

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

**UNITED STATES**

Prosecution

**v.**

**RILEY PEZZOLA**

Defendant

Case No.: CAMP-2023 HHS

**Attempted Murder (18 U.S.C. 1113)**

## **I. Charge**

The defendant is charged with attempted murder in violation of 18 U.S.C 1113. In order for the defendant to be found guilty of that charge, the government must prove each of the following elements beyond a reasonable doubt:

1. The defendant did something that was a substantial step toward killing Mike Donohoe and that strongly corroborated the defendant's intent to commit that crime;
2. When the defendant took that substantial step, the defendant intended to kill Mike Donohoe.

Mere preparation is not a substantial step toward committing the crime. To constitute a substantial step, a defendant's act or actions must unequivocally demonstrate that the crime will take place unless interrupted by independent circumstances.

## **II. Standard**

Beyond a reasonable doubt means that the prosecution must convince the jury that there is no other reasonable explanation that can come from the evidence presented at trial. In other words, the jury must be virtually certain of the defendant's guilt in order to render a guilty verdict.

## **III. Witnesses**

1. **For the Prosecution:**
  - a. Secret Service Agent Perri Devon-Sand
  - b. Sandy Van Beek (Loyal Few Member)
2. **For the Defense**
  - a. Riley Pezzola (Defendant)
  - b. Fran Munoz (Partner of Riley Pezzola)

## **IV. Stipulations**

1. On January 6th, 2021, Sandy Van Beek was identified on video outside the Capitol building before the initial breach, inside the Capitol Rotunda and inside the Senate chamber, but was not definitively identified in any other location.
2. Brenda Abdelnaby, Dagny Dingman, Ryan Almstead, and Venus Cayabyab were all charged for trespassing at the Capitol on January 6th. Ryan Almstead was also charged with felony theft of government property for stealing a laptop from Nancy Pelosi's office.



3. There were no fingerprints found on the utility knife holster.

# SECRET SERVICE INVESTIGATIVE REPORT

## AGENT QUALIFICATIONS

My name is Perri Devon-Sand. I have been an agent with the United States Secret Service since 1997. I specialize in public official protection. I have been assigned to protect dozens of public officials, including Supreme Court Justices, United States Senators, one United States President, and candidates for federal office. I completed my protection and investigation training at the Federal Protective Service Center in Quantico, VA. I also hold a bachelor's degree in criminal justice from Stanford, and a Master's in Criminology from New York University.

## ASSIGNMENT

On January 6, 2021, I was on assignment in the District of Columbia. My job was to protect then Vice-President Mike Donohoe at the Capitol Building. Donohoe had been elected Vice President in 2016 with President Lauren Adams. Prior to being elected Vice President, Donohoe was a United States Representative from California's 14th Congressional District, covering San Mateo County and southwest San Francisco. Following the 2020 Presidential election won by Allie Sison, Vice President Donohoe's role was to certify the election by receiving and counting the electoral votes from each of the states. The election certification is a largely ceremonial procedure, however, this certification had garnered more media attention because then-President Adams had been publicly pressuring the Vice President to refuse the electoral votes from the states, which would thereby prevent Sison from becoming President (see Exhibits 1a-d). My security team inside the Capitol building included a dozen Secret Service agents and about ten state level law enforcement officers.

## BREACH OF CAPITOL; REMOVAL TO SECURE LOCATION

That morning, President Adams had a rally scheduled for noon on January 6, 2021 at the Ellipse, just south of the White House, in Washington D.C. We expected thousands of attendees at the rally, and we had intelligence that the rally attendees may move from the Ellipse to the Capitol, which they did. I created a map showing the major landmarks, and the route taken by the protesters from the Ellipse to the Capitol [Exhibit 2]. We were aware that two major pro-Adams' groups, The Loyal Few and the Five Percenters, were responsible for encouraging members to attend, even arranging for transportation from all over the country to Washington, D.C. Some of the most prominent members of the two groups had maintained that the 2020 President was fraudulent and that votes had been illegally flipped from Adams to President-elect Sison. Some had even called for violent rebellion if Sison was certified as the winner. Adams ended her speech around 12:45 and told his supporters to walk to the Capitol, saying, "After this, we're going to walk down and I'll be there with you." By 1:00 there was a large group walking from the Ellipse to the Capitol. At about 1:45 the protesters approached the police barricade set up on the Capitol steps.

At 1:52, we received a report from the D.C. police chief that the barricade on the steps of the

Capitol had been breached by the mob and that there was a group attempting to break through doors and windows to enter the building. At 2:00 we received a report that a smaller group of protesters had overrun a group of riot police below the main steps. One of the members of the mob had taken a police riot shield and was using the shield to break through a window on the first floor of the Capitol building. I later learned that the rioter who used the shield to break the window was identified through our facial recognition cameras as Riley Pezzola [Exhibit 15a-b]. Pezzola's image had been uploaded into our system based on Pezzola's prior criminal record for attempted murder, and two separate charges for felony assault [Exhibit 3].

At 2:06, we received a report that Pezzola had successfully broken the window and that rioters were streaming into the Capitol building. At that point, I made the decision to remove Vice President Donohoe from the floor of the Senate chamber to an unmarked secure room down a corridor off the Chamber floor. This secure room was different from his regular Senate office [Exhibit 4].

A few minutes later, we received a radio message that the first members of the mob entered the Senate chamber, and several minutes after that we heard at least two members of the mob walking down the corridor where the unmarked secure room was located. We heard some conversation, but almost all of it was muffled and inaudible. The only phrases we were able to hear were, "look at the map," "wrong hallway," "back that way." The mob never attempted to breach the secure room where we were located, presumably because they did not know that Vice President Donohoe was located inside the room. After about 45 minutes we had the opportunity to leave the secure room through a stairwell that led to the underground garage. We then removed the Vice President from the grounds to a secure location within the City. About six hours later at 8:30 PM, we received clearance to return to the Capitol, at which time the Vice President was able to resume the work of certifying the election in the Senate chamber. The election was certified at 2:00 AM.

Perri Devon-Sand

Perri Devon-Sand

February 15, 2021

## **SUPPLEMENTAL REPORT**

### **INVESTIGATION OF RILEY PEZZOLA**

Within hours after the Capitol was breached we were able to identify several of the mob through our facial recognition camera system set up outside the building. When I received the identity of Pezzola, I had a team search hotel records in the District of Columbia, and the outer Maryland and Virginia suburbs. We found hotel records showing that Pezzola had checked into the Radisson Inn in the Adams Morgan neighborhood of Washington, D.C. at 5:30 PM on January 5, 2021. Though his reservations had Pezzola staying through the 6th, and checking out on the 7th, we learned that

Pezzola never checked out of the hotel. The hotel did recover several items from his room which they put in a garbage bag and stored:

1. A type of utility knife [Exhibit 5a]
2. A holster for the utility knife [Exhibit 5b]
3. Tactical vest with zip ties in the velcro compartments [Exhibit 5c-d].
4. A baseball hat with the Loyal Few logo [Exhibit 5e].
5. A cell phone [Exhibit 5f] from which we were able to recover one encrypted message on the social media app, Telegram, to Sandy Van Beek that said, "I'm here, but Donohoe isn't. What should I do?" [Exhibit 6].<sup>1</sup>
6. A red can of pepper spray [Exhibit 5g].
7. A balaclava, or ski mask [Exhibit 5h].
8. A 8 ½ x 11 inch map of the Capitol grounds and the interior of the Capitol building, with handwritten labels indicating the Senate chamber, the Rotunda, the House Chamber, and the location of the Vice President's official office at the Capitol [Exhibit 7].

