yelled things like “This is our f\*\*\*ing county,” and “This is our house.” Once inside, the crowd continued to yell and chant.

12. Inside the Capitol, Ciarpelli climbed the stairs to the second floor and continued to record pictures and videos with his cellphone. On the second floor, Ciarpelli and several other rioters were met by USCP officers, who blocked the rioters’ way. Ciarpelli and the rioters around him yelled at the assembled officers.

13. Ciarpelli exited the Capitol shortly after 2:30 PM. He later re-entered the building on its east side at approximately 3:13 PM. Ciarpelli went into the Rotunda on this second trip, then left through the same doors he entered at approximately 3:32 PM, raising his fist in the air as he exited. Videos from his cell phone indicate that he remained in and around the National Mall until approximately 5:45 PM, shortly before the commencement of Mayor Muriel Bowser’s 6 PM citywide curfew.

14. Ciarpelli submitted to a voluntary interview by the FBI on January 10, 2021. At this interview, Ciarpelli identified himself in three photographs taken inside the Capitol building.

15. The defendant willfully and knowingly entered or remained in the U.S. Capitol Building, a restricted building, or grounds.

*Elements of the Offense*

16. The parties agree that Entering and Remaining in a Restricted Building, in violation of 18 U.S.C. § 1752(a)(1) requires the following elements:

- a. First, the defendant entered or remained in a restricted building or grounds without lawful authority to do so.
- b. Second, that the defendant did so knowingly.

*Defendant's Acknowledgments*

17. The defendant knowingly and voluntarily admits to all the elements as set forth above. Specifically, the defendant admits that he knowingly entered and remained in a restricted building, that is, the U.S. Capitol Building, or grounds, without lawful authority to do so.

Respectfully submitted,

MATTHEW M. GRAVES  
United States Attorney  
DC Bar No. 481052

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**DEFENDANT'S ACKNOWLEDGMENT**

I, Albert A. Ciarpelli, 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.

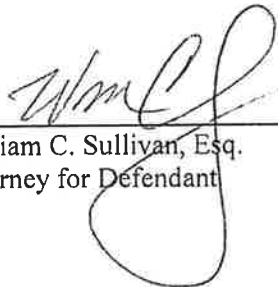
Date: 11/10/23

  
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Albert A. Ciarpelli  
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: 11/10/23

  
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William C. Sullivan, Esq.  
Attorney for Defendant