

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

UNITED STATES OF AMERICA	:	
	:	
v.	:	HON. PAUL FRIEDMAN
	:	
WILLARD JAKE PEART,	:	Crim. No. 21-cr-662 (PLF)
	:	
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, Willard Peart, 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

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.

On January 6, 2021, the exterior plaza of the U.S. Capitol was closed to members of the public. On that day, a joint session of the United States Congress convened at the United States 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 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.

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. 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.

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 \$1.4 million dollars for repairs.

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.

Willard Peart's Participation in the January 6, 2021, Capitol Riot

On or about January 6, 2021, the defendant, Willard Jake Peart (hereinafter "PEART") traveled to Washington, D.C. from Utah, to hear then-President Donald J. Trump speak at the January 6, 2021 rally. After attending the rally, PEART walked to the United States Capitol Building. PEART used his cellular telephone to take video of himself walking towards the Capitol Building. Prior to entering the Capitol Building, PEART's cellular telephone powered off due to a drained battery.

At approximately 3:00 p.m., PEART entered the U.S. Capitol Building through the Senate Wing Door, near the Senate chamber. While inside, PEART walked around the hallways on the first floor of the building between the Senate Chamber and Statuary Hall carrying a red flag with the words, "TRUMP 2020." PEART observed a nearby broken desk/table upon which he began to bang. PEART joined other rioters in chanting and calling out politicians, making statements such as "Who's house? Our house!" and "Where are the senators?" PEART also called out the name of U.S. Senator Mitt Romney.

PEART walked from the Senate side of the Capitol Building to the House of Representatives side. PEART continued to walk through the Capitol Building chanting with rioters located near the House Wing Door. Upon reaching the Hall of Columns, PEART observed U.S. Capitol police officers and FBI SWAT agents. The Capitol officer approached PEART and asked him to leave the Capitol. PEART argued with the officer for a short period of time, stating that he did not want to leave. PEART was again asked to leave. PEART agreed to leave the Capitol Building. PEART was escorted down the hallway with the officer following closely behind. While walking towards the exit (near a south door), PEART turned around and stated to the officer, "I want to go back." The officer told PEART a third time that he had to leave the Capitol Building. PEART complied and was escorted out of the Capitol Building.

After leaving the Capitol Building, PEART posted pictures of himself outside of the Capitol Building on his Facebook page.

PEART knew at the time he entered the U.S. Capitol Building that that he did not have permission to enter the building, and he paraded, demonstrated, or picketed inside of the Building.

Respectfully submitted,

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

By: /s/ Brittany L. Reed
BRITTANY L. REED
Assistant United States Attorney
Trial Attorney – Detailee
La. Bar No. 31299
650 Poydras Street, Ste. 1600
New Orleans, Louisiana 70130
Brittany.Reed2@usdoj.gov
(504) 680-3031

DEFENDANT'S ACKNOWLEDGMENT

I, Willard Jake Peart, 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: Jan-09-2022 | 20:45 MST

DocuSigned by:
Willard Jake Peart
WILLARD J. PEART
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: 1/9/2022

/s/John S. Tatum
JOHN TATUM
Attorney for Defendant