

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

UNITED STATES OF AMERICA	:	
	:	
	:	Case No: 22-cr-00040(JEB)
v.	:	
	:	
SANDRA S. WEYER	:	
	:	
Defendant.	:	

STIPULATION OF THE PARTIES

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, and the defendant, Sandra S. Weyer, with the concurrence of her attorney, Nicholas D. Smith, Esq., agree and stipulate to the following:

Defendant’s Identification

1. The defendant agrees that she is the individual charged in the Indictment.

The Capitol Building and Grounds

2. 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 the 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 a 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.

3. On January 6, 2021, the exterior plaza of the U.S. Capitol was closed to members of the public. See Map Outlining Restricted Area on January 6, 2021, attached as Exhibit A. 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."

4. On January 6, 2021, the Restricted Area described above and depicted in Exhibit A was a posted, cordoned off, or otherwise restricted area where the Vice President and members of his immediate family, who were under the protection of the U.S. Secret Service, were temporarily visiting.

The Certification of the Electoral College Vote

5. 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.

6. 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.

7. 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.

8. 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. Other Representative were evacuated later from the House Gallery. The joint session was suspended.

9. The Senate and House resumed meeting at approximately 8:06 p.m. and 9:02 p.m., respectively. Following their reconvening, pursuant to Title 3, United States Code Section, 15, Congress resumed the certification of the Electoral College vote, including: appointing four tellers to read and list the votes; announcing the voting results by the President of the Senate; and allowing written objections from members of Congress, subject to a procedure for submitting and resolving such objections.

10. 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.

11. As used in sections 1512 and 1515 of title 18, the term “official proceeding” means a proceeding before the Congress. See 18 U.S.C. § 1515(a)(1).

Officers from the United States Capitol Police and Metropolitan Police Department

12. 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.

13. 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. These officers are equipped with body-worn camera that capture the events immediately in front of each officer. Following each officer’s shift, the camera is placed in a location that allows for the upload of the media captured, which is then able to be downloaded and viewed. The events depicted in this 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 is authentic in that it is what it purports to be and may be introduced into evidence at trial without establishing additional foundation beyond this stipulation.

United States Capitol Police Closed Circuit Video Monitoring

14. The United States Capitol Police (“USCP”) operates and maintains 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. 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 is authentic in that it is what it purports to be and may be introduced into evidence at trial without establishing additional foundation beyond this stipulation.

U.S. Capitol Police Montage Video

15. Government Exhibit B, with radio runs and Government Exhibit C, with Congressional Record excerpts, are montage videos of the events at certain areas of the U.S. Capitol on January 6, 2021. The events depicted in the video montages are fair and accurate depictions of events at the U.S. Capitol on January 6, 2021. The timestamps on the recordings are accurate and the video footage, including radio run and Congressional record audio, is authentic in that it is what it purports to be and may be introduced into evidence at trial without establishing additional foundation beyond this stipulation.

Open-Source Video Depictions

16. Individuals attending the riot at the Capitol also used personal cameras to capture the events on January 6, 2021. These videos have been reviewed and compared to the United States Capitol Police Closed Circuit Video Monitoring and confirmed to be from the relevant times at the United States Capitol on January 6, 2021. 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 video footage is authentic in that it is what it purports to be and may be introduced into evidence at trial without establishing additional foundation beyond this stipulation.

Weyer's Presence in and around the U.S. Capitol Building

17. The person in Exhibit D is Sandra S. Weyer who is charged.

Sandra Weyer's Facebook Material

18. Information was seized from Facebook, Inc. (now Meta Platforms, Inc.), for account 100015433067547 with vanity name sandra.weyer.167 are accurate duplicates of the digital media maintained by Facebook. The records are an exact copy of the records that were made and kept by the automated systems of Facebook during regularly conducted business activity. The records are certified as authentic by a custodian for Facebook, Inc. The timestamps in the records are accurate. Facebook's systems were in good working order during the creation and retention of the records, and the texts, photographs, and videos depicted therein are a fair and accurate depiction of the texts, photographs, and videos that were submitted and received by Facebook's account 100015433067547. The records were not altered or edited in any way. The records are authentic in that they are what they purports to be. The records and/or any other copies are "admissible into evidence to the same extent as the original," within the meaning of Federal Rule of Evidence 1003. The records were made at or near the time the information was transmitted by the Facebook user.

The Facebook account user for account 100015433067547 was Sandra S. Weyer. The records are authentic and may be introduced into evidence at trial without establishing additional foundation beyond this stipulation.

Sandra S. Weyer's Phone Number

19. Sandra S. Weyer had a cell phone on January 6, 2021, with the phone number 717-802-2147.

Respectfully submitted,

FOR THE DEFENDANT

FOR THE UNITED STATES
MATTHEW M. GRAVES
United States Attorney
D.C. Bar No. 481052

s/ Nicholas D. Smith
Nicholas D. Smith, Esq.
Attorney for Defendant

By:


Victoria A. Sheets
Sarah C. Santiago
Assistant United States Attorneys