



PRESS RELEASE

Kentucky Man Sentenced for Actions During Jan. 6 Capitol Breach

Friday, October 20, 2023

For Immediate Release

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

Defendant Sprayed Officers with Fire Extinguisher

WASHINGTON – A Kentucky man was sentenced today on two felonies stemming from 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 2020 presidential election.

Joseph Howe, 41, of Magnolia, Kentucky, was sentenced to 50 months in prison, 12 months of supervised release, and ordered to pay \$2,000 in restitution by U.S. District Judge Timothy J. Kelly. Howe pleaded guilty on Aug. 1, 2023, to obstructing an official proceeding and assaulting, resisting, or impeding law enforcement officers.

According to court documents, Howe traveled to Washington, D.C., from his home in Kentucky to attend the "Stop the Steal" rally on Jan. 6, 2021. When he arrived, he wore a plate carrier vest, goggles, and a respirator mask. After the rally, Howe marched with a group to the Capitol building and announced to a man with a video camera, "We're getting in that building." When the man disagreed, Howe repeated, "We're getting in."

Wearing goggles and a gas mask, Howe entered under the scaffolding that covered the Capitol's Northwest staircase and encountered a group of rioters confronting a line of police

officers. Court documents say that Howe grabbed a riot shield from the hands of a U.S. Capitol police officer. Members of the mob then attacked the officer, leaving him with a concussion and head trauma that required treatment at a hospital.

Still holding the officer's shield, Howe passed by the officer and made his way further up the staircase. Howe then encountered another group of officers assembled at the top of the scaffolding. Howe progressed up the stairs and approached the police line, holding a canister and deploying an aerosol canister of what appeared to be bear spray or pepper spray against the police guarding the top of the stairs.

Howe then joined a group of rioters near the landing in a joint effort to wrest bike racks away from the police and break through the line. The police struggled to control the area, and some officers used their batons to keep rioters back. At this time, Howe was seen with a police baton in his hand, which he swung toward the bike racks. He then collapsed the baton and stored it in his pocket.

Howe and the other rioters broke through additional phalanxes of officers and were among the first rioters to reach the Upper West Terrace and the Senate Wing Door. Howe forcefully kicked at the door, and rioters inside opened it.

Passing through the Crypt to the Memorial Door, Howe removed his respirator mask and camouflage jacket, revealing his tactical armored vest. Joining with a crowd of rioters, Howe pushed through a small makeshift line of officers, grabbed a fire extinguisher, and fired it toward a group of police, hitting one of them directly in the eyes with the chemical agent.

Howe was arrested on Oct. 28, 2022, in Kentucky.

This case was 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 Kentucky.

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

In the 33 months since Jan. 6, 2021, more than 1,100 individuals have been charged in nearly all 50 states for crimes related to the breach of the U.S. Capitol, including more than 400 individuals charged with assaulting or impeding law enforcement, a felony. The investigation remains ongoing.

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

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Topic

VIOLENT CRIME

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