

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

UNITED STATES OF AMERICA	:	
	:	Case No.: 21-CR-519 (TFH)
v.	:	
	:	18 U.S.C. § 1752(a)(2)
STEVEN C. BILLINGSLEY,	:	
	:	
Defendant.	:	
	:	
	:	

STATEMENT OF OFFENSE

Pursuant to Fed. R. Crim. P. 11, the United States of America, by and through its attorney, the United States Attorney for the District of Columbia, and the defendant, Steven C. Billingsley, 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

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 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.

Steven C. Billingsley's Participation in the January 6, 2021, Capitol Riot

8. The defendant, Steven C. Billingsley, lives in Richmond, Ohio. On January 5, 2021, defendant traveled from his home to Washington, D.C., via automobile. The purpose of the defendant's trip to Washington, D.C., was to protest Congress' certification of the Electoral College.

9. On Facebook, the defendant posted first-person accounts of his participation in the January 6, 2021, riots. He entered the Capitol grounds adjacent to the Peace Monument and Peace Circle at 1st Street, N.W. As he passed over what had been cordoned off as restricted grounds, he stepped over metal barricades lying on the ground and is recorded stating "This is where they had it closed off. We're going past it." While still on the grounds, approaching the Capitol, he shouted in the direction of officers, among other things, "We're going through that barricade."

10. Another video shows the defendant on the perimeter of the East Front Plaza adjacent to the Capitol's Senate Wing helping at least one individual undo a metal barricade and then enter the plaza. That area was also within the cordoned-off restricted area on January 6, 2021. While he was in the plaza area and directed by officers to leave the area, he walked over additional barricades strewn on the plaza ground yelling "This is our house." He exhorted others in the plaza, "They can't stop us in numbers, remember that. This is war."

11. As defendant neared the plaza in front of the Capitol's Rotunda Doors, he encouraged rioters to push into a line of police officers. He then advanced up the steps in front of the Rotunda Doors, making it to within 20 feet of the Rotunda doors, saying "I guess we gotta retreat this time." He did not go inside.

12. While still on the East Front Plaza and within the restricted area, defendant and others were discussing seeing Members of Congress looking out the Capitol's windows. One person said, "We don't want to hurt 'em." The defendant responded, "No, we do want to hurt Pelosi. I do. Yeah, I would hang her from that big-you see that tree over there? We'd put a rope and hang her. We hang her and Schumer over there, they'll all go, "oh, shit".

13. When defendant was arrested on August 13, 2021, he indicated he didn't go to the Capitol to break the law. He said the only thing he did was cross the grounds. He also admitted unhooking a barricade and letting himself and others through.

Elements of the Offense

14. Steven C. Billingsley knowingly and voluntarily admits to the above facts and agrees that they meet all of the elements of 18 U.S.C. § 1752(a)(2). Specifically, Billingsley admits:

- Steven C. Billingsley engaged in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds;
- That such conduct occurred when, or so that, such conduct, in fact, impeded or disrupted the orderly conduct of Government business or official functions; and
- That he did so knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions.

15. Steven C. Billingsley also admits that Title 18, United States Code, Section 1752(c)(1)(B) defines “restricted building or grounds” as “any posted, cordoned off, or otherwise restricted area of a building or grounds where the President or other person protected by the Secret Service or will be temporarily visiting.” He further agrees that Section 1752(c) further defines “other person protected by the Secret Service” as “any person whom the United States Secret Service is authorized to protect under section 3056 of this title or by Presidential memorandum, when such person has not declined such protection.”

Respectfully submitted,

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

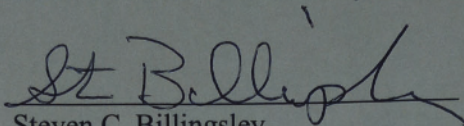
By: *Susan T. Lehr*
Susan T. Lehr
Assistant United States Attorney
Capitol Riot Detailee
NE Bar No. 19248

X

DEFENDANT'S ACKNOWLEDGMENT

I, Steven C. Billingsley, 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.

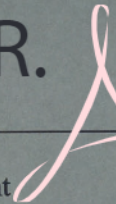
Date: 8-9-22


Steven C. Billingsley
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: _____

Joseph R.  Digitally signed by
Joseph R. Conte
Date: 2022.08.10
08:30:36 -04'00'
Joseph R. Conte
Attorney for Defendant