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IMPEACHMENT OF PRESIDENT DONALD JOHN TRUMP

THE EVIDENTIARY RECORD

VOLUME III

Public Reporting and Other Documents Part 3, Tweets, Photos, Videos, and Congressional Documents

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www.politico.com /news/2021/01/25/trump-senate-republicans-impeachment-trial-462420

Trump sends a message to Senate Republicans ahead of his trial

Burgess Everett, Marianne LeVine, Meridith McGraw

7-9 minutes

Trump's second impeachment trial began unfolding on Monday — and Republicans started deliberating over how, or even whether, to defend the president. | Pete Marovich - Pool/Getty Images

A top political aide to former President Donald Trump spent the weekend quietly reassuring Republican senators that the former president has no plans to start a third party — and instead will keep his imprint on the GOP.

The message from Brian Jack, Trump's former political director at the White House, is the latest sign that Republicans considering an impeachment conviction will do so knowing that Trump may come after them in upcoming primaries if they vote to convict him for "incitement of insurrection."

Jack did not mention impeachment in his calls. But he wanted the word to get around that Trump is still a Republican — and for many, still the leader of his party.

"The president wanted me to know, as well as a handful of others, that the president is a Republican, he is not starting a third party and that anything he would do politically in the future would be as a Republican," recounted Sen. Kevin Cramer (R-N.D.). "The Republican Party is still overwhelmingly supportive of this president."

On Monday evening, Trump's second impeachment trial began unfolding — and Republicans started deliberating in earnest over how, or even whether, to defend the president.

The trial will test how loyal Republican senators will remain to the former president following his departure from the White House and what kind of grip he still maintains on the GOP conference. While most Senate Republicans are not expected to vote to convict Trump, almost no one has defended his rhetoric after a riot that left five dead and the Capitol ransacked.

Trump has already threatened his critics in the Senate GOP with primary challengers, and conviction votes would only bring more attacks from the former president. On Monday, Sen. Rob Portman (R-Ohio) announced his retirement, allowing him to take in the trial without thinking about his reelection campaign next year. Sen. Pat Toomey (R-Pa.), who is also retiring next year, has conceded that Trump committed impeachable offenses. He declined to talk about the trial on Monday evening.

Trump "has the potential to continue to have a major influence on the party," said Sen. Mitt Romney (R-Utah), who was the sole GOP senator to vote to convict Trump last year and who has excoriated Trump's role in inciting the Jan. 6 riot.

Trump's influence "was significantly diminished by his perpetuation of the 'Big Lie.' That he won the election and that it was stolen from him. I don't think the facts have borne that out," Romney added. "Clinging to the lie will diminish his influence over time."

Though Trump has absorbed more criticism from Senate Republicans over the last three weeks than at any time since he won the 2016 election, few are willing to be as vocal as Romney on the eve of the trial.

These days Republicans are leaning on an argument that the impeachment trial is unconstitutional, which might only be tested if Trump is convicted and the result goes to the Supreme Court.

On Tuesday, Senate Republicans will hear that argument at a party meeting from Jonathan Turley, a conservative legal scholar who says the impeachment is "at odds" with the Constitution, according to two sources. Others on the right, including at the Federalist Society, have said it's constitutional to hold an impeachment trial for an ex-president.

Even some of the president's closest allies have used strong words to condemn Trump's role in the Jan. 6 invasion of the Capitol by pro-Trump supporters. It's a stunning turn from Trump's first impeachment trial, when only a handful of senators conceded that Trump acted irresponsibly in pressuring Ukraine to investigate his political rivals.

"The ex-president's rhetoric on the day was inflammatory. I think it was irresponsible. I think it was wrong," said Sen. Josh Hawley (R-Mo.), who helped lead objections to the certification of President Joe Biden's win in the Senate. "This impeachment effort is, I think, blatantly unconstitutional. It's a really, really, really dangerous precedent."

Sens. John Barrasso (R-Wyo.) and Mike Braun (R-Ind.) were among the senators who quickly rushed to the cameras last January to defend Trump. On Monday they attacked the constitutionality of convicting Trump but indicated they have no plans to reprise their role as Trump's rhetorical bulldogs.

"No, I don't," said Braun.

And unlike during last year's impeachment trial, when Senate GOP leadership was pushing the caucus to vote against hearing from witnesses, Senate Minority Leader Mitch McConnell (R-Ky.) and his team are taking a more hands-off approach. After closely coordinating Trump's defense with the White House a year ago, McConnell has said he would listen to both sides' arguments before deciding how to vote.

"It's just a different, entirely, dynamic than what we had," said Senate Minority Whip John Thune (R-S.D.). "This is an issue where nobody's being whipped, everybody's going to do what's in their best interest for their constituencies and their conscience and people are being asked to vote their conscience."

Still, the appearance by Turley at a party meeting indicates that GOP leaders are strongly considering joining the constitutional arguments against impeachment. Sen. Joni Ernst (R-Iowa), a member of leadership, said on Monday night that "President Trump exhibited poor leadership and holds some responsibility for the anarchy," but added she was concerned impeaching a former president sets a "dangerous standard."

Several Senate Republicans are citing their status as jurors when asked if they'll stick up for the former president. Sen. Lindsey Graham (R-S.C.), a Trump ally who has ripped Democrats for impeaching the ex-president, said he has faith in Trump's lawyers and that Trump needs to "trust them." A fellow South Carolinian, Butch Bowers, will lead Trump's impeachment defense.

It's become a common adage within the Senate GOP that if the trial had occurred on Jan. 7, Trump might have seen a flood of Republicans looking to make a clean break with him. But now the final vote might not take place until late February — and the number of GOP senators truly weighing whether to convict the president is likely short of the 17 needed to join all 50 Democrats.

"A lot of people made strong statements, and I put myself in the category, of what the president's role was, particularly right after Jan. 6 happened. And the disappointment and shock," said Sen. Shelley Moore Capito (R-W.Va.). "And I suppose as time goes on the political considerations begin to weigh in."

But she added that something more vivid is on many senators' minds.

"It's more a function of being seated on the Senate floor as an insurrection is rising behind you," she said. "You can hear it and watch the vice president be whisked out."

www.cnn.com /2021/01/25/politics/gop-lawyers-trump-impeachment-senate/index.html

Former Trump officials and other GOP lawyers urge senators to 'consider the evidence' in impeachment trial

Michael Warren

6-8 minutes

*Washington (CNN)*With the second impeachment trial of Donald Trump set to begin in February, nine prominent Republican lawyers, including two former officials in the Trump administration, have signed a letter urging GOP senators to "consider the evidence" before deciding how to vote on conviction.

The letter, obtained by CNN and organized by the nonprofit Republicans for the Rule of Law, is addressed to Republican senators and calls the impeachment article passed by the House a "grave accusation" and says the trial is "not the time for petty, partisan politics."

"We urge every Senator to consider the evidence presented by the House without prejudice or political tint, and with an open mind," reads the letter. "We particularly urge that, if the evidence supports a vote to convict the former president and disqualify him from future office, no Senator let partisan or electoral considerations alter that conclusion."

Among the signatories are former Trump officials John Mitnick, former general counsel at the Department of Homeland Security, and Robert B. Shanks, the general counsel for the Peace Corps from 2017 to 2020 and a former Justice Department official under President Ronald Reagan.

Mitnick was fired in 2019 after pushing back on a White House proposal to release undocumented immigrants into sanctuary cities.

"For national security and the rule of law, it is necessary that former President Trump be held accountable for inciting the deadly January 6 attack on the US Capitol, the aim of which was to prevent the Congress from carrying out its constitutional function to count the votes of the Electoral College," Mitnick told CNN.

Both Mitnick and Shanks say they support convicting Trump. Last October, they both endorsed Joe Biden for President in a statement organized by the anti-Trump group Defending Democracy Together and signed by over 70 former lawmakers and national security officials in past Republican administrations.

The letter does not take a position on whether Trump should be convicted. Republicans for the Rule of Law is run by Republican operative Sarah Longwell and former Weekly Standard editor William Kristol. The group is affiliated with Defending Democracy Together and has advocated for positions in opposition to Trump, including running TV ads during the previous impeachment investigation calling on Republicans to seek out the facts.

"I think that for me, at least, the importance of this letter is to try to make the point that we are at a seminal moment in American history," Shanks told CNN. "No President has ever tried through force, threat of force, intimidation, to prevent a free and fair election from being consummated. It just demands consequences."

Lobbying Senate Republicans

Many of the lawyers who signed the letter served under previous Republican presidents, and several are members of the Federalist Society, the conservative legal organization.

Among the names are former Justice Department officials Charles Fried (under Reagan), Donald Ayer and Stuart Gerson (under George H.W. Bush), and Peter Keisler (under George W. Bush); former George W. Bush Homeland Security official Paul Rosenzweig; former Reagan White House lawyer Alan Raul; and Marisa Maleck, a former clerk to Supreme Court Justice Clarence Thomas.

The letter is the latest example of how influential Republicans are lobbying senators ahead of the impeachment trial. The effort includes multiple former Trump administration officials, donors, former members of Congress, and current and former Capitol Hill aides -- all encouraging Republican senators to vote to convict Trump. A set of talking points circulating among Republicans charges that "it is difficult to find a more anti-conservative outburst by a U.S. president than Donald Trump the last two months."

For Trump to be convicted, 17 Republican senators would have to join all 50 Democrats. While no Republican has publicly declared their intent to support conviction, several have denounced Trump's actions surrounding the January 6 attack on the Capitol. On the other hand, an increasing number of Senate Republicans have said they oppose convicting Trump, and loyalists to Trump have argued in the conservative media against taking a stand against the former President.

Senate Minority Leader Mitch McConnell, however, has signaled his openness to vote for conviction.

In a deal struck Friday between McConnell and Senate Majority Leader Chuck Schumer, the ceremonial functions of the impeachment trial will occur this week, with the articles being presented to the Senate on Monday and senators being sworn in as jurors on Tuesday. Then the trial will pause, while the House impeachment managers and Trump's legal team exchange pre-trial briefs for two weeks. The final briefs would be due on February 9, allowing the trial itself to begin.

A constitutional argument

Some of the debate among Republicans in the Senate concerns whether it is constitutional to convict a former President who has already left office. Republican senators who have said they will vote to acquit cite a Jan. 12 op-ed in The Washington Post by former federal judge and conservative legal luminary J. Michael Luttig, who writes that an impeachment trial after Trump left office would be unconstitutional.

"I think a lot of people would like a reason not to convict," said a former Republican Senate staffer.

But other Republican legal experts are pushing back with GOP senators.

"It feels like the weight of the energy in Washington with legal conservatives is pretty strongly in favor of impeachment," said Gregg Nunziata, a former counsel to the Senate Republican conference who has reached out to senators himself.

And Mitnick told CNN that he concurs with a recent letter signed by more than 150 constitutional scholars arguing the Senate can convict a former federal official who has been impeached by the House.

"Despite the expiration of President Trump's term of office, the Senate may lawfully take up the article of impeachment, try and convict him, and disqualify him from holding future office," Mitnick said.

CNN's Manu Raju contributed to this story.

Proud Boys Under Growing Scrutiny in Capitol Riot Investigation

nytimes.com/2021/01/26/us/proud-boys-capitol-riot.html

January 26, 2021



The leadership of the Proud Boys has come under increased scrutiny as agents and prosecutors across the country try to determine how closely members of the far-right nationalist group communicated during the riot at the Capitol this month and to what extent they might have planned the assault in advance, according to federal law enforcement officials.

At least six members of the organization have been charged in connection with the riot, including one of its top-ranking leaders, Joseph Biggs. Mr. Biggs, a U.S. Army veteran, led about 100 men on an angry march from the site of President Donald J. Trump's speech toward — and then into — the Capitol building.

The Proud Boys, who have a history of scuffling with left-wing antifascist activists, have long been some of Mr. Trump's most vocal, and violent, supporters, and he has returned the favor, telling them during one of the presidential debates to "stand back and stand by." Along with the right-wing militia the Oath Keepers, the Proud Boys was one of the extremist groups with a large presence at the Capitol incursion, investigators said.

Despite having launched one of the most sprawling inquiries in American history, investigators have yet to unearth clear-cut evidence suggesting there was a widespread conspiracy to assault the Capitol on Jan. 6.

Still, in recent days, they have turned their attention toward a pair of Proud Boy organizers on the West Coast and have started executing a series of search warrants connected to the group, a federal law enforcement official said, speaking on condition of anonymity because he was not authorized to discuss an ongoing inquiry.

One of the organizers, Ethan Nordean, of Auburn, Wash., appeared with Mr. Biggs in a YouTube video on the day of Mr. Trump's rally and can be seen shouting orders to a group of Proud Boys through a bullhorn. Mr. Nordean — also known as Rufio Panman, investigators said — is named in Mr. Biggs's criminal complaint but has not been charged himself.

The second Proud Boy organizer, Eddie Block, of Madera, Calif., took video of Mr. Biggs and Mr. Nordean during the event in Washington, according to a photograph included in Mr. Biggs's charging documents. In an hourlong YouTube video that he livestreamed this weekend, Mr. Block acknowledged that about 25 federal agents swooped down on his house on Friday, seizing two of his cellphones, a laptop, an iPad, an Xbox and an old computer.

When reached by phone on Tuesday, Mr. Block declined to comment further on the federal investigation. Mr. Nordean could not be reached for comment.

The F.B.I. has acknowledged it is conducting a similarly serious inquiry into the Oath Keepers, a group largely composed of law enforcement and military personnel, and the Three Percenters, which emerged from the extremist wing of the gun rights movement. Several members of both organizations have already been charged in connection with the Capitol attack, including three defendants who stand accused of the most severe conspiracy allegations leveled so far.

Investigators involved in the Capitol attack have also focused their attention on the chairman of the Proud Boys, Enrique Tarrio. Mr. Tarrio, who lives in Miami, was scheduled to attend the march in Washington but was thrown out of the city by a judge the day before it happened. When he was arrested on Jan. 4 in connection with the burning of a Black Lives Matter banner that had been torn from a historic Black church during a different round of violent protests last month, police officers found he was carrying two high-capacity rifle magazines emblazoned with the Proud Boys' chicken logo.

Prosecutors have noted in documents attached to Mr. Biggs's case that Mr. Tarrio first began encouraging the Proud Boys to go to Washington for the "Stop the Steal" march in late December, when he posted a message on the social media app Parler announcing that members of the group would "turn out in record numbers."

In the run-up to the rally, Mr. Tarrio also used Parler to urge his members to avoid wearing their traditional black-and-yellow polo shirts but instead to go "incognito" and move about the city in "smaller teams," prosecutors say.

In an interview with The New York Times one week after the siege, Mr. Tarrio, who took over the Proud Boys from its founder Gavin McInnes, said that the attack on the Capitol was misguided and that anyone who broke windows or took part in the nearly 140 assaults on police officers should be prosecuted.

The riot inside the U.S. Capitol on Wednesday, Jan. 6, followed a rally at which President Trump made an inflammatory speech to his supporters, questioning the results of the election. Here's a look at what happened and the ongoing fallout:

- As this video shows, poor planning and a restive crowd encouraged by President Trump set the stage for the riot.
- A two hour period was crucial to turning the rally into the riot.
- Several Trump administration officials, including cabinet members Betsy DeVos and Elaine Chao, announced that they were stepping down as a result of the riot.
- Federal prosecutors have charged more than 70 people, including some who appeared in viral photos and videos of the riot. Officials expect to eventually charge hundreds of others.
- The House voted to impeach the president on charges of "inciting an insurrection" that led to the rampage by his supporters.

He tried to minimize the role that the Proud Boys played in the attack — even though, among the 150 people charged so far, prosecutors have brought charges against Nicholas Ochs, the leader of the group's Hawaii chapter, and Nicholas DeCarlo, one of its top media figures. Dominic Pezzola, a Proud Boy from Rochester, N.Y., was in the first wave of rioters to breach the Capitol, prosecutors say, and stands accused of shattering a window with a plastic police riot shield.

"Obviously, they didn't help our cause," Mr. Tarrio said.

Investigators are continuing to sift through online posts and messages by Mr. Tarrio and Mr. Biggs in an effort to determine if they showed any attempt at coordination or planning, the federal law enforcement official said.

On the day of the attack, Mr. Tarrio took to Parler, calling members of the Proud Boys who took part in it "revolutionaries" and urging them not to leave. "For now, I'm enjoying the show," he wrote, adding, "Do what must be done."

While investigators are increasingly focused on people who may have preplanned the attack, any evidence that the assault was organized in advance could be a factor in Mr. Trump's second impeachment trial, scheduled for next month.

House Democrats have accused the former president of inciting the riot, which led to the deaths of five people, including one Capitol Police officer. Several defendants have said they joined the siege following Mr. Trump's orders, but if proof emerges that groups like the

Proud Boys or Oath Keepers plotted it in the days before it happened, it could undermine some arguments that Mr. Trump is entirely to blame.

On the other hand, evidence could end up showing that any pre-planned attack was inspired by weeks of the president's insistence that the election was rigged.

Senate Republicans unite behind failed effort to challenge Trump impeachment trial

reuters.com/article/us-usa-trump-impeachment/trump-impeachment-trial-faces-constitutional-challenge-from-republican-senator-idUSKBN29V1UK



U.S. Legal News
Updated

By David Morgan

5 Min Read

WASHINGTON (Reuters) - Forty-five Senate Republicans backed a failed effort on Tuesday to halt former President Donald Trump's impeachment trial, in a show of party unity that some cited as a clear sign he will not be convicted of inciting insurrection at the Capitol.

Republican Senator Rand Paul made a motion on the Senate floor that would have required the chamber to vote on whether Trump's trial in February violates the U.S. Constitution.

The Democratic-led Senate blocked the motion in a 55-45 vote. But only five Republican lawmakers joined Democrats to reject the move, far short of the 17 Republicans who would need to vote to convict Trump on an impeachment charge that he incited the Jan. 6 Capitol assault that left five people dead.

"It's one of the few times in Washington where a loss is actually a victory," Paul later told reporters. "Forty-five votes means the impeachment trial is dead on arrival."

Paul and other Republicans contend that the proceedings are unconstitutional because Trump left office last Wednesday and the trial will be overseen by Democratic Senator Patrick Leahy instead of by U.S. Chief Justice John Roberts.

Leahy, 80, was briefly hospitalized on Tuesday evening after not feeling well but was released after an examination, his spokesman, David Carle, said in a statement.

Some Republican senators who backed Paul's motion said their vote on Tuesday did not indicate how they might come down on Trump's guilt or innocence after a trial.

"It's a totally different issue as far as I'm concerned," Republican Senator Rob Portman told reporters.

The senators voted after being sworn in as jurors for the impeachment trial.

Slideshow (6 images)

Democratic Senate Majority Leader Chuck Schumer, who moved to thwart Paul's motion, dismissed the Republican constitutional claim as "flat-out wrong" and said it would provide "a constitutional get-out-of-jail-free card" for presidents guilty of misconduct.

There is a debate among scholars over whether the Senate can hold a trial for Trump now that he has left office. Many experts have said "late impeachment" is constitutional, arguing that presidents who engage in misconduct late in their terms should not be immune from the very process set out in the Constitution for holding them accountable.

The Constitution makes clear that impeachment proceedings can result in disqualification from holding office in the future, so there is still an active issue for the Senate to resolve, those scholars have said.

'MATTER OF POLITICAL CONSEQUENCE'

Fellow Republican Senator Lisa Murkowski, who has been critical of Trump, rejected Paul's move.

"My review of it has led me to conclude that it is constitutional, in recognizing that impeachment is not solely about removing a president, it is also a matter of political consequence," Murkowski told reporters on Tuesday.

She joined fellow Republicans Mitt Romney, Susan Collins, Ben Sasse and Patrick Toomey in opposing Paul.

Trump is the only president to have been impeached by the House of Representatives twice and the first to face a trial after leaving power, with the possibility of being disqualified from future public office if convicted by two-thirds of the Senate.

Slideshow (6 images)

He was acquitted by the then Republican-controlled Senate last February on charges of abuse of power and obstruction of Congress arising from his request that Ukraine investigate Democratic rival Joe Biden and his son.

The House approved a single article of impeachment - the equivalent of an indictment in a criminal trial - on Jan. 13, accusing him of inciting an insurrection with an incendiary speech to supporters before they stormed the Capitol. A police officer and four others died in the melee.

But reaching the two-thirds threshold required for conviction will be a steep climb. Trump remains a powerful force among Republicans and his supporters have vowed to mount election challenges to lawmakers in the party who support conviction.

Some Republicans have criticized Trump's false claims of voting fraud and his failed efforts to overturn Biden's Nov. 3 election victory. But no Senate Republicans have said definitively that they plan to vote to convict him.

Although the Constitution calls on the chief justice to preside over presidential impeachment trials, a senator presides when the impeached is not the current president, a Senate source said. First elected to the chamber in 1974, Leahy is the most senior Democrat in the chamber and holds the title of Senate president pro tempore.

The nine House Democrats who will serve as prosecutors set the trial in motion on Monday by delivering the article of impeachment to the Senate.

Reporting by David Morgan; Additional reporting by Makini Brice and Jan Wolfe in Boston; Editing by Alistair Bell, Grant McCool and Peter Cooney

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apnews.com /article/riot-capitol-hill-update-f9a4050fc3179c87e0c29b8872e020e9

'THIS IS ME': Rioters flaunt involvement in Capitol siege

By MICHAEL BALSAMO, ALANNA DURKIN RICHER and COLLEEN LONG

7-8 minutes

WASHINGTON (AP) — These suspects weren't exactly in hiding.

"THIS IS ME," one man posted on Instagram with a hand emoji pointing to himself in a picture of the violent mob descending on the U.S. Capitol. "Sooo we've stormed Capitol Hill lol," one woman texted someone while inside the building. "I just wanted to incriminate myself a little lol," another wrote on Facebook about a selfie he took inside during the Jan. 6 riot.

In dozens of cases, supporters of President Donald Trump downright flaunted their activity on social media on the day of the deadly insurrection. Some, apparently realizing they were in trouble with the law, deleted their accounts only to discover their friends and family members had already taken screenshots of their selfies, videos and comments and sent them to the FBI.

Their total lack of concern over getting caught and their friends' willingness to turn them in has helped authorities charge about 150 people as of Monday with federal crimes. But even with the help from the rioters themselves, investigators must still work rigorously to link the images to the vandalism and suspects to the acts on Jan. 6 in order to prove their case in court. And because so few were arrested at the scene, the FBI and the U.S. Marshals Service have been forced to send agents to track suspects down.

"Some of you have recognized that this was such an egregious incident that you've turned in your own friends and family members," Steven D'Antuono, the assistant director in charge of the FBI's Washington office, said of the tipsters Tuesday. "We know that those decisions are often painful, but you picked up the phone because it's the right thing to do."

In the last few weeks, the FBI has received more than 200,000 photos and video tips related to the riot. Investigators have put up billboards in several states with photos of wanted rioters. Working on tips from co-workers, acquaintances and friends, agents have tracked down driver's license photos to match their faces with those captured on camera in the building. In some cases, authorities got records from Facebook or Twitter to connect their social media accounts to their email addresses or phone numbers. In others, agents used records from license plate readers to confirm their travels.

More than 800 are believed to have made their way into the Capitol, although it's likely not everyone will be tracked down and charged with a crime. Federal prosecutors are focusing on the most critical cases and the most egregious examples of wrongdoing. And they must weigh manpower, cost and evidence when charging rioters.

A special group of prosecutors is examining whether to bring sedition charges against the rioters, which carry up to 20 years in prison. One trio was charged with conspiracy; most have been charged with crimes like unlawful entry and disorderly conduct.

Acting U.S. Attorney Michael Sherwin said prosecutors were "closely looking at evidence related to the sedition charges" and he believed "the results will bear fruit very soon."

Many rioters posted selfies inside the Capitol to their social media accounts, gave interviews to news outlets describing their experience and readily admitted when questioned by federal investigators that they were there. One man created a Facebook album titled "Who's House? OUR HOUSE" filled with photos of himself and others on Capitol grounds, officials said.

"They might have thought, like so many people that work with Trump, that if the president tells me to do it, it's not breaking the law," said Michael Gerhardt, an expert on impeachment and professor at the University of North Carolina School of Law.

Others made blunders, like a Houston police officer, who denied he went into the Capitol, then agreed to let agents look at the pictures on his phone. Inside his deleted photos folder were pictures and videos, including selfies he took inside the building, authorities said. Another man was wearing a court-ordered GPS monitor after a burglary conviction that tracked his every movement inside the building.

A retired firefighter from Long Island, New York, texted a video of himself in the Capitol rotunda to his girlfriend's brother, saying he was "at the tip of the spear," officials said. The brother happened to be a federal agent with the State Department's Diplomatic Security Service, who turned the video over to the FBI. A lawyer for the man, Thomas Fee, said that he "was not part of any attempt to take over the U.S. Capitol" and that "the allegation is that he merely walked through an open door into the Capitol — nothing more."

Another man who was inside the Capitol was willing to rat out another rioter who stole House Speaker Nancy Pelosi's lectern and emailed the video to an FBI agent, even signing his own name to it. "Hello Nice FBI Lady," he wrote, "Here are the links to the videos. Looks like Podium Guy is in one of them, less the podium. Let me know if you need anything else."

Full Coverage: Capitol siege

In another case, a man was on a flight leaving D.C. two days after the riot when he kept shouting "Trump 2020!" and was kicked off. An airport police officer saw the man get off the plane and the man was booked on another flight. Forty-five minutes later, the officer was watching a video on Instagram and recognized the man in a group of rioters. The man, who was wearing the same shirt as the day he stormed the Capitol, was arrested at the airport, authorities said.

Even defense attorneys have acknowledged that the evidence poses a problem for them.

"I'm not a magician," said an attorney for the man seen in a photo carrying Pelosi's lectern. "We've got a photograph of our client in what appears to be inside a federal building or inside the Capitol with government property."

Police at the Capitol planned only for a free-speech demonstration and were overwhelmed by the mob that broke through and roamed the halls of the Capitol for hours as lawmakers were sent into hiding. Five people died in the melee, including a Capitol police officer who was struck in the head with a fire extinguisher.

Trump was impeached after the riot on a charge of "inciting violence against the government of the United States." Opening arguments will begin the week of Feb. 8. He is the first president to be twice impeached and the first to face a trial after leaving office.

Unlike criminal cases, impeachment trials do not have specific evidence rules so anything said and done that day can be used. And several of the people charged have said in interviews with reporters or federal agents that they were simply listening to the president when they marched to the Capitol.

Richer reported from Boston.

Nearly all GOP senators vote against impeachment trial for Trump, signaling likely acquittal

washingtonpost.com/politics/gop-senators-to-question-basis-for-trump-impeachment-signaling-likely-acquittal/2021/01/26/cd7397dc-6002-11eb-9061-07abcc1f9229_story.html

By Mike DeBonis and Seung Min Kim January 26, 2021



All but five Republican senators backed former president Donald Trump on Tuesday in a key test vote ahead of his impeachment trial, signaling that the proceedings are likely to end with Trump's acquittal on the charge that he incited the Jan. 6 Capitol riot.

The vote also demonstrated the continued sway Trump holds over GOP officeholders, even after his exit from the White House under a historic cloud caused by his refusal to concede the November election and his unprecedented efforts to challenge the result.

Trump's trial is not scheduled to begin until Feb. 9, but senators were sworn in for the proceedings Tuesday, and they immediately voted on an objection raised by Sen. Rand Paul (R-Ky.) questioning the constitutional basis for the impeachment and removal of a former president.

"Impeachment is for removal from office, and the accused here has already left office," he argued, adding that the trial would "drag our great country down into the gutter of rancor and vitriol, the likes of which has never been seen in our nation's history."

But Democrats argue that Trump must be held accountable for the riot, which saw the Capitol overrun and resulted in the deaths of one police officer and four rioters. Paul's argument, they said, suggests that presidents can act with impunity late in their terms.

Senate Majority Leader Charles E. Schumer (D-N.Y.) said Tuesday that the Republican argument is "flat-out wrong by every frame of analysis — constitutional context, historical practice, precedent and basic common sense."

The final vote was 55 to 45 to kill Paul's objection, with GOP Sens. Susan Collins (Maine), Lisa Murkowski (Alaska), Mitt Romney (Utah), Ben Sasse (Neb.) and Patrick J. Toomey (Pa.) joining all 50 Democrats.

The largely partisan vote indicated that, nearly three weeks after the Capitol attack, much of the GOP anger over Trump's actions immediately before and during the siege has faded. Notably, Senate Minority Leader Mitch McConnell (R-Ky.) — who previously said Trump had "provoked" the Capitol mob — voted to back Paul and Trump, who has reached out to senators directly and through intermediaries to marshal support for his defense.

Convicting Trump would require support from 67 members of the 100-member body. The Democratic-led House has already impeached Trump a historic second time. If convicted in the Senate, the former president could be barred from holding future office with a subsequent majority vote.

Paul had sought to muster at least 34 votes in support of his objection to signal that there were enough senators with constitutional misgivings to secure an acquittal. After the vote, Paul declared that "the impeachment trial is dead on arrival."

Sen. Lindsey O. Graham (R-S.C.), who has been advising Trump on his defense, said Tuesday that he considered 45 votes to be "a floor, not a ceiling" for an acquittal vote.

"He just needs to keep doing what he's doing, and the trial will be over in a couple of weeks," he told reporters.

A few senators who voted with Paul disputed that Tuesday's vote was a foolproof indication of the trial's outcome. Sen. Rob Portman (R-Ohio), for instance, told reporters that he wanted to hear further debate on the constitutionality question but had not yet decided whether to convict Trump.

But several other Republicans, including Collins, drew the conclusion that a Trump acquittal was now a fait accompli. "I think it's pretty obvious from the vote today that it is extraordinarily unlikely that the president will be convicted," she said. "Just do the math."

Before the vote, Republican senators met for a private lunch where they heard from Jonathan Turley, a George Washington University law professor who has argued that a former president cannot be tried for impeachment.

Exiting the lunch, Turley said he had presented a nuanced argument: that the benefits of condemning a now-departed president were "outweighed by the cost" of setting a precedent for Congress to retroactively impeach and remove former presidents, creating a new political weapon.

The theory has gained traction among Republicans as a way to side with Trump while sidestepping the question of whether he incited the violence at the Capitol — the allegation at the heart of the impeachment effort.

Sen. Ron Johnson (R-Wis.) said he hoped that Tuesday's vote would prompt Democrats to reassess whether it is worth having a trial.

"I hope my colleagues . . . look at it from the standpoint, is it wise to do this?" he said. "I would hope we would end this now. It's just not wise. It's not healing. It's divisive."

Democrats and many legal scholars have balked at the argument that a former president — or any former official — cannot be convicted in an impeachment trial.

"The theory that the Senate can't try former officials would amount to a constitutional get-out-of-jail-free card for any president who commits an impeachable offense," Schumer said.

"It makes no sense whatsoever that a president, or any official, could commit a heinous crime against our country and then defeat Congress's impeachment powers by simply resigning, so as to avoid accountability and a vote to disqualify them from future office."

Schumer and others have cited the precedent set in 1876, when Secretary of War William Belknap resigned moments before the House was set to vote on his impeachment on corruption charges. The House impeached Belknap anyway, and the Senate proceeded with a trial in which he was acquitted.

McConnell did not speak before Tuesday's vote or release any statement squaring his vote with his previous statements critical of Trump's behavior. In the immediate aftermath of the Capitol attack and the House impeachment, McConnell communicated to his GOP colleagues that he was open to supporting a conviction.

Sen. John Thune (R-S.D.), the minority whip, said Tuesday's vote indicated that many Republicans consider the trial to be on "a very shaky foundation" but have not necessarily ruled out voting to convict.

"I, as a juror, am going to wait until the trial commences and hear the arguments on both sides," he said. "And I think that's where the leader is."

The former president's aides also have started putting GOP senators on notice about the impending trial vote, asserting that Trump will continue to be in a force within the Republican Party. Sen. Kevin Cramer (R-N.D.) said Brian Jack, a political aide to Trump, called him over the weekend to stress that Trump had no interest in starting a third party and that his post-presidency political activity would be with the GOP.

"I would say it wasn't out of the blue," Cramer said of the call, first reported by Politico. "I think it was strategic."

Among the other key Republicans who aired constitutional concerns Tuesday was Sen. Charles E. Grassley (Iowa), a former chairman of the Senate Judiciary Committee and the longest-serving GOP senator.

He had qualms about the fact that Chief Justice John G. Roberts Jr., who is constitutionally mandated to preside over the impeachment trial of a sitting president, has opted not to appear at Trump's second trial.

"That would send a pretty clear signal to me what Roberts thinks of the whole thing," Grassley said.

Roberts, through a Supreme Court spokeswoman, has declined to comment.

Rather than Roberts, presiding over the trial will be Sen. Patrick J. Leahy (D-Vt.) — the Senate president pro tempore and currently the longest-serving senator. While Leahy pledged Monday to act fairly in the role, the image of a Democrat presiding over the trial of a GOP former president led several Republicans to cry foul.

"Brazenly appointing a pro-impeachment Democrat to preside over the trial is not fair or impartial and hardly encourages any kind of unity in our country," Paul said Tuesday. "No, unity is the opposite of this travesty we are about to witness."

A few Republicans, however, said they believed that the trial of a former president is constitutional. Murkowski told reporters Tuesday that, in her view, "impeachment is not solely about removing a president, it is also a matter of political consequence."

Despite the broad constitutional concerns among Republicans, it appeared that Democrats had little intention of canceling or curtailing the trial.Some, including Sen. Richard Blumenthal (Conn.), said the vote Tuesday suggested that House impeachment managers needed to make an even more detailed case against Trump — calling witnesses and presenting evidence attesting to the depravity of his behavior leading up to and during the events of Jan. 6.

Blumenthal said he believed that the trial would rekindle the anger many Republicans felt in the immediate aftermath of the Capitol assault. "They were in a different frame of mind than today when they were voting on the motion to dismiss," he said. "And I want to bring back

the feelings of revulsion and terror that were caused on that day."

Other Democrats suggested that Republicans were simply trying to avoid contending with the political consequences of rendering a judgment on Trump's conduct.

"They don't want to argue the merits," said Sen. Gary Peters (D-Mich.). "We have a president who incited a violent attack on the United States Capitol, and on our very democracy, so it's absolutely critical that we call that out and make sure that future presidents understand that this is completely unacceptable behavior and will never be tolerated by the American people."

Schumer on Tuesday said Trump's behavior — which included spreading baseless theories about the November election being stolen, pressuring state officials to change vote tallies, encouraging supporters to rally in Washington as Congress certified the electoral college vote on Jan. 6, and then calling that day for ralliers to march to the Capitol — amounted to "the most despicable thing any president has ever done."

"I believe he should be convicted," he said.

www.washingtonpost.com /national-security/dc-guard-capitol-riots-william-walker-pentagon/2021/01/26/98679f44-5f6...

Pentagon restricted commander of D.C. Guard ahead of Capitol riot

Paul Sonne

10-13 minutes

But Maj. Gen. William J. Walker, the commanding general of the District of Columbia National Guard, said the Pentagon essentially took that power and other authorities away from him ahead of the short-lived insurrection on Jan. 6. That meant he couldn't immediately roll out troops when he received a panicked phone call from the Capitol Police chief warning that rioters were about to enter the U.S. Capitol.

> The Post obtained hours of video footage, some exclusively, and placed it within a digital 3-D model of the building. (TWP)

"All military commanders normally have immediate response authority to protect property, life, and in my case, federal functions — federal property and life," Walker said in an interview. "But in this instance I did not have that authority."

Walker and former Army secretary Ryan D. McCarthy, along with other top officials, briefed the House Appropriations Committee on Tuesday behind closed doors about the events, the beginning of what is likely to become a robust congressional inquiry into the preparations for a rally that devolved into a riot at the Capitol, resulting in five people dead and representing a significant security failure.

The military, which isn't structured to be a first responder like law enforcement, took hours to arrive at the scene primarily because the Capitol Police and the District government hadn't asked the D.C. Guard to prepare a contingency force for a riot. The Capitol Police chief also didn't call Walker to tell him a request for Guard backup was imminent until about 25 minutes before rioters breached the Capitol.

But the restrictions the Pentagon placed on Walker also contributed to the delay. He needed to wait for approval from McCarthy and acting defense secretary Christopher C. Miller before dispatching troops, even though some 40 soldiers were on standby as a quick reaction force. That standby force had been assembled in case the few hundred Guard members deployed that day on the District's streets to assist police with traffic control and crowd management needed help, Walker said.

The Pentagon required the highest-level approval for any moves beyond that narrow mission, in part because its leaders had been lambasted for actions the D.C. Guard took during last June's racial justice protests, including helicopters that flew low over demonstrators in D.C. Top officials concluded those maneuvers resulted from "fragmentary orders" that hadn't received high-level approval and were looking to prevent a repeat of that situation.

"After June, the authorities were pulled back up to the secretary of defense's office," McCarthy said in comments to The Washington Post. "Any time we would employ troops and guardsmen in the city, you had to go through a rigorous process. As you recall, there were events in the summer that got a lot of attention, and that was part of this."

McCarthy said he worked hard to ensure authority was pushed back down the chain of command to Walker ahead of the inauguration, during which Walker oversaw the 25,600 troops that came to the District. As for the preparations ahead of Jan. 6, McCarthy said, "It was everyone just being very careful. When you go back to times when we've done this, like June, we wanted to make sure we were very careful about the employment — careful about fragmentary orders."

Had he not been restricted, Walker said he could have dispatched members of the D.C. Guard sooner. Asked how quickly troops could have reached the Capitol, which is two miles from the D.C. Guard headquarters at the Armory, Walker said, "With all deliberate speed — I mean, they're right down the street."

Still, even if Walker had been able to send the troops on standby to the Capitol immediately, and round up others in the District, it's unclear how much that would have affected the situation, given the large size of the mob and the last-minute nature of the call for help.

Walker recalled how Capitol Police Chief Steven Sund, who has since resigned, asked him on a call in the run-up to Jan. 6 to have National Guard troops at the ready.

"All he said was, 'If I call you, will you be able to help?' " Walker said. "And I said, 'Yes, but I need permission. So send a formal request,' and I never got it, until after the fact."

The request came, but only at 1:49 p.m. the day of the attempted insurrection. Sund called Walker to say rioters were about to breach the building and the Capitol Police would soon request urgent backup.

"I told him I had to get permission from the secretary of the Army and I would send him all available guardsmen but as soon as I got permission to do so," Walker said. "I sent a message to the leadership of the Army, letting them know the request that I had received from Chief Sund."

Permission from the Pentagon to activate the full D.C. Guard wouldn't come for another hour and fifteen minutes, according to a Defense Department timeline of events, as members of Congress barricaded themselves in their offices and hid from a marauding horde trying to undo the results of the Nov. 3 election. It would take nearly three hours before Miller authorized the D.C. Guard to "re-mission" and help the Capitol Police establish a perimeter around the Capitol.

In the meantime, Sund dialed into a phone call with the Pentagon.

In an interview with The Post, Sund recalled Army staff director, Lt. Gen. Walter Piatt, saying, "I don't like the visual of the National Guard standing a police line with the Capitol in the background."

Piatt, in a statement, initially said he didn't make those remarks or any comments similar to them. Later, he backtracked, saying he didn't recall citing such concerns but note-takers in the room told him he may have said that. Piatt, who wasn't in the chain of command, was leading the call while waiting for the Army secretary to receive approval for the full activation of the D.C. Guard from Miller.

Walker said a lot of people were on the chaotic call.

"There was some talk about optics, but I can't assign that to one person," Walker said. "From the Army leadership, there were quite a few people on the call. . . . It's clear that somebody talked about the optics. Who said that? I'm not sure."

Asked if the D.C. Guard leadership kept a record of the call, Walker said it wasn't recorded but Guard officials memorialized the conversation in notes known as a memorandum for record.

In the days before the protest, all the living former defense secretaries warned the Pentagon not to get involved in the peaceful transition of power, after reports that former national security adviser Michael Flynn had raised the possibility with President Donald Trump of declaring martial law to "rerun" the election.

The day before the Jan. 6 event, a senior U.S. official told The Post the military had "learned its lesson" after being rebuked over Trump's heavy-handed response to racial justice protests last year. The official, who spoke on the condition of anonymity to discuss the details of the preparations, said the military would be "absolutely nowhere near the Capitol building" because "we don't want to send the wrong message."

Pentagon officials were also concerned that sending Guard troops who answered to the president into the Capitol during the riot could give the impression that the military was aiding Trump's supporters in a coup. Senior defense officials said federal law enforcement should always be in the lead clearing buildings, rather than soldiers, who shouldn't be the tip of the spear on U.S. soil.

Members of the D.C. Guard ultimately arrived at the Capitol around 5:30 p.m. and helped establish a perimeter around the grounds. D.C. Mayor Muriel E. Bowser (D) first called McCarthy, the Army secretary, to request an unspecified number of troops at the scene four hours earlier.

"Do I wish I could have got there sooner?" Walker said. "Of course. I mean, I think everybody does. I absolutely wish I could have got there sooner. But, you know, I follow orders, and those making the decision went through a decision-making process."

Whether the Guard could have arrived sooner at this point is "probably axiomatic," Walker said. "Here's what I want you to know: We got there and we made a difference upon arrival."

Because the District is not a state, the president technically controls the D.C. Guard but defers his power to the defense secretary and Army secretary.

Memos obtained by The Post show how tightly the Pentagon restricted Walker ahead of the events.

In a Jan. 5 memo, the Army secretary, who is Walker's direct superior in the chain of command, prohibited him from deploying the quick reaction force composed of 40 soldiers on his own and said any rollout of that standby group would first require a "concept of operation," an exceptional requirement given that the force is supposed to respond to emergencies.

McCarthy was also restricted by his superior, Miller. In a Jan. 4 memo, McCarthy was prohibited from deploying D.C. Guard members with weapons, helmets, body armor or riot control agents without defense secretary approval. McCarthy retained the power to deploy the quick reaction force "only as a last resort."

Miller, in a recent interview with Vanity Fair, dismissed accusations that the Defense Department dragged its feet in rolling out the Guard. "Oh, that is complete horse----," Miller said, contending the Pentagon leadership "had their game together."

Top Pentagon officials said they didn't deploy the quick reaction force during the riot because they hadn't approved a "concept of operations" ahead of time with the Capitol Police.

Walker said one takeaway from the Jan. 6 riot should be that when in doubt, city and federal authorities should always err on the side of requesting a contingency of National Guard troops to be at the ready in advance, even if they don't end up being used.

Ahead of the event, Bowser made a narrow request for a D.C. Guard presence, resulting in about 340 personnel to help with traffic and crowd management and another 40 in the quick reaction force. In a letter, she cited the administration's problematic deployment of federal agents without insignia on the streets last year and said the District wasn't requesting any additional support.

Days after the violence, Walker was tasked with overseeing the Guard members who filtered into the capital from across the nation to secure the inauguration. Walker said the Capitol Police have requested a contingent of about 7,000 of the 25,600 troops to stay until at least March 12.

Walker expressed gratitude to the soldiers who showed up, and thanked their families and employers for contributing to a successful and secure event.

"People have jobs that they walked away from at a moment's notice. They have families that they walked away from at a moment's notice," Walker said. "This is what the Guard has done since 1636."

www.cnn.com /2021/01/26/politics/capitol-police-riot-no-confidence/index.html

US Capitol officers debating no-confidence vote for leaders in charge during Capitol riots

Peter Nickeas, Whitney Wild and Manu Raju, CNN

4-5 minutes

*(CNN)*US Capitol Police officers are in preliminary discussions over holding a no-confidence vote targeting department leaders who were working on the day when Donald Trump supporters led an insurrection into the building, according to three people familiar with the discussions.

The vote would target acting USCP Chief Yogananda Pittman, who was promoted into the agency's top job following the resignation of Steven Sund after the insurrection. At least four additional chiefs may be targeted as part of any no-confidence vote, the three sources said.

News of the discussion comes as Pittman spoke to congressional members during a closed-door briefing Tuesday, where she said the "department failed to meet its own high standards" on January 6, adding that police "knew there was a strong potential for violence and that Congress was the target."

One source told CNN that Pittman was the operational chief that day and "never took control of the radio or commanded officers what to do in any way shape or form."

One Capitol police source said stewards from the USCP Labor Committee, the union representing rank-and-file officers, visited section roll calls to take the temperature of officers on the potential no-confidence vote.

Another source within the department says a no-confidence vote was likely forthcoming for senior leadership. "The rank-and-file of this department has no faith in any of our chiefs, especially the ones in that were here on January 6th," the source told CNN.

A Capitol Police spokeswoman did not immediately respond to a request from CNN for comment.

Union President Gus Papathanasiou told CNN that no vote is underway. "Officers have been calling for a vote of no confidence since January 6th," Papathanasiou said. "At this time we have not initiated a vote of no confidence. Doesn't mean we can't think about it. There's a big difference."

Officers have told CNN that they felt abandoned and betrayed by the department's leadership.

Prior to her appointment, Pittman had served as head of intelligence operations since October 2019. In that role, Pittman was responsible for the safety and security of the US Capitol, congressional members, congressional staff and Capitol visitors, including detecting any threat and preventing it. On the day of the insurrection, she was second in command of the US Capitol Police force.

In her prepared remarks Tuesday, Pittman outlined the department's failure to act on intelligence that pointed to a likelihood of violence.

"We knew that militia groups and White supremacists organizations would be attending. We also knew that some of these participants were intending to bring firearms and other weapons to the event. We knew that there was a strong potential for violence and that Congress was the target," she said.

The department responded to the threat by canceling days off for some officers and putting civil disturbance teams on standby. The SWAT team was available to wade into the crowd to make arrests, though officers told CNN that was not possible because of how badly officers were outnumbered that day.

Officers also described to CNN a hasty attempt to get helmets into the hands of officers before the event, without clear instruction on when to use them and where to store them.

Pittman said the department had adopted a new perimeter around the Capitol based on "instructions it received from the House and Senate sergeants-at-arms." But officers have told CNN, and videos indicate, that the bike-rack-type fencing used that day created a danger because it provide no security and can be easily weaponized by violent protesters.

"The department prepared in order to meet these challenges, but we did not do enough," she said.

Pittman also acknowledged that two pipe bombs and a van with explosives had forced police to divert officers just as the main body of protesters was arriving at the Capitol.

Officers told CNN they believe the assault on the Capitol was timed to the bombs being found and was coordinated between insurrectionists on the east and west fronts of the building. The lack of any quick backup left officers stranded in thin lines attempting to keep a crowd of thousands from entering.
This story has been updated with additional developments Tuesday.

CNN's Annie Grayer contributed to this report.

STATEMENT OF ACTING CHIEF OF POLICE YOGANANDA D. PITTMAN
UNITED STATES CAPITOL POLICE

On behalf of the women and men of the U.S. Capitol Police, I want to thank the Committee, the Congress, and the American people for their support following the attack of January 6, 2021.

As you know, the U.S. Capitol Police's sole mission is to protect Congress to ensure that Congress may fulfill its legislative obligations under the Constitution of the United States. The Department understands the gravity of this important objective and holds itself to the highest of standards in ensuring mission fulfillment. The Department also knows that you – the Congressional community – expect excellence from the Capitol Police and depend on us for your safety, but, most importantly, the protection of the democratic process.

On January 6th, in the face of a terrorist attack by tens of thousands of insurrectionists determined to stop the certification of Electoral College votes, the Department failed to meet its own high standards as well as yours. Although the Department fulfilled its mission of protecting Members and democracy ultimately prevailed, the insurrectionists' actions and the Department's inability to immediately secure the U.S. Capitol emboldened the insurrectionists and horrified millions of American. We fully expect to answer to you and the American people for our failings on January 6th.

I am here to offer my sincerest apologies on behalf of the Department.

But I am also here to tell you what we are doing to secure the U.S. Capitol from future threats – whether domestic or foreign.

Let me be clear: the Department should have been more prepared for this attack. By January 4th, the Department knew that the January 6th event would not be like any of the previous protests held in 2020. We knew that militia groups and white supremacists organizations would be attending. We also knew that some of these participants were intending to bring firearms and other weapons to the event. We knew that there was a strong potential for violence and that Congress was the target.

The Department prepared in order to meet these challenges, but we did not do enough. Based on the information we had about the event, the Department changed its existing operational plan for January 6th. It required all available officers to be working that day. It increased the number of Civil Disturbance Units scheduled to work the event from four to seven, including four hard platoons equipped with less lethal munitions. It activated its SWAT team to extract violent demonstrators or those with weapons from the rally and to engage in counter sniper activity. It also adapted a new security perimeter based on instructions it received from the House and Senate Sergeants at Arms.

Additionally, on January 4th, former USCP Chief of Police Steven Sund requested that the Capitol Police Board declare a state of emergency and authorize a request to secure National Guard support.

The Board denied the request, but encouraged Chief Sund to contact the DC National Guard to determine how many Guardsman could be sent to the Capitol on short notice, which he did. Chief Sund also coordinated with Acting Chief of Police Robert Contee of the Metropolitan Police Department to guarantee additional support on January 6th.

The Department had over 1200 sworn personnel working on site when the attack occurred, which was no match for the tens of thousands of insurrectionists (many armed) attacking the Capitol and refusing to comply with lawful orders.

In my experience, I do not believe there was any preparations that would have allowed for an open campus in which lawful protestors could exercise their first amendment right to free speech and at the same time prevented the attack on Capital grounds that day.

However, I do believe certain challenges the Department faced the day of the attack could have been overcome with additional preparation.

First, it became clear early on that the Department needed much more manpower than what was available. We received immediate assistance from the MPD who sent a hundred officers within minutes of the initial breach of the outer security perimeter.

Chief Sund immediately coordinated with federal agencies and law enforcement partners across the area to gain additional boots on the ground. He also lobbied the Board for authorization to bring in the National Guard, but he was not granted authorization for over an hour.

In addition, the Department's resources were diverted to other major concerns. At nearly the exact time the mob arrived on the Capitol, a pipe bomb was discovered at the RNC headquarters at First and C Street, SE. The Department sent USCP personnel to investigate and secure the location, which included evacuating the Madison and Cannon House office buildings as well as residents and local businesses. Shortly after the initial pipe bomb was discovered, USCP discovered a vehicle with explosive chemicals and a firearm in plain view parked on that same block. An identical pipe bomb was also discovered at the DNC headquarters several minutes later.

Second, our officers were equipped with less lethal options such as OC spray and batons. They were also backed up by CDU platoons deploying pepper balls and other chemical munitions. They did not have other less lethal options, such as impact weapons, at their disposal.

Moreover, due to the amount of less lethal chemicals being used to disperse the crowd, additional supplies should have been staged for easy access. Instead, the Department had to send in personnel to reload our officers.

Third, once it became clear that the mob was getting too close to the Capitol building, I ordered a lockdown of the Capitol, which means that every entrance should have been closed and sealed to prevent entry from the outside. The Department has very specific lockdown procedures that require the lockdown to take effect even when officers remain outside of the building. The policy may not have been consistently followed.

Fourth, we have been told by the Union and other employees that our communications were difficult to hear on their radios over the ruckus of the attack. Without a clear line of communication, officers were operating with limited information about what was occurring and with little instruction from leadership.

Similarly, Members and staff have told us that our communications over the PA system were not clear enough.

This is not an exhaustive list, but a general overview of some of the things that the Department could have done better then and that we are working to improve now.

Once the Capitol building itself was breached, the Department's priority was evacuating Members. Our Dignitary Protection Division agents immediately evacuated congressional leadership and took them to a secure location to ensure the continuity of government.

Almost simultaneously I connected with both the House and Senate Sergeant at Arms to arrange the evacuation of Members from the House and Senate Chambers, as well as the extraction of Members from their offices by USCP personnel.

It was while Members were being evacuated that an invader was shot by a USCP official outside of the House Floor. This matter is still undergoing investigation by outside law enforcement.

Once Members were safe, the Department began aiding staff barricaded in offices in the Capitol.

It was not until Members and staff were safely evacuated that the Department began clearing the Capitol of invaders floor by floor with the assistance of its law enforcement partners.

Immediately following January 6th, the Department's priority has been to secure the campus now and into the future.

We have acquired the assistance of the National Guard who have provided thousands of armed personnel to assist us in securing the campus. Access to the campus has been restricted. And the inner and outer perimeters are protected by an eight foot non-scalable global fencing.

Additionally, the Department has taken steps to ensure that it shares and receives critical intelligence information from its law enforcement partners and that such information is disseminated to its workforce. The Department's Intelligence Director holds daily internal intelligence briefings with USCP officials. The Department has also arranged to deliver intelligence briefings to the Union on a routine basis.

The Department is also leaning forward with briefings for the Congressional Community, including for core leadership, oversight committees, and congressional caucuses.

The Department is also providing additional training to personnel on civil disturbance policies and practices.

These are only some of the steps taken by the Department in the immediate wake of the January 6th insurrection.

In addition to proactive measures intended to shore up the Capitol's security, the Department has taken numerous steps to aid our officers.

I want to stress that the vast majority of Capitol Police officers who were on the front lines on January 6th performed valiantly in the face of extraordinary violence. They held off the attackers long enough for us to evacuate the House and Senate Chambers and lead the Members and staff to safety. These officers are heroes.

I visited every roll call to meet with officers in the days following my being sworn in as Acting Chief of Police. Many are suffering from PTSD, particularly after the loss of two of our officers directly and indirectly as a result of the events of January 6th. And since January 6th, they've been working around the clock to prepare for future events, including the inauguration.

The Department has EAP on site to offer counseling services to officers and their families. The Department also has trauma counselors specialized in dealing with military and law enforcement PTSD. Finally, due to the uptick in COVID-19 infections following the January 6th event, the Department has provided onsite testing for USCP personnel and is seeking additional sources for COVID-19 vaccinations.

The attack on the U.S. Capitol on January 6 also forever changed how we look at the "People's House." By design, the Capitol campus is open and welcoming to visitors. The Capitol Building, until recently, had not been surrounded eight foot global fencing.

And, because it is an open campus, it is very difficult to fortify. Even before September 11, 2001, security experts, including former USCP chiefs of police, argued that more needed to be done to

protect the Capitol campus – although I doubt many would have thought it would be necessary to protect it against our own citizens.

As the Acting Chief, I take responsibility for the mistakes that were made by the Department, and I pledge to this Committee, the Congress, the American people, and my USCP colleagues, that we will do better going forward, but we need to make changes.

The Department is working with the various offices and agencies tasked with documenting the events as they unfolded that day, as well as conducting our own in depth review of the incident, to ensure that accurate, factual and detailed information is provided.

I believe the multiple reviews, after actions, and investigations currently underway will conclude that the Capitol's security infrastructure must change and that the Department needs access to additional resources – both manpower and physical assets.

We know the eyes of the country and the world are upon us. The U.S. Capitol Police remain steadfast in addressing the new challenges that we face head on. We are committed to protecting and defending this institution that is responsible for safeguarding the freedoms we all hold dear – including the public's right to exercise their First Amendment rights at the U.S. Capitol.

Once again, I'd like to thank this Committee and the entire Congress for their support of our law enforcement officers. I am prepared to address any questions you may have.

Thank you.

Office of the Sergeant at Arms
U.S. House of Representatives

Statement of Acting Sergeant at Arms Timothy P. Blodgett
Before
The Committee on Appropriations
January 26, 2021

Chair DeLauro, Ranking Member Granger, and Members of the Appropriations Committee,

Thank you for the opportunity to testify about the events of January 6, 2021—one of the darkest days in the history of our democracy.

I want to briefly touch on the relationship between the House Sergeant at Arms and the Capitol Police. The House Sergeant at Arms coordinates requests and security planning for the House of Representatives with the United States Capitol Police. Additionally, the House Sergeant at Arms serves on the Capitol Police Board – essentially a Board of Directors for the Capitol Police.

I will briefly discuss what went poorly and what went well. It is clear there was a failure of preparation. Whether it was insufficient or conflicting intelligence, lacking ability to translate that intelligence into action, insufficient preparation or an inadequate ability to mobilize partner agencies for immediate assistance, a series of events, once thought unfathomable, unfolded allowing our most sacred halls to be breached. And, sadly, several lives were lost, including Officer Brian Sicknick and Officer Howard Liebengood. As time unfolds, we are beginning to have a better understanding of this series of events. We must examine the event and we must learn from these lessons to ensure that our systems and structures do not fail us again. One of the initial examinations must be in how communications work on the Hill and how we must adapt and evolve our structures, mindset, and our procedures. We must harden this campus. Too many access points were breached on January 6 and the Speaker has tasked Lt. General Russel Honore to review Capitol Security to help us turn these lessons into action.

Communications to the Hill community also need to improve. Our current communications structure is too rigid to appropriately adapt to the multiple varying crises that unfolded that day—multiple bombs, a breach of the Capitol, and a riot. The different crises strained the ability to communicate fast, accurate, and pertinent information. In addition, the sole reliance on pre-worded, generic messaging is not transparent. Originally designed to avoid disseminating incorrect information while in the midst of an event, the communications did not convey much needed information in a dynamic crisis. We also need to rethink the frequency of communication. In the past, we have been criticized for sending too many messages. This may be a fair point when dealing with day-to-day incidents, but not in an extraordinary situation.

Another system we need to implement is an accountability system. Numerous staff were barricaded in offices during the insurrection. When these staff notified SAA staff that they were trapped, either USCP or SAA staff or both together would go out and retrieve the individual. We need to implement a system where we can be notified in real time so we can assist in the retrieval

of Members and staff in a crisis. Hopefully we will never have to use the system, but it is better to be prepared. We rarely encounter the crisis we expect, but our system of communications needs to adapt to constantly changing and unexpected circumstances.

I also want to discuss what went well. First, the bottom line is that every Member and House staff went home without death or serious injury. That is always the number one priority of the Office of the House Sergeant at Arms. Congress consists, at its core, of people. The House of Representatives has met in different places, and different chambers, but it is always the people's representatives and their staff who are irreplaceable.

Our evacuation procedures worked well. With the assistance of many brave USCP officers, Sergeant at Arms staff and Members, we were able to evacuate the Chamber and get Members and staff to a secure location. We were able to utilize the escape hoods to enable the Capitol Police to deploy tear gas, when and if necessary, to clear an evacuation route from the Chamber. We were ultimately able to prepare for Congress to discharge its Constitutional responsibilities that same night.

Additionally, the employees of the House Sergeant at Arms have shown tremendous dedication. Amidst a pandemic, they have worked countless hours—essentially abandoned their loved ones—to work in what became a war zone. They have arranged for airport security, monitored threats, conducted emergency training, prepared for a Presidential Inauguration and are taking every effort to ensure that Members of Congress are safe at the U.S. Capitol, in their district, and while traveling.

Please know that I come here today to tell you that I and the entire Sergeant at Arms team are dedicated to fixing what went wrong and ensuring that the House and its Members and staff can continue to safely fulfill their constitutional duties.

However, I also need your help. Please take time from your calendar to ensure both you and your staff are prepared for emergencies. We are able to provide training on a variety of different security and emergency procedures. If you call our office, we will be happy to arrange that training. Please also support forthcoming efforts to develop a stronger security posture on the Hill; it will require assistance from Members to make the necessary changes to our culture to do so.

Thank you for the opportunity to participate in this briefing.

Three Weeks Inside a Pro-Trump QAnon Chat Room

As President Biden's inauguration ticked closer, some of Donald Trump's supporters were feeling gleeful. Mr. Trump was on the cusp of declaring martial law, they believed. Military tribunals would follow, then televised executions, then Democrats and other deep state operatives would finally be brought to justice.

These were honestly held beliefs. Dozens of Trump supporters spoke regularly over the past three weeks on a public audio chat room app, where they uploaded short recordings instead of typing. In these candid digital confessionals, participants would crack jokes, share hopes and make predictions.

"Look at the last four years. They haven't listened to a thing we've said. Um … there's going to have to be some serious anarchy that goes on. Otherwise, nothing is going to change."

I spent the past three weeks listening to the channel — from before the Jan. 6 Washington protest to after Mr. Biden's inauguration. It became an obsession, something I'd check first thing every morning and listen to as I fell asleep at night. Participants tend to **revere Mr. Trump** and believe he'll end the crisis outlined by Q: that the world is run by a cabal of pedophiles who operate a sex-trafficking ring, among other crimes. While the chat room group is relatively small, with only about 900 subscribers, it offers a glimpse into a worrying sect of Trump supporters. Some conspiracists like them have turned to violent language in the wake of Mr. Trump's electoral loss.

"If the Biden inauguration wants to come in and take your weapons and force vaccination, you have due process to blow them the [expletive] away. Do it."

Times Opinion has included audio clips from the chat in this story because the group is public. Names and any identifying information have been omitted.

There's a persistent belief that the online world is somehow not real. Extreme views are too easily dismissed if they're on the internet. While people might say things online they would never do in person, all it takes is one person for digital

conspiracies to take a deadly turn. That should be clear after the Capitol riot, which was largely organized online and resulted in five deaths.

Listening to the conspiracists — unfiltered and in their own voices — makes that digital conversation disturbingly real.

To participants, the channel is mainly **a way to share and "fact-check" the news**, cobbling theories together from fringe right-wing websites, **posts on Facebook**, and private channels on the messaging apps Telegram and Signal. They say their main focus is **reinstituting paper ballots**.

The most commonly used phrase is some version of "I heard," followed by a theory:

"So I heard when, in 2016, when Hillary was supposed to be president, the military actually stepped in and appointed Trump as the commander in chief."
"There's people that are actually sleeping inside that building to watch over the area, I guess. Um, I have no link to confirm this. Just from people that I've heard that should know what they're telling me."
"But if you look into it and read the post, it's actual emails from Pence trying to get Trump out before he even won the election."
"I just read somewhere that Biden just lowered the age of consent to age 8. Has anybody heard anything about that?"
"You know, you laughed about Tupac and Biggie? He was murdered, and I think it was the deep state that murdered him."
Sometimes the chat is lighthearted, like when supporters swap details about **grocery runs** or wish one other **happy birthday**. But the conversation can also turn dark, like when they speak longingly about **"brutal" televised executions** or simply ask, **"Can the people declare war inside the country if they wanted to?"**

Key to sustaining their beliefs is the expectation that the other shoe is always about to drop. One prediction, concerning **"10 days of darkness,"** was perpetually about to come true in the form of media blackouts, social media bans or power outages.

Nearly every day, there were signs that the "10 days of darkness" had begun in some form. Power outages in India and **at the Vatican** were possible signs. Then **blackouts were reported across the world**. Then **state-of-emergency orders were circulated** for various storms, recalling a Q catchphrase, "The storm is coming."

"It'd be wise to stock up water, canned foods, ammo and cash, gasoline in your vehicles," one said days after the Washington rally.

The Q delusion requires fitting unexpected events into a bigger narrative. The riot in Washington was one such opportunity. The day before, **many in the chat room were worried** about antifa attacking their friends. Yet it was also clear they wanted a confrontation.

"I wish they'd storm the Congress and the Senate and pull all them treasonous guys out of there."

As the rally began, participants **uploaded dispatches from the ground**. The mood was positive, even emotional. In the chat, they shared their real-time reactions as Mr. Trump's supporters stormed the Capitol.

"Patriots are in the building. It's beautiful."

And when Mr. Biden went on television to demand an end to the siege, one chatter asked, **"Does he not realize President Trump called us to siege the place?"**

Another remarked, **"Honestly, I think the patriots should have been allowed to go in there, grab those S.O.B.s and pull them out of the building and, you know, have an execution right there."**

But by the next morning, members who had called for the siege had changed their tune. Now it was **antifa that was responsible** for the Capitol raid and any violence that followed.

Over and over again, confusing decisions, unexpected outcomes and a lack of evidence were **recast as part of Mr. Trump's master plan**.

"I'm hoping that he was planning on antifa showing up there and doing what they did," one woman said. "And he has a master plan behind that. I'm hoping."

They believed Mr. Trump would use his Washington rally to announce mass arrests and release long-awaited evidence supporting Q's theories. None of that happened.

Instead of coming to grips with that loss, they moved on to another idea: Mr. Trump needed to allow the vote to be certified to spot his enemies. He could use

the Insurrection Act at any moment, putting America under martial law and using the military to seize control of the government.

"I am ready to see something go down. I want to know that this is all real, or we've just been being yanked around by a bunch of idiots sitting in their bedrooms, throwing all this fake information out there. I mean, I want to believe that Trump is holding all the cards, and that he's just being deceitful right now so that he can nail everybody."

They had been through this cycle so many times before, with promises of lawsuits that could overturn the election or a Supreme Court intervention that Mr. Trump had planned for months. None of it came to pass. Still, they had hope.

"It's very hard to be patient 'cause we — you know, remember, we're like, 'Oh, the executive order,' and 'We're waiting for D.N.I. report.' We're waiting for this, we're waiting for that, that passed, and then Jan. 6, and that passed, and then … it's hard, but we have to stay focused, and I think we're so close. I mean, there's just a couple of days left."

As the inauguration approached, signs were adding up in their favor. Thousands of **National Guard troops were deployed to the city,** and many of them were **deputized to perform arrests** — surely a sign that Mr. Trump's plan for martial law would come true.

Days went by, and nothing. Yet, as the inauguration drew closer, it was still raised as a possibility.

"It's taking longer than it should be, but possibly he could announce what he's going to do next. We still have the Insurrection Act."
"If anything goes down, it'll be today or Inauguration Day. I don't think it would be Monday."
"If it does get signed, if the Insurrection Act gets signed, it'll be today or tomorrow. Not a day later."
"The source I follow, I heard, said, Trump can file — or call martial law even up to five minutes before Biden's inauguration if he has to."
"I think midnight — there's going to be a lot of stuff happening."
One member described her prediction in vivid detail: **"His farewell speech is going to be, he declares martial law, and then as he's doing that, they're arresting the people, like Biden's administration and all those corrupt suckers, and that's why they have all the security around the White House,**

Capitol Hill area. And as they're doing that, he's going to read to us all the evidence, show us everything, and lay it all out right there."

But when Jan. 20 came, Mr. Trump left the White House, rattled off some accomplishments, said, "Have a good life," then boarded a jet to Mar-a-Lago. Mr. Biden was inaugurated. Nothing they predicted came true.

When Mr. Biden's inauguration played out as normal, participants were frustrated. By rejecting mainstream news, they embraced **liars who fed them exactly what they wanted to hear**.

"We know not to watch CNN. We know not to watch these people. But when we have people that we trust on the right, and we're pushing that information out — because we don't have many media sources, so the ones that come out, they need to be pretty damn good. And for them to take advantage of people's hope? We cannot have that."

If the Q movement had a slogan, it would be **"Do your research."** The conspiracy is designed like a game. Discovering clues that clarify Q's cryptic missives produces a eureka effect, which offers **a hit of dopamine** and improves memory retention. It's the same satisfaction that comes from solving a puzzle or finding the answer to a riddle.

Believers apply the same approach to everyday news: Find information that confirms any existing beliefs, then use it to augment their understanding of the conspiracy. Reject facts or information that counter the existing beliefs. It's one of the reasons **they struggle to recruit their family members**, unless they're persuaded to do research themselves.

I wondered what would happen in the days after Mr. Biden's inauguration. Rather than re-evaluate their approach in the wake of Q's failures, many doubled down. The problem wasn't that the whole worldview was false, just that they had been led astray by inaccurate reports and **misinterpretations**. Their response was to improve their process. They would develop a list of sources, vet credentials, link to original material, and view unconfirmed information skeptically. They were, in a sense, inventing journalism.

Others made excuses. Theories spread that Q was actually part of a deep state plot to keep Mr. Trump's supporters complacent. A few members **tied Q's strategy to a C.I.A. psychological operation**. And if that was true, their prophets, like Q and

Mr. Trump and **major personalities in the community**, weren't everything they hoped they would be.

"By us believing that, you know, there's all these things going on behind the scenes. It's preventing us from doing anything because we're just sitting down, waiting and watching for all this to secretly happen. And I don't think it's happening," one said.

"We can't be digital warriors our whole life. We can't be keyboard warriors our whole life," another said, recommending they focus on banking, education and passing real laws instead. He added: **"We can't put all our eggs in one basket like we're doing and waiting on Trump. Our forefathers never relied on one man. We rely on each other going forward."**

If the current version of the Q conspiracy theory dissolves, what happens to its followers? They already found **a community**, and their friendships weathered Mr. Biden's inauguration. If anything, their bonds have been strengthened. **The channel was thriving, keeping hope alive for dozens of followers**. Right-wing activists were organizing with fervor on Signal and Telegram. A few in the chat discussed plans to meet in person.

"It didn't play out the way we wanted, but it showed that we can — we're powerful when we're together," one said. "It's created a whole new era. It's not done. It's far from over."

After the inauguration, Ron Watkins, one of the main pushers of QAnon's theories, who some suspect is actually Q, seemed to signal the end of the movement. In a message to followers, he focused on the strength of the community, writing, "As we enter into the next administration please remember all the friends and happy memories we made together over the past few years."

The original version of the conspiracy seems in tatters, but the community is strong. And that will be harder to unravel.

"Trump has changed things forever. It's a lot of seeds that he planted. And history is going to be very kind to him and the people that fought on the right side of the war."

What should Q's followers inspire in us? Anger? Sympathy?

The audio chat offers a clearer picture of these believers than the Facebook pages and Telegram channels where they also gather. The all-caps screeds of the internet

give way to gentler moments, like when they talk about their pets or babysitting their grandkids. Many members were struggling in some way — financially or emotionally, with legal troubles or addiction. As Covid-19 swept their states, many got sick, and some family members died. A few members were recently out of prison. Another was living in a sober house.

"I don't think they understand that we're not all evil," one member said about how the left views them. "Like you said, we're not evil. We're not bad people."

As I listened over these three weeks, I saw that they're drawn to Q and Mr. Trump for many reasons. The political status quo wasn't working for them. Mr. Trump was an antidote to Washington and was **beholden to neither party**. And Q offered not just a political orientation but also a way to place themselves **in a bigger narrative that explains life's shortcomings**.

Many believers have paid a price for their views. Some were shunned by friends and family. Apps and social networks, like this audio chat room, stepped in, offering a welcoming community with shared beliefs.

"Does anybody else's family members on here think you're crazy?" one asked.

"I have family that think that way. I think they're crazy for not seeing what the heck's going on," another replied.

"I've stopped talking to every single person that isn't on board with this," another said.

"I can't even express it enough — I'm so thankful for every person in this group."

In the process, followers have become more isolated, stuck inside an echo chamber from which they may never escape.

Beneath the anger in their voices is often pain or confusion. When the chat dies down to just a few members, they'll share stories about their struggles with affording health insurance or the shame of going on government assistance. Hearing them talk with one another, I could start understanding the pull of conspiracy communities — how they exploit the vulnerable and create a worldview out of shared enemies. Then you can watch those views harden.

And while none of it excuses participation in a dangerous collective delusion, it takes the complex process of radicalization and gives it a human dimension. What seemed like a preposterous descent into a kind of madness made slightly more sense.

"Not every politician is bad. Not every Democrat is bad. But we're going to automatically assume that they're deep state. So, I mean, you have people, a small few, that makes the majority look bad."

As I spent more time in the group, I understood why the conspiracy has such gravitational pull. And while I didn't lose my way, I was taken aback by the experience. It turned my brain to mush. I was left rattled and deeply concerned. About what would become of this group when I left. And more important, how one can lessen the appeal of a conspiracy that gives so much purpose to people's lives.

Listening in, I came to realize what extremism researchers and cult experts have long known to be true: You cannot just destroy a community and expect it to disappear when it is load bearing. If we are to deradicalize Q believers in a Biden era, how will we do it? What can we offer them in its place?

One woman had an idea for how to solve some of these problems. They could try hearing from their opponents directly. Maybe they could understand their point of view, learn what motivates them. But then she paused. **"I'd love to get into their heads, but it scares the [expletive] out of me," she said. "So I keep my distance and stay with you patriots."**

Video Investigation: Proud Boys Were Key Instigators in Capitol Riot

WSJ wsj.com/video/video-investigation-proud-boys-were-key-instigators-in-capitol-riot/37B883B6-9B19-400F-8036-15DE4EA8A015.html



1/26/2021 12:06PM

The Proud Boys, a far-right group, have tried to downplay their role in the Capitol riot. A WSJ investigation shows that at many of the day's key moments, Proud Boys were at the forefront. Photo illustration: Laura Kammermann

www.politico.com /news/2021/01/27/second-officer-suicide-following-capitol-riot-463123

Second police officer died by suicide following Capitol attack

Caitlin Emma, Sarah Ferris

3-4 minutes

The death by suicide of a second officer involved in responding to the Jan. 6 riot at the Capitol had not been previously revealed. | John Shinkle/POLITICO

A second police officer who responded to the violent insurrection that rocked the Capitol Building on Jan. 6 has died by suicide, according to testimony obtained by POLITICO.

Acting Metropolitan Police Chief Robert Contee told House appropriators during a closed-door session on Tuesday that Jeffrey Smith, a D.C. Police officer, and Capitol Police Officer Howard Liebengood both "took their own lives in the aftermath of that battle."

Smith's death had not been disclosed prior to Contee's testimony.

A third member of law enforcement, Capitol Police Officer Brian Sicknick, died from injuries he sustained during the Capitol attack.

"We honor the service and sacrifices of Officers Brian Sicknick, Howard Liebengood, and Jeffery Smith, and offer condolences to all the grieving families," Contee said in his testimony.

The report of an additional officer's death once again shook Capitol Hill, where many members and staff are still reeling in the three weeks since the insurrection. Five people died as a result of the riots, and two officers later died by suicide — a death toll that has horrified lawmakers of both parties and led them to demand answers from Capitol security officials.

Congress is still grappling with the political ramifications of the events of Jan. 6, with the Senate in the early stages of an impeachment trial against former President Donald Trump. But lawmakers are also deep into an investigation into the many security lapses that left so many Capitol Police and MPD officers outnumbered and vulnerable to attack by the mob.

Lawmakers heard from law enforcement officials for the first time about the Capitol security breaches during the briefing with the House Appropriations Committee on Tuesday, when Yogananda D. Pittman, the acting head of the U.S. Capitol Police, said the department was outmanned and unprepared for the attack.

Pittman also admitted that the Capitol Police Board denied a request on Jan. 4 for additional support from the National Guard. It wasn't until the building was overrun by a pro-Trump mob the panel relented, an hour after another plea was made.

Appropriators left the briefing with a number of questions — chiefly, that intelligence agencies had "ample evidence an angry mob would descend on Washington" and they failed to "act on this intelligence or adequately prepare for the looming threat," House Appropriations Chair Rosa DeLauro (D-Conn.) said in a statement after the briefing.

Contee told appropriators that about 850 MPD officers responded to the riot and 65 members sustained documented injuries.

"Many more sustained injuries from the assault — scratches, bruises, eyes burning from bear mace — that they did not even bother to report," he said.

MPD's estimate for the response totals about $8.8 million, he said.

"The costs for this insurrection — both human and monetary — will be steep," Contee said. "The immediate fiscal impact is still being calculated."

www.washingtonpost.com /national-security/ian-benjamin-rogers-trump-pipe-bombs-democrats/2021/01/27/c9e2964e...

California man made pipe bombs, plotted attacks on Democrats to keep Trump in power, prosecutors allege

Matt Zapotosky, Shayna Jacobs

5-6 minutes

Federal prosecutors alleged in charges made public Wednesday that a California man who wrongly believed Donald Trump had won the election built pipe bombs and planned to go to "war" against Democrats and others to keep him in power.

Ian Benjamin Rogers had been taken into custody earlier this month on state charges after Napa County authorities and the FBI searched his home and business and found 49 guns and five pipe bombs, according to an FBI affidavit in the case.

While Rogers, 44, who owns an auto repair shop specializing in British vehicles, told investigators the bombs were for entertainment, investigators came to believe otherwise. According to the affidavit, authorities recovered text messages on Rogers's phone showing "his belief that Donald Trump won the 2020 presidential election, and his intent to attack Democrats and places associated with Democrats in an effort to ensure Trump remained in office."

"Let's see what happens, if nothing does I'm going to war," he wrote in one, authorities said.

"We can attack Twitter or the democrats you pick," he said in another.

In other messages, he made reference to Soros — an apparent allusion to liberal billionaire George Soros — and said he was "thinking sac office first target," which investigators interpreted as a reference to the Sacramento offices of California Gov. Gavin Newsom (D).

Rogers already was being held on $5 million bail on state charges when prosecutors filed the federal case. He was charged federally with unlawful possession of unregistered destructive devices. Jess Raphael, his attorney, said Rogers's comments represented a "bunch of hyperbole and pro-Trump histrionics that follow in line with, I guess, tens of millions of other people who supported Mr. Trump."

"There is nothing that I have seen that supports any conclusion that he was actually planning any kind of organized action," Raphael said, adding later: "He's one of these people who loves Donald Trump. I don't get it. But I don't have to get it to defend him."

According to the FBI affidavit, investigators also recovered in the Jan. 15 searches two manuals that seemed to suggest Rogers was researching war: a U.S. Army Special Forces Guide to Unconventional Warfare, and a U.S. Army Guerrilla Warfare Handbook. On his vehicle, they found a sticker associated with the Three Percenters, a group that ascribes to anti-government and pro-gun beliefs and whose name is a reference to American colonists who fought against the British during the American Revolution. They also found a gag "White Privilege Card," with allusions to Trump.

Raphael said the extent of Rogers's affiliation with the Three Percenters was that he once attended a barbecue hosted by the group. He said that, according to discovery he has reviewed, the FBI was first tipped to the case in September by a letter from someone using the pseudonym "Mr. X," but initially deemed it not worthy of investigation. The case was picked up later by local authorities, Raphael said. Raphael said he understood that Mr. X was an employee of Rogers's auto repair shop who had been fired, but he declined to provide a name.

An FBI spokeswoman said the bureau cannot comment on tips it receives or investigative methods, but the bureau and the Napa County Sheriff's Office "have been investigating this matter together for a few months."

On Tuesday, federal prosecutors in New York had made public a case similar to that of Rogers, charging Robert Lemke, 35, for allegedly threatening the brother of Rep. Hakeem Jeffries (N.Y.), who chairs the House Democratic Caucus, on Jan. 6, the day the U.S. Capitol was stormed by rioters.

Lemke appeared before a federal judge in California at a virtual court conference Wednesday afternoon, where he was ordered detained until his bail hearing next week.

Lemke allegedly sent menacing text messages to Jeffries's brother about being "armed and nearby your house," adding, "We are not far from [Jeffries's house] either."

He also sent alarming texts to Jeffries's sister-in-law along the same lines, authorities said, adding that similar messages went to the relative of a journalist in New York, where Lemke's case is pending.

"You are putting your family at risk. We have armed members near your home," Lemke said to the congressman's brother, according to a criminal complaint in his case.

Lemke said he and his cohorts "are not white supremacists" but "active/retired law enforcement or military," the complaint says, noting that on Facebook, Lemke purported to be a captain in the Air Force and a retired ranking officer in the Alameda County Sheriff's Office.

In a statement issued Tuesday, Jeffries's office thanked law enforcement, including the FBI, the U.S. Capitol Police and the New York Police Department "for their commitment to protecting the safety and well-being of his family and all Members of the United States Congress."

Jacobs reported from New York.

Official website of the Department of Homeland Security

U.S. Department of
Homeland Security

National Terrorism Advisory System
Bulletin
www.dhs.gov/advisories

Date Issued: Wednesday, January 27, 2021 11:00 am ET
View as PDF: National Terrorism Advisory System Bulletin - January 27, 2021 (/sites/default/files/ntas/alerts/21_0127_ntas-bulletin.pdf) (pdf, 1 page, 292.01KB)

Summary

The Acting Secretary of Homeland Security has issued a National Terrorism Advisory System (NTAS) Bulletin due to a heightened threat environment across the United States, which DHS believes will persist in the weeks following the successful Presidential Inauguration. Information suggests that some ideologically-motivated violent extremists with objections to the exercise of governmental authority and the presidential transition, as well as other perceived grievances fueled by false narratives, could continue to mobilize to incite or commit violence.

Duration

Issued: January 27, 2021 11:00 am
Expires: April 30, 2021 01:00 pm

Details

- Throughout 2020, Domestic Violent Extremists (DVEs) targeted individuals with opposing views engaged in First Amendment-protected, non-violent protest activity. DVEs motivated by a range of issues, including anger over COVID-19 restrictions, the 2020 election results, and police use of force have plotted and on occasion carried out attacks against government facilities.
- Long-standing racial and ethnic tension—including opposition to immigration—has driven DVE attacks, including a 2019 shooting in El Paso, Texas that killed 23 people.

- DHS is concerned these same drivers to violence will remain through early 2021 and some DVEs may be emboldened by the January 6, 2021 breach of the U.S. Capitol Building in Washington, D.C. to target elected officials and government facilities.
- DHS remains concerned that Homegrown Violent Extremists (HVEs) inspired by foreign terrorist groups, who committed three attacks targeting government officials in 2020, remain a threat.
- Threats of violence against critical infrastructure, including the electric, telecommunications and healthcare sectors, increased in 2020 with violent extremists citing misinformation and conspiracy theories about COVID-19 for their actions.
- DHS, as well as other Federal agencies and law enforcement partners will continue to take precautions to protect people and infrastructure across the United States.
- DHS remains committed to preventing violence and threats meant to intimidate or coerce specific populations on the basis of their religion, race, ethnicity, identity or political views.
- DHS encourages state, local, tribal, and territorial homeland security partners to continue prioritizing physical security measures, particularly around government facilities, to protect people and critical infrastructure.

How You Can Help

- We ask the public to report suspicious activity (https://www.dhs.gov/see-something-say-something) and threats of violence, including online activity, to local law enforcement, FBI Field Offices (https://www.fbi.gov/contact-us/field-offices), or their local Fusion Center (https://www.dhs.gov/fusion-center-locations-and-contact-information).
- Your choice can make a difference. Choose non-violent ways to make your voice heard and support friends and family in doing the same.
- Communities are strongest when they are not divided: Strengthen your community by standing together against violence.

Be Prepared

- Avoiding large crowds, including protests, is safest due to ongoing pandemic conditions. However, if taking part in protests do so peacefully, safely, and wear masks.
- Be responsible for your personal safety. Make note of your surroundings and security personnel. Carry emergency contact as well as medical and other needs information with you.

- Connect, Plan, Train, and Report (https://www.cisa.gov/connect-plan-train-report) to prepare businesses & employees.

Stay Informed

- Local, state and federal agencies will provide specific information about emerging threats as additional information is identified. The public is encouraged to listen to local law enforcement and public safety officials.
- Last year, DHS released a Homeland Threat Assessment (https://www.dhs.gov/sites/default/files/publications/2020_10_06_homeland-threat-assessment.pdf) to the public examining the threat environment through 2021.
- The DHS Lexicon on terrorism (https://www.dhs.gov/publication/dhs-lexicon) includes terminology for DVEs and HVEs.