We dusted each of the items for fingerprints. Because of the material of the vest, hat, and ski mask, we were not able to lift any prints off those items. We expected to find prints on the pepper spray and the utility knife, but found none. However, we were able to lift prints off the map. All of the prints on the map matched the prints of Riley Pezzola. The phone contained prints both on the back of the phone and on the screen. Almost all of them were overlapping, smudged and incomplete and so were difficult to match. Some of them did partially match Riley Pezzola, though because of the quality of the prints we were not able to definitely match them with any degree of scientific certainty. However, one nearly full, isolated thumbprint found in the center, bottom third, of the screen did match Sandy Van Beek, another Loyal Few member, with a 95% degree of certainty. [Exhibit 8]. We were able to confirm that Abdelnaby, also a Loyal Few member, was inside the Capitol building on January 6 at at least one point, but were not able to visually track their movements. We were able to recover one still photo of Abdelnaby in the Capitol rotunda. She is circled in white wearing a dark cap with a tan brim, and a dark jacket over a dark hoodie. She is also wearing, what we eventually determined was, a fake mustache and goatee [Exhibit 9].

We found footage of Pezzola both outside the Capitol building before the breach, and, within 20 minutes after the initial breach, inside the Capitol rotunda, and traveling down an interior

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<sup>1</sup>Investigation note: This message was the only message recovered from any of the phones of any so-called Ministry of Self-Defense members (Tariq, Abdelnaby, Cayabyab, Almstead, Van Beek, and Pezzola). All messages, which numbered in the thousands, between members of the MOSD were deleted on the orders of Carlos Tariq, and were not recoverable.

staircase leading to the offices of the Senate leadership and the several unmarked secure rooms available for emergencies where Donohoe was sheltering.<sup>2</sup> We were able to identify Pezzola in these three places (outside Capitol, Rotunda, staircase) by both his face and his dark jacket. There were several blindspots in the Capitol camera system, but 45 seconds after Pezzola was on the stairs we were able to identify two suspects in ski masks in the hallway where the Vice President was sheltering. One of the two masked suspects precisely matched the height, weight, and build of Riley Pezzola, and was wearing black cargo pants, a beige tactical vest over a white t-shirt, and an unzipped dark jacket. The tactical vest appeared to have zip ties in one of the velcro straps and a red can of pepper spray in another. The other person captured was several feet behind the person we believe was Pezzola and was obscured from view for the entirety of the time the two were captured on video. The only things we were able to confirm was that the person was wearing a ski mask, and was roughly the same height as Pezzola, about 5'10". We were also able to capture video of Pezzola, with a dark jacket, exiting the Capitol grounds heading Northbound about 30 minutes after the initial breach.

On August 1, 2022, we located Pezzola at his residence in San Mateo, CA where we arrested them for criminal trespass of the Capitol grounds on January 6, and the attempted murder of Mike Donohoe. Pezzola voluntarily surrendered and sat for questioning at our offices in San Francisco. Pezzola declined to contact an attorney and answered questions over several hours. After gathering further information, which included the interrogation of Sandy Van Beek (identified as W-1 in the House Select Committee Investigation [Exhibit 10]) and the statement of Fran Munoz. Fran Munoz also provided me with a post-it that they said they found in Riley Pezzola's duffel bag on the morning of January 7 which said, "Don't lose your nerve. The world is watching." Then, "CT" [Exhibit 16].

I am familiar with all exhibits and can testify as to their contents.

I investigated the possibility that Brenda Abdelnaby was involved in the attempted murder of Mike Donohoe and determined there was not enough evidence to file charges. This report includes all relevant information about my work in this case.

Perri Devon-Sand  
Perri Devon-Sand  
August 2, 2022

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<sup>2</sup>As President of the Senate (see U.S. Constitution, Article 1, Section 3, Clause), the Vice President maintains an office off the Senate chamber in the event they are called to break a tie vote, and where they conducts any Senate business.

## Selected Excerpts from the Interrogation of Sandy Van Beek—July 15, 2022

1     **Agent Rally:** When did you first join The Loyal Few?

2

3     **Sandy Van Beek:** It was in 2014, in the summer.

4

5     **Rally:** Why did you join?

6

7     **VB:** To meet people. When I joined. The Loyal Few was mostly a group of people who were getting  
8 together socially, for parties, and to get to know new people. I mean we had political beliefs, and I  
9 would say they were mostly on the conservative side, but it wasn't what we were focused on.

10

11     **Rally:** When did it get political?

12

13     **VB:** Summer and fall of 2016 I would say, around the time President Adams began her campaign for  
14 President. That's when our focus shifted to politics.

15

16     **Rally:** When did you first meet Riley Pezzola?

17

18     **VB:** So, I met Riley for the first time when they came to a party at my house. Riley came with a friend of  
19 mine who knew them. We took a picture together. While we were talking we made a crazy discovery  
20 that we had actually grown up in the same town and had some of the same friends in the same  
21 neighborhood that we grew up in. And one of our close mutual friends had died in a snowmobile  
22 accident a few years prior. And we ended up talking about a party where Riley had to stop a guy from  
23 getting jumped—and Riley said, man, I was at that party. And I was like, wow, I was at that party too.

24

25     **Rally:** Did you remain friendly after that?

26

27     **VB:** Yes, we did. As the group got more political, we rose together to become part of an inner circle of  
28 advisors to the leader of the group, Carlos Tariq. We planned protests, directed local LF leaders, and  
29 organized large national events.

30

31     **Rally:** I want to talk more about that. When...

32

33

\* \* \*

34

35     **Rally:** Once the election had been called for Sison, what was the thinking in The Loyal Few?

36

37     **VB:** Once it became clear that the vote was not going to favor Adams we then focused on how we  
were going to correct things. As time passed and the election lawsuits failed, we became focused on

38 one date, and one person.  
39  
40 **Rally:** What date?  
41  
42 **VB:** January 6, 2021.  
43  
44 **Rally:** What person?  
45  
46 **VB:** Vice President Mike Donohoe.  
47  
48 **Rally:** Why was January 6 so important to you?  
49  
50 **VB:** Because that was the date that the election would be certified.  
51  
52 **Rally:** How did you become aware of that date?  
53  
54 **VB:** President Adams herself. She sent out a tweet which was sort of like a signal to us. We thought  
55 she was talking to us. She said, "Big protest in D.C on January 6. Be there, will be wild!" [Exhibit 1a].  
56  
57 **Rally:** Why did you think she was speaking directly to the LF?  
58  
59 **VB:** She'd done it before. She called us out in a Presidential debate. Told us to "stand up and stand by."  
60 We felt like we were her strike force, and we would be ready when she needed us.  
61  
62 **Rally:** Why were you focused on Donohoe?  
63  
64 **VB:** Because as Vice President, he would be the one in charge of finally certifying the election. We  
65 were certain that Donohoe would do the right thing and refuse to certify the election. But he didn't.  
66 He publicly said he had no authority to refuse to certify the election [Exhibit 11]. That's when we  
67 started organizing.  
68  
69 **Rally:** Organizing what?  
70  
71 **Van Beek:** Publicly, it was just a run of the mill protest, but we had bigger ideas.  
72  
73 **Rally:** Like what?  
74  
75 **VB:** In late December 2020, Tariq and a handful of other members of the Loyal Few created a new  
76 secret division of Loyal Fewers that consisted of members from across the country. The new chapter  
77 was referred to as the Ministry of Self Defense or MOSD. He told us it was a non-public "national rally  
78 planning" chapter that would include only "hand selected members."

79  
80 **Rally:** Who was in it?  
81  
82 **VB:** Me, Tariq, Brenda Abdelnaby, Dagny Dingman, Ryan Almstead, Venus Cayabyab, and Riley  
83 Pezzola. Immediately after forming the MOSD, we began preparations for January 6. Tariq also  
84 created an encrypted messaging group for MOSD leaders to communicate.  
85  
86 **Rally:** Can you describe the planning?  
87  
88 **VB:** We had an interior map of Congress that showed both chambers of Congress and the office  
89 locations of the congressional leadership, like Nancy Pelosi. And the location of Donohoe's Senate  
90 office.  
91  
92 **Rally:** How did you get that map?  
93  
94 **VB:** We had an LF member who was an intern in Representative Meredith Tyler-White's office. She  
95 was able to get us a copy of the map and point out the precise location of Donohoe's office.  
96  
97 **Rally:** Ok, keep going.  
98  
99 **VB:** The plan was to infiltrate the Capitol building, locate Donohoe, and prevent him from certifying  
100 the election. I and Dingman would go directly to the chamber. In the event, Donohoe had been  
101 removed from the chamber by the time we got there, Pezzola and Abdelnaby would go to Donohoe's  
102 Senate office.  
103  
104 **Rally:** How did you intend to actually get in the building?  
105  
106 **VB:** Force.  
107  
108 **Rally:** That's it? No plans beyond that?  
109  
110 **VB:** No.  
111  
112 **Rally:** How were you making these plans? Like, how were you communicating?  
113  
114 **VB:** We met in person as much as possible, but we also used an encrypted messaging app called  
115 Telegram. I mentioned that earlier.  
116  
117 **Rally:** Right...  
118 \* \* \*  
119 **Rally:** How did you get to Washington?



