



PRESS RELEASE

Two Sentenced for Assaulting Law Enforcement in Lower West Terrace Tunnel and Other Charges During Jan 6. Capitol Breach

Friday, November 3, 2023

For Immediate Release

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

Defendants Part of Mob That Assaulted Police in West Terrace Tunnel

WASHINGTON — Two men were sentenced today on multiple felony charges, including assaulting law enforcement officers, related to their actions during the Jan. 6, 2021, Capitol breach. Their 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.

Federico Klein, 45, of Falls Church, Virginia, was sentenced to 70 months in prison and 24 months of supervised release and ordered to pay \$5,000 in fines and restitution. Steven Cappuccio, 53, of Universal City, Texas, was sentenced to 85 months in prison and 24 months of supervised release. U.S. District Judge Trevor N. McFadden sentenced both men.

Klein was convicted of eight felonies and Cappuccio was convicted of six felonies on July 20, 2023, related to their conduct on Jan. 6, 2021, following a bench trial before Judge McFadden.

According to court documents, Klein, a former Marine and State Department appointee, and Cappuccio were among the group of rioters who illegally entered the U.S. Capitol grounds on Jan. 6, 2021. Klein and Cappuccio separately made their way to the Lower West Terrace Tunnel entrance of the Capitol building, where some of the most violent assaults on law enforcement officers occurred on January 6th. Rioters at the Tunnel battled officers for hours as they attempted to storm the Capitol building.

Court documents state that Klein entered the Tunnel at approximately 2:43 p.m. and began to yell at law enforcement officers, ignored commands to leave, and attempted to grab a police officer's riot shield. Klein then used both of his arms and body to forcibly push against police. As police attempted to close a door to the Tunnel, Klein used a stolen police riot shield as a wedge to thwart police from closing the door.

Meanwhile, at approximately 3:06 p.m., Cappuccio approached the entrance to the Tunnel, recording video on his cell phone of the scene outside the Capitol. Cappuccio entered the Tunnel and immediately joined the push against the police line. A short while later, Cappuccio and Klein joined with other rioters in a concerted "heave-ho" push against police. During the "heave-ho" push, a police officer became pinned between the metal doors in the Tunnel and a shield held by a rioter. Cappuccio saw this, then forcefully yanked the gas mask away from the pinned officer's face in hard, quick movements, causing the officer's head and neck to be yanked violently in various directions.

As he viciously ripped off the officer's gas mask, Cappuccio appeared to say, "How do you like me now, f—er?!" Cappuccio then took the officer's riot baton out of his hands and used the baton to strike the officer in the face. Cappuccio later exited the Tunnel, looked to the crowd, and pumped his fist into the air victoriously.

As Cappuccio left the Tunnel, court records say that Klein remained. Klein then participated in another "heave-ho" push against the police and actively resisted the police officers' efforts to move him out of the Tunnel by aggressively pushing a stolen riot shield against the police line and using the weight of his body to press forward. Klein was finally pushed out of the Tunnel at approximately 3:19 p.m. and remained near the front of the mob until approximately 4:10 p.m., constantly pushing into the police line using a stolen riot shield.

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 Eastern District of Virginia and the Western District of Texas.

This case was investigated by the FBI's Washington Field Office Violent Crimes Task Force and the FBI's San Antonio Field Office, which identified Klein as BOLO (Be on the Lookout)

#136 and Cappuccio as BOLO #123. Valuable assistance was provided by the United States 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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February 3, 2025

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