



PRESS RELEASE

Virginia Man Arrested for Assaulting Law Enforcement and Other Charges During Jan. 6 Capitol Breach

Thursday, February 8, 2024

For Immediate Release

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

Defendant Accused of Using OC Spray on Police in Lower West Terrace Tunnel

WASHINGTON — A Virginia man has been arrested on felony and misdemeanor charges, including for assaulting law enforcement 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.

Matthew Stallings, 34, of Newport News, Virginia, is charged in a criminal complaint filed in the District of Columbia with felony offenses of civil disorder, engaging in physical violence against any person or property while using or carrying a deadly or dangerous weapon, and assaulting, resisting, or impeding certain officers.

In addition to the felonies, Stallings is charged with misdemeanor offenses of entering and remaining in a restricted building or grounds, disorderly and disruptive conduct in a restricted building or grounds, engaging in physical violence against any person or property

resulting in significant bodily injury in any restricted building or grounds, disorderly conduct in a Capitol building, and act of physical violence in the Capitol grounds or buildings.

Stallings was arrested yesterday in Virginia and made his initial appearance in the Eastern District of Virginia.

According to court documents, Stallings was identified in open-source video and images as participating in the riot near the Lower West Terrace Tunnel of the U.S. Capitol building on Jan. 6, 2021. The Tunnel was created by the construction of a stage for the upcoming Presidential Inauguration and was the site of some of the most violent attacks against law enforcement on January 6th. Open-source images show an individual, later identified as Stallings, wearing a 3M brand respirator mask and a tan military-style helmet with a flashlight and black and white Gagsden patch attached to the left side.

At approximately 4:15 p.m., Stallings is seen in open-source video and U.S. Capitol surveillance (CCTV) footage approaching the mouth of the Tunnel, raising a canister, and spraying an orange substance toward police officers assembled in the Tunnel. CCTV and police officer body worn camera footage captured officers reacting in pain to the substance and being unable to perform their duties, including one officer who was escorted off camera. After discharging the entire contents of the canister on officers, Stallings threw the empty canister at officers in the Tunnel. Court documents say the substance was oleoresin capsicum (OC) spray.

Following his actions at the Capitol, Stallings was identified in an open-source YouTube video describing how officers pepper sprayed him. Court documents say that in this video, Stallings displayed his helmet and mask, while wearing the same tactical vest observed in other footage. Referencing his mask, at one point in the video, Stallings stated, "Luckily, I invested in one of these, if y'all are going to come out here, and try to go up in 'em front lines y'all better buy some of these." Another individual asked Stallings if he "planned for this," to which he replied, "Yes." Another individual appearing in this video with Stallings stated, "Just like you put on your little nice shows and planned to come to DC, we planned to come and take our Capitol back."

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.

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

In the 37 months since Jan. 6, 2021, more than 1,313 individuals have been charged in nearly all 50 states for crimes related to the breach of the U.S. Capitol, including more than 469 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.

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 February 8, 2024

Topic

VIOLENT CRIME

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February 4, 2025



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