Types of Advisories

Bulletin

Describes current developments or general trends regarding threats of terrorism.

Elevated Alert

Warns of a credible terrorism threat against the United States.

Imminent Alert

Warns of a credible, specific and impending terrorism threat against the United States.

If You See Something, Say Something™. Report suspicious activity to local law enforcement or call 911.

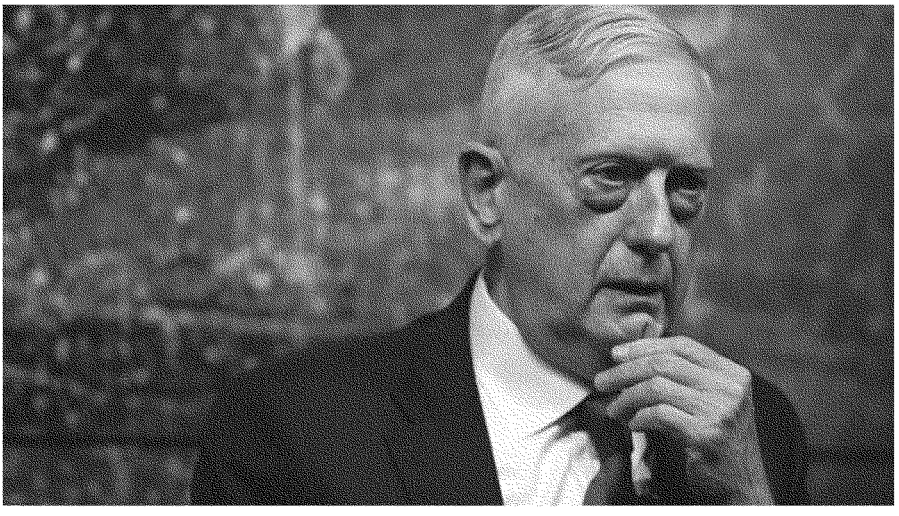
Mattis: Trump 'fomented' Jan. 6 Capitol assault

news.yahoo.com/mattis-trump-fomented-jan-6-capitol-assault-013320418.html

Yahoo News
Sean D. Naylor
·National Security Correspondent

January 28, 2021, 8:33 PM





Former Secretary of Defense James Mattis. (Gary He/Reuters)

Former Defense Secretary James Mattis said Thursday the Jan. 6 assault on the Capitol was "fomented" by former President Donald Trump, and exemplified the "internal threats" faced by the U.S. that should be viewed "with every bit as much gravity as the external problems, and perhaps more so."

Speaking during an online event, Mattis walked through a list of national security threats such as North Korea, Russia, China and international terrorism, but then turned his attention to the U.S.

"There are also internal threats right now," he said, citing "the lack of unity on the consensual underpinnings of our democracy, and what we saw on Jan. 6, fomented by a sitting president."

But Mattis also identified globalism as a root cause of the divisions that led to the pro-Trump mob's attack on Jan. 6. "Globalism hasn't been altogether good in large parts of our country," he said, adding that "certain trade deals" had had "second- and third-order effects inside our own country," hurting some Americans economically and leaving them without hope for the future.

"People are much more inclined to listen to conspiracy theories and other things when they're losing hope," Mattis said.

Mattis was referring to the assault on the Capitol by hundreds of Trump supporters seeking to prevent Congress from formalizing Trump's loss to Joe Biden in the November presidential election.



Pro-Trump protesters gather in front of the Capitol on Jan. 6. (Brent Stirton/Getty Images)

After forcing their way through police lines, the attackers rampaged through the building, stealing numerous items from the House chamber and congressional offices as then-Vice President Mike Pence and members of both the House and the Senate were quickly evacuated to safe rooms.

One of the rioters, Ashli Babbitt, was shot and killed by a Capitol Police officer as she tried to break through a door to get closer to the House chamber. Three others, including a Capitol Police officer, died during the assault.

Mattis, a Marine four-star general who retired in 2013 after a three-year tour as head of U.S. Central Command, served as Trump's first defense secretary from January 2017 to December 2018.

He made the comments in the webcast conversation with former Under Secretary of Defense for Intelligence Michael Vickers, who said that the country faced a "growing threat from white nationalists and other domestic extremists."

Noting that "our oath to the Constitution requires us to defend it against all enemies, foreign and domestic," Vickers, a former Special Forces officer, said that "never in our worst nightmares did we imagine that we would witness an insurrection against our government incited by some of our top leaders."

Their conversation was webcast by the OSS Society, which seeks to highlight the legacy of the World War II-era Office of Strategic Services.

Read more from Yahoo News:

- New video shows Trump rally crowd cheering call to 'storm the Capitol'
- How can far-right violence be stopped?
- More contagious U.K. COVID strain is also deadlier, Boris Johnson warns
- Biden acts on COVID relief while awaiting action in Congress
- Why Black Americans aren't being vaccinated for COVID-19 at the same rate as whites

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- The Independent

  Marjorie Taylor Greene suggested Ruth Bader Ginsburg had been replaced by a body double

  According to QAnon lore, the Supreme Court justice had died years earlier but her death was hidden as part of a conspiracy

- The Week

McConnell misquotes Biden in an attempt to criticize his rush of executive orders

Senate Minority Leader Mitch McConnell (R-Ky.) seemed to think he had a slam dunk argument against President Biden's rush of executive orders. But in an attempt to spin Biden's own words against him on Thursday, McConnell ended up replacing Biden's quote with a misleading version that has been circulating online. Biden has signed more than 30 executive orders since he took office last week, taking aim at former President Donald Trump's immigration crackdowns, loosened environmental policies, and more. McConnell on Thursday claimed the flurry of orders flew in the face of what Biden said in an October town hall: That "you can't legislate by executive action unless you are a dictator." But as CNN's Daniel Dale points out, Biden actually said "there are some things you can't do by executive order unless you're a dictator," with no reference to legislation. Oh, didn't see until now that Mitch McConnell took Biden's quote way out of context in the same way Hannity did. https://t.co/5rK6V0jEPR — Daniel Dale (@ddale8) January 28, 2021 Fox News host Sean Hannity similarly tweeted out the false quote as a "flashback" just a few hours prior. Hannity got it from a tweet by Tom Elliott, who shares news clips with a conservative spin and misleadingly paraphrased Biden as saying "you can't [legislate] by executive order unless you're a dictator." .@JoeBiden in October: "I have this strange notion, we are a democracy ... if you can't get the votes ... you can't [legislate] by executive order unless you're a dictator. We're a democracy. We need consensus." pic.twitter.com/7UotJCXSm3 — Tom Elliott (@tomselliott) January 26, 2021 White House Press Secretary Jen Psaki was asked about the quote on Thursday, and told reporters it was taken out of context. More stories from theweek.com5 irrationally funny cartoons about the GameStop stock market madnessThe Capitol insurrection isn't moderating the GOP. It's making them more extreme.5 brutally funny cartoons about the GOP's Trump problem

- **Top Doctor: "This Fruit Is A Weight Gain Stopper"**

America's Top Dietician, Dr. Kellyann, explains the connection between this one fruit and your battle against weight gain

- Associated Press

United Arab Emirates says it will offer citizenship to some

The United Arab Emirates on Saturday announced plans to grant some foreigners citizenship to this oil-rich nation home to Abu Dhabi and Dubai, part of efforts to stimulate its economy amid the coronavirus pandemic. The UAE previously gave citizenship to Palestinians and others who helped form the country's government after its formation in 1971. Saturday's announcement by Sheikh Mohammed bin Rashid Al Maktoum, the ruler of Dubai who also serves as the autocratic nation's prime minister and vice president, said the offer could apply to artists, authors, doctors, engineers and scientists, as well as their families.

- The Telegraph

Two gay men in Indonesia publicly caned 77 times each after vigilantes broke into their flat

Two men in Indonesia's conservative Aceh province have been publicly lashed 77 times each after neighbourhood vigilantes burst into their apartment last November and reported them to Islamic religious police for allegedly having sex with each other. The caning is the third time people have been punished for practicing homosexuality since Aceh banned it under Shariah law in 2015. The consumption of alcohol, gambling, tight clothing for women, and extramarital sex have also been outlawed under Shariah ordinances. The men, aged 27 and 29, were whipped on Thursday with a rattan stick in front of dozens of people by a team of five enforcers wearing long brown robes and hoods. The pair reportedly winced as they were struck and the punishment was briefly halted to allow them to drink water. The mother of one man fainted at the scene. A Shariah court last month sentenced each man to 80 strokes, but they received 77 to compensate for time spent in prison. Morality offenses including gay sex can be punished by up to 100 lashes. On the same day, a woman and man were each given 20 lashes for being caught in close proximity to each other, and two men were given 40 lashes each for drinking alcohol.

- Reuters

Philippines' Duterte tightens anti-money laundering rules to avoid `grey list'

Philippine President Rodrigo Duterte signed a law on Friday to strengthen anti-money laundering and terrorist financing regulations ahead of a Feb. 1 deadline set by a global financial watchdog. The Southeast Asian nation was at risk of returning to a Financial Action Task Force "grey list" which could delay foreign investment and make remittances from millions of Filipinos overseas, which powers domestic consumer spending, subject to stricter scrutiny and monitoring. The new law expands the powers of the Anti-Money Laundering Council (AMLC), allowing it to impose targeted financial sanctions against the proliferation of weapons of mass destruction and its financing.

- **Council Bluffs: People May Be Floored By Pressure Washing**

You may be surprised by how pressure washing can transform your home. See for yourself. Look for nearby pressure washing services.

- NBC News

Married Texas police chief accused of cheating resigns after arrest

Jason Collier allegedly showed a fake marriage annulment document to a girlfriend.

- The Independent

White House says Biden won't release 'gracious' letter from Trump unless they speak to each other

Press Secretary Jen Psaki says she has 'no calls to report on' between the president and his predecessor

- NextShark

Filipino American Father, Daughter Electrocuted by Downed Power Lines in LA

A Filipino American father and daughter were electrocuted in the backyard of their home in Panorama City, California, on Monday. The victims were identified as Ferdinand Tejada, 53, and Janine Reyn Tejada, 20, according to the Los Angeles County Coroner's Office via CBS Los Angeles. Ferdinand was reportedly trying to move a downed electrical wire outside his home when the fatal accident occurred.

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Most wine drinkers in the US don't know these 5 simple Dos and Don'ts.... How many of them do you know?

The Telegraph

Psychiatrists fear children are being 'coached' into accessing puberty blockers, Court of Appeal hears

Psychiatrists fear that transgender children are being "coached" into giving rehearsed answers when trying to access puberty blockers, the Court of Appeal has heard. Dr David Bell, a former governor at a gender identity NHS trust, expressed concern that children may be pressured by parents, friends or websites when trying to address feelings of gender dysphoria. Dr Bell, who was a psychiatrist at the Tavistock and Portman NHS Foundation Trust from 1996 until earlier this month, was granted permission on Friday by two senior judges to intervene in a landmark case examining whether transgender children can legally take puberty blockers. In November, the High Court ruled that children should not receive the controversial drugs unless they understand the "long-term risks and consequences" of them. The NHS was forced to change its guidance overnight, preventing children from accessing the hormonal treatment without a court order. The Tavistock and Portman NHS Foundation Trust has since launched an appeal against the ruling. In a preliminary hearing on Friday, lawyers on behalf of Dr Bell told the court that he wishes to intervene in the appeal as he has since retired from the NHS Trust and feels he can speak more freely. In legal papers lodged before the Court, Dr Bell is described as a "high profile whistleblower" after he published a report in August 2018 which "investigated serious concerns" raised by ten clinicians working at the Tavistock. The report found that the Tavistock's gender identity clinic, GIDS, "is not fit for purpose" and some young patients "will live on with the damaging consequences." Dr Bell said he felt "victimised for whistleblowing" by the Trust in the wake of the report and as a result "did not feel able to participate" in the initial High Court dispute. However, Dr Bell retired from the Trust earlier this month on January 15 and "is no longer subject to the same constraints," the legal documents said. "There is evidence that staff members may be frightened of coming forwards," the documents continued. "Dr Bell, a highly eminent psychiatrist who until recently occupied a senior position with the Appellant, is now free from his employment and able to describe the concerns, which he investigated in some detail." Lady Justice King and Lord Justice Dingemans granted his application to intervene in the appeal, which will be heard over two days in April, while other groups, including the LGBT charity Stonewall, had their application denied. Lawyers for Dr Bell said he wants to tell the court about concerns that were raised to him by gender identity practitioners, including that "children may be 'coached', whether from parents, peers, or online resources, to provide rehearsed answers in response to particular questions." The practitioners were also concerned that "highly complex factors" - including historic child abuse and family bereavement - can influence children's attitudes towards gender, meaning puberty blockers is not always the best course of treatment. The landmark case on puberty blockers was first launched against the Trust by Keira Bell, a 23-year-old woman who began taking puberty blockers before deciding to reverse the process of changing

gender. Ms Bell said the clinic should have challenged her more over her decision to transition to a male when she was 16. It was also brought by a woman who can only legally be identified as "Mrs A", the mother of a 15-year-old autistic girl who is currently on the waiting list for treatment. At the initial High Court hearing in October, their lawyers said that children going through puberty are "not capable of properly understanding the nature and effects of hormone blockers". They argued there is "a very high likelihood" that children who start taking hormone blockers will later begin taking cross-sex hormones, which they say cause "irreversible changes", and that the NHS Trust offers "fairytale" promises to children because they are unable to give their consent to the sex-change process.

- BBC

  Japanese woman 'kept mother's body in freezer for 10 years'

  The Japanese woman reportedly hid the body a decade ago because she "didn't want to move out".

- NBC News

  Grieving families in China offer stark warning for visiting WHO scientists: Don't be fooled

  "If the science is allowed to speak, it will help heal this wound and help us move on," scientist Peter Daszak told NBC News.

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  The Cost Of A New Toyota Tundra Is Simply Shocking

  Search for 2021 Toyota Tundra. The affordable price makes this truck hard to resist.

- Reuters

Biden administration to review Trump policy on Cuba: White House

The Biden administration will review U.S. policy on Cuba, the White House said on Thursday, after former President Donald Trump rolled back a historic Obama-era detente with Havana. Second is Americans, especially Cuban Americans, are the best ambassadors for freedom in Cuba. Trump, a Republican, clamped down on Cuba after taking office in 2017, tightening restrictions on U.S. travel and remittances to Cuba, and imposing sanctions on shipments of Venezuelan oil to the island.

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Architectural Digest

More Inside the Beverly Hills Estate of House of Bijan's Heir

Nicolas Bijan and his wife, interior designer Roxy Bijan, took a youthful, vibrant approach to redecorating Taylor Swift's former homeOriginally Appeared on Architectural Digest

- The Independent

AOC tells Ted Cruz she doesn't want to work with him on Robinhood probe because he 'almost had me murdered' during Capitol riot

Ms Ocasio-Cortez again called for Mr Cruz to resign

- **Heart Surgeon Boils Weight Loss Down To One Thing**

Celebrated surgeon and author of the New York Times best seller "The Plant Paradox" reveals what many have suspected for a long time.

- The Telegraph

Archaeologists to excavate ancient beach at Herculaneum, Roman town destroyed by Vesuvius eruption

Archaeologists are to excavate an ancient beach at Herculaneum, the ancient Roman town that along with Pompeii was partially destroyed and entombed by the eruption of Mt Vesuvius nearly 2,000 years ago. Experts hope the dig will yield important discoveries, 40 years after the last excavation at the site revealed the skeletons of dozens of Romans who had were killed as they tried to flee the catastrophe. Discoveries made in the past include the skeletons of Romans trying to escape the town, collapsed buildings complete with preserved wooden ceilings and bags of money and jewels, which desperate people grabbed as they fled their homes. The impending project, which will last more than two years, was announced by Francesco Sirano, the director of the archeological site south of Naples. "The excavation will allow us to reach the level of the beach as it was at the moment of the volcanic eruption," he said. "It will provide an extraordinary opportunity to acquire useful information about life in the city, about the situation at the time of the eruption and the dynamics of the destruction, adding to our knowledge of the Roman cities on the Gulf of Naples."

- Associated Press

Venezuela hired Democratic Party donor for $6 million

Newly filed lobbying records show Venezuela's socialist government previously hired a longtime Democratic Party donor for $6 million at the same time it was lobbying to discourage the U.S. from imposing sanctions on the oil-rich nation. The documents, which were disclosed Thursday, show a U.S. subsidiary of Venezuela's state oil giant PDVSA agreed to hire Marcia Wiss' Washington law firm in March 2017. Wiss, an international trade lawyer with a history of donations to the Democratic Party, including a $1,500 contribution to Joe Biden last year, denies she did any lobbying work.

- NBC News

A mostly Latino Chicago neighborhood pushes back after inheriting plant from affluent neighbors

"They're thinking, 'This place is already contaminated, so what's a little more?'" one longtime resident said. "But we're not going to accept it anymore like we did for so long."

- **Army Dad Snaps Pic Of Woman's Cart, It Goes Viral**

  When he saw this on another shopper's grocery cart, he knew he had to take a photo. Soon after it went viral.

- ▶ Yahoo News Video

  Teen charged in fatal shooting of 5 at Indianapolis home

  A 17-year-old Indianapolis boy was charged with murder for allegedly fatally shooting his father, stepmother, two teenage relatives and a 19-year-old pregnant woman in the family's home.

- Politico

  'For Christ's sake, watch yourself': Biden warns family over business dealings

  Still, one brother discussed new venture with major donor before Biden entered the White House.

- NextShark

  Former BC Student Accused of Talking Boyfriend Into Suicide Before Graduation Will Face Trial

  Inyoung You, the former Boston College student who allegedly encouraged her then-boyfriend Alexander Urtula to commit suicide in May 2019, will now face trial. Court decision: Suffolk Superior Court Judge Christine Roach denied the motion to dismiss the charges against You, according to Suffolk District Attorney Rachael Rollins via the Boston Herald. "Judge Roach denied the motion dismiss on the theory of 'manslaughter by commission,' finding that Ms. You's words could have caused Mr. Urtula to take his own life," Rollins said.

www.nytimes.com /2021/01/28/us/capitol-riot-woman-trampled.html

Body Camera Footage Shows Capitol Rioters Trampling Over Woman

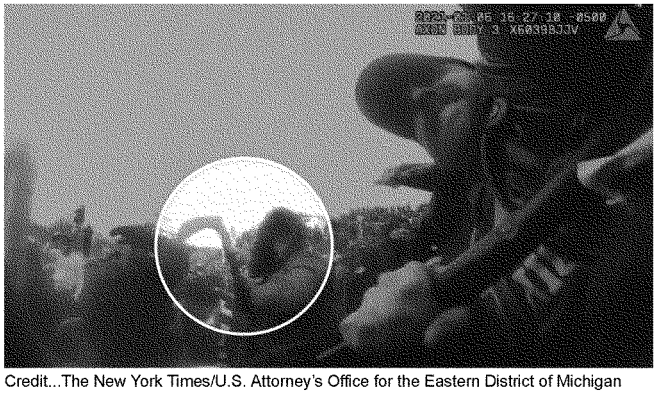
Evan Hill, Arielle Ray

5-6 minutes

Visual Investigations

Video obtained by The Times provides a police officer's view of the deadly battle to defend a key entryway from the surging mob.





Credit...The New York Times/U.S. Attorney's Office for the Eastern District of Michigan

- Jan. 28, 2021

As 34-year-old Rosanne Boyland lay dying on the steps of the Capitol on Jan. 6 after being crushed by a mob, fellow rioters were charging over her to attack police officers with crutches, a hockey stick and pepper spray, new police body camera footage shows.

Video obtained by The Times provides a previously unpublished view of the brutal fight between rioters and officers at a central entryway on the west side of the Capitol — the same one that President Biden used to descend to his inauguration ceremony two weeks later.

The footage shows how rioters, in their effort to attack the police, trampled on Ms. Boyland even as her friend, Justin Winchell, shouted that she was dying and needed help.

Federal prosecutors in Detroit played the video at a Jan. 25 court hearing in the case of Michael Joseph Foy, a Michigan man accused of attacking the officers with a hockey stick. The U.S. attorney's office in Detroit provided the one minute and 20 second clip to The Times.

The footage appears to come from the body camera worn by one of four Metropolitan Police officers dragged out of the doorway and beaten by rioters during the hourslong battle. It begins at 4:26 p.m., just as officers have managed to push the mob out of the doorway. Inside, rioters had packed together in a dangerous crush in their attempt to force their way through the police and into the Capitol.

Seconds into the video, as rioters tumble over one another, a voice can be heard shouting, "Save her!"

Video



CreditCredit...The New York Times/U.S. Attorney's Office for the Eastern District of Michigan

As rioters fall out of the doorway, Ms. Boyland is briefly visible in the video, and Mr. Winchell begins to scream, "She's gonna die! She's dead!"

The Morning: Make sense of the day's news and ideas. David Leonhardt and Times journalists guide you through what's happening — and why it matters.

"I need somebody!" Mr. Winchell shouts, turning to the crowd. Instead, a rioter behind him sprays a chemical irritant over his head toward the police.

A bearded rioter wearing a hat, brown jacket and University of Michigan sweatshirt then begins to move up the stairs toward the police.

"Knock their masks off!" another rioter in a cowboy hat tells him.

Video



CreditCredit...The New York Times/U.S. Attorney's Office for the Eastern District of Michigan

The bearded rioter charges over Ms. Boyland and begins to grapple with the officer, grabbing his baton. At the same time, another rioter jabs the officer with a crutch. The officer is driven to the ground as the crowd cheers the attack.

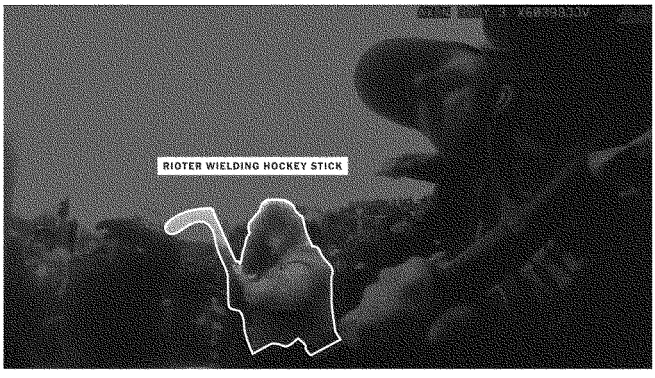
A man in a hooded winter jacket, whom prosecutors say is Mr. Foy, is seen on the body camera footage advancing with his hockey stick and repeatedly swinging it down at the officers. Prosecutors allege in court documents that Mr. Foy, a former Marine, struck officers at least 10 times in 16 seconds.

"No! No!" Mr. Winchell screams, as the rioters swing at the police over Boyland's body.

"I'll kill you," a rioter says to an officer, using an expletive, before grabbing the officer by his helmet and dragging him out of the doorway.

Mr. Winchell can again be heard screaming "Rosanne! Rosanne!"

Video



CreditCredit...The New York Times/U.S. Attorney's Office for the Eastern District of Michigan

After the first officer is dragged away, another rioter can be seen grabbing onto the leg of the fallen officer wearing the body camera. Then the footage ends. Other videos reviewed by The Times showed

that rioters dragged the officer down the steps seconds later.

At around the same time, rioters dragged Ms. Boyland from the door and attempted but failed to resuscitate her. They then carried her back to the police battling rioters at the doorway, who moved her into the Capitol Rotunda, where paramedics eventually reached her. She was pronounced dead at a local hospital at 6:09 p.m., around an hour and a half later.

Mr. Foy faces multiple federal charges, including assaulting a police officer, and has been transferred from Detroit to Washington to face prosecution.

The official cause and manner of Ms. Boyland's death are still pending, according to Washington's chief medical examiner.

Nicholas Bogel-Burroughs contributed reporting.

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www.washingtonpost.com /investigations/2021/01/29/pipe-bomb-suspect-video/

Pipe bombs found near Capitol on Jan. 6 are believed to have been placed the night before

Dalton Bennett, Emma Brown, Sarah Cahlan, Josh Dawsey, Joyce Lee

6-8 minutes

The two pipe bombs that were discovered on Jan. 6 near the U.S. Capitol shortly before a mob stormed the building are believed to have been planted the night before, according to a law enforcement official familiar with the investigation and video footage obtained by The Washington Post.

The explosive devices, which were placed blocks from one another at the headquarters of the Republican and Democratic national committees, have been largely overshadowed by the violent attempted insurrection at the Capitol. But finding the person suspected of planting both bombs remains a priority for federal authorities, who last week boosted the reward for tips leading to the person's arrest from $50,000 to $75,000.

The FBI said its agents are "using every tool in our toolbox" and have interviewed more than 1,000 residents and business owners in the neighborhood where the devices were found. On Friday morning, the FBI released additional information that confirmed The Post's reporting about the timing of the placement of the bombs and raised the reward offered to $100,000.

The Post spoke to residents, property managers and business owners to obtain exclusive video of the suspect in the moments before the individual allegedly placed the bomb in an alley behind the Republican National Committee, one block from the Capitol grounds.

On Jan. 5 at 8:13 p.m., a security camera captured the suspect carrying a backpack, according to a resident who reviewed the footage and provided a copy to the FBI. The suspect was walking eastbound on C Street SE, headed toward an entrance to an alley that curved toward the Republican National Committee building. The Post did not obtain that footage but confirmed the homeowner's account with a law enforcement official familiar with the investigation.

Seconds later, in video obtained by The Post, the suspect can be seen in the alley, known as Rumsey Court. The individual is wearing a light-colored sweatshirt and carrying the backpack near their waist, matching photographs that have been released by the FBI, and walking west past a row of homes. The suspect is believed to be walking toward the area behind the Republican National Committee building and the Capitol Hill Club to place the explosive device, according to the official familiar with the investigation, who spoke on the condition of anonymity to discuss sensitive matters.

> At 8:13 p.m., a security camera captures the suspect in Rumsey Court wearing a light-colored sweatshirt. (Obtained by The Washington Post)

Another video shows the suspect carrying a backpack near their waist as they approach the area where the bomb was discovered on Jan. 6. They appear to be wearing a mask and gloves. According to the law enforcement official, this is the last known sighting of the suspect before the placement of the bomb.

> This video, taken at 8:15 p.m., is the last known sighting of the suspect before they alleged placed the bomb. (Obtained by The Washington Post)

When federal officials asked the public for information about the suspect, they circulated still images drawn from this video. For unknown reasons, the suspect did not immediately leave the area. Another video obtained by The Post shows the suspect retracing their steps on Rumsey Court at 8:16 p.m., again walking westbound toward the RNC building. The individual is moving at a brisk pace and still carrying a backpack near their waist.

> The suspect does not immediately leave the area, instead walking westbound toward the RNC building. (Obtained by The Washington Post)

One minute later, the suspect is seen walking eastbound on Rumsey Court — away from the area where the pipe bomb was discovered. They are wearing the backpack on their back.

> At 8:17 p.m., the suspect is seen walking away from the area where the pipe bomb was discovered near the RNC. (Obtained by The Washington Post)

The same person is suspected of placing the bomb at the Democratic National Committee building, according to the FBI. It is not clear which bomb was placed first. On Friday, the FBI released an image of one of the devices. The bureau described the suspect as wearing Nike Air Max Speed Turf shoes in yellow, black and gray and said that the person is believed to have placed both bombs between 7:30 and 8:30 p.m. on Jan. 5.

Barry Black, a retired FBI special agent bomb technician, said photos of the devices suggested that they were simple and that the visible components were common and easily found. Black said the devices appeared to incorporate mechanical timers as switches and said he saw no indication in the photos of any other triggering mechanism.

Black said the individual could have been seeking to kill or injure, or could have simply wanted to "send a message" by targeting the nation's two largest political parties. Steven Sund, who resigned as chief of the Capitol Police in the wake of the riot, has said he suspects the bombs were an intentional effort to draw officers away from the grounds of the Capitol.

The bomb behind the RNC was discovered on Jan. 6 at around 12:45 p.m., about 90 minutes before rioters entered the Capitol. Resident Karlin Younger was on her way to do laundry when she spotted something unusual on the ground between a recycling bin and a rat trap. Younger said in an interview that she bent down to inspect the device, which was attached to what appeared to her to be a kitchen timer. The timer was set to 20 minutes, she said. She did not hear any ticking and could not tell if the timer was active. She alerted a nearby security guard, who she said inspected the device and then notified law enforcement.

The device was considered "live," meaning it contained viable explosive material, according to Steven Blando, a spokesman for the Washington Field Division of the Bureau of Alcohol, Tobacco and Firearms. It was disarmed at the site, Blando told The Post.

Around 1:15 p.m., officials have said, the second bomb was discovered several blocks away next to a bench outside the DNC. It, too, was live and was disarmed on site, Blando said.

Peter Hermann, Elyse Samuels and Matt Viser contributed to this report.

www.buzzfeednews.com /article/zoetillman/capitol-rioters-released-from-jail-zip-tie-guy

Most Capitol Insurrectionists Got To Go Home. Prosecutors Are Now Fighting To Keep Some Behind Bars.

Zoe Tillman

16-21 minutes

Shannon Stapleton / Reuters

WASHINGTON — Eric Munchel was photographed inside the Capitol on Jan. 6 wearing tactical gear and carrying plastic zip-tie handcuffs, one of many images that day that raised questions the FBI is probing about how thoroughly some insurrectionists planned for violence and what they hoped to do. He was arrested on Jan. 16. A week later, a judge in Tennessee ruled he could go home pending trial.

Prosecutors had argued to keep Munchel — one of the few defendants to face a felony conspiracy charge so far, along with his mother — in custody. They noted he was also accused of bringing a Taser into the Capitol and was allegedly recorded talking about stashing other weapons nearby. After the Tennessee judge ordered home detention, they raced to stop his release, petitioning a federal judge in Washington, DC, to intervene; they said the FBI found an "arsenal" of 15 firearms at his home and noted that he told a reporter he was prepared to "fight if necessary." The DC judge agreed to halt Munchel's release, and he's still in custody pending another hearing.

"[It] is difficult to fathom a more serious danger to the community — to the District of Columbia, to the country, or to the fabric of American Democracy — than the one posed by armed insurrectionists, including the defendant, who joined in the occupation of the United States Capitol," prosecutors wrote in a Jan. 24 brief.

Win Mcnamee / Getty Images

Prosecutors allege this is Eric Munchel, carrying zip-tie handcuffs in the US Senate chamber.

Munchel's situation is unusual. Most of the 150-plus people charged in the Capitol insurrection so far have been allowed to go home after their first court appearance; hundreds more who went into the building on Jan. 6 and then were able to leave haven't been charged yet. The bar is high for pretrial detention — people aren't supposed to be punished for crimes they haven't been convicted of yet — and prosecutors are only asking for detention in a small number of cases. Meanwhile, hundreds of people who participated in the assault are going back to their everyday lives as they wait for their day in court, or to be arrested at all.

Judges have agreed with prosecutors in more than two dozen cases to hold defendants because there are no release conditions that would ensure the safety of the community. For an even smaller group that includes Munchel — BuzzFeed News has identified at least seven so far — the government is fighting release orders after losing the first round. Even when judges have ordered home detention, prosecutors have argued it's not enough to prevent future violence and interference with ongoing investigations, and to ensure defendants show up to court going forward.

Prosecutors are appealing an Iowa magistrate judge's decision to order home detention for Douglas Jensen, who was identified in videos and photographs leading a mob that chased US Capitol Police Officer Eugene Goodman inside the Capitol. Prosecutors cited evidence that Jensen was carrying a knife at the time and had a criminal record, as well as his belief in QAnon and his stated desire to participate in a "revolution" and arrest public officials. Releasing Jensen from custody "will only reinforce his belief that his cause is just," prosecutors wrote in a Jan. 22 brief. A judge in DC agreed to hold Jensen and hasn't scheduled a hearing yet.

US Department of Justice / Via assets.documentcloud.org

Images that prosecutors say show Douglas Jensen in the Capitol and a knife he had in his pocket

"Defendant's eagerness to travel more than 1,000 miles in hopes that he would hear President Trump declare martial law, and his willingness to take martial law into his own hands when no such pronouncement came, says more about Defendant's characteristics than any criminal history ever could," prosecutors wrote in Jensen's case.

In another case, a federal magistrate judge in New Jersey denied the government's request to hold Scott Fairlamb, who is accused of punching a police officer in the head during the riot on the Capitol grounds. According to charging papers, a tipster sent the FBI a video that Fairlamb allegedly recorded and posted on Facebook showing him holding a collapsible baton outside the Capitol and saying, "What patriots do? We fuckin' disarm them and then we storm fuckin' the Capitol"; Fairlamb deleted other videos he'd posted going into the Capitol, according to the witness.

The New Jersey judge ordered home detention, which would allow him to only leave his house for work, court, and a few other reasons. Prosecutors immediately appealed to a judge in DC, who agreed to keep Fairlamb in custody and hasn't set a hearing date yet.

The government won the first of these cases to go before a judge in Washington. Following nearly five hours of witness testimony on Jan. 15, a judge in Arkansas ruled that Richard Barnett, the man photographed in House Speaker Nancy Pelosi's chair who later bragged about leaving a note that read, "Nancy, Bigo was here, you bitch," could go free. Prosecutors immediately petitioned a judge in DC to intervene, and the judge ordered him jailed on Thursday, saying that his "entitled" behavior showed a "total disregard for the US Constitution."

Magistrate judges typically handle first court appearances for anyone arrested on federal charges and make decisions every day about whether defendants should be kept in custody. Those decisions can be reviewed, and reversed, by a US district judge. Because police allowed most people to leave the Capitol on Jan. 6, they're being arrested in their home states and making their first appearances in their local federal court. When prosecutors have wanted to fight a release order, they've taken it to a district judge in Washington, where all of these cases ultimately are being prosecuted.

Court records show that being accused of descending on the Capitol to stop Congress from certifying the results of the election isn't enough on its own for the government to argue that someone should be held behind bars before trial. Prosecutors have been saving these fights for cases that involve weapons, assaults on police officers, specific threats of violence against elected officials, previous criminal convictions, and people who allegedly took a leadership role and urged others to commit violence.

These cases have also forced judges to grapple early on with the thorny question of how much a person's embrace of online conspiracy theories or even a collective delusion like QAnon makes them such a danger to society that they should be behind bars. Many defendants touted former president Donald Trump and Republicans' lie that the election was stolen in explaining why they stormed the Capitol, but the government isn't asking for all of them to remain in custody.

Robert Nickelsberg / Getty Images

Jacob Chansley at the rally before storming the Capitol

On Jan. 15, US Magistrate Judge Deborah Fine in Phoenix granted the government's request to hold Jacob Chansley, an Arizona man photographed wearing fur and horns in the Senate chamber and a QAnon believer. Fine explained from the bench that Chansley's "actions and words demonstrate he's willing to participate in the violent disruption of the work of our government" and that she had no confidence he would follow court orders if released. On Jan. 25, US Magistrate Judge Zia Faruqui in Washington ordered detention for Matthew Miller, a Maryland man accused of deploying a fire extinguisher at police at the Capitol.

"Mr. Miller's false beliefs regarding the illegitimacy of the current government lead the Court to believe that there are no conditions ... that could prevent Mr. Miller from behaving in a similar manner or engaging in another insurrection of this kind," Faruqui wrote in an order explaining his decision.

Free to go

The handling of the Capitol insurrection arrests contrasts with how police in Washington and other cities have responded to demonstrations that led to mass arrests in the past. People who took to the streets over the summer to protest police brutality and racism often were taken into custody on the spot by the hundreds; police sometimes used a tactic known as "kettling" to surround large groups to make mass arrests. That also happened in Washington during protests against former president Donald Trump during his inauguration in January 2017; hundreds were arrested.

In contrast, the Metropolitan Police Department arrested just over a dozen people at the Capitol on Jan. 6. The US Capitol Police announced 14 arrests that day, and dozens of people were arrested in the evening for violating a curfew order in Washington. That meant the FBI and local law enforcement agencies around the country spent the days and weeks after the insurrection tracking down people captured in videos and photographs that day, or who posted online or spoke to reporters about participating, or who had friends and family members who tipped off investigators.

A common thread running through those earlier mass arrests and the Capitol insurrection cases is that people charged with misdemeanor crimes are often allowed to go free while their cases are pending. Judges are supposed to impose the least restrictive conditions that they believe can protect the community, and in many of the Capitol cases prosecutors have not argued for detention. In most cases, prosecutors and defense lawyers have agreed on a standard set of release conditions that limit when defendants can return to Washington, prohibit them from having illegal firearms, require that they check in with pretrial services every week to make sure they haven't tried to flee, alert the pretrial services office if they have to leave their state, and need to get the court's permission to travel internationally.

In a few cases, however, the government has asked for different release conditions, often being cagey about why. The hearings are happening virtually due to the pandemic, meaning anyone with the phone number can listen in. Providing too much information on a public line, prosecutors say, could jeopardize their ongoing investigations. Acting US Attorney Michael Sherwin in Washington has said that they have hundreds of open cases, and that defendants who were already arrested could face additional charges as those investigations continue. Prosecutors could reopen the detention issue if they find new evidence that a defendant is dangerous or a flight risk, or that a defendant has violated any of their release conditions.

For some defendants, the government asked the judge to order the defendant to turn over any firearms or explosives they possess, and bar them from acquiring any new ones. In other cases — like that of Matthew Council, a 49-year-old from Florida accused of breaking into Capitol building and pushing an officer — the judge ordered the defendant to submit to substance abuse testing and any recommended treatment. In several other cases, the judge required mental health evaluations.

A few released defendants are being tracked using GPS devices, like ankle monitors. A judge ordered GPS monitoring for Tim Gionet, known online as Baked Alaska (a former BuzzFeed employee who later became a white supremacist troll), because he had already violated the conditions of release after he was arrested for pepper-spraying a bouncer in Arizona in December. He was barred from traveling outside of Arizona in that previous case, but he traveled to DC, stormed the Capitol building, and was arrested in Houston.

Some defendants considered flight risks or a danger to the government's investigations have been put under house arrest. Riley June Williams, a 22-year-old from Pennsylvania accused of stealing Nancy Pelosi's computer and attempting to sell it to Russia (her lawyer says these are the fabrications of a vengeful ex), was released to house arrest with an ankle monitor. According to an FBI affidavit, Williams tried to flee before turning herself in. The prosecutor said in court that she tried to delete social media accounts relevant to the investigation, and encouraged others to delete relevant messages. While under house arrest she is barred from using the internet, except for court-mandated mental health treatment and meetings with her lawyers. Her mother is tasked with enforcing the court's orders.

Behind bars, for now

In the small but growing number of cases involving detention requests by the government, prosecutors have argued that there simply aren't any release conditions that would keep the community safe. Federal magistrate judges in Virginia and Ohio agreed to detain Thomas Caldwell, Jessica Watkins, and Donovan Crowl, the three alleged members of the Oath Keepers militia group who are charged with conspiracy and accused of trying to carry out a violent, preplanned attack on the Capitol; a grand jury returned an indictment against those three defendants on Wednesday.

US Department of Justice / Via assets.documentcloud.org

Prosecutors say this screenshot from police body camera footage shows Michael Foy attacking an officer with a hockey stick.

Other cases where judges ordered defendants jailed include those charged with violence against law enforcement, such as Michael Foy, a Michigan man accused of using a hockey stick to assault police officers, and Peter Stager, an Arkansas man accused of using a flagpole to beat an officer on the ground. Some defendants who allegedly posted threats online were also detained, including William Calhoun, a Georgia lawyer whose social media posts included "I have tons of ammo. Gonna use it, too -

at the range and on racist democrat communists," according to court papers, and Garret Miller, a Texas man who responded to a tweet after the riot from Rep. Alexandria Ocasio-Cortez with "Assassinate AOC."

US Department of Justice / Via assets.documentcloud.org

Prosecutors included these Twitter screenshots in charging papers for Garret Miller.

A few defendants kept in jail so far are using the release of other Capitol arrestees charged with similar offenses to try to reargue for their own release. A lawyer for Matthew Miller, the Maryland man accused of discharging a fire extinguisher, had argued that he wasn't accused of assaulting or injuring anyone and compared his client to Williams, the woman accused of stealing Pelosi's laptop, who was released to house arrest. The judge was not convinced, writing in the detention order that what Miller was accused of was "troubling and extremely dangerous."

More detention fights are coming. A hearing is scheduled for Feb. 1 in Washington on the government's motion to keep Couy Griffin, the founder of "Cowboys for Trump," in custody. In a Jan. 19 court filing, prosecutors argued Griffin was a flight risk and a danger to the community, citing what they described as a pattern of posting threats of violence online and showing a "disdain for lawful authority," as well as his participation in the insurrection and vow to come back to DC for President Joe Biden's inauguration. If Griffin had refused to acknowledge the legitimacy of an election certified by Congress, prosecutors wrote, "certainly he would deny the authority of the judicial officers appointed by the President and confirmed by the Senate."

"The defendant's inflammatory conduct, repeated threats, delusional worldview, and access to firearms makes him a danger to the community," prosecutors wrote.

Griffin's lawyer filed a brief on Jan. 27 arguing that the First Amendment's free speech protections barred the judge from taking Griffin's speech and political views into account. He noted Griffin wasn't accused of going inside the Capitol building, but rather being on restricted grounds outside. Griffin had guns to protect himself and his family, his lawyer argued, and denounced "disrespect for law enforcement." The brief cited Williams' release, as well as other defendants charged in the insurrection who were allowed to go free.

In at least one case, the government is already back in court accusing a defendant who was allowed to go home of violating his release conditions. In the case of John Earle Sullivan, a Utah man who was released to home detention, a pretrial services officer notified the court on Jan. 27 that he'd allegedly violated a condition limiting his internet use on four occasions; the court filing didn't provide details. The government had unsuccessfully argued before to keep Sullivan in custody. A hearing is set for Feb. 1 on whether the judge should send him back to jail.

The 9 most notable comments Trump has made about accepting the election results

politico.com/news/2020/09/24/trump-casts-doubt-2020-election-integrity-421280

President Donald Trump's refusal Wednesday to guarantee that he would accept the results and exit the White House if he is defeated caused an explosion of outrage and put congressional Republicans on the defensive about what would otherwise be a fundamental assumption of a democratic system.

It also ratcheted up tensions amid a burgeoning Supreme Court fight that is sure to further embitter both sides of the political spectrum, as Trump has said he wants a successor to Justice Ruth Bader Ginsburg in place in time to adjudicate possible legal disputes over contested election results.

But for months Trump has raised doubts about the integrity of this year's elections, accusing Democrats of going to great lengths to skew results in their favor and making it a recurring theme in his reelection campaign — while providing little evidence to back up his grievous assertions.

He's also off-handedly mused on a handful of occasions about getting more than the constitutionally permitted eight years in office because of the time in his first term "stolen" from him due to former special counsel Robert Muller's investigation — comments that also raised concerns about Trump's commitment to the limits of presidential terms.

White House press secretary Kaleigh McEnaney on Thursday declared that the president "will accept the result of a free and fair election," though Trump himself has claimed he will lose only if he is cheated out of victory.

It's familiar ground for Trump, who in 2016 also took a wait-and-see approach to questions about whether he would accept the results of the election that ultimately went his way and has frequently adopted a never-say-never position to legislation, personnel moves and other decisions.

Here are some of Trump's most notable statements casting doubt on the coming Nov. 3 election.

Sept. 24, from the White House lawn

"We have to be very careful with the ballots," Trump said, when asked whether the election results are legitimate only if he wins. "The ballots, that's a whole big scam."

"We want to make sure the election is honest, and I am not sure that it can be. I don't know that it can be with this whole situation of unsolicited ballots."

Sept. 23, during a White House press briefing

"We're going to have to see what happens," the president said, when asked whether he'd commit to a peaceful transfer of power, "win, lose, or draw." "You know, I've been complaining about the ballots and the ballots are a disaster."

"And the ballots are out of control," he continued. "You know it. And you know who knows it better than anybody else? The Democrats."

Earlier in the day, during a meeting with state attorneys general and Republican senators to discuss looming litigation against major tech companies.

"I think this scam that the Democrats are pulling, it's a scam [and] this scam will be before the United States Supreme Court," Trump said. "And I think having a 4-4 situation is not a good situation."

Sept. 13, during a Nevada campaign rally

"The Democrats are trying to rig this election because that's the only way they're going to win," he said.

Aug. 24, during his Republican National Convention acceptance speech

"The only way they can take this election away from us is if this is a rigged election," Trump said.

Aug. 2, in a televised interview with Axios journalist Jonathan Swan

"There is no way you can go through a mail-in vote without massive cheating," Trump said, when asked what it would look like if a sitting president didn't accept the election results.

"You could have a case where this election won't be decided on the evening of November 3rd. This election could be decided two months later. It could be decided many months later. ... You know why? Because lots of things will happen during that period of time, especially when you have tight margins. Lots of things can happen. There's never been anything like this."

Aug. 17, at a rally in Wisconsin

"The only way we're going to lose this election is if the election is rigged, remember that," Trump said. "It's the only way we're going to lose this election. So we have to be careful."

"The only way they're going to win is that way, and we can't let that happen."

July 30 via Twitter

"With Universal Mail-In Voting (not Absentee Voting, which is good), 2020 will be the most INACCURATE & FRAUDULENT Election in history," Trump wrote. "It will be a great embarrassment to the USA. Delay the Election until people can properly, securely and safely vote???"

Trump tried to clarify his tweet later that day, saying, "Do I want to see a day change? No, but I don't want to see a crooked election," before doubling down in a tweet hours later.

"Must know Election results on the night of the Election, not days, months, or even years later!" Trump wrote.

July 19 interview on "Fox News Sunday"

Asked directly by host Chris Wallace whether he would accept the results of the election, Trump said he'd "have to see" and "it depends."

"I'm not going to just say yes," Trump said. "I'm not going to say no."

"Are you suggesting that you might not accept the results of the election?" Wallace asked in a follow up.

"No. I have to see," Trump said.

Biden Appears to Hold Edge in the Key Votes Left to Be Counted

nytimes.com/2020/11/05/upshot/biden-election-results-votes.html

November 5, 2020



[Live updates on Biden and Trump.]

Joe Biden looks to be on the cusp of winning the election. Here's a look at where the vote count stands in the key states.

Pennsylvania

President Trump's lead in Pennsylvania has plummeted to two percentage points as of Thursday morning, as the mail absentee ballot count proceeded briskly across the state.

There is every indication that Mr. Biden remains on track to pull ahead when all of the votes are in and counted, whenever that may be.

So far, Mr. Biden has been winning absentee votes, 77 percent to 22 percent, according to the Pennsylvania secretary of state. At that pace, he needs only 288,000 more mail votes before taking the lead. By my count, there are about 500,000 mail ballots left. The secretary of state reported a total of 2.6 million absentee ballots cast as of Tuesday, and so far 2.1 million absentee votes have been counted. If Mr. Biden won those 500,000 ballots by the same 77-22 pace, he would end with a lead of about 100,000 votes in the state. That's a pretty decent cushion.

That estimate may also be conservative. For one, the remaining mail ballots are disproportionately in Democratic counties, so he'll probably do better than 77-22. Another factor: There are more remaining absentee votes than estimated here; the state tally as of Tuesday does not include mail ballots postmarked by Election Day that arrived afterward (and I'm not entirely sure whether it includes mail ballots placed in Election Day drop boxes, but I'm assuming so out of caution).

To that point, the Pennsylvania election web page says there are 763,000 mail ballots left to be counted. I think that's mainly because it's out of date, and additional mail ballots have been counted since the page was last updated. But it may also reflect additional mail ballots. It might also be both.

And finally, there are still Election Day ballots left in Philadelphia, as well as provisional ballots — votes cast by people who couldn't initially be verified as eligible voters when they showed up to cast a ballot, like someone who went to the wrong precinct — that will cushion Mr. Biden.

The provisional count might be especially large here this year, since voters who requested a mail ballot but decided to vote in person (and didn't surrender their mail ballot in person) were also forced to vote provisionally, so as to make sure their votes weren't double-counted.

If you want a gut check on the big picture, look at the swing map on our results page, which shows how things have changed since 2016 in the counties where we think the vote is done. In the places where the count has mostly wrapped up, Mr. Biden is mostly running ahead of Hillary Clinton's 2016 showing — and often by a significant margin.

Now take that logic statewide: If Mr. Biden runs ahead of her 2016 performance by a modest margin statewide, he carries the state. And that's before the provisional vote count.

If Mr. Biden is the projected winner in Pennsylvania, he'll be the president-elect.

Arizona

Joe Biden's lead in Arizona fell to 2.4 points Wednesday night, as late mail ballots broke toward Mr. Trump by a significant margin. This runs counter to the pattern we've seen elsewhere in the country, but it was expected, or at least not a surprise.

Why are late mail ballots better for Mr. Trump here? Unlike most other states, Arizona has a huge number of permanent absentee mail votes, and they're slightly Republican by registration. This year, the Democratic absentee voters rushed in their ballots, giving Democrats an unusual lead in the state's early mail vote. As a consequence, the group of voters who had received but not returned mail ballots was disproportionately Republican heading into the weekend before the election.

Over all, Mr. Trump won the ballots counted in Arizona on Wednesday night by about 23 points. It's hard to say whether that pace will be enough for Mr. Trump to win, since it depends on exactly how many ballots are left (we don't know this with the precision necessary for a close race). It also depends on what kinds of late mail ballots are left, and what kinds of votes were counted Wednesday night.

There are two kinds of late mail ballots in Arizona: those that arrived in the mail in the days ahead of the election, and those that were dropped off at a polling place on Election Day. These two kinds often lean differently politically, and they can be counted at different times, too. Without knowing which of these ballots we saw Wednesday night, it's hard to be too sure whether Mr. Trump's on track for something close to a comeback.

In general, the Election Day drop-off mail ballots are usually better for Democrats. If those ballots weren't included in Wednesday's count, that's good news for Mr. Biden.

No matter how you cut the data, it's hard not to arrive at the conclusion that Mr. Biden's lead will withstand the late vote. But there's also enough uncertainty with the number and kind of ballots left that it would be a mistake to be too sure about it. Certainly, it is too soon to project the state for Mr. Biden.

Georgia

The president's lead in the state all but vanished overnight. Mr. Trump now leads by four-tenths of a percentage point — just under 19,000 votes — after heavily Democratic ballots in the Atlanta area were finally counted. There are still more absentee ballots left for Mr. Biden.

It's not clear how many ballots there are and where. We received conflicting information this morning, and things are so close that even modest differences will be decisive.

This morning, the Georgia secretary of state initially said there were 25,000 ballots remaining. If so, Mr. Biden's push might fall just short of victory, though he'd still have a chance with provisional ballots. Then, later in the morning, the secretary of state said it was 50,000 ballots. And now, The New York Times is reporting that the state voting system implementation manager says there are 61,367 remaining ballots. The latter numbers come a lot closer to our estimates, and that would be enough for Mr. Biden to be a favorite. But caution is warranted, given the mixed messaging.

We also don't have a number on the provisional ballot count, but we're in the territory where those could be a crucial factor. And if you're wondering, our election night forecaster, the needle, did assume some number of provisional ballots would break heavily for Mr. Biden, helping to make him a very narrow favorite to win the state.

Some of you have wondered where our three needles went. They're turned off. We're not staffed to monitor them 24/7: We depend on hundreds of feeds that we don't control, and if they did something unexpected it would have big consequences for needle movement in a

close race.

Nonetheless, the needle lives on internally here at The Times, and Mr. Biden still leads in Georgia by the same narrow margin that he did when we turned it off. But again, this all depends on exactly how many ballots are left, including provisionals.

Nevada

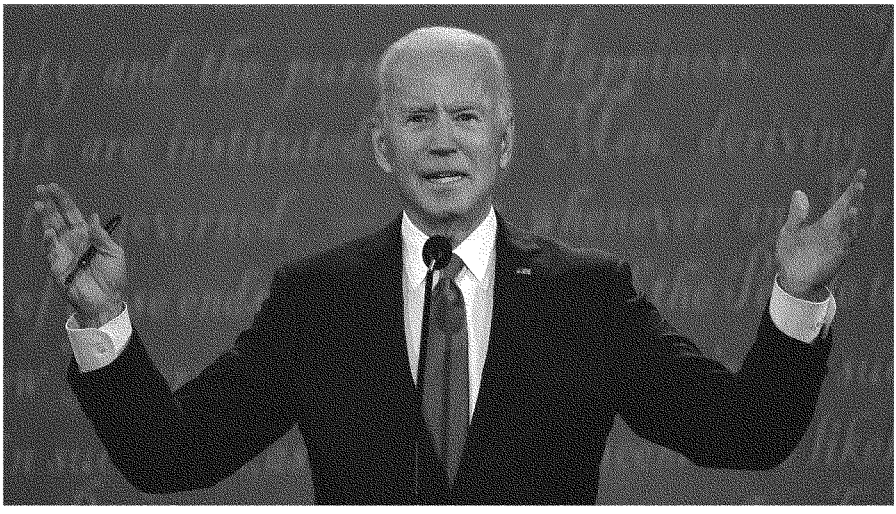
We didn't get any new ballots, and Mr. Biden still holds a lead. The remaining vote: mail ballots received on Election Day and provisionals. There's reason to expect these will pad Mr. Biden's lead: Democrats were outpacing Republicans by a two-to-one margin in the state's mail ballot returns, and provisionals lean Democratic just about everywhere. But we'll wait to be sure. We should get more data today.

North Carolina

We're still waiting to see how many mail ballots arrived after the election, and whether they're enough to overcome the president's lead. There's not much reason to expect it, but here again we'll wait to be sure.

Fox News, first to call Arizona, lags other networks in tipping presidential race to Joe Biden

usatoday.com/story/entertainment/tv/2020/11/07/election-tv-coverage-fox-lags-rivals-calling-race-biden/6202915002/



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Fox News, first to call Arizona, lags other networks in tipping presidential race to Joe Biden

Fox News lagged other networks in calling the presidential race Joe Biden Saturday morning, after Trump tweeted that he "won."

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A link has been sent to your friend's email address.

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Bill Keveney, USA TODAY Published 12:13 p.m. ET Nov. 7, 2020 | Updated 11:00 p.m. ET Nov. 8, 2020

CLOSE
Joe Biden won key several battleground states like Michigan and Wisconsin. USA TODAY

An earlier version of this article, citing CNN, misstated the time on Saturday that the Associated Press called the presidential race for Joe Biden. It was 11:26 a.m. EST, the wire service says.

Four days after the polls closed, the TV news networks finally called the presidential election for Democratic nominee Joe Biden on Saturday morning.

Most of the networks made the call for Biden, which had been expected since late Wednesday, at about 11:25 a.m. EST. But Fox News, which called Arizona for Biden on Tuesday night and had credited Biden with more electoral votes than its competitors before the call, made its announcement at 11:40, also calling Nevada for the president-elect. Network representatives declined to comment on the delay.

CNN called the election at 11:24 a.m., NBC and CBS at 11:25, ABC and The Associated Press at 11:26, according to CNN's Brian Stelter and the AP.

The networks determined Biden had defeated President Donald Trump after calling Pennsylvania for the Democrat, giving him 273 electoral votes.

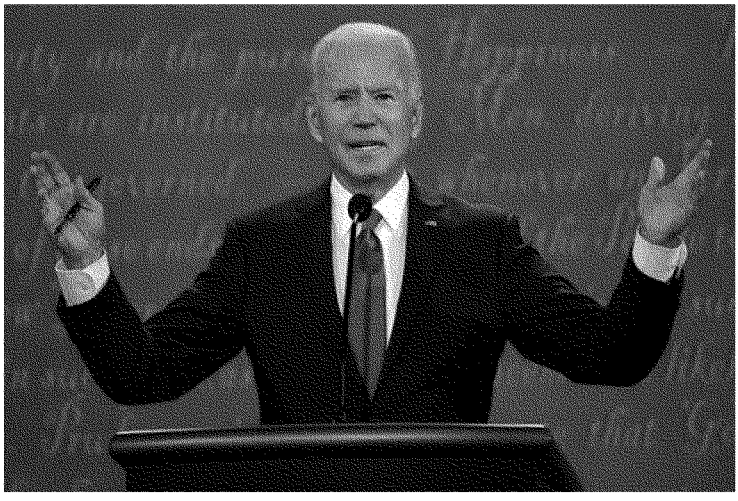


Fox News anchors Bret Baier and Martha MacCallum call Pennsylvania, and the election, for Joe Biden about 15 minutes after its rivals (Photo: Fox News Channel)

Political observers rely on The Associated Press and other news organizations to make the definitive call, although states must certify their results to make them official. With a roughly 4 million vote lead over Trump in the popular vote, the Biden campaign had been expecting to reach the 270 electoral votes needed to win on Friday, scheduling and then postponing outdoor celebratory speeches. (Biden is scheduled to give a victory speech Saturday at 8 EST/5 PST).

Camera ready: CNN's Van Jones breaks down in tears over Biden victory; Meghan McCain, more media figures react

The networks were poised for their decision desks to anoint Biden as the winner early Saturday, as top anchors and correspondents were on hand and jumped into action immediately.



Democratic nominee Joe Biden speaks during the final presidential at Belmont University in Nashville, Tennessee. (Photo: Julio Cortez, AP)

About 10 minutes after CNN and MSNBC called the election for Biden, Fox anchor Neil Cavuto reported that other news organizations had made that determination and that Biden needed just one more state to hit 270 electoral votes, the number needed to win the presidency. Moments later, he handed off coverage to the network's top political anchors, Bret Baier and Martha MacCallum, who said the network was projecting a Biden victory.

Election reactions: 'A new page for America': Hillary Clinton, Kim Kardashian West, celebs react to Joe Biden's win

News coverage after the announcement appeared to be a political Rorschach test for viewers. On Twitter, one person lauded Fox News for balance while another suggested it had abandoned its right-leaning viewers.

Similarly, singer Martina McBride's attempt at a unifying tweet drew both praise and criticism on Twitter. She wrote: "The most hopeful and most calming thing for me is the way both @CNN and @FoxNews are speaking intelligently, compassionately, and focused on moving this country forward for all Americans. Talking about bringing this country together. We desperately need that. I'm feeling relieved."

> The most hopeful and most calming thing for me is the way both @CNN and @FoxNews are speaking intelligently, compassionately, and focused on moving this country forward for all Americans. Talking about bringing this country together. We desperately need that. I'm feeling relieved
>
> — Martina McBride (@martinamcbride) November 7, 2020

Shortly after announcing Biden's victory, CNN anchor Jake Tapper noted the historic significance of electing Biden's running mate, Sen. Kamala Harris, as VP.

"I would like to also take a moment to acknowledge that the United States of America just elected its first woman and its first woman of color as vice president, Kamala Harris, the daughter of immigrants, one from India and one from Jamaica. Once again amazing sign of what this country can do," he said.

CNN Chief Political Correspondent Dana Bash commented on Biden's long political career and how the man who will become the nation's oldest president at 78 rode a topsy-turvy campaign to victory.

"Let's talk about Joe Biden. Five decades in public service, three times running for president, he finally got there," she said. "He's the most conventional of politicians, but in this election cycle, his path has been so unconventional. Remember, he beat out the biggest, most diverse field in the Democratic primary. And he is an older white man who did that. ... He lost Iowa, he lost New Hampshire and it was black Democratic voters who saved him and propelled him to this point. That started in South Carolina."

A little later, the main force behind Biden's South Carolina revival, U.S. Rep. James Clyburn, was discussing Biden's victory on CBS.

Before the call, some anchors showed their weariness at the delay, as MSNBC's Joe Scarborough jokingly offered breaking news that Bob Dole would be the 1996 Republican presidential nominee. It appeared many TV journalists were anxious for their decision teams – the groups of statistical and political experts who decide when to call states for candidates – would call one of the few remaining states Biden needed to hit 270.

In the end, it was the projection of Pennsylvania, just after an updated vote total pushed Biden more than 30,000 votes ahead, moved that state and its 20 electoral votes into Biden's column and carried him to 273.

"Meet the Press" moderator Chuck Todd explained the determination on NBC: "Look, we got just enough vote in, in order to call Pennsylvania, even if it may slip into a recount. We think it's just mathematically, nearly impossible for the order of finish to change in Pennsylvania."

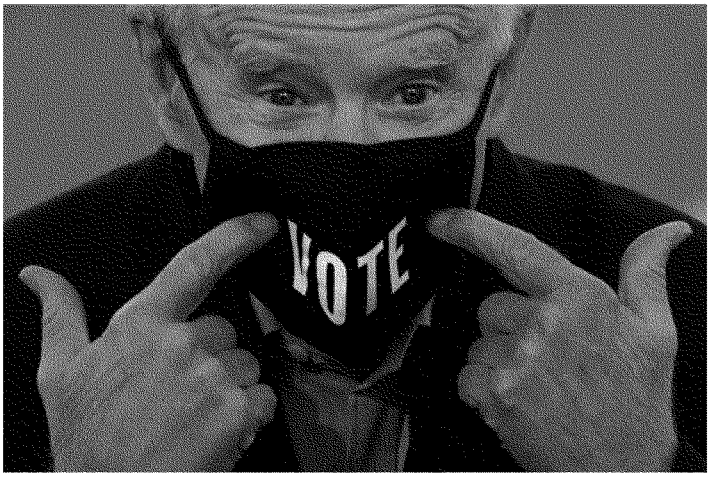
Before Biden was projected the winner, a number of TV anchors and pundits noted that Trump was golfing at his Virginia course on Saturday morning. Just a few hours before the expected projection of Biden's victory, Trump defiantly and wrongly tweeted: "I WON THIS ELECTION, BY A LOT!"

> I WON THIS ELECTION, BY A LOT!
>
> — Donald J. Trump (@realDonaldTrump) November 7, 2020

Trump's campaign issued a statement rejecting the network projections and alleging a media conspiracy at odds with reality: "We all know why Joe Biden is rushing to falsely pose as the winner, and why his media allies are trying so hard to help him: they don't want the truth to be exposed. The simple fact is this election is far from over."

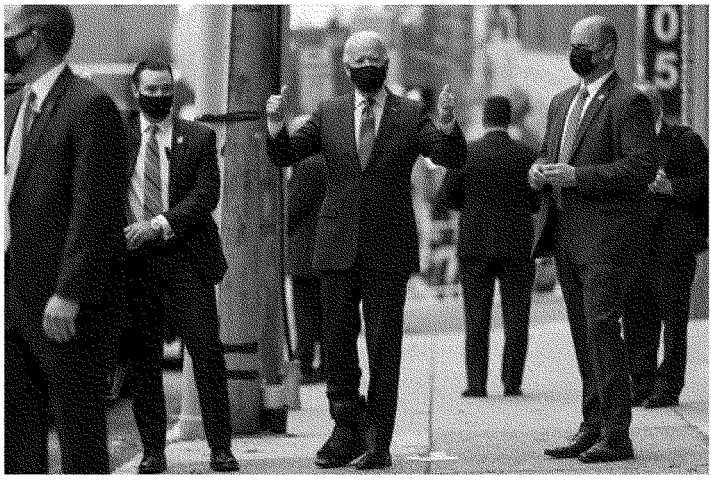
While cable news networks continued their marathon coverage, ABC shifted back to regular programming (a college football game) at 1 p.m. EST, shortly after NBC resumed airing Premier League soccer. CBS continued its election coverage. All networks were scheduled to return for Biden's victory speech at 8 p.m. EST.

Contributing: Gary Levin, Kelly Lawler



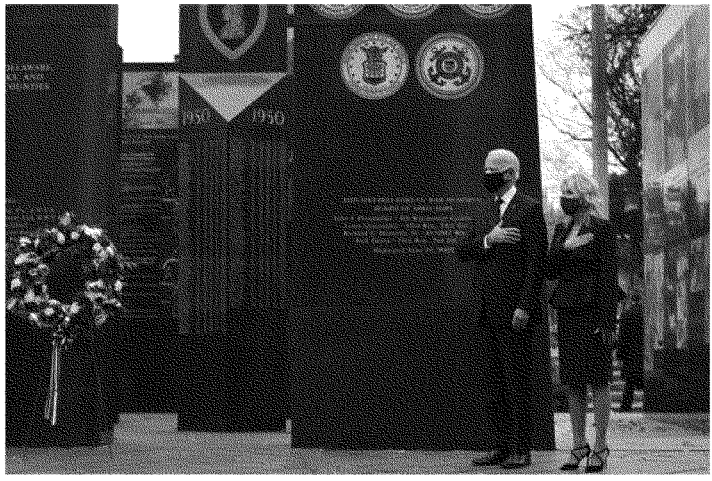
President-elect Joe Biden points to his face mask with the word "Vote" printed on it during a rally outside Center Parc Stadium in Atlanta, Ga, on Jan. 4, 2021. President Donald Trump, still seeking ways to reverse his election defeat, and President-elect Joe Biden converge on Georgia on Monday for dueling rallies on the eve of runoff votes that will decide control of the US Senate. Trump, a day after the release of a bombshell recording in which he pressures Georgia officials to overturn his November 3 election loss in the southern state, is to hold a rally in the northwest city of Dalton in support of Republican incumbent senators Kelly Loeffler and David Perdue. Biden, who takes over the White House on January 20, is to campaign in Atlanta, the Georgia capital, for the Democratic challengers, Raphael Warnock and Jon Ossoff. JIM WATSON, AFP via Getty Images

Fullscreen



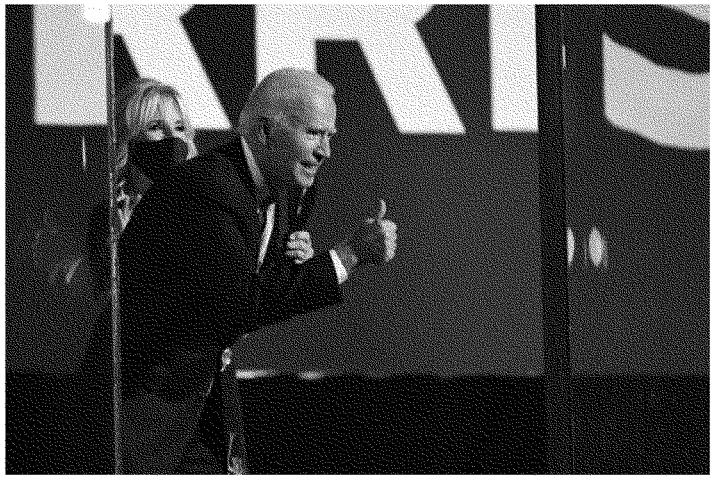
President-elect Joe Biden speaks to members of the media as he departs after holding a news conference to introduce his nominees and appointees to economic policy posts at The Queen theater, Tuesday, Dec. 1, 2020, in Wilmington, Del. Andrew Harnik, AP

Fullscreen



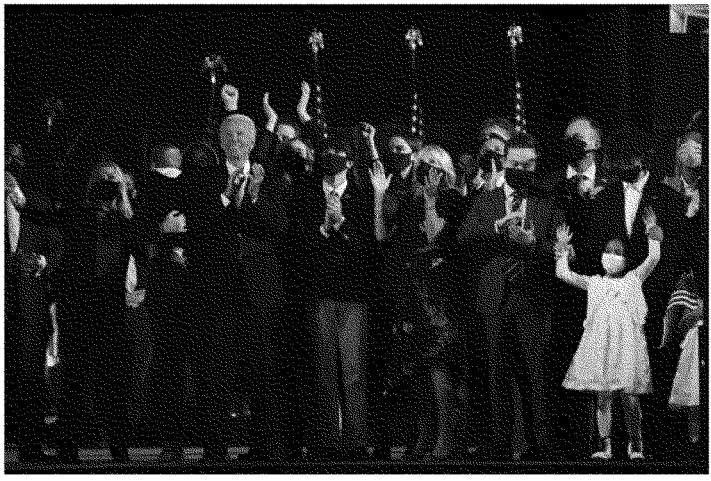
President-elect Joe Biden and Dr. Jill Biden honor military veterans with a stop at the Philadelphia Korean War Memorial at Penn's Landing on Veterans Day on November 10, 2020 in Philadelphia, Pennsylvania. Mr. Biden continues the process of the presidential transition as President Donald Trump continues to contest the election. Joe Raedle, Getty Images

Fullscreen



President-elect Joe Biden and Jill Biden on stage after speaking to supporters. Robert Deutsch, USA TODAY

Fullscreen



President-elect Joe Biden and vice president-elect Kamala Harris watch fireworks with their families. Robert Deutsch, USA TODAY

Fullscreen



President-Elect Joe Biden speak to supporters post election night at an event held outside of the Chase Center. Robert Deutsch, USA TODAY

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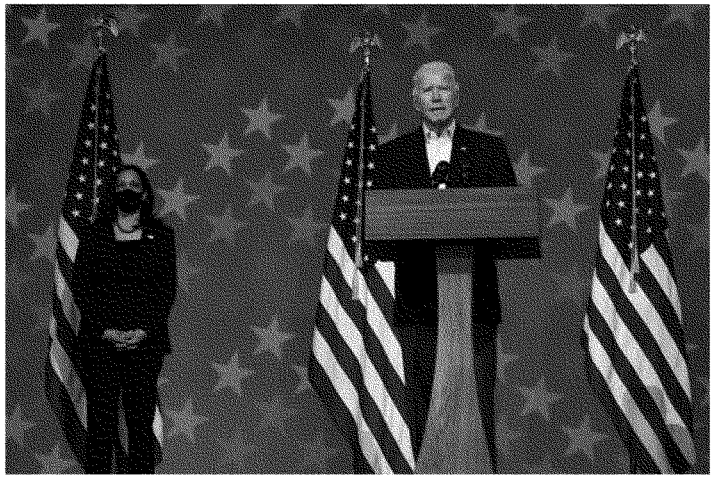


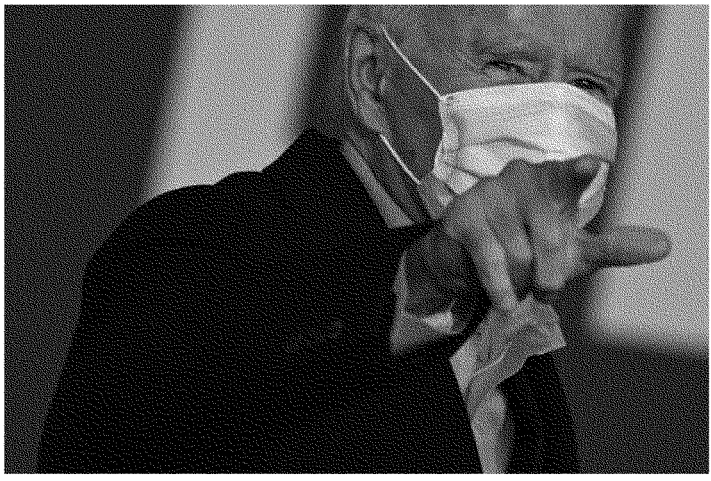
Democratic presidential candidate former Vice President Joe Biden speaks Thursday, Nov. 5, 2020, in Wilmington, Del. Democratic vice presidential candidate Sen. Kamala Harris, D-Calif., stands at left. Carolyn Kaster, AP

Fullscreen



Democratic presidential nominee Joe Biden visits a neighbor's house after stopping at his childhood home on Nov. 3, 2020 in Scranton, Pennsylvania. As polls open on Election Day, nearly 100 million Americans have already cast their ballots through early voting and mail-in voting. Drew Angerer, Getty Images

Fullscreen



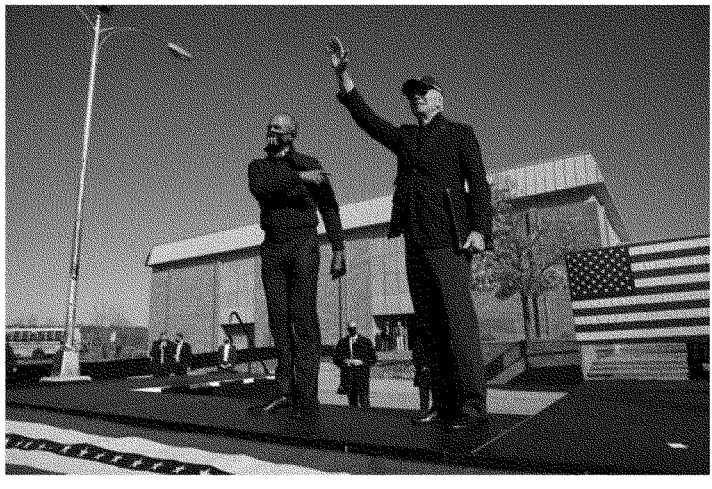
Democratic presidential candidate Joe Biden speaks at a drive-in get out the vote event at Burke Lakefront Airport on November 2, 2020 in Cleveland, Ohio. - The US presidential campaign enters its final day Monday with a last-minute scramble for votes by Donald Trump and Joe Biden, drawing to a close an extraordinary race that has put a pandemic-stricken country on edge. JIM WATSON, AFP via Getty Images

Fullscreen



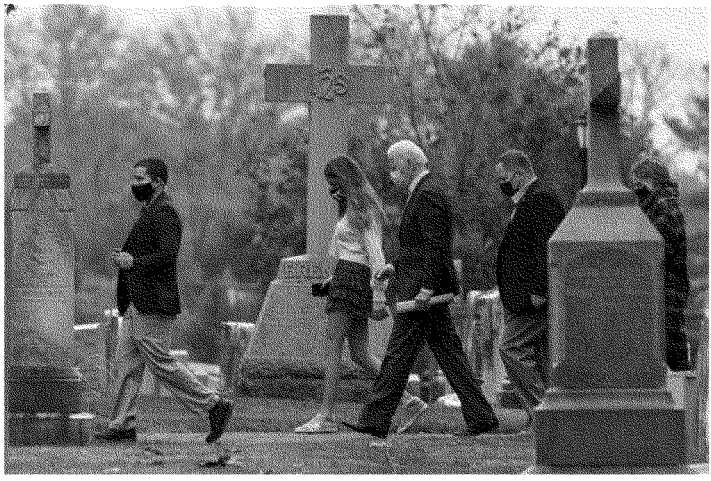
Democratic presidential nominee Joe Biden poses for a picture with a young girl during a canvassing kick-off event on Nov. 1, 2020 in Philadelphia, Pa. Biden is campaigning in Philadelphia on Sunday, in the key battleground state of Pennsylvania that President Donald Trump won narrowly in 2016. Drew Angerer, Getty Images

Fullscreen



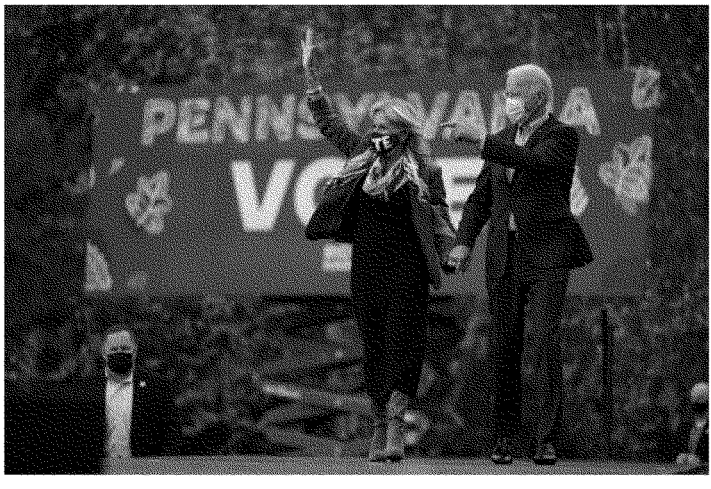
Democratic presidential candidate former Vice President Joe Biden, right, and former President Barack Obama greet each other at a rally at Northwestern High School in Flint, Mich., Saturday, Oct. 31, 2020. Andrew Harnik, AP

Fullscreen



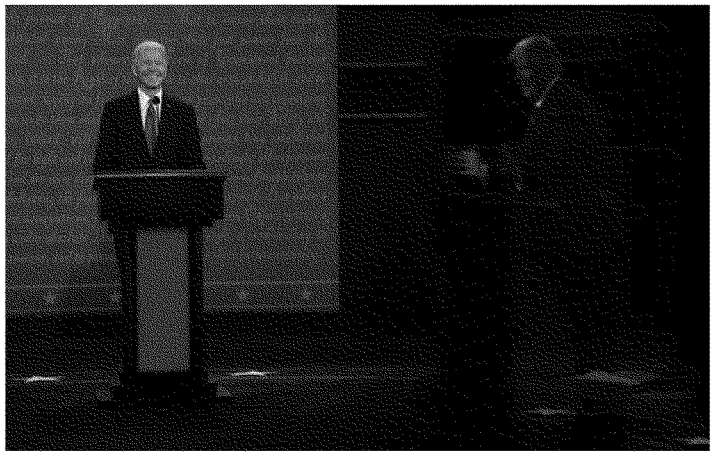
Democratic presidential candidate former Vice President Joe Biden leaves St. Joseph On the Brandywine Roman Catholic Church with his granddaughters Natalie Biden, center, and Finnegan Biden, right, Sunday, Oct. 25, 2020, in Wilmington. Andrew Harnik, AP

Fullscreen



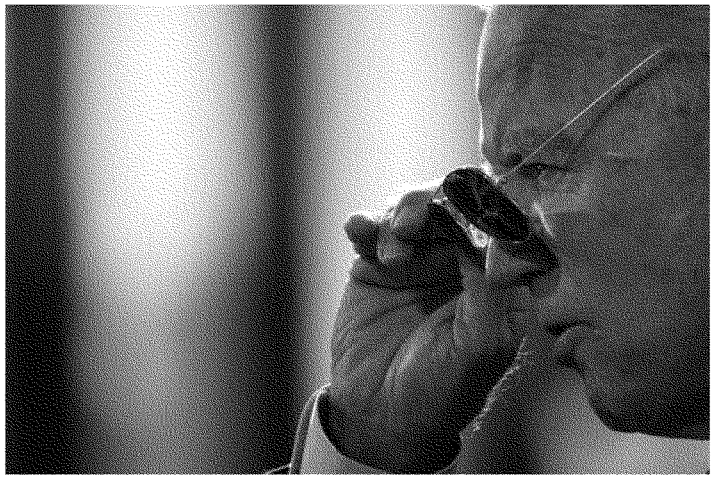
Democratic presidential candidate Joe Biden and his wife, Jill, arrive at a campaign stop at Bucks County Community College on Oct. 24 in Bristol, Pa., where the former vice president faced hecklers chanting, "Four more years." Andrew Harnik, AP

Fullscreen



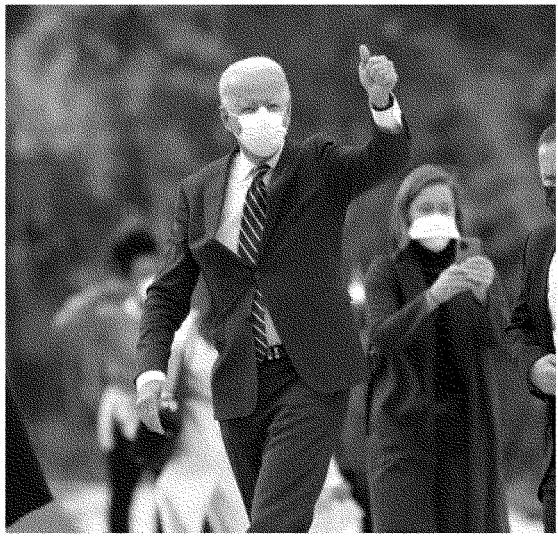
Former Vice President Joe Biden reacts to a comment by President Donald Trump who is reflected in the plexiglass divider during the debate at Belmont University on Thursday, Oct. 22, 2020, in Nashville, Tenn. Andrew Nelles, The Tennessean

Fullscreen



Democratic presidential nominee Joe Biden speaks during a drive-in campaign rally at Riverside High School on October 18, 2020 in Durham, North Carolina. Biden is campaigning on Sunday in the battleground state that President Donald Trump won in 2016. Drew Angerer, Getty Images

Fullscreen

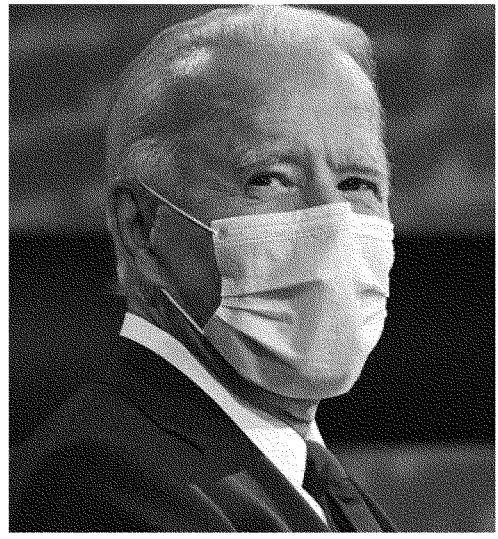


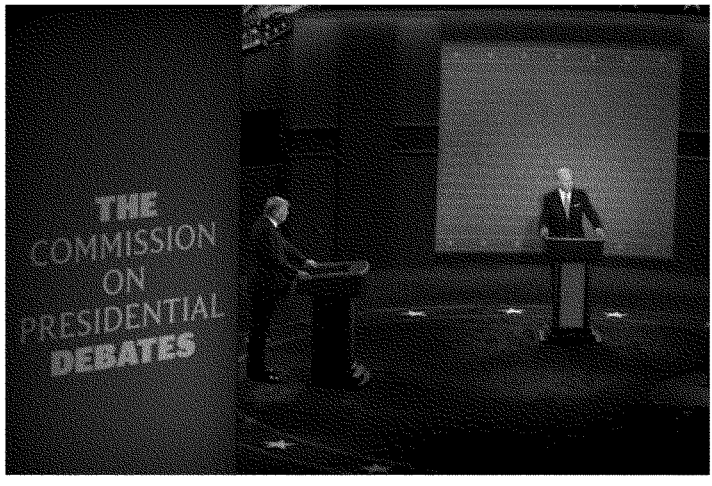
Democratic presidential nominee Joe Biden arrives to talk with supporters in Southfield, Mich. on October 16, 2020. Kirthmon F. Dozier, Detroit Free Press

Fullscreen

Democratic presidential candidate Joe Biden is pictured at an ABC News town hall event at the National Constitution Center in Philadelphia. Jim Watson, AFP via Getty Images

