



PRESS RELEASE

California Man Pleads Guilty to Felony Charge for Actions During Jan. 6 Capitol Breach

Wednesday, September 21, 2022

For Immediate Release

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

Defendant Entered Senate Gallery, Took Selfies

WASHINGTON — A California man pleaded guilty today to a felony charge for his actions during the breach of the U.S. Capitol on Jan. 6, 2021. His actions and the actions of others disrupted a joint session of the U.S. Congress that was in the process of ascertaining and counting the electoral votes related to the presidential election.

Andrew Alan Hernandez, 45, of Riverside, California, pleaded guilty in the District of Columbia to aiding and abetting in the obstruction of an official proceeding.

According to court documents, on Jan. 6, 2021, Hernandez attended a rally on the Ellipse and then marched to the Capitol. He was carrying a backpack and U.S. flag on a pole with a camera attached. Hernandez initially stood by a series of bicycle racks, set up to keep people from illegally entering the Capitol grounds. While he was there, at approximately 1:59 p.m., the mob pushed down the barricades and moved forward. Hernandez moved past the barricades and made his way up the steps leading to the East Plaza, part of a crowd pushing towards the Rotunda Door.

At approximately 2:37 p.m., a short time after the East Rotunda Door was initially breached, Hernandez entered the Capitol. He then made his way to the Senate Gallery, where he remained until approximately 2:45 p.m. He took a few “selfies” of himself inside the Senate Gallery and then departed, leaving the Capitol through the Rotunda Door at about 2:51 p.m.

Hernandez was arrested on Feb. 25, 2021, in Riverside, California. He is to be sentenced on Jan. 27, 2023. He faces a statutory maximum of 20 years in prison and potential financial penalties. A federal district court judge will determine any sentence after considering the U.S. Sentencing Guidelines and other statutory factors.

This case is being prosecuted by the U.S. Attorney’s Office for the District of Columbia and the Department of Justice National Security Division’s Counterterrorism Section. Valuable assistance was provided by the U.S. Attorney’s Office for the Central District of California.

The case is being investigated by the FBI’s Los Angeles and Washington Field Offices. Valuable assistance was provided by the Metropolitan Police Department and the U.S. Capitol Police.

In the 20 months since Jan. 6, 2021, more than 870 individuals have been arrested in nearly all 50 states for crimes related to the breach of the U.S. Capitol, including over 265 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 September 21, 2022

Attachments

[Hernandez - Plea Agreement](#) [PDF, 349 KB]

[Hernandez - Statement of Offense](#) [PDF, 358 KB]

Topic

VIOLENT CRIME

Components

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

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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



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