

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, Shawn Mahoney, lives in Bristol, New Hampshire. On January 6, 2021, Mahoney was in Washington, D.C., where he joined the crowd outside the United States Capitol building. While on the west side of the U.S. Capitol, Mahoney carried a royal blue “Trump 2020” flag.

9. Mahoney entered the Capitol through the Senate Wing Door at 2:16 p.m. while a blaring alarm sounded. As he entered, he used a cellphone to capture images of the events unfolding around him. Mahoney then walked further into the building, down a connecting hallway and into the Crypt.

10. While in the Crypt, Mahoney had with him a baked food item. Closed-circuit video captured Mahoney taking a bite of the item, then leaving the other half of it on a bust of Winston Churchill.

11. Mahoney returned to the area near the Senate Wing Doors and departed the Capitol Building approximately 22 minutes after he entered, at 2:38 p.m., by climbing through a broken window adjacent to the same doors he entered.

Elements of the Offense

12. The parties agree that 40 U.S.C. § 5104(e)(2)(D), Disorderly Conduct in a Capitol Building, requires the following elements:

- First, the defendant engaged in disorderly or disruptive conduct in any of the United States Capitol Buildings or Grounds.
- Second, the defendant did so with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress.
- Third, the defendant acted willfully and knowingly.

13. The parties agree that 40 U.S.C. § 5104(e)(2)(G), Parading, Demonstrating, or Picketing in a Capitol Building, requires the following elements:

- First, the defendant paraded, demonstrated, or picketed in any of the United States Capitol Buildings.
- Second, the defendant acted willfully and knowingly.

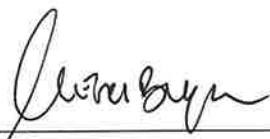
Defendant's Acknowledgments

14. The defendant knowingly and voluntarily admits to all the elements as set forth above. Specifically, the defendant admits that he engaged in disorderly or disruptive conduct in the United States Capitol Building with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress and that he paraded, demonstrated, and picketed while in the Capitol building.

Respectfully submitted,

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By:




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DEFENDANT'S ACKNOWLEDGMENT

I, Shawn Mahoney, 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: 5/9/2024


Shawn Mahoney
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: 5/9/24


Jaye Rancourt
Attorney for Defendant