

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	Case No: 1:22-CR-56 (APM)
	:	
v.	:	40 U.S.C. § 5104(e)(2)(G)
	:	
JULIANO GROSS,	:	
	:	
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 Juliano Gross (“the defendant” or “Gross”), 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.

Juliano Gross's Participation in the January 6, 2021, Capitol Riot

8. The defendant, Juliano Gross, lives in Kearny, New Jersey. On January 5, 2021, the defendant traveled with his mother from New Jersey to Washington, D.C. via automobile. The purpose of the defendant's trip was to protest Congress's certification of the Electoral College. Gross also intended to livestream the rally on the social media platform TikTok to raise money through donations.

9. On January 6, 2021, the defendant and his mother attended the "Stop the Steal" rally in Washington, D.C. The defendant then marched with other individuals to the U.S. Capitol Grounds while his mother returned to her car.

10. While he was present on restricted U.S. Capitol Grounds, Gross observed other individuals climbing walls and moving security fences.

11. Gross unlawfully entered the U.S. Capitol Building through the through the Upper West Terrace door at 2:35 p.m. on January 6, 2021. Gross livestreamed his entry into the Capitol Building and his presence there to his viewers on TikTok. At the time that Gross entered the Capitol, a security alarm sounded from the West Terrace door.

12. Gross walked to the Capitol Rotunda and arrived in the Rotunda at around 2:39 p.m. In his TikTok livestream, Gross made statements from the Rotunda including, “We are in the Capitol Building. Power back to America. We are in the Capitol Building. The Capitol Building has been overthrown. It has been overthrown.”

13. Gross then proceeded past the Rotunda Door between 2:41 p.m. and 2:42 p.m. and walked up the stairs toward the Senate Gallery. He traveled down the East Corridor to the Senate Gallery. Between approximately 2:44 p.m. and 2:50 p.m., Gross entered the Senate Gallery, exited, entered again, and exited.

14. In the TikTok video Gross livestreamed from the Senate Gallery, he can be heard yelling at the individuals on the Senate Floor, “Open the door! Open the door!” Gross made comments after he left the Senate Gallery including, “Our Capitol! Our Capitol! We take back our country today!”

15. After Gross left the Senate Gallery, he proceeded out of the U.S. Capitol Building. Documenting his exit from the Capitol Building on TikTok, the defendant stated, “we are gonna to head out because we just got an emergency alert that they have mobilized the National Guard, so I’m heading out.”

16. During the evening of January 6, 2021, and in the days immediately following, Gross posted images taken outside the U.S. Capitol Building on January 6, 2021 on his social media accounts, including those on Parler and Instagram. Gross included comments such as “AMERICA took over the capital [sic] building,” “Yoo. America speaking load [sic] today,” and “Antifa is responsible for the small violence outbreaks. Patriots were peaceful!”

Elements of the Offense

17. Juliano Gross knowingly and voluntarily admits to all of the elements of Parading, Demonstrating, or Picketing in a Capitol Building, in violation of 40 U.S.C. § 5104(e)(2)(G). Specifically, the defendant admits that he 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, he willfully and knowingly paraded, demonstrated, or picketed.

Respectfully submitted,

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

By: **JORDAN
KONIG** Digitally signed by JORDAN
KONIG
Date: 2022.05.12 15:16:38
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Jordan A. Konig
Trial Attorney, Department of Justice
Detailed to the U.S. Attorney’s Office

DEFENDANT'S ACKNOWLEDGMENT

I, Juliano Gross, 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: 6/30/22



JULIANO GROSS
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: 6-30-22



PATRICK McMAHON
Attorney for Defendant