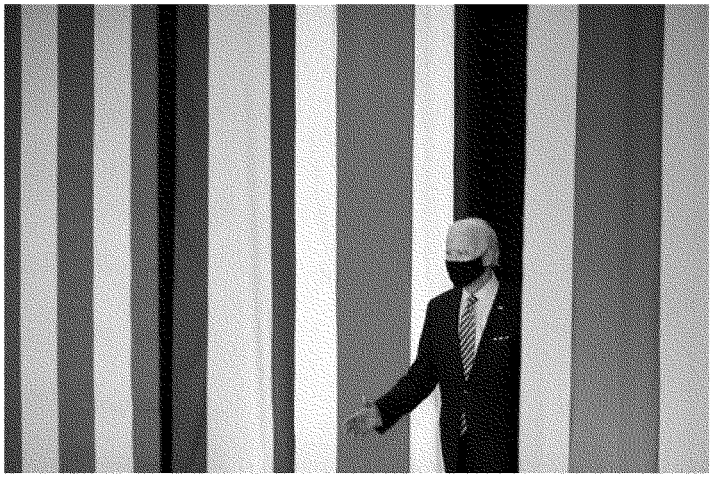
Fullscreen





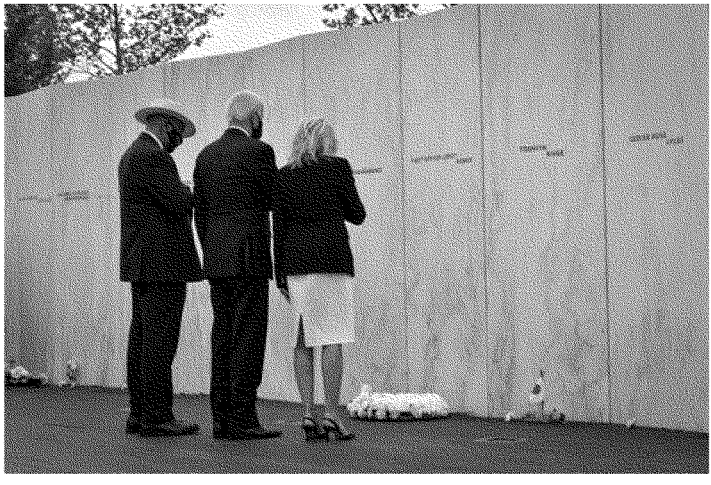
President Donald Trump and Democratic presidential candidate, former Vice President Joe Biden appear in the first Presidential debate in the Sheila and Eric Samson Pavilion at the Cleveland Clinic, Tuesday, Sept. 29, 2020, in Cleveland. Meg Vogel, Cincinnati Enquirer-USA TODAY NETWORK

Fullscreen



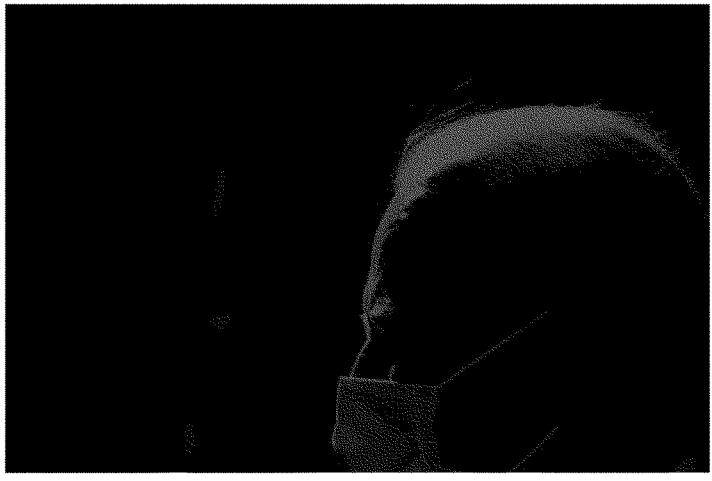
Democratic Presidential Candidate Joe Biden arrives to participate in a Hispanic Heritage Month event at the Osceola Heritage Park in Kissimmee, Florida on Sept. 15, 2020. JIM WATSON, AFP via Getty Images

Fullscreen



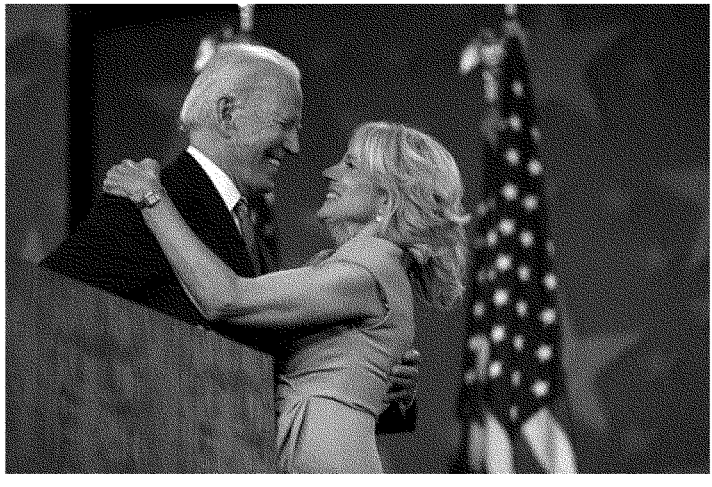
Democratic presidential nominee Joe Biden an Jill Biden visited the Flight 93 National Memorial in Shanksville, Penn. on Sept. 11, 2020 just hours after President Donald Trump visited and made remarks at the 19th annual September 11th Observance at the Flight 93 National Memorial. Jack Gruber-USA TODAY NETWORK

Fullscreen



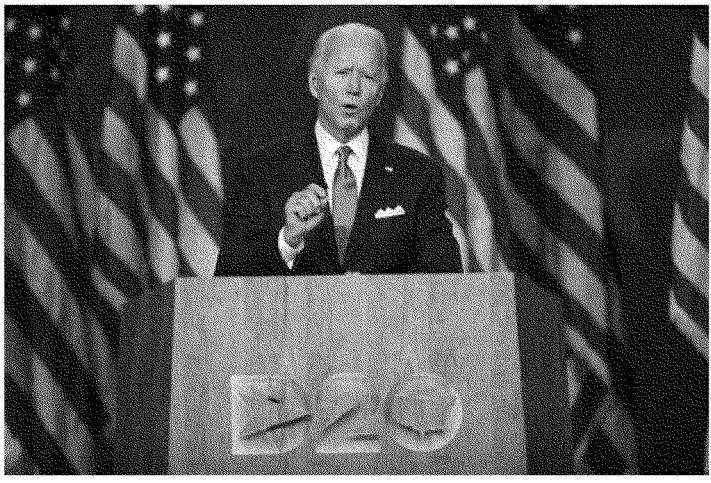
Democratic Presidential Candidate Joe Biden has a conversation about school reopening with local parents and educators during an event in Wauwatosa, WI, September 3, 2020. - Joe Biden met Thursday with relatives of Jacob Blake, the black father shot by a white policeman in Wisconsin, as the presidential hopeful undertakes a mission to help a community come together after days of violent unrest. JIM WATSON, AFP via Getty Images

Fullscreen



Democratic presidential candidate former Vice President Joe Biden hugs his wife Jill Biden after speaking during the fourth day of the Democratic National Convention, Thursday, Aug. 20, 2020, at the Chase Center in Wilmington, Del. Andrew Harnik, AP

Fullscreen



Democratic presidential candidate former Vice President Joe Biden speaks during the fourth day of the Democratic National Convention, Thursday, Aug. 20, 2020, at the Chase Center in Wilmington, Del. Andrew Harnik, AP

Fullscreen



Democratic presidential candidate former Vice President Joe Biden, and his wife Jill Biden, join Democratic vice presidential candidate Sen. Kamala Harris, D-Calif., and her husband Doug Emhoff, during the fourth day of the Democratic National Convention, Thursday, Aug. 20, 2020, at the Chase Center in Wilmington, Del. Andrew Harnik, AP

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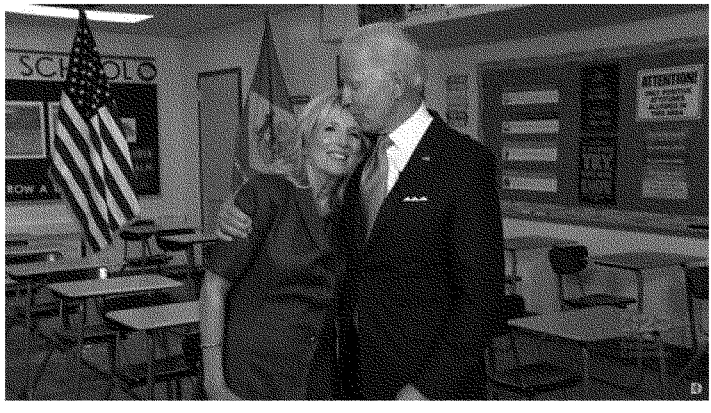

August 18, 2020; Milwaukee, WI, USA; (Editors Note: Screen grab from Democratic National Convention video stream) Former Vice President Joe Biden greets Former Second Lady of the United States, Dr. Jill Biden after she delivered a speech for viewers during the Democratic National Convention at the Wisconsin Center. Mandatory Credit: Democratic National Convention via USA TODAY NETWORK ORIG FILE ID: 20200818_ajw_usa_209.jpg Democratic National Convention, Democratic National Convention v

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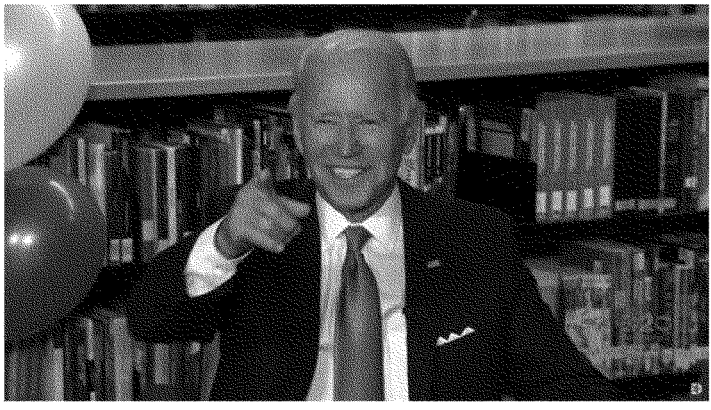
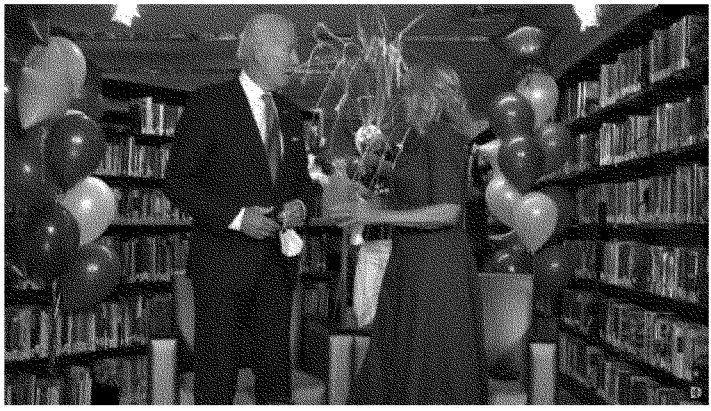


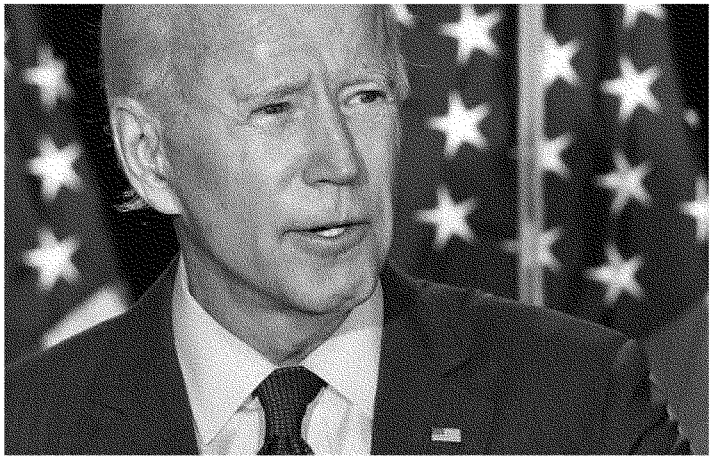
(Editors Note: Screen grab from Democratic National Convention video stream) Former Vice President Joe Biden reacts as he was nominated to be the Democratic candidate for President during the Democratic National Convention at the Wisconsin Center. Democratic National Convention, Democratic National Convention

Fullscreen



August 18, 2020; Milwaukee, WI, USA; (Editors Note: Screen grab from Democratic National Convention video stream) Former Vice President Joe Biden and Former Second Lady of the United States, Dr. Jill Biden react after Joe was nominated to be the Democratic candidate for President during the Democratic National Convention at the Wisconsin Center. Democratic National Convention, Democratic National Convention

Fullscreen



Democratic presidential nominee, former US Vice President Joe Biden, speaks to the press after receiving a briefing on COVID-19 in Wilmington, Delaware, on Aug. 13, 2020. MANDEL NGAN, AFP via Getty Images

Fullscreen



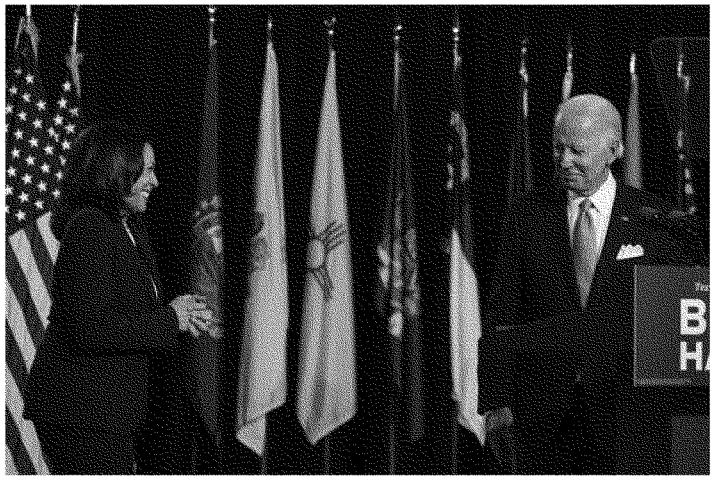
Sen. Kamala Harris, D-Calif., and her husband Douglas Emhoff, right, applaud to Democratic presidential candidate former Vice President Joe Biden and his wife Jill Biden after a campaign event at Alexis Dupont High School in Wilmington, Del., Wednesday, Aug. 12, 2020. Carolyn Kaster, AP

Fullscreen



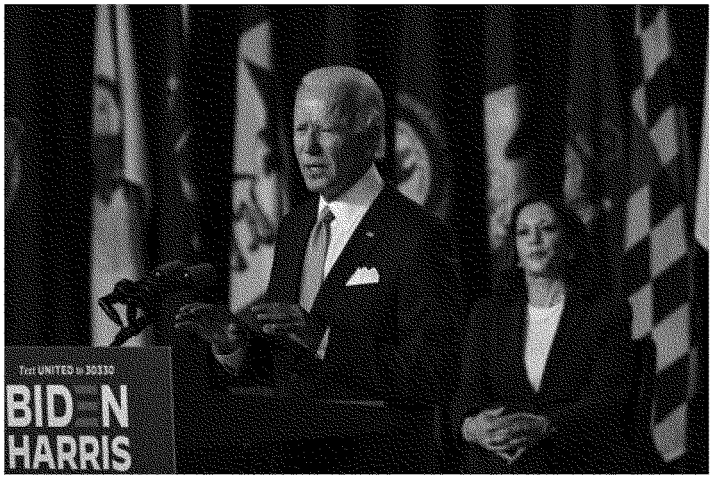
Democratic presidential candidate former Vice President Joe Biden retrieves his face mask from the podium as his running mate Sen. Kamala Harris, D-Calif., prepares to speak at a campaign event at Alexis Dupont High School in Wilmington, Del., Wednesday, Aug. 12, 2020. Carolyn Kaster, AP

Fullscreen



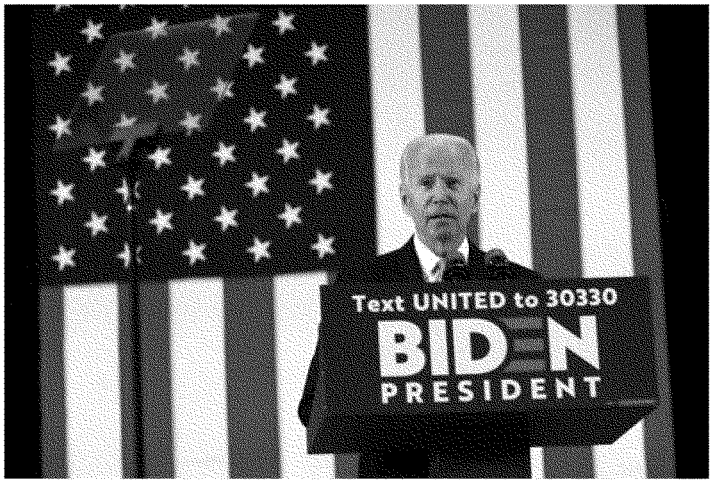
Presumptive Democratic presidential nominee former Vice President Joe Biden invites his running mate Sen. Kamala Harris (D-CA) to the stage to deliver remarks at the Alexis Dupont High School on August 12, 2020 in Wilmington, Delaware. Harris is the first Black woman and the first person of Indian descent to be nominated at the top of the presidential ticket by a major party in U.S. history. Drew Angerer, Getty Images

Fullscreen



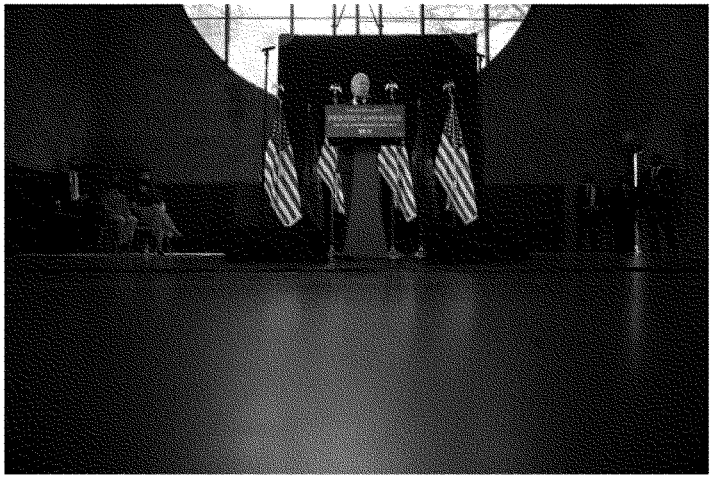
Presumptive Democratic presidential nominee former Vice President Joe Biden speaks as his running mate Sen. Kamala Harris (D-CA) looks on during an event at the Alexis Dupont High School on August 12, 2020 in Wilmington, Delaware. Harris is the first Black woman and the first person of Indian descent to be nominated at the top of the presidential ticket by a major party in U.S. history. Drew Angerer, Getty Images

Fullscreen



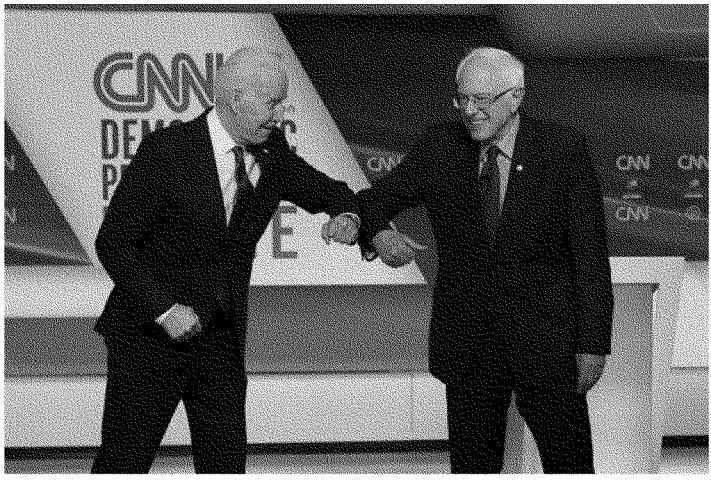
Democratic presidential candidate, former Vice President Joe Biden speaks at Alexis Dupont High School in Wilmington, Del., Tuesday, June 30, 2020. Patrick Semansky, AP

Fullscreen



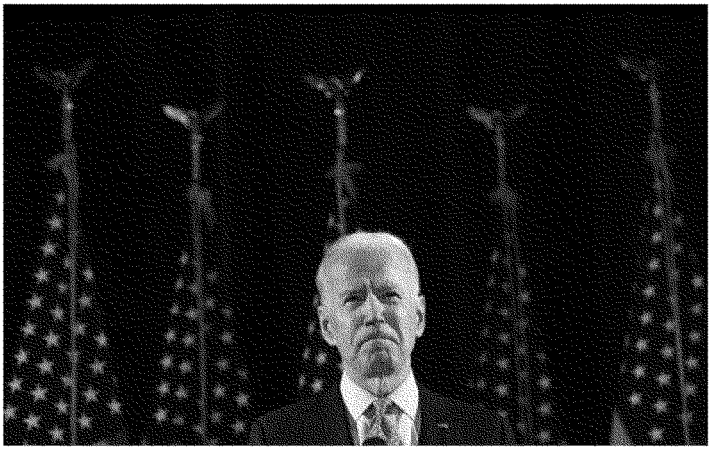
Democratic presidential candidate, former Vice President Joe Biden speaks during an event, Thursday, June 25, 2020, in Lancaster, Pa. Matt Slocum, AP

Fullscreen



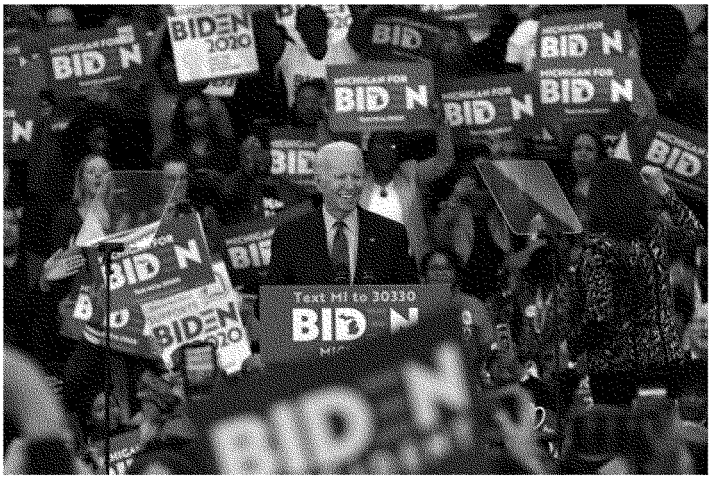
Former Vice President Joe Biden, left, and Sen. Bernie Sanders, I-Vt., right, greet one another before they participate in a Democratic presidential primary debate at CNN Studios in Washington on March 15, 2020. Evan Vucci, AP

Fullscreen



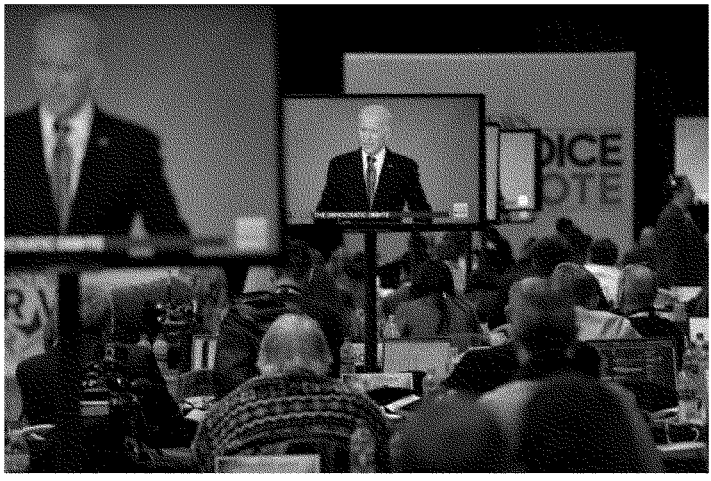
Joe Biden speaks about COVID-19, known as the Coronavirus, during a press event in Wilmington, Delaware on March 12, 2020. Saul Loeb, AFP via Getty Images

Fullscreen



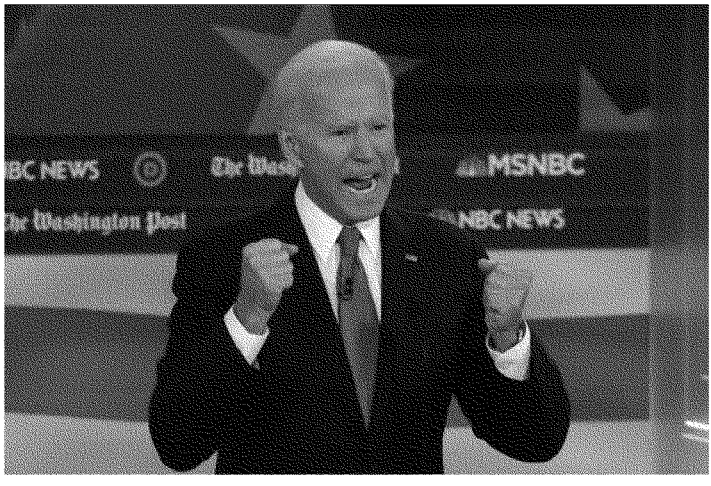
Democratic presidential candidate former Vice President Joe Biden speaks during a campaign rally at Renaissance High School in Detroit on March 9, 2020. Paul Sancya, AP

Fullscreen



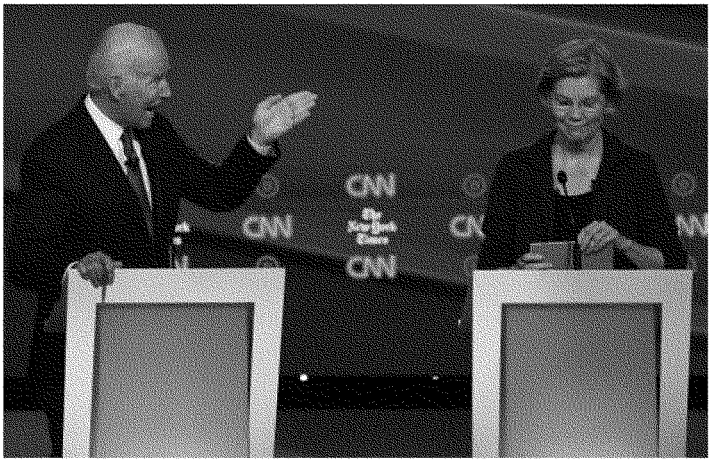
Democratic presidential hopeful former Vice President Joe Biden is seen on screens in the spin room during the eighth Democratic primary debate of the 2020 presidential campaign season co-hosted by ABC News, WMUR-TV and Apple News at St. Anselm College in Manchester, New Hampshire on February 07, 2020. Joseph Prezioso, AFP via Getty Images

Fullscreen



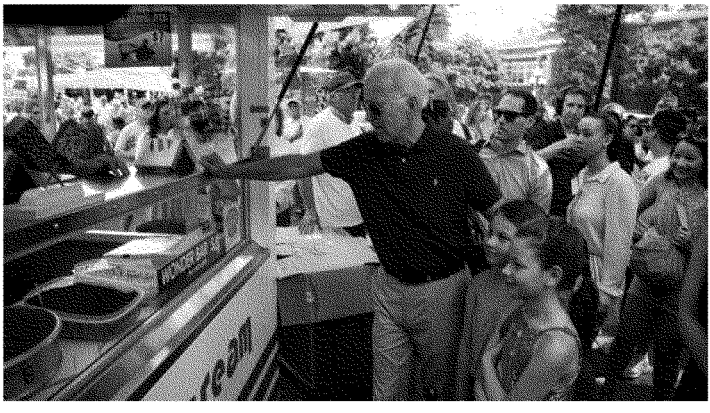
Former Vice President Joe Biden speaks during the Democratic Presidential Debate at Tyler Perry Studios November 20, 2019 in Atlanta, Georgia. Alex Wong, Getty Images

Fullscreen



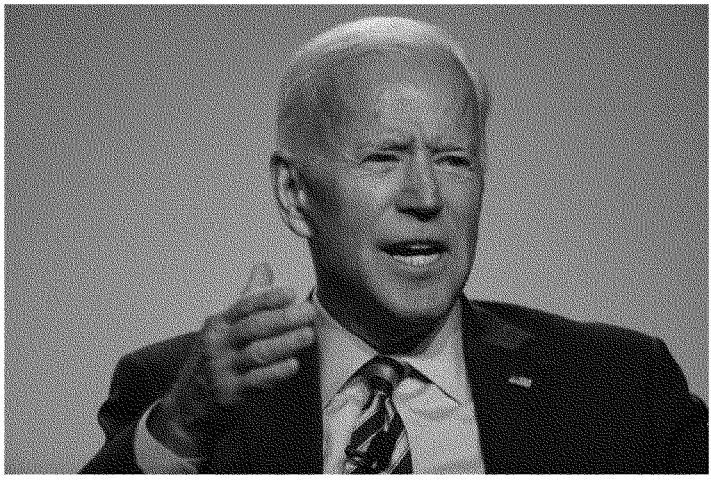
Democratic presidential hopefuls Joe Biden speaks as Elizabeth Warren listens during the fourth Democratic primary debate of the 2020 presidential campaign season at Otterbein University in Westerville, Ohio on October 15, 2019. Biden and Warren took jabs at each other during the campaign and on the debate stage. Saul Loeb, AFP via Getty Images

Fullscreen



Former Vice President Joe Biden buys an ice cream Wonder Bar for himself and sisters Grace and Noelle Beasley, of Urbandale, on the first day of the Iowa State Fair on Thursday, Aug. 8, 2019, in Des Moines, Iowa. (Via OlyDrop) Kelsey Kremer/The Register

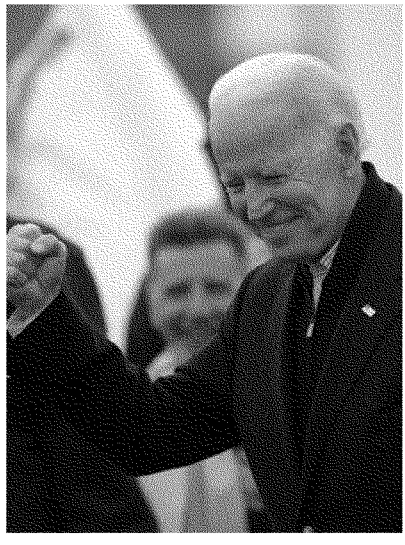
Fullscreen



July 24, 2019; Detroit, MI, USA; Former U.S. Vice President Joe Biden speaks during the Presidential Candidates forum hosted by the National Association for the Advancement of Colored People (NAACP) Wednesday, July 24, 2019 at Cobo Center in Detroit. Mandatory Credit: Mandi Wright/Detroit Free Press via USA TODAY NETWORK ORIG FILE ID: 20190724_ajw_usa_151.jpg Mandi Wright, Detroit Free Press-USA TODAY NET

Fullscreen

Former US Vice President Joe Biden leaves a rally organized by UFCW Union members to support Stop and Shop employees on strike throughout the region at the Stop and Shop in Dorchester, Mass. on April 18, 2019. Joseph Prezioso, AFP/Getty Images



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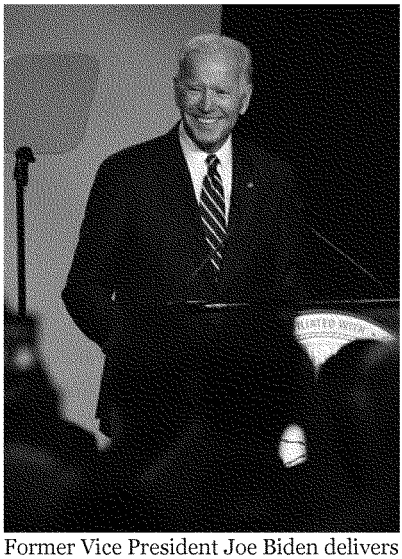
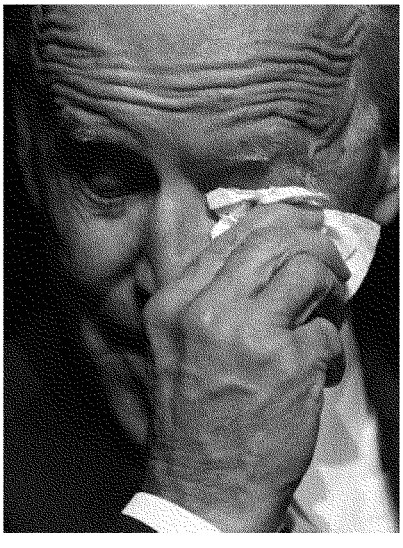


Former Vice President Joe Biden delivers remarks at the International Brotherhood of Electrical Workers Construction and Maintenance Conference at the Washington Hilton in Washington D.C. on April 5, 2019. Jack Gruber, USA TODAY

Fullscreen

Former US Vice President Joe Biden wipes tears from his eyes as he speaks about his late son Beau Biden during the First State Democratic Dinner in Dover, Del. on March 16, 2019. Saul Loeb, AFP/Getty Images



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Joe Biden is interviewed on the field after Super Bowl LII between the Philadelphia Eagles and the New England Patriots at U.S. Bank Stadium on Feb 4, 2018. Kirt Dozier, USA TODAY Sports

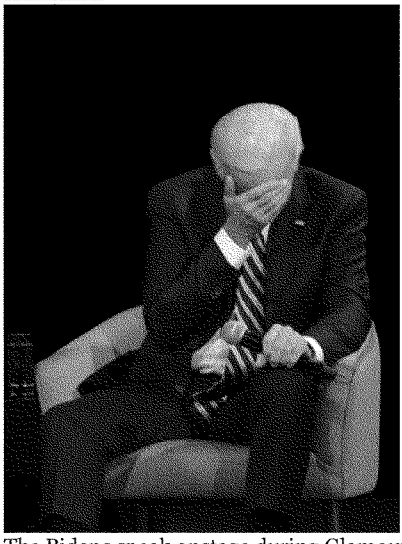
Fullscreen

Biden poses for a portrait on Nov. 12, 2017, in New York. Robert Deutsch, USA TODAY

Fullscreen

Former U.S. Vice President Joe Biden in conversation with author George Saunders during The Miami Book Fair at Adrienne Arsht Center for the Performing Arts on Nov. 18, 2017 in Miami, Fla. Johnny Louis, WireImage

Fullscreen

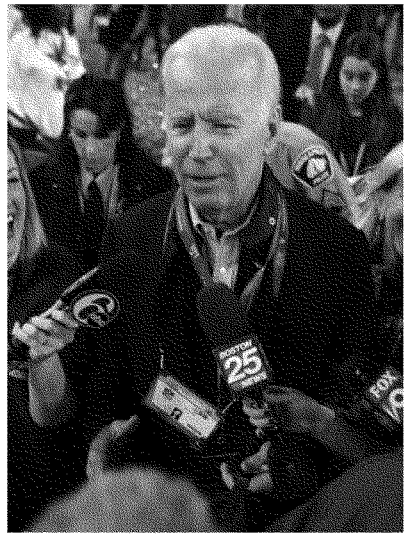


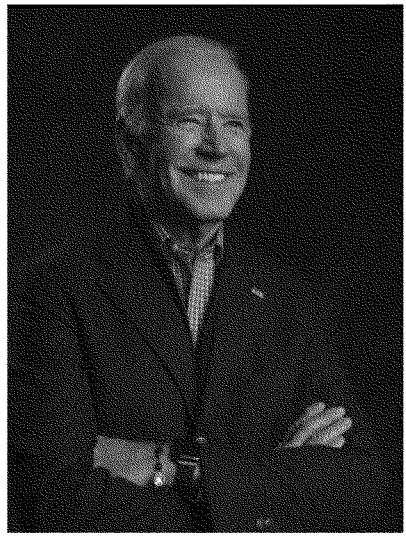
The Bidens speak onstage during Glamour Celebrates 2017 Women Of The Year Live Summit on Nov. 13, 2017, in New York. Craig Barritt, Getty Images for Glamour

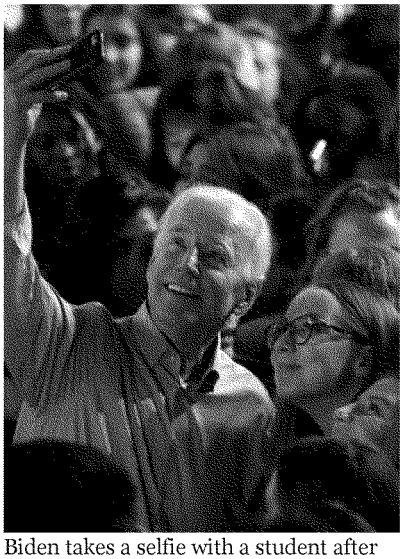
Fullscreen

Biden and Ohio Gov. John Kasich participate in a discussion on bridging political and partisan divides at the University of Delaware in Newark, Del., on Oct. 17, 2017. Patrick Semansky, AP

Fullscreen







Biden takes a selfie with a student after delivering remarks regarding sexual violence on college campuses during a visit to Rutgers University, on Oct. 12, 2017, in New Brunswick, N.J. Julio Cortez, AP

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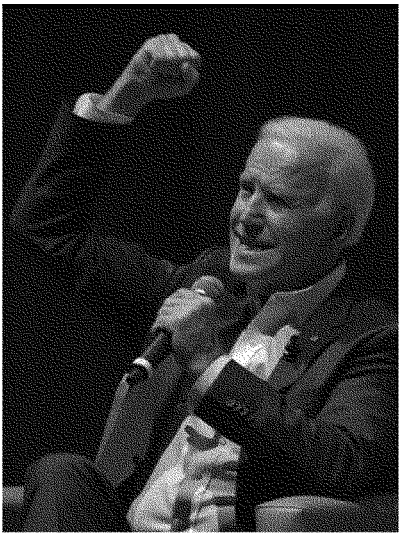

Sen. John McCain, R-Ariz., shakes hands with Biden after receiving the Liberty Medal in Philadelphia on Oct. 16, 2017. Matt Rourke, AP

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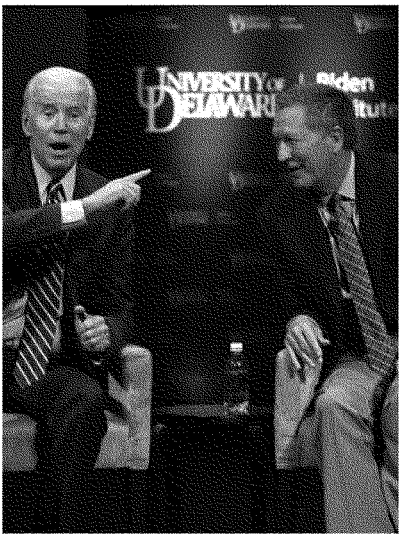

Biden waves to the crowd as he speaks at a rally to campaign for Democrat Doug Jones in the special election to fill Attorney General Jeff Sessions' former Senate seat on Oct. 3, 2017, in Birmingham, Ala. Brynn Anderson, AP

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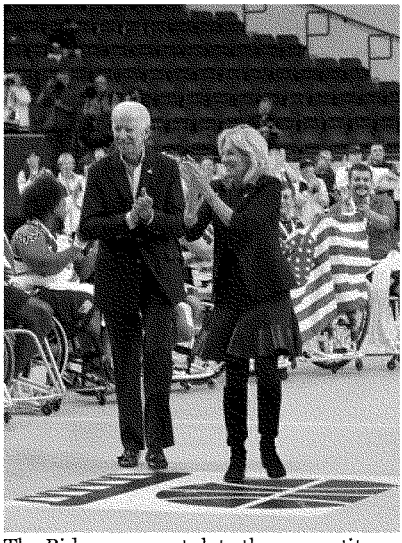

The Bidens congratulate the competitors at the Wheelchair Basketball Finals during the Invictus Games on Sept. 30, 2017, in Toronto. Chris Jackson, Getty Images

Fullscreen

Biden speaks onstage during OZY Fest 2017 on July 22, 2017, in New York City. Bryan Bedder, Getty Images

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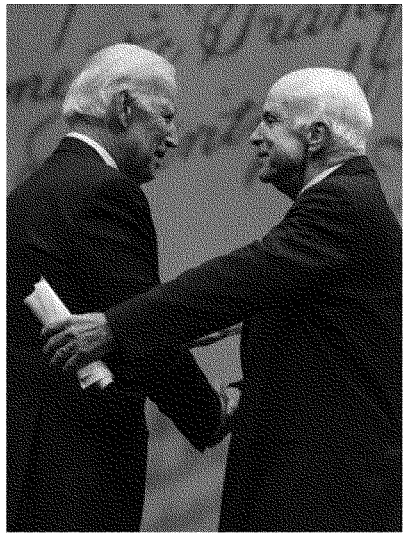

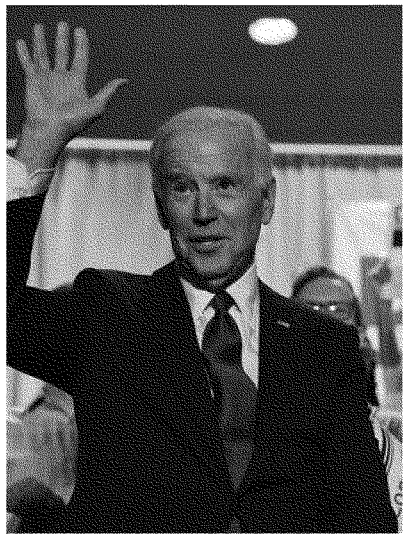

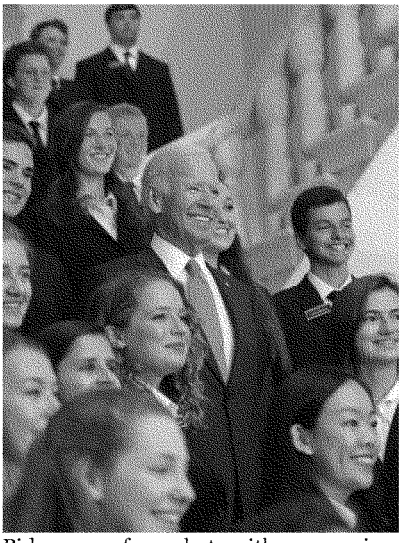

Biden poses for a photo with congressional pages on Capitol Hill on July 11, 2017. Pablo Martinez Monsivais, AP

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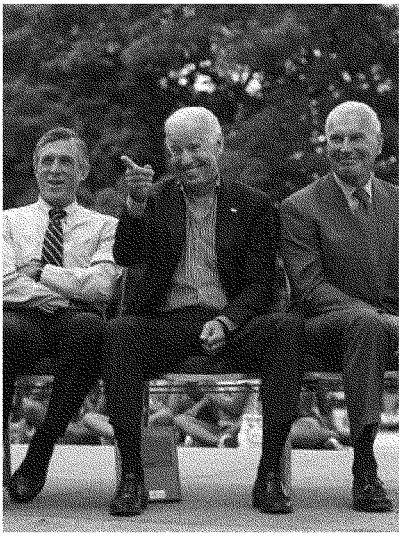

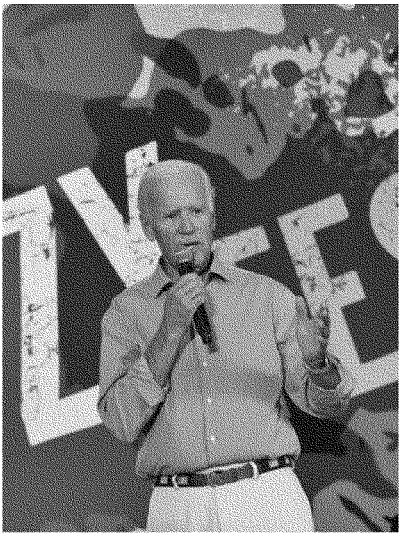

Biden reacts to the crowd as he returns to Brown-Burton Winchester Park in Wilmington, Del., where the pool facility is being dedicated in his honor as the Joseph R. Biden Jr. Aquatic Center. Suchat Pederson, The News Journal

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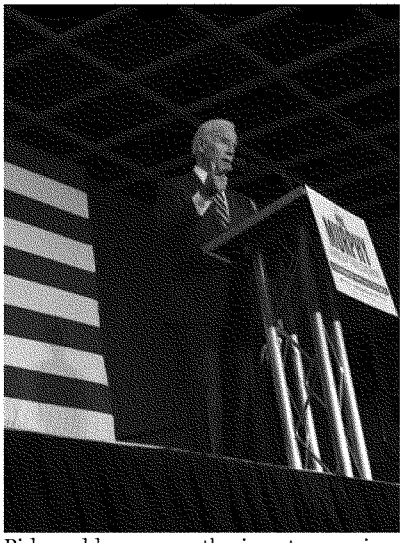

Biden addresses a gathering at campaign event for New Jersey Democratic gubernatorial candidate Phil Murphy on May 28, 2017, in Lyndhurst, N.J. Mel Evans, AP

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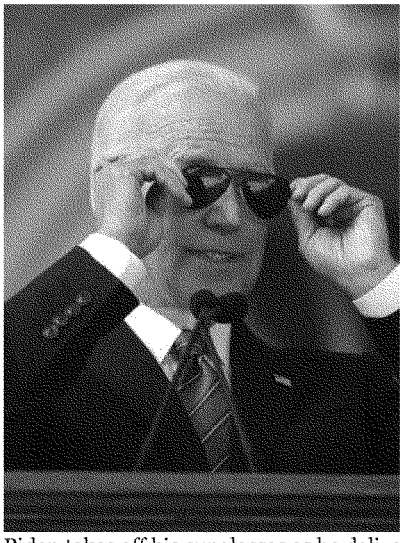

Biden takes off his sunglasses as he delivers the annual Harvard College Class Day address on May 24, 2017, in Cambridge, Mass. Steven Senne, AP

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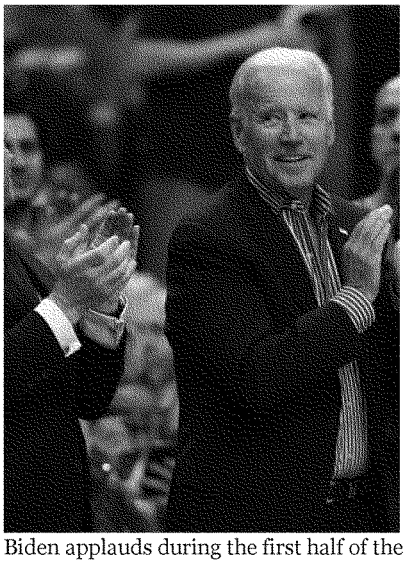

Biden applauds during the first half of the Washington Wizards vs. Atlanta Hawks NBA game at the Verizon Center in Washington on April 26, 2017. Rob Carr, Getty Images

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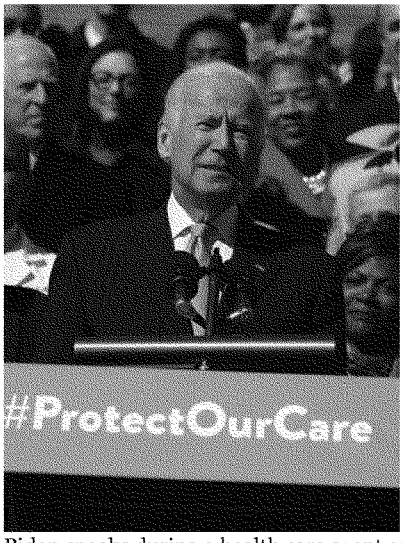

Biden speaks during a health care event on the East Front of the Capitol on March 22, 2017. House Democrats held the event to mark the seventh anniversary of the Affordable Care Act. Alex Wong, Getty Images

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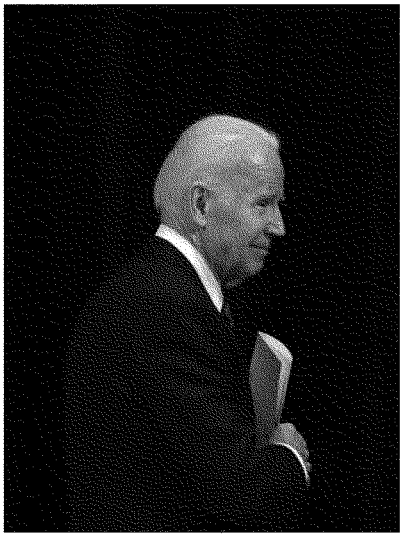

Biden tucks notes into his jacket after speaking at an event to formally launch the Biden Institute, a research and policy center focused on domestic issues, at the University of Delaware in Newark, Del., on March 13, 2017. Patrick Semansky, AP

Fullscreen



Obama and Biden walk through the Capitol for President Trump's inauguration ceremony on Jan. 20, 2017. J. Scott Applewhite, AFP/Getty Images

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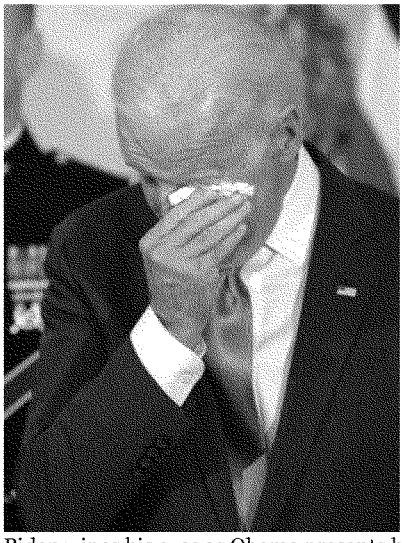

Biden wipes his eyes as Obama presents him with the Presidential Medal of Freedom at the White House on Jan. 12, 2017. Pool, Getty Images

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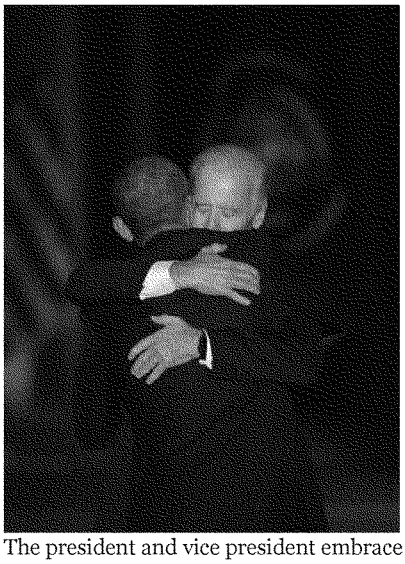

The president and vice president embrace after Obama delivered his farewell speech to the nation on Jan. 10, 2017, in Chicago. Scott Olson

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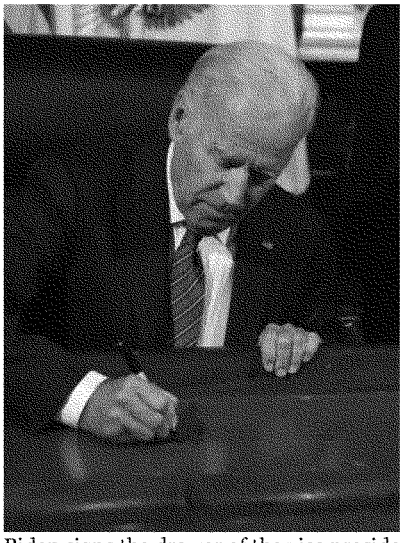

Biden signs the drawer of the vice president's desk in the vice president's ceremonial office at the Eisenhower Executive Office Building on Jan. 6, 2017. Manuel Balce Ceneta, AP

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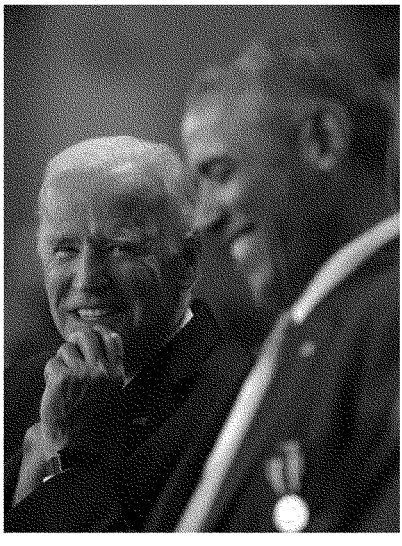

Biden watches President Obama, sitting with Defense Secretary Ash Carter, right, as they listen to Joint Chiefs Chairman Gen. Joseph Dunford talk about Obama during an Armed Forces Full Honor Farewell Review on Jan. 4, 2017, at Joint Base Myer-Henderson Hall, Va. Susan Walsh, AP

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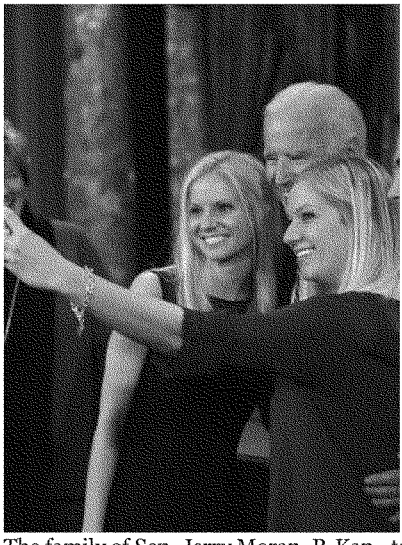

The family of Sen. Jerry Moran, R-Kan., takes a selfie with Biden during a ceremonial swearing-in on Jan. 3, 2017, in the Old Senate Chamber. Kevin Wolf, AP

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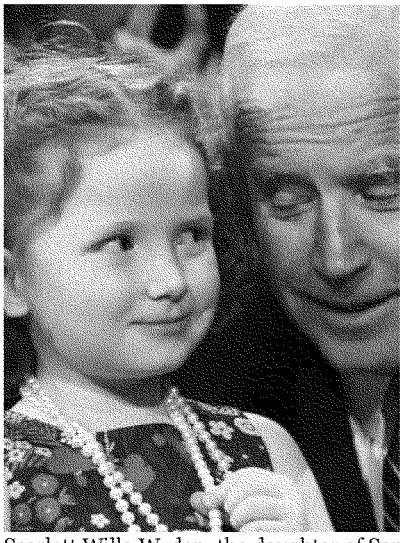

Scarlett Willa Wyden, the daughter of Sen. Ron Wyden, D-Ore., looks at Biden as he greets her during a ceremonial swearing-in on Jan. 3, 2017, in the Old Senate Chamber. Alex Brandon, AP

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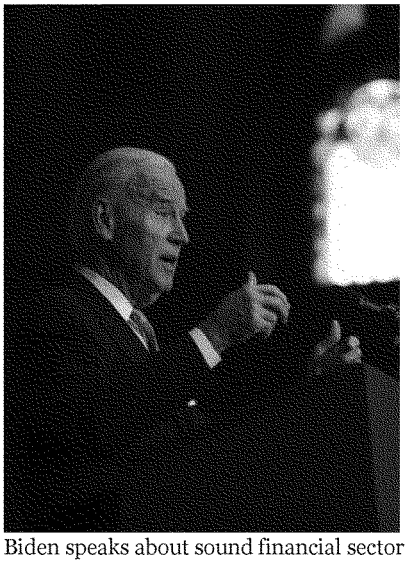

Biden speaks about sound financial sector regulation at Georgetown University on Dec. 5, 2016. Manuel Balce Ceneta, AP

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Obama and Biden walk back to the Oval Office on Nov. 9, 2016, after the president spoke about the election in the Rose Garden. Pablo Martinez Monsivais, AP

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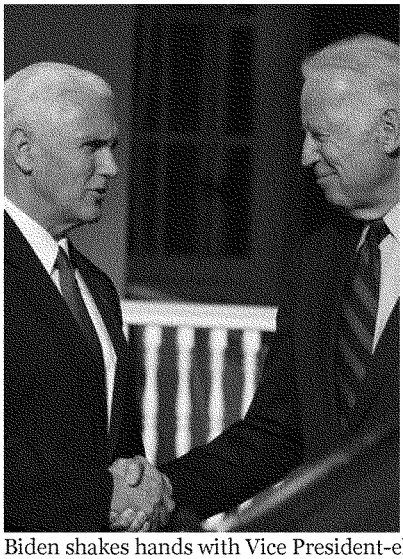

Biden shakes hands with Vice President-elect Mike Pence at the Naval Observatory on Nov. 16, 2016, in Washington. Mark Wilson, Getty Images

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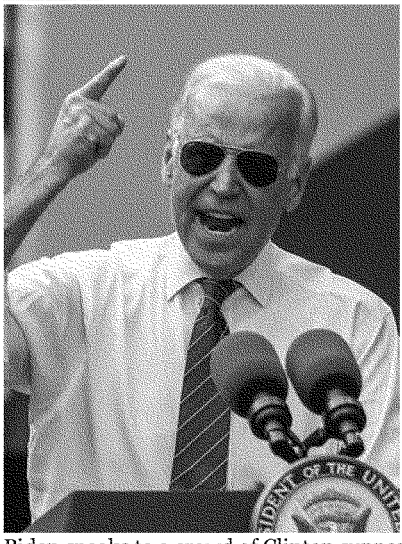

Biden speaks to a crowd of Clinton supporters during a rally at the Museum of Science & Industry in Tampa on Nov. 2, 2016. Charlie Kaijo, AP

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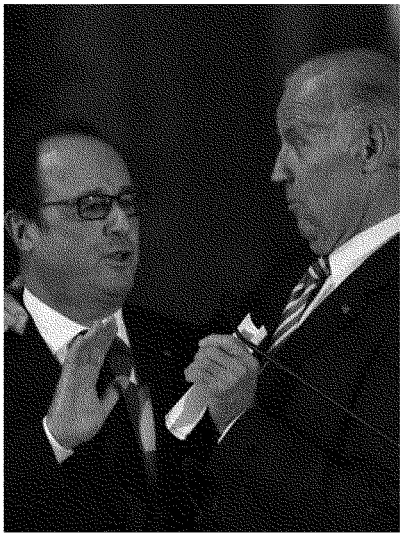

French President Francois Hollande speaks with Biden at a press conference on the sidelines of the 71st session of the U.N. General Assembly at The Met in New York on Sept. 20, 2016. Stephane De Sakutin, AFP/Getty Images

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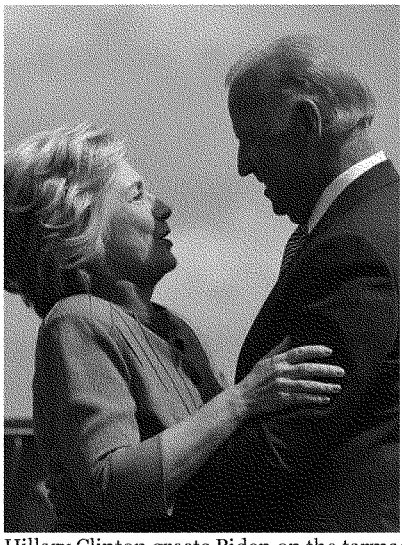

Hillary Clinton greets Biden on the tarmac at Wilkes-Barre/Scranton International Airport in Avoca, Pa., on Aug. 15, 2016, before traveling together to a campaign event in Scranton, Pa. Carolyn Kaster, AP

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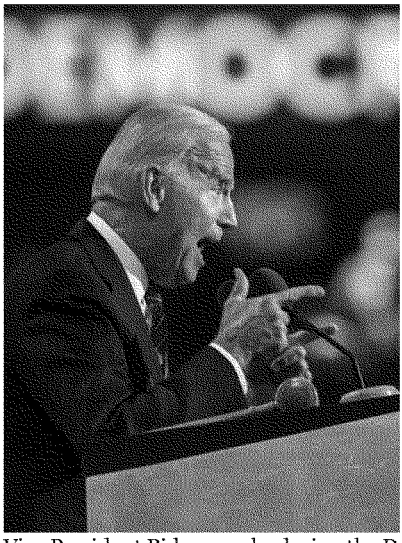

Vice President Biden speaks during the Democratic National Convention in Philadelphia on July 27, 2016. Kyle Grantham, The News Journal

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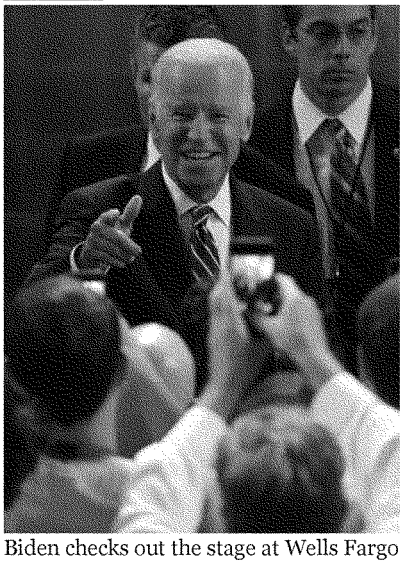

Biden checks out the stage at Wells Fargo Arena before the start of the second day session of the Democratic National Convention in Philadelphia on July 26, 2016. Paul Sancya, AP

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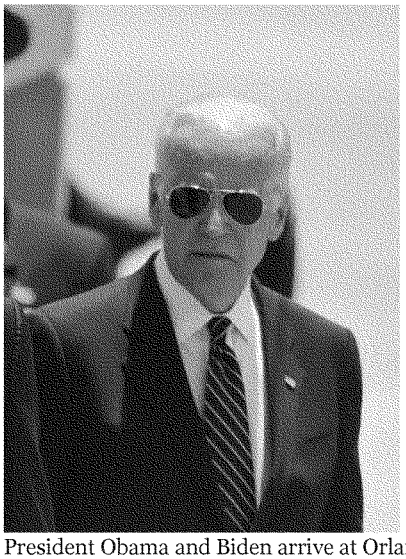

President Obama and Biden arrive at Orlando International Airport on June 16, 2016, to meet with the families of victims of the mass shooting at Pulse nightclub. Craig Rubadoux, Florida Today

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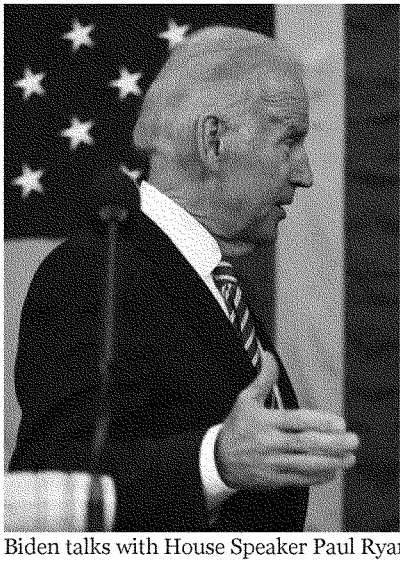

Biden talks with House Speaker Paul Ryan of Wisconsin before President Obama delivers the State of the Union Address on Jan. 12, 2016. Evan Vucci, AP

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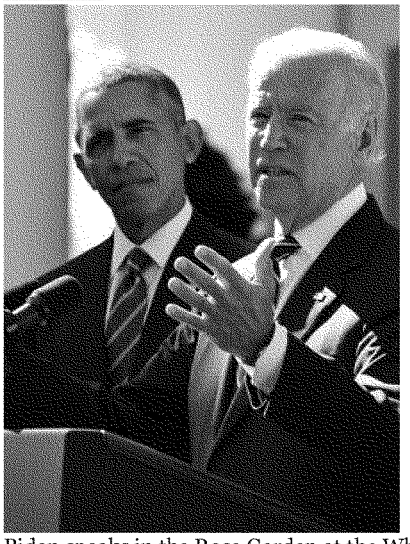

Biden speaks in the Rose Garden at the White House on Oct. 21, 2015, to announce he is not running for president. Jim Watson, AFP/Getty Images

Fullscreen



Biden jokes with Obama during an event to mark the 25th anniversary of the White House Initiative on Educational Excellence for Hispanics in the East Room of the White House on Oct. 15, 2015. Brendan Smialowski, AFP/Getty Images

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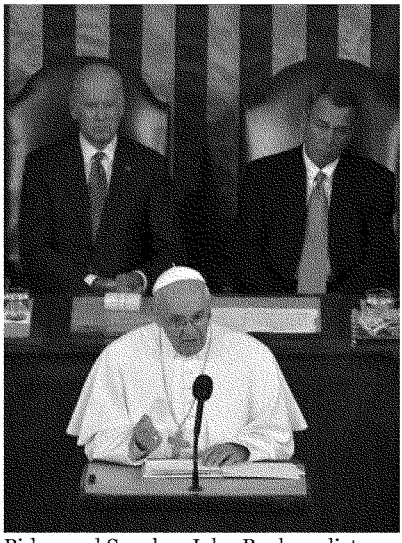

Biden and Speaker John Boehner listen as Pope Francis addresses a joint session of Congress on Sept. 24, 2014. Vincenzo Pinto, AFP/Getty Images

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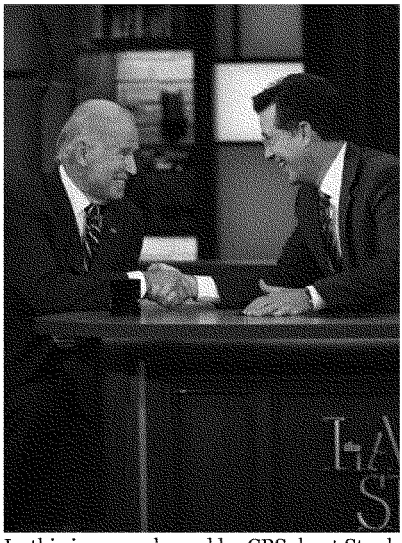

In this image released by CBS, host Stephen Colbert shakes hands with Biden during a taping of "The Late Show with Stephen Colbert" on Sept. 10, 2015 in New York. John Paul Filo, AP

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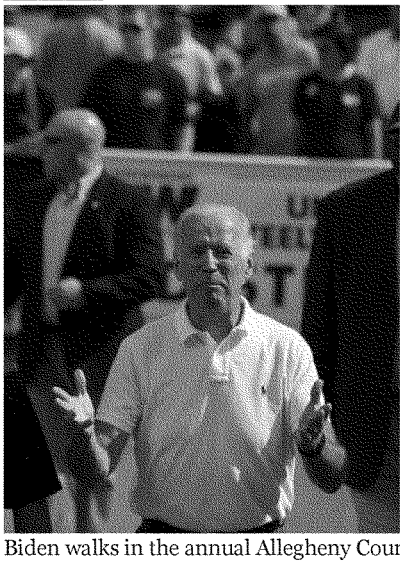

Biden walks in the annual Allegheny County Labor Day Parade on Sept. 7, 2015, in Pittsburgh. Jeff Swensen, Getty Images

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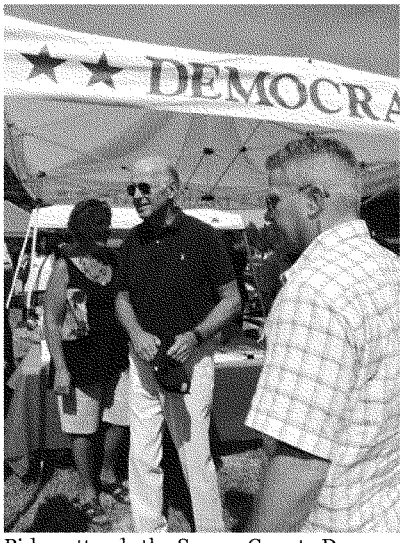

Biden attends the Sussex County Democratic Party's annual Jamboree at Cape Henlopen State Park in Delaware on Aug. 29, 2015. Jason Minto, The News Journal

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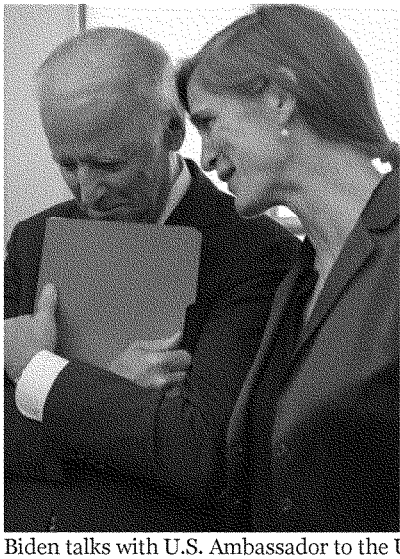

Biden talks with U.S. Ambassador to the United Nations Samantha Power in the Oval Office on Aug. 4, 2015. Jim Watson, AFP/Getty Images

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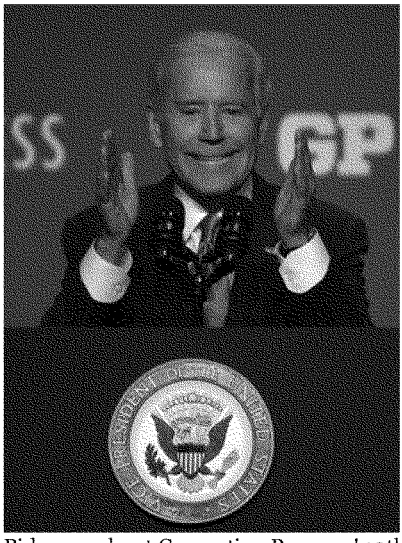

Biden speaks at Generation Progress' 10th Annual Make Progress National Summit in Washington on July 16, 2015. Molly Riley, AP

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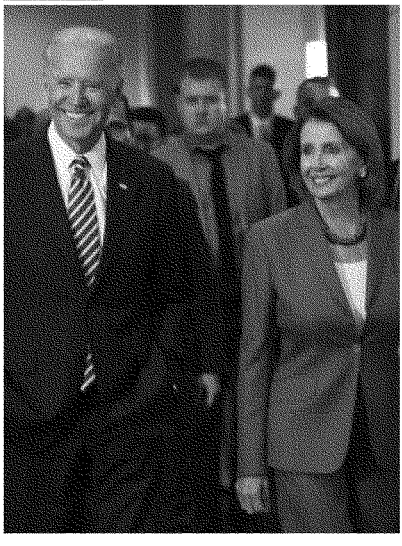

Biden walks with House Minority Leader Nancy Pelosi, D-Calif., after attending a House Democratic Caucus meeting in the Capitol on July 15, 2015. He briefed Democrats on the Iran nuclear deal and participated in a lengthy question-and-answer session. Shawn Thew, European Pressphoto Agency

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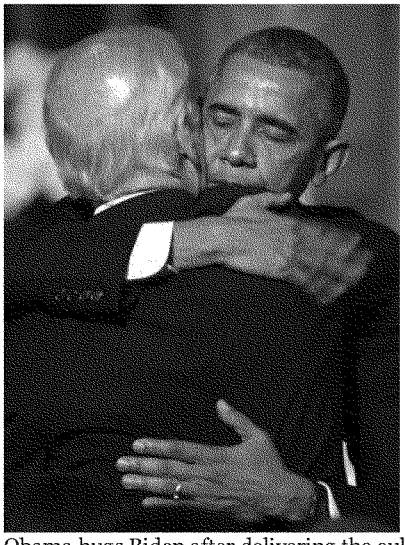

Obama hugs Biden after delivering the eulogy in honor of Biden's son, former Delaware Attorney General Beau Biden, on June 6, 2015, at St. Anthony of Padua Church in Wilmington, Del. Pablo Martinez Monsivais, AP

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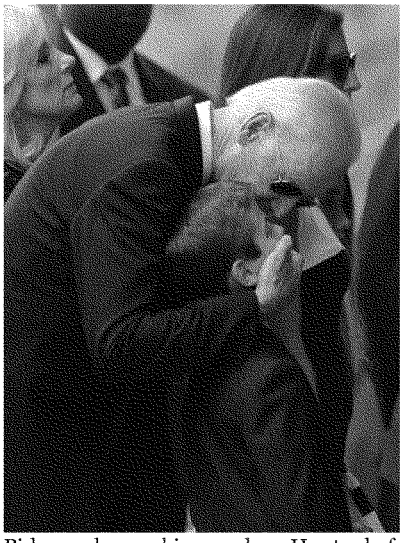

Biden embraces his grandson Hunter before funeral services his son Beau Biden on June 6, 2015, at St. Anthony of Padua Roman Catholic Church in Wilmington, Del. The eldest son of the vice president, died of brain cancer May 30 at age 46. Patrick Semansky, AP

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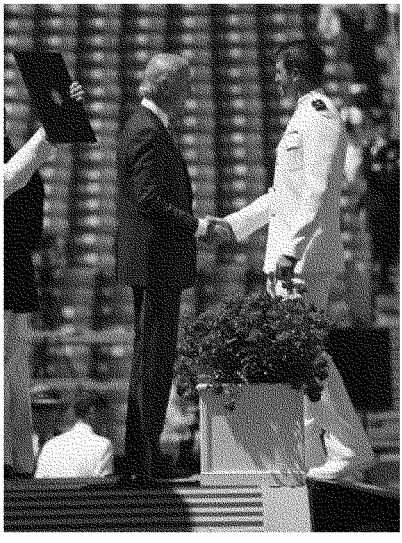

A U.S. Naval Academy Midshipmen 1st Class celebrates after receiving his diploma from Biden during graduation ceremonies at the U.S. Naval Academy on May 22, 2015, in Annapolis, Md. Biden gave the commencement speech to this year's graduating class. Mark Wilson, Getty Images

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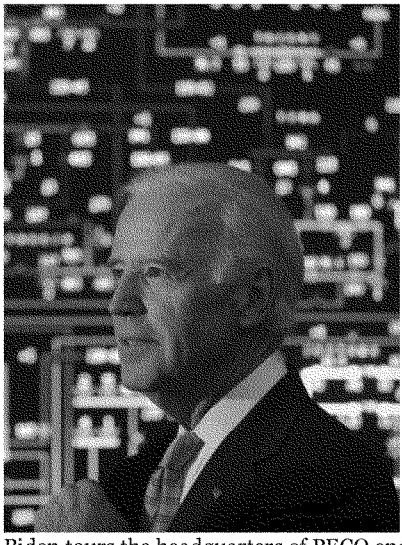

Biden tours the headquarters of PECO energy company in Philadelphia on April 21, 2015. Matt Rourke, AP

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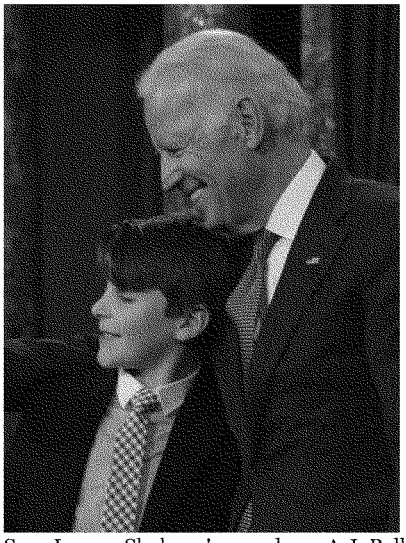

Sen. Jeanne Shaheen's grandson, A.J. Bellabona, takes a selfie with Biden in the Old Senate Chamber at the Capitol on Jan. 6, 2015, after Sen. Shaheen participated in her ceremonial swearing-in with other members of Congress. Eileen Blass, USA TODAY

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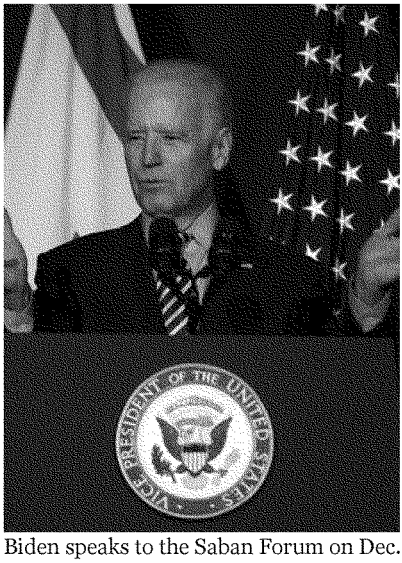

Biden speaks to the Saban Forum on Dec. 6, 2014, in Washington. Jose Luis Magana, AP

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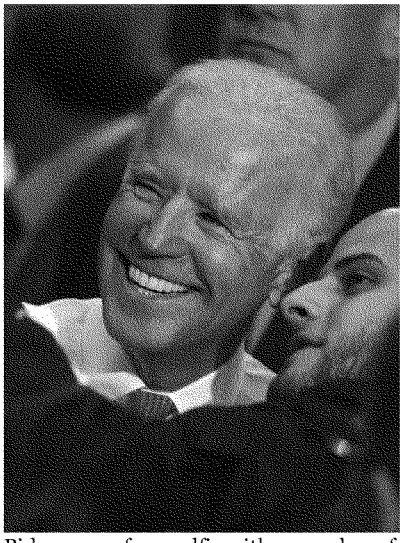

Biden poses for a selfie with a member of the audience during a campaign event for Democrat Seth Moulton, a candidate for the U.S. House of Representatives, on Oct. 29, 2014, in Lynn, Mass. Steven Senne, AP

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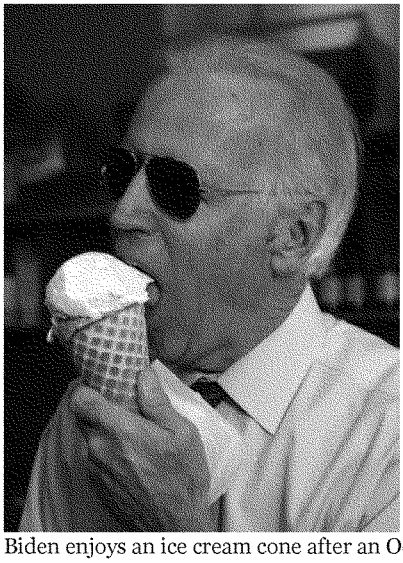

Biden enjoys an ice cream cone after an Oct. 8, 2014, campaign rally for Oregon Sen. Jeff Merkley in Portland. Don Ryan, AP

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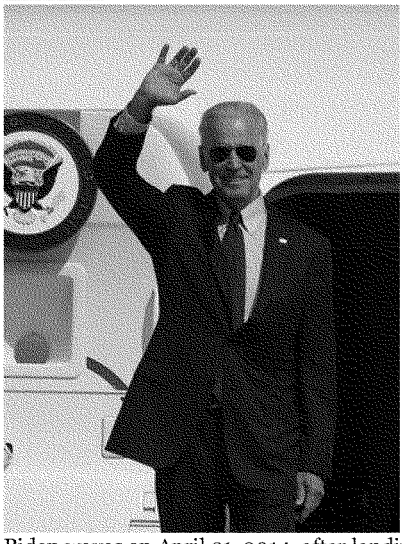

Biden waves on April 21, 2014, after landing at the airport in Boryspil, Ukraine. Yuriy Maskimov, European Pressphoto Agency

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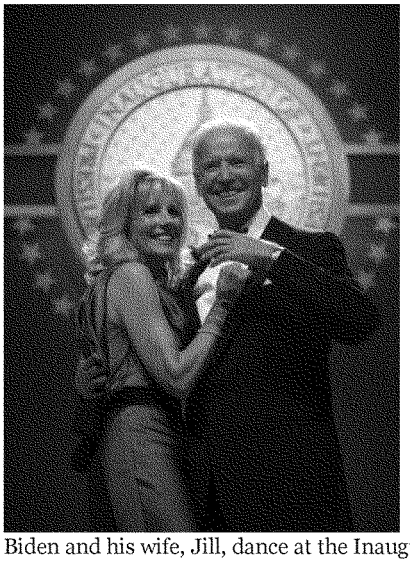

Biden and his wife, Jill, dance at the Inaugural Ball on Jan. 21, 2013, at the Washington Convention Center. Carolyn Kaster, AP

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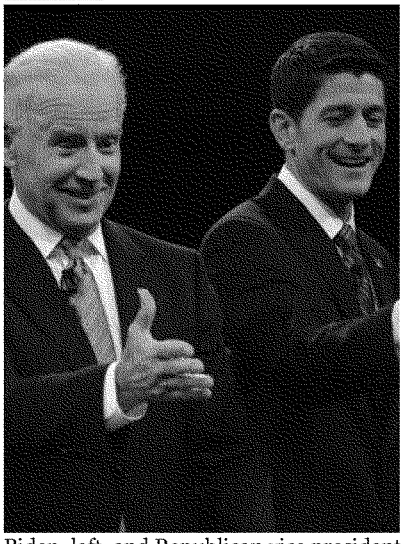

Biden, left, and Republican vice presidential nominee Rep. Paul Ryan, R-Wis., gesture after the Oct. 11, 2012, vice presidential debate at Centre College in Danville, Ky. Pool photo by Michael Reynolds

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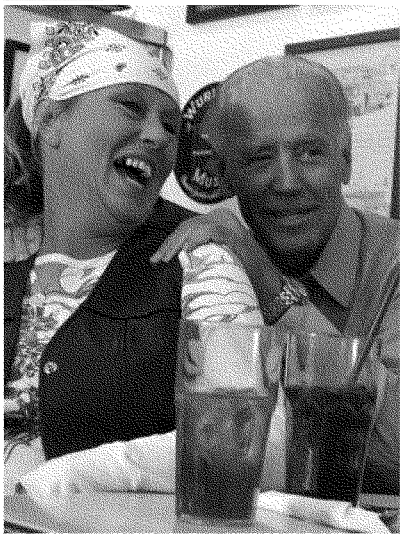

Biden visits with patrons during lunch at Cruisers Diner on Sept. 9, 2012, in Seaman, Ohio. Carolyn Kaster, AP

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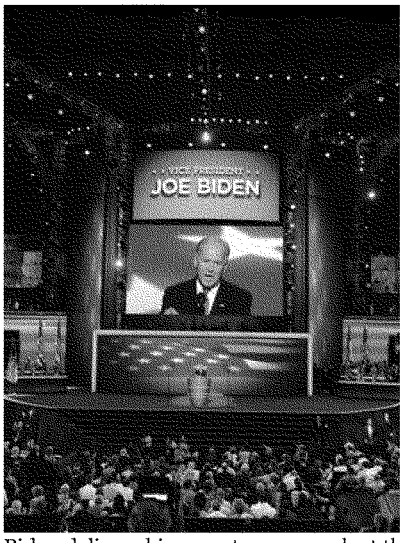

Biden delivers his acceptance speech at the Democratic National Convention on Sept. 6, 2012, in Charlotte, N.C. H. Darr Beiser, USA TODAY

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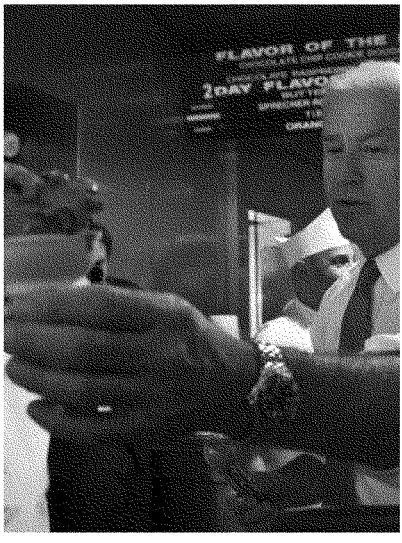

The vice president serves up a cone at Kopp's Frozen Custard on June 25, 2010, in Milwaukee. Biden was in Milwaukee for a fund raiser for Sen. Russ Feingold, D-Wis. Morry Gash, AP

