



PRESS RELEASE

New York Man Sentenced on Felony and Misdemeanor Charges for Actions During Jan. 6 Capitol Breach

Thursday, February 29, 2024

For Immediate Release

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

Defendant Illegally Entered Capitol, Smoked Marijuana in a Senator's Office

WASHINGTON – A New York man was sentenced today on felony and misdemeanor charges for 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.

Brandon Craig Fellows, 29, of Schenectady, New York, was sentenced by U.S. District Judge Trevor N. McFadden to 37 months in prison plus an additional five months for a contempt of court charge. In total, Fellows was sentenced to 42 months.

A jury convicted Fellows on Aug. 31, 2023, of obstruction of an official proceeding, a felony, and misdemeanor offenses of entering and remaining in a restricted building or grounds, disorderly and disruptive conduct in a restricted building or grounds, entering and remaining in certain rooms in the Capitol building, and disorderly conduct in a Capitol building.

According to court documents, on Jan 6, 2021, Fellows arrived at the Ellipse near the National Mall in Washington, D.C., to attend the “Stop the Steal” rally and listen to the former

President's speech. After the rally, Fellows marched with a large crowd toward the Capitol building. Fellows approached the Capitol from the west side and made his way to the Upper West Terrace. From his position, as he surveyed the thousands of rioters on the West Plaza and the West Lawn, Fellows proclaimed on a video recording made on his cell phone, "Oh bro, we're gonna get gassed soon. I heard windows just break."

Fellows then moved toward Northwest Courtyard, near the Parliamentary Door and Senate Wing Door, arriving at a time when police had temporarily secured the Senate Wing Door. Here, the mob of rioters continued to gather outside both doors. Fellows remained with the mob for several minutes, recording the chaos from outside the Parliamentary Door and narrating it for his audience. In one recording, Fellows exclaimed, "We're at the main f — gates. They're banging it like a f — battering ram. It's f — crazy."

Fellows also recorded another rioter ramming the Parliamentary Door with a cane, attempting to force it open. In the recording, Fellows overlaid the video with the message, "We are coming for you, traitors." When the rioters finally broke the door open, Fellows celebrated, yelling, "Oh, sh —! Oh, sh —! Oh, sh —! Oh, sh —! Holy, sh —, bro!"

Fellows entered the Capitol building via a broken window at about 2:52 p.m. and paraded through the Senate Wing Door holding a "Trump 2020" flag. Once inside, Fellows stood on top of broken furniture and waved the flag. Fellows then briefly entered a congressional conference room and then walked across the hall to the private office of a U.S. Senator from Oregon. While inside the office, Fellows sat in a chair, put his feet up on a conference table, and smoked marijuana. Another rioter, who was live streaming, asked Fellows, "What is your message?" Fellows replied, "Man, oh man, we got pissed. We ripped it out of the hands of these police officers," followed by an eruption of laughter.

After leaving the Senator's office, Fellows joined other rioters in the Crypt, where he walked around the room and exited the same way he came. On his way out, Fellows heckled two U.S. Capitol Police Officers. After exiting the building, Fellows almost immediately gave an interview to a news network, which was reporting from the Upper West Terrace. He was excited and animated during the interview, describing the actions of other rioters as "breaking in" and referring to his own marijuana use inside a Senate office, stating, "There's just a whole bunch of people lighting up in some Oregon room." Fellows then climbed atop a U.S. Capitol Police motorcycle that was parked on the Upper West Terrace.

In the days following Jan. 6, Fellows took to social media to describe his exploits. In one post, Fellows wrote, "Brought my heart joy to see these members terrified for their lives. For what they have done and are doing to this country I hope they live in constant fear."

Fellows was arrested on Jan. 16, 2021, in New York by the FBI.

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 Northern District of New York.

This case was investigated by the FBI's Washington and New York Field Offices. Valuable assistance was provided by the New York State Police, 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

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February 7, 2025

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February 4, 2025



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