

FILED

JUL - 9 2019

Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia

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

UNITED STATES OF AMERICA

v.

JACOB WALLACE,

Defendant.

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Case No. 19-cr-00151 (TFH)

STATEMENT OF THE OFFENSE IN SUPPORT OF GUILTY PLEA

I. Summary of the Plea Agreement

Defendant Jacob Wallace agrees to admit guilt and enter a plea of guilty to Count 1 of the information charging him with felony destruction of federal government property, in violation of Title 18, United States Code, Section 1361. The penalty for felony destruction of federal government property, is:

- (A) a term of imprisonment not more than 10 years;
- (B) a fine not to exceed \$250,000;
- (C) a term of supervised release of not more than three years; and
- (D) a special assessment of \$100.

II. Elements of the Offenses

To prove that the defendant is guilty of felony destruction of federal government property, the government must prove the following:

- 1. The defendant damaged or destroyed property, that is, an exterior wall of the National Archives Building located at 700 Pennsylvania Avenue, Northwest;
- 2. The property belonged to the United States;

3. He did so voluntarily and on purpose, not by mistake or accident; and
4. The loss due to the damage was \$1,000 or more.

III. Proffer of Evidence

The following statement of facts does not purport to include all of the Defendant's illegal conduct. It is intended to represent sufficient information for the Court to find a factual basis for accepting the Defendant's guilty plea.

Had this case proceeded to trial, the government's evidence would have established, beyond a reasonable doubt, that on April 25, 2019, at approximately 7:50 pm, an individual wearing brown shoes, dark pants, a light-gray hooded sweatshirt, and a dark winter coat, carried an unidentified object up to the National Archives Building, located at 700 Pennsylvania Avenue, Northwest.¹

The individual, later identified as the defendant, placed the object against the wall next to the building's stairway, ignited it, and left the scene at an accelerated pace. Later investigation revealed that the object was a thick gray blanket wrapped around a gasoline can containing a flammable liquid consistent in odor with gasoline. The resulting fire was more than eight feet high and lasted nearly ten minutes, requiring responding security guards to empty two fire extinguishers on it and D.C. Fire personnel to focus a firehose on the blaze to extinguish it. As a result of the fire, the stone wall of the building was fractured, sugared, and discolored. An initial estimate of the cost for initial repair followed by full restoration is between \$13,000 and \$20,000.

¹ This building is a federal building and is the former headquarters of the National Archives and Records Administration ("NARA"). Although NARA has moved its main headquarters to College Park, Maryland, the National Archives Building remains a NARA facility that, among other things, houses and displays original copies of the Declaration of Independence, the Constitution, and the Bill of Rights.

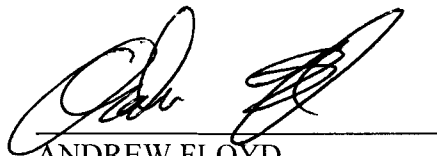
On April 28, 2019, the Central Intelligence Agency (CIA) received an email from an individual identifying himself as “jacob l wallace sr” and stating, “I’m tired of being tortured so I’m setting fires like at the National Archives building in Washington, D.C. a few days ago.” The same night, an individual identifying himself as Jacob Wallace and providing the defendant’s birthdate called the Federal Bureau of Investigation (FBI) and said he wanted to speak to investigators about a fire he had set at the National Archives Building located in Washington, D.C. The caller explained that he had set the fire to gain the attention of the FBI.

On May 2, 2019, at approximately 10:15 pm, the defendant approached the White House and told uniformed United States Secret Service officers that he was the person who had set the fire at the National Archives Building and wanted to speak to federal investigators. At the time, he was wearing a dark blue winter coat, a dark hooded sweatshirt, dark pants, and brown leather shoes. Arson investigators responded to the scene and spoke to the defendant. He told them that he had ignited a gas can on the exterior of the National Archives Building. During a search incident to arrest, officers removed the defendant’s dark winter coat and recovered cigarettes and a lighter.

The defendant agreed to a custodial interview and, during the course of the conversation, repeatedly disclaimed his prior confessions, explaining that he had read media reports about the fire and had only confessed in order to get off the streets. He also explained that he was the individual who had sent the email to the CIA, posted video of the Archives fire to his Facebook page, and made the confessional call to the FBI in order to gain the attention of federal agents so that he would be arrested. When asked about the clothes he was wearing, the defendant noted that he was homeless, these were his only clothes, and he had been wearing them for several days.

Investigators noted that the defendant's shoes, coat, pants, and body-type appeared to match the individual in the surveillance footage. The hood on the sweatshirt the defendant was wearing was significantly darker than the hood seen on the suspect in surveillance footage. Further investigation, however, revealed that the defendant was wearing the hooded sweatshirt inside out. Once turned around, the hood on the sweatshirt was light gray and appeared to be the same color as the one worn by the individual who set the fire.

Forensic testing conducted by the ATF on the defendant's clothing revealed the presence of fibers consistent in color and appearance with fibers from the blanket that had been wrapped around the gasoline can and ignited at the National Archives Building.



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Defendant's Acceptance

I have read this Statement of Offense and carefully reviewed every part of it with my attorney. I am fully satisfied with the legal services provided by my attorney in connection with this Statement of Offense and all matters relating to it. I fully understand this Statement of Offense and voluntarily agree to it. No threats have been made to me, nor am I under the influence of anything that could impede my ability to fully understand this Statement of Offense. No agreements, promises, understandings, or representations have been made with, to, or for me other than those set forth above.

7/9/19
Date

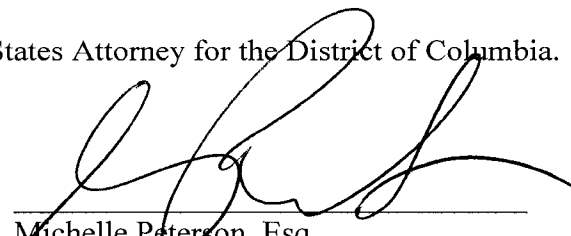


JACOB WALLACE
Defendant

Defense Counsel's Acknowledgment

I am Jacob Wallace's defense attorney. I have reviewed every part of this Statement of Offense with him. It accurately and completely sets forth the Statement of Offense agreed to by the defendant and the Office of the United States Attorney for the District of Columbia.

7/9/19
Date



Michelle Peterson, Esq.
Attorney for the Defendant