

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

DANA JEAN BELL,

Defendant.

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Case No.: 24-cr-00271-TJK

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, Dana Jean Bell, with the concurrence of the defendant's attorneys, 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. This joint session of Congress was an official proceeding as that term is used in Title 18, United States Code, Section 1512. 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. By shortly after 1:00 PM, the situation at the Capitol had become a civil disorder as that term is used in Title 18, United States Code, Section 231, and throughout the rest of the afternoon the civil disorder obstructed the Secret Service's ability to perform the federally protected function of protecting Vice President Pence.

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.

*Bell's Participation in the January 6, 2021
Capitol Riot on the Capitol's East Front*

8. Before January 6, 2021, the defendant, Dana Jean Bell, traveled with her daughter from North Texas to the Washington, D.C. area.

9. On January 6, 2021, Bell gathered with other protestors on the U.S. Capitol's east side. On that day, Bell wore a dark leather-type jacket, a white long-sleeve shirt with a design on the front, and blue jeans; at times, she also wore a purple backpack, a gray knit winter hat, and carried an American flag. In addition, Bell carried a cell phone with a folio-style cover that was rose in color and consisted of an American flag backdrop and images of former President Donald Trump (one posing shirtless as the character Rocky Balboa from the movie *Rocky*).

10. As protestors accumulated behind the bicycle rack barricades on the Capitol's east side, and as U.S. Capitol Police officers approached the barricades to attempt to calm the increasingly rowdy crowd, Bell positioned herself at the front of the group of protestors, directly behind the bicycle rack barricades.

11. As other rioters were chanting, "They're not MAGA" towards the police, Bell began shaking the bicycle rack barricades as she looked in the direction of the U.S. Capitol Police officers to her left. She then leaned over the barricades towards the officers, gave them the middle finger, and began cursing at them, including saying, "fuck you," among other things.

12. By approximately 2:05 p.m., certain protestors on the east side had turned violent. They pushed over, past, and through the bicycle rack barricades, forcing the outnumbered U.S. Capitol Police officers to retreat backwards, abandoning their posts near the bicycle rack barricades.

13. Within minutes, hundreds of rioters had flooded into the restricted area on the east side, continuing to force the Capitol Police officers to retreat. Eventually, the mob overcame the

officers on the East Rotunda stairs and took over the platform area outside the East Rotunda doors. The mob had forced the small number of officers all the way backward, and those officers had formed a small line in front of the East Rotunda doors. With their backs to the doors, the officers were attempting to prevent rioters from breaching the doors and entering the U.S. Capitol Building.

14. By approximately 2:24 p.m., the U.S. Capitol Police deployed a flashbang-like device that emitted a loud “bang” noise and smoke, which the police hoped would disperse the angry crowd. However, this action did not deter the crowd, which included Bell. Within the next minute, a rioter already inside the Capitol began pushing the East Rotunda doors from the inside, which allowed the rioters outside the door to grab hold of and briefly open the doors. The doors were open for about two minutes initially before the police succeeded in shutting them.

15. About ten minutes later, around approximately 2:35 p.m., the mob outside the doors began chanting loudly and excitedly while rioters inside continued attempting to reopen the East Rotunda doors. Certain rioters fought with U.S. Capitol Police officers outside the doors, including by assaulting the officers with pepper spray and ripping at least one police riot shield out of an officer’s hands. During this chaos, Bell made her way to the front of the mob, positioning herself directly in front of the East Rotunda doors, whose windows were visibly smashed in.

16. As the rioters inside the Building forced the East Rotunda doors open for a second time, Bell reached out and briefly grabbed the door from the outside to help pull it open. As she did so, one Capitol Police officer, who was directly to Bell’s right, was attempting to push the door closed, trying to keep the rioters from reopening it. As that officer was overcome by the mob, including Bell, he became trapped behind one of the two doors that Bell was helping to pull open.

17. By 2:36 p.m., the mob had successfully breached the East Rotunda doors for a second time, including Bell, who entered the U.S. Capitol Building at that time. Shortly after crossing the threshold to the Building, Bell celebrated – crying out and raising her hands in the air.

