



PRESS RELEASE

Tennessee Father and Son Sentenced to Prison for Assaulting Law Enforcement with a Weapon During Jan. 6 Capitol Breach

Tuesday, November 26, 2024

For Immediate Release

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

USADC.Media@usdoj.gov

WASHINGTON — A Father and son from Tennessee were sentenced to prison today after they were both previously convicted of assaulting law enforcement and other charges stemming from their conduct during the Jan. 6, 2021, breach of the U.S. Capitol. Their 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 Waynick, 53, of Charlotte, Tennessee, was sentenced to 54 months in prison, 36 months of supervised release, and ordered to pay \$2,000 in restitution.

Jerry McKane Waynick, 21, also of Charlotte, Tennessee, was sentenced to 30 months in prison, 36 months of supervised release, and ordered to pay \$2,000 in restitution.

Both men were sentenced by U.S. District Judge Timothy J. Kelly.

Mark and Jerry Waynick were each convicted of 11 felony offenses and three misdemeanors, including, among other charges, assaulting law enforcement with a dangerous weapon. The men were found guilty following a bench trial before Judge Kelly.

According to the evidence presented during the trial, on Jan. 6, 2021, the Waynicks attended the "Stop the Steal" rally in Washington, D.C., near the Ellipse. After the rally, the two men made their way to the U.S. Capitol building wearing helmets, tactical vests, gloves, and goggles. The pair then entered the closed U.S. Capitol grounds shortly after the initial breach of the Peace Circle at 12:55 p.m. The men then made their way to the West Front, where a line of Metropolitan Police Department (MPD) and United States Capitol Police (USCP) officers were attempting to prevent rioters from breaching the Capitol.

On the West Front, the Waynicks joined other rioters' efforts to push against a line of police officers just before 1:36 p.m. During that time, McKane Waynick saw that police officers were attempting to detain another rioter and rushed to the barricade to grab the rioter and pull him away from the officers, interfering with the detention. While grabbing the other rioter, Jerry Waynick swiped at an officer's riot baton.

At the same time that McKane Waynick reached for the baton, Mark Waynick swung an American flag attached to a metal pole with a metal finial into the line of police officers. Before the pole hit any officers, an officer intercepted the pole by grabbing it from Mark and throwing it behind the line of police officers. Minutes later, McKane Waynick returned to the metal barricades and joined with at least four other rioters to separate one metal bicycle rack from the others and pull it into the crowd to create an opening in the barricade; however, police prevented them from achieving their intent.

Less than a minute later, at 1:40 p.m., McKane Waynick picked up a large plastic construction marker, aimed it at police, and hurled it with both hands, striking two officers. Court documents say that this marker weighed approximately ten pounds and was three feet tall. After hurling the object at police, McKane Waynick retreated back into the crowd.

The Waynicks entered the Capitol building from the Senate Wing Door at 2:20 p.m., just minutes after the initial breach at 2:13 p.m. Once inside, they moved throughout the building for approximately 35 minutes, entering the Will Rogers Hallway, which was outside the House Chamber, and joining with a mob of rioters who pushed past the handful of officers guarding that hallway.

At approximately 2:35 p.m., the mob pushed through police officers and entered the House Chamber's Main Door. The Waynicks followed the advancing rioters and moved to within a few feet of the House Chamber as the mob repeatedly chanted, "Break it down!" An individual recording video captured the scene afterward and asked McKane Waynick about what he had

seen, to which he replied that he saw "guns" and said, "We're an imminent threat to the people inside."

The Waynicks exited the Capitol building at 2:55 p.m. via the Upper House Door.

The FBI arrested the Waynicks on Feb. 17, 2022, in Tennessee.

This case was 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 Middle District of Tennessee.

This case was investigated by the FBI's Memphis Field Office and the FBI's Washington Field Office, which identified Jerry McKane Waynick as #157 on its seeking information photos. Valuable assistance was provided by the Metropolitan Police Department and the U.S. Capitol Police.

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.

Contact

USADC.Media@usdoj.gov

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VIOLENT CRIME

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