120

121 **VB:** Flew. Left from SFO early on January 5 and flew into Dulles that evening. Pezzola and I live near  
122 each other in San Mateo. Pezzola's partner, Fran, drove us to the airport.

123

124 **Rally:** Where did you stay?

125

126 **VB:** Radisson Inn in D.C.

127

128 **Rally:** Same or separate rooms?

129

130 **VB:** Separate.

131

132 **Rally:** What did you bring with you aside from clothes, toiletries, etc.

133

134 **VB:** Everything that Tariq ordered us to bring: tactical vest, trauma kit, pepper spray, knife, gas masks,  
135 brass knuckles, slash-resistant gloves, helmet, goggles. And that's what I had on me on January 6th.

136

137 **Rally:** Is that what Pezzola brought too?

138

139 **VB:** I don't know if Riley brought exactly the same things. In the hotel when we arrived, Riley  
140 unpacked and I saw a tactical vest, some zip ties. Maybe pepper spray. I'm not sure what else.

141

142 **Rally:** But Tariq had given the same order to Pezzola?

143

144 **VB:** Yes.

145

146 **Rally:** That night, did you see Pezzola with anything other than what you mentioned?

147

148 **VB:** No.

149

150 **Rally:** What about on January 6th? Did you see Pezzola with anything in addition to what you saw at  
151 the hotel?

152

153 **VB:** No.

154

155 **Rally:** Tell me what happened on the morning of January 6.

156

157 **VB:** The main core of the MOSD met at a Starbucks on 6th Street NW at 6 AM.

158

159 **Rally:** Was Pezzola there?

160

161 **VB:** Of course. This was our last opportunity to review the plan, confirm every detail—one last chance  
162 to make sure everyone was on the same page before we made the final decision to move forward.  
163  
164 **Rally:** You hadn't made the final decision yet?  
165  
166 **VB:** No. Even though Donohoe had already said he would certify the election, we still thought it was  
167 possible that he would do the right thing, so we were looking for some sort of signal that we should  
168 proceed.  
169  
170 **Rally:** From who?  
171  
172 **VB:** Adams!  
173  
174 **Rally:** Right. Did you get one?  
175  
176 **VB:** Yes. Two tweets came in early that morning that made it clear that Donohoe wasn't going to have  
177 the guts to do what needed to be done [Exhibits 1b-c]...  
178  
179 \* \* \*  
180  
181 **Rally:** Did you make it into the Senate Chamber?  
182  
183 **VB:** Yes, but Donohoe had already been evacuated.  
184  
185 **Rally:** Where was Pezzola at that point?  
186  
187 **VB:** I don't know exactly.  
188  
189 **Rally:** Weren't you communicating with Pezzola?  
190  
191 **VB:** No, my phone had been ripped out and smashed in the skirmish with the Capitol police. It was  
192 dead.  
193  
194 **Rally:** What did you do then?  
195  
196 **VB:** We wandered around the Capital for a while, then left.  
197  
198 **Rally:** When was the next time you talked to Pezzola?  
199  
200 **VB:** Never saw or spoke to Riley again. They disappeared from the group.  
201

202 **Rally:** What did you actually intend to do if you found Donohoe?  
203  
204 **VB:** Prevent him from certifying the election  
205  
206 **Rally:** How?  
207  
208 **Van Beek:** Physically.  
209  
209 **Rally:** Kill him?  
210  
211 **VB:** If that's what it took.  
212  
213 **Rally:** Let me ask it this way. Did Carlos Tariq order you to kill Mike Donohoe?  
214  
214 **VB:** Yes.  
215

## Excerpts from the Statement of Riley Pezzola—July 18, 2022

1     **Agent Sarah Prenskey-Pomeranz:** Were you a member of the Loyal Few?

2

3     **Riley Pezzola:** Yes. I Joined The Loyal Few in 2011 mainly as a place to meet people. When I joined it  
4 felt more like a social club and community group than a political organization.

5

6     **SPP:** What was the purpose of the group?

7

8     **RP:** We did community events, supported other local organizations, and volunteered for different  
9 projects organized by other local groups. We spent a lot of time working with veterans and on  
10 veteran's issues. I saw it as an opportunity to give back.

11

12     **SPP:** What about politics?

13

14     **RP:** At the beginning, it wasn't focused on politics at all. We talked about politics, but not more or less  
15 than any group of people. It wasn't the purpose of the organization.

16

17     **SPP:** How would you describe the membership?

18

19     **RP:** A lot of the membership consisted of active military or ex-military—including me. I'm a former  
20 marine. Politically, if there was one thing that we all did agree on, it was gun control. I'm not a fanatic  
21 about it, but the Second Amendment is clear: Americans have a right to bear arms. A lot of our social  
22 gatherings were at firing ranges, target practice, and things like that.

23

24     **SPP:** Did the organization become more political?

25

26     **RP:** Yes it did.

27

28     **SPP:** When?

29

30     **RP:** Well, even before President Adams began her campaign in 2015, I could feel the organization  
31 getting gradually more political. But when Adams started gaining momentum in the primaries, LF  
32 started to become very politics-focused. In fact, by the 2016 general election, LF was almost a  
33 politics-exclusive organization.

34

35     **SPP:** What was it about the Adams campaign that switched the focus of the group?

36

37     **RP:** It's hard to say exactly, but it just energized people. It wasn't necessarily what she was saying, but  
38 the way she was saying it. She would say things we were all thinking, but were afraid to say out loud. I  
39 think a lot of people in LF were sort of outsiders, some of them lonely, bitter, and Adams was speaking

40 to that.

41

42 **SPP:** Did you support Adams?

43

44 **RP:** Yes, I was a very big supporter of Adams. We all were. I thought she represented a silent force in  
45 this country and I thought she was giving voice to people who didn't have a voice.

46

47 **SPP:** I assume you were upset with the results of the 2020 election?

48

49 **RP:** Not just upset. I thought the election was stolen. I was angry. I believed there was a fraudulent  
50 scheme to switch votes from President Adams to Sison through the use of voting machine software,  
51 and that Adams had rightfully won the election.

52

53 **SPP:** Do you still believe that?

54

55 **RP:** No.

56

57 \* \* \*

58

59 **SPP:** What members of LF were you spending the most time with?

60

61 **RP:** I was a member of the original LF group in San Mateo, so I was mostly interacting with the top  
62 national leaders in the group, including Carlos Tariq. I was friendly with people like Sandy Van Beek,  
63 Brenda Abdelnaby, Venus Cayabyab, Dagny Dingman, Ryan Almstead. And I got really close with  
64 Tariq.

65

66 **SPP:** Were all the people you mentioned at the Capitol on January 6th.

67

68 **RP:** Yes, as far as I know. Except for Tariq. He had been banned from Washington, D.C. after he was  
69 arrested for assaulting a protester and burning a Black Lives Matter flag in December. I was told he  
70 was at a hotel in Baltimore.

71

72 **SPP:** Were you aware of the formation of the Ministry of Self-Defense?

73

74 **RP:** Yes I was.

75

76 **SPP:** Were you in it?

77

78 **RP:** Yes, I was briefly, but I dropped out in late December 2020.

79

80 **SPP:** Why did you drop out?

