

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

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| <b>UNITED STATES OF AMERICA</b> | : | <b>CRIMINAL NO.: 22-CR-</b>                   |
|                                 | : |   |
| <b>v.</b>                       | : | <b>MAGISTRATE NO. 22-MJ-151</b>               |
|                                 | : |   |
| <b>JOHN THOMAS GORDON,</b>      | : | <b>18 U.S.C. § 231(a)(3) – Civil Disorder</b> |
|                                 | : |   |
| <b>Defendant.</b>               | : |   |

**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, JOHN THOMAS GORDON, 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.

***GORDON's Participation in the January 6, 2021 Capitol Riot***

8. On January 5, 2021, GORDON traveled from his residence in West Virginia to Washington, D.C. to attend the “Stop the Steal” rally and election-related events occurring on January 6, 2021.

9. On January 6, 2021, GORDON attended the rally in Washington, D.C. with some friends and then walked to the U.S. Capitol complex with a crowd of people after the rally.

10. When GORDON arrived at the U.S. Capitol on January 6, 2021, a large crowd had assembled on the grounds surrounding the U.S. Capitol building. GORDON observed that the building was closed to the public and law enforcement officers were actively attempting to keep the crowd from entering the building.

11. GORDON ascended to the West Terrace of U.S. Capitol grounds and proceeded to the North doors to the U.S. Capitol building, which were closed. He observed a crowd attempting to gain access to the building through the North doors.

12. The North doors of the U.S. Capitol building were comprised of a set of outer doors, which lead to a vestibule, and a set of inner doors, which lead into the U.S. Capitol building. At approximately 4:00 p.m., the outer doors were being held open by protestors as law enforcement officers were standing behind the inner doors actively attempting to prevent protestors from entering the U.S. Capitol building. The law enforcement officers attempting to prevent entry through the inner doors were visible to protesters, including GORDON, from the outside of the U.S. Capitol building. The law enforcement officers behind the inner doors were periodically opening the inner doors just enough to spray chemical irritants toward the crowd of protesters attempting entry into the building.

13. At approximately 4:08 p.m., GORDON observed that members of the assembled crowd attempting to gain entry to the U.S. Capitol Building through the set of inner North doors by causing damage. Shortly after law enforcement officers sprayed chemical irritants to disperse the crowd of protesters standing near the outer doors, GORDON yelled obscenities at law enforcement officers behind the inner doors and began repeatedly throwing a projectile at the inner doors. A loud “thud” could be heard as the projectile impacted the inner doors. The crowd of protesters cheered as GORDON repeatedly threw the heavy projectile. GORDON threw a heavy projectile at the inner doors at least four times. GORDON continued to yell obscenities at law enforcement officers behind the inner doors while showing them his middle fingers. Law enforcement officers continued to spray chemical irritants to disperse the crowd standing near the outer doors and in the vestibule.

14. At approximately 4:10 p.m., GORDON began charging the inner doors and kicking them with enough force to damage and cause the inner doors to briefly open. GORDON was handed a pair of ski goggles by another protester in effort to better withstand the chemical irritants being sprayed by law enforcement officers. GORDON then walked away from the North doors.

15. GORDON knowingly and voluntarily admits to all the elements of 18 U.S.C. 231, including that GORDON committed or attempted to commit an act to obstruct, impede, or interfere with one or more law enforcement officers carrying out their duties.

Respectfully submitted,


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

By: /s/ Andrew J. Tessman  
Andrew J. Tessman  
Assistant United States Attorney

DEFENDANT'S ACKNOWLEDGMENT

I, John Thomas Gordon, 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.

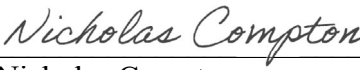
Date: 10-14-2022

  
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John Thomas Gordon  
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: 10-14-2022

  
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Nicholas Compton  
Attorney for Defendant