***Bell's Participation in the January 6, 2021
Capitol Riot Inside the Capitol Building***

18. Once inside the U.S. Capitol Building, Bell entered the Capitol's Rotunda, where she carried an American flag and took pictures using the cell phone with the Trump-covered folio. Alone, Bell wandered through certain hallways where she continued to carry an American flag, to take pictures, and to talk to other individuals, including law enforcement officers.

19. Then, by approximately 2:45 p.m., Bell had made her way to just outside the Speaker's Lobby, where one female rioter had just been wounded by a police gunshot. U.S. Capitol Police were responding to the crisis and were ordering rioters to clear the area. One Capitol Police officer was gesturing for rioters to leave the small, chaotic stairwell area, ordering rioters as follows: "Space, just give us space right now!" Around that time, Bell physically inserted herself among these officers. Then, seconds later, as another officer yelled at the rioters to, "get the fuck back . . . get out!", Bell instead moved close to the officer's face, pointing and swearing at him, as she directed him with respect to moving the victim down the stairwell.

20. Officers continued ordering the rioters to leave the area, and Bell continued ignoring them. Then, Bell again stood approximately one foot away from one officer as that officer yelled, "Guys, go! Go back – they gotta' get to her! GO BACK!" Bell then moved close to that officer's face, pointed, and yelled at him and the officers next to him, "fuck you!" while giving them the middle finger.

21. Around the time that Bell was near the Speaker's Lobby, she also watched, filmed, and talked on her cell phone as other rioters angrily banged on the locked doors to the House Chamber.

22. By approximately 2:50 p.m., Metropolitan Police Department (MPD) officers had responded to the Capitol as reinforcements for the Capitol Police. Certain of those MPD officers responded to the hallways between the Speaker's Lobby and the Upper House Door, on the Capitol's southeast side. MPD officers responding to the hallways near the Speaker's Lobby were ordering rioters, including Bell, to exit the Capitol Building through the Upper House Door.

23. As the MPD officers attempted to funnel rioters inside the Building around the Capitol's southeast corner and out the door, they verbally ordered rioters, including Bell, to keep moving towards the exits. They were also gesturing towards the doors. Where rioters were noncompliant, the officers held their batons horizontally and used them to push the rioters forward.

24. Around 2:53 p.m., Bell rounded the hallway's corner and looked directly at one MPD officer and exclaimed, "Don't fucking touch me!" Then, after she inquired about leaving through a different exit, an officer responded, "You gotta' go out that way," pointing to the Upper House Door to his right. Bell responded, "I just want out of here!" But, rather than comply, Bell then stopped, turned toward that officer, and said, as she gave him the middle finger, "Y'all suck. I used to back you guys my whole life till two weeks ago."

25. Bell then continued standing still with her back to the officers and ignored their commands to continue towards the exit. In turn, the MPD officers were forced to physically move Bell towards the exit by pushing her shoulder, attempting to turn her around toward the exit. At the same time, the officers were audibly ordering Bell and other rioters around her to "get out." After the officers touched Bell's shoulder, an MPD officer used his horizontal baton to move Bell

foward. Bell then spun around towards the MPD officer and screamed, "STOP FUCKIN' PUSHIN' ME!" She then took a step in the direction away from the officers, but then turned back, pointed in the face of that MPD officer, and angrily exclaimed, "Don't touch me again!" At around the same time, an officer can be heard pleading, "Please go!" As Bell moves down the hallway, she then called at least one officer a "fucking pussy traitor" and a "cunt."

26. Shortly after, around 2:55 p.m., Bell turned towards a different officer, pointed, and said, "Don't touch me! DO NOT TOUCH ME!" That officer immediately responded by pointing toward the door and yelling, "Move, now!" Because Bell was not listening to the officer's orders and was instead giving him orders, another MPD officer used his horizontally held baton to forcefully push Bell forward twice. As he did so, an officer yelled, "Get outta' here! Move! Let's go! We're not fucking around!" An officer in the same vicinity then used his horizontally held baton to forcefully to push Bell forward, moving her towards the exit, as Bell simultaneously responded, "I'm going!"

