

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

UNITED STATES OF AMERICA	:	
	:	
v.	:	Criminal No. 21-CR-316 (DLF)
	:	
WILLIAM ROGAN REID,	:	
	:	
Defendant	:	

STATEMENT OF FACTS FOR STIPULATED TRIAL

The parties, by their undersigned counsel, hereby submit this Statement of Facts for the Stipulated Trial.

I. ELEMENTS

COUNT ONE

The essential elements of the offense of obstruction of an official proceeding and aiding and abetting, in violation of Title 18, United States Code, Section 1512(c)(2), each of which the government must prove beyond a reasonable doubt, are:

1. The defendant attempted to or did obstruct or impede an official proceeding;
2. The defendant intended to obstruct or impede the official proceeding;
3. The defendant acted knowingly, with awareness that the natural and probable effect of his conduct would be to obstruct or impede the official proceeding; and
4. The defendant acted corruptly.

The term "official proceeding" includes a proceeding before the Congress.

The government further alleges that the defendant aided and abetted others in committing obstruction of an official proceeding. To satisfy its burden of proof in proving that the defendant aided and abetted others in committing this offense, the government must prove the following

beyond a reasonable doubt:

1. Others committed obstruction of an official proceeding by committing each of the elements of the offense charged;
2. The defendant knew that obstruction of an official proceeding was going to be committed or was being committed by others;
3. The defendant performed an act or acts in furtherance of the offense;
4. The defendant knowingly performed that act or acts for the purpose of aiding, assisting, soliciting, facilitating, or encouraging others in committing the offense of obstruction of an official proceeding; and
5. The defendant did that act or acts with the intent that others commit the offense of an obstruction of an official proceeding.

COUNT TWO

The essential elements of the offense of injuring, damaging, or destroying property of the United States, where the damage does not exceed the sum of \$1,000, in violation of Title 18, United States Code, Section 1361, each of which the government must prove beyond a reasonable doubt, are:

1. That the defendant injured, damaged, or destroyed property,
2. That the defendant did so willfully,
3. That the property involved was property of the United States, or of any department or agency thereof, or any property which had been or was being manufactured or constructed for the United States, or any department or agency thereof; however, the government does not need to prove that the defendant knew that the property belonged to the United States.

COUNT THREE

The essential elements of the offense of entering or remaining in a restricted building or grounds, in violation of Title 18, United States Code, Section 1752(a)(1), each of which the government must prove beyond a reasonable doubt, are:

- 1 The defendant entered or remained in a restricted building or grounds without lawful authority to do so; and
2. The defendant did so knowingly.

COUNT FOUR

The essential elements of the offense of disorderly or disruptive conduct in a restricted building or grounds, in violation of Title 18, United States Code, Section 1752(a)(2), each of which the government must prove beyond a reasonable doubt, are:

1. The defendant engaged in disorderly or disruptive conduct in, or in proximity to, any restricted building or grounds;
2. The defendant did so knowingly, and with the intent to impede or disrupt the orderly conduct of Government business or official functions;
3. The defendant's conduct occurred when, or so that, his conduct in fact impeded or disrupted the orderly conduct of Government business or official functions.

COUNT FIVE

The essential elements of the offense of disorderly or disruptive conduct in a Capitol building or grounds, in violation of Title 40, United States Code, Section 5104(c)(2)(D), each of which the

government must prove beyond a reasonable doubt, are:

1. The defendant engaged in disorderly or disruptive conduct in any of the United States Capitol Buildings;
2. 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; and
3. The defendant acted willfully and knowingly.

COUNT SIX

The essential elements of the offense of parading, demonstrating, or picketing in a Capitol building, in violation of Title 40, United States Code, Section 5104(e)(2)(G), each of which the government must prove beyond a reasonable doubt, are:

1. The defendant paraded, demonstrated, or picketed in any of the United States Capitol Buildings;
2. The defendant acted willfully and knowingly.

COUNT SEVEN

The essential elements of the offense of corruptly altering, destroying, mutilating, or concealing a record, document, or other object, in violation of Title 18, United States Code, Section 1512(c)(1), each of which the government must prove beyond a reasonable doubt, are:

1. That the defendant did or attempted to alter, destroy, mutilate, or conceal, a record, document, or other object,
2. That the defendant acted knowingly,
3. That the defendant acted corruptly,

4. That the defendant acted with the intent to impair the object's integrity or availability for use in an official proceeding.

