

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

UNITED STATES OF AMERICA	:	
	:	CASE NO. 21-cr-282 (TSC)
v.	:	
	:	
GRAYSON SHERRILL,	:	
	:	
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, Grayson SHERRILL, 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, S.E., 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, S.E., 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.

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

8. In late December 2020, SHERRILL made plans to travel to Washington, D.C. to attend the “Stop the Steal” rally on January 6, 2021. In preparation for his travel, SHERRILL purchased a Faraday bag in attempt to prevent the government from tracking his location.

9. On January 5, 2021, the defendant drove with co-defendants Elliot Bishai (Bishai) and Elias Irizarry (Irizarry) to Washington, D.C. They stayed at a hotel in Northern Virginia the night of January 5, 2021.

10. On January 6, 2021, SHERRILL, Bishai, and Irizarry went to the Ellipse to watch former President Donald Trump’s speech. They began walking toward the U.S. Capitol Building before the speech ended.

11. As he approached the Capitol, SHERRILL saw downed metal barricades and broken fencing around the Capitol building. SHERRILL and his co-defendants made it to the

West front of the Capitol where the SHERRILL observed other rioters climbing scaffolding, scaling walls, and fighting with the police, including spraying chemical irritants and throwing objects at police officers. SHERRILL witnessed police officers retreating from the rioters.

12. SHERRILL and Irizarry each picked up a metal pole that had been broken off from a metal bicycle barricade. SHERRILL and Irizarry carried the metal poles with them throughout the remainder of their time on restricted grounds and inside the Capitol building.

13. While standing in the crowd of rioters, a platoon of officers from the Metropolitan Police Department (MPD) Civil Disturbance Unit (CDU) 42, attempted to make their way through the crowd of rioters to the front of the crowd to protect the Capitol building.

14. A mob of rioters initiated violent confrontations with the police officers in CDU 42. While other rioters pushed, struck, and wrestled with MPD Officers, including MPD Officer D.H., Sherrill stepped toward Officer D.H. and swung at the officer with the metal pole. The officer attempted to catch his footing and adjusted his equipment after the contact with the rioters.

15. While still carrying the metal pole, SHERRILL entered the Capitol Building through the Senate Wing door eight minutes after the initial breach of the doors. He walked throughout the building, including in the Crypt and Rotunda. SHERRILL and his co-defendants climbed on statues in the Rotunda while taking photographs of one another using their cellphones. SHERRILL exited 34 minutes after his entry.

16. After January 6, 2021, SHERRILL deleted videos from his cell phone that he took while at the Capitol on January 6, 2021.

17. SHERRILL knowingly and voluntarily admits to all the elements of 18 U.S.C. § 111(a). Specifically, SHERRILL admits that he 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 of their official duties. Specifically, SHERRILL admits that he picked up a metal pole from a bike rack barricade and used that metal pole to strike at an officer from the Metropolitan Police Department. SHERRILL further admits that he knew at the time of the assault of, resisting, opposition to, impeding of, intimidation of, or interference with the officers that the officers were engaged in the performance of their official duties or that he assaulted, resisted, opposed, impeded, intimidated, or interfered with the officer on account of their performance of their official duties.

Respectfully submitted,

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

By: /s/ Ashley Akers
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DEFENDANT'S ACKNOWLEDGMENT

I, GRAYSON SHERRILL, 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: 1-25-23

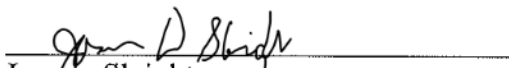


Grayson Sherrill
Defendant

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: 1/25/23



Joanne Slaight
Attorney for Defendant