

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

UNITED STATES OF AMERICA

v.

GEOFFREY SILLS,

Defendant.

:
:
:
:
:
:
:
:
:
:

Case No.: 21-CR-40-6 (TNM)

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, Geoffrey Sills, with the concurrence of his attorney, hereby submit the Elements and Statement of Facts for Stipulated Trial as to Counts 13, 15 and 34 of the Fifth Superseding Indictment. ECF No. 179.

I. Elements

The essential elements of Assaulting, Resisting, or Impeding Certain Officers with a Deadly or Dangerous Weapon, in violation of 18 U.S.C. § 111(a)(1) and (b), each of which the government must prove the following beyond a reasonable doubt are:

1. That the defendant assaulted, resisted, opposed, impeded, intimidated, or interfered with any officer or employee of the United States or of any agency in any branch of the United States Government;
2. That the defendant did so with some use of force;
3. That the defendant did so while the officer or employee was engaged in or on account of the performance of official duties;
4. That the assault involved physical contact with the victim or the intent to commit another

felony; and

5. That the defendant used a deadly or dangerous weapon.

The essential elements of Robbery within the special maritime and territorial jurisdiction of the United States, in violation of 18 U.S.C. § 2111, each of which the government must prove the following beyond a reasonable doubt are:

1. That the defendant obtained property that he was not lawfully entitled to, from a person without, that person's consent;
2. That the defendant used actual or threatened force, violence, or intimidation to obtain the property;
3. The defendant knowingly obtained the property in this way; and
4. The defendant committed this offense within the special maritime or territorial jurisdiction of the United States.

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:

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.

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.. 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.

Geoffrey Sills's Participation in the January 6, 2021, Capitol Riot

8. The defendant, Geoffrey Sills, lives in Mechanicsville, Virginia. The defendant traveled from Virginia to Washington, D.C., via metro. The purpose of the defendant's trip to Washington, D.C., was to protest Congress' certification of the Electoral College.

9. Prior to January 6, 2021, financial account records show defendant Sills made multiple purchases at stores in November 2020 (including "Infidel Body Armor," "Freedom Fighters Tactic," and "Cheaper than Dirt"), which sell body armor, weapons, gas masks, and other combat equipment.

10. Records from defendant Sills' cell phone confirm his plans to travel to D.C. on January 6, including multiple texts about his plans to travel to the "Stop the Steal" rally and a long

text thread discussing concerns about threats from Iran and Russia using gas or nuclear bombs. During one of those chats, after another individual noted a concern that there could be such a terrorist attack on the metro ride to the rally, defendant Sills explained that he will have his gas mask with him.

11. On January 6, 2021, defendant Sills boarded a Metro train in Franconia-Springfield, VA. Defendant Sills arrived at the Federal Triangle Metro station, close to the Ellipse in downtown, D.C., where former President Trump was speaking at the “Stop the Steal” rally.

12. On January 6, 2021, at approximately 2:13 p.m. defendant Sills joined the crowd gathering on the West Front of the U.S. Capitol grounds. Defendant Sills was wearing a black “Make America Great Again” (MAGA) hat, a distinctive striped shirt, black goggles, and a black gas mask.

13. On January 6, at approximately 2:28 p.m., rioters breached the line of law enforcement officers on the West Front of the U.S. Capitol Grounds. Defendant Sills joined the line of rioters that pushed the police back. Defendant Sills then threw several pole-like objects at the officers as they retreated, while filming the events and posting them to the app Instagram under his username @geoff_sills. Defendant Sills intended to stop or prevent Congress from certifying the Electoral College vote results.

14. At approximately 2:40 p.m., officers retreated from the West Front up to the Lower West Terrace, where the inaugural platform was being built. Sills followed the officers up to the Terrace, and into a tunnel created by the inauguration stage.

15. Sills and other rioters then approached a glass door to the U.S. Capitol building, emblazoned with the sign “Members Entrance Only.” From approximately 2:40 PM, a group of law enforcement officers were maintaining a line at the second set of glass doors inside the tunnel,

and fought a group of rioters, including defendant Sills, back from the door until approximately 3:19 p.m.

16. At approximately 2:43 p.m., defendant Sills forcefully wrested away a police department-issued baton from the person of Metropolitan Police Department Officer C.W., who was defending the entrance door to the U.S. Capitol. A few minutes later, defendant Sills exited the tunnel holding an extended baton. As defendant Sills exited the tunnel into the sea of rioters, defendant Sills lifted the baton above his head in what appears to be an effort to signal and galvanize the crowd.

17. At approximately 2:49 p.m., defendant Sills re-entered the tunnel, and moved towards the police line at the door. Defendant Sills then pointed a flashing strobe light at the police line, disorienting officers.

18. At approximately 2:53 p.m. until approximately 2:59 p.m., defendant Sills used the extended baton to repeatedly strike at officers on the police line.

19. One of those strikes by defendant Sills struck Officer V.B.'s left arm while Officer V.B. was struggling with another rioter. Officer V.B. sustained multiple bruises from strikes on various parts of his body from the assaults he suffered on January 6. He recalled being struck on the head at one point by the baton wielded by Sills. Officer V.B. also suffered from a severe burning sensation all over his body from the chemical irritants in the air and vomited as a result of exposure to the irritants. However, Officer V.B. could not determine whether his injuries came from defendant Sills or one of the many other rioters that assaulted him that day.

20. Also during that time frame, defendant Sills hit Officer C.W., the same individual from whom defendant Sills stole the baton minutes before. Officer C.W. recalls being hit in the head by a swinging baton from one of the rioters in the tunnel and had a visible injury to his

forehead at the end of the day. However, because he was attacked so many times on January 6, it is impossible to determine whether the injury came from Sills or one of the other rioters that assaulted him that day.

21. Then, at approximately 3:00 p.m., defendant Sills exited the tunnel with the extended baton over his head. Sills subsequently left the inaugural stage, went to the West Front, and left the area.

22. Records from Zello, a “push-to-talk” walkie talkie application that was used by multiple rioters on January 6 to communicate that day, show that an account was created by Sills on January 6, 2021.

23. Sills then posted a video compilation of video clips from the day on his Instagram account @geoff_sills, with captions under the attack on the Capitol like “visited the Capitol today,” “made some friends” and “took a tour.” Sills deleted his Instagram account around January 7, 2021.

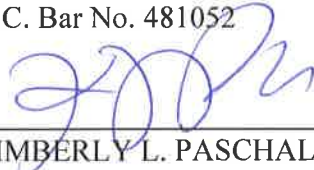
24. During the execution of the arrest warrant for defendant Sills on June 18, 2021, a search warrant was executed at his residence. Multiple items were recovered, including tactical-style gloves with knuckle protection, black goggles, a black flashlight with strobe function, a black gas mask, and a black riot-style baton, consistent with the one stolen from Officer C.W.

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 Counts 13, 15 and 34 of the Fifth Superseding Indictment. ECF No. 179.

Respectfully submitted,

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

By:



KIMBERLY L. PASCHALL
Assistant United States Attorney
D.C. Bar No. 1015665

DEFENDANT'S ACKNOWLEDGMENT

FACTS *JS*

I, Geoffrey Sills, 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:

23 Aug 2022

Geoffrey Sills
Geoffrey Sills
Defendant

ATTORNEY'S ACKNOWLEDGMENT

FACTS *JS*

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:

23 Aug 2022

JS
John Kiyonaga
Attorney for Defendant Sills