

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

UNITED STATES OF AMERICA

v.

BRANDON PRENZLIN,

Defendant.

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Case No.: 21-CR-694 (TNM)

40 U.S.C. § 5104(e)(2)(G)

STATEMENT OF OFFENSE

Pursuant to Fed. R. Crim. P. 11, the United States of America, by and through its attorney, the United States Attorney for the District of Columbia, and the defendant, **BRANDON PRENZLIN**, 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 twenty-four hours a day by U.S. Capitol Police (USCP). Restrictions around the Capitol include permanent and temporary security barriers and posts manned by USCP. Only authorized people with appropriate identification are allowed access inside the Capitol.

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

3. On January 6, 2021, a joint session of the United States Congress convened at the 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 Capitol to certify the vote count of the Electoral College of the 2020

Presidential Election, which had taken place on Tuesday, November 3, 2020. The joint session began at approximately 1:00 PM. Shortly thereafter, by approximately 1:30 PM, 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 Capitol. Temporary and permanent barricades, as noted above, were in place around the exterior of the Capitol, and USCP officers were present and attempting to keep the crowd away from the Capitol and the proceedings underway inside.

5. At approximately 2:00 PM, certain individuals in the crowd forced their way through, up, and over the barricades. Officers of the USCP were forced to retreat 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 as required by USCP officers or other authorized security officials.

6. At such time, the certification proceedings were still underway, and the exterior doors and windows of the Capitol were locked or otherwise secured. Members of the USCP attempted to maintain order and keep the crowd from entering the Capitol; however, shortly after 2:00 PM, individuals in the crowd forced entry into the 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 Capitol, requiring the expenditure of more than \$1.4 million dollars for repairs.

7. Shortly thereafter, at approximately 2:20 PM, members of the House of Representatives and of the 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 PM on January 6, 2021. In light of the dangerous circumstances caused by the unlawful entry to the Capitol—including the danger posed by individuals who had entered the Capitol without any security screening or weapons check—Congressional proceedings could not resume until after every unauthorized occupant had been removed from or left the Capitol, and USCP confirmed that the building was secured. The proceedings resumed at approximately 8:00 PM after the building had been secured. Vice President Pence remained in the Capitol from the time he was evacuated from the Senate Chamber until the session resumed.

BRANDON PRENZLIN's Participation in the January 6, 2021, Capitol Riot

8. The defendant, **BRANDON PRENZLIN**, was a resident of Arlington, Virginia on January 6, 2021. On January 6, 2021, defendant attended the “Stop the Steal” rally and then marched with other protestors to the Capitol.

9. The defendant approached the Capitol building on its the east side. When the defendant arrived on the east side of Capitol grounds, barriers were still in place restricting access to the East Plaza of the Capitol. He observed a law enforcement presence guarding the perimeter of the restricted area. Approximately 20 minutes after his arrival on the east side of Capitol grounds, the defendant saw rioters overwhelm law enforcement and breach the barriers blocking the East Plaza of the Capitol. The defendant entered the restricted area some time after the barriers had been breached.

10. The defendant understood that the barriers indicated that the Capitol grounds and building were closed to the public. The defendant understood that, on a typical day, the public is not permitted to enter the Capitol building except through the Capitol Visitors' Center.

11. While outside the Capitol building, the defendant observed and heard confrontations between the police and rioters escalate. He saw smoke, which he understood to have come from "flash bangs," emanating from the East Rotunda Doors in the center of the building. The defendant observed rioters running up the stairs toward and "storming" the Capitol building.

12. The defendant entered the U.S. Capitol building through the Upper House Door on the southeast side of the building at approximately 2:51 p.m. The defendant walked down a corridor to the left of the Upper House Door where he observed a group of law enforcement officers from the Metropolitan Police Department (MPD) arrive. These officers were wearing official uniforms including badges, name plates, patches, helmets, and other distinctive markings indicating that they were law enforcement officers. The MPD officers arranged themselves in a formation and began to clear the corridor that the defendant was standing in. The defendant exited the building as part of the crowd that MPD officers cleared from the corridor. The defendant remained in the building for approximately 3 minutes and 35 seconds before exiting out the same door that he entered.

13. In a voluntary interview with FBI following his arrest on September 17, 2021, the defendant admitted to being present on Capitol grounds on January 6, 2021, and admitted that he knew the area around the Capitol was restricted before the area was breached by rioters. When asked directly whether he entered the Capitol building, the defendant stated that he did not enter

the Capitol building. When asked again, the defendant repeated that he did not enter the Capitol building. The defendant then admitted that he did, in fact, enter the Capitol building.

Elements of the Offense

14. BRANDON PRENZLIN knowingly and voluntarily admits to all the elements of 40 U.S.C. § 5104(e)(1)(G) (parading, picketing, or demonstrating while inside the Capitol building). Specifically, defendant admits that


- The defendant willfully and knowingly entered the U.S. Capitol Building knowing that 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
United States Attorney
D.C. Bar No. 481052

By:

/s/


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DEFENDANT'S ACKNOWLEDGMENT

I, Brandon Prenzlin, 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: 3-18-2022



Brandon Prenzlin
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: 3/21/2022



Chris Wiest
Christopher Macchiaroli
Attorneys for Defendant