

FILED

AUG - 5 2022

Clerk, U.S. District and
Bankruptcy Courts

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

UNITED STATES OF AMERICA :	Case No: 21-CR-126 (BAH)
v. :	
TROY FAULKNER, :	18 U.S.C. § 1361
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, Troy Elbert Faulkner, 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.

Faulkner's Participation in the January 6, 2021, Capitol Riot

8. Sometime after 2:30 p.m. on January 6, 2021, the defendant, Troy Elbert Faulkner, was part of a large crowd outside the U.S. Capitol. The defendant admits that he unlawfully kicked-in and broke a window at the U.S. Capitol, identified by the Architect of the Capitol (AOC), as United States Capitol Building - S1CR4S. Faulkner admits that he jumped up onto a window ledge of that window, identified above, that has multiple panes and leads to inside the U. S. Capitol Building. Faulkner admits using his left foot to kick-in two lower panes of the window, shattering them.

9. On January 13, 2021, on a recorded call to the FBI National Threat Operations Center hotline, and subsequent interviews with law enforcement officers, Faulkner called into the FBI hotline identifying himself as Troy Faulkner, gave his date of birth and his cellular phone number to report and admit the he had kicked in the window pane at the U.S. Capitol as seen on

the videos showing his destruction of the U.S. Capitol's window in Washington, D.C., on January 6, 2021, as seen on the below photo.



10. The Architect of the Capitol has estimated that cost of the damage to the broken window/windowpanes is \$10,560. The window is property of the United States.

Elements of the Offense

11. Faulkner knowingly and voluntarily admits to all the elements of 18 U.S.C. § 1361. Specifically, Faulkner admits that the defendant willfully damaged or destroyed property of the United States.

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

By: Emory V. Cole
Emory V. Cole
Assistant United States Attorney

DEFENDANT'S ACKNOWLEDGMENT

I, Troy Elbert Faulkner, have read this Statement of Offense and carefully reviewed every part of it with my attorney. I am fully satisfied with the legal services provided by my attorney in connection with this Statement of Offense and all matters relating to it. I fully understand this Statement of Offense and voluntarily agree to it. No threats have been made to me, nor am I under the influence of anything that could impede my ability to fully understand this Statement of Offense. No agreements, promises, understandings, or representations have been made with, to, or for me other than those set forth above.

Date: 08/03/22

/s/ Troy Faulkner

Troy Elbert Faulkner
Defendant

ATTORNEY'S ACKNOWLEDGMENT

I am Troy Elbert Faulkner's defense attorney. I have reviewed every part of this Statement of Offense with him. It accurately and completely sets forth the Statement of Offense agreed to by the defendant and the Office of the United States Attorney for the District of Columbia. 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: 08/03/22

/s/ John L. Machado

John L. Machado
Attorney for Defendant