

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

UNITED STATES OF AMERICA	:	Case No: <u>21-CR-420</u>
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	:	18 U.S.C. § 1752(a)(1)
	:	
v.	:	
	:	
WILLIAM TRYON	:	
	:	
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, William Tryon, 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.

William Tryon's Participation in the January 6, 2021, Capitol Riot

8. On January 5, 2021, the defendant traveled with three friends from their homes located near Albany, New York to Washington, D.C. to attend the “Stop the Steal” rally that was scheduled to take place at the Ellipse, the 52-acre park located south of the White House, on January 6, 2021. The morning of January 6, 2021, the defendant and his friends departed from the Ellipse at the conclusion of the rally and began to follow a massive crowd to the U.S. Capitol Building. Prior to their arrival at the Capitol, the defendant stated that he heard “booms” and saw smoke. As he neared the building, he stepped over broken down fencing and saw people on scaffolding and a crowd of people on the steps leading to the westside of the Capitol. Because he could not get near the building on that side, the defendant made a right turn and headed toward the

southern and eastern end of the Capitol. There, he saw a line of police officers standing guard, blocking access to the Capitol. The defendant approached the officers and asked for permission to enter the Capitol; he was denied. Rather than accept the officers' denial, the defendant attempted to gain entry to the Capitol Building and was pepper-sprayed by officers. An image of the defendant standing in close proximity to the doors of the Capitol Building in front of the police officers was obtained during the investigation. Additionally, video of the defendant standing on the Capitol steps, wiping his eyes in response to the pepper-spray, and providing an interview to a reporter about his actions was also obtained. During the video, Tryon stated, "All we want to do is enter, and tell our representatives we want our country back. We're not going to take this." The defendant added, "this was nothing so far."

9. Later, the defendant observed a man removing broken glass from a Capitol Building window to create an opening and enter the Capitol through that opening. The same man reappeared when he opened an adjacent door and encouraged others to enter the building. The defendant entered the Capitol Building through that door, unguarded by police officers. An image of the defendant inside the Capitol was obtained during the investigation. The image shows the defendant carrying an American flag as he stood with other rioters in front of a crowd of uniformed police officers who were blocking the crowd from entering into an interior doorway.

10. The defendant left the Capitol Building at the insistence of police officers. While other police officers were attempting to clear the crowd that included the defendant from the Capitol grounds, the defendant admitted that he obtained a microphone and led a chorus singing "We're Not Gonna Take It," by Twisted Sister.

11. The defendant acknowledges that he took photographs and videos during his presence both inside and outside the Capitol Building.

12. At the time the defendant was present at the Capitol Building on January 6, 2021, he wore a distinctive hat and clothing. Subsequently, law enforcement recovered those items worn by the defendant, as further evidence of his participation in the riot.

13. The defendant knew at the time he entered and remained on the U.S. Capitol grounds and inside the U.S. Capitol Building that he did not have lawful authority to do so and, specifically, had been denied entry into the Capitol Building and an interior location by U.S. Capitol Police officers.

Respectfully submitted,

CHANNING D. PHILLIPS
Acting United States Attorney
D.C. Bar No. 415793

By: /s/ Anita Eve
AUSA ANITA EVE
Assistant United States Attorney
Pennsylvania Bar No. 45519

DEFENDANT'S ACKNOWLEDGMENT

I, William Tryon, 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: August 23, 2021

William P. Tryon
William Tryon
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: August 23, 2021

Joel Ablove
Joel Ablove
Attorney for Defendant