

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

**UNITED STATES OF AMERICA** : **Case No: 21-cr-737-EGS**  
:   
**v.** : **40 U.S.C. § 5104(e)(2)(G)**  
:   
**JEFFREY WILLIAM HUBBARD** :   
:   
**Defendant.** :

**STATEMENT OF OFFENSE**

1. The Government respectfully submits the following Statement of Offense in support of a plea of guilty by defendant Jeffrey William Hubbard (“Hubbard”) to Count Four of the Information in the above-captioned matter.

2. If this case were to go to trial, the government would prove the following facts beyond a reasonable doubt:

3. 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.

4. On January 6, 2021, the exterior plaza of the U.S. Capitol was closed to members of the public.

5. 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.

6. 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.

7. 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.

8. 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.

9. 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.

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

10. At approximately 2:22 p.m. EST on January 6, 2021, Hubbard entered the U.S. Capitol Building by climbing through a broken window next to the Senate Wing Door. Hubbard then made his way through the Crypt and upstairs to the Rotunda.

11. Hubbard then entered the Statuary Hall connector at approximately 2:31 p.m., where he stood near the front of a mob that was attempting to push past uniformed police who were guarding the House Chamber. The mob eventually stormed past the police line, and Hubbard observed rioters try to violently break through the main entrance to the House Chamber.

12. Hubbard continued to linger around the hallways surrounding the House Chamber until approximately 2:56 p.m., when he began making his way back to the Rotunda. At

approximately 2:59 p.m., Hubbard re-entered the Rotunda and gradually worked his way to the front of a crowd that was squaring off with uniformed police officers inside the Rotunda.

13. Shortly thereafter, a physical struggle ensued between the uniformed officers in and the rioters inside the Rotunda. During this struggle, Hubbard was pepper sprayed in his face.

14. Hubbard eventually exited the U.S. Capitol Building through the East Rotunda Doors at approximately 3:16 p.m. EST.

15. Hubbard spent a total of approximately 54 minutes inside the U.S. Capitol Building.

16. Hubbard knowingly and voluntarily admits to all of the elements of 40 U.S.C. § 5104(e)(2)(G). Specifically, defendant willfully and knowingly entered the U.S. Capitol Building knowing that he did not have permission to do so. Defendant further admits that while inside the Capitol, defendant willfully and knowingly paraded, demonstrated, or picketed.

Respectfully submitted,

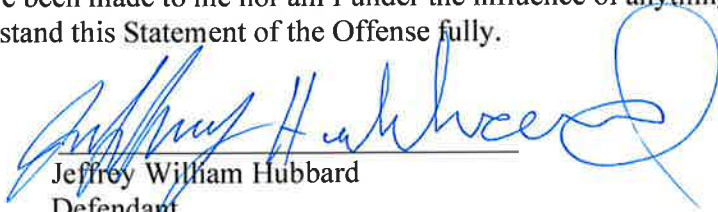
MATTHEW M. GRAVES  
Acting United States Attorney  
D.C. Bar No. 481052

By: /s/ Hava Arin Levenson Mirell  
Hava Arin Levenson Mirell  
Assistant United States Attorney

DEFENDANT'S ACKNOWLEDGMENT

I, Jeffrey William Hubbard, 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: 11/3/22

  
\_\_\_\_\_  
Jeffrey William Hubbard  
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: 11/3/22

  
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Conor Huseby  
Attorney for Defendant