

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

**UNITED STATES OF AMERICA** :  
 :  
 v. : **Case No. 1:24-cr-114 (RDM)**  
 :  
**KEVIN MICHAEL ALSTRUP,** :  
 :  
 **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, Kevin Michael Alstrup, 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. Alstrup entered the U.S. Capitol building on January 6 at approximately 3:05 p.m. through the Senate Wing doors. By the time Alstrup entered the U.S. Capitol building, rioters had forced open the Senate Wing doors and broken windows on either side of the doors. In fact, after he entered the Capitol, Alstrup took photographs of rioters entering and leaving the building through broken windows. Alstrup took photos with his camera before walking down the Senate Wing Corridor towards the Crypt.

9. From approximately 3:06 p.m. to 3:21 p.m., Alstrup remained in the U.S. Capitol Building's Crypt. While he was in the Crypt, Alstrup took photos with his camera and observed the crowd. At approximately 3:21 p.m., Alstrup left the Crypt.

10. A few moments after leaving the Crypt, Alstrup appeared in and around the lobby adjacent to the Senate Wing doors. Alstrup was in and around the lobby adjacent to the Senate

Wing doors from approximately 3:28 p.m. to 3:33 p.m. During that time, Alstrup moved around the lobby and continued to take photos of the surrounding activity—which included individuals entering and exiting the lobby through a broken window. While Alstrup was in the lobby adjacent to the Senate Wing doors, alarms were audibly and continuously sounding and a U.S. Capitol Police officer was orally ordering rioters out of the building and gesturing for them to leave.

11. Alstrup walked out of the U.S. Capitol Building through the Senate Wing doors at approximately 3:33 p.m. In total, Alstrup spent approximately 28 minutes inside the U.S. Capitol building.

*Elements of the Offense*

12. The parties agree that 40 U.S.C. § 5104(e)(2)(D) (Disorderly and Disruptive Conduct in a Capitol Building or Grounds) (Count Three of the Information) requires the following elements:

- a. First, the defendant engaged in disorderly or disruptive conduct in any of the United States Capitol Buildings or Grounds;
- b. 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; and
- c. 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) (Count Four of the Information) requires the following elements:

- a. First, the defendant paraded, demonstrated, or picketed in any of the United States Capitol Buildings; and
- b. 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 willfully and knowingly, with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, engaged in disorderly or disruptive conduct in any of the United States Capitol Buildings or Grounds. The Defendant also admits that he willfully and knowingly paraded, demonstrated, or picketed in any of the United States Capitol Buildings.

Respectfully submitted,

MATTHEW M. GRAVES  
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District of Columbia  
Bar No. 481052

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**DEFENDANT'S ACKNOWLEDGMENT**

I, KEVIN MICHAEL ALSTRUP, 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: 9/5/24

Kevin Alstrup  
KEVIN MICHAEL ALSTRUP  
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: 9/5/2024

Maria Jacob  
Maria Jacob  
Attorney for Defendant