81  
82 **RP:** I didn't agree with what they were doing. When they started talking about revolution,  
83 insurrection, I just said that I'd had enough.  
84  
85 **SPP:** Did you communicate with the members of the group, talk about plans etc.  
86  
87 **RP:** I did, but only face-to-face or on the telephone. I knew that Tariq had set up an encrypted message  
88 system—sort of like an MOSD group chat—but I never communicated on it. Didn't send one message.  
89 So, I was never aware of the plans I'm hearing about now. I was never involved in that.  
90  
91 **SPP:** Were you ever in an MOSD meeting where the group talked about preventing Mike Donohoe  
92 from certifying the election?  
93  
94 **RP:** No. I heard them talk about January 6th as an important day, and I heard them talk about Mike  
95 Donohoe as the person who would be in charge of certifying the election, but there were never any  
96 plans to do anything, It all seemed like a lot of talk. It seemed silly. I was on my way out. I just didn't like  
97 the direction the group was taking.  
98  
99 **SPP:** But you still went to the Capitol on January 6th?  
100  
101 **RP:** Yes, as a peaceful protest only.  
102  
103 **SPP:** Ok, but we have video of you approaching the police barrier, skirmishing with the police,  
104 breaking the line, smashing through a window with an officer's riot shield. That doesn't seem peaceful.  
105  
106 **RP:** Yes, I just got caught up in the confusion, panic, chaos that day. I was emotional. I was acting on  
107 impulse, I regretted it almost immediately after I broke through. It was stupid. I regret almost  
108 everything I did that day. It was my military training. I was on autopilot.  
109  
110 **SPP:** I'm not sure I understand. What do you mean that your military training took over? How does  
111 that happen?  
112  
113 **RP:** After the first people broke through the police line it felt like I was under sniper fire. It felt to me  
114 like what combat would feel like, being shot by an enemy. The Capitol cops were shooting rubber  
115 bullets. One of them cut through the cheek of a guy I knew and there was blood spraying on the  
116 ground.  
117  
118 **SPP:** How did you react?  
119  
120 **RP:** I was furious that they were treating us like that. We were patriots. I lunged for one of the police  
121 shields and was able to tear it away from the officer. A few minutes later, most of the police had

122 retreated and there I was at the window. Then I was caught on video doing what I did. The whole  
123 world has seen it by now.

124

125 **SPP:** What was your plan once you got inside?

126

127 **RP:** There was no plan. I didn't even know where I was when I was inside. When things started to calm  
128 down a little, I knew I was potentially in serious trouble. I stayed inside the Capitol for about a half  
129 hour, then I left. I was terrified I was going to be arrested. I took off, went back to the hotel. Grabbed  
130 my wallet and other stuff I could grab quickly and took an Uber right to the airport.

131

132 **SPP:** You didn't bring your wallet to the Capitol?

133

134 **RP:** No.

135

136 **SPP:** What other stuff did you grab from the hotel?

137

138 **RP:** I grabbed my toothbrush, toothpaste, all my bathroom stuff, and my clothes from the day before.

139

140 **SPP:** Let's go back for a minute. Was anyone else in your room from the time you arrived on the 5th  
141 from the time you left the next day?

142

143 **RP:** No.

144

145 **SPP:** Ok. What were you wearing at the Capitol that day?

146

147 **RP:** Black cargo pants, plain white t-shirt, and a dark jacket.

148

149 **SPP:** Were you wearing a so-called tactical vest?

150

151 **RP:** Yes, I was—underneath my jacket, but a lot of people were that day. If you look at pictures from  
152 the day, you'll see that half the people had one of those vests on [Exhibit 12]. It was more like a fashion  
153 statement for people like us. There was no purpose to it other than that it looked cool.

154

155 **SPP:** Did you have zip ties?

156

157 **RP:** No.

158

159 **SPP:** Pepper spray?

160

161 **RP:** No.

162

163 **SPP:** Knife?  
164  
165 **RP:** No.  
166  
167 **SPP:** Ski mask?  
168  
169 **RP:** No.  
170  
171 **SPP:** Did you have a phone?  
172  
173 **RP:** Yes, an iPhone with a black case. But I left it in the hotel. I was in such a rush to get out of there.  
174  
175 **SPP:** Did you leave anything else in the hotel room?  
176  
177 **RP:** I left my vest.  
178  
179 **SPP:** I'm showing you a message we recovered from your phone. It's a message that you sent on  
180 Telegram to Sandy Van Beek at 2:38 on January 6th. It says: "I'm here, but Donohoe isn't. What  
181 should I do?" Do you recognize that message?  
182  
183 **RP:** No. I didn't send that message. It wasn't me.  
184  
185 **SPP:** How did you think it got on your phone?  
186  
187 **RP:** No idea.



## Statement of Fran Munoz

1 I met Riley Pezzola in 2013. At the time we were both working at a non-profit serving homeless  
2 people in San Mateo. The organization ran a food pantry which served hot lunches during the week.  
3 We met in the kitchen preparing food. We gradually started hanging out more and more. By early  
4 2015 we were a couple.

5  
6 I went to a lot of Loyal Few events, both social events and charity events. They were great people,  
7 kind and generous—not the kind of hateful extremists that they’re being portrayed as in the media.  
8 There was always a political element to the LF. People talked politics all the time. They were  
9 conservative, right wing. They carried guns, wore military gear, but these were really just part of the  
10 style of the group. People are making a big deal about Riley wearing a tactical vest and pepper spray  
11 and a knife, but everyone was wearing those things all the time.

12  
13 I admit that the whole organization did become a little more radical when Adams ran for President. I  
14 started seeing Riley watching more right-wing personalities on social media, watching YouTube  
15 videos of people saying extremist stuff—stuff bordering on hate. But Riley was never a hateful person.  
16 Riley never said they agreed with any of these people. I think Riley was just curious. In early 2016,  
17 Riley quit his volunteer jobs, starting wearing military gear all the time, even to the grocery store. I  
18 started seeing less of Riley. They would be away for a couple weeks at a time. Seemed to be more  
19 obsessed with guns. Spending more time at the firing range. They were hanging out with LF people  
20 exclusively. But I wasn’t worried about it. Riley seemed happy. Riley told me they never had friends  
21 growing up, so I was happy they were maintaining strong friendships. Riley didn’t talk much about  
22 what they were doing, but I never heard anything about vote certification or about Donohoe’s role on  
23 January 6; and I certainly never heard anything about the Ministry of Self Defense. That never came  
24 up. Riley and I talked about everything. We were soul mates. If Riley was part of some secret group, or  
25 was planning something serious, Riley would have told me.

26  
27 Riley was a huge supporter of President Adams starting when she first announced her campaign for  
28 President. But gradually over the course of Adams’s presidency, Riley started to be less enthusiastic  
29 about Adams. Riley would say things like, “Adams is letting us down.” “She’s not who I thought she  
30 was.” “She’s damaging our country.” That’s why I was surprised when Riley said they wanted to go to  
31 the protest on January 6th. They told me it wasn’t about Adams, it was about “standing up for  
32 freedom of speech, and standing up for free and fair elections.” Riley told me that they didn’t care  
33 whether Adams ended up staying in office, but they wanted to make sure the election was fair. Riley  
34 believed the conspiracy theories about voter fraud, irregularities, and voting machine software  
35 flipping votes. I thought all that was crazy talk, but they were adamant about going.

36  
37 I drove Riley and Sandy Van Beek to SFO early on the morning of January 5, 2021. The conversation  
38 on the way was pretty minimal. Everyone was still half asleep. Riley only had a small carry-on duffel  
39 bag—couldn’t have been more, like, a foot and a half long and six inches high [Exhibit 13]. Sandy had a

40 big piece of luggage.

41

42 I didn't hear from Riley again until they showed up in an Uber around 1:00 AM on January 7th. The  
43 only thing Riley said was, "I did something really stupid, and I'm probably going to be in big trouble." I  
44 tried to ask Riley about what they did, but Riley was so tired, they said they had to go to bed. When I  
45 turned on the news the next morning and saw the video of the attack on the Capitol, I knew what  
46 Riley meant.

47

48 After I ate breakfast the next morning, the 7th, while Riley was still sleeping, I did a load of laundry. I  
49 grabbed Riley's duffel bag to see if there was anything I could throw in. I found his toothbrush,  
50 toothpaste, contact stuff, the clothes Riley had on when Riley got on the plane, and a post-it that said,  
51 "Don't lose your nerve. The world is watching." Then the initials, "CT" [Exhibit 16]. I didn't know what  
52 to make of it.