The term "official proceeding" includes a proceeding before a judge or court of the United States, or a United States magistrate judge, or a Federal Grand Jury.

II. STATEMENT OF OFFENSE

If the case proceeded to trial, the defendant agrees the government would have elicited the following evidence:

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 \$2.7 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.

William Rogan Reid's Participation in the January 6, 2021, Capitol Riot

8. On January 5, 2021, while traveling to Washington, D.C., Reid posted on Instagram that he was “going to get into some trouble tomorrow.”

Author blumpkin1776 (Instagram: 45372435762)

Sent 2021-01-05 22:23:36 UTC

Body I'm going to get into some trouble tomorrow. We'll see how it plays out

9. On January 6, 2021, Defendant arrived in Washington, D.C. At approximately 1:09 p.m., Defendant posted a video of individuals walking towards the U.S. Capitol, with superimposed text stating “Time to storm the Capitol.” At approximately 1:20 p.m., Reid posted a video of himself walking towards the Capitol in which he states “we broke the barricades. We’re on the doorsteps right now. We’re fucking going in. All the way.”



10. From about 1:00 p.m. to 2:00 p.m., Defendant was near the scaffolding set up on the West Terrace of the Capitol. Defendant assisted other rioters to climb up a displaced bike rack towards the scaffolding and yelled "Fuck these tyrants. Fuck 'em."



11. At approximately 2:09 p.m., Reid ducked under a piece of scaffolding, raised his red gaiter over his face, and climbed up the steps under the scaffolding to join the front line of rioters who were confronting police.



12. Within less than a minute, rioters broke through the police line on the Northwest steps and rushed up the steps towards the Northwest Courtyard. Reid was among the first rioters through. While on the Upper West Terrace of the Capitol, Defendant recorded a video of himself approaching the North West Terrace door to the Capitol. In the video, Defendant states “We’re storming the fucking Capitol. Promises kept.”

13. At the top of the steps, Reid and the other rioters confronted another police line at the Northwest courtyard. Soon after, Rioters pushed over bike racks in this area and forced their way through the police line. Most rioters headed to the left, towards the Senate Wing Door. Reid, however, headed right, towards bleachers set up on the Upper West Plaza, overlooking the inauguration stage. Reid climbed the bleachers and looked out over the rioters on the West Lawn.



14. While at the top of these bleachers, Reid recorded another video, saying, “I’m on top of Capitol Hill right now. We broke through. We fuckin’ did it!” Reid then left the bleachers and moved towards the Senate Wing Door, recording video as he went, and stating “We’re storming the fucking Capitol. Promises kept. Yeah, you hear that shit? Fuck it.”

15. At approximately 2:15 p.m., Reid entered the Capitol Building, then walked with other rioters towards the Crypt. Reid entered the Crypt along with the other rioters and occupied the front line

of rioters facing the police.

16. At about 2:25 p.m., rioters in Crypt broke through the police line. Reid went up a set of stairs, through the Rotunda, and through Statuary Hall. Reid entered the Statuary Hall Connector and moved to the front line of rioters confronting police.



17. At about 2:36 p.m., rioters broke through the police line at the Statuary Hall Connector. Though most rioters moved to the House Chamber doors directly ahead, Reid broke off from the group and headed down the hall and towards the Speaker's Lobby entrance. On his way to the Speaker's Lobby, Reid passed by the Senate Door to the west side of the Capitol. Reid saw rioters outside the door trying to get in. At first, he signaled them, encouraging them to enter the Capitol. When he realized they could not open the doors from the inside, Reid ran to open the doors for them. Other rioters got to the door and opened it just before Reid arrived, so Reid reversed course and ran back towards the Speaker's Lobby.

18. Reid entered the bathroom next to the Speaker's Lobby entrance. Inside the bathroom, defendant damaged a television and water cooler which were property of the United States, or of any department or agency thereof. Reid later posted a series of audio messages on Instagram in which he admitted that he had been present in the bathroom next to the Speaker's Lobby door and that while there, he had damaged a television and water cooler. According to the Chief Administrative Officer of the

House of Representatives, on January 6, 2021, a television and a water cooler inside a bathroom off the Speaker's Lobby door were damaged. The estimated replacement value of the television is \$443. The water cooler was replaced by the rental company.

19. At approximately 2:45 p.m., a rioter was shot by police as she climbed through a broken window into the Speaker's Lobby. At this time, Reid left the bathroom and exited the Capitol.

