

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

UNITED STATES OF AMERICA	:	
	:	Case No: 21-cr-454
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	:	
	:	18 U.S.C. §1512(c)(2)
	:	
v.	:	
	:	
ANTHONY PUMA	:	
	:	
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, ANTHONY PUMA, 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.

Anthony Puma's Participation in the January 6, 2021, Capitol Riot

8. ANTHONY PUMA (“PUMA”) approached the United States Capitol on January 6, 2021, wearing a Go-Pro Camera strapped to his head. The Go-Pro Camera captured footage of PUMA’s activities in and around the Capitol on January 6, 2021.

9. PUMA approached a wall surrounding the Capitol Building and encouraged individuals in front of him to move forward and clear the way for others attempting to scale the wall. PUMA climbed the wall, and walked onto an exterior mezzanine outside the United States Capitol Building.

10. At the time, PUMA was aware that Mayor Muriel Bowser had issued a “curfew,” directing all individuals to return to their homes and clear the streets by a specific time that

evening. PUMA told other individuals in the crowd that he was going to ignore the curfew, stating, "I just scaled that wall." PUMA then entered the U.S. Capitol Building through a broken window, near the west entrance of the building.

11. Once inside, PUMA walked around the building and walked into various offices. PUMA, still recording the activities with his Go-Pro camera, observed individuals smoking marijuana inside an office, and asked if he could join them. After leaving the office, in response to being told by another individual inside the Capitol that "SWAT" was responding to the scene, PUMA stated, "That's a lie." Moments later, PUMA told another rioter in reference to potential arrests, "They ain't got enough space for everybody."

12. PUMA posted and shared statements, photos, and video on Facebook:

- a. On December 31, 2020, PUMA posted the following comment on Facebook, "On the 6th when we are all there in the capital and he is givin (sic) his second term the people will see. Then you never know we might have to start killing some commie bastards. #stopthesteal."
- b. On January 5, 2021, PUMA posted a picture to his Facebook account of a crowd of people carrying Trump signs or flags. Later that day PUMA, in a response to a friend's comment saying that he/she was proud of him, wrote, "Thank you. Tomorrow is the big day. Rig for Red. War is coming." Puma also posted the following comment to his Facebook account in the night between January 5, 2021, and January 6, 2021, "We are here. What time do we storm the House of Representatives?" An hour later, PUMA posted, "Hopefully we are storming the House of Representatives tomorrow at 100pm."

- c. In comments posted by PUMA following the breach of the U.S. Capitol on January 6, 2021, PUMA admitted that he was present and observed the events that occurred. PUMA wrote, “I was there. They were flash banging us. Tear gassing us. Pepper spraying us. We were outside. Don’t believe the NEWS. I have hours of video on my go pro.”
- d. A Facebook friend of PUMA’s posted a comment, stating that he had a “buddy who was there, recording the activities on live stream the whole time.” At 01:03 UTC on January 7, 2021, PUMA’s Facebook friend posted what appears to be a screenshot of a livestream event showing a police line with shields. Comments visible on the livestream indicate that PUMA was the one posting this live-stream.
- e. On January 10, 2021, PUMA wrote about the hours of video he captured at the U.S. Capitol on January 6, 2021. In one comment, PUMA wrote, “Those were after my go pro died. I only went live after my battery died. That was hours after all the start of the day. But they were assholes. The stormtroopers flash banged us and shot rubber bullets into the crowd”.

The defendant knew at the time he entered the U.S. Capitol Building that he did not have permission to enter the building. The defendant obstructed, influenced, and impeded an official proceeding, that is, a proceeding before Congress, specifically, Congress’s certification of the Electoral College vote as set out in the Twelfth Amendment of the Constitution of the United States and 3 U.S.C. §§ 15-18.

Respectfully submitted,

MATTHEW M. GRAVES
UNITED STATES ATTORNEY

D.C. Bar No. 481052

By: /s/ Francesco Valentini
FRANCESCO VALENTINI
D.C. Bar No. 986769
Trial Attorney, Criminal Division
(Detailed to the United States Attorney's Office)

DEFENDANT'S ACKNOWLEDGMENT

I, Anthony Puma, 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: 7/14/2022

Anthony Puma

Anthony Puma
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: 7-14-2022

MJ

Maria Jacob
Attorney for Defendant