



PRESS RELEASE

North Carolina Man Found Guilty of Felony and Misdemeanor Charges Related to Jan. 6 Capitol Breach

Thursday, August 31, 2023

For Immediate Release

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

Defendant struck officers with a metal pole

WASHINGTON - A North Carolina man was found guilty in the District of Columbia today of five felonies and three misdemeanors related to 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 2020 presidential election.

David Joseph Gietzen, 30, of Sanford, North Carolina, was found guilty by a jury of one count of civil disorder and aiding and abetting; two counts of assaulting, resisting, or impeding certain officers; one count of assaulting, resisting, or impeding certain officers using a deadly or dangerous weapon; and one count of entering and remaining in a restricted building or grounds with a deadly or dangerous weapon. All felonies.

The jury also found Gietzen guilty of three related misdemeanor offenses, including disorderly or disruptive conduct in a restricted building or grounds; engaging in physical violence in a restricted building or grounds; and act of physical violence in the Capitol grounds or buildings. Gietzen will be sentenced at a later date.

According to the government's evidence, Gietzen traveled to Washington, D.C., with his brother to attend a rally at the Ellipse on Jan. 6, 2021. Following the rally, Gietzen joined a mob of rioters illegally on the Capitol grounds. Gietzen appeared in multiple videos captured by body-worn cameras worn by Metropolitan Police Department (MPD) officers on the exterior West Plaza and Lower West Terrace area. Additional video of Gietzen was captured by Capitol CCTV cameras and videos obtained from others present at the Capitol that day.

Evidence showed that Gietzen was seen in the area of the security barriers in front of the West Plaza area wearing a white helmet, goggles, , a green jacket, jeans, knee pads, and dark shoes. At about 2:13 p.m., he appeared to push with the crowd against the barriers and thrust his fist against shields held by U.S. Capitol Police (USCP)(officers.

Gietzen then pushed an officer during a series of hand-to-hand confrontations between rioters, MPD, and Capitol Police Officers. Moments later, Gietzen appeared to grab an officer by the throat or face mask.

At about 2:30 p.m., Gietzen – still wearing his distinctive helmet – was seen holding a long pole and thrusting it at a line of officers, ultimately striking a USCP officer with the pole in what Gietzen said was an effort to move the officer.

Gietzen was also observed on U.S. Capitol CCTV outside the Lower West Terrace Tunnel at about 3:57 p.m., pushing with the crowd back and forth against the law enforcement officers who were securing the entrance doorway.

Gietzen was arrested on May 11, 2022, by the FBI in Sanford, North Carolina.

All charges carry potential financial penalties. The Court will determine any sentence after considering the U.S. Sentencing Guidelines and other statutory factors.

The case was prosecuted by the U.S. Attorney's Office for the District of Columbia. Valuable assistance was provided by U.S. Attorney's Office for the Middle District of North Carolina.

The case was investigated by the FBI's Charlotte and Washington Field Offices. Valuable assistance was provided by the U.S. Capitol Police and the Metropolitan Police Department.

In the 31 months since Jan. 6, 2021, more than 1,106 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.

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

Updated August 31, 2023

Topic

VIOLENT CRIME

Components

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Press Release Number: 23-506

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January 31, 2025



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