



UNITED STATES CAPITOL POLICE

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July 19, 2022



The Honorable Rodney Davis
Ranking Member
Committee on House Administration
United States House of Representatives
1216 Longworth House Office Building
Washington, D.C. 20515

The Honorable Jim Jordan
Ranking Member
Committee on the Judiciary
United States House of Representatives
2056 Rayburn House Office Building
Washington, D.C. 20515

Dear Ranking Member Davis and Ranking Member Jordan:

In response to your letter dated June 20, 2022 regarding the Colbert Nine matter, we provide the following.

On June 16, 2022, at approximately 8:26 p.m., the United States Capitol Police (USCP) communications center received a call from [REDACTED] a staffer for Rep. Jamaal Bowman (NY-D) working in room 1605 of the Longworth House Office Building (LHOB). He advised he could hear a man shouting outside his office, which is next to Rep. Lauren Boebert's office (CO-R). [REDACTED] stated he heard a man banging on Rep Boebert's office door saying, "Do you remember me? Do you remember me? It's me. We're going to leave something under your door." [REDACTED] stated he was very concerned, locked his office door for safety and called the USCP emergency number.

USCP Communications dispatched units to room 1609 LHOB to investigate the call. House Division Officer [REDACTED] was the first officer on the scene and observed a group of seven individuals (five males and two females) outside room 1609 LHOB. Defendant Plunkett, the leader of the group, initially told the officer they were credentialed staff, and that they were contractors for the CBS television network. Additional officers and officials responded and determined no one in the group had staff present or congressional press identification (IDs), which are required to be in the buildings. Two additional individuals (two males) without congressional IDs, responded to 1609 LHOB approximately 20 minutes later and disclosed they had been wandering around the Rayburn House Office Building before being summoned by others and rejoining the group.

Unit 212, Officer [REDACTED] responded to the scene to provide assistance and immediately recognized all nine individuals as the same group he had stopped and identified earlier in the day. Officer [REDACTED] stated he was patrolling outside the Cannon House Office Building (CHOB) Room 390 (the hearing room for the January 6th investigation) and noticed the same group in the hallway trying to stop Members to conduct interviews. Officer [REDACTED] determined the group did not have press credentials and was not being escorted by staff as required. Officer [REDACTED] stated he advised the group of the building regulations for entry, including that the group could not be inside Congressional buildings without staff escort and escorted the group out of the Northwest Door of the CHOB at approximately 2:30 p.m., which is confirmed by camera footage from USCP cameras.

When stopped in the LHOB later that night, Officer [REDACTED] interviewed the group leader, Defendant Plunkett, who disclosed the group's intention was to film comic skits with a puppet (Triumph the Insult Dog) outside the offices of Rep. Kevin McCarthy (CA-R), Rep. Jim Jordan (OH-R), Rep. Lauren Boebert, and Rep. Marjorie Taylor-Greene (GA-R). Plunkett stated that they worked for *The Late Show* with Steve Colbert on CBS. Officer [REDACTED] did not witness the team filming at the time he responded, but noted the group had multiple backpacks and folded-up signs with them when he made initial contact. Defendant Smigel stated that the group was pretending to leave notes under the Member's doors as part of the skits, but did not actually leave anything. The note was allegedly an invitation to a cocaine orgy. (There is USCP footage of the group outside Rep. Taylor Greene's office.)

Officer [REDACTED] discovered the group had been escorted into the LHOB Main entrance by a staffer named [REDACTED] from Rep. Jake Auchincloss's office (MA-D) earlier in the day and were improperly allowed to remain in the building after the staffer had left them. Officer [REDACTED] told [REDACTED] that this was the same group he found at the CHOB Rotunda at approximately 2:30 p.m. and escorted out of the building for violating the building rules. Officer [REDACTED] determined the group had violated the building regulations a second time and took them into custody for Unlawful Entry.

USCP Intelligence Division Agents [REDACTED] and [REDACTED] responded to the scene and interviewed all nine suspects. Seven gave statements while two invoked their *Miranda* rights.

After the individuals were taken into custody, USCP officers responded to all offices that were visited by the group to inspect the exterior areas for signs of vandalism. No unusual activity was observed, and officers did not enter into any offices. Lieutenant [REDACTED] knocked on the office of Rep Boebert and was greeted by Architect of the Capitol employee [REDACTED], who was cleaning the suite. Lt. [REDACTED] asked [REDACTED] if he found anything unusual on the carpet near the door and [REDACTED] stated he did not.

The time of arrest was 10:19 p.m., and the following people were arrested:

- 49-year old Joshua Comers of New York
- 50-year old Tyrone Dean of New York
- 64-year old David Feldman of California
- 50-year old Nicoletta Green of New York
- 42-year old Brendan Hurley of Massachusetts
- 35-year old Jake Plunkett of New Jersey
- 26-year old Allison Martinez of California
- 32-year old Stephen Romond of Connecticut
- 62-year old Robert Smigel of New Jersey

Two members of the group, Defendants Dean and Romond, were providing unarmed security for the group while the remaining seven were associated with *The Late Show*.

Subsequent investigation revealed the following additional facts. The group did not have any scheduled appointments on June 16th, but on the 15th they had appointments and had been inside Congressional buildings. According to Defendant Martinez, the group had a staff escort with them at all times on the 15th. She also stated that when the group entered the buildings on the 16th, they were informed by USCP officers that they needed to stay with their staff escort at all times.

According to [REDACTED] Chief of Staff for Rep. Ted Lieu (CA-D), Defendant Plunkett arranged to perform and film a skit outside of Lieu's office on the 16th and the group did so at approximately 5:00 p.m. They did not meet with the Representative, and the skit filming was arranged that day, not in advance.

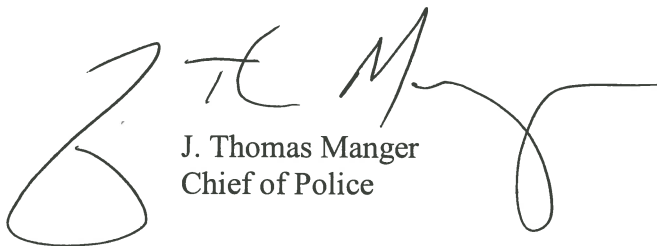
Finally, [REDACTED] the longtime head of the House Radio/TV Gallery, was interviewed. She stated that the head of the group, Defendant Plunkett, had phoned her office before June 16th and had spoken to her staff about getting a press credential to come into the buildings and film. Her office is familiar with the group since they have provided them with credentials before as part of the DNC and RNC Conventions where the rules are less strict for credentialing, and they had been sponsored by CBS for those events. Defendant Plunkett was told that the Gallery would not provide the group credentials since they were not press and, as they had been told previously, they were not allowed in the Congressional buildings as press. Mr. Plunkett was told he could appeal this decision to the Gallery's Executive Committee, but he declined to do so, saying that he knew they would not qualify as press. In addition, Mr. Plunkett was also told his group could not come into the buildings without an escort nor be in the buildings without an escort.

The USCP's entire package of information related to these arrests, including all Department paperwork, defendants' statements, all relevant camera footage and all the information noted above, was provided to the United States Attorney's Office for the District of Columbia. We have included that information for you as well with this letter.

It is unfortunate that despite all of the evidence the Department presented, including that the group or its leader had been told several times that they could not be in the buildings without an escort, that the U.S. Attorney's office declined to prosecute any members of the group for Unlawful Entry.

I hope this answers your questions about this incident.

Respectfully,



J. Thomas Manger
Chief of Police

Attachments

CC: Capitol Police Board