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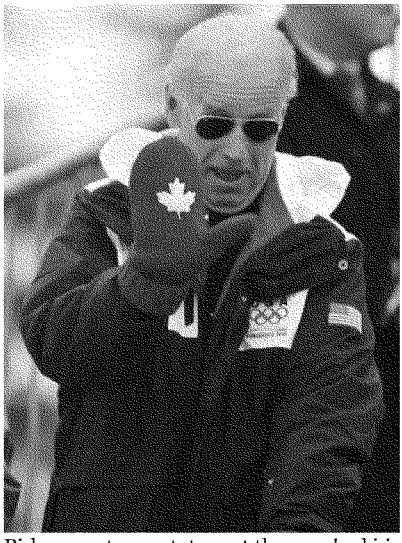

Biden greets spectators at the men's ski jumping competition on Feb. 13, 2010, at Whistler Olympic Park in Whistler, B.C. Christopher Gannon, USA TODAY

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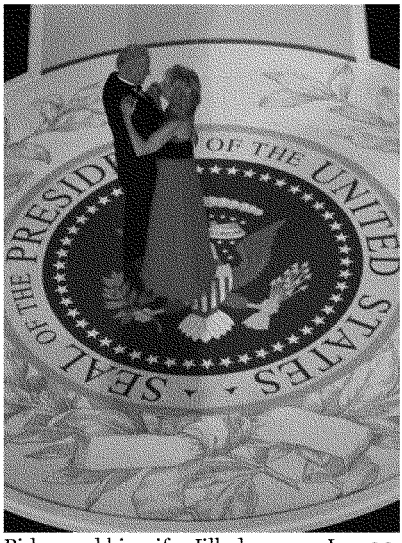

Biden and his wife, Jill, dance on Jan. 20, 2009, at the Commander in Chief's Ball on inauguration night in Washington. Gerald Herbert, AP

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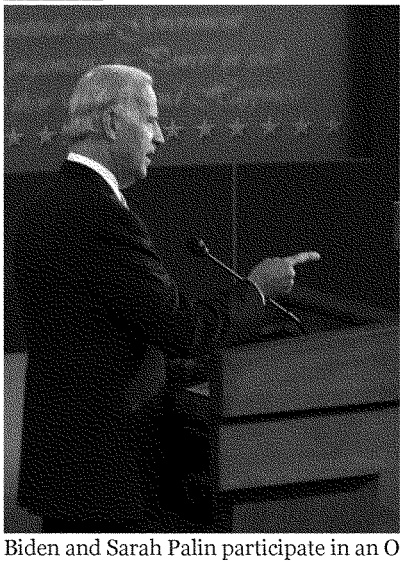

Biden and Sarah Palin participate in an Oct. 2, 2008, vice presidential debate at Washington University in St. Louis, Mo. Pool photo by Rick Wilking

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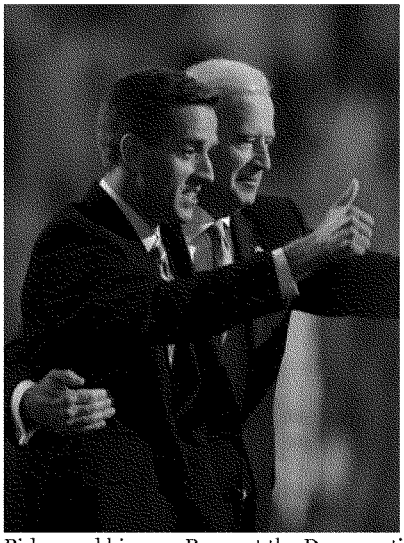

Biden and his son, Beau, at the Democratic National Convention in Denver on Aug. 27, 2008. Matthew Cavanaugh, European Pressphoto Agency

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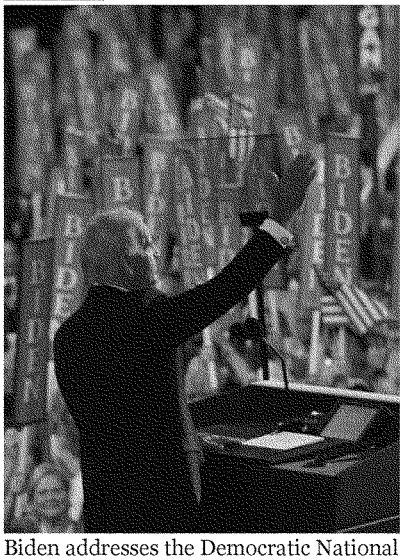

Biden addresses the Democratic National Convention on Aug. 27, 2008, at the Pepsi Center in Denver, Colo. Rob Curtis, USA TODAY

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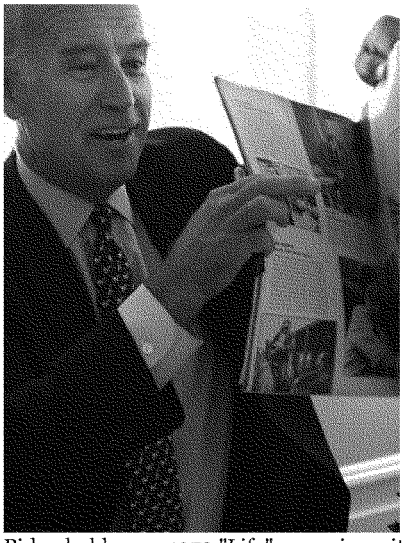

Biden holds up a 1972 "Life" magazine with his picture in it after speaking to the Nashua Rotary Club in Nashua, N.H., on Aug. 13, 2008. Cheryl Senter, AP

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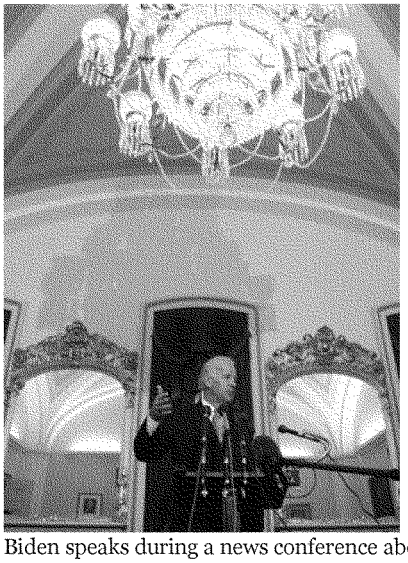

Biden speaks during a news conference about the agenda and priorities of the Senate Foreign Relations Committee at the U.S. Capitol on Jan. 24, 2008. MICHAEL SCHWARTZ, GNS

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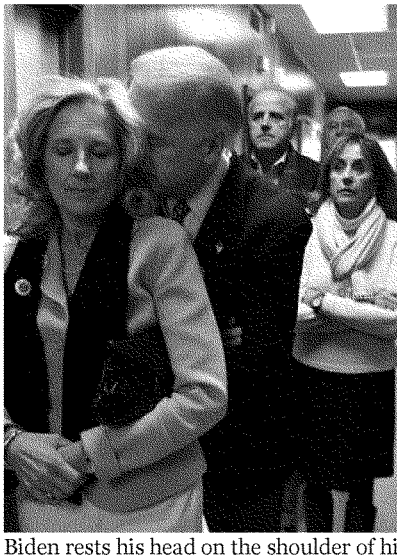

Biden rests his head on the shoulder of his wife, Jill, as they wait in a hallway for his introduction at a Jan. 3, 2008, rally at the United Auto Workers' Hall in Dubuque, Iowa. Mark Hirsch, AP

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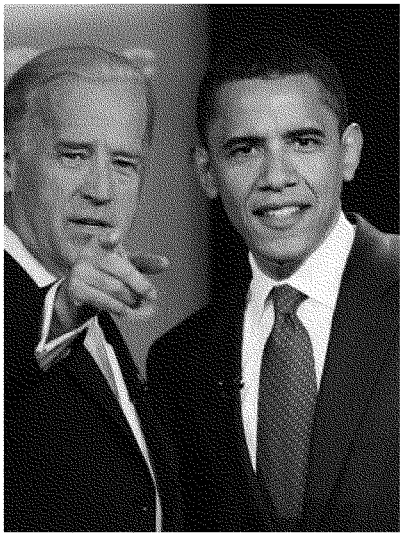

Biden talks with then-senator Barack Obama before the start of the first Democratic presidential primary debate on April 26, 2007, at South Carolina State University in Orangeburg. J. Scott Applewhite, AP

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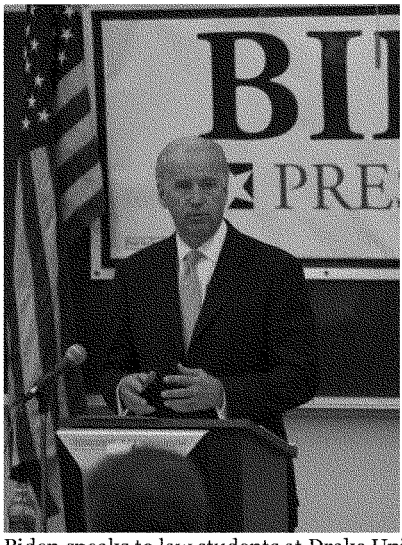

Biden speaks to law students at Drake University in Des Moines, Iowa, on April 3, 2007. KEVIN SANDERS, AP

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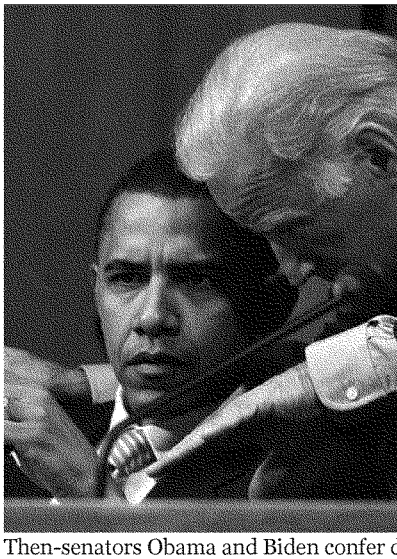

Then-senators Obama and Biden confer during a Foreign Relations Committee hearing on Capitol Hill on April 11, 2005, on John Bolton's nomination to be ambassador to the United Nations. DENNIS COOK, AP

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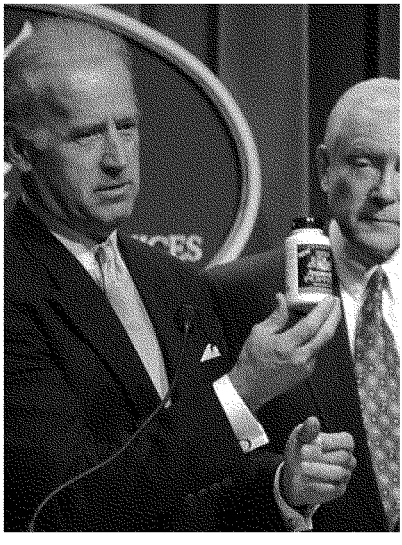

Biden, left, holds up a bottle of Andro Fuel, a type of steroid, during a news conference at the Department of Health and Human Services in Washington on March 11, 2004. Standing with Biden is Sen. Orrin Hatch, R-Utah. Susan Walsh, AP

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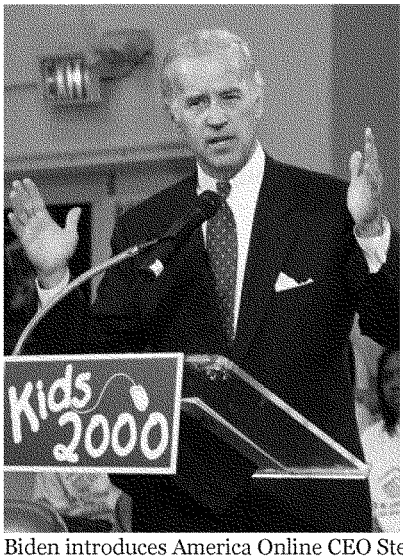

Biden introduces America Online CEO Steve Case to media and children at the Eastern Boys & Girls Club in Southeast Washington, D.C., on Feb. 10, 2000. Biden announced his plan to put new computers with Internet access in Boys & Girls Clubs across the country. Heather Martin Morrissey, GNS

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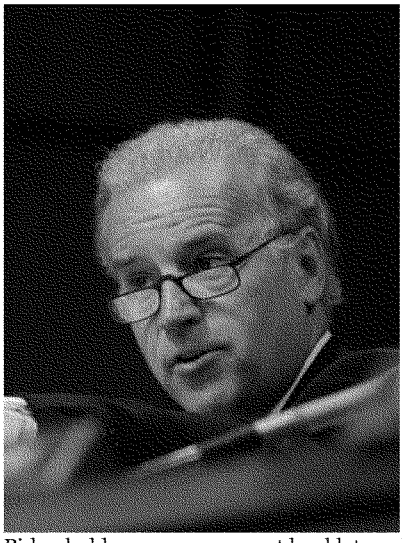

Biden holds up a government booklet on drug and crime issues while questioning Attorney General Janet Reno during a hearing before the Senate Judiciary Committee to discuss Justice Department operations on April 30, 1997, on Capitol Hill. Joe Marquette, AP

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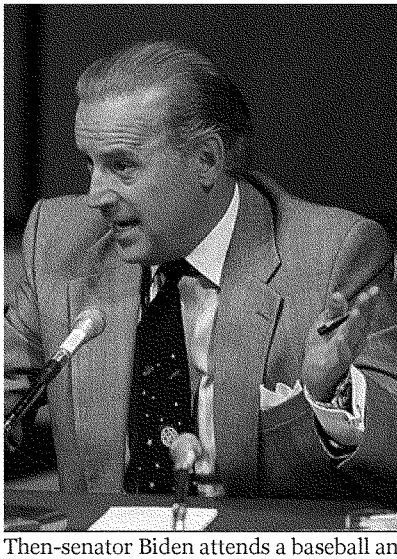

Then-senator Biden attends a baseball antirust hearing on Feb. 21, 1995, in Washington. Tim Dillon, USA TODAY

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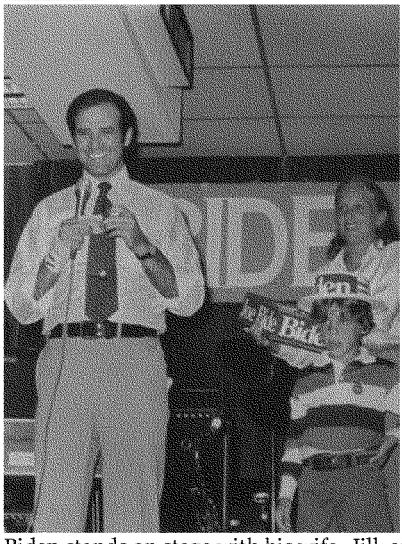

Biden stands on stage with his wife, Jill, and sons Hunter, left, and Beau, along with his father, Joe Biden Sr., during a campaign event in 1988. AP

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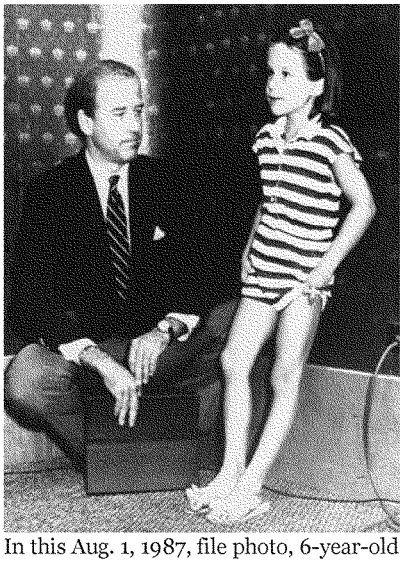

In this Aug. 1, 1987, file photo, 6-year-old Ashley Biden gets a taste of campaigning with her dad, in Des Moines, Iowa. AP

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Biden waves from his train on June 9, 1987, as he leaves Wilmington, Del., after announcing his candidacy for president. George Widman, AP

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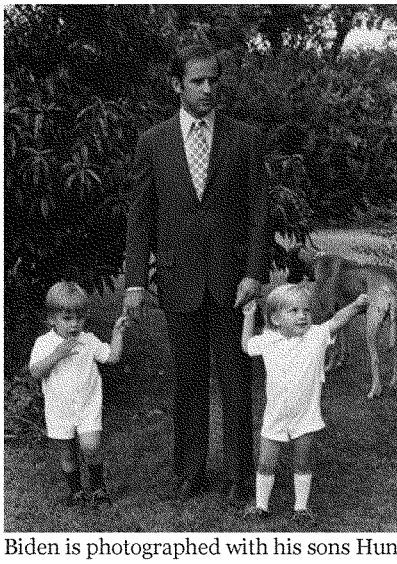

Biden is photographed with his sons Hunter, left, and Beau around 1972. AP

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Biden is pictured in his official Senate portrait from the mid-1970s. AP

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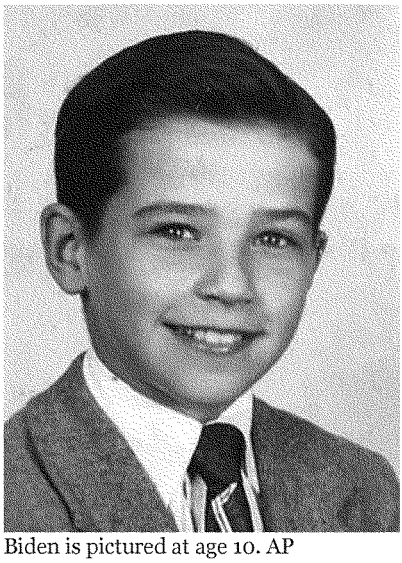

Biden is pictured at age 10. AP

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Nearly 80% of Americans say Biden won White House, ignoring Trump's refusal to concede: Reuters/Ipsos poll

Chris Kahn

3-3 minutes

NEW YORK (Reuters) - Nearly 80% of Americans, including more than half of Republicans, recognize President-elect Joe Biden as the winner of the Nov. 3 election after most media organizations called the race for the Democrat based on his leads in critical battleground states, according to a Reuters/Ipsos poll.

Biden - who needed 270 Electoral College votes to win - had 279 of those votes to 214 for Trump with results in three states not yet complete, according to Edison Research. In the popular vote, Biden got 76.3 million, or 50.7% of the total, to 71.6 million, or 47.6%, for Trump.

The Reuters/Ipsos national opinion survey, which ran from Saturday afternoon to Tuesday, found that 79% of U.S. adults believe Biden won the White House. Another 13% said the election has not yet been decided, 3% said Trump won and 5% said they do not know.

The results were somewhat split along party lines: about six in 10 Republicans and almost every Democrat said Biden won.

Edison Research, which conducts exit polling for Reuters and major media outlets, called the race for Biden on Saturday after he expanded his lead over Trump in Pennsylvania and appeared well on his way to amassing 270 electoral votes.

Trump has yet to recognize the result of the race. He prematurely declared victory well before the votes had been counted and has repeatedly complained without evidence that he is the victim of widespread voter fraud.

His claims have been echoed by members of Trump's cabinet. U.S. Attorney General William Barr has authorized federal investigations of "substantial" allegations of voting irregularities, and Secretary of State Mike Pompeo on Tuesday said he foresees "a smooth transition to a second Trump administration."

The Reuters/Ipsos poll was part of a broader survey that was conducted Friday to Tuesday and included responses before the presidential race was called.

It showed that 70% of Americans, including 83% of Democrats and 59% of Republicans, trust their local election officials to "do their job honestly."

The poll also found that 72% think the loser of the election must concede defeat, and 60% think there will be a peaceful transition of power when Trump's term ends in January.

The Reuters/Ipsos poll was conducted online, in English, throughout the United States. It gathered responses from 1,363 U.S. adults in all, including 469 respondents who took the poll between Saturday afternoon and Tuesday. The poll has a credibility interval, a measure of precision, of 5 percentage points.

Reporting by Chris Kahn, editing by Ross Colvin, Jonathan Oatis and Cynthia Osterman

Donald Trump Speech on Election Fraud Claims Transcript December 2

rev.com/blog/transcripts/donald-trump-speech-on-election-fraud-claims-transcript-december-2



President Donald Trump: (00:00)
Thank you. This may be the most important speech I've ever made. I want to provide an update on our ongoing efforts to expose the tremendous voter fraud and irregularities which took place during the ridiculously long November 3rd elections. We used to have what was called, election day. Now we have election days, weeks, and months, and lots of bad things happened during this ridiculous period of time, especially when you have to prove almost nothing to exercise our greatest privilege, the right to vote. As President, I have no higher duty than to defend the laws and the Constitution of the United States. That is why I am determined to protect our election system, which is now under coordinated assault and siege.

President Donald Trump: (00:54)
For months, leading up to the Presidential election, we were warned that we should not declare a premature victory. We were told repeatedly that it would take weeks if not, months, to determine the winner, to count the absentee ballots and to verify the results. My opponent was told to stay away from the election, don't campaign. "We don't need you. We've got it. This election is done." In fact, they were acting like they already knew what the outcome was

going to be. They had it covered and perhaps they did, very sadly for our country. It was all very, very strange. Within days after the election, we witnessed an orchestrated effort to anoint the winner even while many key states were still being counted.

President Donald Trump: (01:44)
The constitutional process must be allowed to continue. We're going to defend the honesty of the vote by ensuring that every legal ballot is counted and that no illegal ballot is counted. This is not just about honoring the votes of 74 million Americans who voted for me, it's about ensuring that Americans can have faith in this election and in all future elections.

President Donald Trump: (02:12)
Today I will detail some of the shocking irregularities, abuses and fraud that had been revealed in recent weeks but before laying out just a small portion of the evidence we have uncovered, and we have so much evidence, I want to explain the corrupt mail-in balloting scheme that Democrats systematically put into place that allowed voting to be altered, especially in swing states, which they had to win. They just didn't know that it was going to be that tough, because we were leading in every swing state by so much, far greater than they ever thought possible. While it has long been understood that the Democrat political machine engages in voter fraud from Detroit to Philadelphia, to Milwaukee, Atlanta, so many other places. What changed this year was the Democrat party's relentless push to print and mail out tens of millions of ballots sent to unknown recipients with virtually no safeguards of any kind. This allowed fraud and abuse to occur in a scale never seen before. Using the pandemic as a pretext, Democrat politicians and judges drastically changed election procedures just months, and in some cases, weeks before the election on the 3rd of November.

President Donald Trump: (03:45)
Very rarely were legislatures involved and constitutionally, they had to be involved, but very, very rarely, and you'll see that as we continue to file our suits, it's constitutionally, absolutely incorrect what took place, even from a legal standpoint. Many states, such as Nevada and California sent millions of live ballots to every person on their voter rolls whether those individuals had requested ballots or not, whether they were dead or alive, they got ballots. Other states such as Minnesota, Michigan, and Wisconsin, instituted universal absentee balloting right in the middle of an election year, sending absentee ballot requests forms to all voters on all rolls. It didn't matter who they were. This colossal expansion of mail-in voting opened the flood gates to massive fraud. It's a widely known fact that the voting rolls are packed with people who are not lawfully eligible to vote, including those who are deceased, have moved out of their state, and even our non-citizens of our country.

President Donald Trump: (05:05)
Beyond this, the records are riddled with errors, wrong addresses, duplicate entries, and many other issues. This is not disputed. It has never been disputed. Dozens of counties in the key swing states have more registered voters on the rolls than they have voting age citizens, including 67 counties in Michigan. All of this is evidence. In Wisconsin, the state's Board of Elections could not confirm the residency of more than 100,000 people, but repeatedly

refused to remove those names from its voter rolls before the election. They knew why, nobody else did. I knew why. They were illegal voters. It is a travesty that in the year 2020, we do not have any means of verifying the eligibility of those who cast ballots in an election and such an important election it is, or determining who they are, whether they live in the state or whether they're even American citizens. We have no idea.

President Donald Trump: (06:21)
We have an in all swing states major infractions or outright fraud, which is far more in numbers or votes then we need to overturn the results of a state. In other words, in Wisconsin, as an example, where we were way up on election night, they ultimately had us miraculously losing by 20,000 votes. I can show you right here, that Wisconsin, we're leading by a lot and then at 3:42 in the morning, there was this, it was a massive dump of votes, mostly Biden, almost all Biden. To this day, everyone's trying to figure out, "Where did it come from?" But I went from leading by a lot, to losing by a little and that's right here. That's at 3:42 in the morning, that's Wisconsin, a terrible thing, terrible, terrible thing.

President Donald Trump: (07:33)
But we will have far more, many times more than the 20,000 votes needed to overturn the state. If we are right about the fraud, Joe Biden can't be president. We're talking about hundreds of thousands of votes. We're talking about numbers like nobody has ever seen before. Just as an example, in certain states, we'll be down by, let's say, 7,000 votes, but we'll find later on 20,000, 50,000, 100,00, 200,000 discrepancies or fraudulent votes, and that includes votes that went through when they were not allowed to be seen by Republican poll watchers, because the poll watchers were locked out of the building. Or people that innocently came to vote on November 3rd, who were all excited about their vote, they were happy. They were proud to be citizens of the United States of America, and they went up and they said, "I'd like to vote." They were told that they can't vote. "I'm sorry," they were told, "I'm sorry. You've already voted by mail-in ballot. Congratulations. We received a ballot, so you can no longer vote."

President Donald Trump: (09:03)
They didn't know what to do. They had no one to complain to, most just left and said, "That's strange." But many people complained and complained vehemently, and in a lot of cases, they filled out a provisional ballot, which was almost never used, but in virtually every case was a vote for Trump. In other words, they went in to vote and they were told that they voted and they didn't vote. They left and they felt horror and they lost respect for our system. This happened tens of thousands of times all over the country. That's how desperate the Democrats were. They would fill out ballots of people not even knowing if these people were going to show up. When they did show up, they said, "Sorry, you've already voted."

President Donald Trump: (10:07)
On top of everything else, we have a company that's very suspect. It's name is Dominion, with the turn of a dial or the change of a chip, you could press a button for Trump and the vote goes to Biden. What kind of a system is this? We have to go to paper, maybe it takes longer.

But the only secure system is paper. Not these systems that nobody understands, including in many cases, the people that run them. Although, unfortunately, I think they understand them far too well.

President Donald Trump: (10:46)
In one Michigan County, as an example, that used Dominion systems, they found that nearly 6,000 votes had been wrongly switched from Trump to Biden, and this is just the tip of the iceberg. This is what we caught. How many didn't we catch? Are there 100s of other examples throughout the country? Are there 1000s? We just got lucky and they called it a glitch, but we found numerous glitches that evening. 96% of the company's political donations went to Democrats, not surprisingly. Frankly, when you look at who's running the company, who's in charge, who owns it, which we don't know, where are the votes counted? Which we think are counted in foreign countries, not in the United States, Dominion is a disaster. Election authorities in Texas have repeatedly blocked the deployment of Dominion systems due to concerns about security vulnerabilities and the potential for errors and outright fraud. Every district that uses Dominion systems must be carefully monitored and carefully investigated, but not only for the future.

President Donald Trump: (12:01)
Right now, we're worried about the present, and what went on with an election that we won without question. Under my lead, the Republicans won almost every state house in the United States, which they weren't expected to do. We went up to 16 seats in the house. The numbers are still being tabulated, because there are nine seats that nobody really knows. They don't know. Two weeks later, it's still under consideration, because it's a mess. Republicans were supposed to lose many seats, and instead they won those seats in the house, and a very important election that's coming up will determine whether, or not we hold the Senate.

President Donald Trump: (12:59)
David Perdue and Kelly Leffler are two tremendous people. Unfortunately, in Georgia, they're using the same horrible dominion system, and it's already been out that, think of it, hundreds of thousands of absentee ballots have been requested. You check it out who's requesting those ballots. The difference is, it's one state, and we will have our eyes on it like nobody's ever watched anything before, because we have to win those two Senate seats. The tremendous success we had in the House of Representatives, and the tremendous success we've had so far in the Senate, unexpected success all over the country, and right here in Washington.

President Donald Trump: (13:55)
It is statistically impossible that the person, me, that led the charge lost. The greatest pollsters, the real pollsters, not the ones that had us down 17 points in Wisconsin when we actually won, or the ones that had us down four or five points in Florida, and we won by many points, or had us even, and down in Texas, and we won by a lot, not those pollsters, but

real pollsters. Pollsters that are fair, and honest said, "We can't understand a thing like this. It's never happened before. You led the country to victory, and you were the only one that was lost. It's not possible."

President Donald Trump: (14:43)
The speaker of the house of a certain state said, "Sir, I expected to lose my seat, and instead, because of you, and because of that incredible charge, and all of those rallies, we had a tremendous victory, and everybody knows it. You are much more popular than me, sir, except I got many more votes than you did, and it's impossible that that happened. There is something wrong." I'll tell you what's wrong, voter fraud. Here's an example. This is Michigan. At 6:31 in the morning, a vote dump of 149,772 votes came in unexpectedly. We were winning by a lot. That batch was received in horror.

President Donald Trump: (15:44)
Nobody knows anything about it. By the way, there's your line. This is one of many. Here's what is normal, and all of a sudden, look at that. This is normal, normal. Look even here, normal, and then boom, all of a sudden, I go from winning by a lot to losing a tight race. It's corrupt. Detroit is corrupt. I have a lot of friends in Detroit. They know it, but Detroit is totally corrupt. Look at this, look at this. That's at 6:31 in the morning, unexpectedly came in. In the recent recount in Georgia, which means nothing because they don't want to check signatures, and if you're not going to check signatures in Georgia, it doesn't work, but we have a secretary of state, and a governor who made it very difficult to check signatures.

President Donald Trump: (16:41)
Why? You'll have to ask them, but without a signature match, or a check, it doesn't matter. They found thousands and thousands of votes that were out of whack, all against me. This was during a recount that I didn't even think mattered. They found many thousands of votes, and that recount didn't matter. The one that matters is the one that's going on now, that because of the fact it's so close, they had to by law give another recount, but the recount has to be a recount where they check the signatures. Otherwise, they're just checking the same dishonest thing. It won't matter.

President Donald Trump: (17:22)
In this case, the signatures on envelopes are the only thing that is relevant. We will compare the signature on the envelope to the signatures from past elections, and we will find that many thousands of people signed these ballots illegally. The Democrats had this election rigged right from the beginning. They used the pandemic, sometimes referred to as the China virus, where it originated as an excuse to mail out tens of millions of ballots, which ultimately led to a big part of the fraud, a fraud that the whole world is watching, and there is no one happier right now than China.

President Donald Trump: (18:10)
Many people received two, three and four ballots. They were sent to dead people by the thousands. In fact, dead people, and we have many examples filled out ballots, made

applications, and then, voted, which is even worse. In other words, dead people went through a process. Some have been dead for 25 years. Millions of votes were cast illegally in the swing states alone, and if that's the case, the results of the individual swing states must be overturned, and overturned immediately. Some people say that's too far out, that's too harsh. Well, does that mean we take a precedent, and we've just elected a president where the votes were fraudulent?

President Donald Trump: (19:01)
No, it means you have to turn over the election, and everybody knows without going much further, and they've seen the evidence, but they don't want to talk about it what a disaster this election was, a total catastrophe, but we're going to show it, and hopefully, the courts in particular, the Supreme Court of the United States will see it, and respectfully, hopefully, they will do what's right for our country, because our country can not live with this kind of an election. We could say, let's go on to the next one, but no, we have to look also at our past. We can't let this happen.

President Donald Trump: (19:43)
Maybe you'll have a revote, but I don't think that's appropriate. When those votes are corrupt, when they're irregular, when they get caught, they're terminated, and I very easily win. In all states, I very easily win, the swing states, just like I won them at 10 o'clock in the evening, the evening of the election. We're not looking to show you 25 faulty or fraudulent votes, which don't mean anything, because it doesn't overturn the state, or a fifty, or a hundred. We're showing you hundreds of thousands far more than we need, far more than the margin, far more than the law requires. We can show many times what is necessary to win the state.

President Donald Trump: (20:34)
The media knows this, but they don't want to report it. In fact, they outright refuse to even cover it, because they know the result if they do. Even what I'm saying now will be demeaned and disparaged, but that's okay. I just keep on going forward, because I'm representing 74 million people, and in fact, I'm also representing all of the people that didn't vote for me. The mail-in voting scam is the latest part of their four year effort to overturn the results of the 2016 election, and it's been like living in hell. Our opponents have proven many times again and again, that they will say, and do anything to get back into power.

President Donald Trump: (21:28)
The corrupt forces who are registering dead voters and stuffing ballot boxes are the same people who have perpetrated one phony and fraudulent hoax after another. You've been watching it now for four years. These entrenched interests oppose our movement, because we put America first. They don't put America first, and we're returning power to you the American people. They don't want America first, they only want power for themselves. They want to make money, that's why they don't want me as your president. I've been investigated from soon after I announced I was running for president. When I immediately went to number one in the Republican primary polls, the investigations never stopped. They went on

for four years, and I won them all, I beat them all. Russia, Russia, Russia, the impeachment hoax, and so much more. Robert Mueller spent $48 million of taxpayer money investigating me for two and a half years, issued over 2,800 subpoenas, executed nearly 500 search warrants, issued 230 orders for communications records, and conducted 500 witness interviews, all looking to take me down. There was no collusion in the end, none whatsoever. Senator Marco Rubio, the head of the Senate Intelligence Committee stated, "The committee found no evidence that then candidate Donald Trump, or his campaign colluded with the Russian government." And, I thank Senator Rubio for that statement.

President Donald Trump: (23:22)
Now, I hear that these same people that failed to get me in Washington have sent every piece of information to New York, so that they can try to get me there. It's all been gone over, over and over again. For $48 million you go through tax returns, you go through everything. The New York attorney general, who recently ran for office campaigned without knowing me stating, "We will join with law enforcement and other attorneys general across this nation in removing this president from office." I never met her.

President Donald Trump: (24:03)
"It's important that everybody understands", she said, "that the days of Donald Trump are coming to an end." And all it's been is a big investigation in Washington and New York and any place else that can investigate because that's what they want to do. They want to take not me, but us down. Then we can never let them do that. Everything has been looked at. A friend of mine, who's very smart, said, "You've probably seen more than anybody else. You've probably been investigated more than anybody else. And for you to come out with a clean bill of health makes you probably the cleanest person in this country."

President Donald Trump: (24:48)
Some people in this administration, but fortunately not all have been beaten down and disparaged. They just disappeared. Nobody knows what happened to them. Why aren't they active? Why aren't they involved? There's so much to be involved in. The corruption is so rampant. They just couldn't take it anymore. They were threatened by Democrats with impeachment and horrible things were said about them. And they're good people. Even recently, the head of the GSA was hounded and harassed as she reported, like she has never been before. What can I say? We caught Comey cold, we caught McCabe cold. We caught them all. We're still waiting for a report from a man named Durham, who I have never spoken to, and I have never met. They can go after me before the election as much as they want, but unfortunately Mr. Durham didn't want to go after these people, or have anything to do with going after them before the election. So who knows if he is ever going to even do a report.

President Donald Trump: (26:11)
But if you look at the lies, and the leaks, and the illegal acts of behavior done by so many people, and their desire to hurt the president of the United States, something should happen. The hardest thing I have to do is explain why nothing is happening with all of these people

that got caught spying on my campaign. It's never happened before and it should never happen again to a president of the United States. All you have to do is watch the hearings and see for yourself. The evidence is overwhelming. The fraud that we've collected in recent weeks is overwhelming, having to do with our election. Everyone is saying, " Wow, the evidence is overwhelming", when they get to see it. But really it's too late to change the course of an election. It's too late to change the outcome.

President Donald Trump: (27:11)
In fact, there is still plenty of time to certify the correct winner of the election and that's what we're fighting to do. But no matter when it happens, when they see fraud, when they see false votes and when those votes number far more than is necessary, you can't let another person steal that election from you. All over the country, people are together in holding up signs, "Stop the steal." To understand how we will challenge this fraud, it is important to know the problems with mail-in balloting. Pennsylvania, Michigan, Nevada, Georgia, Arizona, and most other states allowed anyone to get an absentee ballot and cast their vote without showing any ID. The voting took place entirely on the honor system, no identification of any kind was required.

President Donald Trump: (28:11)
Most Americans would also be shocked to learn that no state in the country verifies United States citizenship as a condition for voting in federal elections. This is a national disgrace. No other advanced country conducts elections this way. Many European countries have instituted major restrictions on mail-in voting, specifically, because they recognize the nearly unlimited potential for fraud. Out of 42 European nations, all but two prohibit absentee ballots entirely for people who reside inside the country, or else they require those who need absentee ballots to show a very, very powerful ID.

President Donald Trump: (28:54)
Throughout the Democrat effort to dramatically expand mail-in voting, the Democrat party leaders were also, feverishly working to block measures, designed to protect against fraud, such as signature verification, residency verification, or voter ID. And citizenship confirmation was almost unthought of that we should ask for it. Can you believe this? These are not the actions of people who want fair elections. These are the actions of people who want to steal elections, who are willing to create fraud. The only conceivable reason why you would block common sense measures to verify legal eligibility for voting, is you are trying to encourage, enable, solicit, or carry out fraud.

President Donald Trump: (29:47)
It is important for Americans to understand that these destructive changes to our election laws were not a necessary response to the pandemic. The pandemic simply gave the Democrats an excuse to do what they have been trying to do for many, many years. In fact, the very first bill that house Democrats introduced when Nancy Pelosi became speaker, was it attempt to mandate universal mail-in voting and eliminate measures such as voter ID, which is so necessary. Dramatically eroding the integrity of our elections was the Democrats

number one priority for a simple reason, they wanted to steal the 2020 presidential election. All of the Democrat efforts to expand mail-in balloting laid the groundwork for the systematic and pervasive fraud that occurred in this election.

President Donald Trump: (30:41)
In Pennsylvania, large amounts of mail-in and absentee ballots were processed illegally. And in secret, in Philadelphia, in Allegheny counties, without our observers present. They were not allowed to be present. In fact, they weren't even allowed in the same room. They were thrown out of the building and they looked from outside in, but they had no way of even seeing, because there were no windows. And the windows that were there were boarded up. Democrats even went to the Pennsylvania Supreme Court to block observers from receiving access. There is only one possible reason that the corrupt Democrat political machine would oppose transparency during the vote counting. It's because they know they are hiding illegal activity. It's very simple.

President Donald Trump: (31:32)
This is an egregious, inexcusable. And irreversible harm that stains the entire election, yet this unprecedented practice of excluding our observers, our vote watchers, as some people call them, occurred in Democrat run cities and key states all across the nation. Here are just some of the additional facts that we've uncovered. Many voters all across Pennsylvania received two ballots in the mail, and many others received mail-in ballots for which they never applied. So many get ballots, they didn't even know what they were for. And again, so many received more than one ballot. In some cases, more than two ballots. And they happened to be, for the most part, Democrats.

President Donald Trump: (32:22)
In Fayette County, Pennsylvania, multiple voters received ballots that were already filled out. They didn't know what happened. In Montgomery County, Pennsylvania, a poll watcher, overheard unregistered voters being told to return later to try to vote under a different name. Tens of thousands of voters across Pennsylvania were treated differently based on whether they were Republicans, or Democrats. Voters who submitted floored ballots in some Democrat precincts were notified and asked to fix their ballots, while Republican precincts, and in particular Republican voters, were not so notified which plainly violates the Equal Protection Clause of the United States Constitution."If you are a Democrat, we're going to fix up your ballot. make sure it's perfect. If you are Republican, don't even talk about it."

President Donald Trump: (33:16)
In Michigan, a career employee of the city of Detroit, with the city workers, coaching voters to vote straight Democrat, while accompanying them to watch who they were voting for, violating the law and the sanctity of the secret ballot. You can't do that. The same workers say she was instructed not to ask for any ID and not to attempt to validate any signatures. She was also told to illegally backdate ballots, many, many ballots, received after the deadline. This is something that is so unconstitutional and she estimates that thousands and thousands of ballots were improperly backdated by her and many others.

President Donald Trump: (34:05)
Other witnesses in Detroit also saw our election officials counting batches of the same ballots many times, as well as illegally duplicating ballots. One observer testified to seeing boxes and boxes of ballots, all bearing the same signature. Another observer in Detroit gave sworn testimony that he saw countless and valid ballots that did not belong to properly registered voters and then witnessed election workers in Wayne County entering fake birth dates into the system, in order to illegally count them. Witnesses of science wore an affidavit, so in other words, you go to jail if you lie, testifying that after election officials announced the last absentee votes had been received, a batch of tens of thousands of ballots arrived, many without envelopes, all voting for Democrats.

President Donald Trump: (35:02)
In Wisconsin, a record number of voters were categorized as indefinitely confined. A status reserved for severely disabled individuals, also for the elderly that allow them to vote without showing ID. Last year, approximately 70,000 people claimed this status statewide. This year, the number miraculously was nearly 250,000 voters, after election officials in Milwaukee and Dane County, a couple of the most corrupt political places in our country, urged citizens to improperly register under this status. And register they did in levels that don't exist. In Wisconsin, there are approximately 70,000 absentee ballots that do not have matching ballot applications as required by law in Georgia, nine observers have testified to seeing countless irregular ballots without...

President Donald Trump: (36:03)
Testified to seeing countless irregular ballots without the creases or typical markings indicating that the ballots did not arrive in envelopes as required. A poll watcher in Fulton County estimated that approximately 98% of the large number of unusually pristine ballots that she witnessed were for Biden. Highly unusual number. In addition, thousands of uncounted ballots were discovered in Floyd, Fayette, and Walton counties weeks after the election, and these ballots were mostly from Trump voters. They weren't counted. They were from Trump voters.

President Donald Trump: (36:43)
In Detroit, everybody saw the tremendous conflict and the horrible way that the two Republican canvassers were treated so horribly because they wouldn't vote when they saw that 71% of the precincts didn't balance. Also, there were more votes than there were voters. Think of that. You had more votes than you had voters. That's an easy one to figure, and it's by the thousands. In Arizona, in-person voters whose balanced produced error messages from tabulation machines were told to press a button that resulted in their votes not being counted. Also in Arizona, the attorney general announced that mail-in ballots had been stolen from mailboxes and hidden under a rock.

President Donald Trump: (37:37)
In Clark County, Nevada, where most of the state's voters reside, the standards for matching a signature using the signature verification machine were intentionally lowered to allow large

numbers of ballots to be counted that otherwise would never have passed muster. This machine was set at the lowest level. According to one report, in order to test the process, nine voters in Clark County cast ballots with intentionally incorrect signatures, and eight of the nine ballots were accepted and counted. They said you could sign your name as Santa Claus, and it would be accepted. Last week, the Clark County Commission threw out the results of a local election after the registrar reported finding, quote, "discrepancies that we can't explain." Also in Nevada, some voters were entered into a raffle for more than a dozen gift cards worth as much as $250 if they could prove they had voted.

President Donald Trump: (38:42)
This took place on Indian reservations. One of the most significant indications of widespread fraud is the extraordinarily low rejection rates for mail-in ballots in many key states. These are the states that I had to win. In swing state after swing state, the number of ballots rejected has been dramatically lower than what would have been expected based on prior experience. That means years and years of voting. In Georgia, just 0.2%, that's substantially less than 1%, of mail-in ballots have been rejected. In other words, almost none have been rejected. They took everything. Nothing was rejected, practically, compared to 6.4% in 2016. There are those that think that 6.4 was a low number.

President Donald Trump: (39:36)
Think of it. Almost none were rejected. The previous election, 6.4% were rejected. We have seen similar declines in Pennsylvania, Nevada, and Michigan. Ballots weren't rejected, especially if they happen to be in Democrat areas. These irregularities are inexplicable unless there is a deliberate effort to accept ineligible ballots or fraudulent ballots.

President Donald Trump: (40:06)
In Pennsylvania, the secretary of state and the state supreme court in essence abolished signature verification requirements just weeks prior to the election, in violation of state law. You're not allowed to do that. It has to be approved by the legislature. A judge can't do it. A state can't do it. An official can't do it. The only one that can do it is the legislature.

President Donald Trump: (40:33)
The reason for this is clear. They were not verifying signatures because they know the ballots have not been filled out by the voters in whose names they were cast. In other words, people filled them out that had nothing to do with the names on the ballot. A simple recount of the ballots under these circumstances only compounds the fraud. The only way to determine whether there was an honest vote is to conduct a full review of the envelopes in the relevant states. You will find that many of them, tens of thousands, have fraudulent signatures. A full forensic audit is required to ensure that only legal ballots from lawfully registered voters that were properly cast are included in the final count.

President Donald Trump: (41:25)
This election is about great voter fraud, fraud that has never been seen like this before. It's about poll watchers who were not allowed to watch. So illegal. It's about ballots that poured

in, and nobody but a few knew where they came from. They were counted, and they weren't for me. It's about big leads on election night, tremendous leads, leads where I was being congratulated for a decisive easy victory. All of a sudden, by morning or a couple of days later, those leads rapidly evaporated. It's about numbers of ballots that were sent that nobody know where they came from. It's about machinery that was defective, machinery that was stopped during certain parts of the evening, miraculously to open with more votes.

President Donald Trump: (42:24)
It was about many other things, but above all, it was about fraud. This election was rigged. Everybody knows it. I don't mind if I lose an election, but I want to lose an election fair and square. What I don't want to do is have it stolen from the American people. That's what we're fighting for. We have no choice to be doing that. We already have the proof. We already have the evidence, and it's very clear. Many people in the media and even judges so far have refused to accept it. They know it's true. They know it's there. They know who won the election, but they refuse to say, "You're right." Our country needs somebody to say, "You're right."

President Donald Trump: (43:12)
Ultimately, I am prepared to accept any accurate election result, and I hope that Joe Biden is as well. We already have the proof. We already have tens of thousands of ballots more than we need to overturn all of these states that we're talking about. This is an election for the highest office in the greatest country in the history of the world. Every reasonable American should be able to agree, based on what we have already documented, that we need a systematic analysis of the mail-in ballots to review the envelopes. It's about the signature. If they're on the envelopes, we can only review the envelopes, and that will tell us everything.

President Donald Trump: (44:01)
This is the absolute minimum we should expect. This is not just about my campaign, although it has a lot to do with who's going to be your next president. This is about restoring faith and confidence in American elections. This is about our democracy and the sacred rights that generations of Americans have fought, bled, and died to secure. Nothing is more urgent or more important. The only ballots that should count in this election are those cast by eligible voters who are citizens of our country, residents of the states in which they voted, and who cast their ballots in a lawful manner before the legal deadline.

President Donald Trump: (44:43)
Moreover, we must never again have an election in which there is not a reliable and transparent system to verify the eligibility, identity, and residency of every single person who casts a ballot, a very, very cherished ballot. Many very smart people have congratulated me on all we've done: the biggest tax cuts in history, regulation cuts, the biggest in history. We rebuilt our military. We took care of our vets like never before, Space Force, and so much more. Then they went on to say, as big and as important as these events were, the single greatest achievement in your presidency will be exactly what you're doing right now: voter integrity for our nation. It's more important than any of the things that we discussed.

President Donald Trump: (45:40)
If we don't root out the fraud, the tremendous and horrible fraud that's taken place in our 2020 election, we don't have a country anymore. With the resolve and support of the American people, we will restore honesty and integrity to our elections. We will restore trust in our system of government. Thank you. God bless you. God bless America.

Trump, in Taped Call, Pressured Georgia Official to 'Find' Votes to Overturn Election

nytimes.com/2021/01/03/us/politics/trump-raffensperger-call-georgia.html

January 3, 2021



WASHINGTON — President Trump pressured Georgia's Republican secretary of state to "find" him enough votes to overturn the presidential election and vaguely threatened him with "a criminal offense" during an hourlong telephone call on Saturday, according to an audio recording of the conversation.

Mr. Trump, who has spent almost nine weeks making false conspiracy claims about his loss to President-elect Joseph R. Biden Jr., told Brad Raffensperger, the state's top elections official, that he should recalculate the vote count so Mr. Trump, not Mr. Biden, would end up winning the state's 16 electoral votes.

"I just want to find 11,780 votes, which is one more than we have," Mr. Trump said during the conversation, according to a recording first obtained by The Washington Post, which published it online Sunday. The New York Times also acquired a recording of Mr. Trump's call.

The president, who will be in charge of the Justice Department for the 17 days left in his administration, hinted that Mr. Raffensperger and Ryan Germany, the chief lawyer for secretary of state's office, could be prosecuted criminally if they did not do his bidding.

"You know what they did and you're not reporting it," the president said during the call. "You know, that's a criminal — that's a criminal offense. And you know, you can't let that happen. That's a big risk to you and to Ryan, your lawyer. That's a big risk."

Listen to Excerpts From Trump's Call

The president pressured Georgia's secretary of state to overturn the state's election results.

The effort to cajole and bully elected officials in his own party — which some legal experts said could be prosecuted under Georgia law — was a remarkable act by a defeated president to crash through legal and ethical boundaries as he seeks to remain in power.

By any standard measure, the election has long been over. Every state in the country has certified its vote, and a legal campaign by Mr. Trump to challenge the results has been met almost uniformly with quick dismissals by judges across the country, including a Supreme Court with a conservative majority.

By trying to bend Mr. Raffensperger to his will, Mr. Trump was asserting the power of his office in ways that recalled his 2019 phone call to Ukraine's president, during which Mr. Trump pressured President Volodymyr Zelensky to begin a bogus investigation into Mr. Biden by withholding vital military aid to the country. That call was the centerpiece of the scheme for which Mr. Trump became the third American president to be impeached for committing high crimes and misdemeanors.

As he did when he urged Mr. Zelensky to "do us a favor," Mr. Trump on Saturday pleaded with Mr. Raffensperger to help him politically. The results of the 2020 race are expected to be certified by Congress during a session on Wednesday despite efforts by some of Mr. Trump's allies in the House and the Senate, who have said they will challenge the results in several states, including Georgia.

Mr. Trump said he hoped Mr. Raffensperger's office could address his claimed discrepancies before Tuesday's Senate runoff election in Georgia, one that will decide the balance of power in the Senate. The president is slated to campaign on Monday night in Georgia for the two Republican incumbents, Senators David Perdue and Kelly Loeffler.

"I think we should come to a resolution of this before the election," Mr. Trump said. Otherwise, he said, "you're going to have people just not voting."

"They don't want to vote," he said. "They hate the state. They hate the governor and they hate the secretary of state."

He added: "The people of Georgia are angry, the people of the country are angry. And there's nothing wrong with saying that, you know, um, that you've recalculated."

Mr. Raffensperger politely but firmly rejected the president's entreaties, standing by the election results in his state and repeatedly insisting that Mr. Trump and his allies had been given false information about voter fraud.

"Well, Mr. President, the challenge that you have is the data you have is wrong," he said.

Legal experts said Mr. Trump might have violated Georgia state laws against solicitation of voter fraud and extortion by seeking to exert pressure on Mr. Raffensperger.

One state law makes it a felony to "solicit, request, command, importune or otherwise attempt to cause another person to engage in election fraud." By urging election officials to "find" votes that were not legally cast for him, Mr. Trump could be prosecuted under that law, said Ryan C. Locke, a criminal defense lawyer and former public defender in Atlanta.

"He's telling the secretary of state to 'find votes so that I can win — votes that are not due to me,'" Mr. Locke said. "The recording alone is certainly enough to launch an investigation. It's likely probable cause to issue an indictment."

He said Mr. Trump could also be in violation of laws prohibiting extortion. But he and other legal experts said it was unlikely that prosecutors would pursue a case against Mr. Trump in the waning days of his administration.

Vice President-elect Kamala Harris — at a drive-in rally for Georgia's Democratic Senate candidates in Garden City, Ga. — referred on Sunday to Mr. Trump's call, saying it was "the voice of desperation — most certainly that."

"And it was a bald, baldfaced, bold abuse of power by the president of the United States," she added.

Senator Richard J. Durbin, Democrat of Illinois and one of the leaders in the Senate, said the call was "more than a pathetic, rambling, delusional rant," calling the president "unhinged and dangerous" and saying that Mr. Trump's Republican allies "are putting the orderly and peaceful transition of power in our nation at risk."

Former Speaker Paul D. Ryan, a Republican who has largely stayed silent in recent weeks, urged his former colleagues on Sunday to abandon their challenge to the results, calling it the most "anti-democratic and anti-conservative act" he could think of.

"The Trump campaign had ample opportunity to challenge election results, and those efforts failed from lack of evidence," he said. "If states wish to reform their processes for future elections, that is their prerogative. But Joe Biden's victory is entirely legitimate."

The 10 living former secretaries of defense, from both parties, echoed that sentiment in an opinion article on Sunday in The Post. They said the military should not be used in any way to alter the outcome of the election, saying: "Governors have certified the results. And the

Electoral College has voted. The time for questioning the results has passed."

The call from the White House to Mr. Raffensperger's office came on Saturday afternoon at 2:41, after 18 other calls by the White House switchboard to the office during the past two months, according to a person familiar with the conversation. Saturday's call was the first time Mr. Raffensperger had talked with Mr. Trump directly despite the president's repeated tweets disparaging him.

Officials in the secretary of state's office recorded Saturday's call, and Mr. Raffensperger told his advisers that he did not want to release a transcript or a recording unless the president attacked state officials or misrepresented what had been discussed, according to a person familiar with his direction.

As expected, that attack came in a tweet on Sunday morning, in which Mr. Trump claimed that Mr. Raffensperger "was unwilling, or unable, to answer questions such as the 'ballots under table' scam, ballot destruction, out of state 'voters', dead voters, and more. He has no clue!"

In a response on Twitter, Mr. Raffensperger wrote: "Respectfully, President Trump: What you're saying is not true. The truth will come out." The recording of the call was made public several hours later.

David Shafer, the chairman of the Republican Party in Georgia, tweeted that the decision to release the audio was "lawlessness."

During the call, the president again embraced several conspiracy theories, including debunked charges that ballots in Fulton County, Ga., were shredded and that voting machines operated by Dominion Voting Systems were tampered with and replaced. Mr. Germany can be heard telling the president that such charges are flatly untrue, even as Mr. Trump insists otherwise.

"You should want to have an accurate election. And you're a Republican," Mr. Trump told Mr. Raffensperger, who replied that "we believe that we do have an accurate election."

Mr. Trump responded: "No, no, no, you don't, you don't have, you don't have, not even close. You guys, you're off by hundreds of thousands of votes."

In addition to Mr. Trump and Mr. Raffensperger, others on the call from the Georgia secretary of state's office included Mr. Germany and Jordan Fuchs, Mr. Raffensperger's deputy. On the line as well were Mark Meadows, the White House chief of staff, and Cleta Mitchell and Kurt Hilbert, lawyers working for Mr. Trump.

Ms. Mitchell and Mr. Meadows repeatedly sought to challenge the voting in Georgia and pressed Mr. Raffensperger to reveal confidential voter data in an effort to back up their claims. They were rebuffed by Georgia's election officials. Ms. Mitchell, a partner at the firm

Foley & Lardner, was on the call with Mr. Trump despite the fact that nearly all lawyers with top-tier firms have refused to represent the president in his attempts to overturn the election.

The firm said in a statement early Monday that it had not been retained by Mr. Trump and "any involvement from a Foley attorney in this matter is solely in his or her capacity as a private citizen."

But the tape is dominated by the president, who spoke for the bulk of the call, at times interrupting Mr. Raffensperger. At one point, when Mr. Trump alleged that 5,000 dead people voted in Georgia, Mr. Raffensperger said the president was mistaken.

"The actual number were two," Mr. Raffensperger said. "Two. Two people that were dead that voted. And so that's wrong."

At another point, when Mr. Trump claimed that a video of the vote-counting at State Farm Arena in Atlanta revealed that one employee was guilty of flagrant ballot stuffing, Mr. Raffensperger responded that the video was selectly edited by Mr. Trump's lawyer, Rudolph W. Giuliani and other lawyers.

"They sliced and diced that video and took it out of context," Mr. Raffensperger said. "The events that transpired are nowhere near what was projected."

When Mr. Germany told the president that some of the accusations had been looked into and deemed untrue by both the Georgia Bureau of Investigation and the F.B.I., Mr. Trump responded that the agents were wrong.

"Then they're incompetent," he said. "There's only two answers — dishonesty or incompetence."

Mr. Raffensperger said Mr. Trump's accusation that ballots were scanned three times was incorrect. "We did an audit of that and we proved conclusively that they were not scanned three times," he told the president.

The president appeared unable to conceive of a reality in which he lost Georgia, repeatedly reeling off statistics that he said proved he had won the state by "hundreds of thousands of votes."

"You even see it by rally size, frankly," Mr. Trump said, adding that he wanted to go over some of the numbers. He alleged that 250,000 to 300,000 ballots were "dropped mysteriously into the rolls," a problem he said occurred in Fulton County.

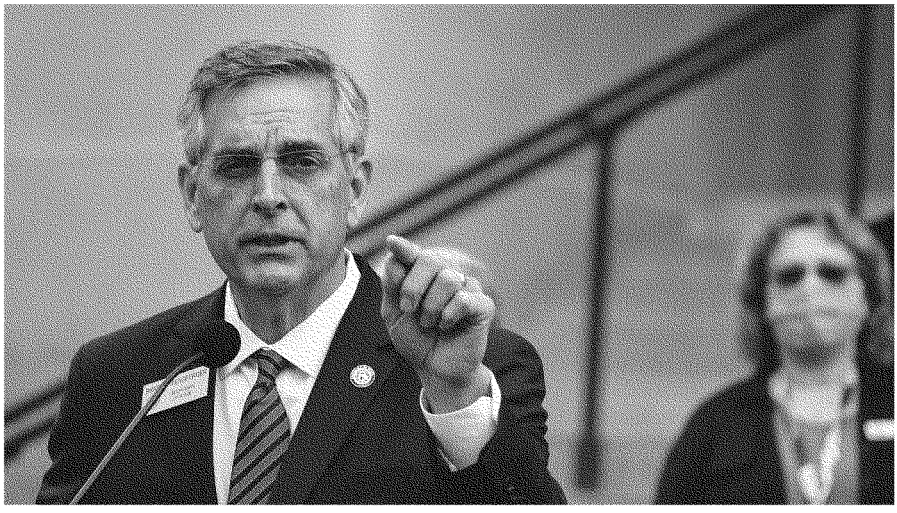
"We think that if you check the signatures, a real check of the signatures going back in Fulton County, you'll find at least a couple of hundred thousand of forged signatures," the president said, citing one conspiracy theory after another.

"People have been saying that it was the highest vote ever," he told Mr. Raffensperger, alleging that the cases of fraud were "many, many times" more than Mr. Biden's margin of victory. "The political people said that there's no way they beat me."

Michael D. Shear reported from Washington, and Stephanie Saul from New York. Michael S. Schmidt contributed reporting from Washington.

Georgia secretary of state: My family voted for Trump. He threw us under the bus anyway.

usatoday.com/story/opinion/voices/2020/11/25/georgia-secretary-of-state-election-integrity-2020-column/6407586002/



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I have fought to uphold the integrity of elections in Georgia. It doesn't matter if the attacks come from the guy I voted for or not.

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OPINION

Brad Raffensperger, Opinion contributor Published 3:15 a.m. ET Nov. 25, 2020 | Updated 7:33 p.m. ET Nov. 29, 2020

I have fought to uphold the integrity of elections in Georgia. It doesn't matter if the attacks come from the guy I voted for or not.

The past few weeks have been difficult for the voters of the Peach State.

As the nation and the world watched, Georgia took center stage in a battle that will define our country in a very practical sense for the next four years. But also, in a larger sense, how this country will move forward into the future.

Like Americans in every other state, Georgians went to the ballot box on and in the weeks leading up to Nov. 3; to cast their vote for president, for senator, or maybe just the local town council.

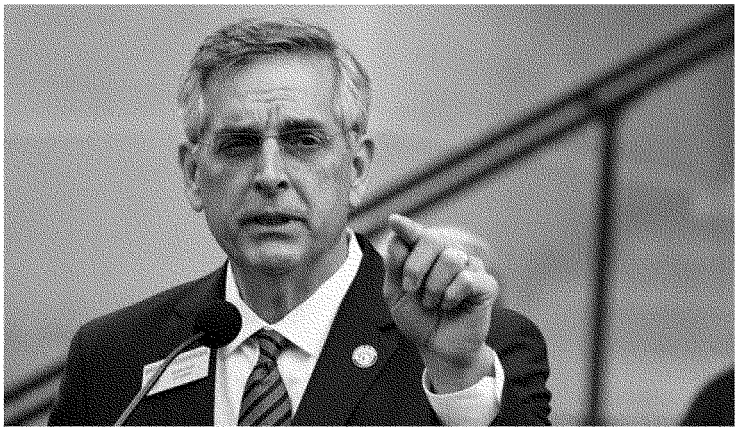
A record 1.3 million voters cast ballots absentee by mail here. Another 2.7 million cast ballots in-person during Georgia's gold-standard three weeks of early voting. Around 1 million waited on lines averaging a minuscule 3 minutes on Election Day.

By all accounts, Georgia had a wildly successful and smooth election. We finally defeated voting lines and put behind us Fulton County's now notorious reputation for disastrous elections. This should be something for Georgians to celebrate, whether their favored presidential candidate won or lost. For those wondering, mine lost — my family voted for him, donated to him and are now being thrown under the bus by him.

Elections are American — not partisan

Elections are the bedrock of our democracy. They need to be run fairly and, perhaps more important, impartially. That's not partisan. That's just American. Yet some don't seem to see it that way.

When I took office, I committed to running elections in Georgia with integrity. After any election, half of the voters will be happy and the other half will be disappointed. But I wanted to make sure everyone felt confident in the process and confident in the outcome.



Georgia Secretary of State Brad Raffensperger speaks during a news conference on, Nov. 11, 2020, in Atlanta. (Photo: Brynn Anderson, AP)

And as Nov. 3 came to a close, Georgia's voters had every reason to be. Again, short lines on Election Day. Record turnout. Record early voting and record absentee by mail voting.

In the days that followed, a losing presidential campaign refused to accept the facts, following a playbook written by a failed gubernatorial candidate two years before. A failed senate candidate with nothing to do tried to undermine the integrity of Georgia's elections. A self-described "attorney for the damned" took up the cause. An onslaught of fake news and unrepentant disinformation threatened to tear the fabric of our country apart. People on both sides of the aisle generated controversies out of nowhere to stir up trouble.

Incompatible bedfellows: I saw identity politics tear the Occupy movement apart. Economic leftists must ditch wokeness.

Even as Georgia embarked on its first statewide audit, a process that was only possible because of the state's new printed paper-ballot system, those who requested the full hand recount triggered by the audit of such a close race lined up to undermine its credibility. Those who had so long been beneficiaries of the electoral process sought to tear it apart at its very foundations.

But still, integrity matters.

Leaders of integrity

When the nation is caught in turmoil, as it has been through several presidential terms, the people of Georgia and their fellow Americans will look to leaders with integrity for guidance.

A Biden administration: *Biden's National Security team reveals he has learned from the mistakes of past presidents*

Throughout my two years as secretary of state, I have fought repeatedly to uphold the integrity of elections in Georgia. We worked with the Georgia Bureau of Investigation to strengthen signature matching for absentee ballot voters. We outlawed ballot harvesting and implemented a new voting system with printed paper-ballots that voters could hold and review before casting for the first time in nearly 20 years. We fought frivolous lawsuits from fringe groups and a failed gubernatorial candidate seeking to undermine laws passed by state legislators who were actually elected by the voters.

In times of uncertainty, when the integrity of our political system is most at risk, the integrity of our politicians is paramount.

Many of my fellow Republicans are men and women of integrity. They demonstrate it each and every day: fighting for their constituents, fighting for liberty, and fighting for fair and reliable elections.

In times like these, we need leaders of integrity to guide us through.

Brad Raffensperger is the secretary of state of Georgia.

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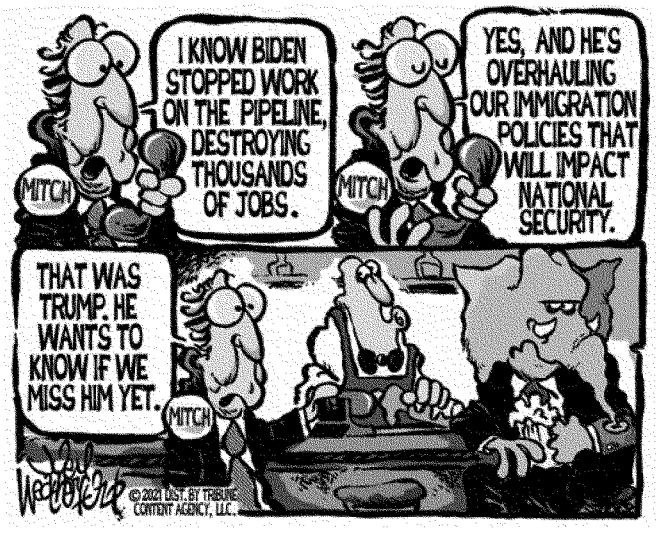

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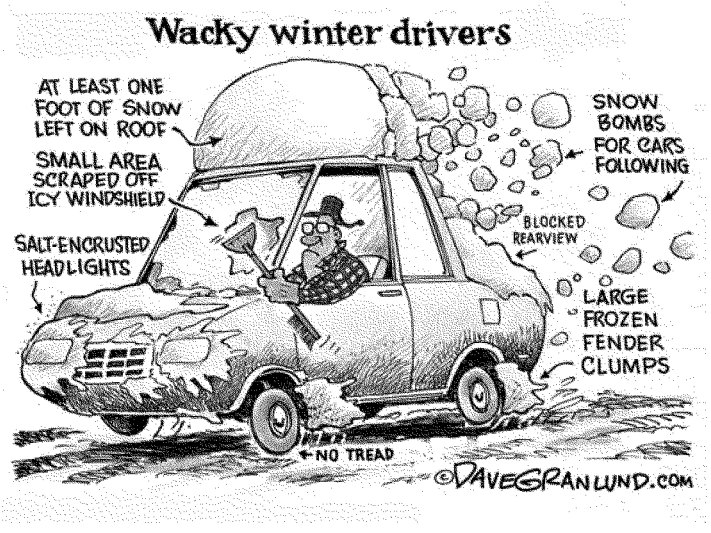

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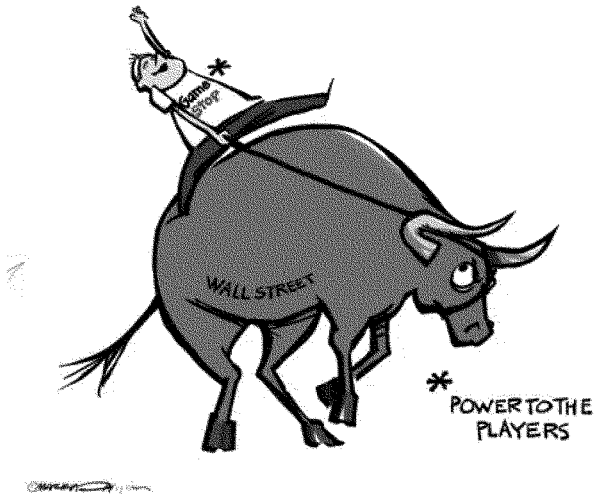

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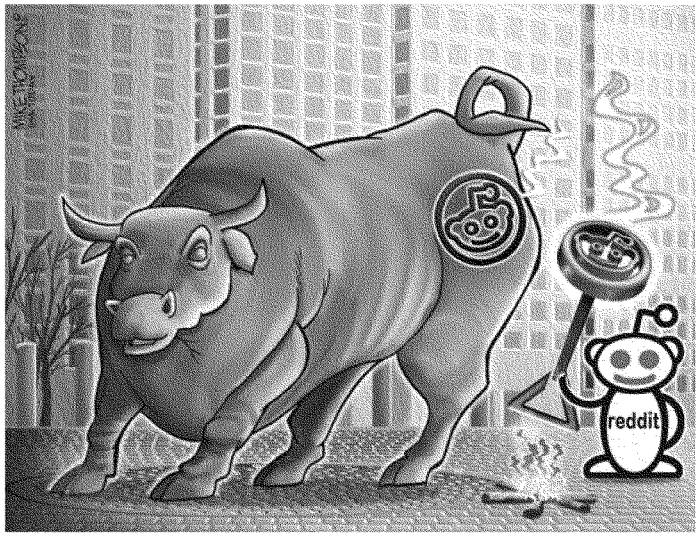

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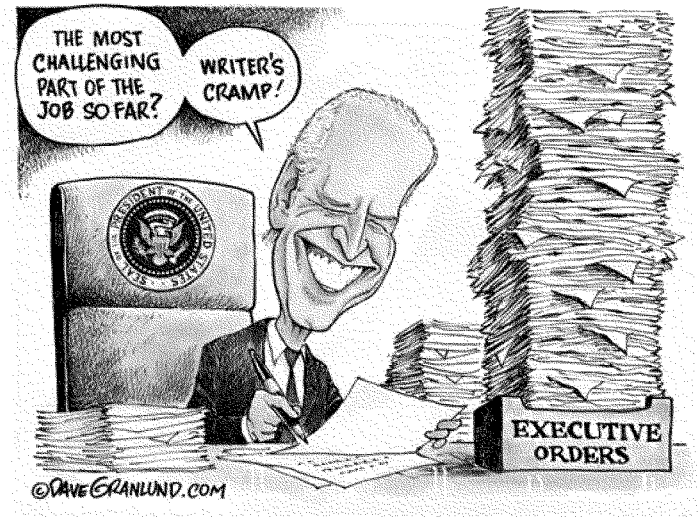

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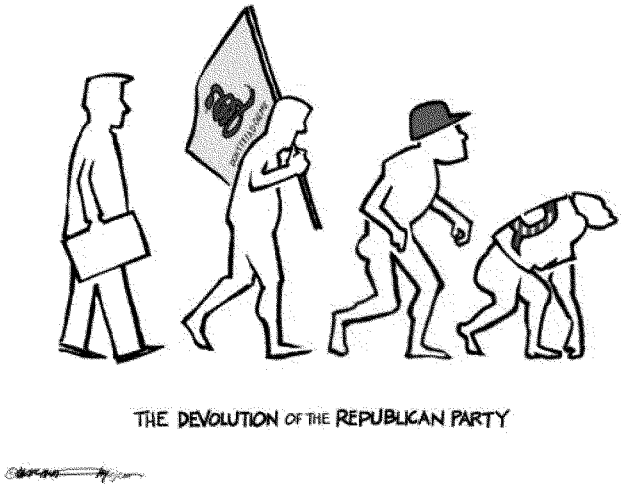

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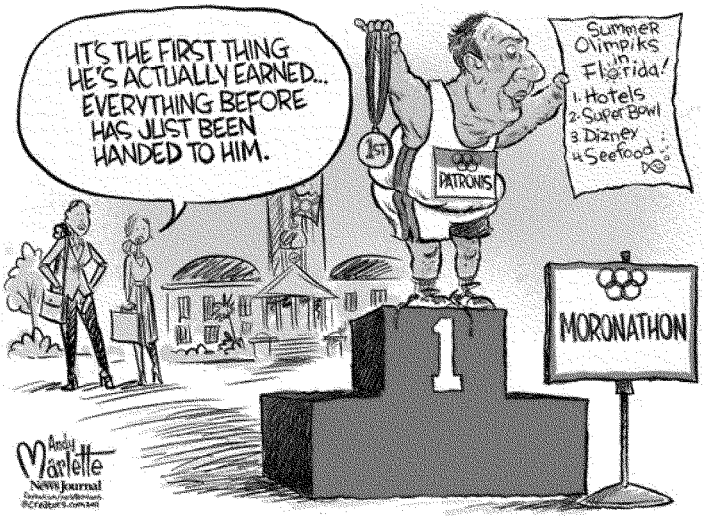

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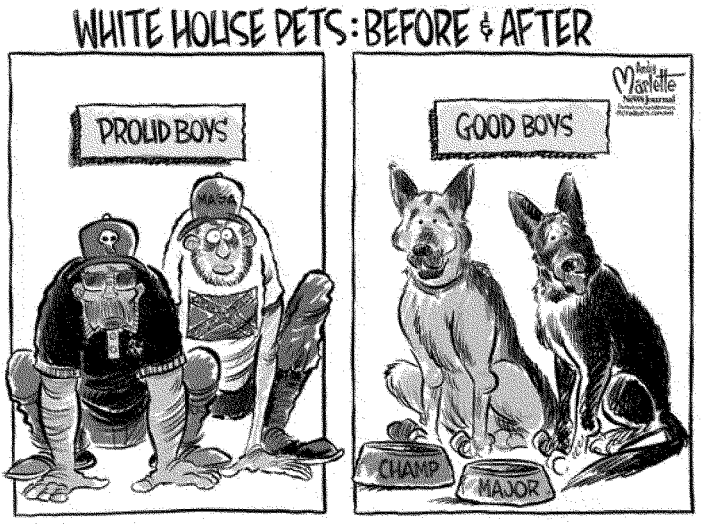

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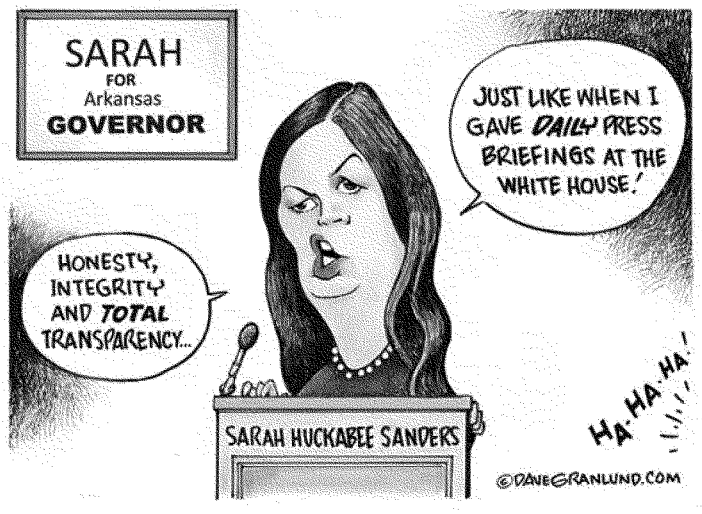

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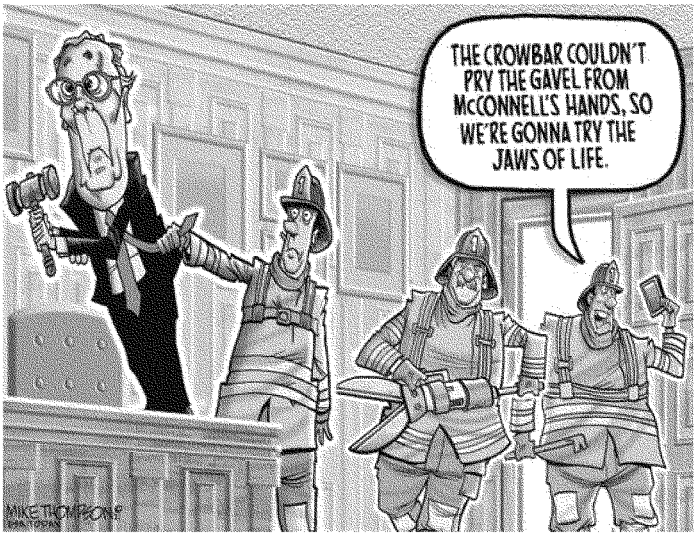

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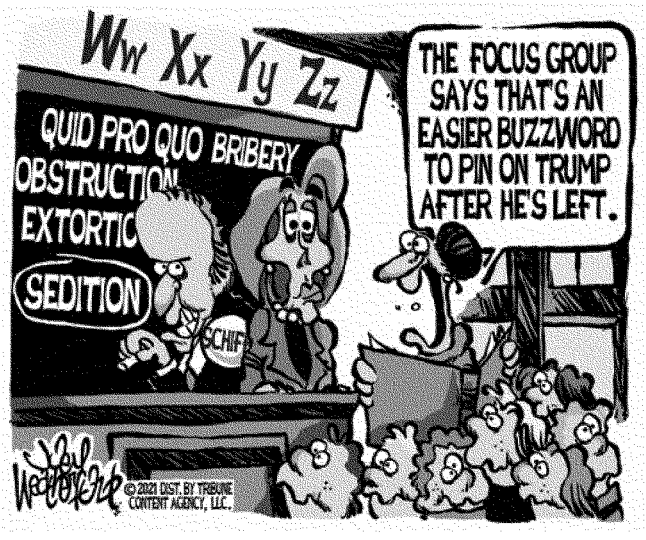

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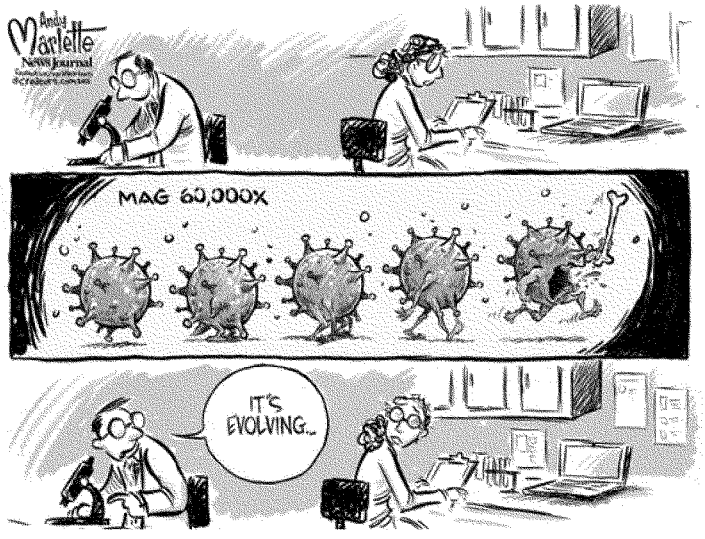

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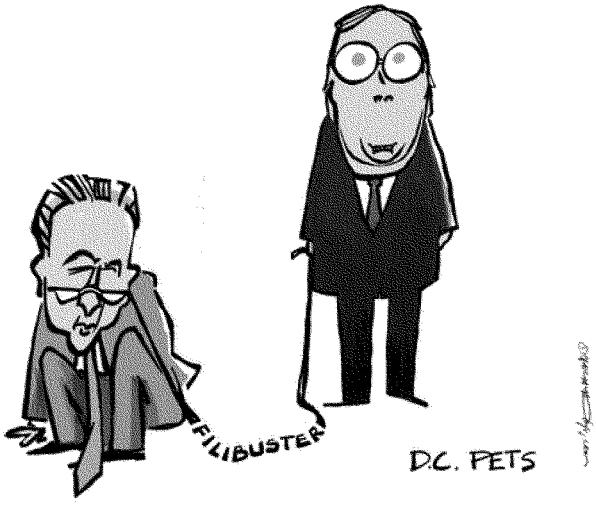

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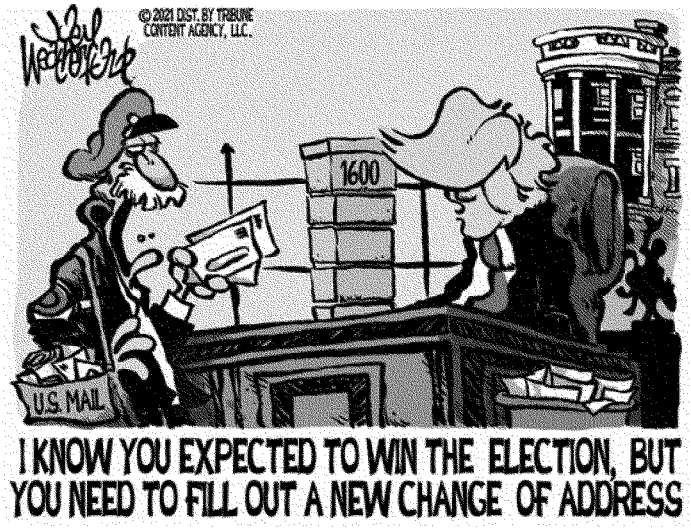

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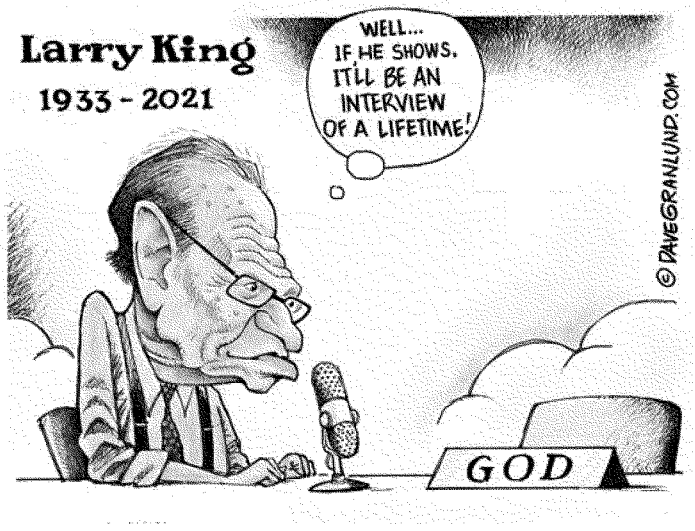

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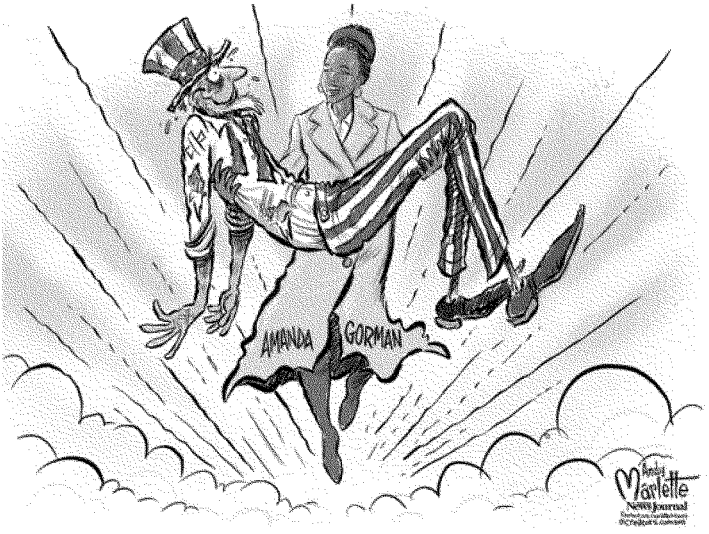

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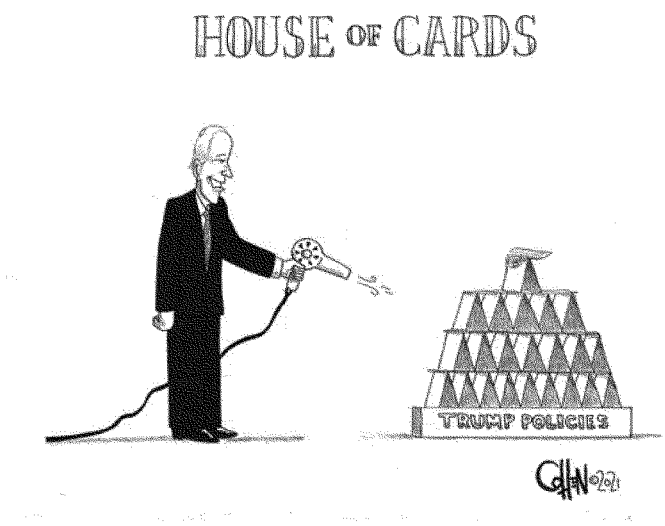