27. However, even after the officer's push toward the exit, rather than comply and continue moving forward, Bell turned around towards the officers behind her. As the officers continued using their batons to physically push Bell toward the exit, she threw her elbow into an officer behind her, making physical contact with that officer. The officers continued using their batons and pushing forward, repeatedly yelling, "Move! Move back!" But Bell continued to resist, turning around towards the moving police line and swearing.

Bell's Assault on MPD Officer K.A.

28. Seconds later, Bell neared the magnetometer that sat just inside the North Door's exit, where MPD Officer K.A. was stationed. Officer K.A. was repeatedly gesturing with his hands towards the exit and verbally ordering rioters to "move, move, move." As Bell was engaging with

the moving police line behind her and ordering officers, "Stop pushin' me!", Officer K.A. could see her approaching from his left. Because Bell kept turning around to engage with the officers behind her, Officer K.A. then used his horizontally held baton to push Bell forward, while repeating, "move, move, move." Rather than comply, Bell spun around towards Officer K.A., and forcibly shoved her left shoulder into his body, making contact with him. Then, using her right hand, she grabbed Officer K.A.'s outstretched baton, and forcibly pulled his baton towards her. At the same time, Officer K.A. continued verbally ordering Bell to exit, while pushing her in that direction with his horizontally held baton. As he was ordering her to "move," she responded, "I can't."

29. Bell continued flailing, gesturing, pointing, and giving the middle finger to the MPD officers behind her as she finally was funneled through the magnetometer and out the door. As she did so, an MPD officer behind her pleaded, "Get outta' here, go on, go home, ma'am!"

***Bell's Participation in the January 6, 2021
Capitol Riot After Exiting the U.S. Capitol Building***

30. After leaving the Capitol Building, Bell made her way to the Capitol's north lawn. There, rioters approached a news crew, gave them the middle finger, called them "traitors" and "fake news," and told them to "get out." Bell then approached and joined the confrontation too. She moved forward and reached out aggressively, attempting to push or grab at a certain female, who was recording the event on her cell phone. Then, a male in a black mask stepped in to protect the anchor, at which point Bell raised her hand towards him, which he swatted away, and began attempting to kick him. Bell then turned her attention to another female who physically intervened, who Bell attempted to kick.

Elements of the Offense

31. As to Count One, the parties agree that 18 U.S.C. § 111(a)(1) requires the following elements: First, Bell assaulted, resisted, opposed, impeded, intimidated, or interfered with an officer from the Metropolitan Police Department. Second, Bell did such acts forcibly. Third, Bell did such acts voluntarily and intentionally. Fourth, that officer from the Metropolitan Police Department was assisting officers of the United States who were then engaged in the performance of their official duties. Fifth, Bell made physical contact with the officer from the Metropolitan Police Department or acted with the intent to commit another felony, that is, a civil disorder in violation of 18 U.S.C. § 231(a)(3).

Defendant's Acknowledgments

32. As to Count One, Bell knowingly and voluntarily admits to all the elements as set forth above. Specifically, Bell admits that she forcibly resisted, opposed, impeded, intimidated, and interfered an officer from the Metropolitan Police Department who was assisting officers of the United States engaged in the performance of their official duties, that she did so voluntarily and intentionally, and that she made physical contact and acted with the intent to commit another felony, specifically, a violation of 18 U.S.C. § 231(a)(3).

Respectfully submitted,

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

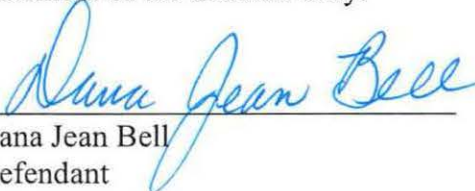
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DEFENDANT'S ACKNOWLEDGMENT

I, Dana Jean Bell, 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: 6-3-24




Dana Jean Bell
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: 6-3-24



Joe Shearin
Attorney for Defendant