

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

|                                  |   |                                       |
|----------------------------------|---|---------------------------------------|
| <b>UNITED STATES OF AMERICA</b>  | : | <b>Case No: 21-cr-691-TSC</b>         |
|                                  | : |                                       |
|                                  | : |                                       |
|                                  | : | <b>18 U.S.C. §§ 111(a)(1) AND (b)</b> |
|                                  | : |                                       |
| <b>v.</b>                        | : |                                       |
|                                  | : |                                       |
| <b>CHRISTIAN MATTHEW MANLEY,</b> | : |                                       |
|                                  | : |                                       |
| <b>Defendant.</b>                | : |                                       |
|                                  | : |                                       |

**STATEMENT OF OFFENSE**

Pursuant to Federal Rule of Criminal Procedure 11, the United States of America, by and through its attorney, the United States Attorney for the District of Columbia, and the defendant, Christian Matthew Manley, 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 24 hours a day by U.S. Capitol Police. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by U.S. Capitol Police. Only authorized people with appropriate identification are allowed access inside the U.S. Capitol.
2. On January 6, 2021, the exterior plaza of the U.S. Capitol was closed to members of the public.

3. On January 6, 2021, a joint session of the United States Congress convened at the United States 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 separate chambers of the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Shortly thereafter, by approximately 1:30 p.m., 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 U.S. Capitol. As noted above, temporary and permanent barricades were in place around the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside.

5. At approximately 2:00 p.m., certain individuals in the crowd forced their way through, up, and over the barricades, and officers of the U.S. Capitol Police, 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 by U.S. Capitol Police Officers or other authorized security officials.

6. At such time, the certification proceedings were still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however,

shortly after 2:00 p.m., individuals in the crowd forced entry into the U.S. 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 U.S. Capitol, requiring the expenditure of more than \$1.4 million dollars for repairs.

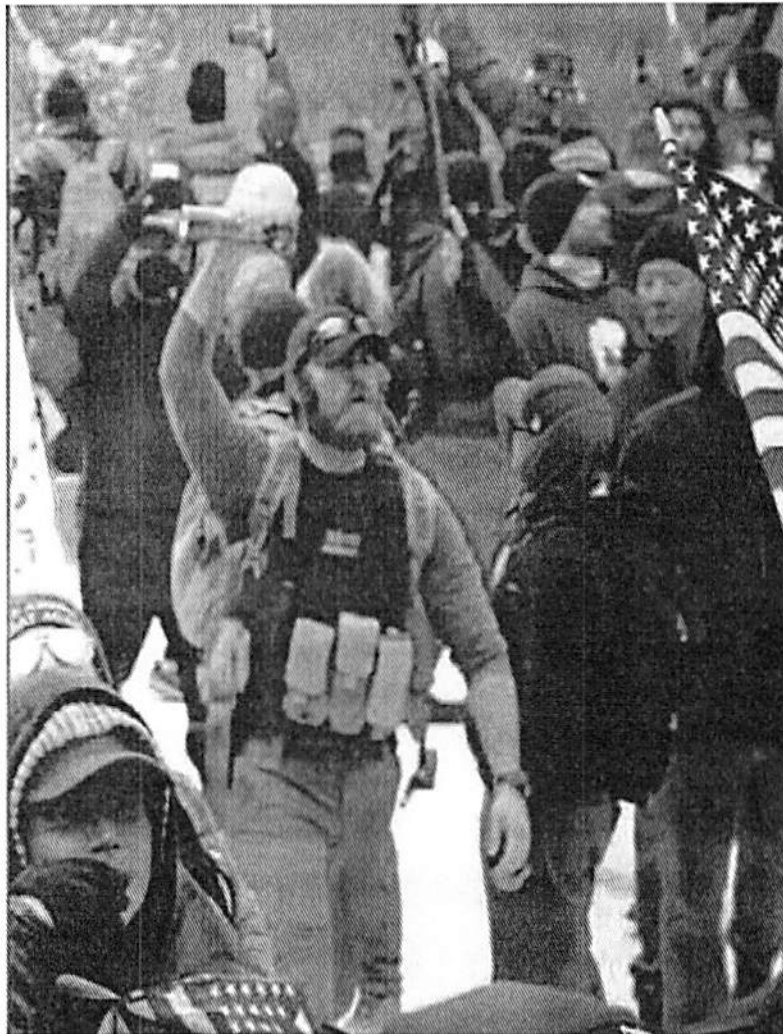
7. Shortly thereafter, at approximately 2:20 p.m., members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Pence, were instructed to—and did—evacuate the chambers. Accordingly, all proceedings of the United States Congress, including the joint session, were effectively suspended until shortly after 8:00 p.m. the same day. In light of the dangerous circumstances caused by the unlawful entry to the U.S. Capitol, including the danger posed by individuals who had entered the U.S. Capitol without any security screening or weapons check, Congressional proceedings could not resume until after every unauthorized occupant had left the U.S. Capitol, and the building had been confirmed secured. The proceedings resumed at approximately 8:00 p.m. after the building had been secured. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the session resumed.

