

**PRESS RELEASE**

North Carolina Man Found Guilty of Assaulting Law Enforcement and Other Charges During Jan. 6 Capitol Breach

Thursday, September 12, 2024

For Immediate Release

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

WASHINGTON — A North Carolina man was found guilty of assaulting law enforcement and other 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 Brett Alan Rotella, also known as Brett Ostrander, 35, of Kannapolis, North Carolina, guilty on Sept. 11, 2024, of three felony offenses, including obstruction of law enforcement during a civil disorder, and two counts of assaulting, resisting, or impeding certain officers. In addition to the felonies, Rotella was convicted of three misdemeanor offenses of entering and remaining in a restricted building or grounds, disorderly and disruptive conduct in a restricted building or grounds, and impeding passage through the Capitol grounds or buildings.

U.S. District Judge Randolph D. Moss will sentence Rotella on Dec. 13, 2024.

According to court documents and evidence presented during the trial, on Jan. 6, 2021, at approximately 2:24 p.m., Rotella was identified among a crowd of rioters amassed on the West

Plaza of the U.S. Capitol building in Washington, D.C., wearing distinctive clothing that included a red skull cap, a black sleeveless puffy vest over a red sleeveless shirt, and white or gray long shorts. He carried a long pole with at least two flags affixed to it at various points during the day.

According to police body-worn camera footage, just minutes after his arrival at the West Font, Rotella approached a police barricade and forcibly pushed it toward a Metropolitan Police Department officer, while shouting inflammatory remarks.

At approximately 2:33 p.m., as the police line on the West Plaza became overwhelmed and was forced to retreat, Rotella was observed taking charge of a group of rioters, directing their movements by periodically signaling with his hand to "hold" and leading them up the southwest stairs toward the Capitol.

Video footage from the Lower West Terrace showed that at approximately 2:40 p.m., Rotella followed retreating officers into the Lower West Terrace Tunnel, the site of some of the most violent attacks against law enforcement that day. Inside the Tunnel, as officers attempted to hold back the rioters, Rotella continued his advance, even after pepper balls containing chemical irritant were fired at him.

Evidence during the trial showed that the mob, including Rotella, breached the Capitol entrance at the Tunnel by smashing the glass pane of one of the locked doors and forcing the doors open. CCTV and body-worn camera footage depicted Rotella entering the Tunnel and joining others in a concerted effort to physically assault police officers inside. Inside the Tunnel, Rotella pushed against police shields and attempted to leverage his body to push through the police line and into the building.

Rotella left the Tunnel at approximately 2:55 p.m., but remained in the vicinity for approximately ninety more minutes, joining a large crowd that repeatedly surged against the police line.. Further video evidence depicted Rotella counting down and leading a coordinated push by the mob against the officers.

Rotella was later observed grabbing a large orange ladder and handing it toward the front of the crowd in an apparent attempt to use it against the officers. Video footage showed Rotella pushing the ladder into the Tunnel and pushing against other rioters near him in an effort to collectively breach the police line.

The FBI arrested Rotella on Aug. 29, 2023, in Mooresville, North Carolina.

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 Western District of North Carolina and the U.S. Attorney's Office for the Middle District of North Carolina.

This case is being investigated by the FBI's Charlotte and Washington Field Offices, which identified Rotella as BOLO (Be on the Lookout) #82 on its seeking information photos. Valuable assistance was provided by the U.S. Capitol Police and the Metropolitan Police Department.

In the 44 months since Jan. 6, 2021, more than 1,504 individuals have been charged in nearly all 50 states for crimes related to the breach of the U.S. Capitol, including more than 560 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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VIOLENT CRIME

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