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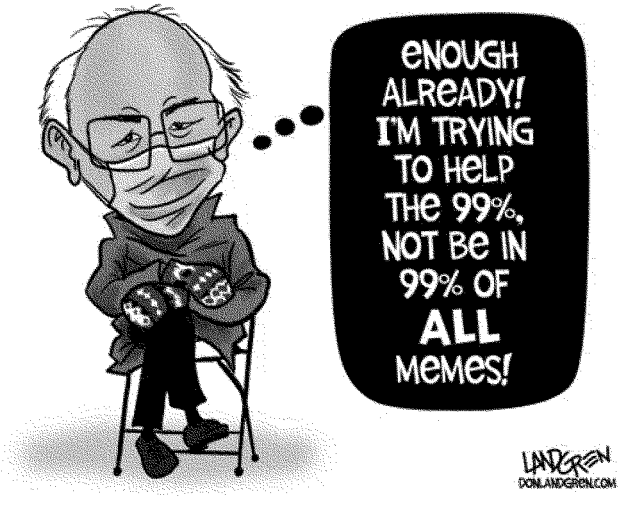

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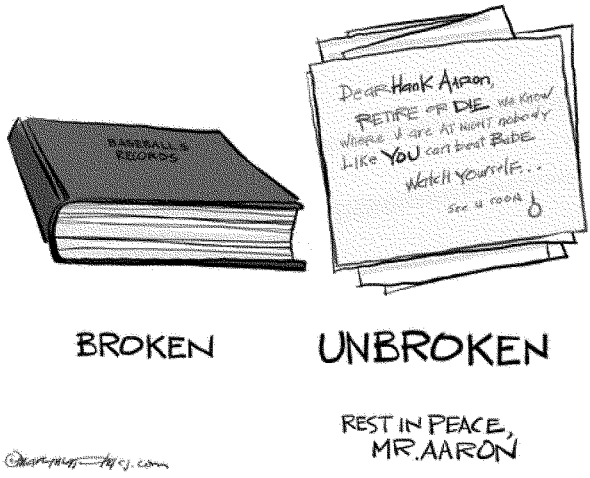

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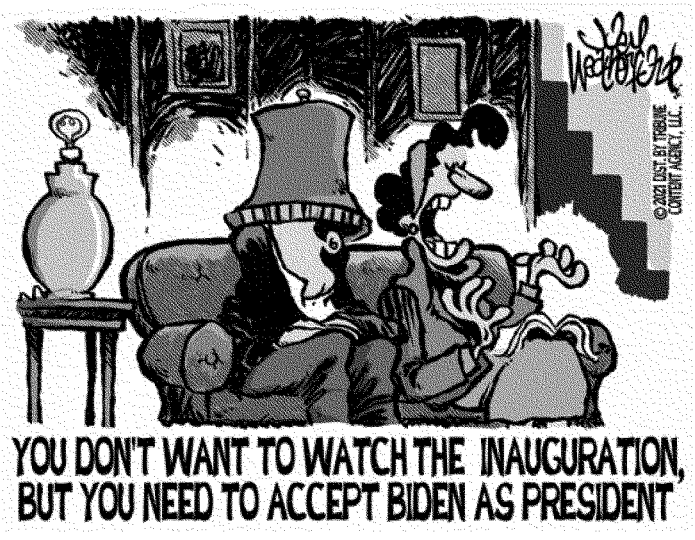

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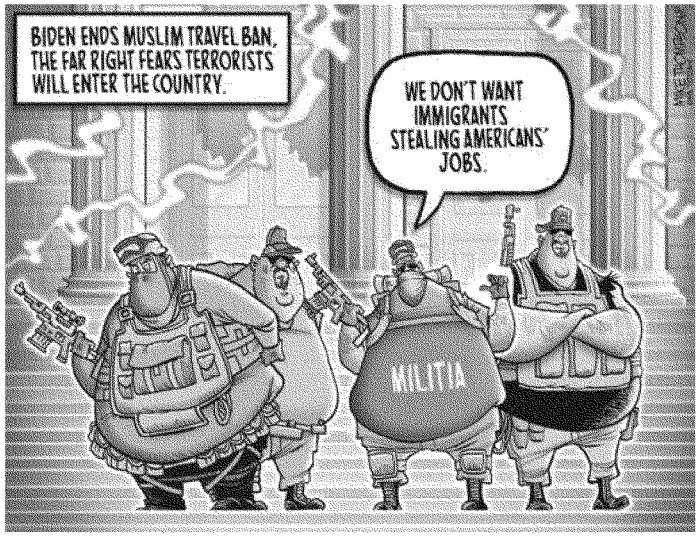

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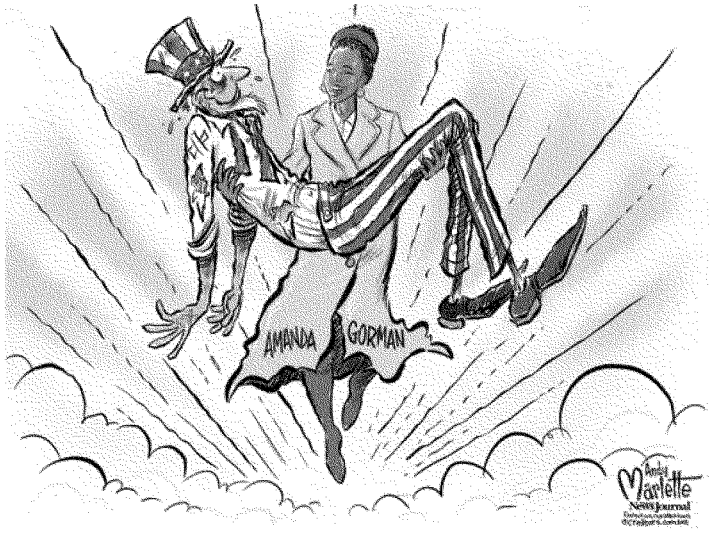

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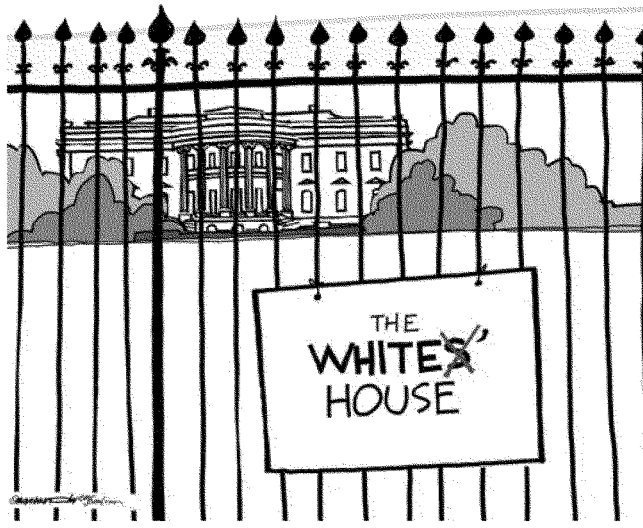

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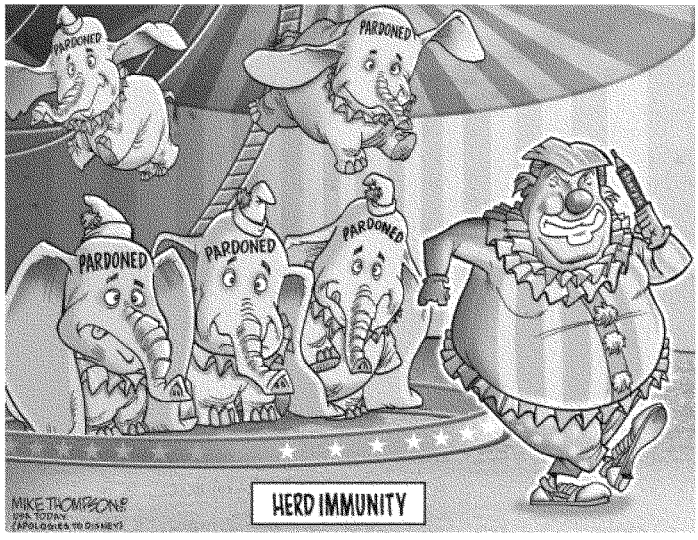

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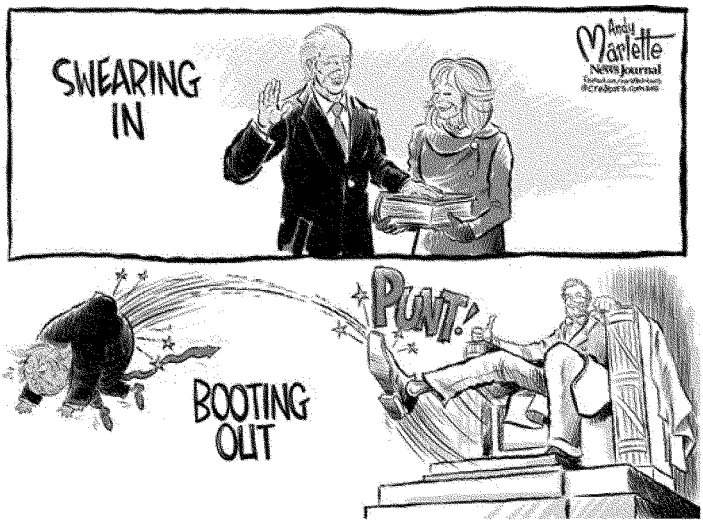

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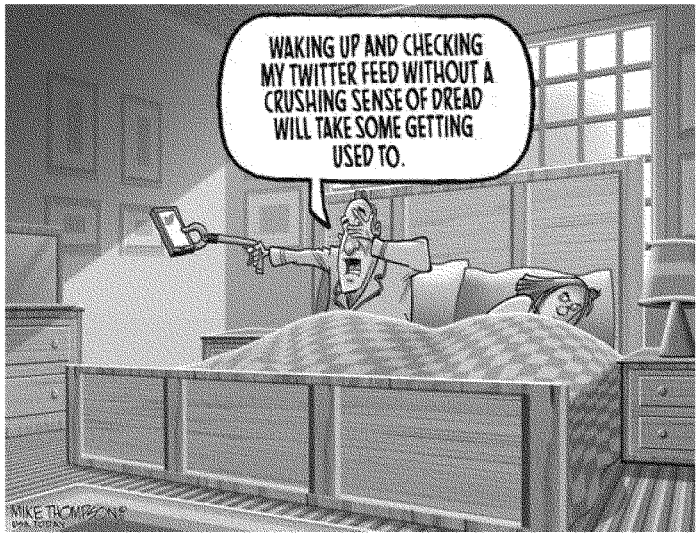

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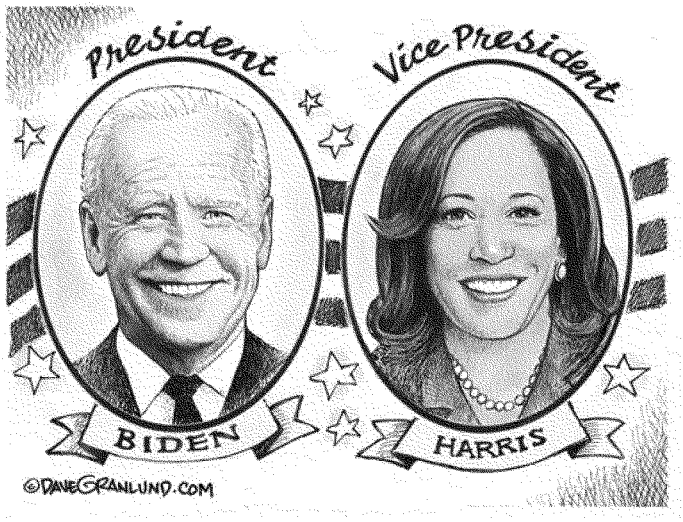

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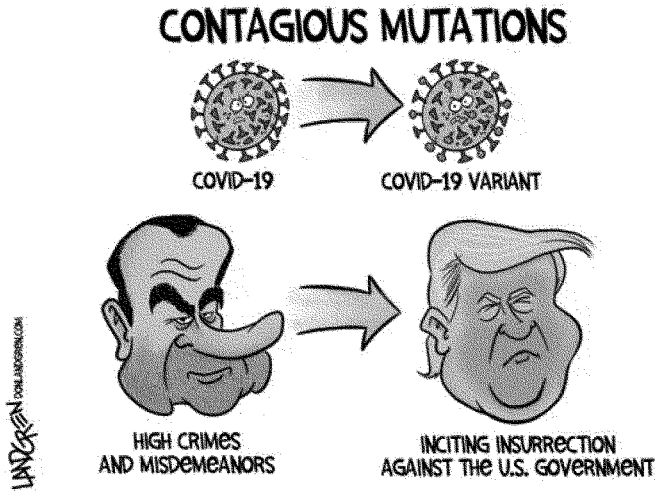

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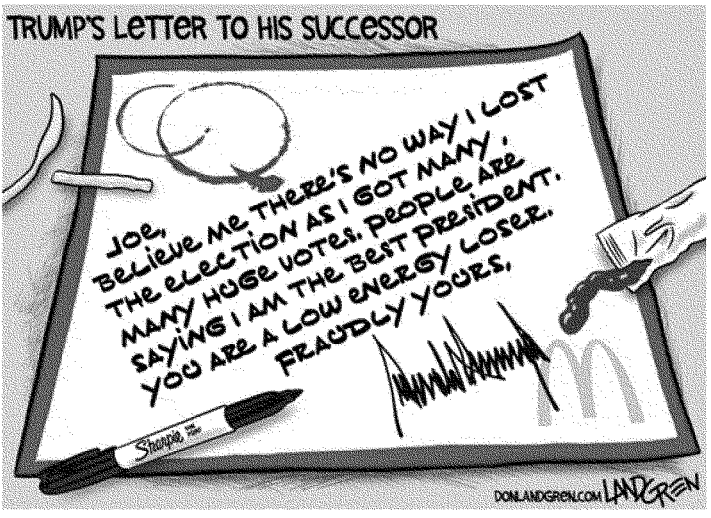

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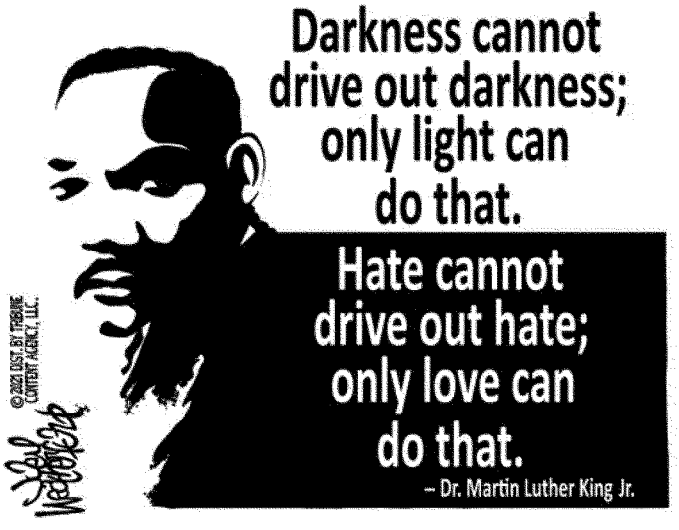

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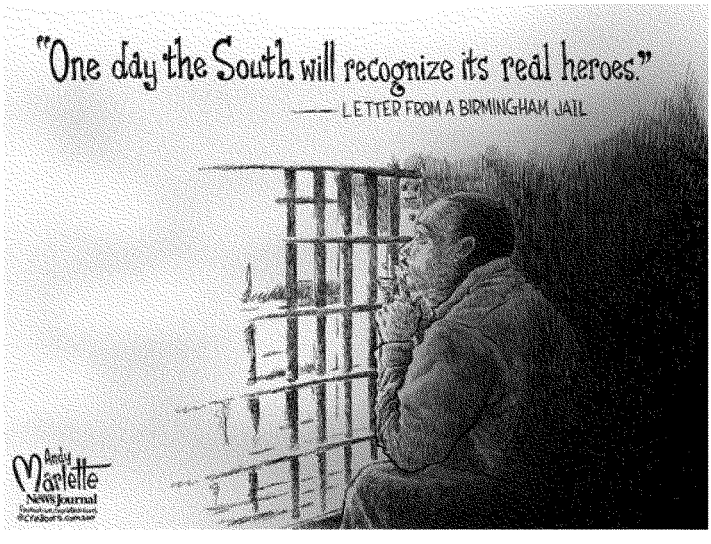


Andy Marlette, USA TODAY Network USA TODAY Network

Fullscreen



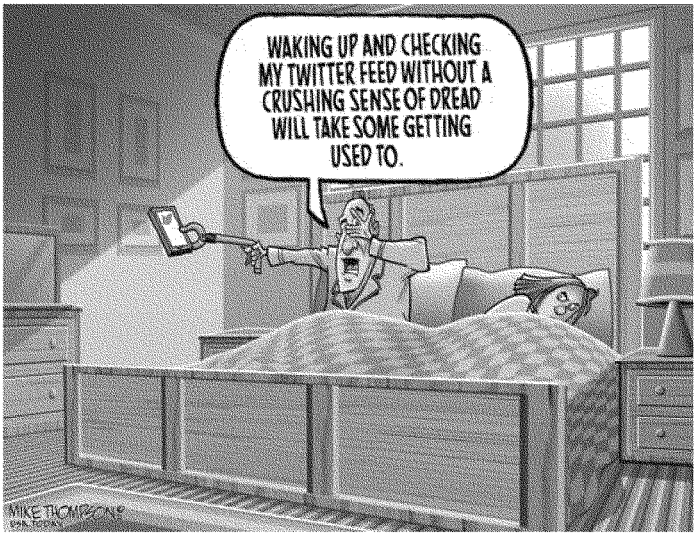
Andy Marlette, USA TODAY Network USA TODAY Network

Fullscreen



Dave Granlund, USA TODAY Network USA TODAY Network

Fullscreen



Mike Thompson, USA TODAY USA TODAY Network

Fullscreen



Mike Thompson/USA TODAY NETWORK USA TODAY Network

Fullscreen



Marc Murphy, USA TODAY Network USA TODAY Network

Fullscreen



Kevin Necessary,USA TODAY Network USA TODAY Network

Fullscreen



Mike Thompson, USA TODAY USA TODAY Network

Fullscreen



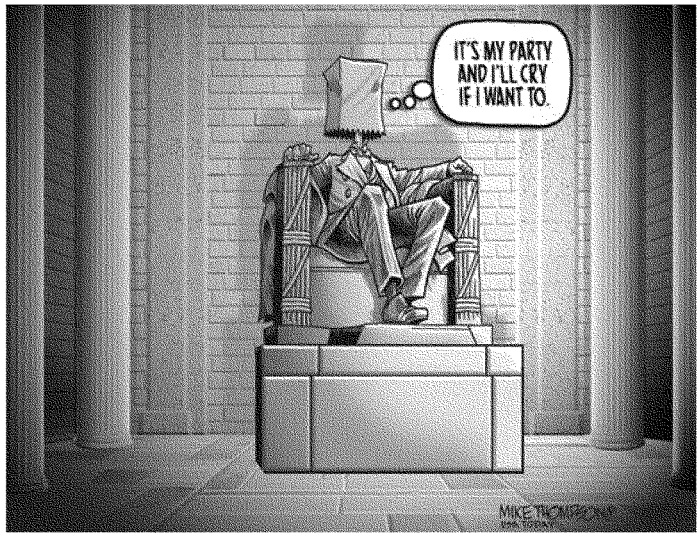
Andy Marlette, USA TODAY Network USA TODAY Network

Fullscreen



Marc Murphy, USA TODAY Network USA TODAY Network

Fullscreen



Mike Thompson, USA TODAY Network USA TODAY Network

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Andy Marlette, USA TODAY Network USA TODAY Network

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Andy Marlette, USA TODAY Network USA TODAY Network

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Andy Marlette/USA TODAY Network USA TODAY Network

Fullscreen



Andy Marlette, USA TODAY Network USA TODAY Network

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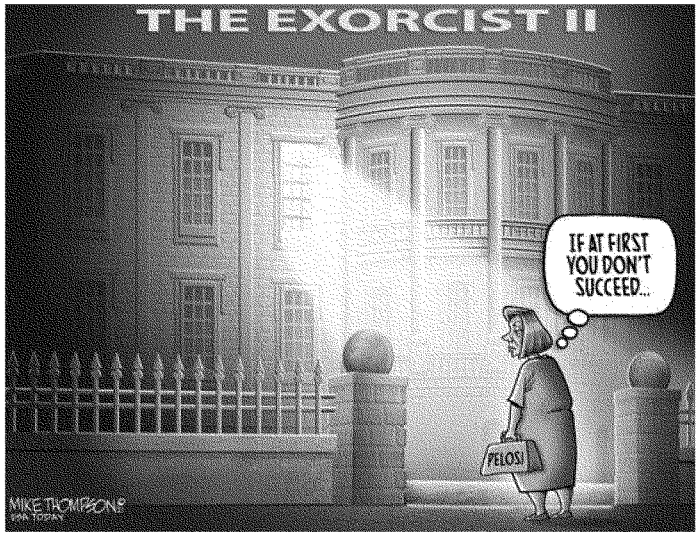

Mike Thompson, USA TODAY USA TODAY Network

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Kevin Necessary, USA TODAY Network USA TODAY Network

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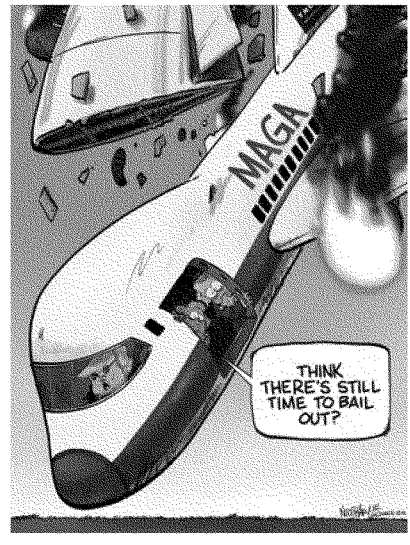

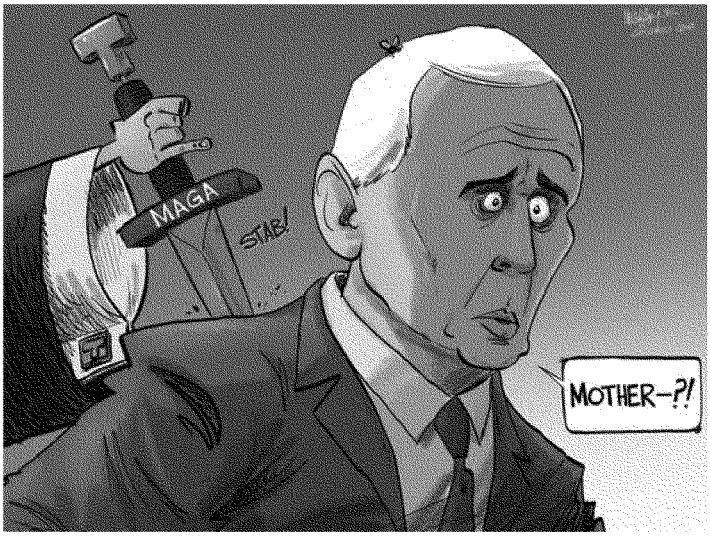

Kevin Necessary, USA TODAY Network USA TODAY Network

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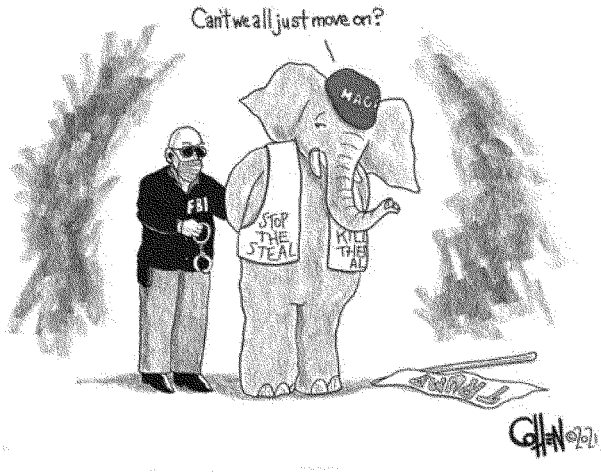

David Cohen, USA TODAY Network USA TODAY Network

Fullscreen



Dave Granlund, USA TODAY Network USA TODAY Network

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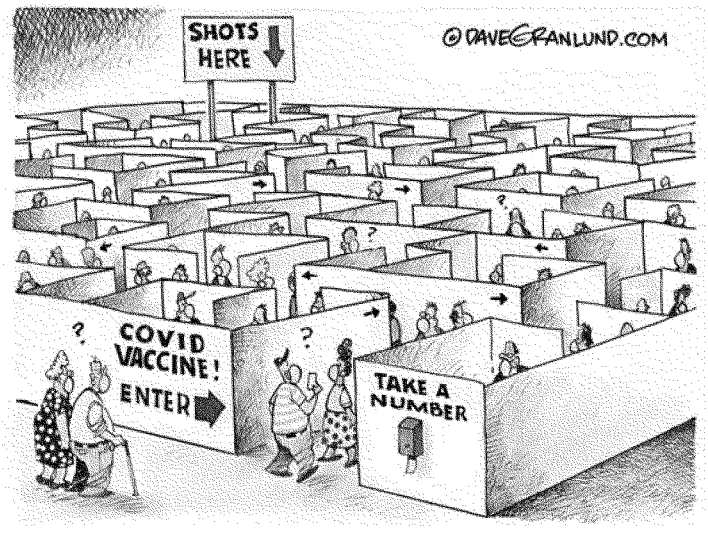

Dave Granlund, USA TODAY Network USA TODAY Network

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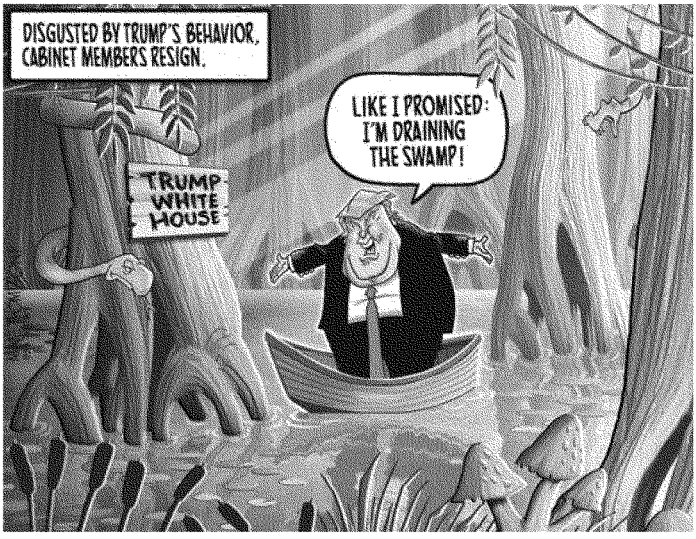

Mike Thompson, USA TODAY USA TODAY Network

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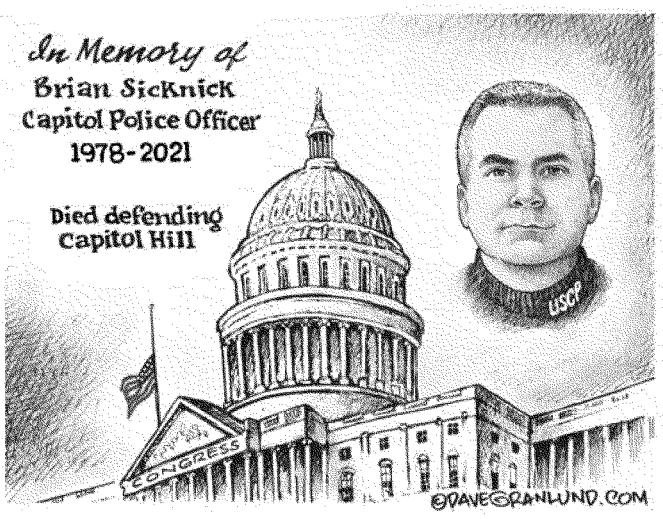

Dave Granlund, USA TODAY Network USA TODAY Network

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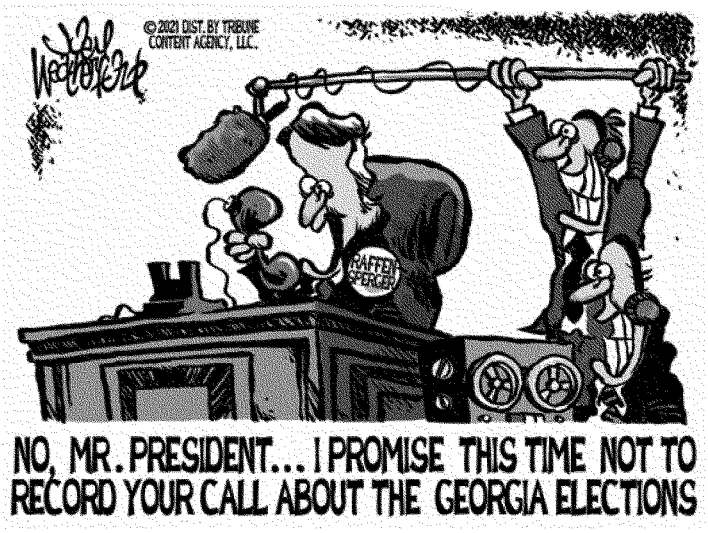

Joey Weatherford, USA TODAY Network USA TODAY Network

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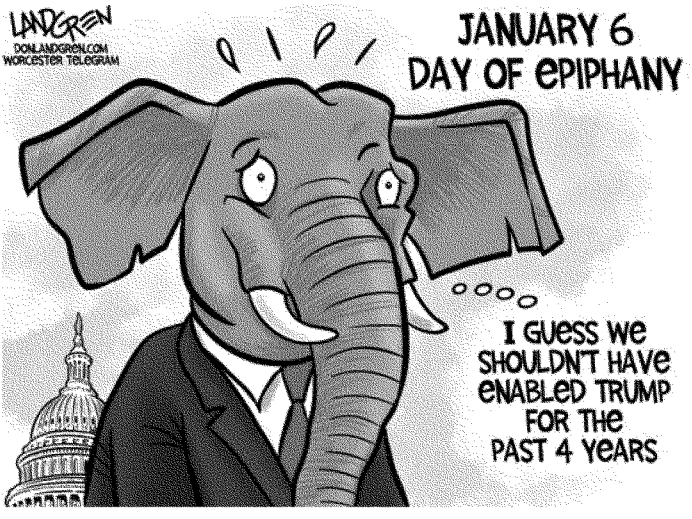

Don Landgren, USA TODAY Network USA TODAY Network

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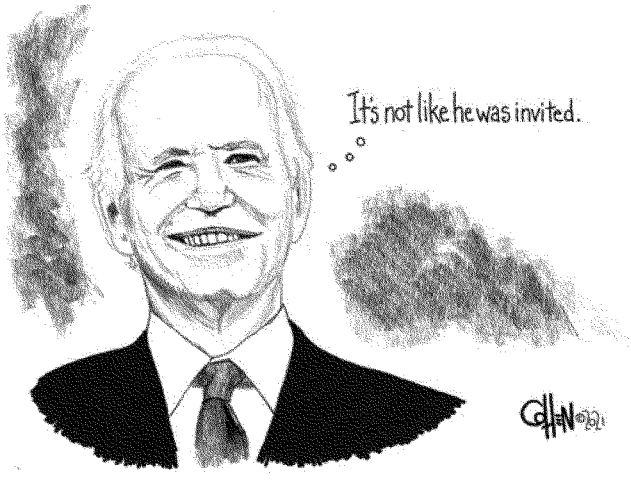
Joey Weatherford, USA TODAY Network USA TODAY Network

Fullscreen



Andy Marlette, USA TODAY Network USA TODAY Network

Fullscreen



David Cohen, USA TODAY Network USA TODAY Network

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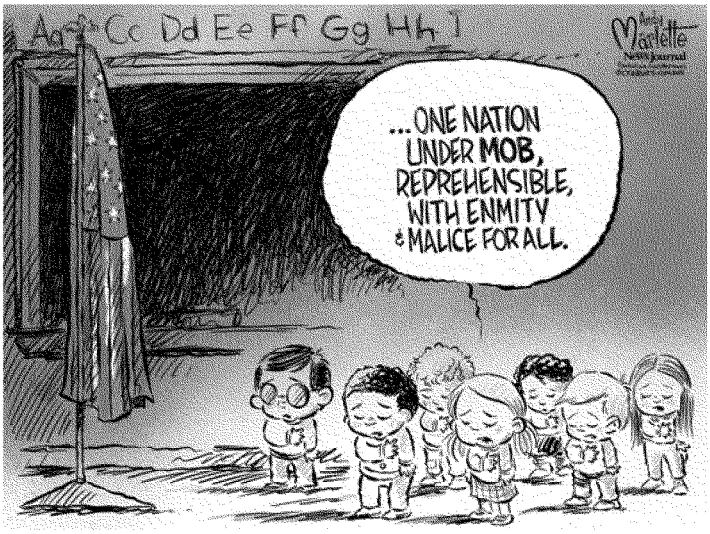

Andy Marlette, USA TODAY Network USA TODAY Network

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Don Landgren, USA TODAY Network USA TODAY Network

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Andy Marlette, USA TODAY Network USA TODAY Network

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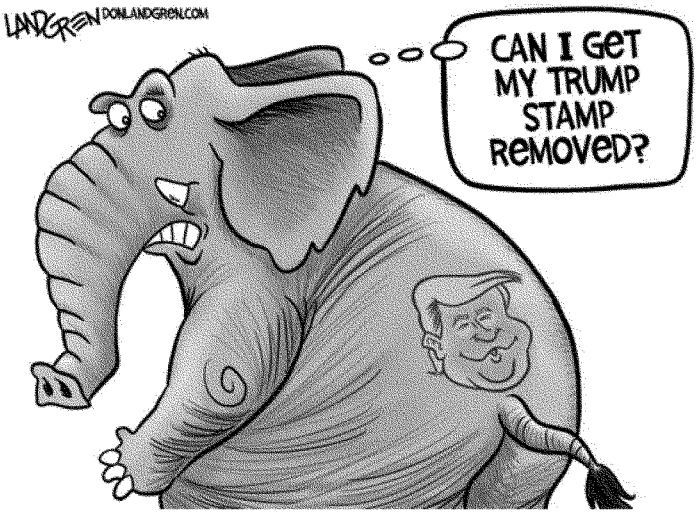

Don Landgren, USA TODAY Network USA TODAY Network

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MikeThompson. USA TODAY USA TODAY Network

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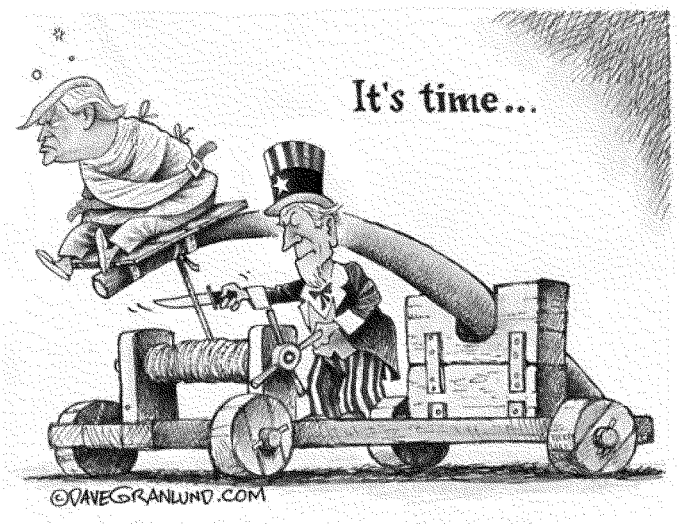

Dave Granlund, USA TODAY Network USA TODAY Network

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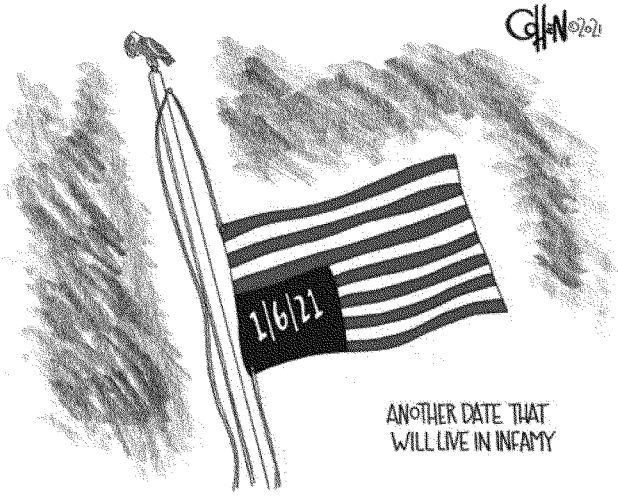

David Cohen, USA TODAY Network USA TODAY Network

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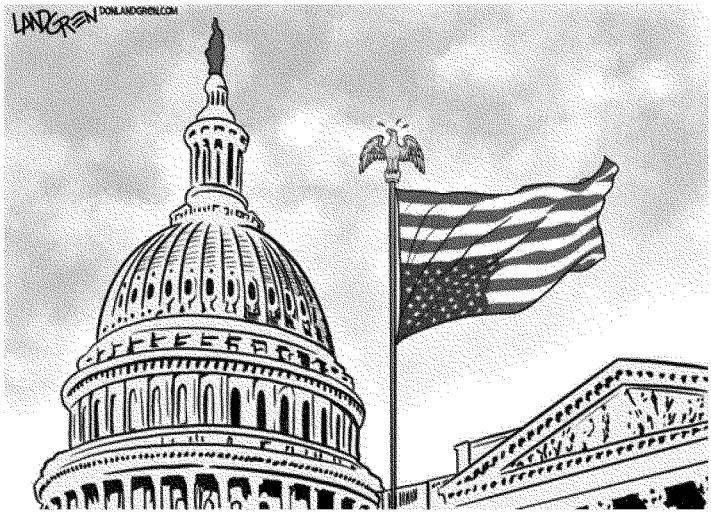

Don Landgren, USA TODAY Network USA TODAY Network

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Dave Granlund, USA TODAY Network USA TODAY Network

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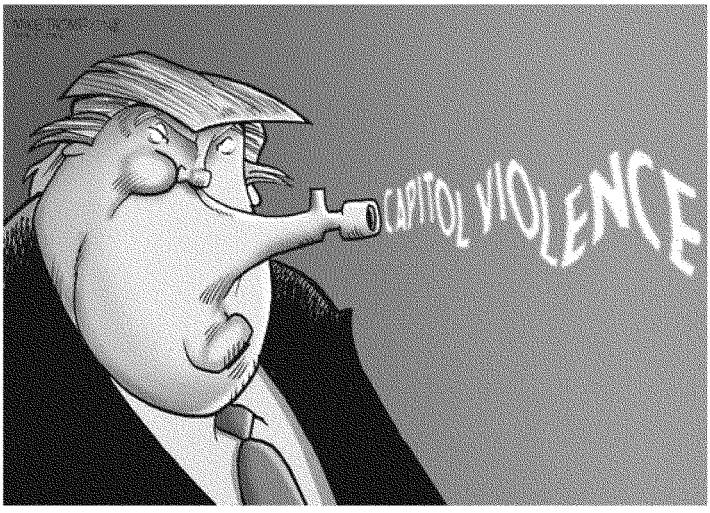

Mike Thompson. USA TODAY USA TODAY Network

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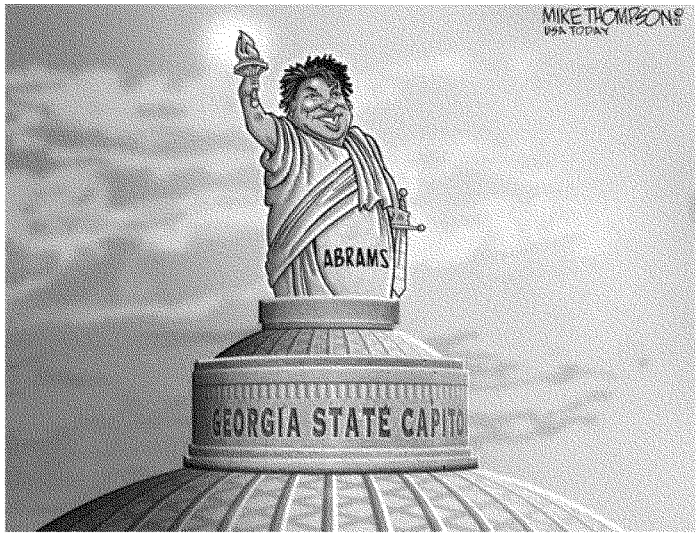

Mike Thompson, USA TODAY USA TODAY Network

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Dave Granlund, USA TODAY Network USA TODAY Network

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Mike Thompson. USA TODAY USA TODAY Network

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Dave Granlund, USA TODAY Network USA TODAY Network

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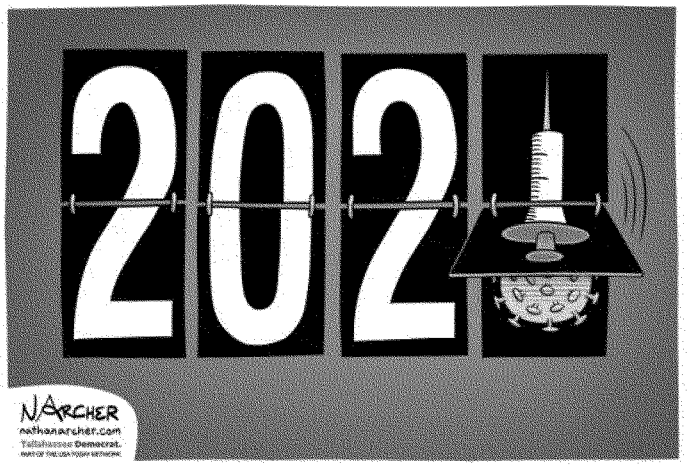

Nathaniel Archer, USA TODAY Network USA TODAY Network

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Andy Marlette, USA TODAY Network USA TODAY Network

Fullscreen



Andy Marlette, USA TODAY Network USA TODAY Network

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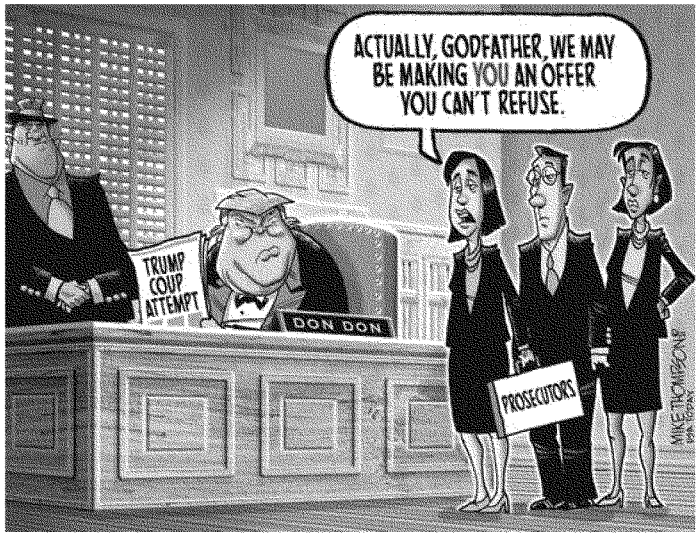

Mike Thompson, USA TODAY USA TODAY Network

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Andy Marlette, USA TODAY Network USA TODAY Network

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Andy Marlette, USA TODAY Network USA TODAY Network

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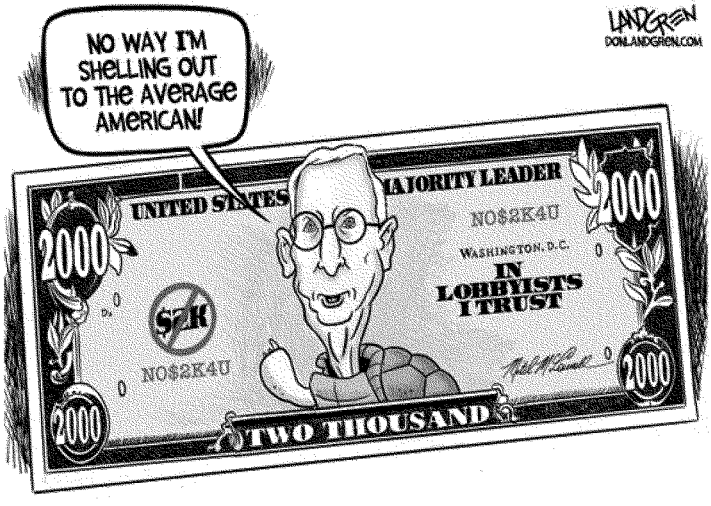

Don Landgren, USA TODAY Network USA TODAY Network

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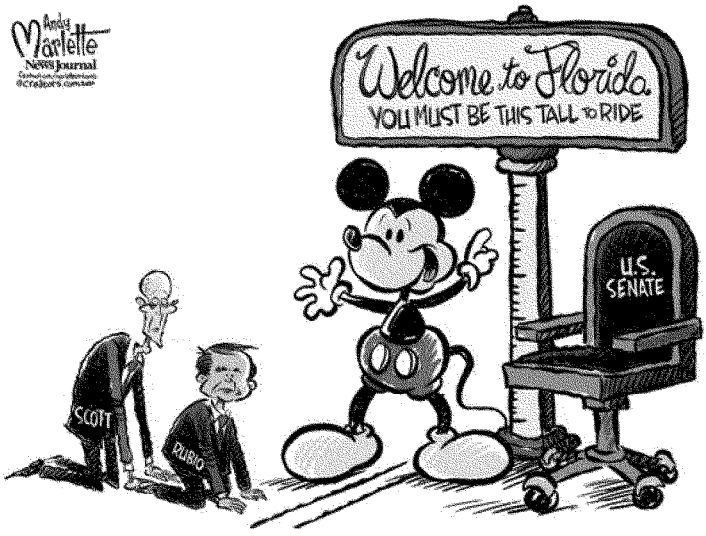

Andy Marlette, USA TODAY Network USA TODAY Network

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Don Landgren, USA TODAY Network USA TODAY Network

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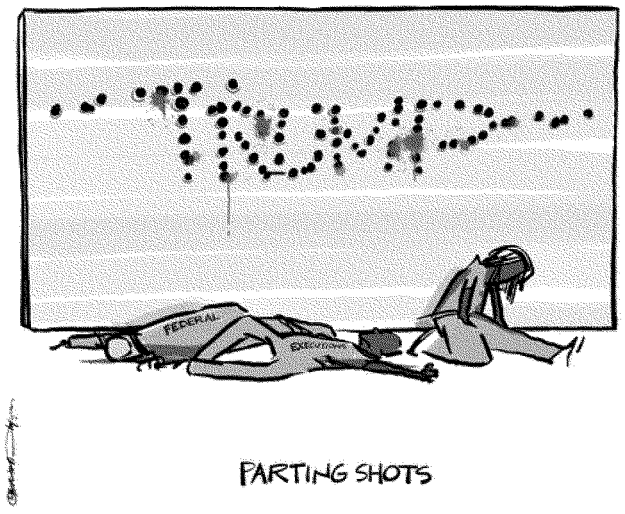

Marc Murphy, USA TODAY Network USA TODAY Network

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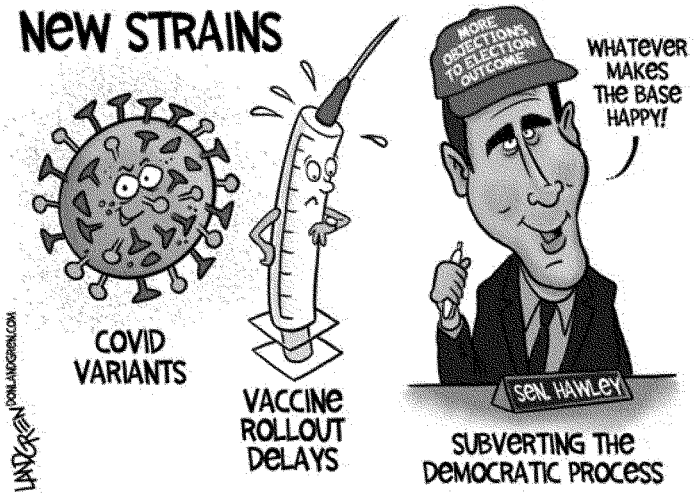

Don Landgren, USA TODAY Network USA TODAY Network

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Don Landgren, USA TODAY Network USA TODAY Network

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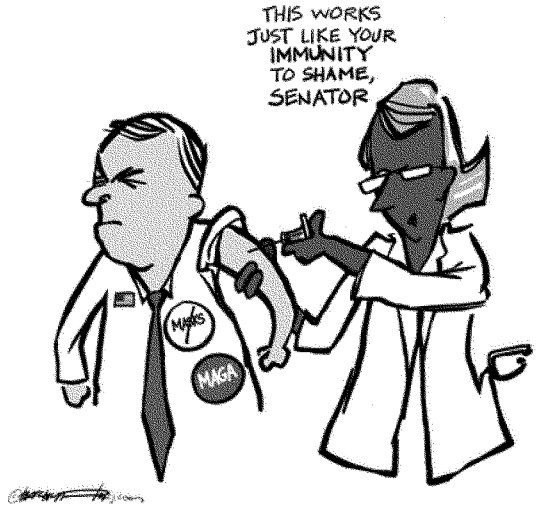

Marc Murphy, USA TODAY Network USA TODAY Network

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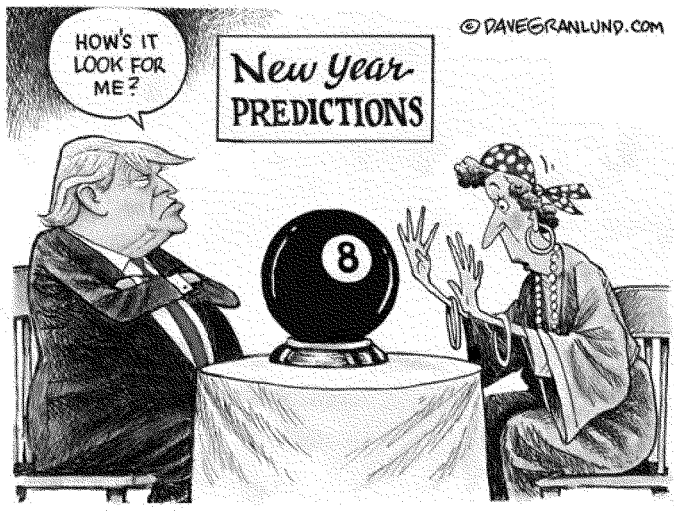

Dave Granlund, USA TODAY Network USA TODAY Network

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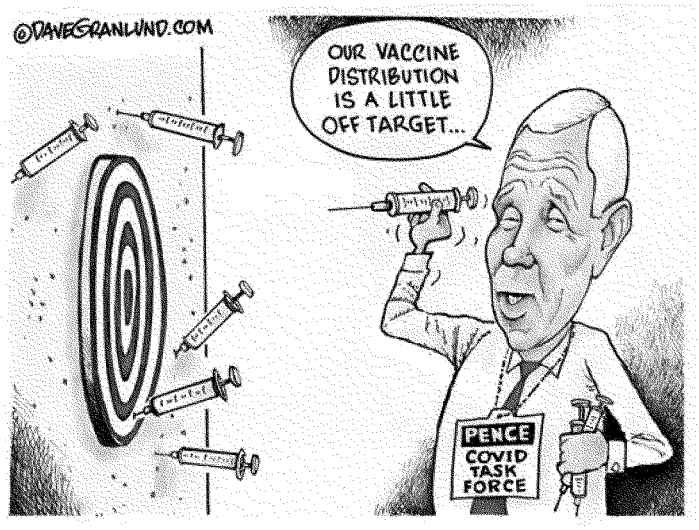

Dave Granlund, USA TODAY Network USA TODAY Network

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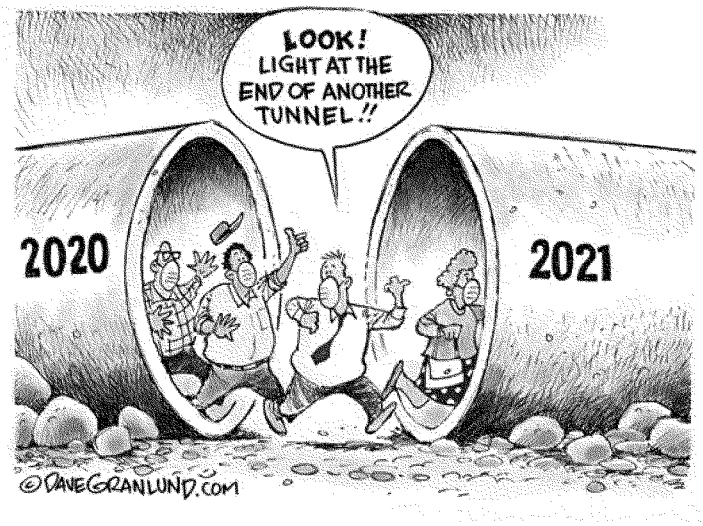

Dave Granlund, USA TODAY Network USA TODAY Network

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Joey.Weatherford, USA TODAY Network USA TODAY Network

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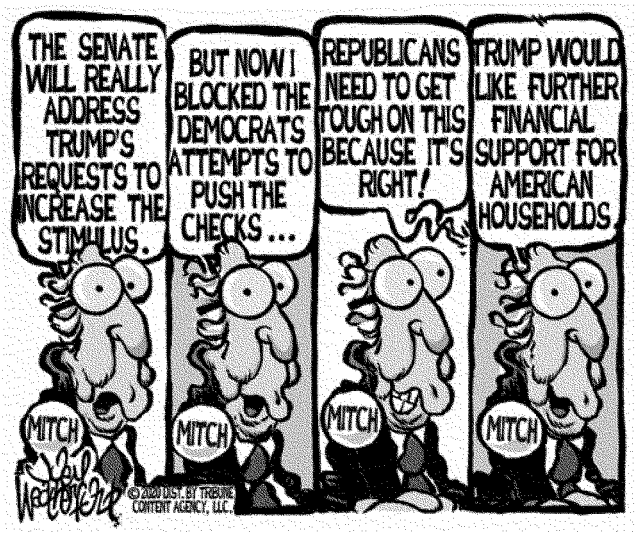

Joey Weatherford, USA TODAY Network USA TODAY Network

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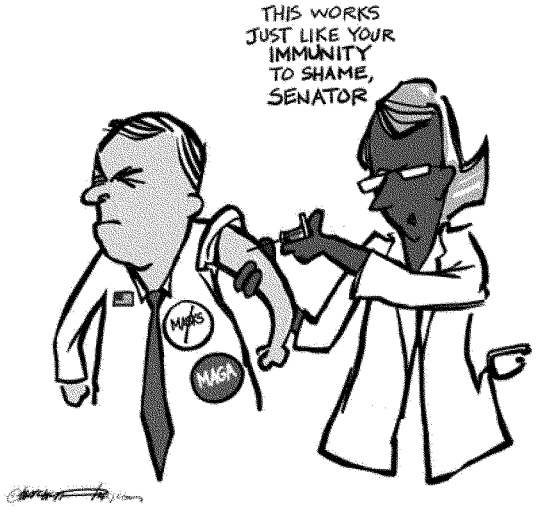

Marc Murphy, USA TODAY Network USA TODAY Network

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Mike Thompson, USA TODAY Network USA TODAY Network

Fullscreen



Marc Murphy, USA TODAY Network USA TODAY Network

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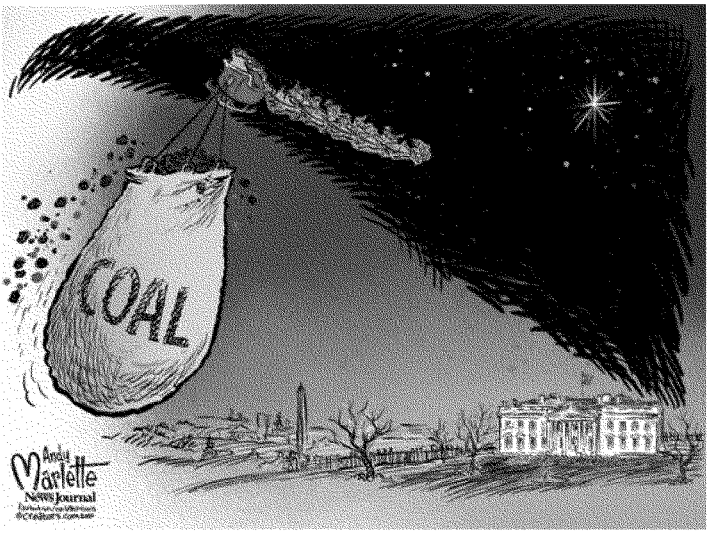

Andy Marlette, USA TODAY Network USA TODAY Network

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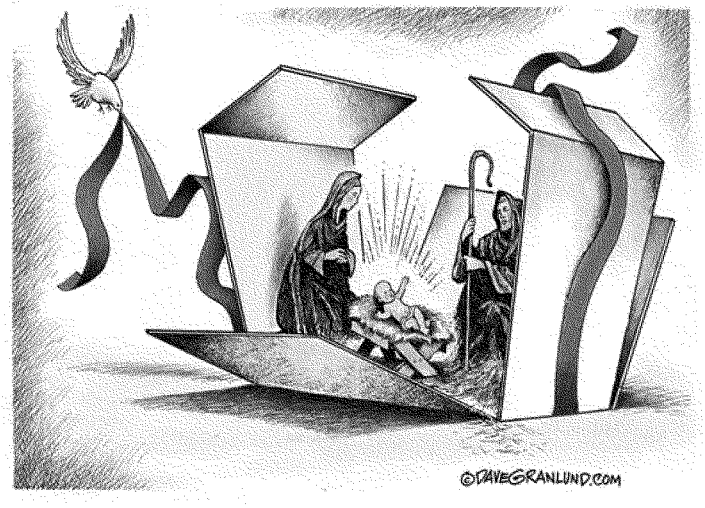

Dave Granlund, USA TODAY Network USA TODAY Network

Fullscreen



Dave Granlund, USA TODAY Network USA TODAY Network

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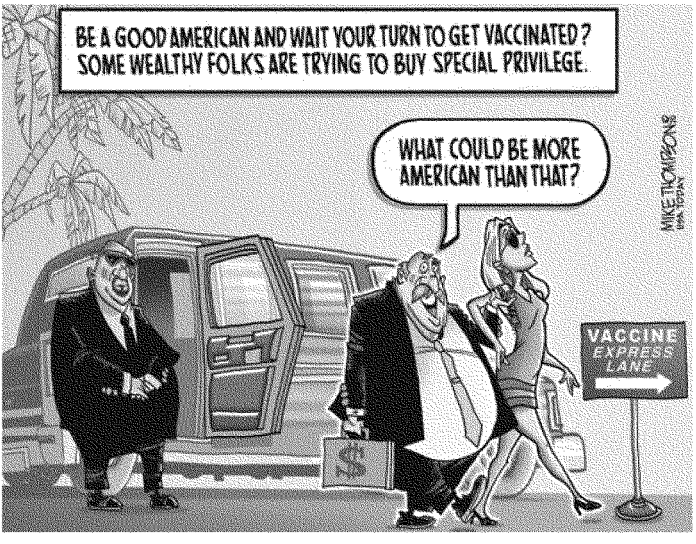

Mike Thompson, USA TODAY Network USA TODAY Network

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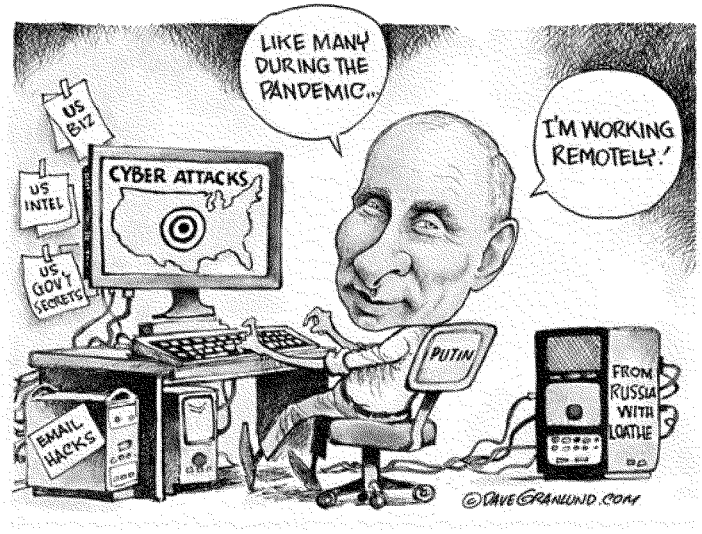

Dave Granlund, USA TODAY Network USA TODAY Network

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Andy Marlette, USA TODAY Network USA TODAY Network

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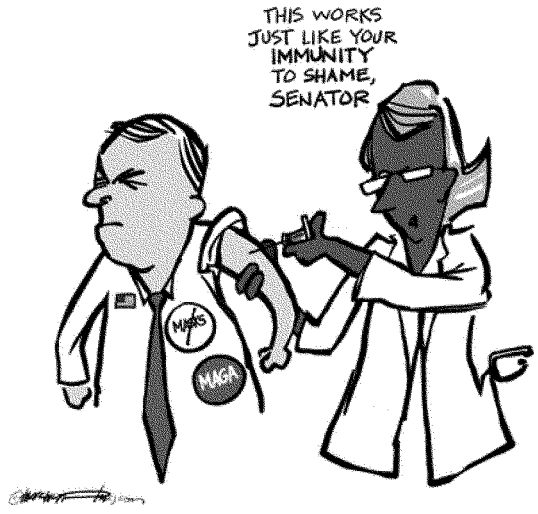

Marc Murphy, USA TODAY Network USA TODAY Network

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Andy Marlette, USA TODAY Network USA TODAY Network

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Don Landgren, USA TODAY Network USA TODAY Network

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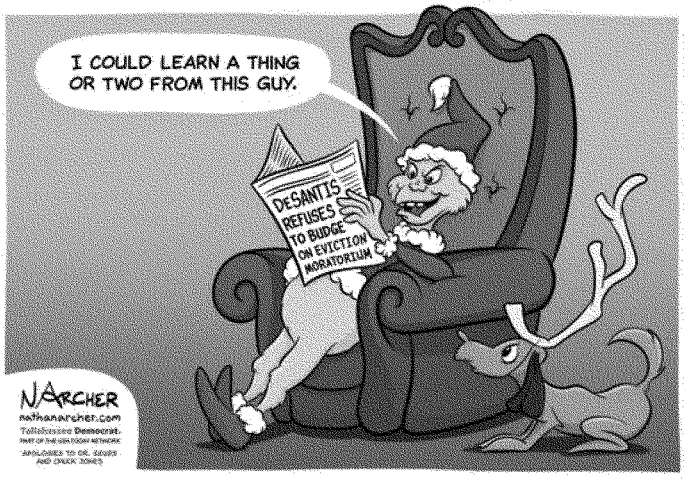

Nathaniel Archer, USA TODAY Network USA TODAY Network

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Andy Marlette, USA TODAY Network USA TODAY Network

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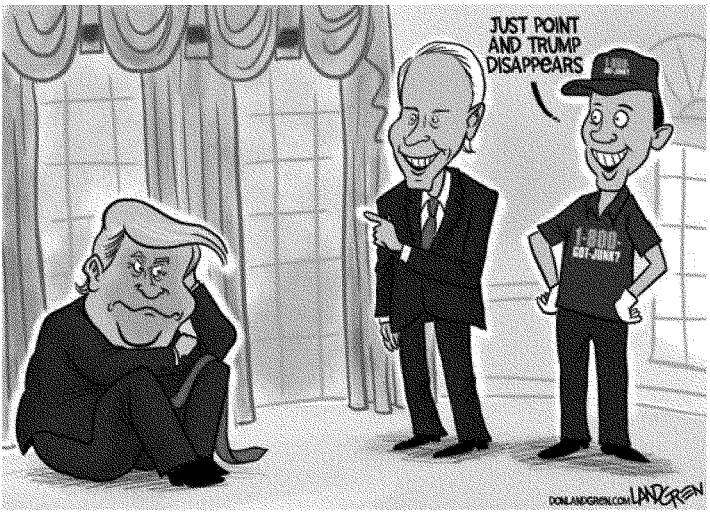

Don Landgren, USA TODAY Network USA TODAY Network

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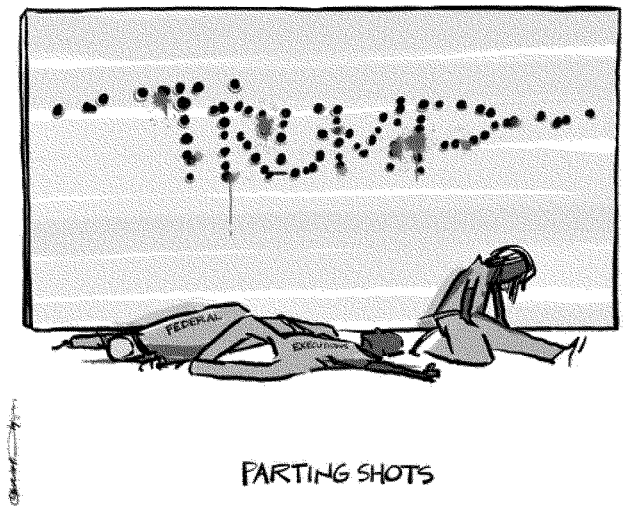

Marc Murphy, USA TODAY Network USA TODAY Network

Fullscreen



Don Landgren, USA TODAY Network USA TODAY Network

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Joey Weatherford, USA TODAY Network USA TODAY Network

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Andy Marlette, USA TODAY Network USA TODAY Network

Fullscreen



Andy Marletts, USA TODAY Network USA TODAY Network

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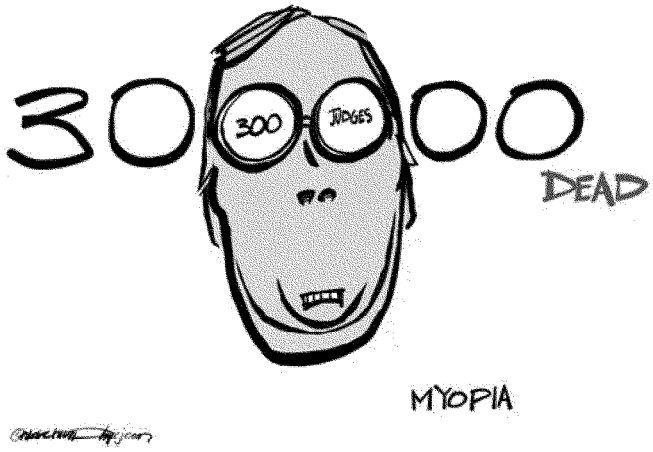

Marc Murphy, USA TODAY Network USA TODAY Network

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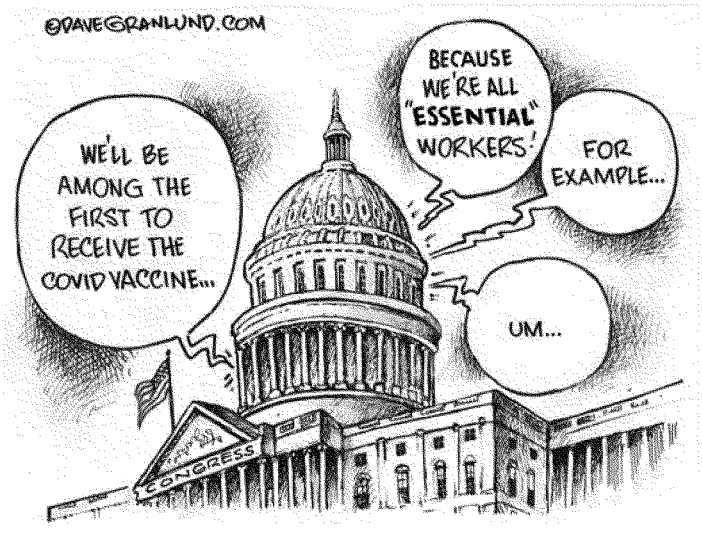

Dave Granlund, USA TODAY Network USA TODAY Network

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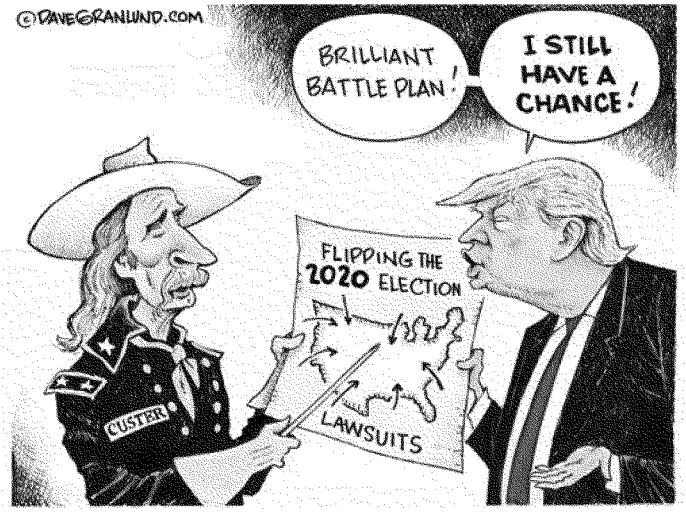

Dave Granlund, USA TODAY Network USA TODAY Network

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Andy Marlette, USA TODAY Network USA TODAY Network

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Andy Marlette, USA TODAY Network USA TODAY Network

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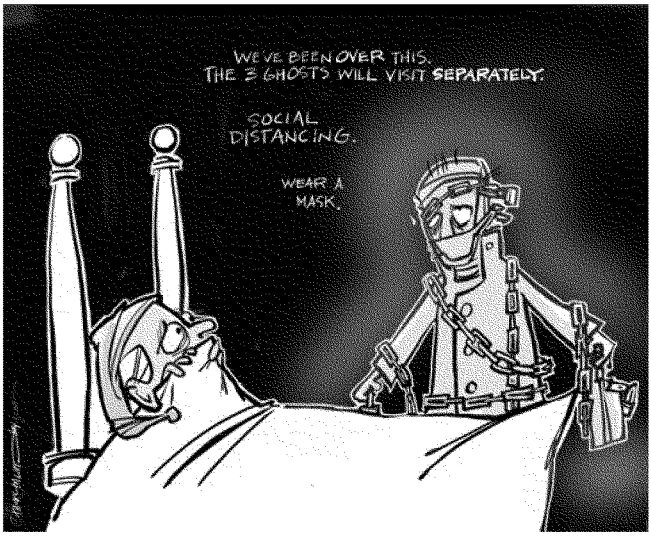

Marc Murphy, USA TODAY Network USA TODAY Network

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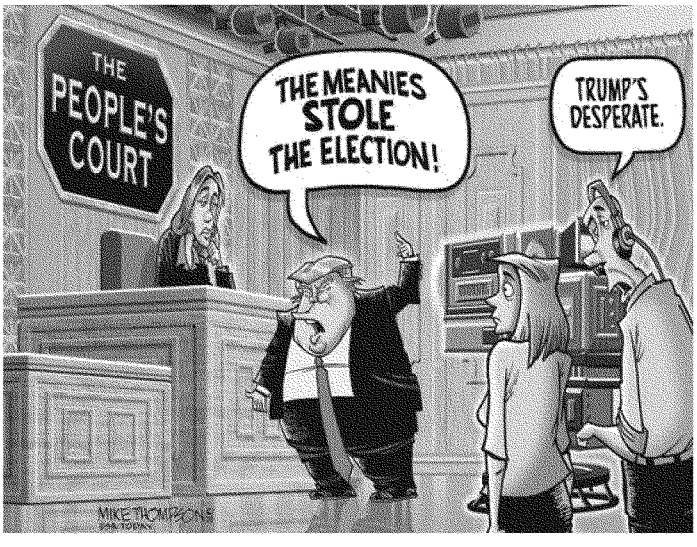

Mike Thompson, USA TODAY Network USA TODAY Network

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Andy Marlette, USA TODAY Network USA TODAY Network

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Don Landgren, USA TODAY Network USA TODAY Network

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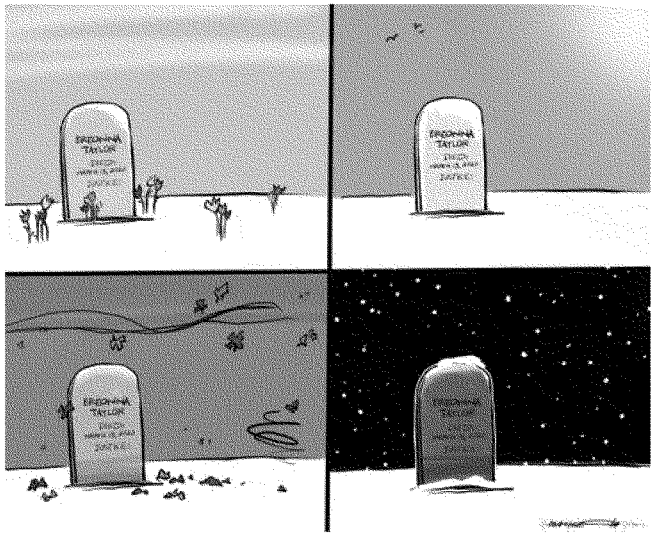

Marc Murphy, USA TODAY Network USA TODAY Network

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Don Landgren, USA TODAY Network USA TODAY Network

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Andy Marlkette, USA TODAY Network USA TODAY Network

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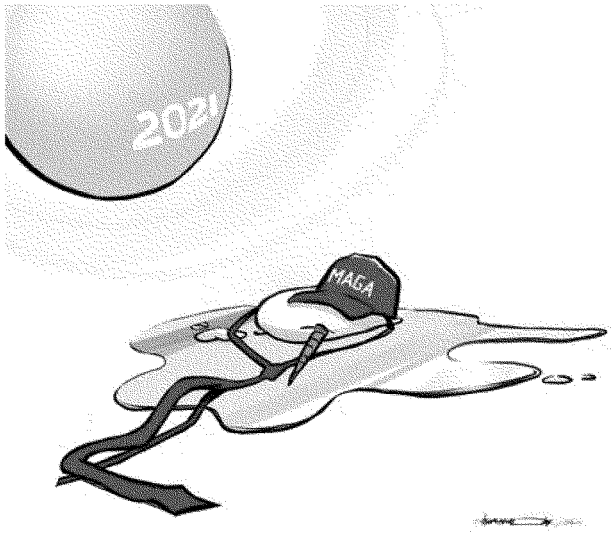

Marc Murphy, USA TODAY Network USA TODAY Network

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David Cohen, USA TODAY Network USA TODAY Network

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Andy Marlette, USA TODAY Network USA TODAY Network

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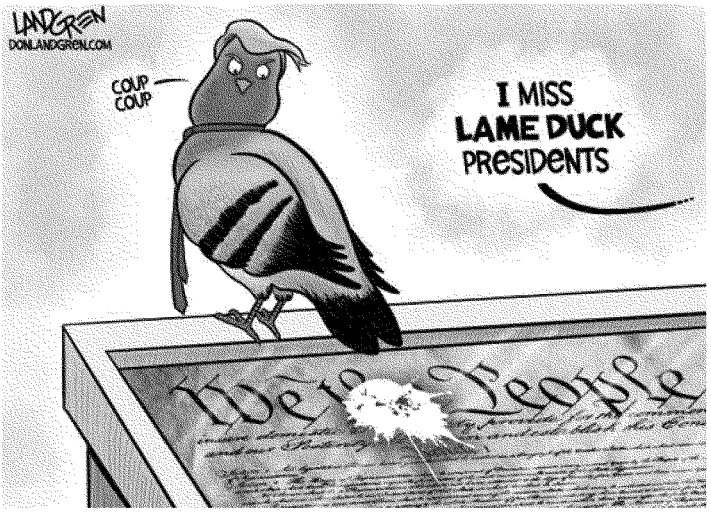

Don Landgren, USA TODAY Network USA TODAY Network

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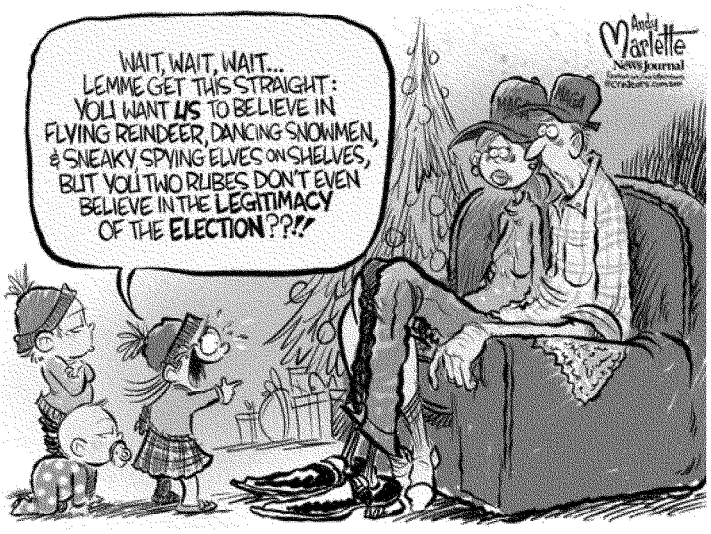

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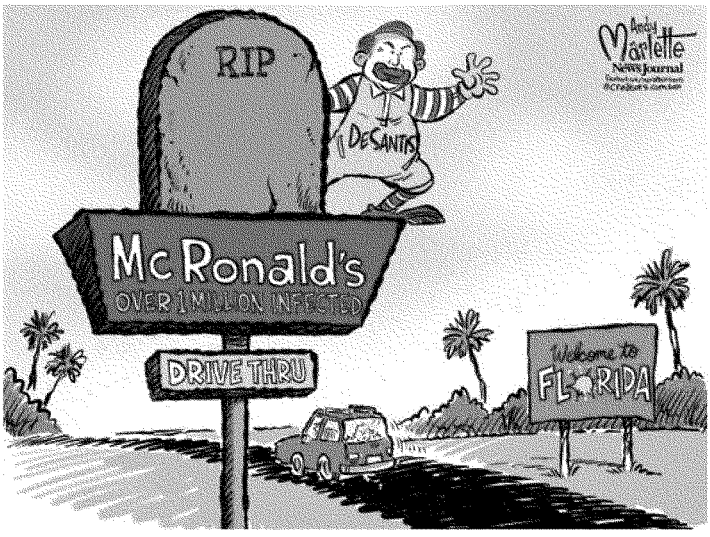

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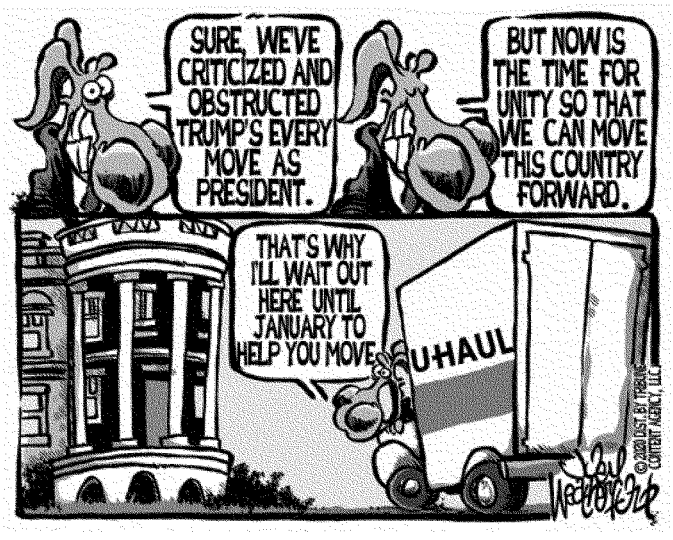

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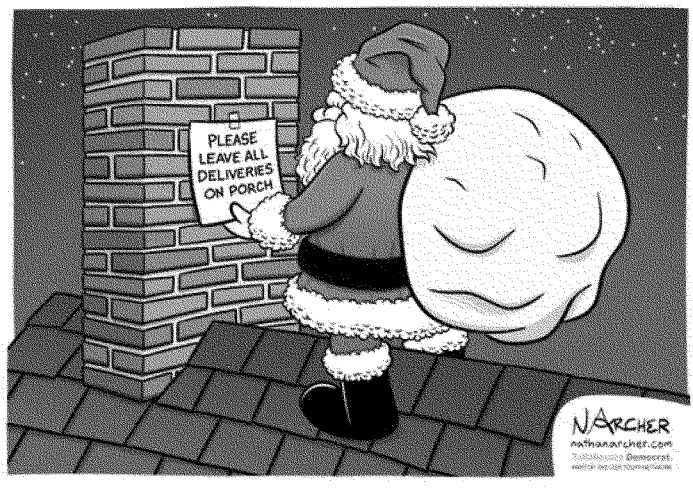

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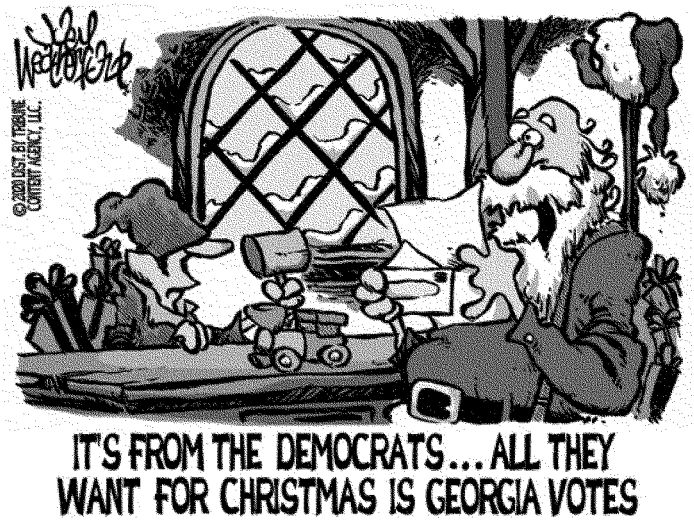

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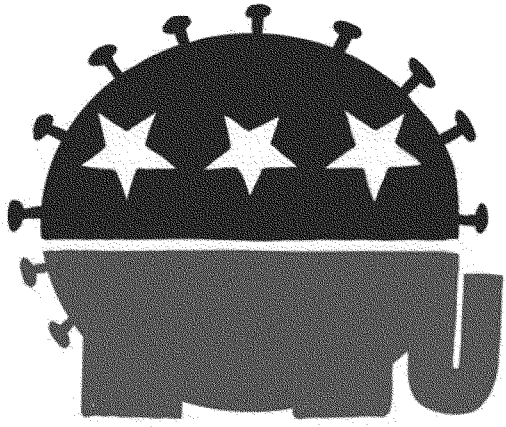

