



## PRESS RELEASE

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

Wednesday, August 28, 2024

### For Immediate Release

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

[USADC.Media@usdoj.gov](mailto:USADC.Media@usdoj.gov)

WASHINGTON — An Indiana man was arrested today 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 Scott Ingram Hofer, 34, of Carbon, Indiana, is charged in a criminal complaint filed in the District of Columbia with felony offenses of assaulting, resisting, or impeding certain officers and civil disorder.

In addition to the felonies, Hofer 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, and disorderly conduct in a Capitol building or grounds, committing an act of physical violence in the Capitol grounds or buildings.

Hofer self-surrendered at the Federal Courthouse in Indianapolis today, and he will make his initial appearance in the Southern District of Indiana.

According to court documents, it is alleged that on Jan. 6, 2021, Hofer was identified among a crowd of rioters on the West Plaza of the U.S. Capitol building and was later seen among the crowd of rioters that had breached a police line protecting the Northwest Stairs of the building. After breaching this line, the rioters; including Hofer, surged up the stairs and confronted an additional police line. There, Hofer was toward the front of the crowd of rioters and allegedly began pushing other rioters and a bike rack barricade into and toward the police line. The police line retreated up the stairs, and the rioters, including Hofer, pursued.

At the top of the stairs, the rioters walked over downed barricades and approached the U.S. Capitol building on the Senate side. At approximately 2:13 p.m., rioters broke out two windows next to an egress-only fire door/emergency exit, often referred to as the Senate Wing Door, and jumped inside. The rioters then broke open the Senate Wing Door from the inside, setting off a blaring alarm and allowing rioters, including Hofer, to enter through the broken door. Court documents say that as Hofer entered the building, he raised his arms in the air.

Inside the building, it is alleged that Hofer picked up a wooden exhibit stand and threw it. He then made his way to a non-public hallway on the north side of the Capitol and, ultimately, the Senate Carriage Door. Here, Hofer exited the building only to return about one minute later; however, a United States Capitol Police (USP) officer prevented him from being able to do so. Hofer then attempted another entry and knocked another rioter in his path down. Shortly after that, Hofer was seen moving past the police line and back inside the building.

It is alleged that at approximately 2:30 p.m., Hofer and other rioters attempted to breach the East Rotunda Door. There, a small group of USCP officers stood between those rioters and entry into the Capitol. Those officers were repeatedly assaulted by the rioters.

Court documents say that Hofer reached over the heads of other rioters and attempted to grab a riot shield away from one of the officers, but his grip slipped. Hofer then allegedly placed one hand on the frame of the alcove and grabbed the handle of the officer's riot shield with the other. With assistance from other rioters, it is alleged that Hofer ripped the riot shield out of the officer's grip. Another rioter then sprayed an orange-colored chemical irritant into the officer's face and eyes. Hofer passed the shield back, and it disappeared into the crowd of rioters.

At about 2:37 p.m., the rioters from inside the building succeeded in pushing the doors open for a second time, and the rioters surged forward. The force of the rioters created a bottleneck in which officers and rioters alike were crushed. An open-source video shows Hofer allegedly pushing directly against a USCP officer, putting his hand on the officer's back and head. At 2:39 p.m., Hofer pushed his way past the police and into the Capitol building.

Hofer later entered into to the Rotunda and made a phone call. At 3:02 p.m., a large contingent of police officers arrived to clear the rioters out of the Rotunda and out of the Capitol. Hofer placed himself at the front of the rioters and near the police line. As the officers worked to force the rioters out of the Rotunda, out of the East Rotunda Door, and out of the building, instead of moving, Hofer allegedly put his hands and arms up and refused to leave. For a period of approximately 10 minutes, Hofer maintained his position at or near the police line with his mask on. At about 3:11 p.m., officers forced Hofer out of the Rotunda, and he exited the building through the East Rotunda Door. In total, he spent about 38 minutes inside the Capitol.

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 Southern District of Indiana.

The case is being investigated by the FBI's Indianapolis and Washington Field Offices. Valuable assistance was provided by the U.S. Capitol Police, the Metropolitan Police Department, and U.S. Customs and Border Protection Services.

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](https://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.*

[View Hofer Statement of Facts](#)

## Contact

[USADC.Media@usdoj.gov](mailto:USADC.Media@usdoj.gov)

*Updated August 28, 2024*

## Attachment

[hofer statement of facts.pdf](#) [PDF, 27 MB]

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VIOLENT CRIME

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**District of Columbia**

Main Office:

601 D Street, NW

Washington, DC

Email USAO-DC



Telephone: (202) 252-7566