



PRESS RELEASE

Tennessee Man Pleads Guilty to Assaulting Law Enforcement During the Jan. 6 Capitol Breach

Tuesday, December 17, 2024

For Immediate Release

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

USADC.Media@usdoj.gov

WASHINGTON — A Tennessee man pleaded guilty today to assaulting law enforcement officers 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 Waldon Smotherman, 41, of Mt. Juliet, Tennessee, pleaded guilty in U.S. District Court to the felony offense of assaulting, resisting, or impeding certain officers. The offense carries a maximum penalty of eight years in prison. A sentencing date is set for April 23, 2025.

According to court documents, Smotherman was identified among a crowd of rioters on Jan. 6, 2021, amassed on the Upper West Plaza of the U.S. Capitol grounds. At approximately 2:28 p.m., a Metropolitan Police Department (MPD) officer's body-worn camera captured Smotherman wearing body armor -- specifically a green MSA Paraclete Tactical Vest -- standing in front of the bike racks and a police line on the southwest side of the Upper West Plaza.

Here, a group of rioters had begun pulling on the bike racks. Smotherman was seen on body-worn camera next to the group, appearing to advance toward at an MPD officer. Police

then commanded the rioters to move back. Instead, the rioters pulled the bike rack barricades to the ground, and Smotherman moved forward toward the police line. Smotherman then approached an MPD officer and pushed the officer with both hands.

The officer then attempted to push Smotherman back using a baton, but Smotherman stood upright and yelled, "Hit me with it again." When the officer again attempted to push Smotherman back, Smotherman grabbed the officer's baton and attempted to pull it away. As Smotherman acted, he yelled, "I'll f— take this" and "Come out here b—." The officer managed to prevent Smotherman from taking the baton while another officer deployed pepper spray, and Smotherman retreated.

Soon after this, rioters overran the police line on the Upper West Plaza, and officers retreated to the Lower West Terrace. A large crowd of rioters then gathered in and around the entrance to the Lower West Terrace Door, referred to as the "Tunnel," the site of some of the most violent attacks against law enforcement on January 6th. Smotherman was later identified in and around the Tunnel.

The FBI arrested Smotherman on August 2, 2024, in Hermitage, 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.

The matter was investigated by the FBI's Nashville and Washington Field Offices. Valuable assistance was provided by the U.S. Capitol Police and the Metropolitan Police Department. Smotherman was identified as Assault on Federal Officer (AFO) #364.

In the 47 months since Jan. 6, 2021, more than 1,572 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.

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Contact

USADC.Media@usdoj.gov

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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