

FILED IN OPEN COURT  
DATE 11-30-2018  
BY F. Coleman  
DEPUTY CLERK  
Lynchburg DIVISION, W.D. of VA

IN THE  
UNITED STATES DISTRICT COURT  
FOR THE  
WESTERN DISTRICT OF VIRGINIA  
CHARLOTTESVILLE DIVISION

UNITED STATES OF AMERICA : Criminal No. 3:18 CR 25  
:   
v. :   
:   
COLE EVAN WHITE :   
:   
:

**STATEMENT OF OFFENSE**

The offenses described below occurred within the Western District of Virginia, as well as other districts. This Statement of Facts briefly summarizes the facts and circumstances surrounding the defendant's criminal conduct. It does not contain all of the information obtained during this investigation and applicable to an accurate Presentence Report and Sentencing Guidelines calculation.

This statement of facts is not protected by proffer agreement or any other agreement, and shall be wholly admissible at trial in the event this plea is later withdrawn notwithstanding any Rules or statutes to the contrary, including but not limited to, Federal Rules of Evidence 408 and 410, and Federal Rule of Criminal Procedure 11.

**I. Berkeley Riots on April 15, 2017**

On or about April 15, 2017, the defendant, Cole Evan White, attended a purported political rally in Martin Luther King Jr. Civic Center Park in Berkeley, California. At that event, the defendant met and befriended Benjamin Daley ("Daley"). Daley was with a group of individuals who identified themselves as the "Rise Above Movement" or "RAM." Throughout the day, there were several violent clashes between some rally attendees and some individuals protesting the rally. In one of the first such instances, RAM members crossed the barrier separating the attendees and protestors, and assaulted protestors. As the rally broke up, rally attendees and protestors dispersed onto the streets of downtown Berkeley. The defendant, alongside other RAM members, followed a group of protestors who were leaving the area. In at least one instance, the defendant observed protestors who he believed were "too slow to leave" the area. The defendant chased after one of the protestors and attacked him, punching him several times in the head. Immediately afterwards, the defendant stood over top of another individual who was on the ground and punched him in the head approximately four to five times before leaving the scene.

None of these acts of violence were in self-defense.

Defendant's Initials: EW

## II. Travel to Charlottesville in August 2017

In or around the spring and summer of 2017, an event referred to as the “Unite the Right” rally was organized and scheduled to occur on August 12, 2017, at Emancipation Park in Charlottesville, Virginia. This rally was widely promoted on social media and internet sites associated with white-supremacist individuals and groups, and was scheduled to feature a lineup of well-known white-supremacist speakers.

After fighting together in Berkeley on April 15, 2017, the defendant and Daley maintained contact, often through phone calls. In one call in the summer of 2017, Daley asked the defendant if he was going to attend the Unite the Right rally in Charlottesville. Daley offered to pay for the defendant’s flight and his stay in Charlottesville, and encouraged him to attend the event. Daley told him: “It’s going to be like Berkeley again . . . It’s going to be the event of the year.”

On or about August 9, 2017, the defendant, using his credit card, purchased a round-trip ticket from Delta Airlines for commercial flights from San Francisco International Airport in California, to Charlottesville Albemarle Airport in Charlottesville, Virginia, departing on August 11, 2017, and returning on August 13, 2017. On August 11, 2017, the defendant boarded his flight and traveled from California to Charlottesville, Virginia, landing at approximately 9:09 p.m. (EST). At the time of his travel, the defendant expected to engage in violent confrontations with protestors or other individuals at the upcoming events in Charlottesville.

## III. The Torch-Lit March at the University of Virginia on August 11, 2017

About the time that the defendant landed in Charlottesville on August 11, 2017, the evening prior to the scheduled Unite the Right rally, hundreds of individuals were gathering to engage in a torch-lit march on the grounds of the University of Virginia in Charlottesville, Virginia. Around the time that the defendant landed, Daley sent a text message to the defendant with an address of a field where this group was gathering. The defendant took a cab from the airport and joined Daley and other RAM members, who were lining up in formation, lighting their torches, and waiting for the march to commence.

Throughout the march, the participants engaged in chants promoting or expressing white supremacist and other racist and anti-Semitic views, such as “Blood and soil!” and “Jews will not replace us!” The march culminated near the University of Virginia’s Rotunda, where a smaller group of individuals, including University of Virginia students, had gathered around a statue of Thomas Jefferson to protest the torch-lit march. Members of this group held a banner that read: “VA Students Act Against White Supremacy.” Chanting and bearing torches, the march participants encircled the Thomas Jefferson statue and surrounded the protestors. Violence erupted among the crowd, with some individuals punching, kicking, spraying chemical irritants, swinging torches, and otherwise assaulting others, all resulting in a riot as that term is defined under 18 U.S.C. § 2102.

*Defendant's Initials:* EW

During and in furtherance of this riot, the defendant swung and struck multiple individuals with his torch.

None of these acts of violence were in self-defense.

#### IV. The Unite the Right Rally on August 12, 2017

On the morning of August 12, 2017, multiple groups and individuals espousing white-supremacist and other anti-Semitic and racist views arrived in and around the vicinity of Emancipation Park in Charlottesville, Virginia, to attend the Unite the Right rally. After several instances of violence prior to the scheduled start of the rally, law enforcement declared an "unlawful assembly" and required rally participants to disperse.

One of the first breakouts of violence on the morning of August 12, 2017 occurred on 2nd Street NE, between Jefferson and High Streets, in downtown Charlottesville. The defendant, Daley, and other RAM members were part of a large group of (over forty) individuals seeking entry to Emancipation Park by way of 2nd Street NE, but were told by members of law enforcement they had to enter from a different location. The group, including the defendant, Daley, and other RAM members turned around, lined up, and began to make their way through a group of (over twenty) individuals who had come to the rally to protest against racial and other forms of discrimination.

As they made their way through the group of protestors, the defendant, Daley, other RAM members collectively pushed, punched, kicked, choked, head-butted, and otherwise assaulted several individuals, resulting in a riot. During and in furtherance of this riot, the defendant personally committed multiple acts, including but not limited to, the following: (1) after having already made his way through the group, the defendant turned around and observed a protestor who was blocking the sidewalk by holding onto a street sign. The defendant walked back, grabbed the individual by the shoulders, and punched him until he released the sign; (2) the defendant head-butted a male individual who was in his way; and (3) the defendant head-butted a female protestor who was present on the sidewalk, resulting in a laceration to her face.

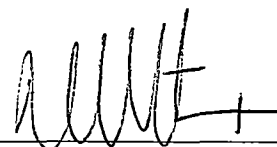
None of these acts of violence were in self-defense.

11.28.2018

Date

11/28/2018

Date



Cole White  
Defendant




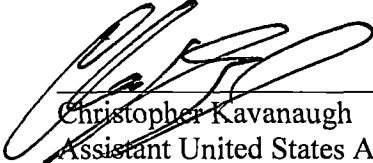
Michael Hemenway  
Counsel for Cole White

Defendant's Initials: CW

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\_\_\_\_\_  
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United States Attorney

  
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Christopher Kavanaugh  
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