



PRESS RELEASE

Washington State Man Arrested on Felony and Misdemeanor Charges for Actions During Jan. 6 Capitol Breach

Tuesday, July 25, 2023

For Immediate Release

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

Defendant Part of Coordinated Push Against Law Enforcement in the Lower West Terrace Tunnel

WASHINGTON - A Washington state man has been arrested on felony and misdemeanor charges related to 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 convened to ascertain and count the electoral votes related to the presidential election.

Benjamin John Silva, 36, of Yacolt, Washington, is charged in a criminal complaint filed in the District of Columbia with a felony offense of civil disorder. In addition to the felony, Silva is charged with several misdemeanor offenses, including entering or remaining in a restricted building or grounds; disorderly and disruptive conduct in a restricted building or grounds; engaging in physical violence in a restricted building or grounds; and impeding passage through the Capitol grounds or buildings.

Silva was arrested today in Portland, Oregon, and made his initial appearance in the District of Oregon.

According to court documents, law enforcement officials identified Silva as present among the crowd of rioters resisting police lines on Jan. 6, 2021, at the tunnel entrance of the Capitol building's Lower West Terrace. Court documents say that in open-source video footage, an individual, later identified as Silva, can be seen participating in the collective push against the police line formed in the tunnel. Additional video footage reviewed by law enforcement shows Silva at the front of the police line with a hand placed against an officer's riot shield.

Court documents state that open-source video from the tunnel entrance show Silva as he makes his exit from the tunnel with his eyes closed and tearing, a common reaction to being pepper sprayed. An unknown individual then attempts to pour water on Silva's eyes and face. Another individual then asks Silva, "What's your name? Where you from?" Silva replies, "Ben Silva." The other then asks, "What state?" to which Silva replies, "Washington State." Silva then appears to exit the tunnel.

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 Western District of Washington and the District of Oregon.

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

In the 30 months since Jan. 6, 2021, more than 1,069 individuals have been arrested in nearly all 50 states for crimes related to the breach of the U.S. Capitol, including more than 350 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.

A complaint is merely an allegation, and all defendants are presumed innocent until proven guilty beyond a reasonable doubt in a court of law.

Updated July 26, 2023

Topic

VIOLENT CRIME

Components

[Federal Bureau of Investigation \(FBI\)](#) | [USAO - District of Columbia](#)

Press Release Number: 23-414

Related Content

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**

Main Office:
601 D Street, NW
Washington, DC

Email USAO-DC



Telephone: (202) 252-7566