



PRESS RELEASE

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

Friday, August 2, 2024

For Immediate Release

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

USADC.Media@usdoj.gov

WASHINGTON — A Tennessee man has been arrested for allegedly assaulting law enforcement and other charges related to his conduct during the Jan. 6, 2021, breach of the U.S. Capitol. His alleged 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.

Nicholas Waldon Smotherman, 41, of Mt. Juliet, Tennessee, is charged in a criminal complaint filed in the District of Columbia with felony offenses of obstruction of law enforcement during a civil disorder and assaulting, resisting, or impeding certain officers.

In addition to the felonies, Smotherman is charged with several misdemeanor offenses, including entering and remaining in restricted grounds or buildings, disorderly and disruptive conduct in restricted grounds or buildings, engaging in physical violence in restricted grounds or buildings, disorderly conduct in a Capitol building or grounds, and act of physical violence in the Capitol grounds or buildings.

The FBI arrested Smotherman today in Hermitage, Tennessee, and he will make his initial appearance in the Middle District of Tennessee.

According to court documents, it is alleged that Smotherman was identified among a crowd of rioters on Jan. 6, 2021, amassed on the Upper West Plaza of the U.S. Capitol grounds. At approximately 2:28 p.m., a Metropolitan Police Department (MPD) officer's body-worn camera captured Smotherman standing in front of the bike racks and a police line on the southwest side of the Upper West Plaza.

Here, a group of rioters had begun pulling on the bike racks. Smotherman was seen on body-worn camera next to the group, appearing to advance toward an MPD officer. Police then commanded the rioters to move back. Instead, the rioters pulled the bike rack barricades to the ground, and Smotherman moved forward toward the police line. It is alleged that Smotherman then approached an MPD officer and pushed the officer with both hands.

The officer then attempted to push Smotherman back using a baton, but Smotherman stood upright and yelled, "Hit me with it again." When the officer again attempted to push Smotherman back, Smotherman allegedly grabbed the officer's baton and attempted to pull it away. As Smotherman acted, he yelled, "I'll f — take this" and "Come out here b —." The officer managed to prevent Smotherman from taking the baton while another officer deployed pepper spray, and Smotherman retreated.

Soon after this, rioters overran the police line on the Upper West Plaza, and officers retreated to the Lower West Terrace. A large crowd of rioters then gathered in and around the entrance to the Lower West Terrace Door, referred to as the "Tunnel," the site of some of the most violent attacks against law enforcement on January 6th. Smotherman was later identified in and around the Tunnel.

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 Middle District of Tennessee.

The case is being investigated by the FBI's Memphis and Washington Field Offices. Valuable assistance was provided by the U.S. Capitol Police and the Metropolitan Police Department. Smotherman was identified as Assault on Federal Officer (AFO) #364.

In the 42 months since Jan. 6, 2021, more than 1,470 individuals have been charged in nearly all 50 states for crimes related to the breach of the U.S. Capitol, including more than 530 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.

Contact

USADC.Media@usdoj.gov

Updated August 2, 2024

Attachment

[smotherman_sof.pdf](#) [PDF, 8 MB]

Topic

VIOLENT CRIME

Components

[Federal Bureau of Investigation \(FBI\)](#) | [USAO - District of Columbia](#) | [USAO - Tennessee, Middle](#)

Press Release Number: 24-638

Related Content

PRESS RELEASE

Facebook Marketplace Armed Robberies Case Ends in Guilty Plea

Elijah Porter, 20, of Washington, D.C., pleaded guilty today in the Superior Court of the District of Columbia to charges from two armed robberies, committed in 2023, announced U.S. Attorney...

February 7, 2025

PRESS RELEASE

Man Who Stabbed His Girlfriend 21 Times Gets 15 Year Prison Term

Devan Green, 30, of Washington DC, was sentenced today to 180 months in prison, for stabbing his girlfriend in their apartment on September 19, 2023, announced U.S. Attorney Edward R...

February 7, 2025

PRESS RELEASE

Guilty Plea in Theft and Sale of Hundreds of Government-Issued Phones and Computers Slated for Destruction

Nikhil Parekh, 37, of Randallstown, Maryland, pleaded guilty today in U.S. District Court in connection with the theft and sale of hundreds of government-issued smartphones, laptop computers, and other IT...

February 4, 2025



District of Columbia

Main Office:

601 D Street, NW

Washington, DC

Email USAO-DC



Telephone: (202) 252-7566