

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA :
 :
v. : Case No: 1:21-CR-00244-01-CKK
 :
 :
JERRY RYALS, : 18 U.S.C. § 231(a)(3)
 :
 :
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, JERRY RYALS, 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.

RYALS's Participation in the January 6, 2021, Capitol Breach

8. On January 5, 2021, RYALS drove himself and two other individuals, including co-defendant Anthony Griffith, from Oklahoma to a hotel outside of Washington D.C., in Virginia. The morning of January 6, 2021, RYALS and the other two individuals traveled to Washington D.C. to attend the “Stop the Steal” rally. He attended the rally to protest the results of the 2020 presidential election. RYALS wore a red “2020 TRUMP” hat to the rally. He also wore a charcoal-colored jacket and blue jeans.

9. After the speeches, however, RYALS walked with the crowd towards the United States Capitol. RYALS later described the scene outside the Capitol as one in which the Capitol Police were throwing percussion grenades, using pepper spray, and shooting rubber bullets from

the Capitol steps. At this point, RYALS filmed a video with his phone from the bottom of the Capitol steps. The video showed multiple people standing on the Capitol steps. In the video, RYALS states: "They are tear gassing, throwing flash bangs, pepper spray, but we will not concede." Additionally, the Capitol Police, through verbal directives, were ordering people away from the Capitol.

10. RYALS saw the crowd shift and start going up the stairs with people in the crowd yelling "come on!" RYALS began going up the stairs with the crowd. RYALS knew it was a bad idea to go inside the Capitol so briefly retreated back down the steps, but ultimately, decided to continue toward the Capitol doors.

11. At some point just before entering, RYALS filmed a video with his phone from the Capitol steps. The video showed multiple people standing outside the Capitol and multiple people entering the Capitol. In the video, RYALS states: "We definitely have enough people to overthrow this bitch. They don't stand a fucking chance. We got the fucking doors open up there I guess. We're working our way in slowly but surely." RYALS entered through a side door.

12. RYALS remained inside of the Capitol for approximately 10-15 minutes, remaining primarily in an unspecified office space. As he made his way to other parts of the Capitol, he and others were confronted by several Capitol police officers who directed them back outside through the same door he entered. RYALS remained back outside for 5-10 minutes, then returned to the side door and entered, however, Capitol riot police were in the hallway inside the door, ordering and pushing people out of the Capitol. At some point the police began shooting pepper balls at the crowd, and he was struck in the shoulder with one.

13. Despite orders from the Capitol Police to leave, RYALS reentered the Capitol through a set of double doors. RYALS walked through and/or remained in several areas on

multiple floors of the Capitol, including the Rotunda and the Crypt. RYALS spent approximately 30 minutes inside the Capitol after his reentry, taking photos and video while inside. RYALS exited the Capitol but remained on the grounds.

14. At approximately 6:30 p.m., RYALS and co-defendant Griffith returned to their vehicle where they met with the other individual they came with. They returned to their hotel in Virginia. They all drove back to Oklahoma the next morning.

15. At some point on January 7, 2021, RYALS posted the following message on his Facebook account:

Where we go one we go all, and Yesterday was a monumental day in history. Millions of trump supports lined out by the Washington monument to hear Trump, and after just minutes of his speech, before he had even gotten started, the patriots walked down toward Capitol Hill to #StopThe Steal

We reclaimed our Capitol, just to be slandered by the media pushing this Great Reset agenda and who have their hands in the CCP's pockets. I just ask the American people to wake up if you haven't already. Things are headed in the direction of Revolutionary war against the corruption in our government. The media labeled us as "barbarians", yet every person I talked to today was a good hearted Christian, who all said they've never really gone to any rally, protest, or anything like what we did today. Seeing millions of patriots covering the streets from Capitol Hill to the Washington monument, on both streets, sidewalk to sidewalk, showed me the true nature of the American spirit, and this corruption can go on no longer. It is our responsibility to handle this at all costs. We are not animals, we are not barbarians, we are the heart of this country, and the last ones to stand up for your freedom. #GodBlessAmerica #Trump2020Landslide #nomorebullshit #Freedom

16. For purposes of this statement, RYALS further admits that on January 6, 2021, he knowingly proceeded up the stairs of the United States Capitol, entered, exited after being told to leave by law enforcement officers, reentered at another door and was forced out by law enforcement officers. RYALS then reentered the United States Capitol, a restricted building, and remained for approximately 30 minutes. RYALS admits these actions impeded and interfered with law enforcement officers engaged in official duties, including, but not limited to, the protection

and security of the United States Capitol. RYALS also admits that that on January 6, 2021, on the grounds of the United States Capitol, numerous law enforcement officers with the Capitol Police were engaged in the performance of federally protected functions during the commission of a civil disorder – namely, a riot. RYALS admits that the civil disorder on January 6, 2021, obstructed and adversely affected the Capitol Police’s performance of those federally protected functions.

Respectfully submitted,


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DEFENDANT'S ACKNOWLEDGMENT

I, JERRY RYALS, 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: 5-3-2022

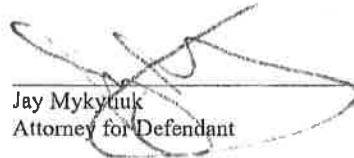


Jerry Ryals
Defendant

ATTORNEY'S ACKNOWLEDGMENT

I, JAY MYKYTIUK, 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: 5/3/22



Jay Mykytiuk
Attorney for Defendant