***Manley's Participation in the January 6, 2021, Capitol Riot***

8. From approximately 2:45 to 5:05 p.m., rioters occupied the area of the Capitol known as the Lower West Terrace (“LWT”). In the center of the LWT is an archway leading to an entrance to the Capitol Building. During this period, Metropolitan Police Department (“MPD”) and U.S. Capitol Police (“USCP”) officers were defending the archway entrance from rioters attempting to break through and enter the Capitol.

9. From at least approximately 2:50 p.m., MANLEY was among the rioters at the LWT. MANLEY brought with him on January 6, 2021, two cans of bear deterrent/pepper spray,

a collapsible police baton and handcuffs. When first approaching the tunnel located in the LWT, MANLEY was holding bear deterrent/pepper spray. In the screenshot below, MANLEY is pictured wearing a flak jacket, tan backpack, grey shirt, baseball cap and holding the bear deterrent/pepper spray in his right hand.



10. From his various positions in the LWT, MANLEY could see rioters attacking the officers defending the archway with, among other things, baseball bats, pepper spray, riot shields, and poles.

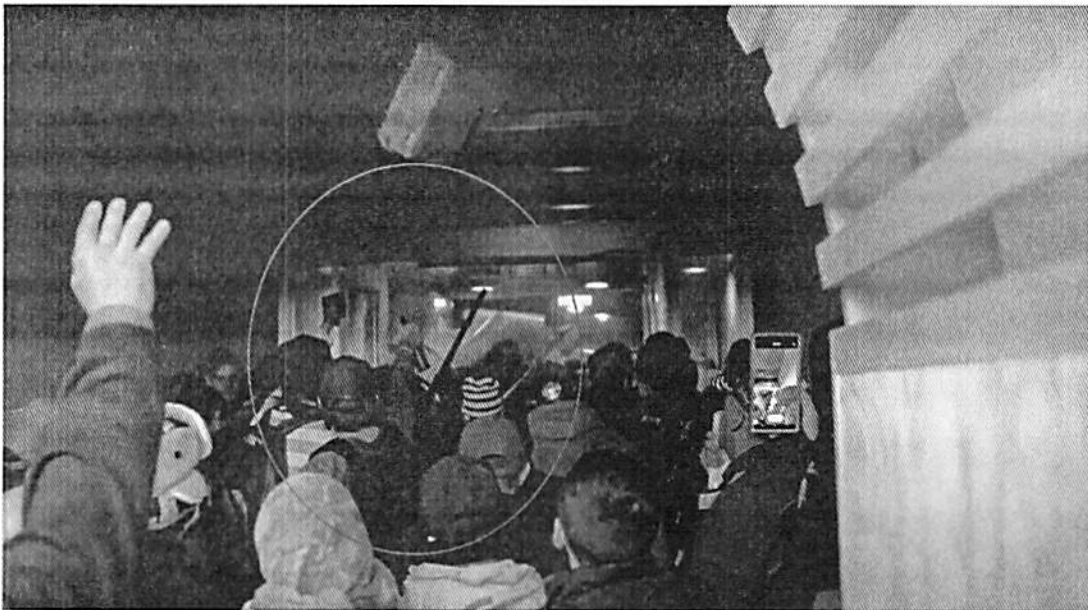
11. At approximately 2:53 p.m., MANLEY moved directly toward the archway of the tunnel in the LWT. Upon entering the archway, MANLEY has the bear deterrent/pepper spray in his left hand and then moves it to his right hand. MANLEY then sprays the bear deterrent/pepper spray towards officers defending the tunnel. In the screenshot below, MANLEY (circled in red) can be seen spraying bear deterrent/pepper spray. Immediately after emptying the spray, MANLEY threw the bear deterrent/pepper spray canister towards officers.



