



U.S. Department of Justice

Matthew M. Graves
United States Attorney

District of Columbia

*Patrick Henry Building
601 D St., N.W.
Washington, D.C. 20530*

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

UNITED STATES OF AMERICA	:	Case No.: 24-CR-Pending
	:	
v.	:	18 U.S.C. § 1752(a)(1)
	:	
JEFFREY A. WAKEFORD,	:	
	:	
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, JEFFREY A. WAKEFORD (WAKEFORD), 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. WAKEFORD attended the January 6, 2021, rally that then-President Trump spoke at, appearing in third-party video in front of the Washington Monument. WAKEFORD wanted to

travel to Washington, D.C. to support Donald Trump and attend the January 6 rally Trump would be speaking at. WAKEFORD believes that the 2020 Presidential Election was rigged; he also believes every election in this country is rigged. WAKEFORD was excited to go to the rally to show his support of Donald Trump.

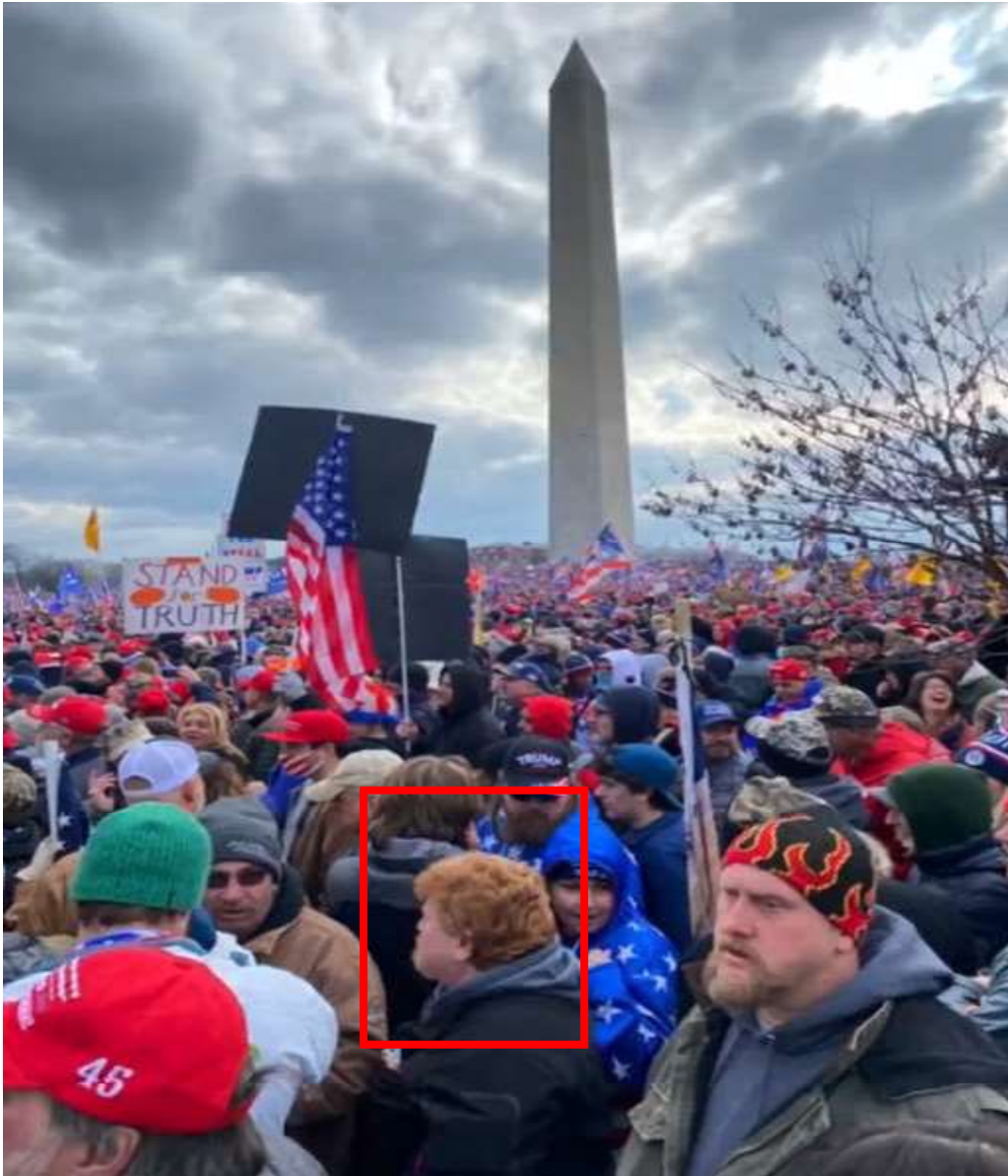


Figure 1: WAKEFORD (red hair, grey hoodie, black coat) at the rally (National Mall).¹

¹ Where present, red annotations on images have been applied for purposes of clarity and are not present in the original.

9. Following the rally, WAKEFORD proceeded to the Capitol, along with a large crowd from the rally. He proceeded up from the lower west terrace of the Capitol to the upper west terrace.

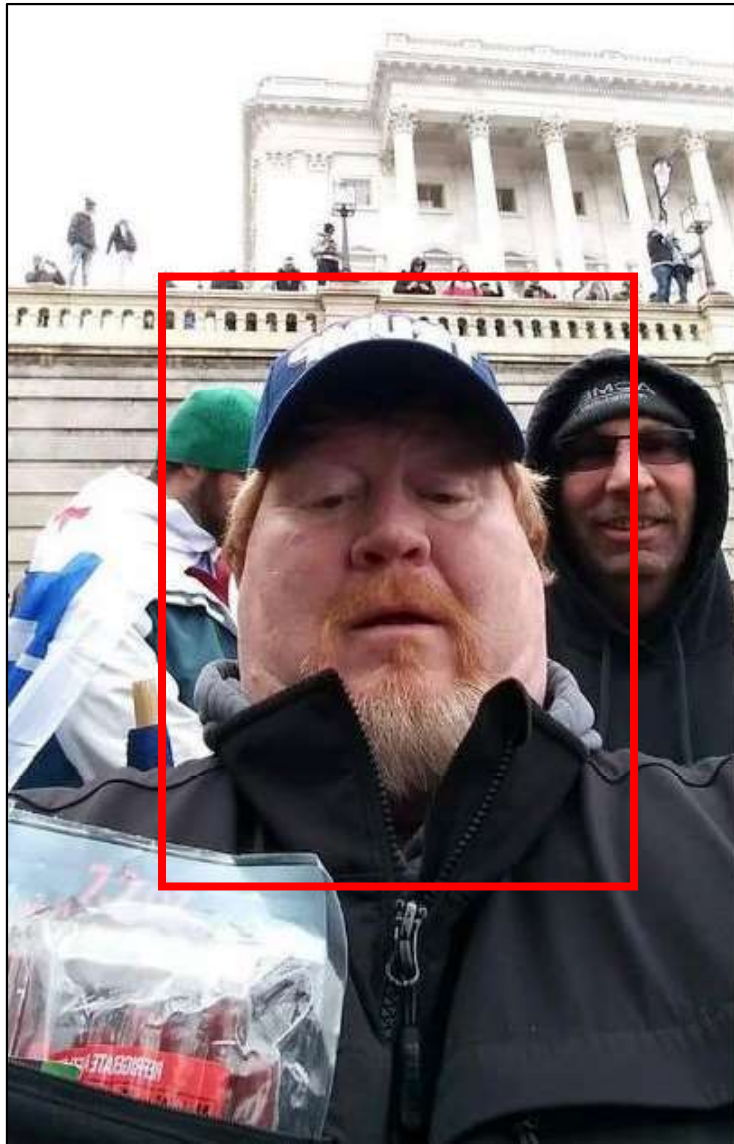


Figure 2: Selfie taken outside the Capitol. WAKEFORD in center.