20. Reid subsequently posted on social media that he had been at the "front line" during the riot, and had forced his way into the Capitol.

Author blumpkin1776 (Instagram: 45372435762)

Sent 2021-01-07 16:05:29 UTC

Body No Antifa.

Author blumpkin1776 (Instagram: 45372435762)

Sent 2021-01-07 16:05:39 UTC

Body I was at the very front line when we took the steps

Author blumpkin1776 (Instagram: 45372435762)

Sent 2021-01-07 16:05:45 UTC

Body Very front.

Author blumpkin1776 (Instagram: 45372435762)

Sent 2021-01-07 23:52:13 UTC

Body I was front line yesterday.

Author blumpkin1776 (Instagram: 45372435762)

Sent 2021-01-07 23:52:21 UTC

Body We forced our way in, foot by foot.

21. On January 7, 2021, Reid stated on Instagram that "We just wanted to storm Congress and stop the certification."

Author blumpkin1776 (Instagram: 45372435762)

Sent 2021-01-07 20:37:06 UTC

Body We just wanted to storm Congress and stop the certification.

22. Reid also posted that the police had not let the rioters into the Capitol

Author blumpkin1776 (Instagram: 45372435762)

Sent 2021-01-08 16:28:31 UTC

Body: I'm just getting real tired real quickly with people making baseless claims based on some snippets.

Author blumpkin1776 (Instagram: 45372435762)

Sent 2021-01-08 16:28:42 UTC

Body: The cops did NOT just let us in.

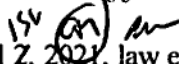
Author blumpkin1776 (Instagram: 45372435762)

Sent 2021-01-08 16:28:54 UTC

Body: Antifa was not leading the charge.

23. Reid willfully and knowingly entered the U.S. Capitol Building knowing that he did not have permission to do so. Reid further admits that while inside the Capitol, he willfully and knowingly uttered loud, threatening, or abusive language, or engaged in disorderly or disruptive conduct with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress. Reid further admits that while inside the Capitol, he willfully and knowingly paraded, demonstrated, or picketed.

24. Reid further admits that while inside the Capitol, he corruptly obstructed, influenced, and impeded an official proceeding, that is, a proceeding before Congress, specifically, Congress's certification of the Electoral College vote as set out in the Twelfth Amendment of the Constitution of the United States and 3 U.S.C. §§ 15-18.

25. On the morning of April 7, 2021, ^{15v}  law enforcement arrived at Reid's residence for the purpose of executing an arrest warrant and a search warrant for Defendant's residence and any electronic devices contained therein. After law enforcement arrived, Defendant disabled and hid his cellphone with the intent to impair its availability for use in an official proceeding, specifically the criminal case pending against him in the District of Columbia and the grand jury investigation into Reid's and other's conduct on January 6, 2021.

Without waiving any arguments set forth in Mr. Reid's Motion to Dismiss Count 1, the parties

agree that if the Court finds the existence of these facts beyond a reasonable doubt, this evidence would establish each and every element of the charged offenses in light of the Court's ruling on the Motion and without waiving defendant's objection to the Court's ruling.

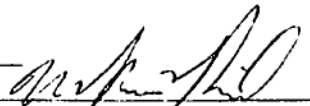
Respectfully submitted,

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

By: /s/ Robert Juman
Robert Juman
Assistant United States Attorney
Bar No. NJ 033201993
United States Attorney's Office,
Detailee
555 Fourth Street, N.W.
Washington, DC 20530
Phone: (786) 514-9990
E-mail: Robert.juman@usdoj.gov

DEFENDANT'S ACCEPTANCE

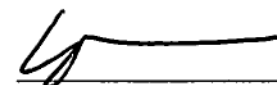
I have read the foregoing Statement of Facts for Stipulated Trial, and I have discussed this proffer fully with my attorney, Elizabeth Mullin, Esquire. I fully understand this proffer, and I accept it without reservation. I do this voluntarily and of my own free will. No threats have been made to me nor am I under the influence of anything that could impede my ability to understand this proffer fully.

Date 08/22/22 

William Rogan Reid
Defendant

ATTORNEY'S ACKNOWLEDGMENT

I have read every page of this Statement of Facts with my client, William Rogan Reid, and fully discussed it with my client.

Date: 8/23/22 

Elizabeth Mullin, Esq.
Attorney for Defendant William Rogan Reid