



PRESS RELEASE

North Carolina Man Sentenced for Assaulting Law Enforcement During Jan. 6 Capitol Breach

Wednesday, April 24, 2024

For Immediate Release

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

Defendant Struck Officers with a Metal Pole

WASHINGTON - A North Carolina man was sentenced on Tuesday, April 23, 2024, for assaulting law enforcement and other charges related to his conduct 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.

David Joseph Gietzen, 30, of Sanford, North Carolina, was sentenced by U.S. District Judge Carl J. Nichols to 72 months in prison, and 36 months of supervised release.

A federal jury convicted Gietzen guilty of seven felonies, including 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; one count of entering and remaining in a restricted building or grounds with a deadly or dangerous weapon; one count of disruptive and disorderly conduct in a restricted

buildings or grounds with a deadly or dangerous weapon; and one count of physical violence in a restricted building or grounds with a deadly or dangerous weapon on Aug. 31, 2023.

Gietzen was also found guilty of a related misdemeanor offenses, an act of physical violence in the Capitol grounds or buildings.

According to court documents, Gietzen traveled from their home in North Carolina to Washington, D.C., to attend the "Stop the Steal" rally held on January 6, 2021, near the Ellipse. Following the rally, Gietzen marched to the Capitol to further protest and express his anger about the results of the 2020 Presidential election.

Sometime before 2:00 p.m., Gietzen entered the Capitol's restricted grounds on the west side and made his way to the West Plaza. Here, officers from the United States Capitol Police (USCP) and the Metropolitan Police Department (MPD) formed a defensive line using bike racks just below the inaugural stage. Gietzen, outfitted in a helmet, goggles, and knee pads, moved to the front of the crowd of rioters where he faced off with police.

Court documents say that Gietzen ignored commands to leave the grounds and instead, at 2:13-2:15 p.m., pushed against the police line and assaulted officers by pushing and pulling against their bodies and shields. After this assault, Gietzen stayed at the front of the crowd, yelling "f — disgrace" at officers and chanting "We Want Trump!"

At 2:28 p.m., Gietzen again began assaulting USCP and MPD officers as part of a larger group effort to overrun officers on the West Plaza. This effort was successful, and as the line of officers fell. Gietzen assaulted one officer by shoving the officer and grabbing the face mask of another. At 2:31 p.m., as officers retreated, Gietzen followed, moving toward the Capitol building and assaulting an officer by jabbing the officer twice with a long pole. Gietzen was able to strike the officer in the gaps in their protective gear near the armpit area. Gietzen then embedded himself in the mob of rioters pushing and obstructing officers at the Lower West Terrace Tunnel from approximately 3:40 to 4:00 p.m.

In the days following the events at the Capitol on January 6th, Gietzen bragged to his friends and family about his participation in the riot. In one message, Gietzen wrote that he had "Never been prouder to be an American" on what he believed was a "beautiful day" and excitedly anticipated armed civil war, coinciding with the upcoming Inauguration? as the inevitable next step.

In another message, Gietzen wrote, "Btw they are trying to give credit to storming congress on the news to Antifa....BULLSHIT, I was there in a hallway helping to push the line of guards back. Today was 100 what happens when you piss of normal people, and the next protest is going even further." At both the trial and sentencing, Gietzen stated he did not regret his actions on January 6, 2021.

The FBI arrested Gietzen in Sanford, North Carolina, on May 11, 2022.

The U.S. Attorney's Office for the District of Columbia and the Department of Justice National Security Division's Counterterrorism Section prosecuted this case. The U.S. Attorney's Office for the Middle District of North Carolina provided valuable assistance.

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

In the 39 months since Jan. 6, 2021, more than 1,385 individuals have been charged in nearly all 50 states for crimes related to the breach of the U.S. Capitol, including nearly 500 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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**District of Columbia**

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