Fran Munoz

Fran Munoz

July 17, 2022



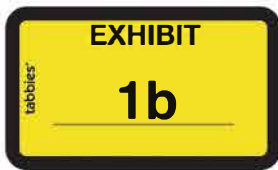
**Lauren Adams** ✓  
@realLaurenAdams



Peter Navarro releases 36-page report alleging election fraud 'more than sufficient' to swing victory to Adams [washex.am/3nwaBCe](https://washex.am/3nwaBCe). A great report by Peter. Statistically impossible to have lost the 2020 Election. Big protest in D.C. on January 6th. Be there, will be wild!

⚠️ This claim about election fraud is disputed

10:42 PM December 19, 2020



**Lauren Adams** ✓  
@realLaurenAdams · [Follow](#)



States want to correct their votes, which they now know were based on irregularities and fraud, plus corrupt process never received legislative approval. All Mike Donohoe has to do is send them back to the States, AND WE WIN. Do it Mike, this is a time for extreme courage!

5:17 AM · Jan 6, 2021




♥️ 191.1K    💬 Reply    🔗 Copy link to Tweet


[Read 28.7K replies](#)





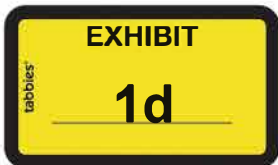
 **Lauren Adams** ✓  
@realLaurenAdams


If Vice President @Mike\_Donohoe comes through for us, we will win the Presidency. Many States want to decertify the mistake they made in certifying incorrect & even fraudulent numbers in a process NOT approved by their State Legislatures (which it must be). Mike can send it back!

 **This claim about election fraud is disputed**


6:00 AM · Jan 6, 2021 


 269.3K  142.1K people are Tweeting about this





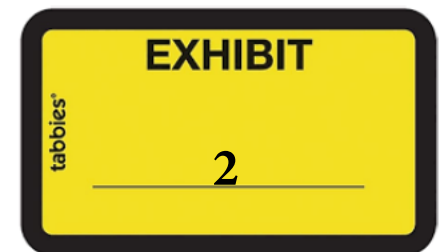
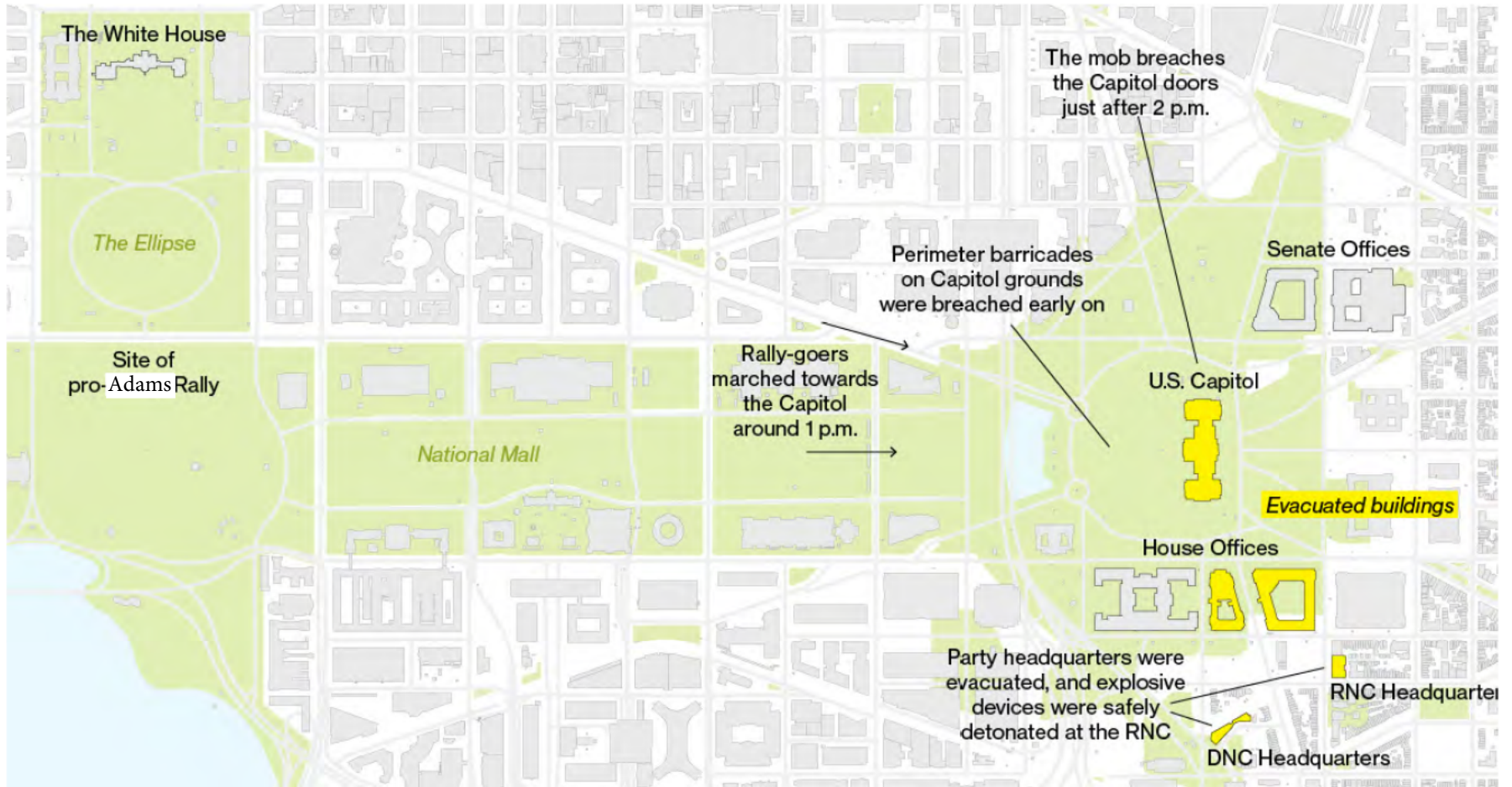
 **Lauren Adams** ✓  
@realLaurenAdams

Mike Donohoe didn't have the courage to do what should have been done to protect our Country and our Constitution, giving States a chance to certify a corrected set of facts, not the fraudulent or inaccurate ones which they were asked to previously certify. USA demands the truth!

 **This claim about election fraud is disputed**

2:24 PM · Jan 6, 2021 

 194.6K  146.5K people are Tweeting about this



## RECORD OF CRIMINAL HISTORY

Name: Riley Pezzola

DOB: May 6, 1995

County of Residence: San Mateo

### Arrest #1

**February 1, 2013** Arrested for felony attempted murder for firing a weapon into a crowd in a school cafeteria where the subject was a senior in high school. No one was injured.

**February 15, 2013** Subject pleads guilty to illegal use of a firearm and felony reckless endangerment. Sentenced to 18 months in prison. Released February 1, 2014 on good behavior. Probation for two years.

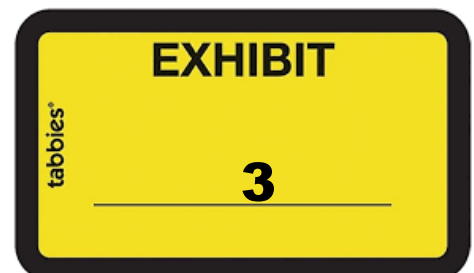
### Arrest #2

**March 3, 2016** Arrested for and charged with felony assault for starting a bar fight. April 8, 2016. Charges dismissed.

