

**PRESS RELEASE**

Judge Finds Two Men Guilty of Charges For Actions During Jan. 6 Capitol Breach

Thursday, December 8, 2022

For Immediate Release

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

Defendants Entered Senate Chamber, Went Through Documents

WASHINGTON – Two men - one from Virginia, one from Texas - were found guilty yesterday in the District of Columbia of felony charges for their actions during the breach of the U.S. Capitol on Jan. 6, 2021. Their actions and the conduct of others disrupted a joint session of the U.S. Congress convened to ascertain and count the electoral votes related to the presidential election.

Luke Bender, 22, of Stafford, Virginia, and Landon Mitchell, 32, formerly of Arlington, Virginia now living in Texas, were found guilty of obstruction of an official proceeding and five related misdemeanor charges. Chief Judge Beryl A. Howell returned the verdict after a proceeding in which Bender, Mitchell, and the government agreed upon a stipulated set of facts regarding their conduct.

According to the stipulated facts, on Jan. 6, 2021, Bender and Mitchell illegally entered the Capitol grounds, climbing scaffolding that had been erected for the inauguration. At about 2:45 p.m., they entered the Capitol Building through the Upper West Terrace Door. They proceeded through the Rotunda, down the East Front Corridor, through the Ohio Clock Corridor,

down a hall, and into the Senate Chamber. They entered the Senate Floor at approximately 3:04 p.m. While on the Senate Floor, they reviewed documents sitting on tables. They also took “selfies” from the Senate floor, and each posed for pictures at the Senate dais. At approximately 3:08 p.m., U.S. Capitol Police officers directed the rioters to leave the Chamber. Bender and Mitchell exited the building at about 3:10 p.m.

Both defendants later posted messages on social media boasting of their actions. On Jan. 7, 2021, for example, Mitchell posted, and Bender re-posted, an image of a skull surrounded by red smoke, with the caption, “Absolutely proud of my fellow Americans who made their voices heard at the Capitol.”

Bender was arrested on July 29, 2021, in Fairfax, Virginia. Mitchell was arrested on Oct. 20, 2021, in Arlington, Virginia. They are to be sentenced on March 3, 2023. They face a statutory maximum of 20 years in prison on the obstruction charge, as well as a maximum total of 3 ½ years in prison on the misdemeanor offenses of entering and remaining in a restricted building or grounds, disorderly and disruptive conduct in a restricted building or grounds, entering and remaining on the floor of Congress, and disorderly conduct in a Capitol Building or grounds. The 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.

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

In the 23 months since Jan. 6, 2021, nearly 900 individuals have been arrested in nearly all 50 states for crimes related to the breach of the U.S. Capitol, including over 275 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 December 8, 2022

Topic

VIOLENT CRIME

Components

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