



PRESS RELEASE

Oath Keeper Affiliates Charged in Superseding Indictment for Conspiracy Leading to the U.S. Capitol Attack

Thursday, April 1, 2021

For Immediate Release

U.S. Attorney's Office, District of
Columbia

Joshua James and Roberto Minuta are the Latest Individuals to be Indicted for Conspiracy to Obstruct Congress on Jan. 6, 2021

Note: A full copy of the indictment can be viewed

[here.](#)

WASHINGTON — Two individuals associated with the Oath Keepers, a large but loosely organized collection of individuals who explicitly focus on the recruitment of current and former military, law enforcement and first responder personnel, were indicted yesterday in federal court in the District of Columbia for conspiring to obstruct Congress, among other charges. James and Minuta are the 11th and 12th defendants to be charged in this case.

Joshua James, 33, of Arab, Alabama, was arrested on March 9, 2021 in Arab, Alabama; and Roberto Minuta, 36, of Prosper, Texas, was arrested on March 7, 2021, in Newburgh, New York. Both individuals were charged by superseding indictment with conspiracy, obstruction of an

official proceeding, and entering and remaining in a restricted building or grounds. If convicted, James and Minuta each face a maximum penalty of 20 years in prison.

According to the charging documents, James and Minuta communicated with co-conspirators in advance of the Jan. 6, 2021, incursion on the U.S. Capitol. The indictment alleges frequent and consistent communication leading up to the attack, such as in reserving hotel rooms and making phone calls to co-conspirators the morning of the breach.

According to the indictment, in response to a call for individuals to head to the Capitol after the building was breached, James and Minuta drove to the Capitol in a golf cart, at times swerving around law enforcement vehicles with Minuta stating, “Patriots are storming the Capitol...so we’re en route in a grand theft auto golf cart to the Capitol building right now...it’s going down guys; it’s literally going down right now Patriots storming the Capitol building...”

Once they arrived, Minuta aggressively berated and taunted law enforcement officers in riot gear guarding the perimeter of the Capitol near the East side of the building. At 3:15 p.m., Minuta and James forcibly entered the Capitol building through the same east side Rotunda doors through which their alleged co-conspirators had entered earlier.

They then stormed the building, wearing military gear. Minuta additionally wore hard-knuckle tactical gloves, ballistic goggles, a radio with an earpiece and bear spray. Video captures Minuta yelling at an officer: “All that’s left is the Second Amendment!” as he exited the building at 3:19 p.m. Not long after 4:00 p.m., individuals who breached the Capitol – including James, Minuta and many of their alleged co-conspirators – gathered together approximately 100 feet from the Capitol near the northeast corner of the building.

The case is being prosecuted by the U.S. Attorney’s Office for the District of Columbia and the Department of Justice’s National Security Division, Counterterrorism Section. Valuable assistance was provided by the U.S. Attorneys’ Offices for the Southern District of New York, Eastern District of Texas and Northern District of Alabama. The case is being investigated by the FBI’s New York, Dallas, Birmingham and Washington Field Offices.

Anyone with tips can call 1-800-CALL-FBI (800-225-5324) or visit tips.fbi.gov.

The charges contained in the complaint are allegations. The defendants are presumed innocent unless and until proven guilty beyond a reasonable doubt in a court of law.

Updated April 1, 2021

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