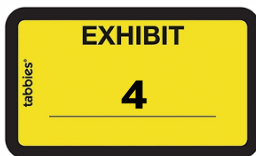
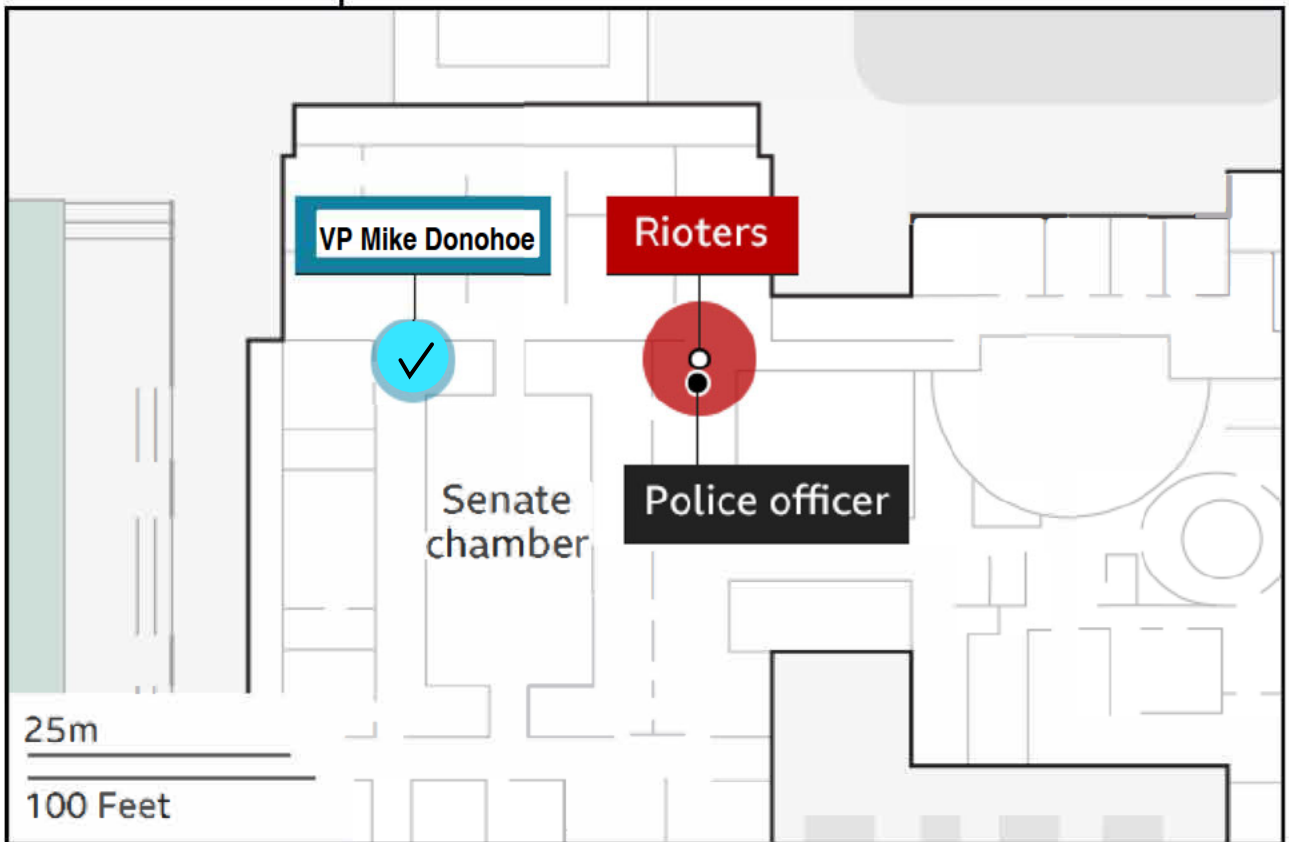
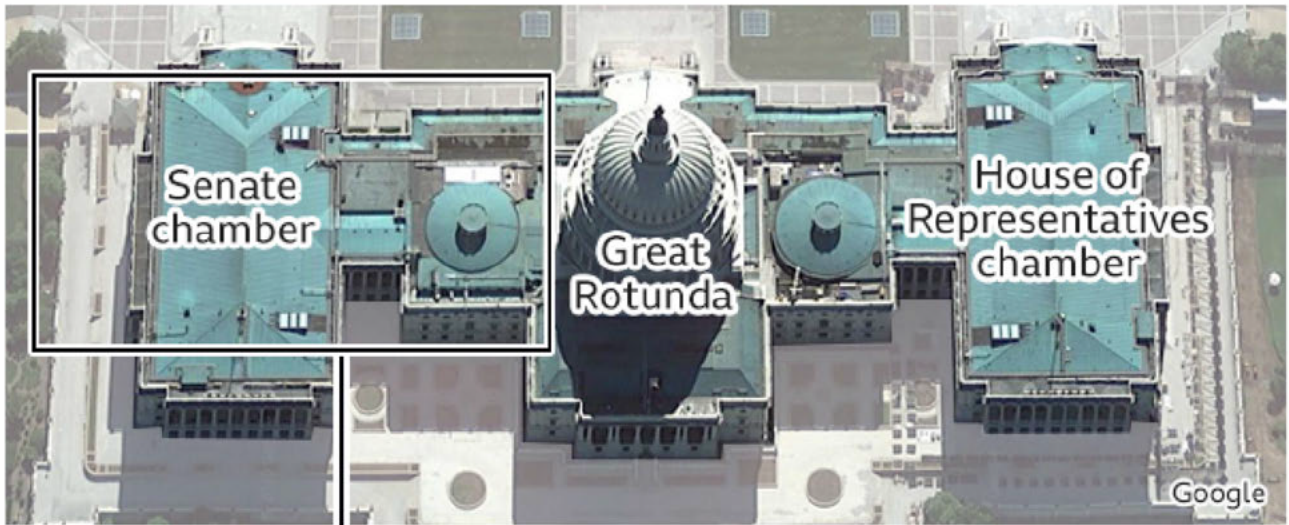
### Arrest #3

