



PRESS RELEASE

California Man Found Guilty by Jury of Charges Related to Capitol Breach

Friday, August 19, 2022

For Immediate Release

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

Defendant Posted Photo of Himself Inside Senate Parliamentarian's Office

WASHINGTON - Erik Herrera, 34, of El Cajon, California, was found guilty by a jury in the District of Columbia today of felony and misdemeanor charges for his actions during the Jan. 6, 2021, Capitol breach. His actions and the actions of others disrupted a joint session of the U.S. Congress convened to ascertain and count the electoral votes related to the presidential election.

The jury found Herrera guilty of the felony offense of obstruction of an official proceeding, and four misdemeanor offenses, including entering and remaining in a restricted building or grounds; disorderly and disruptive conduct in a Capitol Building; disorderly conduct in a Capitol Building, and parading, demonstrating, or picketing in a Capitol Building. The trial was before Chief Judge Beryl A. Howell in the U.S. District Court for the District of Columbia.

According to the government's evidence, Herrera was among rioters who illegally entered the Capitol on Jan. 6, 2021. Among other places, he was in groups that entered the Capitol at the Senate Fire Door and the Senate Wing Door. He also posted a photograph of himself holding papers inside the Senate Parliamentarian's office. Herrera is a photographer but was not in the Capitol as a credentialed journalist. On Jan. 7, 2021, he admitted on social media that a press

patch he was wearing had not been issued by a media organization. He wrote, “I don’t have a monopoly on press badges. They’re on Amazon for like \$8 ... No special permission to buy.”

Herrera was arrested on Aug. 19, 2021, in Los Angeles. He is to be sentenced on Nov. 10, 2022.

The felony obstruction charge carries a statutory maximum of 20 years in prison and potential financial penalties. The four misdemeanor offenses carry a combined statutory maximum of three years of incarceration and potential financial penalties. The Court will determine any sentence after considering the U.S. Sentencing Guidelines and other statutory factors.

The case is being prosecuted by the U.S. Attorney’s Office for the District of Columbia. Valuable assistance was provided by the Department of Justice National Security Division’s Counterterrorism Section and the U.S. Attorney’s Offices for the Southern and Central Districts of California, the District of Arizona, and the Western District of Pennsylvania.

The case is being investigated by the FBI’s San Diego and Washington Field Offices. Valuable assistance was provided by the U.S. Capitol Police, the Secret Service, Metropolitan Police Department, and the Metro Transit Police Department.

In the 19 months since Jan. 6, 2021, more than 860 individuals have been arrested in nearly all 50 states for crimes related to the breach of the U.S. Capitol, including over 260 individuals charged with assaulting or impeding law enforcement. The investigation remains ongoing.

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

Updated August 19, 2022

Topic

VIOLENT CRIME

Components

[Federal Bureau of Investigation \(FBI\)](#) | [National Security Division \(NSD\)](#) | [USAO - California, Central](#) | [USAO - California, Southern](#) | [USAO - District of Columbia](#)

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PRESS RELEASE

Guilty Plea in Theft and Sale of Hundreds of Government-Issued Phones and Computers Slated for Destruction

Nikhil Parekh, 37, of Randallstown, Maryland, pleaded guilty today in U.S. District Court in connection with the theft and sale of hundreds of government-issued smartphones, laptop computers, and other IT...

February 4, 2025

PRESS RELEASE

Alleged Armed Carjacker Charged After Arrest

Parren Hawkins, 33, of Washington, D.C., was charged today in Superior Court with armed carjacking in connection with an incident, yesterday, in Northeast D.C. The charge was announced by U.S...

February 3, 2025

PRESS RELEASE**Murder of Shoe Reseller Results in 32 Year Sentence**

Darius Anderson, 23, of Washington, DC, was sentenced today to 32 years of in prison for first-degree murder while armed and related offenses in the June 2022 killing of 30-year...

January 31, 2025

**District of Columbia**

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