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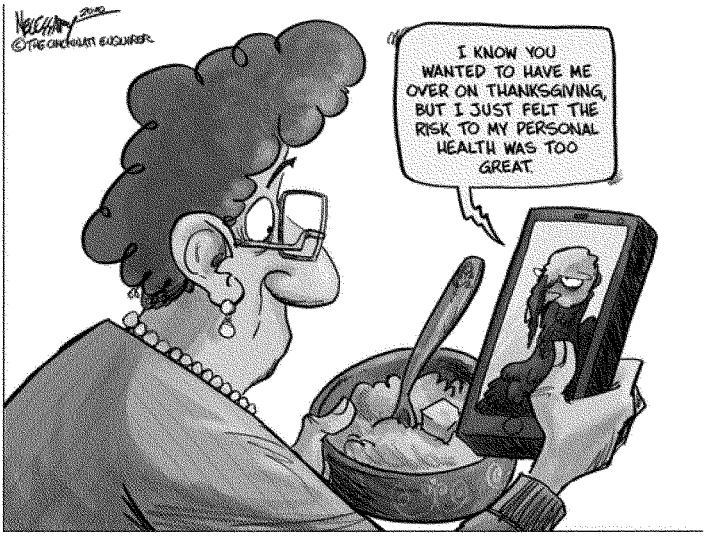

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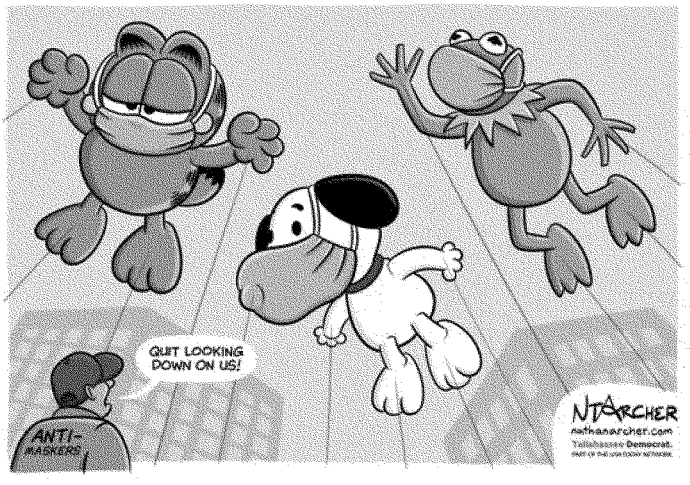

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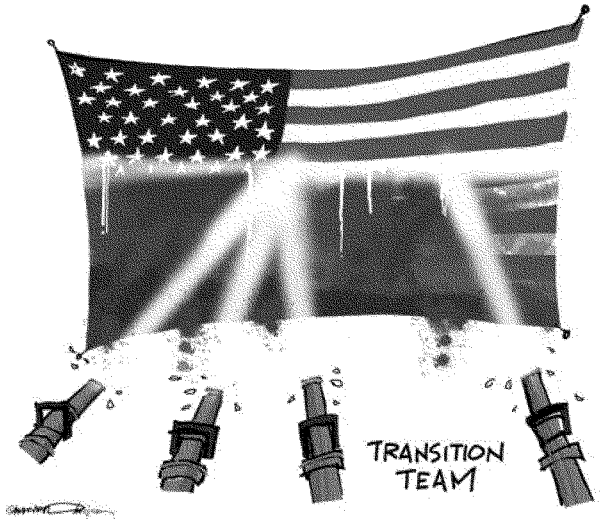

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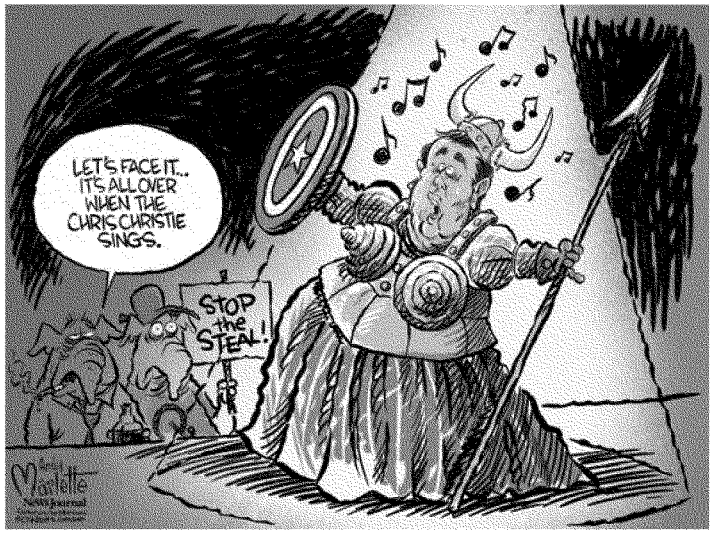

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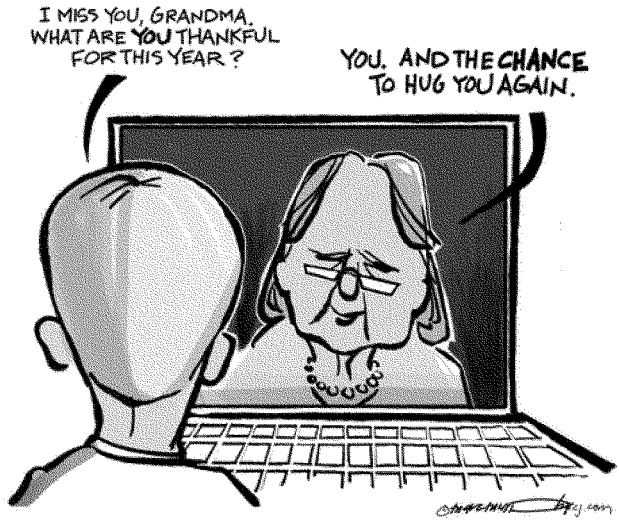

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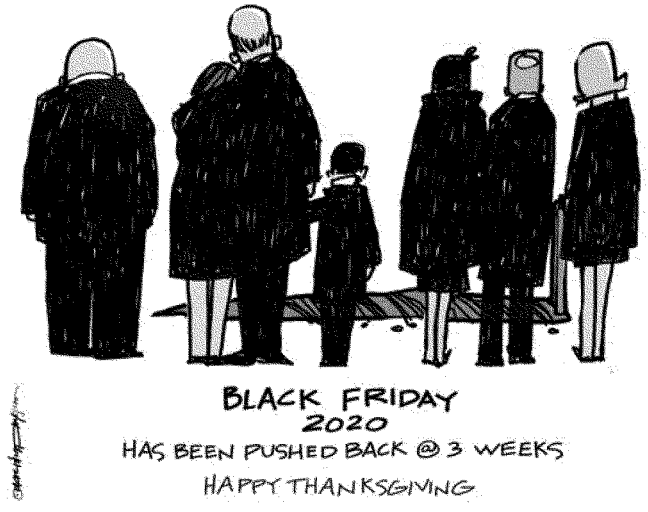

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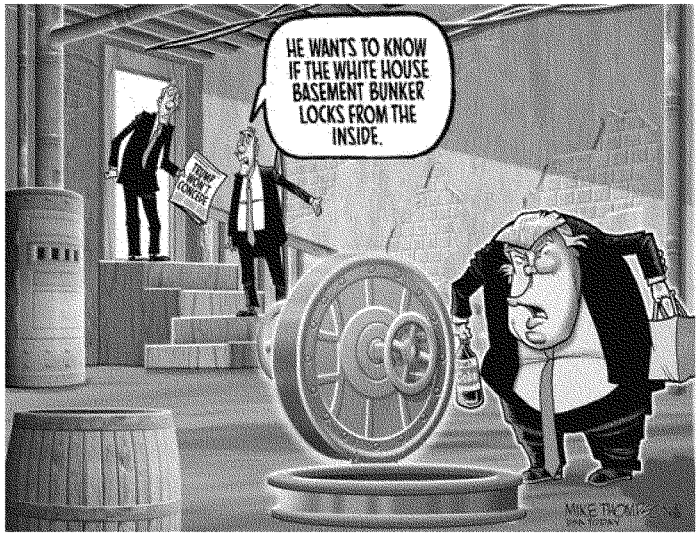

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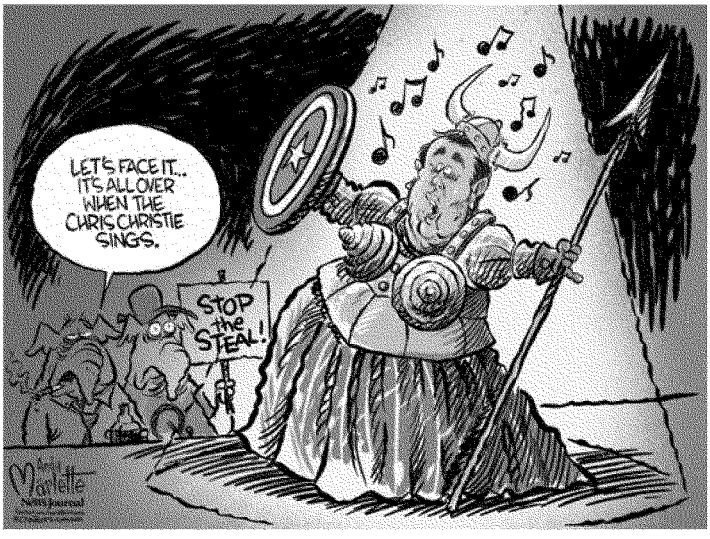

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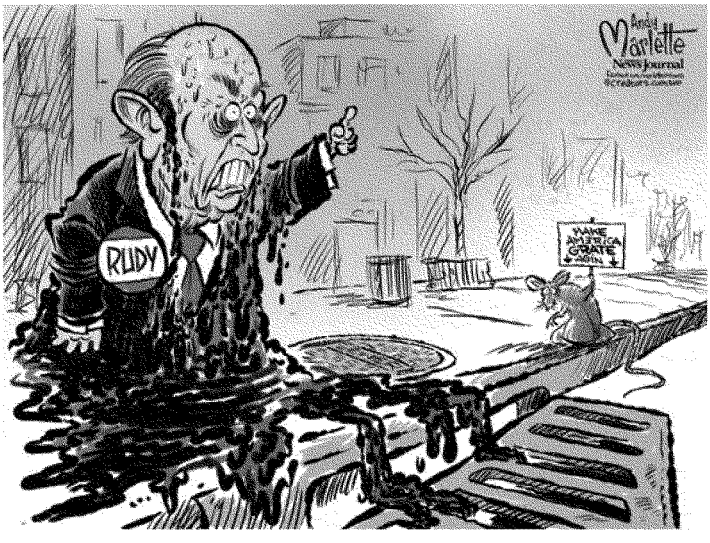

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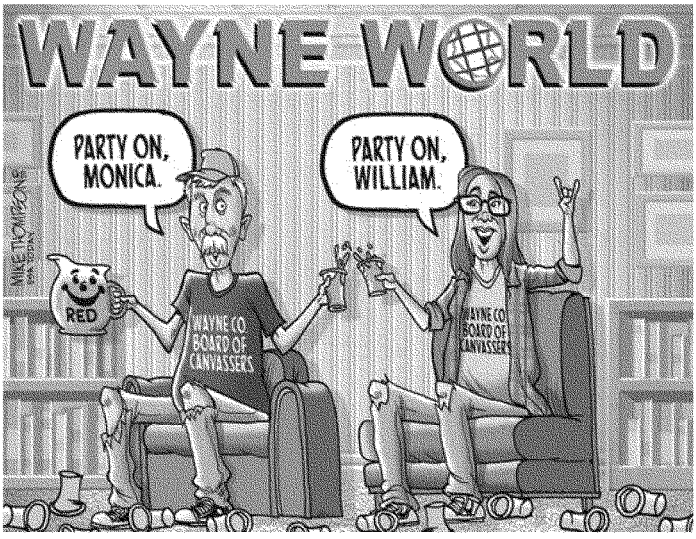

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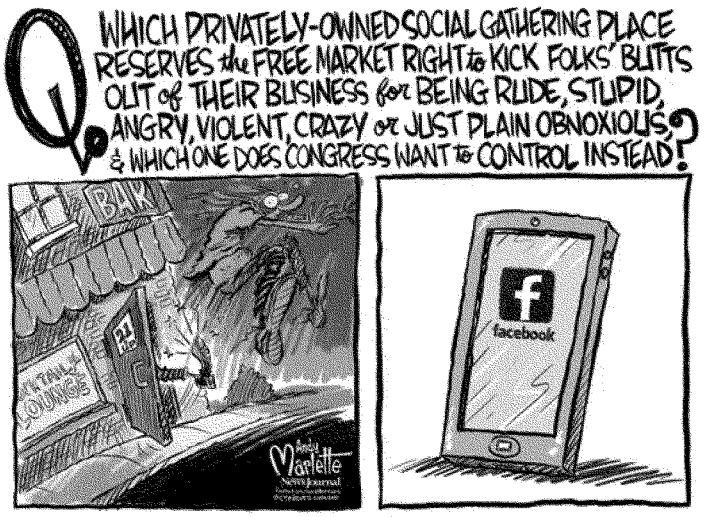

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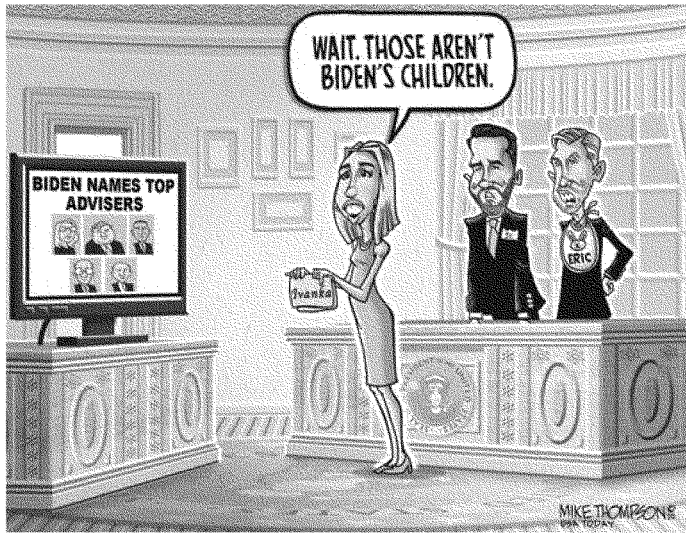

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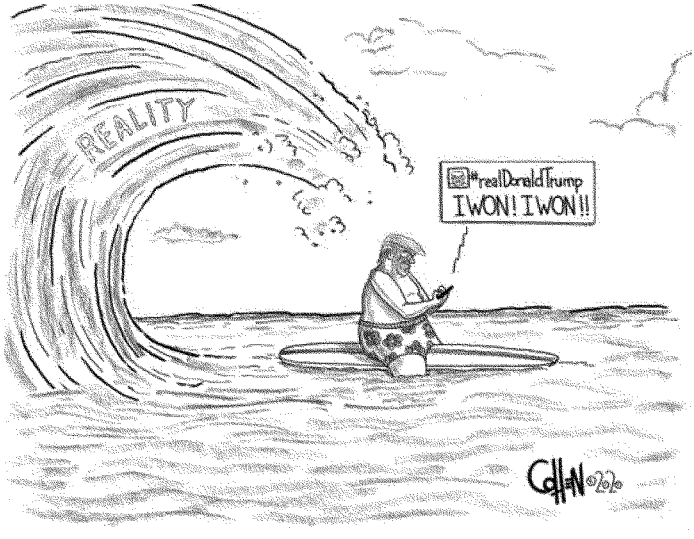

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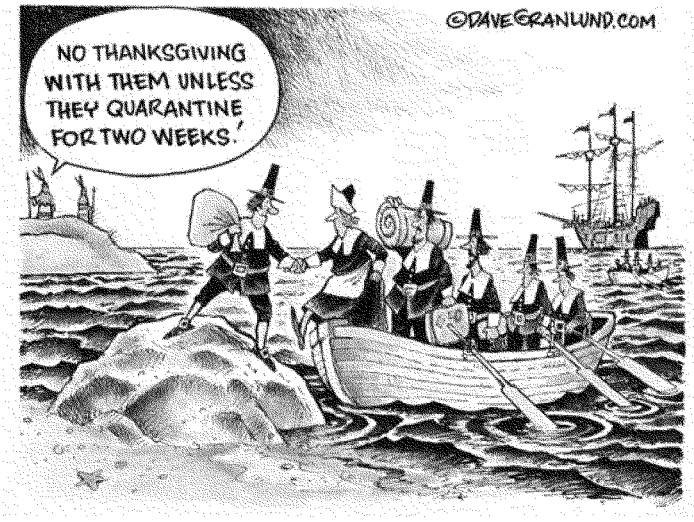

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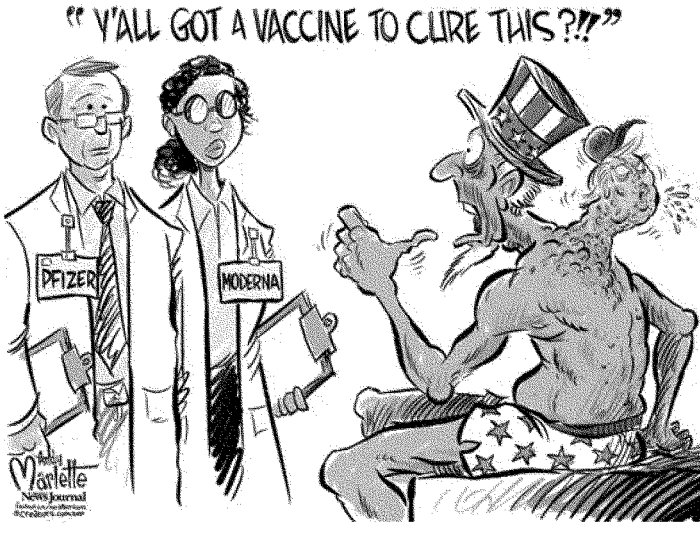

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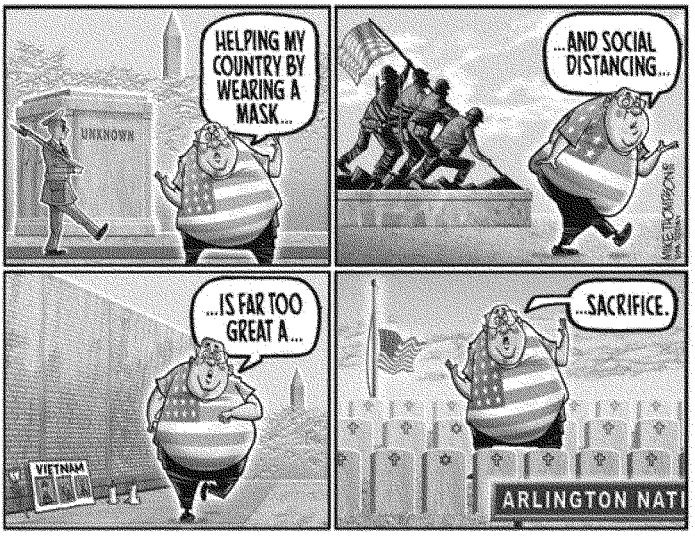

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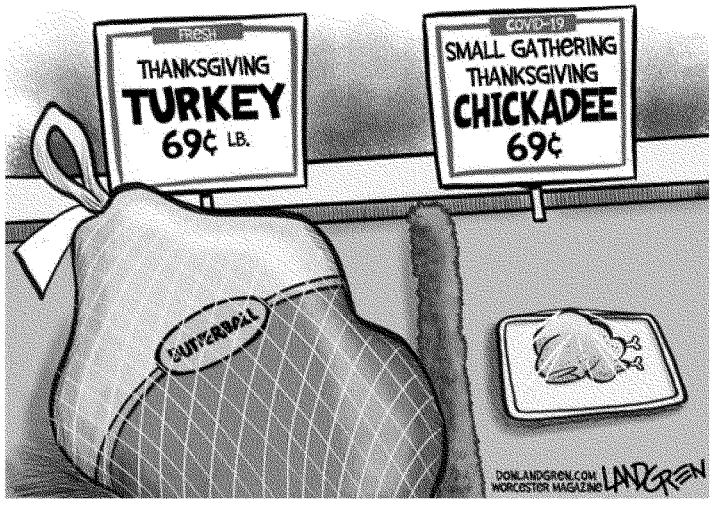

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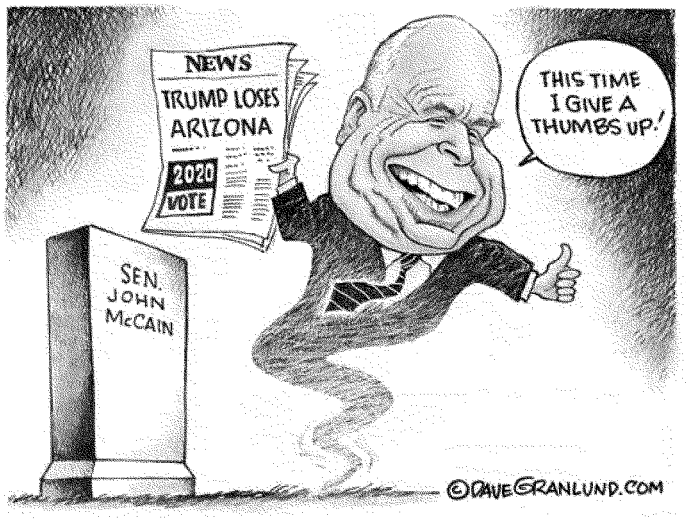

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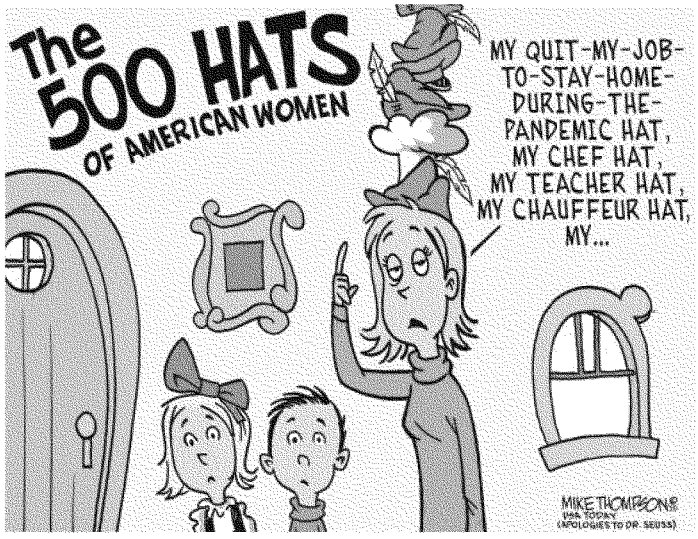

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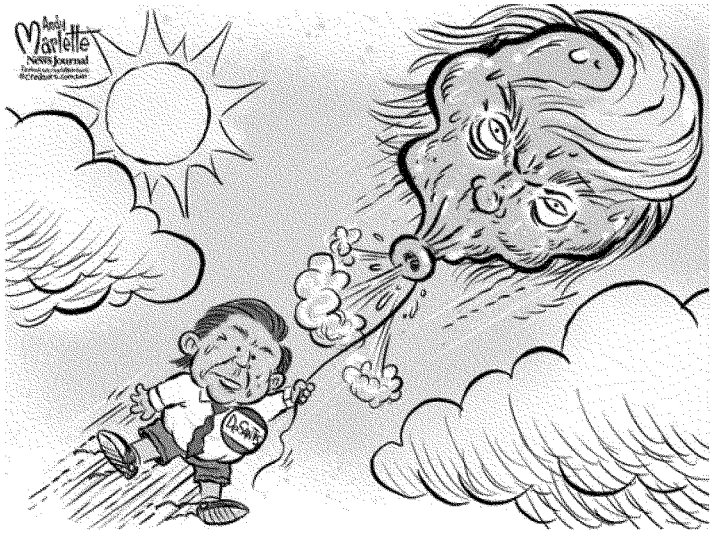

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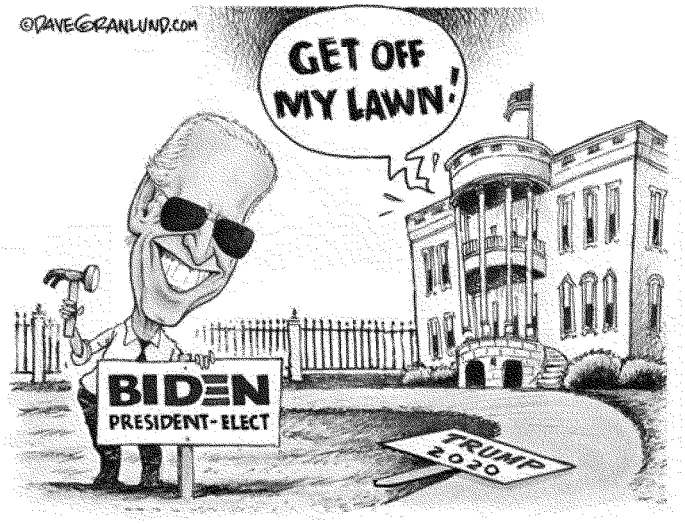

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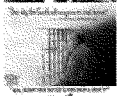
-  52 of 200
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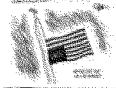
- 
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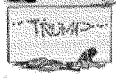
-  127 of 200
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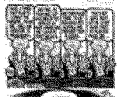
-  129 of 200
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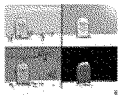
-  141 of 200
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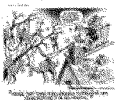
-  157 of 200
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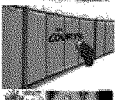
-  163 of 200
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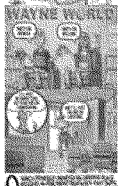
-  179 of 200
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'The last wall': How dozens of judges across the political spectrum rejected Trump's efforts to overturn the election

washingtonpost.com/politics/judges-trump-election-lawsuits/2020/12/12/e3a57224-3a72-11eb-98c4-25dc9f4987e8_story.html

By Rosalind S. Helderman and Elise Viebeck December 12, 2020



They are both elected and appointed, selected by Democrats and Republicans alike.

Some have served for decades — while others took the bench only months ago.

One is a former high school teacher, another the first Native American woman appointed to a federal judgeship. A third worked for years for a Republican governor who has been a vocal supporter of President Trump.

Since the November election, they have all ruled in court against Trump or one of his allies seeking to challenge or overturn the presidential vote.

In a remarkable show of near-unanimity across the nation's judiciary, at least 86 judges — ranging from jurists serving at the lowest levels of state court systems to members of the United States Supreme Court — rejected at least one post-election lawsuit filed by Trump or

his supporters, a Washington Post review of court filings found.

The string of losses was punctuated Friday by the brief and blunt order of the Supreme Court, which dismissed an attempt by the state of Texas to thwart the electoral votes of four states that went for President-elect Joe Biden.

Taken together, the judges's decisions — some short and to the point and others sweeping defenses of American democracy — have comprehensively dismantled the arguments advanced by Trump in his effort to get the courts to subvert Biden's victory.

In an era when so many institutions of American life have bowed to partisan tribalism, the dozens of opinions serve as a resounding reaffirmation of the judiciary's nonpartisan commitment to basic principles of reason, fact and law.

"Voters, not lawyers, choose the President," declared U.S. Circuit Court Judge Stephanos Bibas, a former prosecutor and law professor appointed in 2017 by Trump, as he rejected an attempt to throw out Pennsylvania's votes for Biden.

"Federal judges do not appoint the president in this country," wrote U.S. District Court Judge Pamela Pepper, who was nominated by President Barack Obama. "One wonders why the plaintiffs came to federal court and asked a federal judge to do so."

Trump's attempt to block certification of Biden's win in Georgia "would breed confusion and potentially disenfranchisement that I find has no basis in fact or in law," wrote U.S. District Court Judge Steven D. Grimberg, whom Trump named to the bench last year.

Before Election Day, federal judges nominated by Trump largely ruled against efforts to loosen voting rules in the 2020 campaign, siding with Republicans seeking to enforce restrictions, a previous Post analysis found.

But conservative jurists are among those who have balked at the sweeping attempts by Trump and his allies to throw out millions of votes after they were cast — rejecting claims of irregularities as unfounded and challenges to the voting process as belated.

The Post found that 38 judges appointed by Republicans dealt blows to such suits, with some writing searing opinions.

The latest example came Saturday, when federal District Judge Brett H. Ludwig, a Trump nominee who took the bench in September, dismissed a lawsuit filed by the president that sought to throw out the election results in Wisconsin, calling the request "extraordinary."

"A sitting president who did not prevail in his bid for reelection has asked for federal court help in setting aside the popular vote based on disputed issues of election administration, issues he plainly could have raised before the vote occurred," he wrote. "This Court has allowed plaintiff the chance to make his case and he has lost on the merits."

Trump asked for the rule of law to be followed, Ludwig noted, adding: "It has been."

After appointing more than 200 judges during his administration, including three Supreme Court justices, Trump made clear that he believed the courts would side with his unprecedented attempts to reverse the election results.

"The Supreme Court has a chance to save our Country from the greatest Election abuse in the history of the United States. 78% of the people feel (know!) the Election was RIGGED," the president tweeted Thursday.

After his latest gambit to get before the high court failed, Trump tweeted Saturday: "This is a great and disgraceful miscarriage of justice. The people of the United States were cheated, and our Country disgraced. Never even given our day in Court!"

In fact, Trump was given his day in dozens of courts. The refusal of so many judges to rule as he wished speaks to the limits on his ability to shape the judicial branch.

"Judges are in some ways, the last wall," said Charles Gardner Geyh, a professor at the Maurer School of Law at Indiana University and an expert on the relationship between the judiciary and the rest of the government. "They are the branch of government that can say, 'this far and no farther.' "

He added: "These are the people who are committed to the rule of law — and they're the only ones who are right now."

Since the Nov. 3 vote,Trump's supporters insisted he be given a chance to challenge the results in court.

"The president has a right for every legal challenge to be heard, and he has a right to go to the Supreme Court with it," House Minority Leader Kevin McCarthy (R-Calif.) said on Thursday. He joined 125 other House Republicans in asking the Supreme Court to consider throwing out the results in four states.

Trump and his GOP allies repeated over and over again that they sought only to ensure that every "legal" vote was counted, while the president made outlandish claims about vote-rigging and fraud that he has asserted accounted for Biden's more than 81 million votes.

In a blizzard of lawsuits across the country, Trump's campaign and allied groups argued there were widespread problems with both the administration of the election and ballot security.

As of Friday, more than 50 of their cases had failed or been tossed out of court. Just one minor suit — which shortened the period of time in which Pennsylvania voters could fix errors on certain mail ballots — was successful.

Judges consistently found there was no substantive evidence to support claims of fraud and irregularities — that Biden's votes were, in fact, legal votes.

Trump's campaign "did not prove under any standard of proof that illegal votes were cast and counted, or legal votes were not counted at all, due to voter fraud, nor in an amount equal to or greater than" Biden's margin in Nevada, wrote state District Court Judge James T. Russell, a former lieutenant in the U.S. Army. A fourth-generation Nevadan, Russell's grandfather was also a judge, assuming the bench after injuring his leg working on the railroad.

In Pennsylvania, Bibas — who sits on a federal circuit court, just below the U.S. Supreme Court — wrote: "Charges of unfairness are serious. But calling an election unfair does not make it so."

Writing on behalf of two other judges also named to the court by Republican presidents, Bibas, who graduated from Columbia University at 19 before earning his law degree at Yale, added, "Charges require specific allegations and then proof. We have neither here."

And in Arizona, evaluating similar complaints from conservative attorney Sidney Powell, federal District Court Judge Diane J. Humetewa wrote: "Allegations that find favor in the public sphere of gossip and innuendo cannot be a substitute for earnest pleadings and procedure in federal court."

"Plaintiffs have not moved the needle for their fraud theory from conceivable to plausible, which they must do to state a claim under Federal pleading standards," added Humetewa, a member of the Hopi Tribe who was named Arizona's U.S. attorney in 2007 by President George W. Bush before being nominated to the federal bench by Obama in 2014.

A handful of judges appeared more open to Trump's arguments, but such views came in dissents to majority opinions that carried the day.

Unlike politics and the media, courtrooms are run by certain rules, applied over and over in matters small and large.

To file a lawsuit, a person must have standing to sue — to be able to show they have suffered a specific injury that can actually be addressed were they to win their suit. They can ask judges to act only where they have jurisdiction. Federal judges are limited, for instance, in their power to deal with matters overseen by the states, like the rules governing elections.

They must also formally state a claim — that is, show that if they've presented all the facts accurately, their suit demonstrates some law has actually been violated. They must rely on precedent, showing that they have asked for the law to be applied in the same way that it has been in the past.

And, finally, if lawyers say a fact is a fact, they must be able to prove it is a fact — with credible, firsthand evidence.

Over and over again, Trump and his allies failed to convince judges that their complaints overcame some of these hurdles. In many cases, they failed to demonstrate that they cleared any of them.

Instead, judges repeatedly found that plaintiffs without standing filed cases that, per past precedent, were lodged too late, sometimes in the wrong courts, asking for disproportionate relief based on unsubstantiated claims.

Witness statements submitted by the campaign, for instance, were "self-serving statements of little or no evidentiary value," wrote Russell in Nevada. So-called expert testimony "was of little to no value," and a claim of ballot-stuffing in broad daylight asserted by an anonymous witness with no corroboration he termed "not credible."

One of the most strongly worded opinions came from Wisconsin state Justice Brian Hagedorn, a onetime president of Northwestern University Law School's chapter of the conservative Federalist Society, who previously served for more than four years as chief legal counsel to former Wisconsin Gov. Scott Walker (R).

"Something far more fundamental than the winner of Wisconsin's electoral votes is implicated in this case," Hagedorn wrote, in declining to hear a case brought by a conservative group that asked the court to overturn the election results. "At stake, in some measure, is faith in our system of free and fair elections, a feature central to the enduring strength of our constitutional republic."

"Once the door is opened to judicial invalidation of presidential election results, it will be awfully hard to close that door again. This is a dangerous path we are being asked to tread," Hagedorn added.

He was joined by three other justices, including that court's currently longest-serving member, Justice Ann Walsh Bradley, who taught high school in La Crosse, Wis., before taking up the law, as well as Justice Jill Karofsky, who was elected to the court in April.

The Post review found striking diversity in the political orientation and experience among the judges who ruled against Trump or his allies. Fifty-four were men, 32 were women. They ranged in age from 42 to 82.

In Michigan, U.S. District Court Judge Linda V. Parker — an Obama appointee who formerly served as director of the state's Department of Civil Rights — wrote that "the right to vote is among the most sacred rights of our democracy and, in turn, uniquely defines us as Americans."

A suit from a Trump ally trying to throw out the state's election results was "stunning in its scope and breathtaking in its reach," she continued.

"If granted, the relief would disenfranchise the votes of the more than 5.5 million Michigan citizens who, with dignity, hope, and a promise of a voice, participated in the 2020 General Election. The Court declines to grant plaintiffs this relief," she wrote.

In Pennsylvania, U.S. District Court Judge Matthew W. Brann, who served as the chairman of the Bradford County Republican Committee for more than a decade before taking the bench, compared the Trump campaign's stitched-together legal theories to "Frankenstein's monster."

"This Court has been presented with strained legal arguments without merit and speculative accusations, unpled in the operative complaint and unsupported by evidence," wrote Brann, days after he heard Trump's attorney Rudolph W. Giuliani personally argue the case.

"In the United States of America, this cannot justify the disenfranchisement of a single voter, let alone all the voters of its sixth most populated state. Our people, laws, and institutions demand more," he concluded.

What the judges have in common, Geyh said, is education and experience that have "acculturated them to take the law seriously."

Judicial ideology, he said, can make a difference in close cases where legal concepts are in conflict. But in matters as relatively clear-cut as those presented by the election cases, he argued, it is no surprise that jurists have spoken largely with one voice.

"What we saw here were a bunch of overzealous lawyers trying to make the transition from the political realm, where facts and law have ceased to be very important, into the judicial realm, where the norms are still hard and fast," he said.

The judges made it clear, he said, that they do not wish to be dragged into political battles.

Instead, as Parker wrote in Michigan, the task of selecting political leaders — and especially the president of the United States — should fall to voters, not judges.

"The people," she wrote, "have spoken."

Anna Brugmann, Keith Newell, Tobi Raji, Aaron Schaffer and Maya Smith contributed to this report.

'Nothing but speculation and conjecture': Judge swats down GOP lawsuit to decertify Biden's Michigan win

nbcnews.com/politics/2020-election/nothing-speculation-conjecture-judge-swats-down-gop-lawsuit-decertify-biden-n1250255

December 7, 2020



Dec. 7, 2020, 5:21 PM UTC / Updated Dec. 7, 2020, 7:27 PM UTC

By Pete Williams

Federal judges in Michigan and Georgia on Monday denied Republican efforts to undo the certification of President-elect Joe Biden as the winner of the presidential election, rejecting two of the lawsuits filed by President Donald Trump supporter Sidney Powell.

In the Michigan case, U.S. District Judge Linda Parker for the Eastern District of Michigan said the allegations of fraud were based on "nothing but speculation and conjecture." She added that the closest the lawsuit got to alleging that ballots cast for Trump were changed by the voting machinery to votes for Biden is this statement in an affidavit: "I believe some of these workers were changing votes that had been cast for Donald Trump and other Republican candidates."

But the judge said "a belief is not evidence" and falls short of the kind of allegation necessary to support the motion to undo certification. The claims amounted to "an amalgamation of theories, conjecture, and speculation that such alterations were possible," she said.

Parker was also harshly critical of the plaintiffs — Trump presidential electors — for waiting so long to file their lawsuit.

"This ship has sailed," she said, adding that the lawsuit was "moot well before it was filed on November 25."

The electors could have taken advantage of the procedures spelled out in state law to challenge an election or allege misconduct or a failure of vote-counting systems, the judge said, "Yet they sat back and did nothing."

Not only that, but the electors failed to make a case that their claim of vote dilution (that the impact of their votes was watered down by counting improper ballots) would be redressed by having a federal judge decertify the results, Parker said.

"The harm of having one's vote invalidated or diluted is not remedied by denying millions of others their right to vote," she said.

In Georgia, District Judge Timothy Batten for the Northern District of Georgia said the plaintiffs in that case were wrong to ask him to rule on what were essentially state law claims.

"They ask the court to order the secretary of state to decertify the election results, as if such a mechanism exists. And I find that it does not," he said.

Batten also said the lawsuit sought a sweeping order invalidating the election results.

"They want this court to substitute its judgment for that of 2.5 million Georgia voters who voted for Joe Biden, and this I am unwilling to do," he said.

By mid-afternoon Monday, Powell had not said whether she would appeal either decision.

Georgia Secretary of State Brad Raffensperger, who re-certified Biden's election victory in the state Monday, said in response to the dismissal of the case that it was "an important day for election integrity in Georgia and across the country."

Referring to Powell's vow to "release the Kraken" with her lawsuits, Raffensperger, a Republican, said those claims "prove to be as mythological as the creature for which they're named. Georgians can now move forward knowing that their votes, and only their legal votes, were counted accurately, fairly and reliably."

Trump and other Republicans have filed dozens of lawsuits across the country in an attempt to contest the election results. Most of the lawsuits have been shot down or withdrawn.

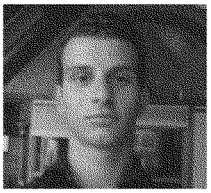
Pete Williams
Pete Williams is an NBC News correspondent who covers the Justice Department and the Supreme Court, based in Washington.



Federal Judge Tears Apart Election Lawsuit

urbanmilwaukee.com/2021/01/04/federal-judge-tears-apart-election-lawsuit/

The Wisconsin Voters Alliance was attempting to overturn the 2020 election results with the lawsuit.



By Graham Kilmer - Jan 4th, 2021 07:55 pm
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David Steffen and Jeffrey Mursau.

A federal judge has dismissed a lawsuit brought by the Wisconsin Voters Alliance against Vice President **Mike Pence**, among others, seeking to overturn the results of the 2020 presidential election in five states.

The Wisconsin Voters Alliance was joined by Republican Assembly members **David Steffen** and **Jeffrey Mursau** in the suit. The plaintiffs included similar groups and legislators from Pennsylvania, Georgia, Michigan and Arizona. The suit listed Pence as a defendant along with Governor **Tony Evers** and Assembly Speaker **Robin Vos** among several others.

Judge **James E. Boasberg** of the United States District Court for the District of Columbia ripped apart the lawsuit in his written decision, which was the latest in a parade of legal actions since the November election seeking to overturn the election.
Boasberg found that the plaintiffs had greatly misinterpreted Article II of the U.S. Constitution, had no standing to sue the defendant and failed to meet the minimum legal standards for the action they were requesting.

"It would be risible," Boasberg said of the suit, "were its target not so grave: the undermining of a democratic election for President of the United States. "

The judge wrote that because the plaintiffs didn't even rise to the bare minimum for launching a credible lawsuit it was "difficult to believe that the suit is meant seriously."

"Courts are not instruments through which parties engage in such gamesmanship or symbolic political gestures," Boasberg wrote. Because of this, the court would determine if it should issue an order requiring the plaintiffs to explain why the court should not forward the matter to a committee for the potential discipline of the attorneys that filed the suit.

Boasberg wrote how he found the suit both unserious and unprecedentedly grand in what it sought. He described the complaint as "prolix" and bold in that it asked the court to declare "several decades-old federal statutes" unconstitutional, to invalidate state election laws, to ignore Supreme Court decisions, and what Boasberg called the "coup de grace": the plaintiffs wanted the court to prohibit the U.S. Congress from counting the electoral votes and declaring **Joe Biden** the president.

Despite the gravity of the suit the plaintiffs filed, they did not even bother to serve the defendants with a notice of the lawsuit, Boasberg wrote. The plaintiffs showed no standing to file the suit and — for a number of the defendants — it was the wrong court to file the suit in. "Plaintiffs cannot simply sue anyone they wish here in the District of Columbia," he wrote.

The defendants showed no evidence of election fraud. In fact, the plaintiffs even state that the suit "is not about voter fraud." And yet, they "spend scores of pages cataloguing every conceivable discrepancy or irregularity in the 2020 vote in the five relevant states, already debunked or not, most of which they nonetheless describe as a species of fraud."

The defendants claim they were disenfranchised in the certification of the 2020 election. "This is plainly not true," Boasberg wrote. "Their votes have been counted and their electors certified pursuant to state-authorized procedures; indeed, any vote nullification would obtain only were their own suit to succeed."

And even if it were not for all the errors in the suit, Boasberg states that the court "still could not rule in Plaintiffs' favor because their central contention is flat-out wrong."

The plaintiffs' premise for the entire suit rests on a misinterpretation of "straightforward passage" of Article II of the Constitution. The passage says that states can adopt election laws for the certification of votes and appointment of electors. However, the plaintiffs interpret it to mean, Boasberg writes, that state legislatures alone must certify presidential votes and presidential electors, and any actions in certifying the election by officials like the governor are unconstitutional, even though they are allowed by state election law.

"Plaintiffs' theory that all of these laws are unconstitutional and that the Court should instead require state legislatures themselves to certify every Presidential election lies somewhere between a willful misreading of the Constitution and fantasy."

Read the opinion here.

More about the 2020 General Election

Read more about 2020 General Election here

More about the Trump's Election Lawsuits

Read more about Trump's Election Lawsuits here

Trump Election Lawsuit Against Brad Raffensperger, Brian Kemp Fails In Georgia

forbes.com/sites/alisondurkee/2021/01/05/reports-trump-election-lawsuit-against-brad-raffensperger-brian-kemp-fails-in-georgia/

January 5, 2021



Election 2020|Jan 5, 2021,12:25pm EST|
Updated Jan 5, 2021, 06:32pm EST

Topline

A federal judge in Georgia threw out President Donald Trump's lawsuit against Georgia Gov. Brian Kemp and Secretary of State Brad Raffensperger trying to overturn the presidential election results Tuesday, thwarting the president's last-ditch efforts to affect the election results days after the president unsuccessfully pressured Raffensperger to "find" enough votes to change the outcome in a controversial phone call.

President Donald Trump holds two thumbs up during a Republican National Committee Victory Rally ... [+] January 4, 2021 in Dalton, Georgia. (Photo by Alex Wong/Getty Images)
Getty Images

Key Facts

Trump sued Kemp and Raffensperger, both Republicans, in an effort to force them to "de-certify" President-elect Joe Biden's victory in Georgia and let the state legislature choose Georgia's presidential electors instead.

The president alleged the Georgia officials certified illegal votes, making widespread claims about voter fraud—including dead voters and voters who live in other states—that Georgia officials have repeatedly debunked as false.

The allegations are similar to those made by Trump during his phone call with Raffensperger, which the secretary of state said were "flat out wrong" and "bad data" that does not accurately reflect Georgia's election results.

U.S. District Judge Mark H. Cohen rejected the case from the bench during a hearing Tuesday, which Trump's attorneys—which include John Eastman, who has pushed birther conspiracy theories about Vice President-elect Kamala Harris—reportedly blocked from being accessible to the public via a livestream or remote telephone line, as past election-related hearings have been.

In a subsequent written order, Cohen ruled Trump did not have standing and waited too long to bring the case, and noted the failure to expedite the lawsuit "was the result of Plaintiff's own action."

Cohen said he did not have any legal way to de-certify Georgia's election, noting only Congress can change the election results once they're certified, and said even if the Trump campaign did have a valid legal challenge, it would still fail because "Plaintiff has not and cannot show a violation" of federal law.

The judge pointed out that Georgia's 16 electoral votes are less than Biden's margin of victory, and thus granting the Trump campaign's request would not actually affect the election results.

Crucial Quote

"Plaintiff seeks an extraordinary and unprecedented remedy: the decertification of the votes cast in the presidential election, after millions of people lawfully cast their ballots," Cohen wrote, arguing granting Trump's request would be "unprecedented and harm the public in countless ways." "Granting injunctive relief here would breed confusion, undermine the public's trust in the election, and potentially disenfranchise of millions of Georgia voters."

Key Background

The Georgia ruling is one of more than 60 post-election cases Trump and his allies have brought that have failed in court, according to a tally kept by Democratic Party attorney Marc Elias, including multiple previous lawsuits in Georgia. While the president has targeted

election results in multiple battleground states, Trump has directed much of his ire toward traditionally-conservative Georgia, where Republican officials like Raffensperger and election official Gabriel Sterling have repeatedly rebuffed the president's accusations of voter fraud and insisted Biden lawfully won the state. The lawsuit's failure Tuesday comes after Trump garnered widespread outrage for asking Raffensperger to voluntarily "find" votes and "recalculate" the election results to throw the presidential election during a Saturday phone call, according to audio recordings released by the *Washington Post*, which the secretary of state refused to do.

Tangent

Trump allies pointed to the ongoing litigation in Georgia as they expressed outrage over Raffensperger's decision to release the audio of his phone call with Trump, with Georgia Republican Party chairman David Shafer claiming the phone call was a "confidential settlement conference" as part of the litigation. That has not been proven to be accurate, however. A source told NBC News Monday the phone call was not directly tied to any pending litigation, and Raffensperger said the call was not subject to a privacy agreement.

Further Reading

Georgia fights latest Trump suit to overturn November election (Politico)

'Just Plain Wrong': Georgia GOP Officials Slam Trump's 'Inappropriate' Voter Fraud Call With Secretary Of State (Forbes)

'Fellas, I Need 11,000 Votes': Trump Pressures Georgia Officials To Overturn Election In Leaked Audio Clip (Forbes)

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Trump thought courts were key to winning. Judges disagreed.

AP apnews.com/article/donald-trump-courts-election-results-e1297d874f45d2b14bc99c403abd0457

December 8, 2020



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By COLLEEN LONG and ED WHITEDecember 8, 2020 GMT

President Donald Trump listens to a reporter's question after awarding the Presidential Medal of Freedom, the highest civilian honor, to Olympic gold medalist and former University of Iowa wrestling coach Dan Gable in the Oval Office of the White House, Monday, Dec. 7, 2020, in Washington. (AP Photo/Patrick Semansky)

President Donald Trump listens to a reporter's question after awarding the Presidential Medal of Freedom, the highest civilian honor, to Olympic gold medalist and former University of Iowa wrestling coach Dan Gable in the Oval Office of the White House, Monday, Dec. 7, 2020, in Washington. (AP Photo/Patrick Semansky)

WASHINGTON (AP) — President Donald Trump and his allies say their lawsuits aimed at subverting the 2020 election and reversing his loss to Joe Biden would be substantiated, if only judges were allowed to hear the cases.

There is a central flaw in the argument. Judges have heard the cases and have been among the harshest critics of the legal arguments put forth by Trump's legal team, often dismissing them with scathing language of repudiation.

This has been true whether the judge has been appointed by a Democrat or a Republican, including those named by Trump himself.

The judicial rulings that have rejected Trump's unfounded claims of widespread voter fraud have underscored not only the futility of the lame-duck president's brazen attempt to sabotage the people's will but also the role of the courts in checking his unprecedented efforts to stay in power.

The rebukes have not stopped the litigation. On Tuesday, Texas Attorney General Ken Paxton sued the states of Georgia, Michigan, Wisconsin, and Pennsylvania, alleging that they violated the Constitution based on a litany of already-dismissed complaints. Paxton asked the U.S. Supreme Court to invalidate their 62 Electoral College votes for Biden — a move that would swing the election to Trump and would be unprecedented in American history.

The high court on Tuesday separately rejected another plea to intervene in the election, from Pennsylvania Republicans who wanted the court to undo the certification of Biden's victory in the state.

On Monday, U.S. District Judge Linda Parker threw out a lawsuit challenging Michigan's election results that had been filed two days after the state certified the results for Biden. Parker, appointed by President Barack Obama, said the case embodied the phrase "This ship has sailed."

"This lawsuit seems to be less about achieving the relief plaintiffs seek ... and more about the impact of their allegations on people's faith in the democratic process and their trust in our government."

The lawsuit filed on behalf of a group of voters claimed Biden benefited from fraud, alleging, as in much of the other litigation, a massive Democrat-run conspiracy to shift the results. It sought to reverse the certification and impound all voting machines for inspection — "relief that is stunning in its scope and breathtaking in its reach," the judge said.

"Plaintiffs ask this court to ignore the orderly statutory scheme established to challenge elections and to ignore the will of millions of voters. This, the court cannot, and will not, do," she said.

"The people have spoken."

Her ruling stands alongside others in Pennsylvania, Georgia, Arizona and Nevada that have a common thread: They all rejected Trump's claims.

Even in the face of these losses in court, Trump has contended that, in fact, he won the election. And he's moved out of the courts to directly appeal to lawmakers as his losses mount. He brought Michigan lawmakers to the White House in a failed bid to set aside the vote tally, and phoned Georgia Gov. Brian Kemp, asking him to order a special legislative session to overturn the states results. Kemp refused. Trump also called Pennsylvania Republican House Speaker Bryan Cutler, who said state law did not give the legislature the power to overturn the will of voters.

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And Trump tweeted in all caps, "I WON THE ELECTION, BIG."

While that is not the case, what is true is that Trump is rapidly running out of legal runway. Out of roughly 50 lawsuits filed, more than 35 have been dropped or dismissed. The U.S. Supreme Court was expected to weigh in later this week in a case from Pennsylvania. A great deal of the lawsuits highlight a lack of understanding of how elections actually work.

In Georgia, U.S. District Judge Timothy Batten, appointed by President George W. Bush, dismissed a lawsuit filed by attorney Sidney Powell, who was dropped from the Trump legal team a few weeks ago but has still continued to spread faulty election claims.

Full Coverage: Election 2020
The lawsuit claimed widespread fraud meant to illegally manipulate the vote count in favor of Biden. The suit said the scheme was carried out in different ways, including ballot stuffing, votes flipped by the election system from Trump to Biden and problems with absentee ballots. The judge summarily rejected those claims.

Batten said the lawsuit sought "perhaps the most extraordinary relief ever sought in any federal court in connection with an election."

He said the lawsuit sought to ignore the will of voters in Georgia, which certified the state for Biden again Monday after three vote counts.

"They want this court to substitute its judgment for that of two-and-a-half million Georgia voters who voted for Joe Biden and this I am unwilling to do," Batten said.

Trump has appointed more than 150 federal court judges who have been confirmed by the Senate and pushed through three Supreme Court justices.

Much like Trump, his lawyers try to blame the political leanings of the judge after their legal arguments are flayed.

When a federal appeals panel in Philadelphia rejected Trump's election challenge just five days after it reached the court, Trump legal advisor Jenna Ellis called their work a product of "the activist judicial machinery in Pennsylvania."

But Trump appointed the judge who wrote the Nov. 27 opinion.

"Voters, not lawyers, choose the president. Ballots, not briefs, decide elections," Judge Stephanos Bibas wrote as the 3rd U.S. Circuit panel refused to stop the state from certifying its results for Democrat Joe Biden, a demand he called "breathtaking."

All three of the panel members were appointed by Republican presidents.

And they were upholding the decision of a fourth Republican, U.S. District Judge Matthew Brann, a conservative jurist and Federalist Society member. Brann had called the campaign's legal case, which was argued in court by Rudy Giuliani, a "haphazard" jumble that resembled "Frankenstein's monster."

In state courts, too, the lawsuits have failed. In Arizona on Friday, Judge Randall Warner, an independent appointed in 2007 by Democratic former Gov. Janet Napolitano, threw out a bid to undo Biden's victory.

Arizona Republican Party Chairwoman Kelli Ward challenged of ballots in metro Phoenix that were duplicated because voters' earlier ballots were damaged or could not be run through tabulators.

Warner wrote: "There is no evidence that the inaccuracies were intentional or part of a fraudulent scheme. They were mistakes. And given both the small number of duplicate ballots and the low error rate, the evidence does not show any impact on the outcome."

In Nevada on Friday, Judge James Todd Russell in Carson City ruled that attorneys for Republican electors failed to provide clear or convincing evidence of fraud or illegality.

Nevada judges are nonpartisan. But Russell's father was a Republican governor of the state from 1951-59.

White reported from Detroit. Associated Press Writers Kate Brumback in Atlanta; Jacques Billeaud in Phoenix; Ken Ritter in Las Vegas; and Maryclaire Dale in Philadelphia contributed to this report.

milwaukee journal sentinel

ELECTIONS

Trump backers lose Wisconsin case, notching the fourth loss in a week

Patrick Marley Milwaukee Journal Sentinel

Published 9:03 a.m. CT Dec. 10, 2020 | **Updated 4:59 p.m. CT Dec. 10, 2020**

For the fourth time in a week, a court has thrown out a lawsuit that sought to flip Wisconsin's electoral votes from President-elect Joe Biden to President Donald Trump.

In the latest case, U.S. District Judge Pamela Pepper late Wednesday declined to change the results of the election that Biden won by about 21,000 votes.

"This court's authority to grant relief is confined by the limits of the Constitution. Granting the relief the plaintiff requests would take the court far outside those limits, and outside the limits of its oath to uphold and (defend) the Constitution," wrote Pepper, who was nominated to the bench by former President Barack Obama.

The lawsuit was brought by William Feehan, the chairman of the La Crosse County Republican Party. He is represented by Sidney Powell, who was recently ousted from Trump's legal team.

In the lawsuit, Feehan and Powell contended deceased former Venezuelan President Hugo Chavez had a hand in voting machines used in Wisconsin and around the country that they claim were likely hacked by Iran and China. They have not provided the public with the names of the sources making these claims, and have given one of them the code name Spider.

Pepper determined Feehan didn't have legal standing to bring his lawsuit and had brought it against officials and entities who couldn't be sued.

"Federal judges do not appoint the president in this country," Pepper wrote. "One wonders why the plaintiffs came to federal court and asked a federal judge to do so. After a week of sometimes odd and often harried litigation, the court is no closer to answering the 'why.' But this federal court has no authority or jurisdiction to grant the relief the remaining plaintiff seeks. The court will dismiss the case."

Powell quickly appealed Thursday's decision to the U.S. 7th Circuit Court of Appeals in Chicago. Time is running short for her because the Electoral College meets on Monday.

The lawsuit is one of many Powell has filed across the country that she has referred to as her Kraken litigation, referring to a mythical sea monster featured in the film "Clash of the Titans." She has faced repeated setbacks from judges.

Her Wisconsin lawsuit was littered with other procedural mistakes and filing errors, Pepper noted. At one stage, Feehan had asked to seize video footage of the vote counting at the TCF Center, which is in Detroit, more than 300 miles from Wisconsin.

When Powell filed the lawsuit last week, she said she was submitting it on behalf of Feehan and Derrick Van Orden, a Republican who narrowly lost to Democratic U.S. Rep. Ron Kind of La Crosse. But Van Orden said he never agreed to participate in the case and Powell later refiled the lawsuit without his name on it.

Last week, the state Supreme Court rejected a lawsuit filed by Trump and two others filed by his supporters.

Two other cases filed by Trump over Wisconsin's results are pending, one in state court and one in federal court.

RELATED: The Wisconsin lawsuits filed by Donald Trump and his allies: Where the cases stand

Contact Patrick Marley at patrick.marley@jrn.com. Follow him on Twitter at @patrickdmarley.

The Detroit News

POLITICS

Citing conspiracy theories, Michigan GOP electors ask court to name Trump winner

Craig Mauger The Detroit News

Published 10:53 a.m. ET Nov. 26, 2020 | **Updated 12:50 p.m. ET Nov. 26, 2020**

Lansing — A new lawsuit brought by a group of Michigan Republicans asks a federal judge to overturn President-elect Joe Biden's win in the state based on a bevy of conspiracy theories and claims contradicted by election experts.

Six Republicans — three who would be Electoral College electors for President Donald Trump and three local GOP officials — filed the suit in federal court Wednesday night, two days after the Board of State Canvassers certified Biden's 154,000-vote victory in Michigan.

Among their attorneys is Sidney Powell, who appeared at a press conference with Trump's legal representatives last week. Since then, however, the Trump campaign has said that Powell is working on her own.

Her new Michigan suit relies heavily on speculation and claims that a Wayne County judge previously labeled "not credible" in a separate legal action.

"Relief sought is the elimination of the mail ballots from counting in the 2020 election," the 75-page suit says. "Alternatively, the electors for the State of Michigan should be disqualified from counting toward the 2020 election.

"Alternatively, the electors of the State of Michigan should be directed to vote for President Donald Trump."

The suit seeks emergency relief including orders requiring Michigan Gov. Gretchen Whitmer to transmit certified election results that state "President Donald Trump is the winner of the election." It also seeks the impounding of all "voting machines and software in Michigan for expert inspection."

Three of the plaintiffs are listed as Timothy King, Marian Sheridan and John Haggard, who would have been presidential electors had Trump won the Michigan race.

The three others are listed as James Ritchard, chairman of the Oceana County Republican Party, James David Hooper, chairman of the Wayne County 11th District Republican Party, and Daren Rubingh, chairman of the Antrim County Republican Party. Rubingh's name is spelled incorrectly at one point in the court filing, which also mistakenly says the Board of State Canvassers certified Michigan's results on March 23, instead of Nov. 23.

On its first page, the filing also featured an incorrect spelling of the Eastern District, leaving out an "i" in district.

The defendants named in the suit are Whitmer, Secretary of State Jocelyn Benson and the Board of State Canvassers.

All 83 counties in Michigan have already certified their election results. And on Monday, the Board of State Canvassers, which includes two Democrats and two Republicans, voted to 3-0 to validate the statewide results. One Republican member, Norm Shinkle, abstained.

The new lawsuit focuses heavily on murky claims about election tabulation software and analyses that attempt to call into question Michigan's results, which ended up being more favorable to Trump than pollsters expected.

"The fraud" in Michigan "begins with the election software and hardware from Dominion Voting Systems Corporation," which is used by some counties in the state, the suit says.

"Smartmatic and Dominion were founded by foreign oligarchs and dictators to ensure computerized ballot-stuffing and vote manipulation to whatever level was needed to make certain Venezuelan dictator Hugo Chavez never lost another election," the suit says.

However, even Republican election officials have rejected claims about problems with the software that processes votes in some Michigan counties. Last week, Kent County Clerk Lisa Posthumus Lyons, a former GOP state lawmaker, told the House and Senate oversight committees that Michigan's election processes are secure.

She noted that the state's decentralized system spread responsibilities among 1,600 jurisdictions as the "first firewall" against widespread fraud. The state also uses paper ballots that act as back up to the electronic system, signature checks to ensure an absentee voter's identity, a canvassing process that ensures each county's vote count and post election audits.

The new suit emphasizes an error in GOP-leaning Antrim County, where initial and unofficial results showed Biden ahead. The county eventually pulled its results from its

website, realizing something had gone wrong and finding that Trump had actually won the county.

Antrim County Clerk Sheryl Guy, a Republican, told Michigan lawmakers the issue stemmed from changes the county had to make to its ballot to accommodate two jurisdictions. When the software company, Election Source, sent her a flash drive to upload the changes, the updates were applied to just the two jurisdictions. But all of the county's Dominion Voting Systems tabulators should have received the updated software.

The oversight resulted in a mix-up as data was transferred from the tabulators to the county's main voting software, giving Biden an unexpected lead shortly after 4 a.m. and pushing the county and Dominion Voting Systems into the national spotlight, Guy said.

However, the new suit attempts to tie the administrative incident in Antrim County to Wayne County, Michigan's largest county and a Democratic stronghold.

"Wayne County used the same Dominion voting system tabulators as did Antrim County, and Wayne County tested only a single one of its vote tabulating machines before the election," the suit says.

The suit repeats claims that Republican poll watchers were stopped from monitoring the counting of absentee ballots in Detroit, the largest city in Wayne County, and that large numbers of absentee ballots showed up at the TCF Center, where Detroit absentee ballots were tallied, on Nov. 4, the day after the election.

"The most egregious example of election workers fraudulent and illegal behavior concerns two batches of new ballots brought to the TCF Center after the 8:00 PM Election Day deadline," the new suit says.

It mentions an affidavit from a GOP poll watcher that says a set of new boxes of ballots "arrived at the TCF Center around" 9 p.m. on Nov. 4.

In a signed affidavit in a separate court case, Chris Thomas, Michigan's longtime former elections director who helped run the election in Detroit this fall, said there were Republican poll watchers inside the hall where ballots were counted throughout the process.

Likewise, just because a ballot arrived at TCF Center after polls closed at 8 p.m. Nov. 3 doesn't mean it wasn't valid. The ballots delivered to the TCF Center had been verified by the Detroit clerk's staff prior to delivery in a process prescribed by Michigan law, Thomas said in a past affidavit.

At about 9 p.m. Nov. 4, the Department of Elections delivered additional blank ballots that would be necessary to complete the duplication of military and overseas ballots, Thomas said in his affidavit.

"No new voted ballots were received," Thomas said. "The affidavits are likely referring to blank ballots that were being delivered in order to process AV (absentee voter) and military ballots in compliance with the law."

Many of the claims in new suit were in a past suit that sought to halt the certification of Wayne County's election results. On Nov. 13, Wayne County Circuit Judge Timothy Kenny denied the request, noting that Detroit officials "offered a more accurate and persuasive explanation of activity" within the TCF Center.

Kenny himself noted that some affidavits by poll challengers alleging unsecured ballots or too many ballots cast for Biden were "rife with speculation" and showed they knew little about the counting process.

The new suit also cites data analyses that question the counting of ballots in Wayne, Oakland, Macomb and Kent, Michigan's four largest counties. Kent has a Republican clerk, and Macomb voted for Trump.

According to an affidavit in the suit, Russell Ramsland, Jr., identified as part of the management team at Allied Security Operations Group, focused on spikes in votes tallied for Biden after 2 a.m. on the day after the election.

"Yet another statistical red flag in Michigan concerns the dramatic shift in votes between the two major party candidates as the tabulation of the turnout continued," Ramsland said in his affidavit.

However, this was expected by Michigan election experts for months before Nov. 3 because more Republicans tended to vote on Election Day and more Democrats tended to vote absentee. Absentee ballots generally took longer to process and often showed up in released counts after Election Day tallies.

Trump has repeatedly questioned mail-in voting, which likely caused more of his supporters to vote in person. In September, pollster Richard Czuba, founder of the Lansing-based Glengariff Group, predicted the tallies would swing as Election Night wore on.

"In this era when everyone is sowing division over the trustworthiness of ballots, I think it's important for Michigan voters to have a very clear sense ...," he said at the time. "Let's not

rush to decisions on election night knowing that all of these votes have to get counted."

In a past affidavit filed in a Georgia case, Ramsland appeared to make a mistake by confusing townships in Minnesota with townships in Michigan, according to national media reports.

Staff Writer Beth LeBlanc contributed.

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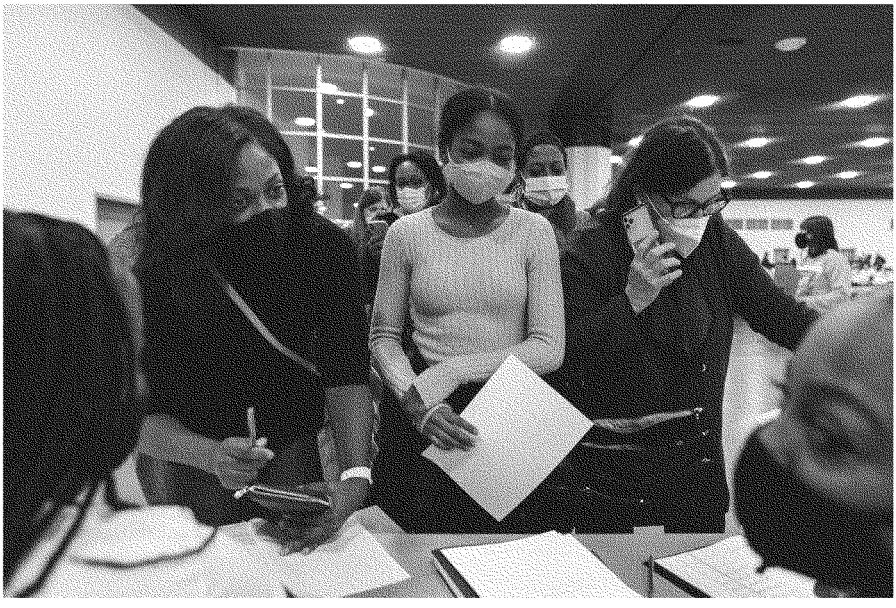
EXPLAINER: Why AP called Michigan for Biden

AP apnews.com/article/ap-explains-michigan-joe-biden-4a2bbdd10e3bb42a2e129f91c6ae5132

November 4, 2020



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By BRIAN SLODYSKONovember 4, 2020 GMT

1 of 4

Democratic election challengers arrive at the central counting board as ballots are counted into the early morning hours Wednesday, Nov. 4, 2020 in Detroit. (AP Photo/David Goldman)

1 of 4

Democratic election challengers arrive at the central counting board as ballots are counted into the early morning hours Wednesday, Nov. 4, 2020 in Detroit. (AP Photo/David Goldman)

WHY AP CALLED MICHIGAN FOR BIDEN:

Democrat Joe Biden has won the electoral battleground of Michigan, the third state that President Donald Trump carried in 2016 that the former vice president has flipped. The Biden victory narrows Trump's path to re-election.

The Associated Press declared Biden the winner of the state at 5:56 p.m. EST Wednesday after conducting an analysis of votes and remaining ballots left to be counted. It showed there were not enough votes left in Republican-leaning areas for Trump to catch Biden's lead.

Biden had a 70,000-vote lead on Wednesday evening, a margin over Trump of about 1.3 percentage points. The ballots that remained to be counted were from overwhelmingly Democratic areas: Wayne County, which is home to Detroit; the city of Grand Rapids, Michigan's second largest city; Genesee County; and Kalamazoo.

Michigan is among a handful of battleground states where Trump prematurely claimed early Wednesday that he was "winning" the contest with Biden. Both are locked in a tight race for the 270 electors needed to win the presidency, though Trump's path is narrowing.

"We're winning Michigan by — I'll tell you, I looked at the numbers," Trump said during an appearance at the White House, where he promised to contest the election before the Supreme Court.

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Later in the day, Trump tweeted that he had would "hereby claim the State of Michigan" for "Electoral Vote purposes" despite the fact that Biden had jumped out to a lead.

Michigan is part of what Democrats long referred to as their "blue wall" — a trifecta of states that also includes Pennsylvania and Wisconsin — which served as a bulwark in presidential elections.

In 2016, a combined total of about 80,000 voters spread across those states narrowly handed Trump the presidency. He carried each state by less than a percentage point.

Full Coverage: Explaining Election 2020
With Biden winning both Michigan and Wisconsin, all eyes are on Nevada and Pennsylvania. Biden had a lead Wednesday evening in Nevada while Trump was leading in Pennsylvania, though there were still about 1 million votes left to count in the state, many of which were mail ballots.

Voters who cast mail ballots have favored Biden. That's likely because Trump spent months claiming without proof that voting by mail would lead to widespread voter fraud.

The Detroit News

POLITICS

Wayne Co. canvassers certify election results after initial deadlock

Beth LeBlanc, Francis X. Donnelly and Craig Mauger The Detroit News

Published 6:08 p.m. ET Nov. 17, 2020 | **Updated 11:38 a.m. ET Nov. 18, 2020**

The Wayne County Board of Canvassers abruptly changed course Tuesday night and certified the results of the Nov. 3 election after initially deadlocking 2-2 along party lines, which could have delayed the state process for validating pivotal votes.

The deadlock decision had been lauded by Republicans but decried by Democrats. During a lengthy public comment session, the vote was described as a targeted attack on majority-Black Detroit,the largest city in the county and state.

After hours of angry responses from Wayne County residents,the change in course wasapproved by the two Republican and two Democratic canvassers with the demand that the Secretary of State's office conduct a "comprehensive audit" of precincts with unexplained out-of-balance tallies.

The high-stakes vote, with the eyes of the nation on Michigan's largest county, apparently took place while the video stream for the virtual meeting wasn't working.

"That passed unanimously," Republican member William Hartmann said when the video began functioning again. "We just voted on that."

Moments later, he said, "We're going to adjourn," and the board ended its meeting at 9:08 p.m.

Minutes after that, President Donald Trump tweeted, based on the past deadlocked vote, "Wow! Michigan just refused to certify the election results! Having courage is a beautiful thing. The USA stands proud!"

Board Vice Chairman Jonathan Kinloch, one of the two Democrats, had been working with Republicans during the meeting to find a way that they would support certifying the results. Eventually, they landed on the idea of an audit, he said.

The public criticism from voters and poll workers in the county also helped change the outcome, Kinloch said. The two Republicans listened to the comments, he said.

“It restored my faith in the fact that yes, government does work, that yes, the people can make a difference," said Kinloch, who has vowed to ensure the audit takes place.

Detroit Mayor Mike Duggan said if the board would have declined to certify the results, it would have been "an historically shameful act."

"Glad to see common sense prevailed in the end," Duggan said. "Thank you to all those citizens who spoke up so passionately — you made the difference!"

The board's votes came after absentee ballot poll books at 70% of Detroit's 134 absentee counting boards were found to be out of balance without explanation. The mismatches varied anywhere from one to more than four votes.

In August, canvassers found 72% of Detroit's absentee voting precincts didn't match the number of ballots cast. The imbalances between August and November are not an exact comparison since August's canvassing was based on results from 503 precincts and November's canvassing was based on 134 counting boards.

The situation in August and earlier imbalances in 2016 were not enough to keep the same board from certifying the results in this year's primaryand November 2016.

But about six hours into the tensemeeting, the board decided to certify the results and ask Secretary of State Jocelyn Benson to audit the results in some of the county's problem precincts. The board then quickly adjourned the meeting.

The initial deadlock had been a new pinnacle in the effort by some Republicans to cast doubt on Michigan's election in which Trump lost by more than 146,000 votes to Democrat Joe Biden. The efforts have included affidavits, lawsuits and a legislative inquiry but haven't uncovered evidence of widespread fraud.

Kinloch, a Democrat, called the decision to initially block the certification by the two Republican members "reckless and irresponsible."

"There is no reason under the sun for us to have not certified this election," Kinloch said. "I believe that politics made its presence known here today.”

Chairwoman Monica Palmer, a Republican, defended the initial decision.

"Based on what I saw and went through in poll books in this canvass, I believe that we do not have complete and accurate information in those poll books," she said.

Benson said it is common for some precincts to be out of balance by a small number of votes, especially in large turnout elections. Michigan's general election set a record with a turnout of 5.5 million voters.

"Michigan's Bureau of Elections stands ready to fulfill its duty to complete the canvas for Wayne County, address any clerical errors and improve the quality of the canvass overall," Benson said in a statement. "Importantly, this is not an indication that any votes were improperly cast or tabulated."

The Wayne County Board of Canvassers failed to certify the 2013 mayoral primary candidates within 14 days and left the decision to the Board of State Canvassers. The Michigan Bureau of Elections reviewed the ballots, and the state board eventually certified the results and found write-in candidate Duggan won the primary.

Out-of-balance boards are "absolutely" not evidence that something improper had occurred, said Chris Thomas, Michigan's former longtime elections director who is working with Detroit Clerk Janice Winfrey's office.

Thomas said city officials would work with the Michigan Board of State Canvassers to ensure the results ultimately get certified.

"That is not going to happen," Thomas said about the claim Wayne County voters would be disenfranchised.

The former state elections director said he doesn't expect the state board, which features two Republicans and two Democrats, to deadlock. If board members deadlock, a court will likely tell them to tell them to do their jobs, Thomas said.

Deadlock amid lawsuits

The Trump campaign has been looking to discredit the results in Wayne County by questioning how the absentee ballots were counted at the TCF Center in Detroit. Biden defeated Trump 51%-48% in Michigan in unofficial statewide results.

But at least four lawsuits by the Trump campaign and his allies in state and federal court have failed to gain traction as judges have said the witnesses and affidavits cited in the suits have been refuted or failed to provide corroborating evidence of widespread fraud. The

litigation has sought to stop the canvassing of results in the Democratic stronghold of Wayne County based on allegations of barriers to Republican poll challengers and ballot counting irregularities.

None of the lawsuits have succeeded in halting the process. The claims in the suits have been rebutted by Detroit officials, Thomas and Benson's office.

The deadlocked Wayne County canvassing vote had the potential to delay the certification of statewide election results and extend the time for a potential recount.

A county board that fails to canvass within 14 days after the election must give all of its documentation to the Secretary of State's office and Board of State Canvassers, which then has 10 days to complete the work, canvass and certify the results, according to the board's canvassing manual.

Wayne County would have been required to pay for the state canvassing work, according to board guidance.

When Kinloch protested that additional county tax money was going to be spent on the ongoing canvass, Palmer said she would be open to certifying much of Wayne County with the exception of Detroit.

Other Wayne County municipalities that also reported unbalanced absentee poll books included Livonia, Lincoln Park and Inkster.

Gov. Gretchen Whitmer said the board's initial decision placed "partisan politics" above their duty to certify the election.

"The people have spoken: Joe Biden won Michigan by more than 140,000 votes," said Whitmer, a Democrat. "Today's action is a blatant attempt to undermine the will of the voters."

U.S. Rep. Rashida Tlaib, D-Detroit, criticized the initial decision as dozens of people in the public comment session decried the decision as political and racist toward a city where 79% of the population is African American.

"The Republican members of the Wayne County Board of Canvassers put politics above their duty to our residents," Tlaib tweeted Tuesday. "Suggesting that all of Wayne County can be certified, EXCEPT for Detroit, is horrifying racist and a subversion of our democracy."

Biden won Detroit 93.5%-5% over Trump, who still received almost 6,000 more votes this year in Michigan's largest city than in 2016. Biden won the county 68%-31% over Trump with more than 863,000 votes cast.

Republican U.S. Senate candidate John James, who lost to incumbent Democratic Sen. Gary Peters by 1.5 percentage points or 83,100 votes, lauded the Wayne County board's initial decision for confronting "inconvenient truths" about alleged irregularities during the vote counting process.

"We will continue to investigate all issues pertaining to the election and work to ensure that the bedrock of our democracy — free and fair elections — are protected," said James, who has refused to concede to Peters. "We must restore public trust in elections by undertaking a careful and thorough review of the process."

Abraham Aiyash, a Hamtramck Democrat elected to fill partial and full terms after the death of Democratic state Rep. Isaac Robinson of Detroit, criticized the initial delay and noted that it would delay his swearing in.

"Know that we see what's happening," he said. "Know that there is nothing other than Jim Crow-ing that is going on right now."

What's next

The board meeting was delayed more than an hour and a half as the four canvassers awaited further documents on the canvassing process and attempted to accommodate hundreds of people seeking to participate in the meeting.

The meeting room was capped at about 35 people — including staff and members of the public — and the Zoom call was unable to accommodate all participants, even after capacity was expanded from 100 to more than 300 individuals.

A half dozen people holding signs protested outside the meeting at the Ralph Vigliotti Building demanding that the vote be certified.

Renee Brown of Detroit said it was undemocratic to even consider throwing out the votes of Wayne County residents.

“It’s making a travesty of justice. It’s nothing but politics,” Brown said.

The county's election results will move the Board of State Canvassers, which is scheduled to meet Wednesday afternoon to get an update on the canvassing process and is expected to consider the question of certification of Michigan's results on Monday.

The Wayne County Board of Canvassers started its examination of vote tallies in Wayne County on Nov. 5.

The board is tasked with overseeing Wayne County staff as they review and authenticate documents produced during the tabulation of results on Nov. 3 and Nov. 4. The board then certifies the results by signing off on the canvassing process and announcing the final vote totals in Wayne County.

County canvassing boards have 14 days from the start of the canvassing process to certify their results.

The lack of a Wayne County certification would have extended the time for a possible recount. Recount petitions are required to be filed with the county clerk within six days after the county canvassing board completes its work.

At the state level, recount petitions in the races for president, U.S. Senate, U.S. House and state House can be filed with the secretary of state within 48 hours after the State Board of Canvassers certifies the election results and adjourns.

The U.S. Constitution requests the states to certify their results by Dec. 8, which is known as the "safe harbor" day. Any state that doesn't do so potentially invites Congress to get involved in resolving a dispute about which candidate won the state and its 16 electoral votes.

The Electoral College is scheduled to meet and vote on Dec. 14.

The Wayne County board's two Republican lawmakers were present during the absentee ballot counting process at TCF Center in Detroit. Palmer said part of the reason she observed the process was because of some of the problems identified during the canvassing of the August primary.

In August, 72% of Detroit's poll books were found to be out of balance, a condition that precluded them from being used if a recount were requested. The issues prompted the state to send in additional help ahead of the general election, including veteran state elections official Thomas.

Detroit had problems with precinct count mismatches in the November 2016 election. Election officials couldn't reconcile vote totals for 59% of precincts in the city during a

countywide canvass of vote results with most of the issues involving too many votes.

Those votes couldn't be recounted when Green Party presidential candidate Jill Stein demanded a statewide recount following Donald Trump's initial 13,000-vote victory over Democrat Hillary Clinton in Michigan. A recount was started but stopped and nullified by the courts when Stein was ruled ineligible for a recount request because she had no chance at victory.

The results eventually were certified as a 10,704-vote victory for Trump.

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Trump summons Michigan GOP leaders for extraordinary meeting

AP apnews.com/article/trump-invites-michigan-gop-white-house-6ab95edd3373ecc9607381175d6f3328

November 19, 2020



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By ED WHITE, DAVID EGGERT and ZEKE MILLERNovember 19, 2020 GMT

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FILE - In this May 6, 2020, file photo, Michigan Republican Senate Majority Leader Mike Shirkey, left, and Republican House Speaker Lee Chatfield announce a lawsuit to combat the coronavirus pandemic orders at the Capitol building in Lansing, Mich. President Donald Trump summoned Michigan's Republican legislative leaders to the White House for a meeting Friday, Nov. 20, amid a GOP push to overturn the certification of Democrat Joe Biden's victory in the battleground state. (AP Photo/David Eggert, File)

1 of 7

FILE - In this May 6, 2020, file photo, Michigan Republican Senate Majority Leader Mike Shirkey, left, and Republican House Speaker Lee Chatfield announce a lawsuit to combat the coronavirus pandemic orders at the Capitol building in Lansing, Mich. President Donald Trump summoned Michigan's Republican legislative leaders to the White House for a meeting Friday, Nov. 20, amid a GOP push to overturn the certification of Democrat Joe Biden's victory in the battleground state. (AP Photo/David Eggert, File)

DETROIT (AP) — President Donald Trump summoned Michigan's Republican legislative leaders to the White House for an extraordinary meeting Friday amid a long shot GOP push to subvert the democratic process that handed the battleground state to Democrat Joe Biden.

Two people familiar with the matter told The Associated Press that Trump invited Senate Majority Leader Mike Shirkey and House Speaker Lee Chatfield. They agreed to go, according to a state official aware of the leaders' plans. The two officials spoke on the condition of anonymity because they were discussing private conversations.

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It was not immediately clear what the meeting would be about. Neither Shirkey nor Chatfield commented.

Trump's campaign is openly floating the notion of trying to get friendly state legislatures to appoint electors who would overturn the will of the voters. If Trump succeeds in convincing Michigan's state board of canvassers not to certify Biden's victory in the state, state lawmakers could be called on to select electors, but such a brazen move would be unprecedented and possibly illegal. It would be certain to draw a swift legal challenge.

Both Shirkey and Chatfield have indicated that they will not try to overturn Biden's win.

"Michigan law does not include a provision for the Legislature to directly select electors or to award electors to anyone other than the person who received the most votes," Shirkey's spokeswoman said last week. On Nov. 6, Chatfield tweeted: "Whoever gets the most votes will win Michigan! Period. End of story. Then we move on.

Asked at a Lansing news conference about the plan for legislative leaders to visit Trump, Democratic Gov. Gretchen Whitmer said, "I hope they wear masks, and I hope they stay safe."

"All the meetings in the world, though, can't take away from the fact that Joe Biden won Michigan by over 150,000 votes," Whitmer added. "That's 14 times the margin that Donald Trump won by in 2016. ... So we will be sending a slate of electors that reflects the will of the people of Michigan at the end of this process."

Also Thursday, state officials said Michigan's largest county cannot revoke its certification of election results after two Republicans who approved Biden's local landslide wanted to revert to their initial stance of refusing to bless the vote tally.

The GOP effort to change position represented another complication in what is typically a routine task. Monica Palmer and William Hartmann, the two GOP canvassers in Wayne County, said they only voted to certify the results after "hours of sustained pressure" and after getting promises that their concerns about the election would be investigated.

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"We deserve better — but more importantly, the American people deserve better — than to be forced to accept an outcome achieved through intimidation, deception and threats of violence," they said in a statement Wednesday night.