**May 4, 2020** Arrested for and charged with felony assault at rally for political candidate.

**May 28, 2020** Subject pleads guilty to misdemeanor battery and disturbing the peace.







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EXHIBIT  
**5a**



tabbies®  
EXHIBIT  
**5b**



tabbies®  
EXHIBIT  
**5c**

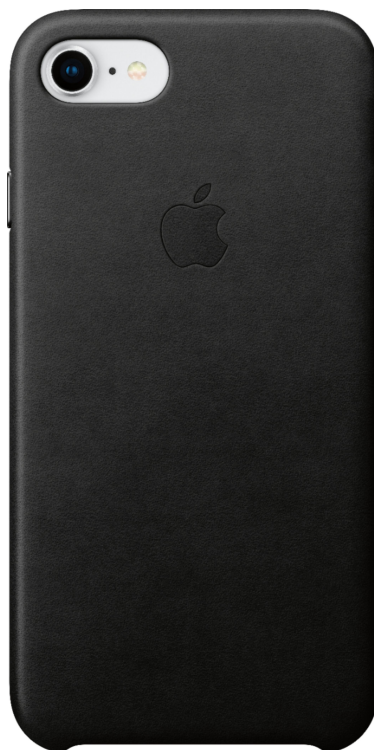


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**5d**





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EXHIBIT  
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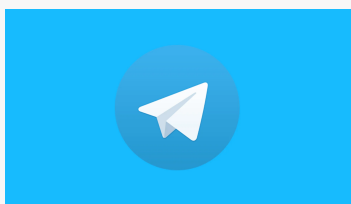
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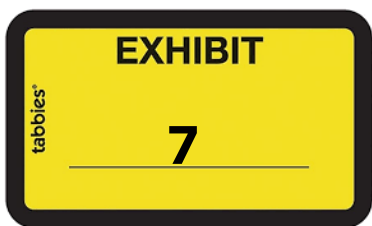
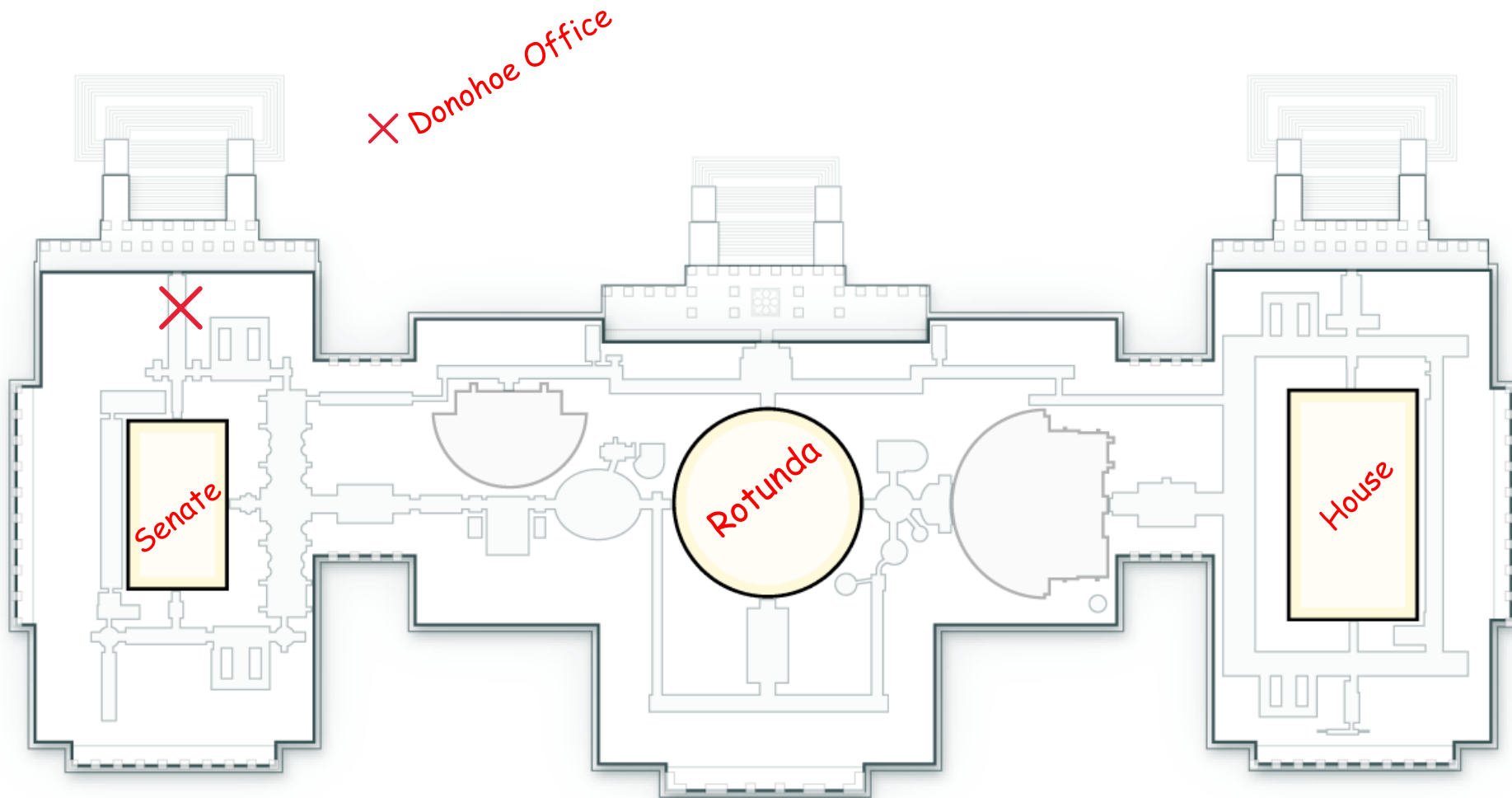
**TO: SVB**

**Telegram Message  
Monday, Jan. 6, 2021**

*I'm here, but Donohoe isn't. What should I do?*

**Sent: 2:38 PM**







Left: Thumbprint found on Pezzola phone    Right: Thumbprint of Sandy Van Beek

15 point match (95% accuracy)





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**EXHIBIT**  
**9**



## House Select Committee Investigating the January 6, 2021 Capitol attack (Transcript)

### REPRESENTATIVE PETE AGUILAR:

Our investigation found that immediately after the President's 2:24 p.m. tweet, the crowds both outside the Capitol and inside the Capitol surged. The crowds inside the Capitol were able to overwhelm the law enforcement presence, and the Vice President was quickly evacuated from his ceremonial Senate office to a secure location within the Capitol complex...

[start video]

### CHRIS HODGSON [Secret Service agent assigned to Donohoe]:

By 2:24 p.m. the Secret Service had moved Vice President Donohoe from the Senate chamber to his office across the hall. The noise from the rioters became audible, at which point we recognized that maybe they had gotten into the building.

Then President Adams tweeted that Mike Donohoe “didn't have the courage to do what should have been done to protect our country and our Constitution, giving states a chance to certify a corrected set of facts, not the fraudulent or inaccurate ones which they were asked to previously certify. USA demands the truth.”

[from video of protesters outside Capitol] “ Hang Mike Donohoe. Hang Mike Donohoe.”

### CHRIS HODGSON:

It was clear that it was escalating and escalating quickly. So then when that tweet—the Mike Donohoe tweet was sent out I remember thinking that that was the last thing that needed to be tweeted at that moment. The situation was already bad, and so it felt like he was pouring gasoline on the fire by tweeting that.

[end video]

### REPRESENTATIVE PETE AGUILAR:

30 seconds later, rioters already inside the Capitol opened the East Rotunda door just

down the hall. And just 30 seconds after that rioters breached the crypt one floor below the Vice President. The Secret Service couldn't control the situation and do their job of keeping him safe. At 2:06 p.m., Secret Service rushed Vice President Donohoe down the stairs.

[start video]

**CHRIS HODGSON:**

We moved pretty quickly down the stairs and through various hallways and tunnels to the secure location. Upon arriving there, there was further discussion as to whether or not we were going to leave the Capitol complex or stay where we were. Vice President Donohoe and his team ultimately were led to a secure location where they stayed for the next four and a half hours, barely missing rioters. I later learned that it was about 40 feet. That's all there was. 40 feet between the Vice President and the mob.

[End video]

**REPRESENTATIVE PETE AGUILAR:**

Make no mistake about the fact that the Vice President's life was in danger. A recent court filing by the Department of Justice explains that a confidential informant from the Loyal Few told the FBI that the Loyal Few would have killed Mike Donohoe if given a chance. This witness, whom the FBI affidavit refers to as W1, stated that other members of the group talked about things they did that day and they said that anyone they got their hands on they would have killed including Nancy Pelosi.

W-1 further stated that members of Loyal Few said that they would have killed Mike Donohoe if given a chance.