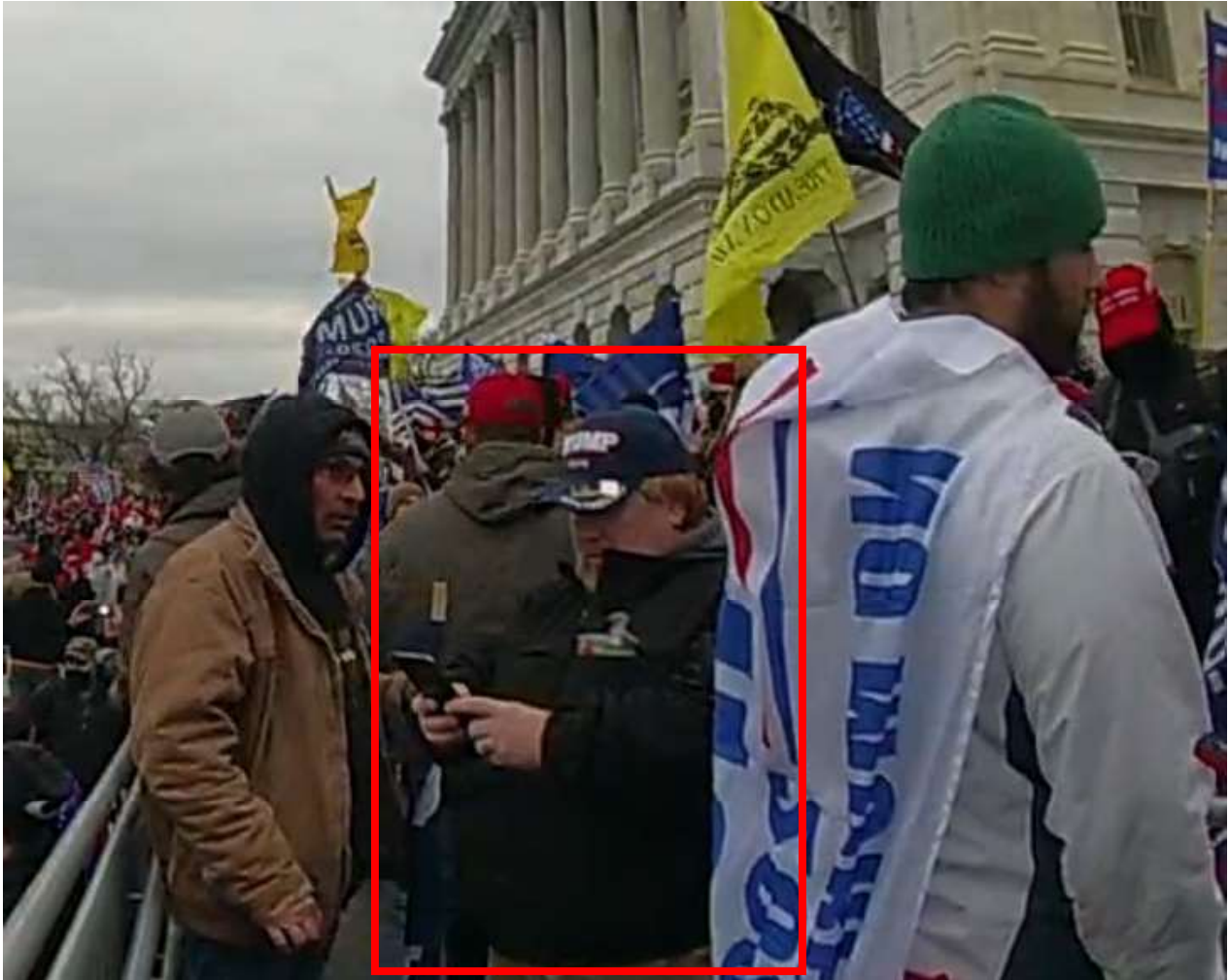


Figure 3: Metropolitan Police Department bodycam footage (timestamp 15:04) showing WAKEFORD (center) outside the Capitol.

