

**PRESS RELEASE**

California Man Convicted of Felony and Misdemeanor Charges for Actions During Jan. 6 Capitol Breach

Thursday, June 27, 2024

For Immediate Release

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

WASHINGTON – A California man was convicted on June 26, 2024, of multiple felony and misdemeanor offenses related to his conduct during the Jan. 6, 2021, breach of the U.S. Capitol. 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.

A federal jury in the District of Columbia found Benjamin J. Martin, 46, of Madera, California, guilty of felony offenses of civil disorder and obstruction of an official proceeding. In addition to the felonies, Martin was also found guilty of multiple misdemeanor offenses, including entering and remaining in a restricted building or grounds, disorderly and disruptive conduct in a restricted building or grounds, disorderly conduct in a Capitol building, and parading, demonstrating, or picketing in a Capitol building.

U.S. District Judge Rudolph Contreras will sentence Martin on Nov. 15, 2024.

According to court documents and evidence presented during the trial, on Jan. 6, 2021, Martin attended the former President's rally on the National Mall and afterward walked toward the U.S. Capitol building where he saw a large crowd covering a set of stairs, with some people scaling the walls of the building.

Martin made his way to the north side of the building, where rioters were gathered around a set of double doors. At about 3:00 p.m., Martin commanded that the two officers guarding the doors “let us in,” but the officers did not respond. Martin remained at the front of the group of rioters, at one point shouting, “our house,” in an officer’s face.

At some point, one of the doors was briefly opened from the inside as a rioter exited the building. Martin then reached past the officers in front of the door, grabbed it, and entered the building over the sound of an alarm. Other rioters flooded in behind him.

Once inside, a larger group of officers pushed Martin and other rioters back out the door. However, Martin and the other rioters remained in the doorway. Rioters near Martin began to tackle, shove, spray, and hurl objects at the officers as Martin held one of the double doors open. The officers attempted to retreat into the Capitol building away from the onslaught and pull the door shut behind them, but Martin continued to pull the door open. One officer tried to get Martin’s hand off the door, striking it with a baton, but Martin did not relent. The officer continued to swing his baton at Martin’s hand, but Martin evaded the baton and grabbed the door elsewhere as another rioter sprayed the officer with a chemical irritant.

The officer next grabbed the door and attempted to pull it closed, but Martin again grabbed the door and tried to keep it open. Ultimately, with help from other officers, the door was shut and locked. However, minutes later, Martin pulled one of the doors back open. Several officers came through the door, deploying chemical spray and pepper bullets to disburse the crowd. Still, Martin remained in the area for over an hour as rioters attempted to reenter the building, telling officers that “we are going to rise up against an oppressive government” and admonishing them to “Walk away from [their] posts.” Martin eventually left the area as more officers arrived.

The FBI arrested Martin on Sept. 2, 2021, in California.

The U.S. Attorney’s Office for the District of Columbia and the Department of Justice National Security Division’s Counterterrorism Section are prosecuting these cases. The U.S. Attorney’s Office for the Eastern District of California provided valuable assistance.

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

In the 41 months since Jan. 6, 2021, more than 1,450 individuals have been charged in nearly all 50 states for crimes related to the breach of the U.S. Capitol, including more than 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.

Contact

usadc-media@usa.doj.gov

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VIOLENT CRIME

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