



PRESS RELEASE

Tennessee Man Sentenced on Felony Charge for Actions During Jan. 6 Capitol Breach

Monday, August 26, 2024

For Immediate Release

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

USADC.Media@usdoj.gov

WASHINGTON – A Tennessee man was sentenced today on a felony charge 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.

Michael Asbury, 44, of Knoxville, Tennessee, was sentenced to four months imprisonment, 24 months of supervised release, the first four months of which are home detention, and ordered to pay \$2,000 in restitution by U.S. District Judge Rudolph Contreras. Asbury pleaded guilty to a felony charge of obstruction of law enforcement during a civil disorder on March 20, 2024.

According to court documents, Asbury traveled with his cousin from Tennessee to Washington, D.C., to attend the “Stop the Steal” rally on Jan. 6, 2021, at the Ellipse. After the rally, the two made their way to the West Front of the Capitol grounds. There, Asbury climbed onto a media tower and cheered on his fellow rioters. When the rioters on the West Front pushed a huge “TRUMP 2020” sign in a metal frame toward the police line at approximately 1:40 p.m., Asbury placed his hand on the sign while standing on the media tower, assisting them.

After the rioters swarmed the Lower West Terrace at 2:30 p.m., Asbury was identified standing on a ledge of the Lower West Terrace and dancing in celebration. At approximately 2:49 p.m., Capitol building surveillance footage captured Asbury on the left archway of Lower West Terrace Tunnel, the site of the most violent attacks against law enforcement on January 6th. From his vantage point at the mouth of the Tunnel, Asbury witnessed the large formation of police officers — who were positioned beyond the crowd of rioters — defending an entrance to the Capitol Building and could hear the door alarm blaring.

At approximately 2:50 p.m., Asbury moved into the Tunnel and leaned his full body weight against the rioter in front of him, with no one pushing him from behind initially. Additional rioters then joined behind him, pushing against him, and they collectively pushed together in a “heave-ho” effort against the police line. After this first heave-ho effort, Asbury stood at the mouth of the Tunnel for approximately two minutes, with nothing preventing him from retreating. During that time, he handed a police riot shield to rioters outside the Tunnel as part of an effort to disarm the police.

Asbury later re-entered the Tunnel with the apparent intention of re-engaging with the police line. At approximately 2:53 p.m., a rioter next to him sprayed the police line with OC spray while another rioter directly behind him threw a large object toward the police line. Asbury assisted in throwing a police shield toward the crowd behind him, away from the police line. Other rioters followed suit, taking shields away from the police in an effort to disarm them. Asbury then passed what appeared to be a functional stun gun out of the Tunnel to a man in a blue jacket, later identified as [Vitali GossJankowski](#).

Asbury remained in the Tunnel and participated in a second push against the police line. He then made his way to the front of the mob and engaged in a heave-ho effort against the police, moving in unison forward and back, pushing against the police line. Asbury began to make his way out of the Tunnel at approximately 2:57 p.m. Asbury later re-entered the Tunnel at about 3:02 p.m. and participated in another heave-ho effort to push against the police. The police deployed OC spray to disperse the rioters, and many, including Asbury, turned around to exit the Tunnel as a result. Asbury exited the Tunnel at approximately 3:05 p.m. and remained at the mouth, cheering on his fellow rioters.

The FBI arrested Asbury on June 28, 2023.

This case is being prosecuted by the United States 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 United States Attorney’s Office for the Eastern District of Tennessee.

This case is being investigated by the FBI’s Knoxville and Washington Field Offices, which identified Asbury as BOLO (“Be On the Look Out”) #122 in its seeking information photos.

Valuable assistance was provided by the United States Capitol Police and the Metropolitan Police Department.

In the 43 months since Jan. 6, 2021, more than 1,488 individuals have been charged in nearly all 50 states for crimes related to the breach of the U.S. Capitol, including nearly 550 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@usdoj.gov

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VIOLENT CRIME

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