10. At the time WAKEFORD entered the Capitol, WAKEFORD was wearing a hat associated with then-President Trump; he was also accompanied by JOHN DINE (DINE) who was carrying a flag also associated with then-President Trump, which DINE had found on the ground on January 6 and picked up. CCTV footage from inside the Capitol shows WAKEFORD entered the Capitol at 3:07 PM, entering through the Senate Wing Door. At the time WAKEFORD entered the Capitol through the Senate Wing Door, windows adjacent to the door were broken and rioters were intermittently entering and exiting the Capitol through the broken windows. WAKEFORD personally observed a commotion between the crowd at the Capitol and law enforcement at the

Capitol and also observed broken windows adjacent to the door (Senate Wing Door) through which he entered the Capitol.

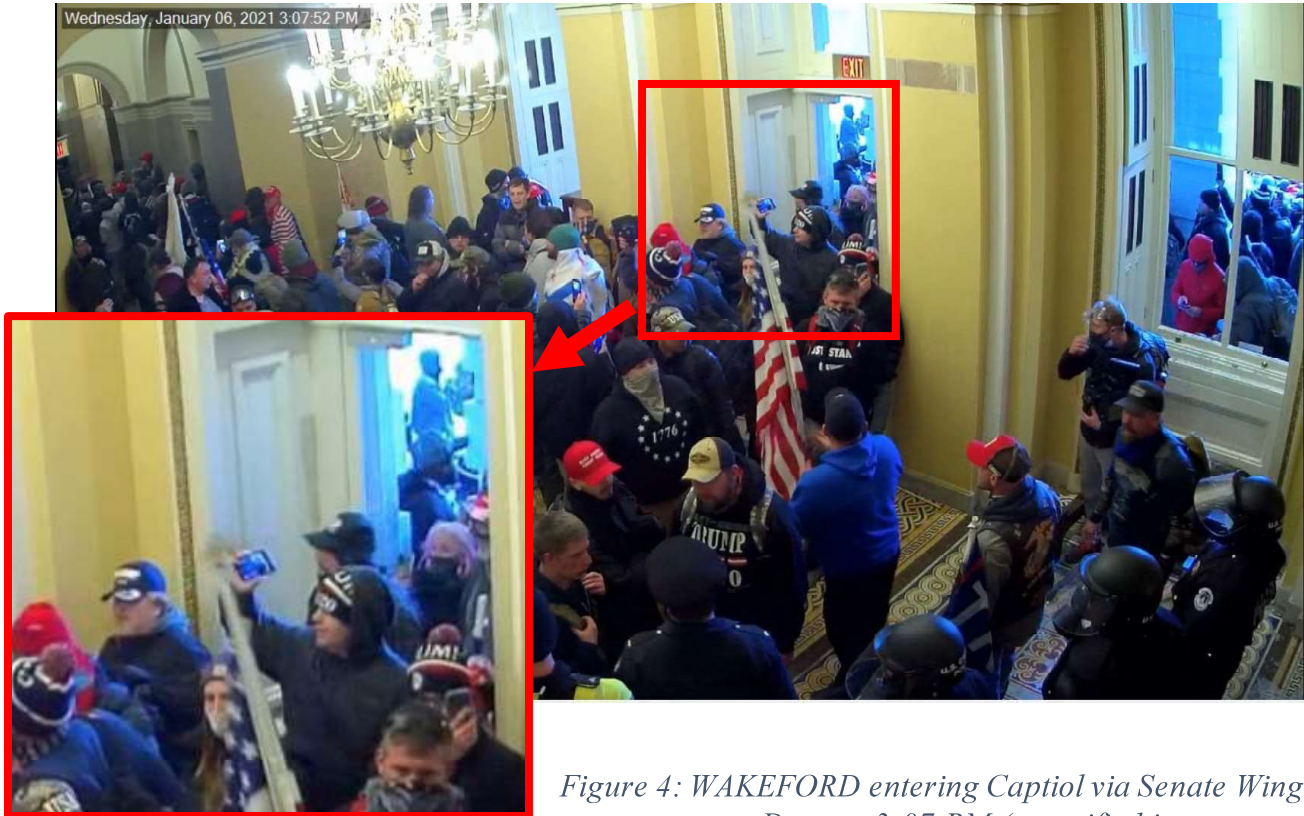


Figure 4: WAKEFORD entering Capitol via Senate Wing Door at 3:07 PM (magnified inset; WAKEFORD in ballcap on left)