State officials said the certification of the Detroit-area vote will stand. Michigan's chief election officer said a post-election audit will be performed, though not to check "mythical allegations" of fraud.

"There is no legal mechanism for them to rescind their vote. Their job is done, and the next step in the process is for the Board of State Canvassers to meet and certify," said Tracy Wimmer, a spokeswoman for the Michigan secretary of state.

The four-member state board, which is expected to meet Monday, is split with two Democrats and two Republicans — the same makeup as the Wayne County board.

Trump's campaign said the latest about-face by Palmer and Hartmann is legitimate. It withdrew a federal lawsuit challenging the Detroit-area results, attaching affidavits from the pair.

Palmer and Hartmann initially voted against certification Tuesday, leaving the county Board of Canvassers deadlocked at 2-2 along party lines. Palmer complained that certain Detroit precincts were out of balance, meaning that absentee ballot books did not match the number of ballots cast.

"This is not an indication that any votes were improperly cast or counted," Secretary of State Jocelyn Benson said.

The GOP move drew an immediate rebuke from the public and injected partisan politics into the business of an unsung panel that is supposed to confirm the will of the voters. A person familiar with the matter told the AP that Trump reached out to Palmer and Hartmann on Tuesday evening after the revised vote to express gratitude for their support.

In a statement, the pair reported being the target of threats, which they said they reported to law enforcement.

Trump "was checking to make sure I was safe after seeing/hearing about the threats and doxxing," Palmer said in a text message to the Detroit Free Press, referring to the practice of publicly disclosing someone's personal information.

Biden crushed Trump in Wayne County by a more than 2-1 margin on his way to winning Michigan by 154,000 votes, or 1.8 percentage points, according to unofficial results.

The county canvassers later voted again and certified the results, 4-0. Then, on Wednesday, Palmer and Hartmann signed affidavits saying they believe the vote should not be certified.

Jonathan Kinloch, a Democratic canvasser, said he heard passion — not threats — during the stormy Tuesday night meeting when the audience on Zoom was allowed to speak after the 2-2 tie and before the unanimous vote.

Full Coverage: Election 2020
"I heard people basically being very assertive in demonstrating their outrage, but it happens all the time," Kinloch said.

Benson, a Democrat, said a post-election audit will be conducted in Wayne County and any other community with "significant clerical errors."

"Audits are neither designed to address nor performed in response to false or mythical allegations of 'irregularities' that have no basis in fact," she said.

There has been no evidence of widespread voting fraud in Michigan or any other state. Federal and state officials from both parties have declared the 2020 election safe and secure. But Trump and his allies have spent two weeks raising false claims of fraud and refusing to concede to Biden.

Eggert reported from Lansing, and Miller reported from Washington. Associated Press Writer John Flesher in Traverse City, Michigan, also contributed to this report.

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'Dom Perignon' trends on Twitter after Michigan GOP leaders seen drinking $495 champagne at Trump hotel

fox46.com/2020-election/tillis-cunningham-debate/dom-perignon-trends-on-twitter-after-michigan-gop-leaders-seen-drinking-495-champagne-at-trump-hotel/

November 21, 2020



Tillis-Cunningham Debate
by: Russell Falcon

Posted: Nov 21, 2020 / 02:03 PM EST / Updated: Nov 21, 2020 / 02:03 PM EST



(Via Twitter)

WASHINGTON, D.C. (KXAN) — A round of drinks between several Michigan Republican leaders after a meeting with Pres. Donald Trump is raising eyebrows — and drawing criticism — on Saturday.

"Dom Pérignon" trended on Twitter Saturday morning after photos of House Speaker Lee Chatfield, Sen. Mike Shirkey and State Rep. Jim Lilly chatting in the lobby of the Trump International Hotel in Washington, D.C. surfaced online.

The legislators' drink of choice — a $500 bottle of Dom Pérignon champagne — in addition to their visible lack of face coverings, are now under fire.

The meeting came after Shirkey and Chatfield met with Pres. Donald Trump after he summoned them to discuss the 2020 Presidential Election results — which many see as an attempt to change its outcome.

Many nationwide, and in the state of Michigan, pointed to the seeming poor timing of the high-dollar celebration, as the COVID-19 pandemic continues sweeping across the nation — leaving millions out of work.

Zack Pohl, the Deputy Chief of Staff for Michigan Governor Gretchen Whitmer condemned the drink choice, saying: *"Close your eyes and try to imagine the reaction if someone photographed Gov. Whitmer in a Washington DC hotel bar, with a $500 bottle of Dom Pérignon, without a mask, on the day Michigan had nearly 10,000 new cases of COVID-19 and 53 deaths."*

> Close your eyes and try to imagine the reaction if someone photographed Gov. Whitmer in a Washington DC hotel bar, with a $500 bottle of Dom Pérignon, without a mask, on the day Michigan had nearly 10,000 new cases of COVID-19 and 53 deaths.
>
> — Zack Pohl (@ZackPohl) November 21, 2020

Meanwhile, Mitchell Rivard, Chief of Staff for Michigan Rep. Dan Kildee said Chatfield and Lilly were openly disregarding CDC guidelines and also asked, *"Who paid for their hotel rooms, travel & bar tab?"*

Michigan Democrats posed three questions on Twitter Saturday morning.

> Three questions for @LeeChatfield and @SenMikeShirkey:
>
> 1. Who funded the Dom Pérignon fueled vacation while Michigan reported almost 10k new cases of COVID-19?
>
> — Michigan Democrats (@MichiganDems) November 21, 2020

> 3. Will you denounce Laura Cox and Ronna McDaniel's request that the Michigan Board of Canvassers break the law by not certifying the election results on Monday, November 23?
>
> — Michigan Democrats (@MichiganDems) November 21, 2020

Meanwhile, others weighed in via Twitter.

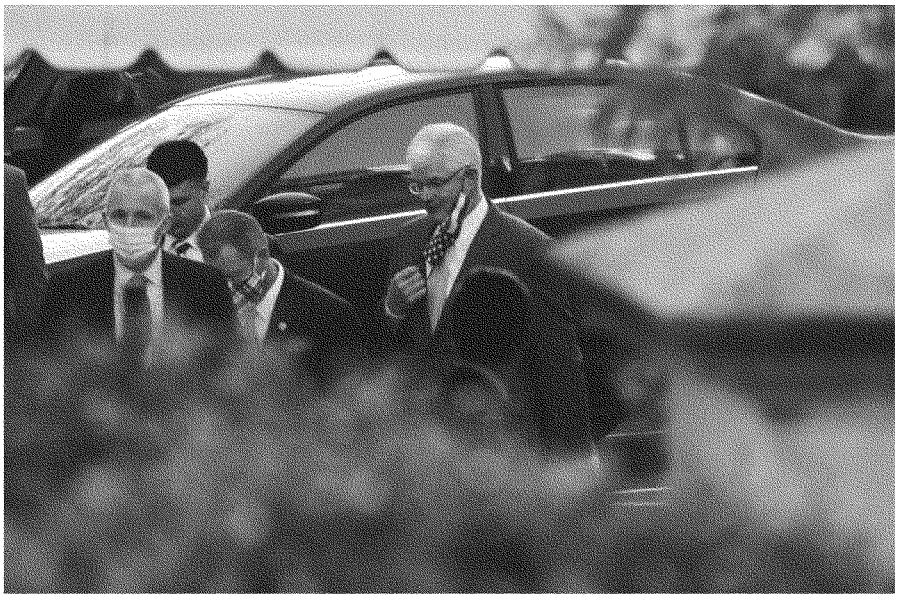
> Two different Americas.
>
> LEFT: Americans on food lines in Texas.
> RIGHT: Michigan legislators at Trump Hotel drinking Dom Perignon
> pic.twitter.com/cSVoU5WyAY
>
> — Jeremy Newberger (@jeremynewberger) November 21, 2020

> People in #Michigan are getting sick and dying at record rates from #COVID19, the legislature isn't doing anything about it, and our reps are drinking Dom Perignon at Trump hotel in DC after meeting with @realDonaldTrump. Truly disgusting. https://t.co/iapw9mW2t9
>
> — Dr. Rob Davidson #WearAMask (@DrRobDavidson) November 21, 2020

Dom Pérignon is a brand of vintage champagne made by the Moët & Chandon company.

Michigan Republicans, after meeting Trump, say no information to change election outcome

reuters.com/article/us-usa-trump-michigan/michigan-republicans-after-meeting-trump-say-no-information-to-change-election-outcome-idUSKBN2802CK



U.S. Legal News
Updated

By Reuters Staff

2 Min Read

WASHINGTON (Reuters) - Michigan's Republican state legislative leaders said after meeting with President Donald Trump on Friday that they had no information that would change the outcome of the presidential election in the state, and would follow the "normal" electoral process.

Michigan is one of several states where the campaign of the Republican Trump is seeking to challenge Democrat Joe Biden's victory in the Nov. 3 election, based on unsubstantiated claims of voter fraud.

"We have not yet been made aware of any information that would change the outcome of the election in Michigan and as legislative leaders, we will follow the law and follow the normal process regarding Michigan's electors," Michigan Senate Majority Leader Mike Shirkey and House of Representatives Speaker Lee Chatfield said in a joint statement.

Shirkey and Chatfield said any allegation of election fraud should be thoroughly investigated. "Michigan's certification process should be a deliberate process free from threats and intimidation," they said.

Having been stung by a series of court defeats, the Trump team is resting its hopes on getting Republican-controlled legislatures in battleground states to set aside the results and declare Trump the winner, according to three people familiar with the plan.

Before Friday's meeting, White House spokeswoman Kayleigh McEnany said: "This is not an advocacy meeting. There will be no one from the campaign there. He routinely meets with lawmakers from all across the country."

The two lawmakers said they also pressed for more funds for Michigan to deal with the coronavirus pandemic.

"We used our time in the White House to deliver a letter to President Trump making clear our support for additional federal funds to help Michigan in the fight against COVID-19," they said.

Reporting by Steve Holland, Alexandra Alper and Eric Beech; Editing by Chizu Nomiyama and Sonya Hepinstall

Our Standards: The Thomson Reuters Trust Principles.

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Joe Biden's projected win in Pennsylvania delivers him the presidency

cnbc.com/2020/11/07/pennsylvania-election-results-2020.html

November 7, 2020



Politics

Published Sat, Nov 7 202011:43 AM ESTUpdated Sat, Nov 7 20202:46 PM EST

Key Points

- Joe Biden's projected win in Pennsylvania put him over the Electoral College threshold for victory over President Donald Trump.
- Pennsylvania has 20 Electoral College votes. Trump won the state in 2016 by less than a percentage point against Hillary Clinton.

U.S. Democratic presidential nominee Joe Biden makes his way through the crowd outside his childhood home on Election Day in Scranton, Pennsylvania, on Nov. 3, 2020.

Kevin Lemarque | Reuters

Joe Biden traveled to his childhood home in Scranton, Pennsylvania, on Election Day and scrawled a message on the wall: "From this house to the White House with the grace of God."

Four days later, his home state put him over the top in his bid to become the 46th president of the United States.

NBC News projected Saturday morning that Biden clinched the Keystone State's 20 electoral votes. The call raised Biden's lead to 273 votes — enough to put him over the top. He has since won Nevada's six electoral votes for a total of at least 279, according to NBC.

President Donald Trump carried the state in 2016 by less than a percentage point over Hillary Clinton. That win, in a state that had backed Democratic presidential candidates since 1992, was seen as a major upset.

Biden has now won back all three of the long blue states that vaulted the Republican Trump to the presidency: Pennsylvania, Michigan and Wisconsin.

Biden leads the incumbent by more than 34,000 votes in Pennsylvania with thousands of outstanding ballots to count. Trump carried it four years ago by a margin of about 44,000 votes.

Unofficial results returned so far show Biden leads in two counties Trump won in 2016: Erie in the northwest corner of the state, and Northampton on its eastern edge north of Philadelphia. He also fared better than Democrat Hillary Clinton in much of the eastern part of the state, including the suburban Philadelphia counties of Delaware and Montgomery.

He leads in Lackawanna County, which includes Scranton, by more than 8 percentage points. Clinton won there by about 3 percentage points in 2016.

Biden may have gotten some help as third-party candidates had less success than they did in 2016. Libertarian Jo Jorgensen won only 1.1% of the vote in Pennsylvania, versus more than 3% for Libertarian Gary Johnson and the Green Party's Jill Stein in the last presidential election.

VIDEO1:4901:49

Here's how Biden's electoral college vote victory is projected to work

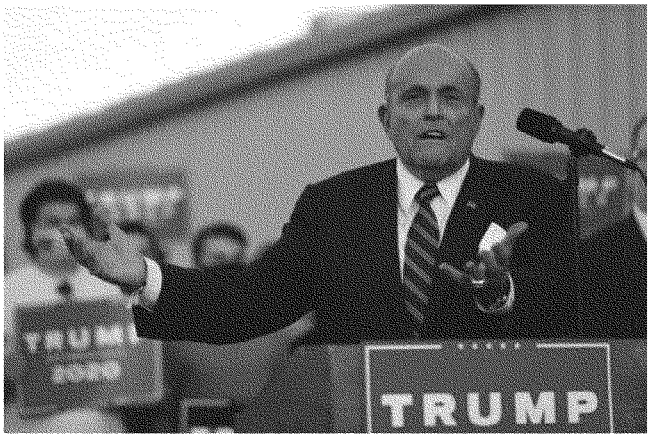
Markets and Politics Digital Original Video

Trump campaign takes its complaints over Pa. election before GOP lawmakers, after string of court losses

spotlightpa.org/news/2020/11/rudy-giuliani-trump-pennsylvania-election-senate-hearing/

Jeremy Roebuck and Sean Collins Walsh of The Philadelphia Inquirer and Angela Couloumbis of Spotlight PA

November 25, 2020



TIM TAI / Philadelphia Inquirer

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GETTYSBURG — Having failed to gain traction in court, President Donald Trump's campaign brought its case challenging Pennsylvania's election results to a state Senate meeting Wednesday, where it repeated his unfounded claims of widespread fraud to a welcoming audience of Republican legislators.

Addressing members of the state Senate Majority Policy Committee in a proceeding that at times felt more like a pep rally — with firebrand speeches from lawmakers and whooping cheers from dozens of supporters — Trump lawyer Rudy Giuliani pressed his baseless case that the election had been stolen and the truth covered up by "Big Tech" and the media.

"I know crooks really well," he told the panel, gathered in a conference room of the Wyndham Gettysburg hotel. "You give them an inch and they take a mile. And you give them a mile and they take your whole country."

Then, with Trump attorney Jenna Ellis holding a cell phone to a microphone, the president himself addressed the crowd from Washington.

"This election was rigged, and we can't let that happen," Trump said. "We can't let that happen for our country, and this election has to be turned around because we won Pennsylvania by a lot and we won all these swing states by a lot."

The hearing came a day after state officials certified Pennsylvania's presidential election results, cementing President-elect Joe Biden's win over Trump by some 81,000 votes.

Trump had been scheduled to attend the gathering, which would have been his first public appearance outside of Washington since his loss to Biden. But those plans were scuttled Wednesday morning without explanation, according to White House pool reports.

The cancelation sent state Senate staffers rushing to adjust the agenda. Even Giuliani's attendance was briefly thrown into doubt after news broke that a presidential adviser who had been working closely with Trump's legal team had tested positive for coronavirus.

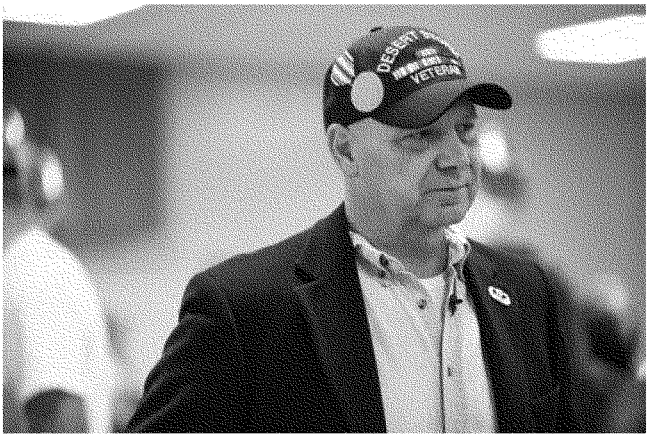
Then, just before the former New York City mayor did begin testifying, a Pennsylvania appellate court issued an order temporarily barring the state from finalizing its election results — something Gov. Tom Wolf had done on Tuesday.

That ruling, from a Commonwealth Court judge, came in response to a lawsuit from U.S. Rep. Mike Kelly (R., Butler), one of Trump's top boosters in Congress, who had asked the court to throw out the election results and appoint Pennsylvania's GOP-controlled legislature to choose the victor in the state.

The judge, Republican Patricia A. McCullough, has scheduled a hearing Friday for arguments on Kelly's claim that the new law that allowed widespread mail voting in the state for the first time was enacted in violation of Pennsylvania's constitution — despite overwhelming support from GOP lawmakers at the time.

It was unclear if the case before McCullough would survive. State officials immediately appealed to Pennsylvania's Supreme Court in a bid to overturn her order and cancel the proceedings scheduled for later in the week.

"Millions of Pennsylvanians voted and they must have their voices heard," Wolf said in a statement. "Pennsylvania is going to fight every single attempt to disenfranchise voters."



Amanda Berg / For Spotlight PA

Sen. Doug Mastriano (R., Franklin), who had organized Wednesday's committee hearing, kicked it off with a speech in which he declared the very future of "the republic is at stake."

As a practical matter, McCullough's ruling has little effect on the outcome of Pennsylvania's presidential race since the governor has already appointed the electors that will give Biden the state's 20 electoral votes.

But for the moment, it injected uncertainty into several down-ballot races that still have not been certified by the Department of State — including Kelly's own reelection and those of many of the state senators gathered Wednesday.

Any further delay in certification could plunge the Capitol into chaos because all members of the state House of Representatives and half of the 50 state senators officially end their terms Monday. Lawmakers can't be seated in districts where the results haven't been officially certified.

That did not appear to trouble state Sen. Doug Mastriano (R., Franklin), who had organized Wednesday's committee hearing and kicked it off with a speech in which he declared the very future of "the republic is at stake."

"There have been many allegations of voting law violations across the state," he said. "We are here today to try to find out what the heck happened."

Though they didn't attend the hearing, Senate Democrats immediately pushed back.

"If Senate Republicans want to entertain conspiracy theories from Rudy Giuliani and rally with defeated presidential candidate Donald Trump, they should do so on their own time and dime – not the taxpayers," Senate Minority Leader Jay Costa (D., Allegheny) said in a statement. "Our process was secure and our count is accurate."

The Senate Majority Policy Committee has no Democratic members and no power to advance legislation. And there, Giuliani found a friendly forum for his unfounded claims that Democrats had taken advantage of the widespread use of mail ballots to turn the vote in Biden's favor.

A parade of witnesses that had not been sworn in repeated often-aired GOP complaints about their access to observe the counting of votes and the fact that some counties, following state guidance, allowed voters to correct technical mistakes such as missing signatures or secrecy envelopes in their mail ballots.

Most of the GOP senators — including the next Senate majority leader, Kim Ward (R., Westmoreland) — had supported the law that created no-excuse voting by mail last year. None, however, mentioned that or that the 2.6 million mail ballots cast statewide in 2020 helped their party expand its majority in the General Assembly.

Still, Giuliani, like Kelly, urged the panel to wrest control away from the state's voters and appoint Pennsylvania's electors themselves. Given that electors had already been appointed, it was unclear how they might do that.

Senate Majority Leader Jake Corman (R., Centre) and House Majority Leader Kerry Benninghoff (R., Centre) have said on numerous occasions that the legislature will have no role in deciding the outcome of the 2020 presidential election.

On Wednesday, spokespeople for Corman and Benninghoff said the leaders' positions had not changed.

While state Republicans who lead the House and Senate have repeatedly stated they have no evidence of fraud, they have said constituents are concerned about wrongdoing. They blame the confusion on a state Supreme Court ruling that extended the deadline to accept mail ballots by three days, as well as guidance from the Department of State allowing counties to share information with political parties about voters whose ballots had problems.

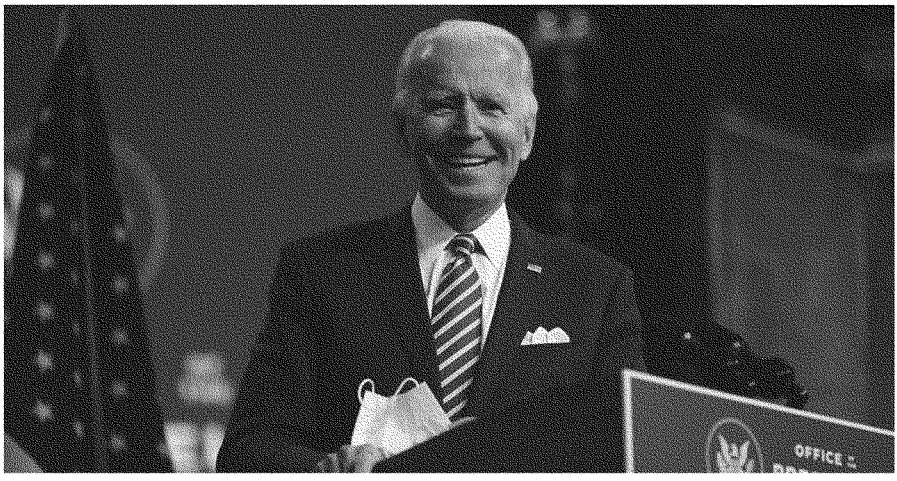
The GOP-controlled House recently passed a resolution calling for an audit and review of the 2020 presidential election. But in a rare move, the bipartisan panel tasked with carrying out the audit rejected the assignment, citing its redundancy.

Cynthia Fernandez of Spotlight PA contributed reporting.

Pennsylvania certifies Biden win, dimming Trump hopes of overturning election results

nbcnews.com/politics/2020-election/pennsylvania-certifies-election-results-biden-n1248804

November 24, 2020



Nov. 24, 2020, 4:18 PM UTC

By Lauren Egan

WASHINGTON — Pennsylvania certified its election results Tuesday showing that President-elect Joe Biden won the state, solidifying Biden's national victory and dealing yet another blow to President Donald Trump's efforts to overturn the election's outcome.

Pennsylvania Gov. Tom Wolf, a Democrat, tweeted that the Pennsylvania Department of State certified the results Tuesday morning and "as required by federal law, I've signed the Certificate of Ascertainment for the slate of electors for Joe Biden and Kamala Harris."

"Today's certification is a testament to the incredible efforts of our local and state election officials, who worked tirelessly to ensure Pennsylvania had a free, fair and accurate process that reflects the will of the voters," Wolf added in a statement.

In total, 3,458,229 votes were certified for Biden and 3,377,674 were certified for Trump, giving Biden a margin of 80,555 votes. In 2016, Trump won the state by 44,292 votes.

Pennsylvania's certification comes as the Trump campaign continued to pursue a long-shot legal strategy in the state claiming widespread irregularities with mail-in ballots and other issues.

Pennsylvania was expected to certify its election results Monday, but a few counties in the state reported delays. The Secretary of State's office said that votes were submitted by all 67 counties late Monday.

Pennsylvania's certification is the latest indication that Trump's efforts to hold onto the presidency are waning. More than a dozen states have already certified their results, including Michigan for Biden on Monday. The Trump administration on Monday formally authorized the presidential transition process, giving Biden access to millions of dollars in federal funds and other resources to begin his transition to power.

Trump and his Republican allies have filed over 30 lawsuits across the country to contest the results, the vast majority of which have been dismissed, denied, settled or withdrawn. No court has found even a single instance of voter fraud.

U.S. District Court Judge Matthew Brann dismissed one of the lawsuits filed by the Trump campaign in Pennsylvania on Saturday, ruling that the campaign was asking the court to "disenfranchise almost seven million voters" and said he could not find any case in which a plaintiff "has sought such a drastic remedy in the contest of an election." Trump's legal team, led by former New York City Mayor Rudy Giuliani, appealed the decision on Monday.

"Trump did everything he could to disenfranchise voters and stop the results from being certified in Pennsylvania," Biden campaign's legal adviser Bob Bauer said in a statement Tuesday. "Trump did not succeed in Pennsylvania and he will not succeed anywhere else. Trump's lawsuits will continue to fail, as they have in over 30 cases since election day, states will continue to certify their results, and Joe Biden will be sworn in as President on January 20, 2021."

Minnesota, Nevada, New Mexico and the District of Columbia, all states won by Biden, are also expected to certify their results on Tuesday. Indiana and North Carolina, where Trump won, are also scheduled to certify on Tuesday.

All states must certify before the Electoral College meets on Dec. 14.

Trump, who is facing mounting pressure to publicly concede, spoke briefly to reporters in the White House briefing room Tuesday afternoon, but made no mention of Pennsylvania or the election results. Instead, Trump touted the stock market, claiming credit for its record high.

"I just want to congratulate all the people within the administration that worked so hard. And most importantly I want to congratulate the people of our country because there are no people like you," Trump said, before leaving the room without taking any questions.

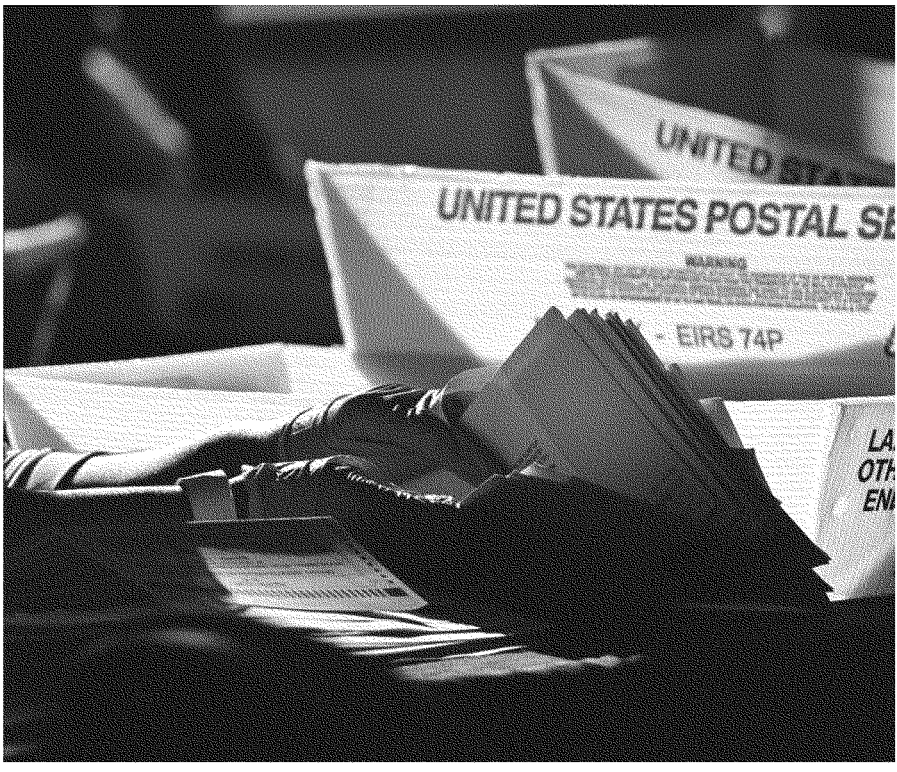
Lauren Egan
Lauren Egan is a reporter for NBC News based in Washington.



Marianna Sotomayor contributed.

Republican Georgia secretary of state says no sign of widespread fraud in vote count

reuters.com/article/us-usa-election-georgia-recount-raffenpe/republican-georgia-secretary-of-state-says-no-sign-of-widespread-fraud-in-vote-count-idUSKBN27R33P



By Tim Reid, Lisa Lambert

2 Min Read

FILE PHOTO: An employee of the Fulton County Board of Registration and Elections processes ballots in Atlanta, Georgia U.S., November 4, 2020. REUTERS/Brandon Bell

(Reuters) - Georgia's Republican Secretary of State said on Wednesday there was no sign yet of widespread fraud in his state's vote count, where Democratic President-elect Joe Biden currently has a 14,000 vote lead over President Donald Trump.

Brad Raffensperger, in an interview with CNN, said he has ordered a hand recount because of the closeness of the vote count, but he believed votes had so far been tallied accurately. Biden's current lead, with nearly all votes counted, is 0.3%.

Asked about voter fraud, Raffensperger said: "We have ongoing investigations but we have not seen something widespread." He added there was no evidence yet of any discrepancies large enough that could reverse Biden's lead.

Raffensperger said he also believed a hand recount, which he wants completed by Nov. 20, will not overturn the machine count that is near completion. "We believe the ballots were counted accurately," he said.

The Georgia recount will take place as Republican Trump, who has refused to concede the election to Biden, pushed ahead with legal challenges in several states to try and upend the result.

Reporting by Tim Reid; Editing by Chris Reese and Aurora Ellis

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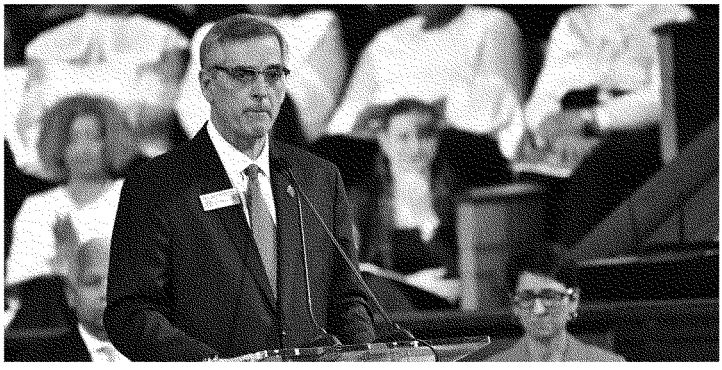
Georgia's Republican secretary of state and his wife received texts telling them they deserve 'to face a firing squad' as Trump escalated his attacks on election results

BI businessinsider.com/georgia-secretary-of-state-and-his-wife-receive-death-threats-2020-11

Jake Lahut 2020-11-19T16:23:16Z



Brad Raffensperger, Georgia's secretary of state, during 2020 Martin Luther King, Jr. Commemorative Service at Ebenezer Baptist Church on January 20, 2020, in Atlanta. Paras Griffin/Getty Images

- Georgia's top election official revealed he and his wife have been receiving death threats as President Donald Trump escalates his attacks on the integrity of the Peach State's vote count.
- Brad Raffensperger, a Republican, shared text messages sent to his wife with a local TV station.
- "Your husband deserves to face a firing squad," one message read.
- "You better not botch this recount," another said. "Your life depends on it."
- Visit Business Insider's homepage for more stories.

Following significant criticism and false allegations from President Donald Trump, Georgia's Republican secretary of state told a local TV station he and his wife have been receiving death threats.

The Peach State's top election official, Brad Raffensperger — who recently spoke with Insider to push back on Trump's baseless voter fraud claims in Georgia, which President-elect Joe Biden won — showed Atlanta's Fox affiliate text messages his wife has received lately.

"Your husband deserves to face a firing squad," one message read.

"You better not botch this recount," another read. "Your life depends on it."

"The Raffenspergers should be put on trial for treason and face execution," a third read.

Raffensperger called out Rep. Doug Collins, R-Ga., for making the problem worse.

"I know that Doug Collins and his acolytes are spinning people up, and it's time that he just mans up, grows up, and speaks the truth instead of speaking lies," the secretary of state told the local Fox affiliate.

In his interview with Insider, Raffensperger described his struggle with misinformation as that of a "rumor whack-a-mole."

"Every time these rumors come up, it's like the rumor whack-a-mole, we go ahead and we address it, and we have a transparent process and we have press releases on a daily basis ... but also there's been a lot of misinformation and honestly, disinformation or outright lying," he told Insider, referring to social media misnomers pushed by Trump and allies.

Raffensperger is overseeing a risk-limiting audit of Georgia's vote to check for any irregularities, which can range from human error to misfires by vote counting machines. The audit involves a hand recount of votes.

Despite fears of foreign interference and Trump's spurious claims of widespread voter fraud, the secretary of state told Insider this year's vote was "the most secure election ever."

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Trump pressured Georgia governor in call to help overturn Biden's win in state

cnn.com/2020/12/05/politics/trump-georgia-brian-kemp-phone-call/index.html

December 5, 2020



*(CNN)*President Donald Trump on Saturday called Georgia Gov. Brian Kemp, pushing him to convince state legislators to overturn President-elect Joe Biden's win in the state, a source familiar with the conversation told CNN.

Trump asked Kemp to call a special session and convince state legislators to select their own electors that would support him, according to the source. He also asked the Republican governor to order an audit of absentee ballot signatures.

Kemp explained that he did not have the authority to order such an audit and denied the request to call a special session, the source said.

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The White House declined to comment on the call, which was first reported by The Washington Post.

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The President appeared to reference the call in a tweet Saturday that attacked Kemp and Georgia Secretary of State Brad Raffensperger and called for a signature audit of the absentee ballot envelopes in the state, while making false or misleading claims about the potential process. The governor, in response, tweeted that he has already "publicly called for a

signature audit three times" -- leading Trump to then double down on his request for Kemp to call for a special session of the state's Legislature.

Kemp spokesman Cody Hall confirmed the governor spoke with the President, but, when asked about the conversation, only said that Trump offered his condolences on the death of Harrison Deal, a young Loeffler campaign staffer.

Trump's call to Kemp, his latest attempt to interfere in the results of the 2020 election, came hours before the President's visit to the state to rally in support of Republican Sens. David Perdue and Kelly Loeffler ahead of January's Senate runoff elections.CNN previously reported that the President has publicly pushed for Kemp and Raffensperger, both Republicans, to overturn the state's election results -- demands they have rebuffed.

Hall told CNN earlier this week -- following a separate push from Trump to intervene in the state's elections process -- that "Georgia law prohibits the Governor from interfering in elections."

"The Secretary of State, who is an elected constitutional officer, has oversight over elections that cannot be overridden by executive order," Hall said in a statement at the time. "As the Governor has said repeatedly, he will continue to follow the law and encourage the Secretary of State to take reasonable steps -- including a sample audit of signatures -- to restore trust and address serious issues that have been raised."

Despite the pummeling from their party leader, Georgia GOP election officials have pushed back against Trump's claims of fraud in the state.

Biden won Georgia by more than 12,000 votes, becoming the first Democratic presidential nominee to win the Peach State in nearly three decades. Kemp certified the results of Biden's victory on November 20, following a statewide audit, which included a hand-count of the nearly 5 million ballots cast in the election.

All eyes are on Georgia ahead of Trump's rally and Senate debate

Trump had recently bashed Kemp, who is a supporter of his, as a "moron" and a "nut job" during another phone call. And earlier this week, the President publicly criticized the governor in an interview on Fox News, saying he was "ashamed" he had endorsed Kemp.

The governor does not plan to attend Trump's rally in Valdosta, Georgia, Saturday night, due to the sudden death of a close friend of the family, Hall told CNN.

At the Georgia rally, the President spent the majority of the early portion of his remarks falsely claiming he won the election, taking shots at Kemp and saying the Senate runoffs will be rigged.

As CNN previously reported, Republicans had been concerned that Trump could depress voter turnout among his base in the state's crucial runoffs if he continued to rail against Georgia's election system and attack Kemp -- exactly what Trump's done at the rally.

The President also ran through a litany of issues that he envisions with a Democrat-controlled Senate, including packing the Supreme Court, ending the filibuster, abolishing second amendment rights, and making Washington, DC, and other places, states to secure more Democratic votes in Congress.

Trump said that winning the two Senate seats in Georgia is the "last line of defense to save America," a tacit acknowledgment that he lost the presidential election.

This story has been updated with additional developments Saturday.
CNN's Ryan Nobles and Jason Hoffman contributed to this report.

Violence erupts at Trump rally as thousands protest election in DC

nypost.com/2020/12/12/violence-erupts-at-trump-rally-as-thousands-protest-election/

By Mary Kay Linge December 12, 2020



December 12, 2020 | 3:06pm | Updated December 12, 2020 | 6:18pm



Trump supporters gather at a rally protesting the 2020 presidential election in Washington, DC, today.
James Keivom for NY Post



Trump supporters gather at a rally protesting the 2020 presidential election in Washington, DC, today.
Stephen Yang for NY Post



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Violence erupted on the streets of Washington, DC, Saturday as thousands of President Trump's most die-hard supporters swelled the nation's capital for a second round of protests against the results of the presidential election.

One person was reportedly stabbed after a black-clad pedestrian rushed a group of men wearing helmets and gas masks and threw a punch. The men were making their way to Freedom Plaza, where a rally dubbed the Million MAGA March had gathered. A video of the clash showed one man in Proud Boys regalia alongside the helmeted group.

"This isn't over, this is just beginning," former Trump campaign spokeswoman Katrina Pierson promised the crowd there.

"We knew that both Republicans and Democrats were against we the people," Pierson said in a fiery speech. "We are the cavalry. No one's coming for us."

Blocks away at the National Mall, Lt. Gen. Michael Flynn, Trump's former National Security Adviser, spoke to a throng of religious activists in his first public appearance since Trump pardoned him two weeks ago.

"We are in a crucible moment in the United States of America," Flynn said.

"The courts do not decide who the next President of the United States will be," he added — just hours after the Supreme Court tossed a Texas lawsuit challenging the vote in swing states. "This is the start of the greatest revival in the history of one nation under God."

> A few minutes ago a group on the way to the plaza was attacked by Proud boys. One person stabbed and on the way to the hospital.
>
> *The video abruptly stops because the person recording was attacked. I'm preserving their privacy. pic.twitter.com/cmFkDE5xvU
>
> — Black House News (@blackhousenew) December 12, 2020

Sen. Marsha Blackburn (R-Tenn.) sent the protesters a video message of support.

"You keep it up," she told them. "We're glad you're there campaigning for justice."

The rallies were billed as a second edition of a march held Nov. 14, which also drew thousands of Trump supporters to Washington — and which erupted in violence after hours.

Five people were arrested Friday night as clashes sparked between arriving Trump fans and counterprotesters, NBC4 reported.

Trump buzzed the Saturday rallies in Marine One, circling twice over the roaring crowds as he departed on a trip to attend the annual Army-Navy football game.

"That's pretty cool," Flynn said admiringly as the president flew overhead. "Imagine being able to just jump in your helicopter and go for a joy ride around Washington, DC. I love it."



Trump supporters gather at a rally protesting the 2020 presidential election in Washington, DC, today.
James Keivom for NY Post



Police detain a BLM activist during a Trump rally in Washington, DC.
Stephen Yang for NY Post



Trump supporters gather at a rally protesting the 2020 presidential election in Washington, DC, today.
Stephen Yang for NY Post



Trump supporters gather at a rally protesting the 2020 presidential election in Washington, DC, today.
Stephen Yang for NY Post

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Meanwhile, Trump himself spent much of the morning issuing angry tweets about his foundering election challenges in Georgia and Arizona — and about the Supreme Court decision that appears to have dashed his chances to retain the White House.

"The Supreme Court had ZERO interest in the merits of the greatest voter fraud ever perpetrated on the United States of America," he lamented in one post. "75,000,000 votes!"

White House insiders say Trump knew what was about to happen at the Capitol — because of his social media guru Dan Scavino

independent.co.uk/voices/trump-dan-scavino-white-house-insiders-capitol-b1786148.html

January 12, 2021



Voices

Donald Trump refuses to take responsibility for Capitol riot

'He is closer to Donald than his sons and he has more intimate knowledge of Donald's thoughts,' said one insider about the head of Trump's social media strategy team

Leer en Español



President Donald Trump's deep-diving social media operation would have made him aware that plans for his supporters to try to storm and occupy the US Capitol were in the works long before he took to the

stage at last week's "Save America" rally, former campaign and White House officials say.

In the months leading up to Twitter executives banning him from using his preferred social media platform, the president's nearly 90 million followers were on the receiving end of a firehose of content from conspiracy theorists, white nationalists, and adherents of the QAnon conspiracy theory. Especially after his loss to President-elect Joe Biden, Trump's feed was a consistent source of retweets for accounts promoting various baseless theories which purported to explain his failure to win re-election as the work of a shadowy cabal.

Such synergies played a major role in bring together the Washington DC riots that shocked the world on 6 January, according to Jared Holt, a visiting research fellow at the Atlantic Council's Digital Forensics Research Lab who tracks far-right extremists and propaganda.

"A big reason that a lot of extremist groups and individuals were present on the ground on Wednesday... [is] that for two months, President Trump's social media feeds were echoing the same kind, if not the exact same disinformation that animates these extremist movements," Holt said.

Much of those efforts to curate what was a steady stream of disinformation that experts say radicalized many of his followers was the work of one of the few remaining 2016 campaign veterans still in Trump's orbit: Dan Scavino Jr, the onetime Trump golf caddy who now serves as the White House Deputy Chief of Staff for Communications.

According to one person with knowledge of the relevant period of Trump's life and the events therein, Scavino was never really in Trump's inner circle until 2015, when he offered to handle the reality TV star-turned-presidential candidate's social media presence.

After Trump shocked the world by besting Hillary Clinton in 2016, Scavino followed him to a similar role at the White House. Since then, he has remained one of the president's closest advisors, and was even one of two White House aides to accompany Trump to Walter Reed National Military Medical Center last October, during his brief hospitalization with Covid-19.

"They are very close and intimate," said one Trump confidante who worked on the 2016 campaign and in the White House.

Though his title implies a traditional messaging and media relations role in the mould of Bill Shine, the former Fox News executive who was his predecessor in that particular role, Scavino's exact job description has long been more amorphous. But according to

Trumpworld insiders, Scavino occupied a rarefied place in the president's orbit as one of the only people with access to what was once the most powerful Twitter account in the world, a megaphone which could change the world's conversations in 280 characters or less.

To make use of that megaphone, the 44-year-old and the staff he oversaw as the head of the White House Office of Digital Strategy cast a sprawling net into the deepest reaches of pro-Trump online communities. In doing so, he drew content from hordes of extremely online Trump superfans, many of whom supplied a steady stream of content for him to pick and choose from.

"He's the president's online eyes and ears," said one former White House staffer, who described Scavino's work curating Trump's personal Twitter feed as "like a one-man band" even though he also sat atop the organizational chart of the Trump administration's social media team.

That team, another former White House and Trump campaign official said, has "their fingers on the pulse of any and everything that is unfolding [online] in Trumpworld."

The ex-White House and campaign insider, who has known both Scavino and the president for years, said there was no way that Scavino and the Trump social media operation would not have been aware of plans circulating online to storm the Capitol. That's because the operation closely monitored the web's darkest corners, ranging from mainstream sites such as Twitter, Facebook, and Reddit, to fringe message boards like 4chan and 8chan (now called 8kun) to TheDonald.win, an offshoot from a banned Reddit community dedicated to rabidly supporting all things Trump.

"He has a full staff that supports his efforts, so he has a full digital team at the White House, a full digital team at the RNC... and the PACs, and don't forget the Trump family still has on staff digital folks that he trained.... so he has at his disposal 18 to 22 people to work with him," they explained.

Holt, the online extremism researcher, noted that it is unlikely that Trumpworlders who curate the president's feeds could go looking for the sort of content they routinely promoted and at the same time remain unaware of plans for last week's riot.

"If they are in these communities. I don't know how they could have missed this chatter. It was all over the place," he said.

The former White House and campaign official, who has known the president and many in his inner circle for years, said Scavino "has the president's ear" and as such would undoubtedly have passed what he was learning online.

Moreover, they posited that his knowledge of pro-Trump online communities would have informed the ghostwriting tasks he performed on Trump's Twitter account — including a tweet attacking Vice President Mike Pence, sent just as rioters were beginning to break

Capitol Police lines and enter the building, chanting "Hang Mike Pence".

"He is closer to Donald than his sons and he has more intimate knowledge of Donald's thoughts. And he has the respect of the president — that's what makes him dangerous," they said. "That's why he will blindly send messages out that would incite insurrection or sedition. That's why he has no problem doing it."

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Trump supporters gather in capital

Trump will speak to protesters just before Congress meets on the election.

By **Luke Barr**
January 5, 2021, 7:12 PM • 11 min read



Pro-Trump protesters breach Capitol

Violent protests that broke out during a joint session of Congress left at least one person dead.

As law enforcement in Washington, D.C., braced for protests at the Capitol and around the nation's capital Wednesday when Congress meets to ratify Joe Biden as winner of the presidential election, the leader of the alt-right group, the Proud Boys, urged members to show up in support of President Donald Trump.

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Enrique Tarrio, made the comments after being arraigned Tuesday on charges of destruction of property stemming from a "Stop the Steal" protest in December and for possessing two high-powered magazine clips.

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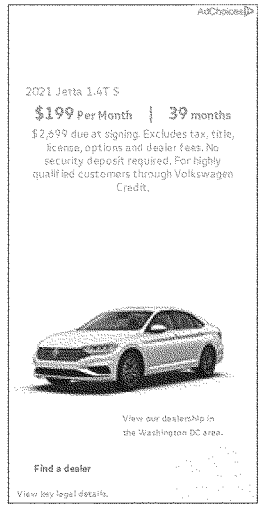

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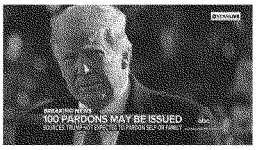

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Tarrio himself, while released on his own recognizance, was barred from staying in the city except to make court appearances.



Brendan Smialowski/AFP via Getty Images

Supporters of President Donald Trump gather at the U.S. Capitol on Jan. 5, 2021, in Washington, D.C.

Members of the Proud Boys clashed violently with counter-protesters after a previous pro-Trump rally last month.

Jasper Colt/USA Today Network

A sign warns that firearms are not permitted in the area around the White House in Washington.. **Read More**

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The new chief of the city's Metropolitan Police Department, which will be the lead agency responding to protests, has said there is no room for guns in the nation's capital where firearms are banned.



Samuel Corum/Getty Images

*Supporters of President Donald Trump gather in Freedom Plaza for a rally on Jan. 5, 2021, in Wa.*Read More

"We have received some information that there are individuals intent on bringing firearms into our city and that's just – just will not be tolerated," Chief Robert Contee said.

U.S Park Police arrested a man for allegedly carrying a concealed firearm during a pro-Trump rally Tuesday at Freedom Plaza.



Samuel Corum/Getty Images

*U.S. Park Police officers arrest a man after officers spotted him carrying a concealed firearm duri..*Read More

Other protesters gathered outside the Supreme Court where longtime Trump political adviser Roger Stone, recently pardoned, spoke to the crowd.



Caroline Brehman/CQ-Roll Call via Getty Images

Roger Stone, former advisor to President Trump, speaks to a group of Trump supporters outside... Read More

On Wednesday, the president is expected to attend and speak at an 11 a.m. "Save America" rally on the Ellipse near the White House and authorities anticipated protesters gathering at the Capitol and other symbolic locations around the city.

On Tuesday evening, he tweeted, "Washington is being inundated with people who don't want to see an election victory stolen by emboldened Radical Left Democrats. Our Country has had enough, they won't take it anymore! We hear you (and love you) from the Oval Office. MAKE AMERICA GREAT AGAIN!"

> *Washington is being inundated with people who don't want to see an election victory stolen by emboldened Radical Left Democrats. Our Country has had enough, they won't take it anymore! We hear you (and love you) from the Oval Office. MAKE AMERICA GREAT AGAIN!*
>
> *— Donald J. Trump (@realDonaldTrump) January 5, 2021*

In another tweet saying Republicans should take "notice" of the people "pouring into DC," Trump tagged Senate Majority Leader Mitch McConnell and other GOP leaders who oppose other Senate Republicans challenging Biden's Electoral College win.

At the same time, in a tweet proclaiming, "Antifa is a terrorist organization, stay out of Washington" and "Law enforcement is watching you very closely," he tagged several government agencies, including the Pentagon, the Department of Homeland Security, the Secret Service, the FBI and Justice Department and the Department of the Interior.

Samuel Corum/Getty Images

Supporters of President Donald Trump gather for a rally in Freedom Plaza in view of The Capitol... **Read More**

According to the arrest warrant, Tarrio and other members of the Proud Boys group allegedly defaced a Black Lives Matter sign attached to the AME Metropolitan Church, a historically black church in the city, and authorities said police presence will increase at churches and special attention will be given to Black Lives Matter Plaza near the White House where police were preparing to close off access to the plaza if necessary.

A law enforcement official told ABC News that there are no known threats over the next few days, but a separate law enforcement source said that the police presence is "all hands on deck."

The National Guard also will have a presence in D.C. at the request of Mayor Muriel Bowser.

Jonathan Ernst/Reuters

National Guard soldiers keep watch in the Metro subway station as Pro-Trump demonstrators ral... **Read More**

Secretary of the Army Ryan McCarthy has activated about 340 unarmed D.C. National Guardsmen to assist local law enforcement. Working day and night shifts there will be about be about 115 National Guardsmen at a given time assisting D.C. police at more than 30 traffic-control checkpoints.

"Our main mission is augmenting select traffic control points and Metro stations identified by MPD," Gen. William J. Walker, Commanding General of the D.C. National Guard said in a press release Monday.

The orders for them say that they will be unarmed and won't have body armor or riot gear. They're providing three Guard police officers to

accompany a city police officer at 30 checkpoints in town, freeing up an equal number of police to be closer to demonstrations and respond quickly to any violence that might break out.

At the same time, Bowser has sent a letter to leaders of the Justice Department and the Pentagon discouraging them from deploying additional federal law enforcement personnel to handle potential unrest at Wednesday's protests without "immediate" notification and consultation with the D.C. police department.

Bowser's letter, addressed to acting Attorney General Jeffrey Rosen, acting Defense Secretary Chris Miller and Army Secretary Ryan McCarthy, says that the MPD is fully prepared to handle the protests in coordination with partners in the Park Police, Capitol Police, Secret Service and D.C. National Guard, and urges against federal deployments of unidentifiable armed personnel which she says previously caused confusion for local law enforcement during several protests in 2020.

A Department of Homeland Security spokesperson tells ABC News that the agency has established a virtual operations center. Additionally, Customs and Border Protection, a DHS asset, is on stand-by to protect federal buildings.

"As a law enforcement component under the DHS Protecting American Communities Task Force (PACT), CBP will provide support, as requested, to the Federal Protective Service to protect Federal facilities and property if needed," a CBP spokesperson said in a statement.

Brendan Smialowski/AFP via Getty Images

Supporters of President Donald Trump gather at the US Capitol as they protest the upcoming elec..**Read More**

At the U.S. Capitol, members and staff were being urged to use the underground tunnel system on Wednesday when the joint session of Congress meets, according to a message sent to staff by the Senate Sergeant at Arms.

"When moving to and from the House Office Buildings and the Capitol, the Sergeant at Arms and U.S. Capitol Police continue to encourage Members and staff to use the underground access points and the Cannon and Rayburn tunnels in lieu of walking outdoors or driving to the Capitol plaza," the notice said.

A Capitol Police spokesperson said that the agency has "comprehensive security plans in place and we continuously monitor and assess new and emerging threats, with the overall goal of keeping those within the Capitol Complex safe and secure."

ABC News' Quinn Owen, Luis Martinez, Benjamin Siegel, Alex Mallin and John Parkinson contributed to this report.

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Bowser warns D.C. residents to stay away when Trump supporters amass downtown Wednesday

washingtonpost.com/dc-md-va/2021/01/03/bowser-dc-trump-supporters-january-6/

By Julie Zauzmer January 3, 2021



D.C. Mayor Muriel E. Bowser (D) said Sunday that she is making plans to protect public safety when President Trump's supporters descend on the District on Wednesday to protest the result of the presidential election — including asking city residents not to come downtown on Tuesday or Wednesday to avoid confrontation with the demonstrators.

Bowser also asked people not to counterprotest to minimize potential conflict with the groups on the right. She urged residents "not to engage with demonstrators who come to our city seeking confrontation, and we will do what we must to ensure all who attend remain peaceful," she said in a statement.

To that end, Bowser said she would set up an emergency operations center, beginning Monday, for federal and local law enforcement to coordinate their response to the demonstrations.

Trump has urged his supporters to come to the nation's capital on the day that Congress is scheduled to vote to certify the results of the election, which he still falsely maintains that he won.

In November and December, pro-Trump protesters — including far-right groups the Proud Boys, Oath Keepers and others — amassed in the District to protest the election results on two other occasions. Both days ended in violence, including stabbings and the burning of Black Lives Matter banners at several African American churches downtown.

Some experts who monitor far-right groups have warned that Wednesday's event could be more dangerous, as groups have discussed ways to sneak guns into the District.

Bowser's statement included a reminder that openly carrying firearms is illegal in the District, and a concealed-carry permit from another state does not permit the holder to carry a weapon in the District. Moreover, federal law bans guns on many of the sites where the protesters plan to gather Wednesday, including Freedom Plaza and the Mall, and D.C. law bans guns within 1,000 feet of a protest.

While Bowser's suggestion that residents stay away from downtown will not be enforced by law enforcement, the city will ban street parking Tuesday through Thursday on some downtown streets, and it will close many streets to cars entirely on Tuesday and Wednesday. The street closures, which allow marchers to demonstrate in the road, are common practice in the District for large demonstrations.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	**Case No:**
	:	
v.	:	**18 U.S.C. § 1752(a)**
	:	**(Restricted Building or Grounds)**
	:	
	:	**40 U.S.C. § 5104(e)(2)**
WILLIAM MCCALL CALHOUN, JR	:	**(Violent Entry or Disorderly Conduct)**
Defendant.	:	
	:	**18 U.S.C. § 1512(c)(2)**
	:	**(Tampering With a Witness, Victim, or**
	:	**an Informant)**
	:	
	:	**UNDER SEAL**
	:	

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT AND ARREST WARRANT

I, [redacted], being first duly sworn, hereby depose and state as follows:

PURPOSE OF AFFIDAVIT

1. This Affidavit is submitted in support of a Criminal Complaint charging WILLIAM MCCALL CALHOUN, JR. with violations of 18 U.S.C. § 1752(a), 40 U.S.C. § 5104(e), and 18 U.S.C. § 1512(c)(2). I respectfully submit that this Affidavit establishes probable cause to believe that CALHOUN (1) did knowingly enter or remain in any restricted building or grounds without lawful authority, or did knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct; (2) did willfully and knowingly engage in disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of any deliberations of either House of Congress; and (3) corruptly did obstruct, influence, or impede any

a proceeding before the Congress. Specifically, on or about January 6, 2021, CALHOUN traveled to Washington, D.C. and knowingly and willfully joined and encouraged a crowd of individuals who forcibly entered the U.S. Capitol and impeded, disrupted, and disturbed the orderly conduct of business by the United States House of Representatives and the United States Senate.

BACKGROUND OF AFFIANT

2. I have been a Special Agent with the Federal Bureau of Investigation since January, 2018. I am currently assigned to the Atlanta Field Office, Albany Resident Agency of the FBI. As an FBI Agent, I have participated in numerous investigations involving unlawful narcotics distribution, organized crime, bank robberies, threats cases, unlawful firearms cases and other violent criminal offenses. In these investigations, I have been involved in the application for and execution of numerous arrest and search warrants related to the aforementioned criminal offenses. Through my training and experience, I am familiar with the actions, habits, traits, methods, and terminology utilized by violent criminal offenders.

3. Unless otherwise stated, the information in this Affidavit is either personally known to me, has been provided to me by other individuals, or is based on a review of various documents, records, and reports. Because this Affidavit is submitted for the limited purpose of establishing probable cause to support an application for an arrest warrant, it does not contain every fact known by me or the United States. The dates listed in this Affidavit should be read as "on or about" dates.

BACKGROUND

4. On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in separate chambers of the United States Capitol to certify the vote count of

the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Vice President Mike Pence was present and presiding in the Senate chamber.

5. With the joint session underway and with Vice President Mike Pence presiding, a large crowd gathered outside the U.S. Capitol. Temporary and permanent barricades surround the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside. At approximately 2:00 p.m., certain individuals in the crowd forced their way through, up, and over the barricades and officers of the U.S. Capitol Police, and the crowd advanced to the exterior façade of the building. At such time, the joint session was still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, shortly after 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows. Shortly thereafter, at approximately 2:20 p.m., members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress was effectively suspended until shortly after 8:00 p.m. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the session resumed.

Americus, Georgia Resident McCall Calhoun's Use of Social Media to Post Threatening Communications Prior to January 6, 2021

6. On November 12, 2020, the FBI National Threat Operation Center received a phone call from a concerned citizen who provided information concerning an individual named McCall CALHOUN. The caller stated that CALHOUN is a lawyer who resides in Americus,

Georgia and was making threats on social media platforms to include Facebook, Twitter and Parler. According to the caller, CALHOUN had posted a message encouraging people to storm Washington D.C. and peacefully protest while openly carrying firearms. The caller also read messages CALHOUN had purportedly posted stating:

a. "some of you will live long enough to be exterminated with extreme prejudice";

b. "it's going to be hard to buy a beer when Democrats are being shot on site [sic];" and

c. "we are going to kill every last communist who stands in Trump's way"

Calhoun's Use of Social Media to Document his Violent Intention and Participation in Storming the Capitol

7. This investigation began on January 6, 2021, when I was provided with a video CALHOUN had posted on Facebook of himself inside the U.S. Capitol earlier that day. CALHOUN posted a message with the video: "After we had forced our way in but before the cops were rout..." An image of the Facebook post is enclosed as Enclosure 1.

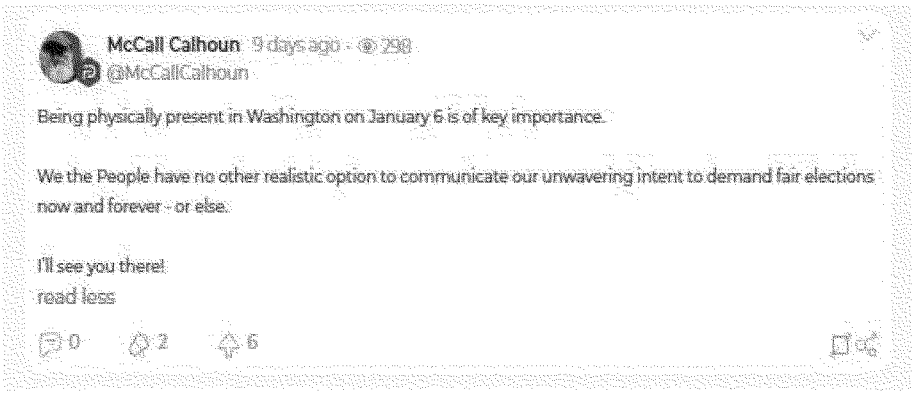
ENCLOSURE 1



8. The FBI subsequently obtained additional messages and images on CALHOUN's social media pages revealing evidence that CALHOUN intended to and did travel to Washington, D.C. on January 6, 2021, to protest what he believed to be fraud in the 2020 presidential election and to "storm" the Capitol.

9. On December 29, 2020, CALHOUN posted a message to his Parler page that read: "Being physically present in Washington on January 6 is of key importance. We the people have no other realistic option to communicate our unwavering intent to demand fair elections now and forever – or else. I'll see you there!" That Parler post is enclosed as Enclosure 2.

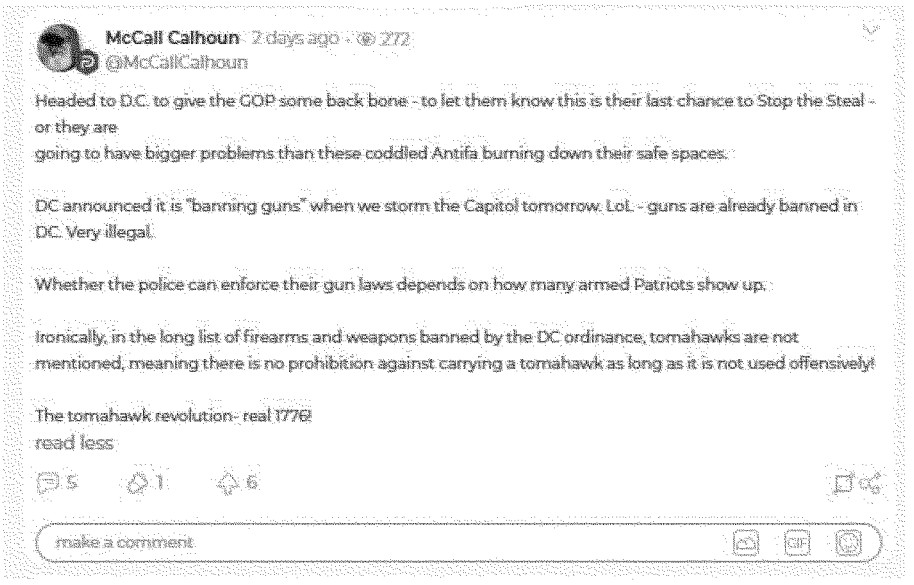
ENCLOSURE 2



10. On January 5, 2021, CALHOUN posted a message on his Parler page that read: "Headed to D.C. to give the GOP some back bone – to let them know this is their last chance to Stop The Steal – or they are going to have bigger problems than these coddled Antifa burning down their safe spaces. DC announced it is 'banning guns' when we storm the Capitol tomorrow. Very illegal. Whether the police can enforce their gun laws depends on how many armed Patriots show up. Ironically, in the long list of firearms and weapons banned by the DC ordinance,

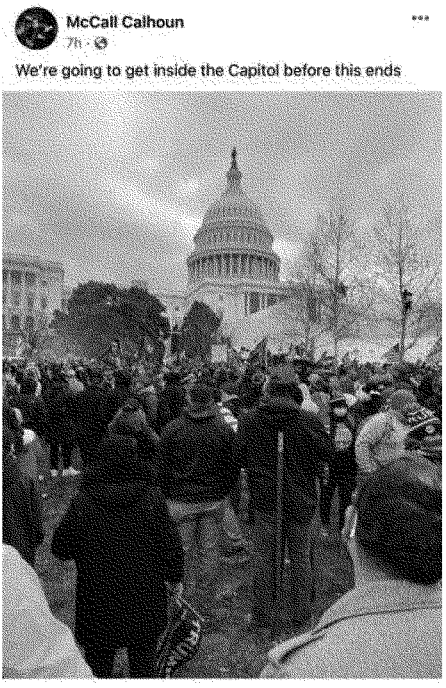
tomahawks are not mentioned, meaning there is no prohibition against carrying a tomahawk as long as it is not used offensively! The tomahawk revolution – real 1776." The Parler post is enclosed as Enclosure 3.

ENCLOSURE 3



11. On January 6, 2021, CALHOUN posted on his Facebook page a photograph from outside the U.S. Capitol with this message: "We're going to get inside the Capitol before this ends." That Facebook post is enclosed as Enclosure 4.

ENCLOSURE 4



12. Near January 6, 2021, CALHOUN also posted a message to Facebook that stated: "Patriots have taken the Capitol Building. We overran multiple police barricades and swarmed the building. We busted through – thousands of us swarmed in." The message also states that CALHOUN and others pushed through a "police barricade inside" the Capitol, "swarmed Congress yelling the names of various members," and "stormed upstairs . . . looking for members of Congress, as we physically owned the Capitol . . . ." The message also states that "all law enforcement had retreated to the perimeter." CALHOUN boasted in the message that he was among "the first of us who got upstairs kicked in Nancy Pelosi's office door and pushed down the

hall toward her inner sanctum." CALHOUN described this as "the mob howling with rage." That Facebook post is enclosed as Enclosure 5.

ENCLOSURE 5



McCall Calhoun
3h ·

Patriots have taken the Capitol building. We overran multiple police barricades and swarmed the building. We busted through - thousands of us swarmed in.

There was a last police barricade inside, and we had packed in right up to them.

Somebody yelled "push through", so we did and the shock of our momentum brushed them aside - some people we're bleeding pretty badly by that point.

After we had overrun that last police barricade, the momentum caused a bad crush at one point, but carried the Vanguard through several smaller doors and down halls as we swarmed Congress yelling the names of various members.

Then we stormed upstairs through the rotunda admiring the amazing art work but at the same time looking for members of Congress, as by this time we physically owned the Capitol - all law enforcement had retreated to the perimeter and even more thousands were trying to push in!

And get this - the first of us who got upstairs kicked in Nancy Pelosi's office door and pushed down the hall towards her inner sanctum, the mob howling with rage - Crazy Nancy probably would have been torn into little pieces, but she was nowhere to be seen - then a swat team showed, and we retreated back to the rotunda and continued our hostile take over of the Capitol Building.

There was such a push of even more Patriots coming into the Capitol that we couldn't get out for about 20 minutes

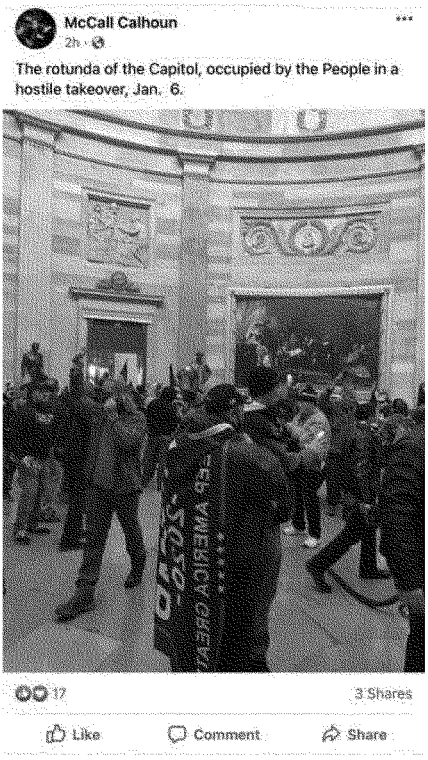
13. Near January 6, 2021, CALHOUN posted another Facebook message that stated: "Today the American People proved that we have the power. We physically took control of the Capitol Building in a hand to hand hostile takeover. We occupied the Capitol and shut down the Government – we shut down their stolen election shenanigans." That Facebook message is enclosed as Enclosure 6.

ENCLOSURE 6



14. CALHOUN posted a photograph on Facebook with the caption: "The rotunda of the Capitol, occupied by the People in a hostile takeover, Jan. 6." That Facebook post is enclosed as Enclosure 7.

ENCLOSURE 7



Calhoun Admits To His Participation in the Siege at the Capitol In an Atlanta Newspaper Interview

15. On January 8, 2021, the Atlanta Journal Constitution published an article entitled: "AJC EXCLUSIVE: Georgia Attorney Among Those Who Broke Into U.S. Capitol."[1] The title of the article is accompanied by a picture of CALHOUN. The article states, "When hundreds of pro-Trump protesters stunned and horrified the nation by forcing their way into the United States Capitol Wednesday, self-described 'Anti-communist Counter-Revolutionary' McCall Calhoun

[1] https://www.ajc.com/news/georgia-attorney-among-those-who-broke-into-the-us-capitol/MF3IWF57WRGHBO2G2GTSZII374/ (last accessed January 12, 2021).

was among the first through the doors." The article quotes CALHOUN's social media messages related to the events of January 6. CALHOUN is quoted: "The crowd was of one mind. Everybody there had the same attitude. They felt they had been robbed of a fair election and the Congress wasn't listening to them[.]" CALHOUN described as the event as "civil disobedience." He told the paper: "Anyone who claims it was anything other than civil disobedience was not there[.]" In noting CALHOUN's various posts in the months leading up to the rally warning "of a coming civil war," the article quotes CALHOUN in an October social media post as stating: "we've got to get serious about stopping them by force of arms." CALHOUN acknowledged, "It probably wasn't the best idea, but it was what this group of people did," and that, "I would freely admit that I trespassed, but I did it for the love of my country."

CONCLUSIONS OF AFFIANT

16. Based on the foregoing, your Affiant submits that there is probable cause to believe that CALHOUN violated:

a. 18 U.S.C. § 1752(a), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do so; (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions; (3) knowingly, and with the intent to impede or disrupt the orderly conduct of Government business or official functions, obstruct or impede ingress or egress to or from any restricted building or grounds; or (4) knowingly engage in any act of physical violence against any person or property in any restricted building or

grounds; or attempts or conspires to do so. For purposes of Section 1752 of Title 18, a restricted building includes a posted, cordoned off, or otherwise restricted area of a building or grounds where the President or other person protected by the Secret Service is or will be temporarily visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance; and

b. 40 U.S.C. § 5104(e)(2), which makes it a crime for an individual or group of individuals to willfully and knowingly (A) enter or remain on the floor of either House of Congress or in any cloakroom or lobby adjacent to that floor, in the Rayburn Room of the House of Representatives, or in the Marble Room of the Senate, unless authorized to do so pursuant to rules adopted, or an authorization given, by that House; (B) enter or remain in the gallery of either House of Congress in violation of rules governing admission to the gallery adopted by that House or pursuant to an authorization given by that House; (C) with the intent to disrupt the orderly conduct of official business, enter or remain in a room in any of the Capitol Buildings set aside or designated for the use of— (i) either House of Congress or a Member, committee, officer, or employee of Congress, or either House of Congress; or (ii) the Library of Congress; (D) utter loud, threatening, or abusive language, or engage in disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of a hearing before, or any deliberations of, a committee of Congress or either House of Congress; (E) obstruct, or impede passage through or within, the Grounds or any of the Capitol Buildings; (F) engage in an act of physical violence

in the Grounds or any of the Capitol Buildings; or (G) parade, demonstrate, or picket in any of the Capitol Buildings.

c. 18 U.S.C. § 1512(c)(2), which makes it a crime to corruptly obstruct, influence, or impede any official proceeding—to include a proceeding before the Congress--or make an attempt to do so.

17. As such, I respectfully request that the court issue an arrest warrant for CALHOUN.

The statements above are true and accurate to the best of my knowledge and belief.

[redacted]

FEDERAL BUREAU OF INVESTIGATION

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 12 day of January, 2021.

Zia M. Faruqui
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HON. ZIA M. FARUQUI
U.S. MAGISTRATE JUDGE

 Case: 1:21-mj-00115
Assigned to: Judge Meriweather, Robin M
Assign Date: 1/18/2021
Description: COMPLAINT W/ARREST WARRANT

STATEMENT OF FACTS

On January 6, 2021, your affiant, Riley Palmertree, was on duty and performing my official duties as a Special Agent with the Federal Bureau of Investigation ("FBI"). I have been a Special Agent since 2017 and, in additional to my regular duties, I am currently also tasked with investigating criminal activity that occurred in and around the Capitol grounds on January 6, 2021. As a Special Agent, I am authorized by law or by a Government agency to engage in or supervise the prevention, investigation, or prosecution of a violation of Federal criminal laws.

The information contained in this affidavit is based on my knowledge of the investigation and information provided by other law enforcement officers. Because this statement of facts is being submitted for the limited purpose of establishing facts sufficient for the charges in the complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that evidence exists of violations of the following statutes: 18 U.S.C. §§ 111 (a) and (b) (Assaulting an Officer of the United States with a deadly or dangerous weapon); 18 U.S.C. § 1512(c)(2) (Obstruction of an Official Proceeding); 18 U.S.C. § 1752(a) and (b) (Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority); 40 U.S.C. § 5104(e)(2) (Violent Entry and Disorderly Conduct on Capitol Grounds).

1. Background

The U.S. Capitol is secured 24 hours a day by U.S. Capitol Police. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by U.S. Capitol Police. Only authorized people with appropriate identification are allowed access inside the U.S. Capitol. On January 6, 2021, the exterior plaza of the U.S. Capitol was also closed to members of the public.

On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in separate chambers of the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Shortly thereafter, by approximately 1:30 p.m., the House and Senate adjourned to separate chambers to resolve a particular objection. Vice President Mike Pence was present and presiding, first in the joint session, and then in the Senate chamber.

As the proceedings continued in both the House and the Senate, and with Vice President Mike Pence present and presiding over the Senate, a large crowd gathered outside the U.S. Capitol. As noted above, temporary and permanent barricades were in place around the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside.

At such time, the certification proceedings still were underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, shortly after

2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows and by assaulting members of the U.S. Capitol Police, as others in the crowd encouraged and assisted those acts.

Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress was effectively suspended until shortly after 8:00 p.m. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the sessions resumed.

During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of violations of local and federal law, including scores of individuals inside the U.S. Capitol building without authority to be there.

A number of law enforcement officers were assaulted while attempting to protect the U.S. Capitol and the individuals inside of the building. These assaults occurred both inside of the Capitol, as well as on the steps outside of the Capitol and the grounds of the Capitol.

2. **Emanuel Jackson's Criminal Conduct**

During the course of the violent protests, several violent protestors were armed with weapons including bats, pepper spray, sticks, zip ties, as well as bulletproof vests and anti-tear gas masks. During the course of the violent protest, several law enforcement officers were assaulted by these violent protesters.

a. Assault on Law Enforcement Officer at Senate Wing Entrance

At around 2:00 p.m., violent protesters climbed the stairs to the U.S. Capitol Building at the Senate Wing entrance on the West side and began striking the windows and doors of the U.S. Capitol. Several U.S. Capitol and Metropolitan Police Department officers who were in police uniform attempted to restrain the crowd but were eventually overwhelmed. The defendant, EMANUEL JACKSON, is observed on U.S. Capitol video surveillance footage making a fist and repeatedly striking a U.S. Capitol Police officer on his person while attempting to forcefully enter the building. United States Capitol Police officers are designated as officers of the United States under 18 U.S.C. 1114.

At approximately 2:48 p.m., the large crowd that was being restrained by law enforcement overpowered the officers and gained entry. One of the first individuals observed entering the doorway is the defendant. The defendant is observed on the surveillance video wearing a black hooded sweatshirt, a tan military-style backpack, and a light blue surgical mask on his face. At various times the **mask on the defendant's face is below the defendant's lips.**

b. Baseball Bat Assault on Law Enforcement Officers at West Terrace Entrance

At 4:50 p.m., the violent and aggressive crowd continued to confront law enforcement at the West Terrace entrance. The crowd was armed with various weapons and multiple individuals are observed assaulting law enforcement in the entranceway. The defendant is clearly observed in surveillance video of this entrance, wearing the same clothing described above and observed in earlier footage, and armed with a metal baseball bat. The defendant is observed repeatedly striking a group of both U.S. Capitol and Metropolitan Police Department uniformed officers with the baseball bat. U.S. Capitol Police officers are designated as officers of the United States under Title 18 U.S.C. 1114. The officers are shielding themselves with the Plexiglas shields for protection.



In the days following the assault on the U.S. Capitol, law enforcement sent out flyers with photographs of several individuals involved in the violence at the U.S. Capitol on January 6, 2021. The defendant was listed as subject number 31.

During the investigation, law enforcement discovered an open source media video of the incident from January 6, 2021. On the video, photographs of which are included below, the defendant is observed holding and swinging the bat, which matches the shape and appearance of the bat in the surveillance video from the Capitol Building.


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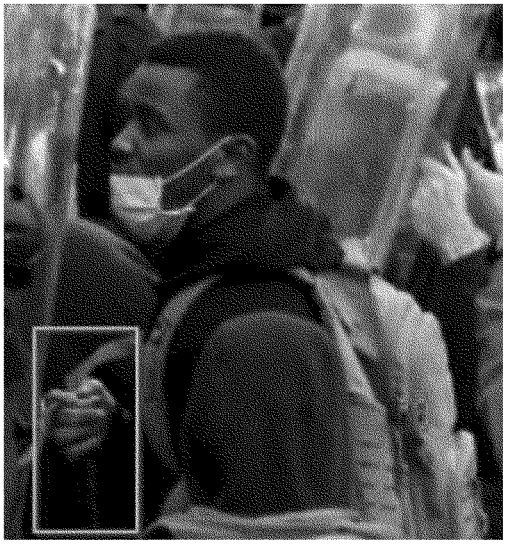

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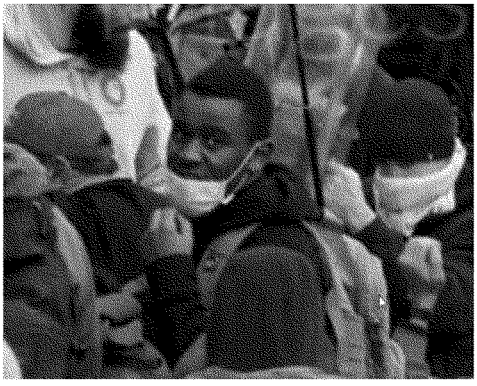
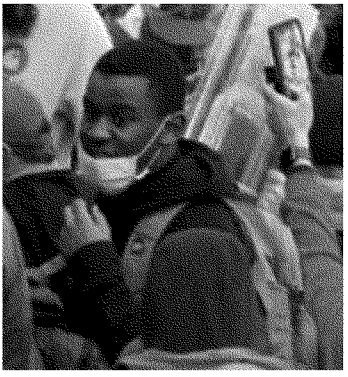




c. January 18, 2021 Arrest

On January 18, 2021, the defendant voluntarily entered the First District Metropolitan Police Department station. Your affiant explained **the defendant's** constitutional rights to him and the defendant knowingly waived his rights by signing a Miranda rights card. The defendant admitted to taking part in the violent protest, identified himself in video and photographs shown to him by law enforcement of himself, and confessed to perpetrating the violent conduct described above.

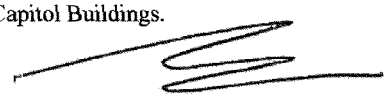
Based on the foregoing, your affiant submits that there is probable cause to believe that JACKSON violated 18 U.S.C. 111, which makes it a crime to assault a Federal law enforcement officer, and 18 U.S.C. 111(b), which makes it a crime to assault a federal law enforcement officer with a dangerous weapon.

Additionally, there is probable cause to believe that JACKSON violated 18 U.S.C. § 1511(c)(2), which makes it a crime to obstruct, influence, or impede any official proceeding.

Additionally, there is probable cause to believe that JACKSON violated 18 U.S.C. § 1752(a) and (b), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do; and (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions; and (4) knowingly engage in any act of physical violence against any person or property in any restricted building or grounds; or attempts or conspires to do so. For purposes of **Section 1752 of Title 18, a "restricted building" includes a posted, cordoned off, or otherwise** restricted area of a building or grounds where the President or other person protected by the Secret Service, including the Vice President, is or will be temporarily visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance.

Your affiant submits there is also probable cause to believe that JACKSON violated 40 U.S.C. § 5104(e)(2)(D) and (G), which makes it a crime to willfully and knowingly (D) utter loud,

threatening, or abusive language, or engage in disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of a hearing before, or any deliberations of, a committee of Congress or either House of Congress; (E) obstruct, or impede passage through or within, the Grounds or any of the Capitol Buildings; (F) engage in an act of physical violence in the Grounds or any of the Capitol Buildings; and (G) parade, demonstrate, or picket in any of the Capitol Buildings.



Riley M. Palmertree
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 18th day of January 2021.



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Robin M. Meriweather
U.S. MAGISTRATE JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

		Case: 1:21-mj-00119
UNITED STATES OF AMERICA	:	Assigned To : Faruqui, Zia M.
	:	Assign. Date : 1/19/2021
v.	:	Description: Complaint w/ Arrest Warrant
	:	**VIOLATIONS:**
THOMAS EDWARD CALDWELL,	:	
	:	**18 U.S.C. § 371**
DONOVAN RAY CROWL, and	:	**(Conspiracy)**
	:	
JESSICA MARIE WATKINS,	:	**18 U.S.C. § 372**
	:	**(Conspiracy to Impede or Injure Officer)**
Defendants.	:	
	:	**18 U.S.C. § 1361**
	:	**(Destruction of Government Property)**
	:	
	:	**18 U.S.C. § 1512(c)(2)**
	:	**(Obstruction of an Official Proceeding)**
	:	
	:	**18 U.S.C. § 1752(a)**
	:	**(Restricted Building or Grounds)**
	:	
	:	**40 U.S.C. § 5104(e)(2)**
	:	**(Violent Entry or Disorderly Conduct)**
	:	

AFFIDAVIT IN SUPPORT OF AMENDED CRIMINAL COMPLAINT

I, Michael M. Palian Jr., being first duly sworn, hereby depose and state as follows:

PURPOSE OF AFFIDAVIT

1. This Affidavit is submitted in support of an Amended Criminal Complaint charging THOMAS EDWARD CALDWELL, DONOVAN RAY CROWL, and JESSICA MARIE WATKINS with violations of 18 U.S.C. §§ 371, 372, 1361, 1512(c)(2), 1752(a), and 40 U.S.C. § 5104(e)(2) (hereinafter, "Subject Offenses"). This Amended Criminal Complaint is intended to amend, or supersede, the Criminal Complaints filed in each individual's case on January 16-17, 2021. This Affidavit sets forth additional evidence establishing probable cause that CALDWELL, CROWL, and WATKINS conspired together, and with others known and unknown, to obstruct the

United States Congress' affirmation of the Electoral College vote regarding the results of the 2020 U.S. Presidential Election, and that they committed other related federal crimes in furtherance of that purpose, as set forth below.

2. I respectfully submit that this Affidavit establishes probable cause to believe that CALDWELL, CROWL, and WATKINS:

a. Knowingly and willfully conspired together and with others whose identities are known and unknown to law enforcement at this time to commit an offense against the United States, in violation of 18 U.S.C. § 371, that is, to corruptly obstruct, influence, or impede an official proceeding in violation of 18 U.S.C. § 1512(c)(2); and

b. Conspired together and with others whose identities are known and unknown to law enforcement at this time to prevent, by force, intimidation, or threat, officers of the United States from discharging their duties; to injure them on account of the lawful discharge of the duties of their offices; and to injure their property so as to interrupt, hinder, or impede them in the discharge of their official duties, in violation of 18 U.S.C. § 372; and

c. Attempted to willfully injure or commit depredation against any property of the United States, in violation of 18 U.S.C. § 1361; and

d. Corruptly obstructed, influenced, and impeded an official proceeding, in violation of 18 U.S.C. § 1512(c)(2); and

e. Entered and remained in any restricted building and grounds without lawful authority, and knowingly, and with intent to impede or disrupt the orderly conduct of Government business and official functions, engaged in disorderly and disruptive conduct, in violation of 18 U.S.C. § 1752(a); and

f. Willfully and knowingly engaged in disorderly and disruptive conduct, at any place in the Grounds and in any of the Capitol Buildings with the intent to impede, disrupt, and disturb the orderly conduct of a session of Congress or either House of Congress, and the orderly conduct in that building of any deliberations of either House of Congress, in violation of 40 U.S.C. § 5104(e)(2).

BACKGROUND OF AFFIANT

3. I am a Special Agent with the FBI and have been so employed since February 2003. As a Special Agent with the FBI, I am empowered by law to conduct investigations, make arrests,

and execute and serve search and arrest warrants for offenses enumerated in Title 21 and Title 18 of the United States Code. I have a Ph.D in bio-organic chemistry, and have also received training and gained experience in a variety of criminal laws and procedures, including those involving drug distribution, white collar crime and crimes of violence. Through my training, education and experience, I have become familiar with the manner in which criminal activity is carried out, and the efforts of persons involved in such activity to avoid detection by law enforcement. In addition to my regular duties, I am currently tasked with investigating criminal activity that occurred in and around the U.S. Capitol grounds on January 6, 2021.

