



PRESS RELEASE

Texas Man Pleads Guilty to Felony Charges for Actions During Jan. 6 Capitol Breach

Wednesday, November 2, 2022

For Immediate Release

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

Defendant Carried Flagpole Into Capitol, Joined in Confrontations with Officers

WASHINGTON – A Texas man pleaded guilty today to felony charges, including assaulting law enforcement officers, 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 convened to ascertain and count the electoral votes related to the 2020 presidential election.

Joshua Lee Hernandez, 29, of Houston, pleaded guilty in the District of Columbia to assaulting, resisting, or impeding law enforcement officers, and interfering with officers during a civil disorder.

According to court documents, Hernandez traveled from Memphis, Tennessee, to Washington, D.C. On Jan. 6, 2021, he illegally entered the restricted grounds of the Capitol, heading to the Lower West Terrace area, and inciting the crowd by waving a flag and chanting. At 2:13 p.m., he entered the Capitol through a window near the Senate Wing Doors, carrying a

flagpole. Over the next 40 minutes, he moved through the Senate Wing, the Crypt, the House Speaker's Conference Room, and the Rotunda, among various places, with the flagpole.

Between 2:35 and 2:40 p.m., Hernandez joined rioters who were confronting law enforcement officers at the East Rotunda interior door. He shouted and waved at others to join him in a group push against the officers in order for the mob to open the doors to other rioters outside. He braced and pushed with the group, causing the East Rotunda doors to open to those outside. He then moved around the group of rioters, moved the flagpole up, reached with it over the group of rioters surrounding the officers, and hit one officer on his riot helmet with the flagpole.

At 2:46 p.m., Hernandez entered the Senate Gallery, carrying the flagpole. He left the Gallery after a few minutes, exiting the Capitol at 2:52 p.m.

Hernandez was arrested on Feb. 23, 2022, in Memphis. He is to be sentenced on Feb. 2, 2023. He faces a statutory maximum of eight years in prison for assaulting, resisting, or impeding officers, and five years in prison for civil disorder. Both charges also carry 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 Southern District of Texas.

The case is being investigated by the FBI's Memphis Field Office and the FBI's Washington Field Office, which identified Hernandez as #27 on its seeking information photos. Valuable assistance was provided by the Metropolitan Police Department and the U.S. Capitol Police.

In the 21 months since Jan. 6, 2021, more than 880 individuals have been arrested in nearly all 50 states for crimes related to the breach of the U.S. Capitol, including over 270 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 November 2, 2022

Attachments

[Hernandez - Plea Agreement](#) [PDF, 192 KB]

[Hernandez - Statement of Offense](#) [PDF, 142 KB]

Topic

VIOLENT CRIME

Components

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

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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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