

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

**UNITED STATES OF AMERICA** : **Case No. 22-cr-406-RBW**  
 :  
 **v.** : **40 U.S.C. § 5104(e)(2)(G)**  
 :  
 **VINCENT ARDOLINO,** :  
 :  
 :  
 **Defendant.** :

**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, Vincent Ardolino, 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.

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

8. The defendant, Vincent Ardolino, lives in Fountain Valley, CA. On December 19, 2020, the defendant sent a text message to an associate stating “Trump announced a major event in DC on the 6th. i’m thinking about going . . . You wanna go?” The defendant continued “That’s the day that Congress accepts or rejects the electors and there will be a battle when America realizes Trump will be serving 4 more years.” Three days later, the defendant told this same person “Trump said be there January 6, its gonna be wild.”

9. On December 26, 2020, the defendant sent a text message to another associate stating “We all see what’s happening. The attempted takeover of our country. I’ve never been to DC before but when President Trump said to be in DC on the 6th, I couldn’t stand by and not

answer the call. That is a key date pivotal to America's future and DC will be the epicenter." On December 28, he continued "I'm getting the impression that we are their to make sure the radicals don't storm the Whitehouse in an effort to physically remove the President. Once they realize he will not accept a stolen election under any circumstances they have made plans to shutdown DC. They can't implement their plans if their are thousands of supporters everywhere."

10. On January 4, 2021, the defendant flew to Washington, DC to "fight the political corruption that has infected our Government."

11. At approximately 3:16 p.m. on January 6, 2021, the defendant entered the United States Capitol Building at the Senate Wing Door, which rioters breached an hour earlier by breaking down the door and the adjacent windows. Once inside the U.S. Capitol Building, the defendant entered the Senate Spouses' Lobby before continuing to the Crypt. After spending several minutes in the Crypt, Ardolino returned to the Senate Wing Door and exited the U.S. Capitol Building at approximately 3:26 p.m.

12. After leaving the U.S. Capitol Building, the defendant filmed a group of officers arriving on the U.S. Capitol Grounds, and called them "traitors" and other obscenities. The defendant also texted an associate "I was their. I went in the capital . . ."

13. Throughout his time in the U.S. Capitol Building and on its grounds, the defendant captured several photos of other rioters, broken windows, and police officers as shown below. At some point during the day, the defendant said that he saw police officers use tear gas against rioters.

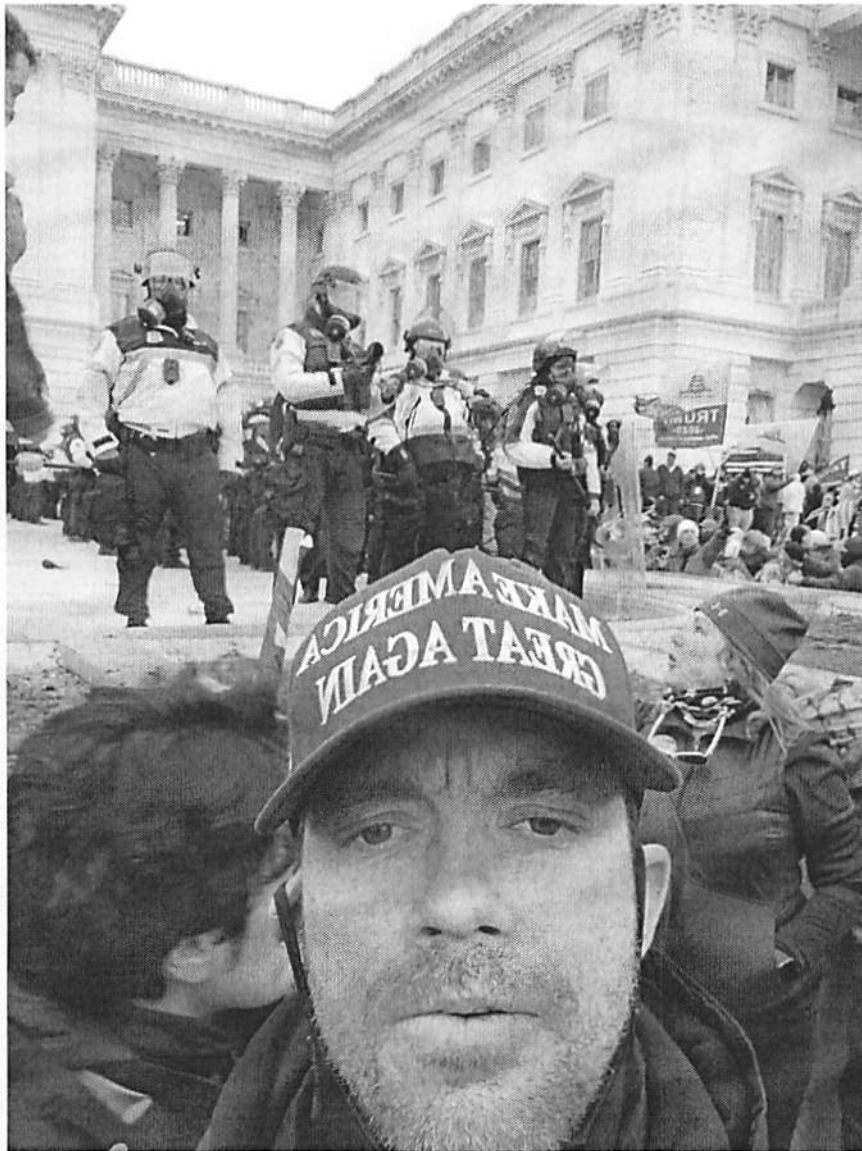


Figure 1



Figure 2



Figure 3




Figure 4

14. The defendant engaged in parading demonstrating, or picketing in a Capitol Building, in violation of 40 U.S.C. § 5104(e)(2)(G). Specifically, the defendant knew at the time he entered the U.S. Capitol Building that he did not have permission to enter the building and the defendant paraded, demonstrated, or picketed.

Respectfully submitted,

MATTHEW M. GRAVES  
United States Attorney

By:

  
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Andrew S. Haag  
Assistant United States Attorney

DEFENDANT'S ACKNOWLEDGMENT

I, Vincent Ardolino, 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.

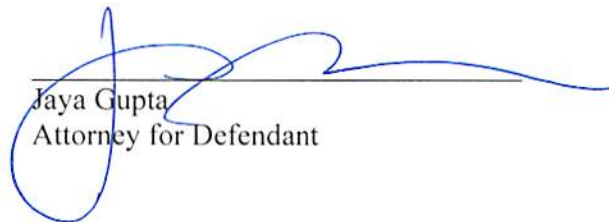
Date: 5-8-23

  
\_\_\_\_\_  
Vincent Ardolino  
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: May 8, 2023

  
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Jaya Gupta  
Attorney for Defendant