

FILED

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

Clerk, U.S. District & Bankruptcy
Court for the District of Columbia

UNITED STATES OF AMERICA

Case No. 21-cr-513 (RBW)

v.

WILLIAM WATSON,

Defendant.

STATEMENT OF FACTS FOR STIPULATED TRIAL

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, and the defendant, William Watson, with the concurrence of his attorney, hereby submit the Elements and Statement of Facts for Stipulated Trial as to Counts 1 and 3 of the Indictment.

I. Elements

As to Count 1 of the indictment, the essential elements of the offense of obstruction of an official proceeding and aiding and abetting, in violation of 18 U.S.C. § 1512(c)(2), each of which the government must prove the following beyond a reasonable doubt are as follows:

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 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.

As to Count 3 of the indictment, the essential elements of the offense of entering and remaining in a restricted building or grounds with a deadly or dangerous weapon, in violation of 18 U.S.C.

§ 1752(a)(1) and (b)(1)(A), each of which the government must prove the following beyond a reasonable doubt are as follows:

1. The defendant entered or remained in a restricted building or grounds without lawful authority to do so;
2. The defendant did so knowingly; and
3. The defendant did so with a deadly or dangerous weapon.

II. Statement of Offense

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 in 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 is set out in the Twelfth Amendment of the Constitution of the United States and 3 U.S.C. §§ 15-18 and requires a deliberate and legally prescribed assessment of ballots, lists, certificates, and, potentially, written objections. 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.

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

8. On January 5, 2021, the defendant, William Watson, traveled by car with his friend, Larry Freligh, III, from Auburn, Alabama to Washington, D.C., to “support the patriots, support Trump, support freedom.” Watson traveled to Washington, D.C. “because they were certifying the fraudulent election that day,” and to protest Congress’ certification of the Electoral College.

9. While in Washington, D.C., on January 6, 2021, Watson followed the schedule Alex Jones had promoted which directed others to meet at the Ellipse at 9:00 a.m. and then move to the Capitol at 1:00 p.m. to protest while Congress was certifying the Electoral College votes.

10. At some point, Watson saw others walking toward the U.S. Capitol grounds and he followed. Watson was wearing dark pants, a yellow hooded sweatshirt, and had a long beard. He worked his way to the front of the crowd at the stage which had been set up on the west side of the Capitol Building for the Inauguration.

11. A large group of people soon gathered up against law enforcement barriers at the Capitol building and started chanting at the officers, among other things, “Freedom,” “Put down your weapons,” and “your oaths were to protect us, not them.” Watson believed that law enforcement was there, “to protect all of us, but not if they’re committing treason.”

12. Watson had a pocketknife on his waistband while he was on Capitol grounds in the Capitol building. The knife was about three to four inches in length, and he used it to help tear down cloth around the inauguration scaffolding so the crowd could move further up the steps toward the Capitol Building.

13. Just after 2 p.m., the police line on the west side was overrun by rioters. Watson, along with others, stormed up the Capitol steps and across the upper west terrace toward the Senate Wing Doors. Watson was one of the first rioters to enter the building at approximately 2:13 p.m. As he entered through the Senate Wing Door area, he completed breaking a partially broken windowpane and jumped through the frame into the interior of the building.

14. At the time he entered the building Watson had his pocketknife, as well as a can of oleoresin capsicum (OC) spray that he had found. The pocketknife and the OC spray are both dangerous weapons. Exhibit A, below, is a photo of Watson holding the OC spray before he entered the Capitol building:



15. Watson eventually arrived in the Ohio Clock Corridor near the Senate chambers with several other individuals from the crowd. Once there, the group encountered several law enforcement officers. Some of the individuals in the crowd had shields and batons, and one man had a spear and appeared to be dressed like a Viking. During this encounter, Watson was relatively quiet and helped an officer try to calm the crowd of people. Officers eventually escorted Watson and others out of the building.

16. Watson later created a Snapchat story with a photo of him and others in the Ohio Clock Corridor. He captioned the photo, “They wanna call me Antifa because I have a video game tattoo on my hand and I was pleading for peaceful discourse. Let em say what they will. The fake news won’t win against the thousands of patriots recorded today”. Exhibit B, below, is a copy of the photo (Note: Watson did not include the red arrow in his posting):



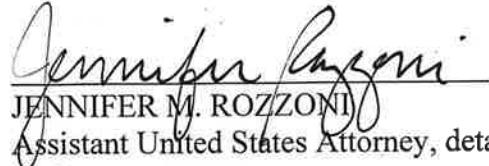
17. Watson knew at the time he was on Capitol grounds and inside the Capitol building that he did not have lawful authority to be present in those locations.

If the Court finds the existence of these facts beyond a reasonable doubt, the defendant stipulates that this evidence would establish each and every element of the charged offenses for Counts 1 and 3 of the Indictment. ECF No 13.

Respectfully submitted,

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DEFENDANT'S ACKNOWLEDGMENT

I, WILLIAM WATSON, have read this Statement of Facts for Stipulated Trial and have discussed it with my attorney. I fully understand the elements and the facts that are set forth. I agree and acknowledge by my signature that this Statement of Facts for Stipulated Trial 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 Facts for Stipulated Trial fully.

Date: 11/18/22



WILLIAM WATSON
Defendant

ATTORNEY'S ACKNOWLEDGMENT

I have read this Statement of Facts for Stipulated Trial and have reviewed it with my client fully. I concur in my client's desire to adopt this Statement of Facts for Stipulated Trial as true and accurate.

Date: Nov 18, 2022



CECILIA VACA
Attorney for Defendant Watson

Date: 11/18/22



SAMUEL BROOKE
Attorney for Defendant Watson