



PRESS RELEASE

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

Monday, October 28, 2024

For Immediate Release

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

USADC.Media@usdoj.gov

WASHINGTON — A California man was sentenced to prison today after he previously pleaded guilty to 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.

Jay James Johnston, 55, of Los Angeles, California, was sentenced to 12 months and one day in prison, 24 months of supervised release, and ordered to pay \$2,000 in restitution by U.S. District Judge Carl J. Nichols. Johnston previously pleaded guilty to a felony charge of obstruction of law enforcement during a civil disorder on July 8, 2024.

According to court documents, on Jan. 6, 2021, Johnston was among a mob of rioters amassed on the Lower West Plaza of the U.S. Capitol building near an area known as the "Tunnel." This was the site of some of the most violent attacks against law enforcement that day. At about 2:00 p.m., Johnston stood among the crowd, behind a row of police barricades, filming the day's events on his cell phone.

Over the next 40 minutes, the barricades were removed by rioters, and the police were forced to retreat. Johnston then advanced closer to the U.S. Capitol building, traveling up to the Lower West Terrace and onto the Inaugural Stage, where he continued to film the crowd on his phone. At approximately 3:03 p.m., Johnston made his way through the dense crowd on the Lower West Terrace and approached the entryway to the Tunnel. Johnston then turned to face the crowd on the Lower West Terrace and made a series of hand gestures, including pounding his fists together and pointing, appearing to encourage rioters to enter the tunnel.

At approximately 3:04 p.m., Johnston pushed his way into the Tunnel toward the police line and was handed a stolen U.S. Capitol police riot shield from a rioter behind him. Johnston received the shield and then held it in front of himself for a few seconds. Other rioters nearby called out to "make a shield wall," at which point Johnston responded by moving closer to the police line and handing the shield up to rioters who were immediately in front of the police. Shortly after handing the shield up to other rioters, Johnston then joined a group push effort against the police line by pushing against the rioters in front of him, who in turn pushed directly against the police.

Court documents say that by 3:10 p.m., Johnston was pushed back toward the Tunnel entrance by other rioters who were leaving. Johnston did not leave; instead, he turned around and made his way into the tunnel toward the police line. At about 3:11 p.m., Johnston again joined a group push against the police inside the Tunnel, causing a Metropolitan Police Department Officer to be crushed between the crowd and a door.

Johnston left the Tunnel at about 3:13 p.m.

The FBI arrested Johnston on June 7, 2023, in Los Angeles.

The U.S. Attorney's Office for the District of Columbia and the Department of Justice National Security Division's Counterterrorism Section are prosecuting this case. The U.S. Attorney's Office for the Central District of California provided valuable assistance.

The FBI's Los Angeles and Washington Field Offices investigated this case. Johnston was identified as BOLO (Be on the Lookout) #247 on the FBI's seeking information images. Valuable assistance was provided by the U.S. Capitol Police and the Metropolitan Police Department.

In the 45 months since Jan. 6, 2021, more than 1,532 individuals have been charged in nearly all 50 states for crimes related to the breach of the U.S. Capitol, including more than 571 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*Updated October 28, 2024*

Topic

VIOLENT CRIME

Components

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

Press Release Number: 24-879

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