



PRESS RELEASE

Virginia Man Charged with Assaulting Law Enforcement and Other Offenses During Jan. 6 Capitol Breach

Friday, November 22, 2024

For Immediate Release

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

WASHINGTON — A Virginia man is charged with assaulting law enforcement and other felony and misdemeanor offenses related to his alleged 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.

Mark Mercurio, 56, of Bracey, Virginia, 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, Mercurio is charged with misdemeanor offenses of entering and remaining in a restricted building or grounds, disorderly and disruptive conduct in a restricted building or grounds, engaging in physical violence in a restricted building or grounds, disorderly conduct in a Capitol building, act of physical violence in the Capitol grounds or buildings, and parading, demonstrating, or picketing in a Capitol building.

Mercurio was arrested by the FBI on Nov. 21, 2024, in North Carolina and made his initial appearance in the Eastern District of North Carolina.

According to court documents, surveillance video footage captured Mercurio entering the U.S. Capitol building on Jan. 6, 2021, through the Upper West Terrace Door at approximately 2:40 p.m. After entering the building, Mercurio proceeded to the front of a large group of rioters near the entrance and confronted a small group of U.S. Capitol Police (USCP) officers. At one point, it is alleged that Mercurio held open an interior door to the Rotunda staircase for an associate and others before heading up the stairs. Surveillance video footage shows that Mercurio and an associate entered the Rotunda at 2:45 p.m., where Mercurio intermittently held up his phone, appearing to record the events.

At about 2:46 p.m., Mercurio and an associate briefly disappeared from the Rotunda and reappeared at about 3:01 p.m. The two then walked past a USCP officer and approached a man addressing the crowd with a bullhorn. Mercurio again appeared to use his phone to record the man's speech. Shortly after, it is alleged that Mercurio joined a mob of rioters who pushed back against police officers attempting to clear the Rotunda. At approximately 3:08 p.m., Mercurio positioned himself at the front of the rioters' line, confronting the officers.

Court documents say that at about 3:09 p.m., Mercurio shoved a police officer's baton into their chest with both hands while yelling expletives. Another officer nearby warned Mercurio not to assault police and urged him to leave. Seconds later, it is alleged that Mercurio physically interfered with another police officer by pushing the officer's arm downward while continuing to yell obscenities.

Mercurio then exited the Capitol at approximately 3:12 p.m.

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 Eastern District of North Carolina.

This case is being investigated by the FBI's Charlotte and Washington Field Offices. Valuable assistance was provided by the United States Capitol Police and the Metropolitan Police Department.

In the 46 months since Jan. 6, 2021, more than 1,561 individuals have been charged in nearly all 50 states for crimes related to the breach of the U.S. Capitol, including more than 590 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.

[view mercurio statement of facts 0.pdf](#)

Topic

VIOLENT CRIME

Components

[Federal Bureau of Investigation \(FBI\)](#) | [USAO - District of Columbia](#) | [USAO - North Carolina, Eastern](#) | [USAO - Virginia, Eastern](#)

Press Release Number: 24-958

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