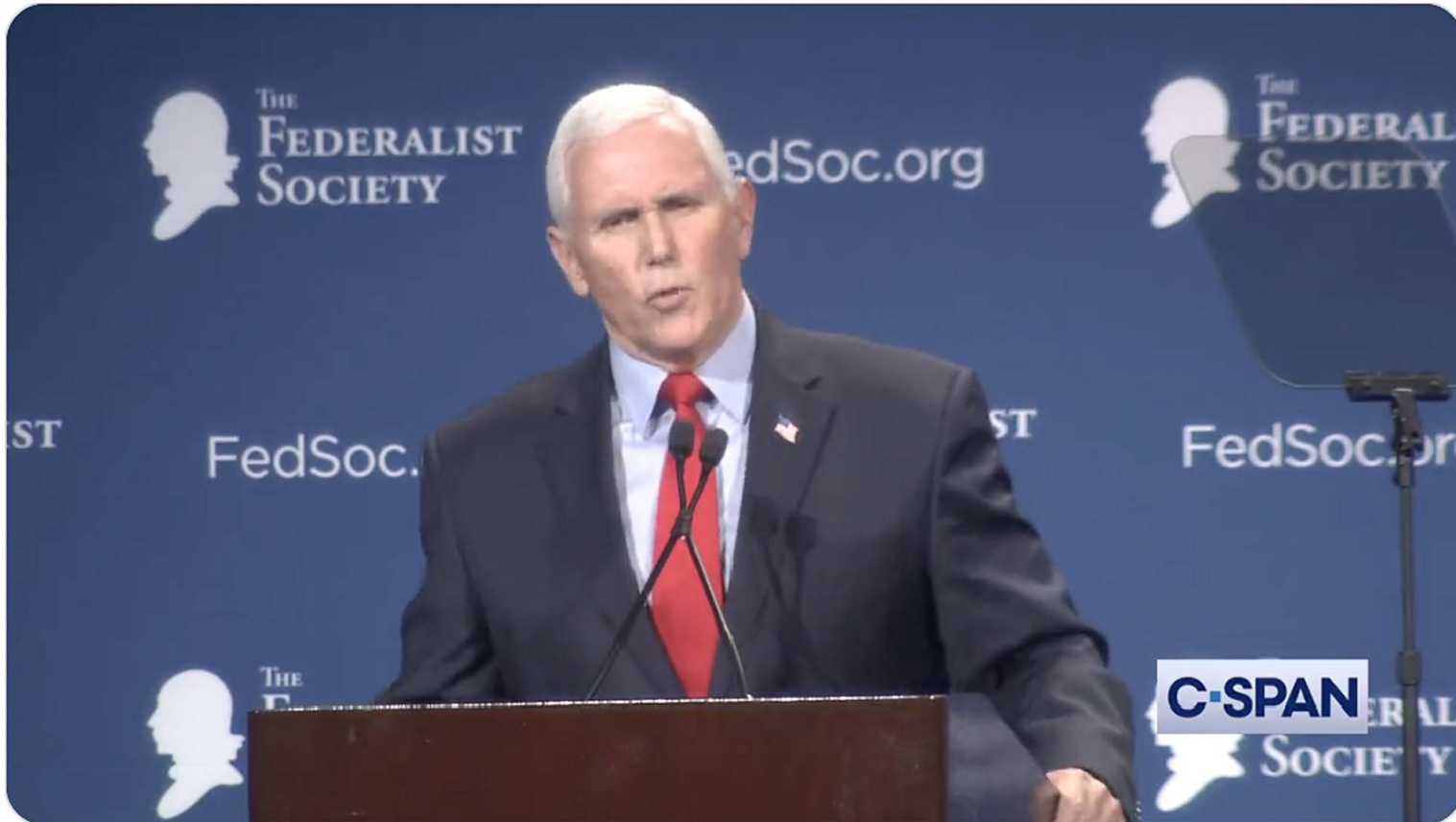


**CSPAN**

@cspan



Former VP Donohoe: "President Adams is wrong. I had no right to overturn the election. The presidency belongs to the American people and the American people alone. Frankly, there is no idea more un-American than the notion that any one person could choose the American president."



3:46 AM · Jan 5, 2021

92 Retweets 28 Quotes 402 Likes 10 Bookmarks

33

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**EXHIBIT**

**11**



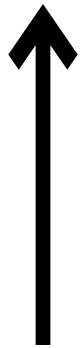


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**EXHIBIT**

**12**

EXHIBIT  
13

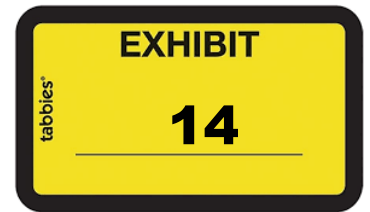


“8



“18

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA



**UNITED STATES**

**v.**

**SANDY VAN BEEK**

Case No.: CAMP-2023 HHS

**PLEA AGREEMENT OF  
SANDY VAN BEEK**

The United States of America and the Defendant, Sandy Van Beek (“Van Beek”), have entered into an agreement, the terms and conditions of which are as follows:

**CHARGES**

1. Van Beek has been charged with attempted murder under 18 U.S.C. 1113.. These charges stem from events at the U.S. Capitol on January 6, 2021. The maximum penalty is life imprisonment.

**TERMS OF COOPERATION**

2. Van Beek shall plead guilty to Obstruction of an Official Proceeding under 18 U.S.C. 1512(c)(2)
3. Van Beek shall provide the United States with all information known to Van Beek regarding the attempted murder of Vice President Mike Donohoe, including any information related to the knowledge of Lauren Adams.
4. Van Beek agrees to provide truthful testimony at any trial related to the attempted murder of Mike Donohoe.

**DISMISSAL**

5. The United States will dismiss the charge of attempted murder.

**REPRESENTATIONS**

6. Van Beek agrees to enter into this plea agreement knowingly, voluntarily, and with the aid of legal representation.

*Sandy Van Beek*

Sandy Van Beek  
Executed July 1, 2022

*Jacob Sarver*

Jacob Sarver, United States Attorney  
Executed July 1, 2022

*Jamie Sloves*

Jamie Sloves, U.S. Attorney General.  
Executed July 1, 2022





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**EXHIBIT**  
**15a**



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**EXHIBIT**  
**15b**



EXHIBIT

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16

Don't lose  
your nerve.  
The world is  
watching.

CT

# Rules of Evidence

## 1. RELEVANCE

### **RULE**

Unless prohibited by a pretrial motion ruling or by some other rule of evidence listed in these Simplified Rules of Evidence, all relevant evidence is admissible.

Evidence is relevant if it has any tendency to make a fact that is important to the case more or less probable than the fact would be without the evidence. Both direct and circumstantial evidence may be relevant and admissible in court.

## 2. LAYING A PROPER FOUNDATION

### **RULE**

To establish the relevance of direct or circumstantial evidence, you may need to lay a proper foundation. Laying a proper foundation means that before a witness can testify about his or her personal knowledge or opinion of certain facts, it must be shown that the witness was in a position to know those facts in order to have personal knowledge of those facts or to form an admissible opinion.

## 3. PERSONAL KNOWLEDGE/SPECULATION

### **RULE**

A witness may not testify about any matter of which the witness has no personal knowledge. Only if the witness has directly observed an event may the witness testify about it. Personal knowledge must be shown before a witness may testify concerning a matter.

## 4. HEARSAY

### RULE

Hearsay is not admissible unless it falls under an exception provided below.

Hearsay definition: Hearsay is an out-of-court statement offered to prove the truth of the matter asserted.

### Statements that are not offered for their truth are not hearsay

We know that only statements offered for their truth are hearsay and that out-of-court statements may be admitted for non-truth purposes. Otherwise, the rules are silent on non-truth purposes. There are not any official categories of non-truth purposes, but there are a handful that are used most commonly, and all of which overlap to some degree.

COMMON NON-TRUTH PURPOSES	
Effect on the Listener	The statement influenced what the listener knew, thought, or believed following the declarant's hearing of it.
Subsequent Action	The statement caused the listener to act or behave in a specific way after hearing it.
Mental State*	The statement reveals what the declarant believed or thought at the time, regardless of whether the belief or thought was true.
Knowledge	The statement reveals what the declarant knew at the time he made the statement.

### Hearsay Exceptions

- a. **Excited utterance** is a statement that describes or explains an event perceived by the declarant, made during or shortly after a startling event, while the declarant is still under the stress of excitement caused by the event.

- b. **State of mind** refers to a statement that shows the declarant's then-existing state of mind, emotion, or physical condition (including a statement of intent, plan, motive, mental state, pain, or bodily health).
- c. **Admission by a party opponent** is any statement by a party in an action when it is offered against that party by an opposing party. The statement does not have to be against the declarant's interest at the time the statement was made. Objections for inappropriately phrased questions:

## 5. LEADING QUESTIONS

Attorneys may not ask witnesses leading questions during direct examination or re-direct examination. A leading question is one that suggests the answer desired. Leading questions are permitted on cross-examination.

## 6. COMPOUND QUESTION

A compound question joins two alternatives with "and" or "or," preventing the interrogation of a witness from being as rapid, distinct, or effective for finding the truth as is reasonably possible.

## 7. ARGUMENTATIVE QUESTION

An argumentative question challenges the witness about an inference from the facts in the case. The cross-examiner may not harass a witness, become accusatory toward a witness, unnecessarily interrupt the witness's answer, or make unnecessary comments on the witness's responses. These behaviors are also known as "badgering the witness." (If a witness is nonresponsive to a question, see the non-responsive objection (#16) below.)

## 8. VAGUE OR AMBIGUOUS



Questions should be clear, understandable, and as concise as possible. The objection is based on the notion that witnesses cannot answer questions properly if they do not understand the questions.

## **9. ASKED AND ANSWERED**

Witnesses should not be asked a question that has previously been asked and answered. This can seriously inhibit the effectiveness of a trial.