

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	Case No: 22-CR-233 (ABJ) (2)
	:	
v.	:	
	:	40 U.S.C. § 5104(e)(2)(G)
KEVIN M. CRONIN II	:	
	:	
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, Kevin M. Cronin, 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 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, 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

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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. 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 \$2.7 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.

***Kevin M. Cronin II's Participation in the January 6, 2021, Capitol Riot***

8. Defendant, Kevin M. Cronin II (Kevin), who lives in Puyallup, Washington, traveled to Washington, D.C. on January 6, 2021, with his co-defendant father Kevin M. Cronin (Cronin) and co-defendant brother Dylan R. Cronin (Dylan). Kevin entered the restricted area of the U.S. Capitol grounds in the early afternoon of January 6, 2021. After the crowd breached entrances to the U.S. Capitol, Cronin made his way up to the west side of the grounds and entered the U.S. Capitol building around 2:13 p.m. through the Senate Wing door as alarms sounded. Upon entry, he met with his brother Dylan at the Senate Wing door. Kevin and Dylan were joined inside the Capitol at the Senate Wing door shortly thereafter by their father Cronin.

9. Kevin knew at the time he entered the U.S. Capitol building and joined codefendants Dylan and Cronin that neither he nor they had permission to enter the building, and Kevin paraded, demonstrated, or picketed within the U.S. Capitol building.

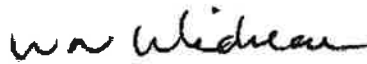
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10. Kevin, Dylan, and Cronin made their way further into the U.S. Capitol building towards the U.S. Senate side for about five minutes, and then returned by the same route. At approximately 2:19 p.m., Kevin smoked a cigarette inside the building near the Senate Wing door. At about 2:20 p.m., the group left the U.S. Capitol building.

11. At about 2:24 p.m., Kevin and Dylan reentered the U.S. Capitol building through the Senate Wing door. They travelled further into the building together to the Crypt, the Memorial Door, and Statuary Hall. At about 2:35 p.m., Kevin turned around and returned by the same route. Kevin left the U.S. Capitol building through a broken window adjacent to the Senate Wing door at approximately 2:38 p.m.

Respectfully submitted,

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

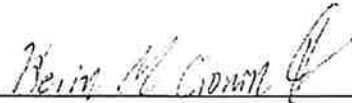
By:   
Will N. Widman  
Trial Attorney  
NC Bar No. 48158

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DEFENDANT'S ACKNOWLEDGMENT

I, Kevin M. Cronin II, 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: Dec 14th, 2022

  
\_\_\_\_\_  
Kevin M. Cronin II  
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: Dec. 15, 2022

  
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Nathan I. Silver, II  
Attorney for Defendant

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