12. MANLEY then moves towards the rear of the archway where he assists other rioters in removing police shields which were taken from officers and passed outside the tunnel to other rioters. MANLEY passes at least three riot shields from inside the tunnel to other rioters outside the tunnel. While passing one of the shields, MANLEY turns to the rioters outside the tunnel and yells, "let's go!" In the screenshot below, MANLEY (circled in red) is seen passing one of the police shields to other rioters.



13. At approximately 2:55 p.m., MANLEY again sprays officers with bear deterrent/pepper spray. While spraying the officers, other rioters were throwing objects at the officers protecting the tunnel. In the screenshot below, MANLEY (circled in red) can be seen spraying officers while another rioter throws a large orange box towards officers.



14. Again, once the bear deterrent/pepper spray canister is empty, MANLEY throws the canister at the officers. In addition to throwing the two canisters towards officers, while in the tunnel, MANLEY threw a pipe towards officers as well as another unknown object. Further,

MANLEY assists other rioters in passing police riot shields to other rioters to use against officers protecting the Capitol.

15. At approximately 2:57 p.m., MANLEY makes his way to the front of the tunnel where the doors are situated on the Capitol. MANLEY positions himself behind one of the doors and wedges his body against the wall and pushes the door against officers protecting the Capitol. In the screen shot below, MANLEY (circled in red) can be seen pushing the door against officers.



16. At approximately 2:59 p.m., MANLEY exits the tunnel while wiping his eyes. MANLEY walks down the stairs of the LWT waving towards other rioters for them to enter the archway.

17. When MANLEY sprayed the officers with bear spray/pepper spray, he knew the bear spray/pepper spray was capable of causing extreme pain and serious bodily injury. Furthermore, when MANLEY sprayed the officers and threw objects at and struck at the MPD

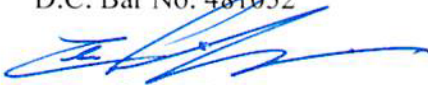
and USCP law enforcement officers inside the LWT archway, MANLEY knew that these officers were engaged in the performance of official duties.

*Elements of the Offense*

18. MANLEY knowingly and voluntarily admits to all the elements of assaulting, resisting, or impeding certain officers with a deadly weapon. Specifically, defendant admits that: the defendant forcibly assaulted, resisted, opposed, impeded, intimidated, or interfered with any person designated in 18 U.S.C. § 1114 with a deadly weapon while engaged in or on account of the performance of their official duties. Specifically, the defendant admits that he struck the law enforcement officer, a person who was assisting the United States Capitol Police, that is, an officer from the Metropolitan Police Department. The defendant further admits that he knew at that time of the assault of the officer that the officer was engaged in the performance of their official duties or that he assaulted, resisted, opposed, impeded, intimidated, or interfered with the officer on account of their performance of their official duties. The defendant admits that he engaged in this assault with a deadly weapon, i.e., bear spray.

Respectfully submitted,

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

By:   
/s/ Zachary Phillips  
Zachary Phillips  
Assistant United States Attorney



DEFENDANT'S ACKNOWLEDGMENT

I, CHRISTIAN MATTHEW MANLEY, 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: 12/8/22



CHRISTIAN MATTHEW MANLEY  
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: 12.8.22



NATASHA TAYLOR-SMITH  
Attorney for Defendant

Nicholas G. Madson  
Michael E. Cantor