

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	
	:	
v.	:	CRIMINAL NO.: 24-cr-273 (TNM)
	:	
MILES BRANDON ADKINS,	:	VIOLATIONS:
	:	
Defendant.	:	40 U.S.C. § 5104(e)(2)(D)
	:	(Disorderly Conduct in a Capitol
	:	Building)
	:	40 U.S.C. § 5104(e)(2)(G)
	:	(Parading, Demonstrating, or Picketing in
	:	a Capitol Building)

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, Miles Brandon Adkins (hereinafter, “the defendant” or “Adkins”), 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.

Adkins' Participation in the January 6, 2021, Capitol Riot

8. Adkins planned to travel to Washington, D.C. from Virginia to attend the former president's "Stop the Steal" rally. In Facebook messages, he encouraged others to attend, even offering a ride to one. After attending the rally on January 6, 2021, he walked to the U.S. Capitol building with a large crowd and approached the West Front. He made his way up the Northwest Stairs to the Upper West Terrace after police lines were breached. He entered through the Senate Wing Door at approximately 2:15 PM within minutes of the first breach of the Capitol, although he knew he had no authority to enter the building.

9. Once inside, Adkins waived to other rioters outside to come in and helped an individual enter the building through a broken window next to the Senate Wing Door. He went to the upper lobby of the Capitol Visitor's Center and walked close to police in a confrontation with rioters, while drinking beer. Adkins walked to the Crypt and danced around in the middle of a group of rioters, yelling, and chanting. Adkins left the U.S. Capitol building through the Memorial Door at approximately 3:33 PM.

Elements of the Offense

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

- a. First, the defendant engaged in disorderly or disruptive conduct¹ in any of the United States Capitol Buildings.
- 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.
- c. Third, the defendant acted willfully and knowingly.²

¹ For purposes of violations of sections of 40 U.S.C. § 5104, the term "disorderly conduct" is conduct that, when viewed in the circumstances in which it takes place, is likely to endanger public safety or create a public disturbance; "disruptive conduct" is conduct that, when viewed in the circumstances in which it takes place, tends to interfere with or inhibit usual proceedings.

² A person acts "knowingly" if he realizes what he is doing and is aware of the nature of his conduct, and does not act through ignorance, mistake, or accident; A person acts "willfully" if he acts with the intent to do something that the law forbids, that is, to disobey or disregard the law. "Willfully" does not, however, require proof that the defendant be aware of the specific law or rule that his conduct may be violating.

11. The parties agree that Parading and Picketing in a Capitol Building in violation 40 U.S.C. § 5104(e)(2)(G) requires the following elements:

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

Defendant's Acknowledgments

12. The defendant knowingly and voluntarily admits to all the elements as set forth above. Specifically, the defendant admits that he willfully and knowingly entered and remained in the U.S. Capitol building as part of a group of individuals where he paraded around and demonstrated. The defendant knew that he did not have permission to do so, and that his conduct was disorderly and disruptive and was intended to and did interfere with the joint session of Congress to certify the Electoral College vote count. Defendant also admits that he knew at the time that he entered the U.S. Capitol Building that he did not have permission to enter, parade, demonstrate, or picket in the U.S. Capitol building and that he did so anyway.

Respectfully submitted,

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

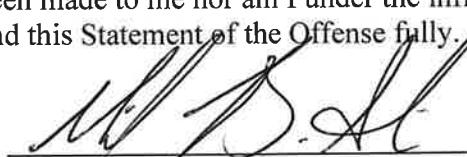
By: 

Cari F. Walsh
Assistant United States Attorney
MO Bar No. 37867
U.S. Attorney's Office for the District of Columbia
601 D Street N.W.
Washington, DC 20530
Phone: (816) 426-4307
Email: Cari.Walsh@usdoj.gov

DEFENDANT'S ACKNOWLEDGMENT

I, Miles Brandon Adkins, 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: 7-1-24

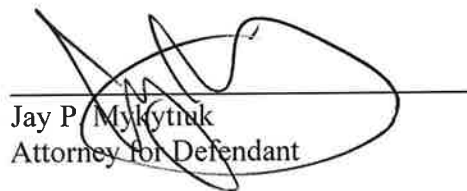


Miles Brandon Adkins
Defendant

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: 7/1/24



Jay P. Mykytiuk
Attorney for Defendant