

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

UNITED STATES OF AMERICA :
 : **CASE NO. 21-cr-381 (TSC)**
v. :
 :
STACY WADE HAGER, :
 :
Defendant. :

PARTIES' PROPOSED JOINT STIPULATIONS

The United States and Defendant agree and stipulate to the following:

1. Identity of the Defendant.

The photo below was taken in Washington, DC on January 6, 2021. Defendant is pictured in an excerpted portion of Joint Exhibit 244 below.



2. Defendant's contact information.

Defendant's email is [REDACTED]. Defendant's Facebook Account Username is "StacyWade." Defendant's phone number is [REDACTED].

3. Disruption of an official proceeding.

On January 6, 2021, a joint session of the United States Congress convened at the U.S. Capitol. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in both the House and Senate chambers of 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.

On January 6, 2021, the House of Representatives began its session at approximately 12:00 p.m., the Senate began its session at approximately 12:30 p.m., and the two Houses met together at approximately 1:00 p.m. in the House of Representatives chamber to begin the joint session. Vice President Mike Pence was in the Capitol building and presiding over the joint session. At approximately 1:15 p.m., the House and Senate adjourned to their separate chambers for up to two hours to resolve a particular objection.

At approximately 2:12 p.m., Vice President Pence evacuated the Senate chamber, and approximately one minute later the senator who had become the presiding officer in Vice President Pence's absence declared that the Senate would stand in recess. Senators evacuated the Senate chamber.

At approximately 2:15 p.m., Speaker Nancy Pelosi, who was presiding over the House of Representatives, evacuated the House chamber, and approximately fifteen minutes later the

representative who had become the presiding officer in her absence declared that the House would stand in recess. Representatives evacuated the House chamber.

The joint session was suspended.

The Senate and House resumed meeting at approximately 8:06 p.m. and 9:02 p.m., respectively. Congress's joint session continued until approximately 3:44 a.m. on January 7, 2021, when it completed the certification of the Electoral College vote.

The certification of the vote count of the Electoral College was an "official proceeding" as that term is used in Title 18, United States Code, Section 1512(c)(2) and 1515(a)(1).

4. The Capitol and its Grounds.

By law, 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. At the U.S. Capitol, the building itself has 540 rooms covering 175,170 square feet of ground, roughly four acres. The building is 751 feet long (roughly 228 meters) from north to south and 350 feet wide (106 meters) at its widest point. The U.S. Capitol Visitor Center is 580,000 square feet and is located underground on the east side of the Capitol. On the west side of the Capitol building is the West Front, which includes variety of open concrete spaces, a fountain surrounded by a walkway, two broad staircases, and multiple terraces at each floor. On January 6, 2021, the inaugural stage scaffolding was on the West Front of the Capitol building. On the East Front are three staircases, porticos on both the House and Senate side, and two large skylights into the Visitor's Center surrounded by a concrete parkway.

On January 6, 2021, the exterior plaza of the U.S. Capitol was closed to members of the public. *See Joint Exhibit 105* (Map Outlining Restricted Area on January 6, 2021). These security barriers included bike racks that were positioned to the north of the U.S. Capitol along Constitution Avenue; to the south of the U.S. Capitol along Independence Avenue; to the west of the U.S. Capitol along First Street on the eastern side of that street; and, on the east side of the U.S. Capitol, between the Capitol Plaza (East Front) and the grassy areas located between the Plaza and First Street. Within the West Front of the Restricted Area there were additional temporary barriers due to preparations and ongoing construction for the Inauguration which was scheduled for January 20, 2021, including green snow fencing and signs stating “Area Closed By order of the United States Capitol Police Board.”

On January 6, 2021, the Restricted Area described above and depicted in Joint Exhibit 105 was a posted, cordoned off, or otherwise restricted area where the Vice President and members of his immediate family were and would be temporarily visiting, and therefore constituted a “restricted building or grounds” as that term is used in Title 18, United States Code, Section 1752(c).

5. Officers from USCP and Washington, D.C.’s Metropolitan Police Department.

On January 6, 2021, officers from the United States Capitol Police (USCP) on the U.S. Capitol Grounds and in the U.S. Capitol building were engaged in their official duties as officers or employees of the United States or of any agency in any branch of the United States Government, as those terms are used in Title 18, United States Code, Section 1114.

On January 6, 2021, officers from the Washington, D.C., Metropolitan Police Department (MPD) on the U.S. Capitol Grounds and in the U.S. Capitol building were assisting officers from the USCP who were engaged in their official duties as officers or employee of the United States

or of any agency in any branch of the United States Government, as those terms are used in Title 18, United States Code, Section 1114.

6. USCP Video.

The USCP operate and maintain closed-circuit video monitoring and recording equipment that captures locations inside and outside of the U.S. Capitol building and on the Capitol grounds. The video equipment timestamps each recording with the date and time at which the footage is captured. The USCP-controlled video equipment was in good working order on January 6, 2021, and video footage recovered from the cameras and equipment with the timestamp of January 6, 2021 is footage from January 6, 2021 (CCTV). The events depicted in the video footage are a fair and accurate depiction of the events at the U.S. Capitol on January 6, 2021, the timestamps on the recordings are accurate, and the video footage was not altered or edited in any way. The video footage in Joint Exhibits 701 through 708 is authentic in that it is what it purports to be.

7. House and Senate Montage Videos.

On January 6, 2021, much of the proceedings taking place on the Senate and House floors were contemporaneously recorded by the Senate Recording Studio and the House Recording Studio, respectively. The Senate Recording Studio's purpose is to serve the Senate. The House Recording Studio's purpose is to serve the House. Cameras on the Senate and House floors record activity occurring there. This footage is also broadcast through the Cable-Satellite Public Affairs Network (CSPAN). The video footage contained in Joint Exhibits 103 and 110 are fair and accurate depictions of the events on the Senate and House floors on January 6, 2021, the timestamps on the recordings are accurate, and the video footage was not altered or edited in any way. The video footage is authentic in that it is what it purports to be.

8. Items Obtained in the Search Incident to Arrest.

Joint Exhibits 501 through 504 were seized pursuant to legal process. Physical items have been in the custody of the Federal Bureau of Investigation from the time of the seizure. The parties stipulate to the chain of custody.

9. Authentication of Joint Exhibits.

In open Court on March 24, 2023, the United States and the Defendant (the “Parties”) stipulated to the authenticity of all exhibits on the parties Joint Exhibit List.

In addition, the Parties stipulate that Joint Exhibits 245a through 248a are accurate demonstrative versions of Joint Exhibits 245 through 248, which are records from Defendant’s cell phone at the time of his arrest. The Parties also stipulate that Joint Exhibits 404a through 414a are accurate demonstrative versions of Joint Exhibits 404 through 414, which are records from Defendant’s Facebook Account.

Respectfully submitted,

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