

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

<b>UNITED STATES OF AMERICA</b>	:	<b>Case No: 24-cr-213-JMC</b>
	:	
<b>v.</b>	:	
	:	<b>18 U.S.C. § 1752(a)(1)</b>
<b>CHARLES WALTERS,</b>	:	<b>18 U.S.C. § 1361</b>
	:	
<b>Defendant.</b>	:	

**STATEMENT OF OFFENSE**

Pursuant to Federal Rule of Criminal Procedure 11, the United States of America, by and through its attorney, the United States Attorney for the District of Columbia, and the defendant, Charles Walters, with the concurrence of his attorney, agree and stipulate to the below factual basis for the defendant’s guilty plea—that is, the defendant agrees that the following facts are true and undisputed, and 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 24 hours a day by U.S. Capitol Police (USCP). Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by USCP. Only authorized people with appropriate identification are allowed access inside the U.S. Capitol.

2. On January 6, 2021, the exterior plaza of the U.S. 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 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 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 U.S. Capitol were locked or otherwise secured. Police 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 U.S. Capitol, requiring the expenditure of more than \$2.9 million dollars for repairs.

7. Shortly thereafter, at approximately 2:20 PM, members of the United States House of Representatives and United States 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 U.S. 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 the Capitol was secured. The proceedings resumed at approximately 8:00 PM after the Capitol had been secured. Vice President Pence remained in the Capitol from the time he was evacuated from the Senate Chamber until the session resumed.

***Charles Walters’s Participation in the January 6, 2021 Capitol Riot***

8. The defendant, Charles Walters (hereinafter, “Walters”), lives in Sparta, Wisconsin. On January 5, 2021, he drove to Washington D.C. from Wisconsin and slept in his car. The next day, Walters filmed events throughout the day. He started filming near the Washington Monument at about 8:30 AM on January 6, 2021. By around 1:00 PM, Walters had

made his way to the West Front of the U.S. Capitol grounds, where a riot broke out as a mob broke through police barricades on the perimeter.

9. On the West Front of the U.S. Capitol, Walters stood with a crowd of rioters near police lines behind bike rack barricades. United States Capitol Police directed rioters to move back and used chemical sprays and deployed munitions against the rioters, which Walters observed and experienced. Walters knew that he and the other rioters were not permitted to be present on Capitol grounds.

10. At approximately 1:12 PM, wearing a black riot-style helmet and black ballistic-style vest, Walters willfully kicked and stomped black metal fencing that had been erected for the presidential inauguration ceremony on the West front of the Capitol. Walters kicked and stomped at the fencing until two 6-foot segments of the fence were destroyed and Walters and other rioters were then able to climb over the remnants on the ground.



*Screenshot from open-source video of Walters (red oval) stomping on fencing*

11. On secured Capitol grounds—before he entered the Capitol—Walters filmed rioters engaging in violence toward police, chemical sprays being deployed by rioters and police, and rioters climbing on scaffolding. As he filmed, Walters commented that Capitol Police were using “concussive grenades.” In a subsequent selfie-style video, he looked into his camera and commented that he got pepper spray in his mouth and eyes.

12. After rioters breached the police line on the West Front, Walters made his way up to the Northwest Courtyard. The Parliamentarian Door was breached twice on January 6<sup>th</sup>. The first breach of the Capitol occurred in that area at 2:13 PM. The Parliamentarian Door was breached a second time at approximately 2:42 PM. Walters entered the Capitol at approximately 2:45 PM, holding on to the shoulder of the person ahead of him in a “column” or “stack” formation, wearing the riot-style helmet and black ballistic-style vest. He filmed his entry. As he entered, Walters knew that he was not authorized to be inside the building, and knew that police officers had been overrun in their efforts to prevent Walters and the other rioters from entering the building.

13. Still filming, Walters immediately entered the Senate Parliamentarian’s Office and opened a refrigerator and rummaged through it.

14. Still filming, Walters then walked with a dense crowd down a corridor. He and fellow rioters were confronted by a line of police in the corridor. Walters told police, “there’s a million people behind us” and suggested that police should do a tactical retreat. Rioters then pushed through the line.

15. Walters advanced to a hallway near the Senate Democratic Policy Committee, the Senate Foreign Relations Committee Room, and a bust of Constantine Brumidi.

16. Police swept rioters, including Walters, out of the Brumidi Corridor area of the Capitol at approximately 3:04 PM; Only after he was directed to leave by police did Walters leave

the building, and even after he was required to leave the interior of the building, Walters remained on Capitol grounds. He was pepper sprayed by police in the Northwest Courtyard.

17. At about 4:45 PM Walters was on the presidential inauguration stage risers, turning in circles and filming. There he yelled at a line of police officers and a police officer stopped him and grabbed his arm in an effort to prevent him from moving toward steps that had already been cleared by police. Even then, he stayed in the area and again appeared to talk or yell at officers forming a police line. At about 5:08 PM, still in the same area, he picked up a flagpole and removed a red flag from it and then handed the pole to a police officer.

18. At about 5:11 PM, Walters and other rioters were cleared from the area of the inauguration stage by police. As he was being forced down the stairs by police, Walters unfurled the red flag and held it out to the crowd below the risers.

19. At dusk, a dense mob of rioters, including Walters, were pushed off of Capitol grounds. As police directed rioters to leave and a line of police moved toward them, Walters periodically turned and engaged with police by shouting.

#### **Elements of the Offenses**

20. The parties agree that a violation of 18 U.S.C. § 1752(a)(1) requires the following elements:

- a. The defendant entered or remained in a restricted building or grounds without lawful authority to do so;
- b. The defendant did so knowingly.

21. Walters knowingly and voluntarily admits to all the elements as set forth above. Specifically, Walters admits that when he entered the Capitol building on January 6, 2021, he knew

it was a restricted building due to the fact that the Vice President, among others, would be visiting the Capitol that day, and that he did not have lawful authority to enter the building.

22. The parties agree that a felony violation of 18 U.S.C. § 1361 requires the following elements:

- a. First, the defendant injured, damaged, or destroyed property.
- b. Second, the defendant did so willfully.
- c. Third, the property involved was property of the United States, or of any department or agency thereof, here the Architect of the Capitol.
- d. Fourth, the damage or attempted damage to the property in question exceeded the sum of \$1,000.

22. Walters knowingly and voluntarily admits to the first three elements of a violation of 18 U.S.C. § 1361, as set forth above. Walters knowingly and voluntarily admits that he willfully caused damage to two six foot sections of black metal fencing on the west front of the U.S. Capitol, which was property of the United States.

Respectfully submitted,


MATTHEW M. GRAVES  
United States Attorney

By: *Cari Walsh*  
Cari Franke Walsh  
Assistant United States Attorney

DEFENDANT'S ACKNOWLEDGMENT

I, Charles Walters, 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.

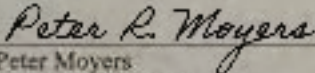
Date: 4/25/24

  
\_\_\_\_\_  
Charles Walters  
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: 4/25/24

  
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Peter Moyers  
Attorney for Defendant