11. After entering the Capitol via the Senate Wing Door, WAKEFORD proceeded down a hallway to his right in the direction of the Crypt. WAKEFORD proceeded to enter the Crypt. WAKEFORD remained in the Crypt for tens of minutes. Eventually, WAKEFORD moved to leave the Capitol. CCTV footage shows he crossed the Crypt passing law enforcement officers, proceeded to the center of the Crypt, then exited back towards the Senate Wing Door.

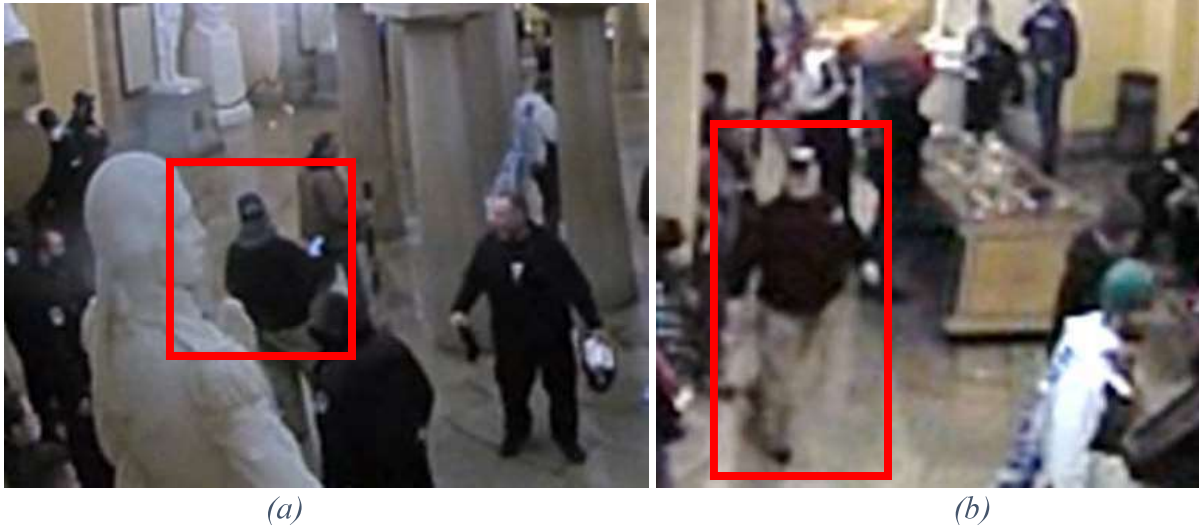


Figure 4: (a) WAKEFORD moving from wall of Crypt towards center then (b) exiting other side of Crypt at approximately 3:24 PM.

12. CCTV footage shows WAKEFORD exiting the Capitol through a broken window next to the Senate Wing Door at approximately 3:27 PM. WAKEFORD eventually left Capitol grounds.



Figure 6: WAKEFORD exiting through broken window next to Senate Wing Door

Elements of the Offense

13. The parties agree that ENTERING AND REMAINING IN A RESTRICTED BUILDING OR GROUNDS, 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, the defendant did so knowingly.

Defendant's Acknowledgments

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

- c. WAKEFORD knew that the Capitol Building was restricted at the time he entered it;
- d. WAKEFORD knew he did not have lawful authority to enter the Capitol Building at the time he entered it;
- e. WAKEFORD knew that the Vice President was or would be at the Capitol on January 6, 2021; and
- f. WAKEFORD entered the Capitol Building on January 6, 2021, knowingly.

Respectfully submitted,

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

By: _____

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DEFENDANT'S ACKNOWLEDGMENT

I, JEFFREY A. WAKEFORD, 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: 5/24/2024 
JEFFREY A. WAKEFORD
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: May 24, 2024 
DANIEL G. CRONIN
Attorney for Defendant