

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

UNITED STATES OF AMERICA	:	Case No. 21-CR-667 (CJN)
	:	
	:	
v.	:	18 U.S.C. §111(a)(1)
	:	
JOSHUA JOHN PORTLOCK,	:	
	:	
Defendant.	:	
	:	

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, Joshua John PORTLOCK, with the concurrence of his 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 24 hours a day by U.S. Capitol Police. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by U.S. Capitol Police. 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.

3. On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. 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 United States 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 p.m. Shortly thereafter, by approximately 1:30 p.m., 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 U.S. Capitol. As noted above, temporary and permanent barricades were in place around the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside.

5. At approximately 2:00 p.m., certain individuals in the crowd forced their way through, up, and over the barricades, and officers of the U.S. Capitol Police, and the crowd advanced to the exterior façade of the building. 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 U.S. Capitol Police 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. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, shortly after 2:00 p.m., individuals in the crowd forced entry into the U.S. 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 \$2.8 million dollars for repairs.

7. Shortly thereafter, at approximately 2:20 p.m., 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 p.m. the same day. 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 U.S. Capitol without any security screening or weapons check, Congressional proceedings could not resume until after every unauthorized occupant had left the U.S. Capitol, and the building had been confirmed secured. The proceedings resumed at approximately 8:00 p.m. after the building had been secured. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the session resumed.

PORTLOCK's Participation in the January 6, 2021, Capitol Riot

8. The defendant, Joshua John PORTLOCK, was among those who unlawfully entered the grounds of the U.S. Capitol and assaulted law enforcement officers on January 6, 2021. PORTLOCK traveled to Washington, D.C., from his home in Tennessee with the purpose of attending the “Stop the Steal” rally to be held on January 6, 2021. On January 6, 2021, PORTLOCK joined a crowd that had gathered in an area between the Washington Monument and the Ellipse, and then proceeded towards the U.S. Capitol.

9. After entering the grounds of the U.S. Capitol, PORTLOCK was stopped by a line of metal barricades supported by U.S. Capitol Police and Metro Police Department Officers in the lower western plaza of the U.S. Capitol.

10. At approximately 2:28 p.m., PORTLOCK, along with other rioters, breached the defensive perimeter. Specifically, PORTLOCK pushed open one of the metal barricades while law enforcement officers attempted to keep the barricade in place. PORTLOCK then brought the barricade into the crowd, such that law enforcement could no longer use it to keep rioters from the U.S. Capitol Building. Law enforcement officers subsequently retreated further into the western plaza and established a second defensive perimeter.

11. At approximately 2:31 p.m., PORTLOCK, along with other rioters, breached the second defensive perimeter. At that time, PORTLOCK picked up a large sheet of plywood, held it at an angle, and, along with another rioter, pushed it into the line of law enforcement officers. Law enforcement officers were shoved backwards by PORTLOCK, and, in particular, U.S. Capitol Police Officer D.C. and U.S. Capitol Police Sergeant A.G. were shoved by the plywood. Additionally, while the law enforcement officers were occupied with PORTLOCK and the sheet of plywood, other rioters attacked the officers from the side. Law enforcement officers were forced to abandon the second defensive perimeter as well.

12. At approximately 2:46 p.m., PORTLOCK joined a crowd of rioters attempting to enter the U.S. Capitol Building through the Lower West Terrace tunnel, the entrance to which was blocked by law enforcement officers holding riot shields. While in the tunnel, PORTLOCK passed a stolen police shield to rioters at the front of the line. Additionally, as PORTLOCK approached the entrance, PORTLOCK and the crowd of rioters surged forward in attempt to push past law enforcement officers and enter the U.S. Capitol Building. However, that attempt was repulsed by the line of law enforcement officers.

13. At approximately 3:06 p.m., while PORTLOCK was moving towards the exit of the Lower West Terrace tunnel, PORTLOCK passed a second stolen police shield towards the

front of the line. The surrounding crowd then started a “heave-ho” effort to push past the law enforcement officers protecting the entrance to the U.S. Capitol Building. PORTLOCK turned, moved forward, and spent approximately two minutes participating in those “heave-ho” efforts.

Elements of the Offense

14. The defendant, Joshua Portlock, forcibly assaulted, resisted, opposed, impeded, intimidated, or interfered with any person designated in 18 U.S.C. §1114 while engaged in or on account of the performance or their official duties.

15. Specifically, when PORTLOCK shoved United States Capitol Police Officers D.C. and A.G. with the sheet of plywood, PORTLOCK knew that Officers D.C. and A.G. were engaged in the performance of official duties.

Respectfully submitted,

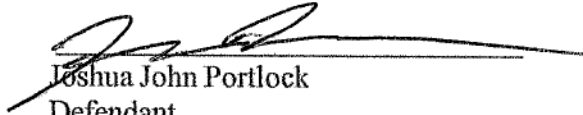
MATTEW M. GRAVES
UNITED STATES ATTORNEY
D.C. Bar Number 481052

By: /s/
Elizabeth N. Eriksen
Detailed to the United States Attorney's
Office for the District of Columbia

DEFENDANT'S ACKNOWLEDGMENT

I, Joshua John Portlock, 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.

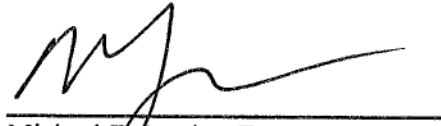
Date: 5/31/2023


Joshua John Portlock
Defendant

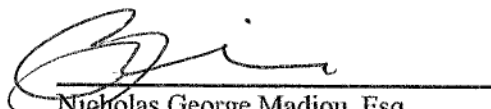
ATTORNEY'S ACKNOWLEDGMENT

We have read this Statement of the Offense and have reviewed it with our client fully. We concur in my client's desire to adopt this Statement of the Offense as true and accurate.

Date: 6/10/23


Michael E. Lawlor, Esq.
Attorney for Defendant

Date: 6/10/23


Nicholas George Madiou, Esq.
Attorney for Defendant