4. Unless otherwise stated, the information in this Affidavit is either personally known to me, has been provided to me by other individuals, or is based on a review of various documents, records, and reports. Because this Affidavit is submitted for the limited purpose of establishing probable cause, it does not contain every fact known by me or the United States. The dates listed in this Affidavit should be read as "on or about" dates.

BACKGROUND

The Incursion at the U.S. Capitol on January 6, 2021

5. The U.S. Capitol, which is located in the District of Columbia, is secured 24 hours a day by U.S. Capitol Police. The Capitol Police maintain permanent and temporary barriers to restrict access to the Capitol exterior, and only authorized individuals with appropriate identification are allowed inside the Capitol building.

6. On January 6, 2021, at approximately 1:00 p.m., a Joint Session of the U.S. House of Representatives and the U.S. Senate convened in the Capitol building to affirm the Electoral College vote in the 2020 Presidential Election. U.S. Vice President Michael R. Pence, in his

constitutional duty as President of the Senate, presided over the Joint Session. The Capitol's exterior plaza was closed to the public.

7. At approximately 1:30 p.m., the House and Senate adjourned to separate chambers to resolve an objection. Vice President Pence adjourned to the Senate to preside over that chamber's proceeding. As the House and Senate proceedings ensued inside the Capitol, certain individuals in the crowd forced their way through, up, and over Capitol Police barricades intended to protect the building's exterior. The crowd thereafter advanced to the building's exterior façade. Members of the Capitol Police attempted to maintain order and stop the crowd from entering the Capitol building, to which the doors and windows were locked or otherwise secured. Nonetheless, shortly after 2:00 p.m., crowd members forced entry into the Capitol building, including by breaking windows and assaulting Capitol Police officers, while others in the crowd encouraged and assisted those acts. The crowd was not lawfully authorized to enter or remain in the Capitol building, and no crowd member submitted to security screenings or weapons checks by Capitol Police or other authorized security officials.

8. Shortly thereafter, at approximately 2:20 p.m., members of the House and Senate, including Vice President Pence, were evacuated from the chambers. The Joint Session and all proceedings of the U.S. Congress were halted whileCapitol Police and other law enforcement worked to restore order and clear the Capitol of the unlawful occupants.

9. At approximately 8:00 p.m., approximately six hours after the crowd breached the Capitol, the Joint Session resumed, again with Vice President Pence presiding. The Vice President remained in the U.S. Capitol from the time he was evacuated from the Senate chamber until the time the Joint Session resumed.

10. In the course of these events, approximately 81 members of the U.S. Capitol Police and 58 members of the Metropolitan Police Department were assaulted. Moreover, according to the Architect of the Capitol, the office responsible for the Capitol's operations and care, the building and grounds suffered more than $1,000 in damage. The damage included broken windows, doors, and light fixtures; graffiti; and residue of various pepper sprays, tear gas, and fire extinguishers deployed by members of the crowd and by Capitol Police officers attempting to restore order.

11. National news coverage of the aforementioned events featured video footage, which appeared to be captured on the mobile devices of persons present on the scene and which depicted evidence of numerous violations of local and federal law, including violent attacks on law enforcement officers, vandalism, and significant destruction of the U.S. Capitol building.

The Oath Keepers

12. Law enforcement and news media organizations observed that members of a paramilitary organization known as the Oath Keepers were among the individuals and groups who forcibly entered the U.S. Capitol on January 6, 2021. The Oath Keepers are a large but loosely organized collection of militia who believe that the federal government has been coopted by a shadowy conspiracy that is trying to strip American citizens of their rights. Though the Oath Keepers will accept anyone as members, what differentiates them from other anti-government groups is their explicit focus on recruiting current and former military, law enforcement and first responder personnel. The organization's name alludes to the oath sworn by members of the military and police to defend the Constitution "from all enemies, foreign and domestic."

Thomas Caldwell, Donovan Crowl, and Jessica Watkins

13. THOMAS CALDWELL is a 65-year-old resident of Clarke County, Virginia. CALDWELL is believed to have a leadership role within the Oath Keepers. As described more

fully herein, CALDWELL planned with DONOVAN CROWL, JESSICA WATKINS, and others known and unknown, to forcibly storm the U.S. Capitol.

14. DONOVAN CROWL is a 50-year-old resident of Champaign County, Ohio. CROWL is a member of the Ohio State Regular Militia. The Ohio State Regular Militia is a local militia organization, many of whose members form a dues-paying subset of the Oath Keepers. As described more fully herein, CROWL planned with CALDWELL, JESSICA WATKINS, and others known and unknown, to forcibly storm the U.S. Capitol.

15. JESSICA WATKINS is a 38-year-old resident of Champaign County, Ohio. At the top of WATKINS' social media account page on Parler, a social networking service, WATKINS states that she is "C.O. [Commanding Officer] of the Ohio State Regular Militia." As described more fully herein, WATKINS planned with CALDWELL, CROWL, and others both known and unknown, to forcibly storm the U.S. Capitol on January 6, 2021.

STATEMENT OF FACTS SUPPORTING PROBABLE CAUSE

16. As described below, evidence uncovered in the course of the investigation demonstrates that not only did CALDWELL, CROWL, WATKINS, and others conspire to forcibly storm the U.S. Capitol on January 6, 2021—they communicated with one another in advance of the incursion and planned their attack.

17. I have reviewed footage of the January 6, 2021, incursion of the U.S. Capitol, including a video that, at the approximate 3-minute-and-8-second mark, shows eight to ten individuals in paramilitary equipment aggressively approaching an entrance to the Capitol building.[1] These individuals, who are wearing helmets, reinforced vests, and clothing with Oath

[1] https://www.youtube.com/watch?v=b76KfHB0QO8&feature=youtu.be (last accessed January 14, 2021).

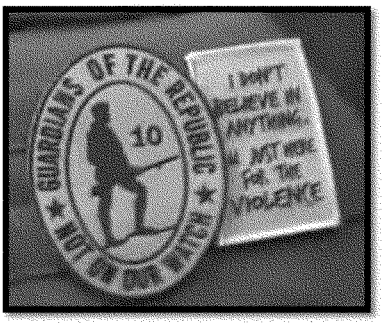
Keeper paraphernalia, can be seen moving in an organized and practiced fashion and forcing their way to the front of the crowd gathered around a door to the U.S. Capitol.

PICTURE 1



18. A close-up view of the badges on the vest of one of these individuals, seen just under the Oath Keepers emblem on his shirt, displays the Oath Keepers motto, "Not On Our Watch."

PICTURE 2



19. Based on the foregoing observations of the video, and information gained in the course of my investigation, I believe the organized group of individuals marching to the door of the U.S. Capitol in the video above are members of the Oath Keepers.

Jessica Watkins

20. In the video referenced above, at the approximate 3-hour-and-20-second mark, the footage shows the uncovered face of an individual in the group of Oath Keepers.

PICTURE 3



21. I have identified this individual to be JESSICA WATKINS by comparing the footage in the video above to WATKINS' DMV photograph and other photographs of WATKINS.

22. In addition, in various social media posts, WATKINS has confirmed that on January 6, 2021, she entered the U.S. Capitol by force.

23. For instance, on January 6, 2021, Watkins posted to Parler a photograph of herself in the same Oath Keepers uniform in which she appears in Picture 3, alongside the statement: "Me before forcing entry into the Capitol Building. #stopthesteal[2] #stormthecapitol #oathkeepers #ohiomilitia."

[2] I am aware from public reporting after the 2020 Presidential Election that the social media hashtag #stopthesteal was used by people who believed, essentially, that the election was influenced by fraud, and who wanted to stop the Electoral College results from being certified by the Congress.

PICTURE 4



24. Also on Parler, on January 6, 2021, WATKINS posted another video from that day and wrote, "Yeah. We stormed the Capitol today. Teargassed, the whole, 9. Pushed our way into the Rotunda. Made it into the Senate even. The news is lying (even Fox) about the Historical Events we created today."

PICTURE 5



25. In another Parler post, WATKINS responded to a comment challenging whether she actually forced entry by confirming, "Nope. Forced. Like Rugby. We entered through the back door of the Capitol."

PICTURE 6



26. Furthermore, WATKINS gave a newspaper interview in which she further confirmed her membership in the Oath Keepers and the fact that she had participated in the incursion of the U.S. Capitol on January 6, and suggested that she had clashed with U.S. Capitol Police. On January 13, 2021, the Ohio Capital Journal published an article entitled, *Ohio Bartender and Her 'Militia' Drove to D.C. to Join the Capitol Breach*.[3] WATKINS is quoted in the article as saying, "To me, it was the most beautiful thing I ever saw until we started hearing glass smash. That's when we knew things had gotten really bad." WATKINS also states, "We never smashed

[3] https://www.citybeat.com/news/blog/21147932/ohio-bartender-and-her-militia-drove-to-dc-to-join-the-capitol-breach (last accessed January 16, 2021).

anything, stole anything, burned anything, and truthfully we were very respectful with Capitol Hill PD until they attacked us. Then we stood our ground and drew the line."

27. In addition, the FBI has obtained an audio recording of Zello[4] communications between WATKINS and other suspected Oath Keepers during the Capitol incursion. During the recorded transmission—believed to be among WATKINS and other Oath Keepers on a Zello channel called "Stop the Steal J6"—WATKINS had the following exchanges (among others) which are approximately transcribed:

a. At the approximate 5-minute mark, the voice believed to be WATKINS reports, "We have a good group. We have about 30-40 of us. We are sticking together and sticking to the plan." An unknown male responds, "We'll see you soon, Jess. Airborne."

b. At the approximate 7-minute-and-44-second mark, an unknown male states, "You are executing citizen's arrest. Arrest this assembly, we have probable cause for acts of treason, election fraud." The voice believed to be WATKINS responds, "We are in the mezzanine. We are in the main dome right now. We are rocking it. They are throwing grenades, they are fricking shooting people with paint balls. But we are in here." An unknown male responds to WATKINS, telling her to be safe, and states, "Get it, Jess. Do your fucking thing. This is what we fucking [unintelligible] up for. Everything we fucking trained for."

Donovan Crowl

28. In a Parler post on January 6, 2021, WATKINS shared a picture of an individual in paramilitary gear, wearing an Oath Keeper patch on his arm, and wrote, "One of my guys at the Stop the Steal Rally today. #stopthesteal #stormthecapitol #oathkeepers #ohiomilitia." I have confirmed that the individual whom WATKINS identified "one of my guys" in the picture is DONOVAN CROWL, by comparing pictures of him at the U.S. Capitol on January 6, 2021, to DMV records and the Ohio State Regular Militia Parler page.

[4] Zello is a push-to-talk app that operates like a walkie-talkie on a cellular telephone. The Zello app may, depending on a user's settings, store recordings and other information about the user's communications on the user's phone.

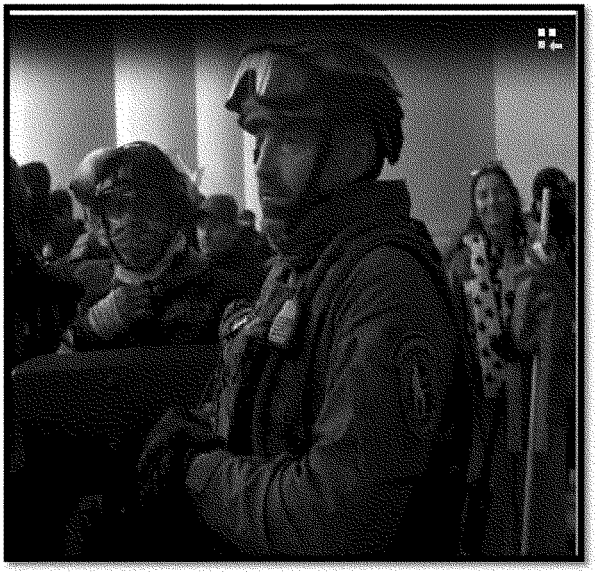
PICTURE 7



29. On January 14, 2021, the New Yorker magazine published an interview with CROWL entitled, *A Former Marine Stormed the Capitol as Part of a Far-Right Militia.*[5] The article notes that CROWL was photographed in the Capitol Rotunda on January 6 and references him as the individual depicted in the video screenshot in Picture 8 below.

[5] https://www.newyorker.com/news/news-desk/a-former-marine-stormed-the-capitol-as-part-of-a-far-right-militia (last accessed January 16, 2021).

PICTURE 8



30. I have also reviewed photographs of CROWL taken inside the Capitol Rotunda on January 6, 2021, including one from the New Yorker article that identifies CROWL as the individual wearing dark glasses with other Oath Keepers. In this photograph, depicted below in Picture 9, CROWL (red circle) is wearing a green reinforced vest with a label reading "Trapper" partially visible (yellow circle). I note that, in Picture 7 above, from WATKINS' Parler page, CROWL is wearing the same "Trapper" patch.

PICTURE 9



31. Furthermore, in his interview with the New Yorker, CROWL identified himself as a member of both the Oath Keepers and the Ohio State Regular Militia, and admitted that he joined these groups in the January 6 Capitol incursion. CROWL—who admitted to the reporter that he had been drinking before the interview—stated that he entered the U.S. Capitol on January 6, claiming he had gone to Washington, D.C., to "do security" for "V.I.P.s" whom he declined to name. CROWL also stated that his intentions had been peaceful, that he had never been violent, and that "we protected the fucking Capitol Hill police." He declined to substantiate the claim during the interview. CROWL at the same time admitted during this interview that he "expelled three fucking people" whom he said had been injured. He further elaborated about "patriots [who] dragged this fucking maggot off the wall and started beating his ass."

32. Finally, I have viewed a video from the collection of videos amassed by ProPublica.[6] One video depicts WATKINS and CROWL together in the Capitol Rotunda. CROWL says, "We took on the Capitol! We overran the Capitol!" WATKINS exclaims, "We're in the fucking Capitol, CROWL! WATKINS and CROWL turn the camera around for a video selfie as they do so.

PICTURE 10



[6] https://projects.propublica.org/parler-capitol-videos/ (last accessed January 19, 2021).

Thomas Caldwell

33. CALDWELL also participated in the incursion of the U.S. Capitol on January 6, 2021, as shown by records collected from his Facebook Account.

34. On January 6, 2021, at approximately 7:47 p.m., CALDWELL transmitted a Facebook message of a video that appears to have been taken near the U.S. Capitol. A screenshot from the video is below:

PICTURE 11



35. Approximately two minutes later, at 7:49 p.m., CALDWELL sent a Facebook message stating, "Us storming the castle. Please share. Sharon was right with me! I am such an instigator! She was ready for it man! Didn't even mind the tear gas." Two minutes later, CALDWELL sent a message noting, "Proud boys scuffled with cops and drove them inside to hide. Breached the doors. One guy made it all the way to the house floor, another to Pelosi's office. A good time." Less than a minute later, he sent a message directing that, "We need to do this at the local level. Lets storm the capitol in Ohio. Tell me when!"

36. Furthermore, a cell site analysis reveals that a cell phone registered to Sharon Caldwell—CALDWELL's spouse, whom CALDWELL appears to reference in the Facebook

message above—was present in the vicinity of the Capitol on January 6, 2021, during the time of the incursion

37. On January 9, 2021, three days after the Capitol incursion, CALDWELL sent a Facebook message in which he shared a link to a YouTube video and wrote that he appeared at the 2:24 mark, "before the assault." I have viewed the video,[7] and in it, CALDWELL motions to the Capitol building and shouts, "Every single [expletive beeped in original] in there is a traitor. Every single one!"

PICTURE 12



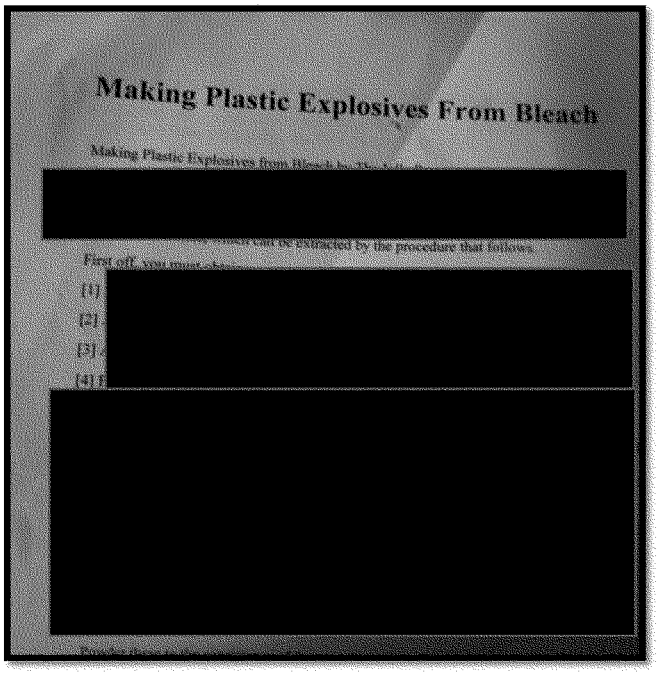
Subsequent Investigation

38. On January 16, 2021, the government obtained a warrant for WATKINS' and CROWL's arrests from the District Court for the District of Columbia, and a warrant to search WATKINS' home in Woodstock, Ohio, from the District Court for the Southern District of Ohio.

[7] https://www.youtube.com/watch?v=L5hksM_R59M (last accessed January 18, 2021).

43. On January 17, 2021, FBI agents in Ohio attempted to execute both warrants in Ohio. Agents were unable to locate WATKINS, but initiated the search of her home. One record that agents recovered appears to be directions for making explosives, authored by "The Jolly Roger." I know that WATKINS operates a bar known as the Jolly Roger, and is believed to operate a Facebook account under that same user name.

PICTURE 13



44. Law-enforcement also located within WATKINS' home protective and battle gear of the sort worn during the offenses of January 6, 2021 (to include a camouflage hat and jackets; a backpack with medical/PPE supplies; a black tactical kit with medical supplies, radio, mini drone, and pepper spray; a bag containing a helmet and respirators; and a bag containing a helmet, radio,

and belt); cellular telephones; numerous firearms; a paintball gun with rubber-steel balls and a cylinder; pool cues cut down to baton size; and zip/cable ties, among other items).

45. During a search on January 17, 2021, of a location where CROWL was said to have occasionally stayed, law enforcement recovered a green reinforced vest. Affixed to the vest was a label with the name "Trapper," which, as described above, was the label visible on video and in photos that captured CROWL during the incursion of the Capitol.

46. While searching WATKINS' home, agents encountered an associate of WATKINS', Witness-1 (W-1). W-1 provided the following information:

a. Although WATKINS returned to Ohio after the January 6, 2021, incursion, she subsequently left Ohio on or about January 14 to stay with a friend and fellow Oath Keeper whom W-1 knew as "Tom" or "Commander Tom." As described below, your affiant believes this individual is CALDWELL.

b. WATKINS provided W-1 with instructions on how to contact her, including by providing a phone number with a Virginia area code. A database check for this phone number revealed that it is a phone registered to CALDWELL's spouse—the same phone that a cell site analysis reveals was present in the vicinity of the Capitol on January 6, 2021, during the time of the incursion.

47. On January 17, 2021, WATKINS and CROWL were arrested together in Ohio by the FBI. According to a police officer at the Urbana Police Department, where they turned themselves in, WATKINS and CROWL stated that they had been in Virginia and had driven eight hours back to Ohio when they learned the FBI as looking for them. I have also reviewed Facebook messages that WATKINS and CROWL exchanged on January 14, 2021, in which they discussed staying at CALDWELL's home in Virginia, and CROWL indicated he would discuss this option with CALDWELL. Based on the information above, I believe that between January 14 and 17, 2021, WATKINS, CROWL, and CALDWELL were together at CALDWELL's residence in Berryville, Virginia.

Caldwell, Crowl, and Watkins' Facebook Messages

48. Communications that your affiant has reviewed from CALDWELL and CROWL's Facebook accounts leading up to the January 6, 2021, show that CALDWELL, CROWL, and WATKINS planned and organized Oath Keeper activities to challenge the election results.

a. On December 24, 2021, CALDWELL responded to a Facebook post by writing, "Driving in with my wife from Berryville VA but am soending night before at Comfort Inn Arlington/Ballston on Glebe Road. Meeting up with Oathkeepers from North Carolina and Patriot group from the Shenandoah Valley."

b. On December 30, 2021, CALDWELL wrote: "THIS IS OUR CALL TO ACTION, FREINDS! SEE YOU ON THE 6TH IN WASHINGTON, D.C. ALONG WITH 2 MILLION OTHER LIKE-MINDED PATRIOTS."

c. On December 31, 2021, CALDWELL replied to a Facebook comment, writing, "It begins for real Jan 5 and 6 on Washington D.C. when we mobilize in the streets. Let them try to certify some crud on capitol hill with a million or more patriots in the streets. This kettle is set to boil..."

d. On January 1, 2021, CALDWELL replied to a Facebook comment, writing, "I accept that assignment! I swore to support and defend the Constitution of the United States against all enemies foreign and domestic. I did the former, I have done the latter peacefully but they have morphed into pure evil even blatantly rigging an election and paying off the political caste. We must smite them now and drive them down."

e. Also on January 1, 2021, CALDWELL sent a Facebook message to CROWL recommending a room at the Comfort Inn Ballston for January 5-7, 2021. CALDWELL wrote: "This is a good location and would allow us to hunt at night if we wanted to. I don't know if Stewie[8] has even gotten out his call to arms but its a little friggin late. This is one we are doing on our own. We will link up with the north carolina crew." The investigation revealed that an individual who presented herself as "Jessica Wagkins", whom I believe to be WATKINS, rented a room at the Comfort Inn Ballston from January 5-7, 2021.

f. On January 1, 2021, CROWL sent CALDWELL a Facebook message stating, "Happy New year, to you Sir!! Guess I'll be seeing you soon. Will probably call you tomorrow...mainly because...I like to know wtf plan is. You are the man Commander."

[8] Based on the context of this conversation, I believe that the reference to "Stewie" is to Elmer Stewart Rhodes, who is known as the leader of the Oath Keepers.

g. On January 2, 2021, CALDWELL wrote to CROWL, "Check with Cap. I recommended the following hotel to her which STILL has rooms (unbelieveble)." CALDWELL then sent a link to the Comfort Inn Ballston, the same hotel that he recommended to others on January 1. CALDWELL continued, "Sharon and I are setting up shop there. Paul has a room and is bringing someone. He will be the quick reaction force. Its going to be cold. We need a place to spend the night before minimum. Stewie never contacted me so Sharon and I are going our way. I will probably do pre-strike on the 5th though there are things going on that day. Maybe can do some night hunting. Oathkeeper friends from North Carolina are taking commercial buses up early in the morning on the 6th and back same night. Paul will have the goodies in case things go bad and we need to get heavy."

h. On January 3, 2021, WATKINS sent CROWL a Facebook message stating, "Running a bit behind. I'll txt when I'm back at the bar. Getting supplies for DC."

i. On January 4, 2021, CROWL wrote a message that stated, "Sorry Brother, been busy planning for this week. Lemme give you a holler later tonight. We are enroute to DC right now for a few days on an Oathkeepers Op."

j. On January 5, 2021, an individual wrote CROWL a Facebook message that stated: "One more thing. Keep eyes on people with Red MAGA hats worn backwards. Saw a report that they were going to infiltrate crowd tomorrow." CROWL replied: "Thanks Brother, but we are WAY ahead on that. We have infiltrators in Their ranks. We are doing the W.H. in the am and early afternoon, rest up at the Hotel, then headed back out tomorrow night 'tifa' hunt'in. We expect good hunting."[9]

k. On January 6, 2021, while at the Capitol, CALDWELL received the following Facebook message: "All members are in the tunnels under capital seal them in . Turn on gas". When CALDWELL posted a Facebook message that read, "Inside," he received the following messages, among others: "Tom take that bitch over"; "Tom all legislators are down in the Tunnels 3floors down"; "Do like we had to do when I was in the core start tearing oit florrs go from top to bottom"; and "Go through back house chamber doors facing N left down hallway down steps."

l. On January 7, 2021, the day after the incursion, CALDWELL wrote to CROWL, "Did you like the pictures of us storming the castle? I tried calling Cap a lot but

[9] I believe that CALDWELL's use of the word "tifa" is a reference to antifa. According to the Anti-Defamation league, antifa is a loosely organized anti-fascist protest movement that, in some instances, has engaged in violent confrontations. *See* https://www.adl.org/antifa (last accessed January 19, 2021).

it was probably hard for het to hear the phone ring." CROWL responded, "Loved it."

m. On January 8, 2021, CROWL sent CALDWELL a message asking for a video. CALDWELL sent it, and CROWL wrote, "Thank you Sir. Love the hell outta you Tom." CALDWELL responded, "You too, my dear friend! We stormed the gates of corruption together (although on opposite sides of the building) so between that and our first meeting and getting to know you since I can say we will always be brothers!"

CONCLUSIONS OF AFFIANT

49. Based on the foregoing, I submit that there is probable cause to believe that THOMAS EDWARD CALDWELL, DONOVAN RAY CROWL, and JESSICA MARIE WATKINS committed violations of 18 U.S.C. §§ 371, 372, 1361, 1512(c)(2), 1752(a), and 40 U.S.C. § 5104(e)(2).

50. As such, I respectfully request that the Court permit the filing of this Amended Complaint and consolidate these matters under a single case number.

SPECIAL AGENT MICHAEL M. PALIAN JR.
FEDERAL BUREAU OF INVESTIGATION

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 19th day of January, 2021.

HON. ZIA M. FARUQUI
U.S. MAGISTRATE JUDGE

Woman accused of helping steal Pelosi laptop freed from jail

tampabay.com/news/florida-politics/2021/01/21/woman-accused-of-helping-steal-pelosi-laptop-freed-from-jail/



HARRISBURG, Pa. — A Pennsylvania woman facing charges that she helped steal a laptop from the office of House Speaker Nancy Pelosi during the attack on the U.S. Capitol will be released from jail, a federal judge decided Thursday.

U.S. Magistrate Judge Martin Carlson directed that Riley June Williams be released into the custody of her mother, with travel restrictions, and instructed her to appear Monday in federal court in Washington to continue her case.

"The gravity of these offenses is great," Carlson told Williams. "It cannot be overstated."

Related: 'Just move on': Republicans grapple with post-Trump future
Williams, 22, of Harrisburg, is accused of theft, obstruction and trespassing, as well as violent entry and disorderly conduct on Capitol grounds. Carlson noted Williams has no prior criminal record.

The FBI says an unidentified former romantic partner of Williams tipped them off that she appeared in video from the Jan. 6 rioting and the tipster claimed she had hoped to sell the computer to Russian intelligence.

Williams' defense lawyer, Lori Ulrich, told Carlson the tipster is a former boyfriend who had been abusive to Williams and that "his accusations are overstated."

Video from the riot shows a woman matching Williams' description exhorting invaders to go "upstairs, upstairs, upstairs" during the attack, which briefly disrupted certification of President Joe Biden's electoral victory.

"It is regrettable that Ms. Williams took the president's bait and went inside the Capitol," Ulrich told the judge.

Related: At least seven Floridians are among Capitol arrest tally
Williams surrendered to face charges on Monday. She was expected to leave the county jail in Harrisburg later Thursday, and will be on electronic monitoring to await trial.

She did not respond to questions as a federal marshal led her in handcuffs out of the courtroom.

Carlson made direct reference to the attack on the Capitol, saying a howling crowd tried unsuccessfully to prevent the peaceful transition of power.

"It has been honored by generations of Americans for 232 years," Carlson said. "It has become so commonplace that we often think very little of it."

In adding the theft-related charges on Tuesday, a Virginia-based FBI agent said Williams was recorded on closed-circuit cameras in the Capitol going into and coming out of Pelosi's office.

The agent's affidavit said a cellphone video that was likely shot by Williams shows a man's gloved hand lifting an HP laptop from a table, and the caption read, "they got the laptop."

Pelosi's deputy chief of staff, Drew Hammill, has said a laptop used only for presentations was taken from a conference room. The current location of the computer has not been disclosed in court documents, and was not discussed in court on Thursday.

By MARK SCOLFORO, Associated Press

• • •

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Proud Boy organizer arrested in Florida over riot at Capitol

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January 20, 2021



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1 of 2

FILE - Members of the Proud Boys, including organizer Joe Biggs, third from right, march across the Hawthorne Bridge during an "End Domestic Terrorism" rally in Portland, Ore., on Saturday, Aug. 17, 2019. Biggs was arrested Wednesday, Jan. 20, 2021 for taking part in the siege of the U.S. Capitol earlier this month, authorities said. Biggs, 37, was arrested in central Florida and faces charges of obstructing an official proceeding before Congress, entering a restricted on the groups of the U.S. Capitol and disorderly conduct. (AP Photo/Noah Berger, file)

1 of 2

FILE - Members of the Proud Boys, including organizer Joe Biggs, third from right, march across the Hawthorne Bridge during an "End Domestic Terrorism" rally in Portland, Ore., on Saturday, Aug. 17, 2019. Biggs was arrested Wednesday, Jan. 20, 2021 for taking part in the siege of the U.S. Capitol earlier this month, authorities said. Biggs, 37, was arrested in central Florida and faces charges of obstructing an official proceeding before Congress, entering a restricted on the groups of the U.S. Capitol and disorderly conduct. (AP Photo/Noah Berger, file)

ORLANDO, Fla. (AP) — Two Florida men, including a self-described organizer for the Proud Boys, a far-right extremist group, were arrested Wednesday on charges of taking part in the siege of the U.S. Capitol earlier this month, authorities said.

Joseph Biggs, 37, was arrested in central Florida and faces charges of obstructing an official proceeding before Congress, entering a restricted area on the grounds of the U.S. Capitol and disorderly conduct.

According to an arrest affidavit, Biggs was part of a crowd on Jan. 6 that overwhelmed Capitol Police officers who were manning a metal barrier on the steps of the Capitol. The mob entered the building as lawmakers were certifying President Joe Biden's election win.

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Biggs appeared to be wearing a walkie-talkie during the storming of the Capitol, but he told FBI agents that he had no knowledge about the planning of the destructive riot and didn't know who organized it, the affidavit said.

Ahead of the riot, Biggs told followers of his on the social media app Parler to dress in black to resemble the far-left antifa movement, according to the affidavit.

Biggs had organized a 2019 rally in Portland, Oregon, in which more than 1,000 far-right protesters and anti-fascist counter-demonstrators faced off.

The Proud Boys are a neofascist group known for engaging in violent clashes at political rallies. During a September presidential debate, Trump had urged them to "stand back and stand by" when asked to condemn them by a moderator.

An online court docket did not indicate whether Biggs has an attorney who could comment.

Jesus Rivera, 37, also was arrested Wednesday in Pensacola. He faces charges of knowingly entering a restricted building, intent to impede government business, disorderly conduct and demonstrating in the Capitol buildings.

Rivera uploaded a video to Facebook showing himself in the U.S. Capitol crypt, authorities said. The five-minute video ends with Rivera starting to climb out a window at the Capitol, according to an arrest affidavit.

An online court docket also did not list an attorney for Rivera.

The cases are being handled by federal prosecutors in the District of Columbia. More than a half-dozen other Floridians have been charged in relation to the Capitol assault.

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, [redacted], being first duly sworn, hereby depose and state as follows:

PURPOSE OF AFFIDAVIT

1. This Affidavit is submitted in support of a Criminal Complaint charging Joseph Randall Biggs ("BIGGS") with violations of 18 U.S.C. § 1512(c)(2), 18 U.S.C. § 1752(a), and 40 U.S.C. §§ 5104(e)(2)(D) and (G), in connection with his actions at and inside the U.S. Capitol on or about January 6, 2021. I respectfully submit that this Affidavit establishes probable cause to believe that BIGGS (i) corruptly did obstruct, influence, or impede an official proceeding before Congress, (ii) did knowingly enter or remain in a restricted building or grounds, *i.e.*, the U.S. Capitol, without lawful authority, or did knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct; (iii) did willfully and knowingly engage in disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of any deliberations of either House of Congress.

BACKGROUND OF AFFIANT

2. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been so since February 2010. As such, I am an officer of the United States who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in Titles 18 and 21 of the United States Code. I have been the lead agent for investigations targeting global criminal organizations. I have testified during an array of judicial proceedings, conducted physical and electronic surveillance, administered confidential sources, and received training as investigative

techniques evolve. I have interviewed hundreds of defendants, witnesses, and informants. In addition to my regular duties, I am currently also tasked with investigating criminal activity that occurred in and around the Capitol grounds on January 6, 2021.

3. Unless otherwise stated, the information in this Affidavit is either personally known to me, has been provided to me by other individuals, or is based on a review of various documents, records, or reports. Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint, it does not contain each and every fact known to me or the United States concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause that BIGGS violated the crimes set forth herein. All dates listed in this Affidavit should be read as "on or about" a given date.

BACKGROUND

JOSEPH BIGGS

4. Joseph BIGGS is a 37 year-old resident of the state of Florida. BIGGS is a member of a group known as the Proud Boys, and BIGGS is a self-described organizer of certain of their events.

5. Proud Boys is a nationalist organization with multiple U.S. chapters and potential activity in other Western countries. The group describes itself as a "pro-Western fraternal organization for men who refuse to apologize for creating the modern world; aka Western Chauvinists." Proud Boys members routinely attend rallies, protests, and other First Amendment-protected events, where certain of its members sometimes engage in acts of violence against individuals whom they perceive as threats to their values. The group has an initiation process for

new members, which includes the taking of an "oath." Proud Boys members often wear the colors yellow and black, as well as other apparel adorned with Proud Boys-related logos and emblems.

Proud Boys' Appearances at Previous Demonstrations in Washington, D.C.

6. On or about November 14, 2020, the "Million MAGA March" was held in Washington, D.C. The Million MAGA March was a widely-attended demonstration in Washington, D.C., which was organized as a peaceful exercise of demonstrators' First Amendment rights with respect to the 2020 Presidential election. Members of the Proud Boys attended the demonstration wearing their yellow and black colors and other recognizable emblems and logos associated with the group.

7. On or about December 12, 2020, a similar demonstration took place in Washington, D.C. (the "December Demonstration"). Like the Million MAGA March, the December Demonstration was organized as a peaceful First Amendment demonstration, and one focus of the demonstration was to protest against the vote of the Electoral College on that upcoming Monday, December 14, 2020. Certain persons dressed in Proud Boys colors and wearing Proud Boys emblems and logos attended the demonstration.

Communications About the January 6 Demonstration at the U.S. Capitol

8. Beginning as early as December 2020, public communications from Proud Boys organizers, including BIGGS, encouraged members of the Proud Boys to attend the January 6, 2021, demonstration in Washington, D.C. As described in more detail below, such communications included messages sent by the current Chairman of the Proud Boys, Enrique Tarrio.

9. For example, on December 29, 2020, Tarrio posted a message on the social media site Parler[1] about the demonstration planned for January 6, 2021. Among other things, Tarrio announced that the Proud Boys would "turn out in record numbers on Jan 6th but this time with a twist... We will not be wearing our traditional Black and Yellow. We will be incognito and we will be spread across downtown DC in smaller teams. And who knows....we might dress in all BLACK for the occasion." I believe the statement about dressing in "all BLACK" is a reference to dressing like the group known as "Antifa," who the Proud Boys have identified as an enemy of their movement and are often depicted in the media wearing all black to demonstrations.

10. On or around the same day, BIGGS posted a similar message to his followers on Parler in which he stated, among other things, "we will not be attending DC in colors. We will be blending in as one of you. You won't see us. You'll even think we are you . . .We are going to smell like you, move like you, and look like you. The only thing we'll do that's us is think like us! Jan 6th is gonna be epic." I understand that BIGGS was directing these statements at "Antifa."

11. Separately, BIGGS has described the Proud Boys' efforts, in general, to plan for demonstrations and events attended by the Proud Boys. In an interview that was purportedly taped in December 2020 and posted online on or about January 3, 2021, BIGGS described how he, as an organizer of Proud Boys events, sets about planning them. BIGGS explained, in part:

> When we set out to do an event, we go alright, what is or main objective? And that's the first thing we discuss. We take three months to plan an event. And we go, what's our main objective?

[1] Parler is a social media platform similar in nature to Twitter, Facebook, and Instagram. Events such as the Million MAGA March were widely shared and discussed using the Parler platform.

> And then we plan around that, to achieve that main objective, that goal that we want.

BIGGS' Participation in Unlawful Events at the Capitol on January 6, 2021

12. I have studied video footage and still photographs of the January 6, 2021, incursion of the U.S. Capitol, and I have identified an individual in them as BIGGS through comparison of those images to photographs and videos of BIGGS that are widely available online. In addition, I have reviewed video footage taken by others during the event in which others contemporaneously identify the same individual as BIGGS. As described herein, the images and video footage that I have reviewed, as well as the other facts gathered in this investigation, establish that BIGGS did aid, abet, counsel, command, induce, or procure others to unlawfully enter the U.S. Capitol by means of destruction of federal property; did unlawfully enter or remain in the U.S. Capitol as a direct result of the destruction of federal property; and did corruptly obstruct the official proceedings underway at the U.S. Capitol on January 6, 2021.

13. On January 6, 2021, an individual that I have identified as BIGGS and a group of people that hold themselves out as Proud Boys were depicted on the east side of the U.S. Capitol. Consistent with the directive issued by organizers of the Proud Boys, including Tarrio and BIGGS, none of the men pictured are wearing Proud Boys colors of black and yellow, but are instead dressed "incognito." Indeed, BIGGS, wearing glasses and a dark knit hat, is dressed in a blue and grey plaid shirt.



14. BIGGS was identified in a video taken by a man purporting to be a member of the Proud Boys ("Person A"). Specifically, Person A gave an interview to ABC Action News, which was published online on January 9, 2021. As part of that interview, Person A shared footage that Person A claims was taken on January 6, 2021, while Person A and others were participating in the demonstration. In the version of the interview produced online, Person A can be heard saying, "Yeah, that's Joe Biggs, that's Rufio." Based on my investigation, I understand Person A to be identifying the man in the plaid shirt as BIGGS, and the man in the sunglasses as Proud Boy Ethan Nordean, a/k/a Rufio Panman.



15. At or around January 6, 2021, BIGGS and others[2] were observed marching at the front of a group of individuals on Constitution Avenue, Northwest, in the area around First Street, Northwest. The group was engaged in various chants and response calls, including "F*** Antifa!" and "Whose streets? Our streets!"

---

[2] On December 13, 2020, Tarrio and other persons dressed in Proud Boys colors and emblems destroyed a "Black Lives Matter" banner displayed by a church in Washington, D.C. Tarrio was arrested pursuant to an arrest warrant and charged in D.C. Superior Court on January 4, 2021. As part of his conditions of release, Tarrio was ordered to stay away from the entire District of Columbia for the pendency of his case, to include the events on January 6, 2021. As of the writing of this warrant, Tarrio's criminal case is still pending, however, Tarrio has admitted through various platforms that he was responsible for banner's destruction.



16. BIGGS and others then stopped at or around 12:15 p.m. near Second Street and Constitution Avenue, NW.



A Crowd Advances Towards the U.S. Capitol

17. The U.S. Capitol, which is located at First Street, SE, in Washington, D.C., is secured 24 hours a day by U.S. Capitol Police. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by U.S. Capitol Police. Only authorized people with appropriate identification are allowed access inside the U.S. Capitol.

18. On January 6, 2021, the exterior plaza of the U.S. Capitol was closed to members of the public. A joint session of the United States Congress convened at the United States Capitol. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in separate chambers of the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Shortly thereafter, by approximately 1:30 p.m., the House and Senate adjourned to separate chambers to resolve a particular objection. Vice President Mike Pence was present and presiding, first in the joint session, and then in the Senate chamber.

19. As the proceedings continued in both the House and the Senate, and with Vice President Pence present and presiding over the Senate, a large crowd gathered outside the U.S. Capitol. As noted above, temporary and permanent barricades were in place around the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside.

20. Shortly before 1:00 p.m., a large crowd gathered near the pedestrian entrance to the Capitol grounds on First Street. The entrance was secured by a small number of U.S. Capitol Police, who stood behind a waist height metal barrier.



21. Shortly after that above image was captured on video, two men advanced toward the waist-high metal gate. The crowd followed, and within minutes, the crowd overwhelmed the U.S. Capitol Police officers seen at the top of the steps in the image above. The crowd then advanced toward the U.S. Capitol. Your affiant asserts that BIGGS was not one of the two men who initially advanced toward officers, but is present in this crowd.

22. After overwhelming the pedestrian gate near the Peace Monument and other entrances, the crowd advanced on the U.S. Capitol where another line of U.S Capitol Police and barricades attempted to stop the crowd from advancing to the walls of the building. Additional people continued to arrive until what I estimate to be thousands of people had gathered in front of the Capitol on its west side.

23. At approximately 2:00 p.m., certain individuals in the crowd forced their way through, up, and over the barricades, and officers of the U.S. Capitol Police, and the crowd advanced to the exterior façade of the building. The crowd was not lawfully authorized to enter or remain in the building and, prior to entering the building, no members of the crowd submitted

to security screenings or weapons checks by U.S. Capitol Police Officers or other authorized security officials.

24. At such time, the certification proceedings were still underway, and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, shortly after 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows and by assaulting members of the U.S. Capitol Police, as others in the crowd encouraged and assisted those acts.

25. Shortly thereafter, members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Pence, were instructed to—and did—evacuate the chambers. Accordingly, all proceedings of the United States Congress, including the joint session, were effectively suspended until shortly after 8:00 p.m. the same day. In light of the dangerous circumstances caused by the unlawful entry to the U.S. Capitol, including the danger posed by individuals who had entered the U.S. Capitol without any security screening or weapons check, Congressional proceedings could not resume until after every unauthorized occupant had left the U.S. Capitol, and the building had been confirmed secured. The proceedings resumed at approximately 8:00 p.m. after the building had been secured. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the session resumed.

The U.S. Capitol Building is Breached

25. During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of

violations of local and federal law, including scores of individuals inside the U.S. Capitol building without authority to be there.

26. One such video depicts an individual, now identified as Proud Boys member Dominic Pezzola, breaking the window of the U.S. Capitol Building with a clear plastic shield at approximately 2:13 p.m.[3] Shortly after the glass in the window is broken, an unidentified individual can be heard yelling words to the effect of, "Go, Go, Go!" Several individuals enter the building through the broken window, including Pezzola. A nearby door was opened and a crowd of people began to enter the U.S. Capitol.

27. I have reviewed video footage that was live streamed on the social media site Parler on January 6, 2021. One of those clips shows what I believe to be people entering the Capitol shortly after the events described in the preceding paragraph. One of those individuals, who entered the door within 20 seconds of its opening, is a person that I believe to be BIGGS. In the video, a voice off camera says, "Hey Biggs, what do you gotta say?" The person depicted below smiles broadly and replies, "this is awesome!" before pulling his gaiter up to cover his face.

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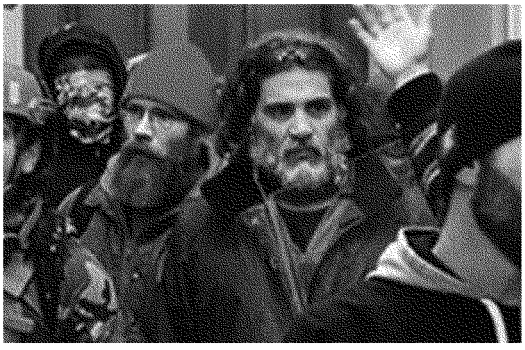
[3] Dominic Pezzola ("PEZZOLA") has been charged by criminal complaint with violations of 18 U.S.C. §§ 1361, 1512(c)(2), and 1752(a) in Case No. 21-mj-47 (ZMF).



28. Your affiant has reviewed additional footage from the events inside the U.S. Capitol. In one image, shown below, Pezzola appears to have what I believe to be an earpiece or communication device in his right ear. In my experience, such a device could be used to receive communications from others in real time. Your affiant also notes that multiple individuals were photographed or depicted on videos with earpieces, including other individuals believed to be associated with the Proud Boys. For instance, in the picture of the Proud Boys referenced above in Paragraph 13, an individual believed to be part of the group is pictured wearing a similar earpiece.



29. Your affiant has also identified certain Proud Boys at the U.S. Capitol on January 6, 2021, who appear to have walkie-talkie style communication devices. For instance, in the picture of the Proud Boys referenced above in Paragraph 13, both BIGGS and the individual next to him have such devices on their chests.

30. On or about January 18, 2021, BIGGS spoke with agents of the FBI after video emerged online of him inside the U.S. Capitol. BIGGS stated, in substance and in part, that he was present in Washington, D.C. for the demonstration on January 6, 2021. BIGGS admitted to entering the Capitol building on January 6, 2021, without forcing entry. BIGGS informed the interviewing agent that the doors of the Capitol were wide open when he made entry into the building. BIGGS denied having any knowledge of any pre-planning of storming the Capitol, and had no idea who planned it.

CONCLUSIONS OF AFFIANT

31. Based on the foregoing, your Affiant submits that there is probable cause to believe that BIGGS violated:

- 18 U.S.C. § 1512(c)(2), which makes it a crime to corruptly obstruct, influence, or impede

any official proceeding—to include a proceeding before Congress—or make an attempt to do so.

- 18 U.S.C. § 1752(a), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do so; and (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions; or attempts or conspires to do so. For purposes of Section 1752 of Title 18, a "restricted building" includes a posted, cordoned off, or otherwise restricted area of a building or grounds where the President or other person protected by the Secret Service, including the Vice President, is or will be temporarily visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance.
- 40 U.S.C. §§ 5104(e)(2)(D) and (G), which makes it a crime to willfully and knowingly (A) enter or remain on the floor of either House of Congress or in any cloakroom or lobby adjacent to that floor, in the Rayburn Room of the House of Representatives, or in the Marble Room of the Senate, unless authorized to do so pursuant to rules adopted, or an authorization given, by that House; (B) enter or remain in the gallery of either House of Congress in violation of rules governing admission to the gallery adopted by that House or pursuant to an authorization given by that House; (C) with the intent to disrupt the orderly conduct of official business, enter or remain in a room in any of the Capitol Buildings set aside or designated for the use of— (i) either House of Congress or a Member, committee,

officer, or employee of Congress, or either House of Congress; or (ii) the Library of Congress; (D) utter loud, threatening, or abusive language, or engage in disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of a hearing before, or any deliberations of, a committee of Congress or either House of Congress; (E) obstruct, or impede passage through or within, the Grounds or any of the Capitol Buildings; (F) engage in an act of physical violence in the Grounds or any of the Capitol Buildings; or (G) parade, demonstrate, or picket in any of the Capitol Buildings.

Respectfully submitted,

[redacted]

Special Agent
Federal Bureau of Investigation

Subscribed and sworn pursuant to Fed. R. Crim. P. 4.1 and 41(d)(3) on January 19, 2021.

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ROBIN M. MERIWEATHER
UNITED STATES MAGISTRATE JUDGE

The chairman of the far-right Proud Boys sat behind Trump at his latest speech

washingtonpost.com/nation/2019/02/19/far-right-proud-boys-chairman-sat-behind-trump-his-latest-speech/

By Tim Elfrink February 19, 2019



Amid the sea of dark suits and red "Make America Great Again" gear behind President Trump at his televised speech in Miami on Monday, one man stood out. Appearing above the president in some live shots, he wore dark sunglasses, a black baseball cap and a black T-shirt with a message of support for Trump's longtime adviser now facing federal charges: "Roger Stone Did Nothing Wrong!"

The man is notable for more than his attire, though. Enrique Tarrio is the chairman of the Proud Boys, a far-right, self-described "western chauvinist" organization known for violently clashing with antifascists and for its alleged links to white nationalists.

Neither Trump nor the White House knew he was in attendance, Tarrio told The Washington Post. Rather, he said he scored the prime seat simply by showing up early at Florida International University.

"I got there at 7 a.m., so I got to pick my seat," Tarrio told The Post. "I was the second person in line. I stood in the hot Miami sun."

The White House didn't immediately respond to a message about Tarrio's appearance.

The Proud Boys leader's prominent placement at Trump's speech could give new fuel to critics who say the president has failed to distance himself from the far right in the years since he claimed there were "very fine people on both sides" at the deadly "Unite the Right" rally in Charlottesville, which was organized by a man who once attended Proud Boys meetings. Tarrio also attended the rally, though he claims to have left before the violent attacks began.

Tarrio disputes the Southern Poverty Law Center's claim that his organization is a hate group, an allegation that also led Proud Boys founder Gavin McInnes to sue the SPLC earlier this month.

"I'm not a white supremacist. I'm not an extremist. I'm a regular dude," said Tarrio, a small-business owner who identifies as Afro-Cuban and who served nearly a year in federal prison for his role in a scheme to resell stolen medical equipment.

McInnes, a co-founder of Vice who left the company in 2008, started the Proud Boys in 2016. He has argued that the group, which forbids women at its formal meetings, is a fraternal organization focused on celebrating Western culture. McInnes has decried white nationalism and his group expelled Jason Kessler, the primary planner of the Charlottesville rally, after counterprotester Heather Heyer was murdered by an attendee.

But in its report on the Proud Boys, the SPLC argues that the group's "disavowals of bigotry are belied by their actions." The SPLC accuses the group of spouting "anti-Muslim and misogynistic rhetoric" and notes that McInnes has called Muslims rapists and used derogatory language for black leaders like Sen. Cory Booker (D-N.J.), now a 2020 presidential candidate.

Proud Boys members have also been involved in bloody clashes with counterprotesters in Portland, Ore., and New York, where 10 members of the group have been charged in connection with brawls that broke out in the streets after a speech by McInnes in October. Prosecutors say videos show Proud Boys initiating the violence.

Prominent New York officials targeted the group after that outburst. "Hate cannot and will not be tolerated in New York," wrote Gov. Andrew M. Cuomo on Twitter last year. "Here's a message from a Queens boy to the so-called 'proud boys' — NY has zero tolerance for your bs."

The following month, FBI warned local authorities that the Proud Boys are an "extremist group with ties to white nationalism." The FBI later clarified that it does not consider the group to be extremist, but instead focuses on anticipating violence by individuals.

In November, McInnes announced he was "officially disassociating" from the Proud Boys, in hopes of reducing legal pressure on the members charged in New York. A Texas lawyer briefly took the group's reins, but then stepped away after old tweets resurfaced in which he sent a photo of a noose to a black man and wrote, "It's where I'm going to put your neck," using a racial slur.

On Nov. 24, Tarrio became chairman of the organization. Tarrio, whose family is Cuban, grew up in Miami's Little Havana neighborhood. When he was 20, he got three years probation for stealing a $55,000 motorcycle, Miami New Times reported; in 2013, he was convicted in federal court for his role in a criminal enterprise reselling stolen diabetic test strip kits, eventually getting a 16-month sentence.

Tarrio made headlines last month by visiting Stone at his home in Fort Lauderdale, Fla., clad in the same pro-Stone shirt he wore Monday.

In interviews, Tarrio has said he only supports violence as self-defense and has claimed racist and misogynistic postings by Proud Boys members are jokes meant to test the limits of free speech. His appearance at Trump's rally was meant to back a president who Tarrio argues is also falsely labeled as racist.

"I feel, and most Proud Boys feel the same way, that he's getting these unfair monikers and this unfair rhetoric that he's a racist," Tarrio said. "I saw these guys outside the speech with a sign that said, 'Make racists afraid again,' and I went up to them and said . . . 'I agree with you.' He was stunned because I was wearing a Proud Boys hat."

But as New Times reported, Tarrio's own social media accounts included posts denigrating transgender people and calling African American actress Leslie Jones an "ape." (Tarrio told New Times the post had nothing to do with her race, saying, "She just looks like an ape.") Other members of his chapter shared posts with homophobic slurs and rape jokes, which Tarrio defended as free speech.

After the arrests in New York, the Proud Boys were banned by Facebook and Instagram. Tarrio said he's also been kicked off social media platforms and his bank accounts have been closed. Proud Boys members have repeatedly lost their jobs after anti-fascist groups posted their identities online.

But Tarrio said he has found a new company to process payments from his website. He's using it to hawk the pro-Roger Stone shirt that got national airtime at Trump's Monday rally, promising that some proceeds will go to help the embattled political operative.

More from Morning Mix:

Mexican national dies in Border Patrol custody after asking for aid

'Time for the Ku Klux Klan to night ride again': An Alabama newspaper editor wants to bring back lynching

'I was lonely with him': Mandy Moore opens up about her 'entirely unhealthy' marriage to Ryan Adams

A leader of the Proud Boys was arrested over his role at the Capitol riot.

nytimes.com/2021/01/20/us/proud-boys-arrest-joseph-biggs.html

January 20, 2021



Highlights of Biden's Inauguration Day: The Ceremonies, Parades, Protests and Performances

Jan. 20, 2021, 3:00 p.m. ET

Jan. 20, 2021, 3:00 p.m. ET

By Alan Feuer



Pro-Trump protesters gather in front of the U.S. Capitol Building on January 6, 2021. Joseph Biggs is in the front row in the plaid jacket.Credit...Jon Cherry/Getty Images

Joseph Biggs, a leader of the far-right nationalist group the Proud Boys, was charged on Wednesday in connection with the riot at the Capitol, as prosecutors said he led dozens of the group's members in an angry march toward — and into — the halls of Congress.

Mr. Biggs, 37, was arrested in Florida only hours before the inauguration of President Biden and stands accused of unlawful entry and corruptly obstructing an official proceeding. At least five other members of the group, which sent hundreds of foot soldiers to Washington two weeks ago for a march in support of former President Donald J. Trump, are also facing charges stemming from the Capitol attack.

The Proud Boys describe themselves as "Western chauvinists" and have history in recent years of bloody street fights with left-wing anti-fascist activists. During Mr. Trump's time in office, they were some of his most vocal — and most violent — supporters. At one of the presidential debates, Mr. Trump returned the favor, telling members of the group to "stand back and stand by."

Mr. Biggs's involvement with the Capitol riot began last month, prosecutors say, when he started to encourage Proud Boys to attend the Jan. 6 event in Washington, which was billed as a march to "Stop the Steal." According to court papers, he echoed messages from the

Proud Boy's chairman, Enrique Tarrio, telling members to eschew their typical black-and-yellow polo shirts and instead go "incognito" and move about the city in "smaller teams."

Though Mr. Tarrio went to Washington himself this month, he was thrown out of the city by a judge on Jan. 5 after being arrested the day before in connection with the burning of a Black Lives Matter banner torn from a historic Black church during a separate round of violent protests last month. When officers took Mr. Tarrio into custody, they found he was carrying two high-capacity rifle magazines emblazoned with the Proud Boys chicken logo.

On the day of the riot, Mr. Biggs — wearing glasses, a dark knit hat and a blue and gray plaid shirt — was captured in a video standing in a large group of Proud Boys as someone shouts, with an expletive, "Let's take the Capitol!" Other portions of the video show him marching with the group toward the building, chanting slogans like, "Whose streets? Our streets." Near him in the crowd, court papers say, was another top Proud Boy organizer, Ethan Nordean, who is also known as Rufio Panman.

Though prosecutors acknowledge that Mr. Biggs was not among the first to break into the Capitol, they say he later admitted to entering the building for a brief time. They also say he appears to have been wearing a walkie-talkie-style device on his chest, suggesting he was communicating with others during the incursion.

Mr. Biggs, who has often spoken publicly about his service in the U.S. Army, is a former correspondent for Alex Jones' conspiracy-minded media outlet, Infowars. While working for Infowars, Mr. Biggs covered several events with a high profile among extremists. He reported on the role the militia group, the Oath Keepers, played in guarding local business during violent unrest in Ferguson, Mo., in 2015 and was on hand during the invasion and occupation of the Malheur National Wildlife Refuge in Oregon in 2016.

In an interview with The New York Times hours after the Capitol attack, Mr. Biggs said that he and about 100 other Proud Boys arrived at the complex around 1 p.m. on Jan. 6 when suddenly the crowd in front of them surged and the mood grew violent. "It literally happened in seconds," Mr. Biggs said, referring to the invasion of the building.

Prosecutors have also charged Dominic Pezzola, a Proud Boy from Rochester and a former Marine, in connection with the riot, noting in Mr. Biggs's criminal complaint that he appeared to be wearing an earpiece communication device. Charges have also been filed against Nicholas Ochs, founder of the Proud Boys' Hawaii chapter, and Nicholas DeCarlo, who runs a news outfit called "Murder the Media," which is associated with the Proud Boys.

The federal investigation into the Capitol riot has now led to more than 100 arrests on charges that have included weapons offenses and assaults on police officers.

On Wednesday, prosecutors also charged a Connecticut man with trapping a police officer behind a riot shield as a crowd pressed against him. Patrick E. McCaughey, 23, of Ridgefield, Conn., was accused of pinning Daniel Hodges, an officer with the Washington Metropolitan

Police, against a door of the Capitol. According to a widely-seen video of the incident, Officer Hodges cried for help until eventually being pulled to safety.

Case 1:21-mj-00120-ZMF Documer Case: 1:21-mj-00120
Assigned to: Judge Zia M. Faruqui
Assign Date: 1/19/2021
Description: COMPLAINT W/ARREST WARRANT

STATEMENT OF FACTS

On January 6, 2021, your affiant, Jennifer Schick, was on duty and performing my official duties as a Special Agent with the Federal Bureau of Investigation ("FBI"). Specifically, I am currently tasked with investigating criminal activity in and around the Capitol grounds. As a Special Agent, I am authorized by law or by a Government agency to engage in or supervise the prevention, detention, investigation, or prosecution of a violation of federal criminal laws. The U.S. Capitol is secured 24 hours a day by U.S. Capitol Police. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by U.S. Capitol Police. Only authorized people with appropriate identification were allowed access inside the U.S. Capitol. On January 6, 2021, the exterior plaza of the U.S. Capitol was also closed to members of the public.

On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in separate chambers of the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Shortly thereafter, by approximately 1:30 p.m., the House and Senate adjourned to separate chambers to resolve a particular objection. Vice President Mike Pence was present and presiding, first in the joint session, and then in the Senate chamber.

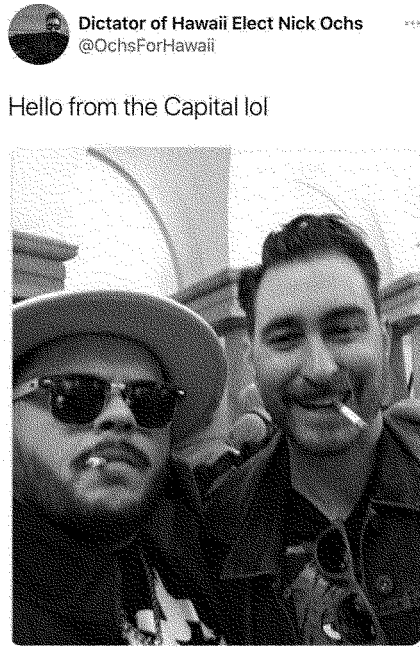
As the proceedings continued in both the House and the Senate, and with Vice President Mike Pence present and presiding over the Senate, a large crowd gathered outside the U.S. Capitol. As noted above, temporary and permanent barricades were in place around the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside.

At such time, the certification proceedings were still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, shortly around 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows and by assaulting members of the U.S. Capitol Police, as others in the crowd encouraged and assisted those acts.

Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress was effectively suspended until shortly after 8:00 p.m. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the sessions resumed.

During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of violations of local and federal law, including scores of individuals inside the U.S. Capitol building without authority to be there.

On January 6, 2021, at 4:13 p.m., Nicholas Ochs,[1] a resident of Hawaii, posted a photograph to his Twitter account, @OchsForHawaii, with the caption, "Hello from the Capital lol," which appears to depict Ochs next to a male who was unknown at the time, both of whom are smoking inside the Capitol Building. Ochs is in the below photograph on the right; the unknown male wearing sunglasses and a white hat on the left.



On January 13, 2021, W-1 ("IT") reported to the FBI that IT knew the identity of the second person in the photograph: Nicholas DeCarlo a/k/a Dick Necarlo a/k/a Dick Lambaste ("DeCARLO"). Your affiant has since compared identification photos from the State of Texas to the photographs and videos mentioned throughout this affidavit and can further confirm DeCARLO's identity.

Open source reporting also identified DeCARLO and Ochs on a video posted to YouTube entitled "BlackVill'd: Twas The Night Before REVOLUTION!!!!" The video streamed live on January 6, 2021 (in the early morning hours) and appeared to show DeCARLO and Ochs walking in the streets of Washington D.C. among a crowd of others who were also walking in the same general direction.

[1] Ochs has been charged by complaint for his conduct in the Capitol in case number 21-mj-15 (GMH)

After leaving the Capitol on January 6, 2021, Ochs posted a video to his account on the social media site Telegram, which was then posted on Twitter by the Evidence-Based Cybersecurity Research Group (@evidencebasedc1).[2] The video, which Ochs appears to have recorded on a cell phone, shows Ochs and DeCARLO walking down a sidewalk in front of some row homes. Ochs states, "Viewers, . . . we have some good news: . . . We have just, uh, peeked through this window, and on the television the headline reads that Congress stopped the vote when we stormed the Capitol. And, as we've been saying all day, we came here to stop the steal," to which DeCARLO interjects "we did it." Ochs continues, "we were being sarcastic, but we didn't know we were actually going to . . . ." DeCARLO then asks, "Wait, you were being sarcastic?" Ochs replies, "I was being a bit facetious," to which DeCARLO replies, "Oh no, that's what I came down here to do. We fucking did it." Ochs then says words to the effect of, "It may resume, but the steal is for now stopped. You're welcome, America!" to which DeCARLO replies "we did our job. We did our job."

Also after the events on January 6, 2021, DeCARLO gave an interview to the *LA Times*[3] on January 13, 2021, in which he also admitted to being inside the Capitol Building. DeCARLO claimed that he and OCHS were working as journalists, but DeCARLO is not listed as a credentialed reporter with the House Periodical Press Gallery or the U.S. Senate Press Gallery, the organizations that credential Congressional correspondents. The *LA Times* identified the "Thunderdome TV" channel on YouTube as one of the media platform from which DeCARLO and Ochs operate (in addition to BlackVill'd). That channel has fewer than 600 followers and less than 6,000 views since its creation on YouTube in 2012. Your affiant has also learned that DeCARLO purports to be an employee of "MT Media News", which stands for Murder the Media News.

Finally, further investigation has uncovered additional photographic evidence of DeCARLO inside the U.S. Capitol and on its grounds on January 6, 2021. One such photograph depicts DeCARLO and Ochs posing in front of a door inside the Capitol. On the door your affiant can see that "Murder The Media" has been etched into the door. DeCARLO is wearing a "Murder The Media" shirt and hat while posing in front of the door. DeCARLO's clothing appears to be the same that he is wearing in Och's aforementioned Twitter post from which DeCARLO was identified. That photograph can be found below:

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[2] @evidencebasedc1 is the official Twitter account for the Evidence-Based Cybersecurity Research Group, a research group that is part of the Georgia State University system which "seeks to produce empirical evidence and provide systematic reviews of existing empirical research regarding the potential effect of existing cyber-security policies and tools in preventing the development and progression of cyber crimes". *See https://ebcs.gsu.edu/about/*.

[3] https://www.latimes.com/world-nation/story/2021-01-13/some-who-stormed-the-capitol-insist-what-i-did-was-journalism



DeCARLO (left) and Ochs (middle) also appear below posing next to Jacob Chansley[4] (right) in a MT Media post. Each appear to be wearing the same clothing they were wearing during the breach of the Capitol on January 6, 2021:

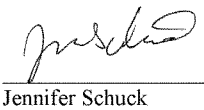


[4] Chansley has been indicted for his conduct at the Capitol in 21-cr-3 (RCL).

Based on the foregoing, your affiant submits that there is probable cause to believe that Nicholas DeCARLO violated 18 U.S.C. § 1752(a)(1) and (2), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do; and (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions; or attempts or conspires to do so. For purposes of Section 1752 of Title 18, a "restricted building" includes a posted, cordoned off, or otherwise restricted area of a building or grounds where the President or other person protected by the Secret Service, including the Vice President, is or will be temporarily visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance.

Your affiant submits there is also probable cause to believe that Nicholas DeCARLO violated 40 U.S.C. § 5104(e)(2)(G), which makes it a crime to willfully and knowingly parade, demonstrate, or picket in any of the Capitol Buildings.

Finally, your affiant submits there is probable cause to believe that Nicholas DeCARLO violated 18 U.S.C. § 1512(c)(2), which makes it a crime to obstruct, influence, or impede any official proceeding, or attempt to do so. Under 18 U.S.C. § 1515, congressional proceedings are official proceedings.



Jennifer Schuck
Special Agent
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 19th day of January 2021.

ZIA M. FARUQUI, U.S. MAGISTRATE JUDGE

Donald Trump is the accelerant

vox.com/21506029/trump-violence-tweets-racist-hate-speech

Fabiola Cineas October 9, 2020



On the very day that Congress counted the electoral votes that certified President-elect Joe Biden's victory, Trump opened up the US Capitol to an insurrection.

He told a crowd rallying south of the White House to "walk down to the Capitol," adding, "You will never take back our country with weakness."

At Trump's behest, throngs of his supporters descended on Washington, DC, to dispute the results of the presidential election, climbing the steps of the Capitol and busting through its doors and windows. Throughout the day, Trump continued to falsely claim that the election was stolen without any evidence to support this unreality, further riling up his followers to "take the country back." By mid-afternoon, the Capitol building was breached and one member of the mob had been shot and fatally wounded. A police officer and three others reportedly died.

In a last-minute video message, Trump told the crowd to go home — then told them he loved them and believes they're "very special."

Trump's messaging on January 6is precisely in line with how he's historically addressed violence on the part of hate groups and his supporters: He emboldens it.

As far back as 2015, Trump has been connected to documented acts of violence, with perpetrators claiming that he was even their inspiration. In fact, dozens of people enacted violence in Trump's name in the years before the Capitol attack, according to a 2020 report from ABC News.

In 2016, a white man told officers "Donald Trump will fix them" while being arrested for threatening his Black neighbors with a knife. That same year, a Florida man threatened to burn down a house next to his because a Muslim family purchased it, claiming that Trump's Muslim ban made it a reason for "concern." Then there are the more widely known examples, like Cesar Sayoc, who mailed 16 inoperative pipe bombs to Democratic leaders and referred to Trump as a "surrogate father"; and the mass shooting in El Paso, Texas, in 2019 that left 23 dead, where the shooter's manifesto parroted Trump's rhetoric about immigrants.

In some cases, Trump denounces the violence, but he often walks back such statements, returning to a message of hate and harm. In August, he defended a teenage supporter who shot three people at a Black Lives Matter protest.And at the first presidential debate of the 2020 election, the president shocked many viewers when he was given an opportunity to condemn white supremacists, but declined.

In October, he equivocated on condemnation of the domestic terrorists who allegedly planned to kidnap Michigan Gov. Gretchen Whitmer, after Trump had stoked outrage over the state's pandemic safety measures. He criticized Whitmer when the kidnapping plot was revealed and fished for compliments.

Related

Trump's long history of racism, from the 1970s to 2020

Trump has continually refused to recognize what's at the core of this violence: hate nurtured under a tense national climate that he has helped cultivate.

Trump's campaign rallies have always been incubation grounds for violence, sites where Trump spewed hate speech that encouraged physical harm against dissenters. And as president, he has used his platform to encourage violence against American citizens, whether through the police and National Guard or militia groups —unless those citizens are his supporters.

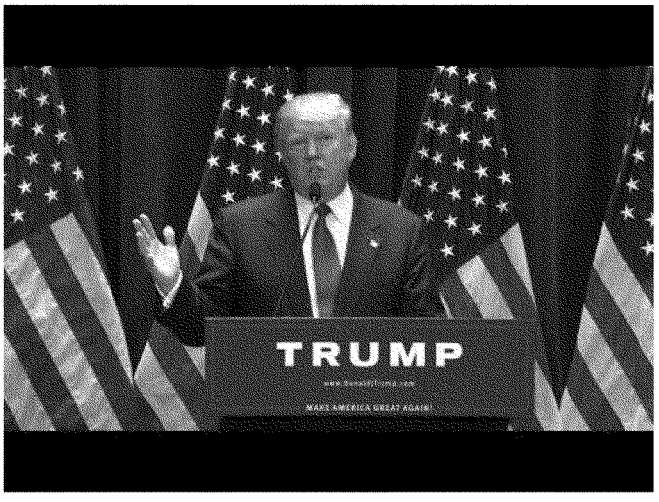
Here is a timeline of Trump's hateful rhetoric since 2015, and some of the moments when his supporters took heed.

2015: Trump announces his presidential bid and quickly suggests violence is the answer to opposition

Trump officially announced his candidacy for president of the United States in June 2015 and wasted little time inciting fear and hate in his first speech. That year, critics argued that his language led to attacks on bystanders, and in some cases, acts of violence were directly linked to Trump's words.

June 16, 2015: When Trump announced his bid for president at Trump Tower in New York City, he made disparaging comments about Mexicans. His repeated insults have been said to incite violence and hate toward immigrants in the years that followed.

Trump's message from the start: "When Mexico sends its people, they're not sending their best. They're not sending you. They're not sending you. They're sending people that have lots of problems, and they're bringing those problems with us. They're bringing drugs. They're bringing crime. They're rapists. And some, I assume, are good people."



Watch Video At: https://youtu.be/Jaz1Jos-cL4

Even though his statement was almost entirely false, in the months following, Trump would defend the criminal threat of immigrants."What can be simpler or more accurately stated? The Mexican Government is forcing their most unwanted people into the United States. They are, in many cases, criminals, drug dealers, rapists, etc.," he said on July 6, 2015.

August 11, 2015: Trump indirectly took aim at Black Lives Matter protesters, calling Sen. Bernie Sanders "weak" after Sanders allowed protesters to seize the microphone at a campaign rally. "I thought that was disgusting. That showed such weakness — the way he was taken away by two young women. ... They just took the whole place over."

Trump added, "That will never happen with me. I don't know if I'll do the fighting myself or if other people will. But that was a disgrace. ... I felt badly for him, but it showed that he's weak."

> Did Trump just threaten to physically fight #BlackLivesMatter protesters?
>
> — Chris Hayes (@chrislhayes) August 11, 2015

> Did Trump just threaten to physically fight #BlackLivesMatter protesters?
>
> — Chris Hayes (@chrislhayes) August 11, 2015

August 19, 2015: Two Boston brothers invoked Trump when they were arrested for urinating on a homeless man and beating him with a metal pipe. While in custody, one of the brothers told the police, "Trump was right. All of these illegals need to be deported." The 58-year-old Mexican American they assaulted was a permanent US resident.

In response to the news that the Boston assault was inspired by his rhetoric, Trumpdid not denounce the violence, instead calling his supporters "passionate." "I think that would be a shame. I will say, the people that are following me are very passionate. They love this country. They want this country to be great again. But they are very passionate. I will say that," he told reporters the next day.

On August 21, Trumpbacktracked a bit, taking a both-sides approach. "Boston incident is terrible. We need energy and passion, but we must treat each other with respect. I would never condone violence," he tweeted.

> Boston incident is terrible. We need energy and passion, but we must treat each other with respect. I would never condone violence.
>
> — Donald J. Trump (@realDonaldTrump) August 21, 2015

October 23, 2015: After repeatedly being interrupted by protesters at a campaign rally in Miami, Trump warned he'll "be a little more violent" next time when addressing protesters. "See, the first group, I was nice. 'Oh, take your time.' The second group, I was pretty nice. The third group, I'll be a little more violent. And the fourth group, I'll say get the hell out of here!" he said. On video, the pro-immigration protesters could be seen being forcibly dragged out of the campaign event.

Related

No, Trump hasn't been the best president for Black America since Lincoln

November 21, 2015: At a rally in Birmingham, Alabama, Trump demanded the removal of Black activist Mercutio Southall Jr. after he yelled, "Black lives matter!" Onstage, Trump exclaimed, "Get him the hell out of here! Get him out of here! Throw him out!" In a video captured by CNN, Southall fell to the ground as Trump made his statements and white men appeared to kick and punch him.

> A black protester at Trump's rally today in Alabama was shoved, tackled, punched & kicked: https://t.co/Aq0wuaAtax pic.twitter.com/cTRDMtjuBl
>
> — Jeremy Diamond (@JDiamond1) November 21, 2015

> A black protester at Trump's rally today in Alabama was shoved, tackled, punched & kicked: https://t.co/Aq0wuaAtax pic.twitter.com/cTRDMtjuBl
>
> — Jeremy Diamond (@JDiamond1) November 21, 2015

As security guards removed Southall from the rally, the crowd chanted, "All lives matter," according to the Washington Post. Trump told Fox News the next day, "Maybe he should have been roughed up, because it was absolutely disgusting what he was doing. I have a lot of fans, and they were not happy about it. And this was a very obnoxious guy who was a troublemaker who was looking to make trouble."

December 2015: The Trump campaign devised a strategy to address protesters who demonstrated at rallies. Instead of harming the protester, the campaign suggested they chant, "Trump! Trump! Trump!" until a security guard removed the protester. The campaign began playing an announcement of the plan at rallies in mid-December, which started with the line, "If a protester starts demonstrating in the area around you, please do not touch or harm the protester. This is a peaceful rally." According to the Washington Post, attendees laughed when the announcement was played at a rally.

> Trump's new protester-detection policy appears to be working... pic.twitter.com/cOAjfVLsiR
>
> — Jenna Johnson (@wpjenna) December 12, 2015

> Trump's new protester-detection policy appears to be working... pic.twitter.com/cOAjfVLsiR
>
> — Jenna Johnson (@wpjenna) December 12, 2015

2016: At campaign rallies, Trump models the violence that he encourages by making a spectacle out of ejecting protesters

At his large campaign rallies, Trump would often yell "Get 'em out!" at protesters who demonstrated, whether they stood there silently, held up a sign, or chanted. Though Trump often alleged that the protesters were violent, reporters in 2016 found no evidence to suggest that protesters had attacked Trump supporters at one of his rallies.

In 2016, Trump sharpened his rhetoric against Muslims, suggesting that the country must scrutinize mosques and newly arrived Muslim migrants. 2016 also gave rise to the chant that advocated for violence against then-Democratic presidential frontrunner Hillary Clinton: "Lock her up!"

January 8, 2016: Rose Hamid, a 56-year-old Muslim woman wearing a hijab, was escorted out of a Trump rally after standing up in silent protest over Trump's speech, in which he said Syrian refugees fleeing war were affiliated with ISIS. Hamid attended the rally to show Trump supporters what Muslims are like (Trump had already called for a "total and complete shutdown of Muslims entering the United States" in December 2015), and told CNN's Don Lemon that the people sitting around her were "very nice" and "sharing their popcorn."

But once the crowd "got this hateful crowd mentality," as she was being escorted out, "it was a vivid example of what happens when you start using this hateful rhetoric and how it can incite a crowd where moments ago were very kind to me." Hamid said one man yelled to her, "Get out! Do you have a bomb? Do you have a bomb?"

> Peaceful #American Muslim woman escorted out of @realDonaldTrump rally.
> Insultd by trump supporters #GOPHatesMuslims
> pic.twitter.com/nJGOFgYOmZ
>
> — Samuel Ouga (@Ougasam) January 9, 2016

> Peaceful #American Muslim woman escorted out of @realDonaldTrump rally. Insultd by trump supporters #GOPHatesMuslims pic.twitter.com/nJGOFgYOmZ
>
> — Samuel Ouga (@Ougasam) January 9, 2016

January 23, 2016: At a campaign rally in Iowa, Trump, in describing the loyalty of his supporters, notoriously said, "I could stand in the middle of Fifth Avenue and shoot somebody and I wouldn't lose voters."



Watch Video At: https://youtu.be/iTACH1eVIaA

February 1, 2016: At a campaign rally in Cedar Rapids, Iowa, Trump told the crowd that his security team informed him there may be somebody throwing tomatoes. "If you see somebody getting ready to throw a tomato, knock the crap out of them, would you? Seriously. Just knock the hell out of them. I promise you, I will pay for the legal fees. I promise. There won't be so much of them because the courts agree with us," he said.

February 23, 2016: At a campaign rally in Las Vegas, Trump said of a protester, "I'd like to punch him in the face." As security guards escorted the protester out of the rally, Trump mocked him, saying, "He's smiling. Having a good time." He then reminisced about being able to get away with violence: "There's a guy, totally disruptive, throwing punches. We're not allowed to punch back anymore. I love the old days. You know what they used to do to guys like that when they were in a place like this? They'd be carried out on a stretcher, folks." Trump also called the protester "nasty as hell." CNN reported that the man did not appear to fight with the security guards taking him outside.

> "I'd like to punch him in the face." @realDonaldTrump sends strong message to protester at rally last night!https://t.co/hYBRl3llHz
>
> — FOX & friends (@foxandfriends) February 23, 2016

> "I'd like to punch him in the face." @realDonaldTrump sends strong message to protester at rally last night!https://t.co/hYBRl3llHz
>
> — FOX & friends (@foxandfriends) February 23, 2016



Watch Video At: https://youtu.be/1es9MZyyPOA

At the same rally, Trump would reiterate his support for waterboarding, a banned interrogation method. "They said to me, 'What do you think of waterboarding?' I said I think it's great, but we don't go far enough. It's true. We don't go far enough. We don't go far enough." At a February 6 Republican debate in New Hampshire, Trump said he would "bring back a hell of a lot worse than waterboarding" if he were elected president.

February 27, 2016: Trump advocated for police state violence, lamenting how officers are afraid to do their jobs because America is "becoming a frightened country." "You see, in the good old days, law enforcement acted a lot quicker than this. A lot quicker. In the good old days, they'd rip him out of that seat so fast — but today, everybody's politically correct," Trump said. "Our country's going to hell with being politically correct. Going to hell."

March 1, 2016: At a campaign rally in Louisville, Kentucky, Trump repeatedly yelled, "Get out of here! Get 'em out of here! Get him the hell out!" to a group of protesters, galvanizing the crowd to chant, "U-S-A! U-S-A!" and physically shove the group of Black protesters. Trump continued: "Don't hurt him! If I say, 'Go get him,' I get in trouble with the press, the most dishonest human beings in the world. If I say, 'Don't hurt him,' the press will say, 'Well, Trump isn't as tough as he used to be!' ... So you can't win."



Watch Video At: https://youtu.be/vwMqf6Y7Md4

March 9, 2016: A 78-year-old white male Trump supporter punched a Black male protester being escorted out of a Trump campaign rally in Fayetteville, North Carolina. The Trump supporter was recorded on video saying he enjoyed "knocking the hell out of that big mouth" and "Yes, he deserved it. The next time we see him, we might have to kill him." He was arrested and charged with assault a day later, though he attacked the protester directly in front of law enforcement officials.

Instead, at the time, law enforcement officials tackled the protester to the ground after he had been punched in the face.

> View this post on Instagram
>
> How the #police did @undergroundkeem after HE got punched by a #trump supporter. Watch my previous post. There's no #edit #fayettenam #america #dumptrump #gopro #vote
>
> A post shared by Ronnie C Rouse (@theronniec910) on Mar 9, 2016 at 8:03pm PST

Two days after the assault, Trump said such attacks on protesters were "very, very appropriate" and the kind of action "we need a little bit more of." Trump called the protesters "very violent," though multiple news outlets at the time reported that there were no documented cases of protesters inciting violence against Trump supporters.

March 10, 2016: At a Miami Republican debate, Trump denied that his tone incited violence at his rallies and insinuated that the anger toward protesters was justified. "I will say this," he told CNN's Jake Tapper. "We have 25 [thousand], 30,000 people. You've seen it yourself. People come with tremendous passion and love for the country, and when they see protest — in some cases — you know, you're mentioning one case, which I haven't seen, I heard about it, which I don't like. But when they see what's going on in this country, they have anger that's unbelievable. They have anger."

He added: "We have some protesters who are bad dudes, they have done bad things. They are swinging, they are really dangerous ... And if they've got to be taken out, to be honest, I mean, we have to run something."

March 11, 2016: Trump abandoned a planned Chicago campaign rally after fights broke out between his supporters and protesters. Five people were arrested and two police officers were injured, according to the Chicago police. In a tweet, Trump blamed "thugs" for the chaos.

> The organized group of people, many of them thugs, who shut down our First Amendment rights in Chicago, have totally energized America!
>
> — Donald J. Trump (@realDonaldTrump) March 12, 2016

March 31, 2016: Three people who say they were assaulted at a March 1, 2016, Trump campaign rally in Louisville, Kentucky, sued the then-candidate, alleging that he riled up his followers and encouraged violence when he repeatedly yelled, "Get 'em out of here!" The group sued Trump for incitement to riot, and in April 2017, federal Judge David Hale ruled that their claim was valid since there was sufficient evidence proving their injuries were a "direct and proximate result" of Trump's comments. "It is plausible that Trump's direction to 'get 'em out of here' advocated the use of force," Hale wrote. "It was an order, an instruction, a command."

Trump appealed the case, and in September 2018, a federal appeals court dismissed the protesters' claims, saying that Trump's words were protected under the First Amendment and did not "specifically advocate imminent lawless violence." An attorney for the plaintiffs called the ruling "unprecedented" and "dangerous," and a "free pass" for a candidate for public office.

July 2016: By July, the infamous "Lock her up!" chant in response to any mention of Hillary Clinton became a facet of Trump's rallies and even the GOP convention. On July 19, at the Republican National Convention, the crowd chanted, "Lock her up! Lock her up! Lock her up!" as Chris Christie delivered a speech. At a rally in Colorado Springs on July 29, Trump, after resisting joining in on the chant at rallies, told the audience, "I've been saying let's just beat her on November 8th. But you know what, I'm starting to agree with you."

Trump's comments came after Clinton criticized him in her Democratic National Convention address. "You know it's interesting. Every time I mention her, everyone screams, 'Lock her up, lock her up.' They keep screaming. And you know what I do? I've been nice," Trump said. "But after watching that performance last night — such lies — I don't have to be so nice anymore. I'm taking the gloves off."



Watch Video At: https://youtu.be/VtaxcKvRCpY

But crowds and commentators didn't stop at "Lock her up!" As the Atlantic reported, some called for Clinton to be "hung on the Mall in Washington, DC" or "put in a firing line and shot for treason."

December 2016: After Trump bullied then-Fox News journalist Megyn Kelly for months, Kelly said that Trump's social media director was responsible for inciting the many death threats she was receiving. "The vast majority of Donald Trump supporters are not at all this way," Kelly said, according to the Guardian. "It's that far corner of the internet that really enjoys nastiness and threats and unfortunately there is a man who works for Donald Trump whose job it is to stir these people up and that man needs to stop doing that. His name is Dan Scavino."

2017: With Trump in office, white supremacists organize and are emboldened to march in public; Trump also amplifies his attacks on the press

In 2017, Trump sharply criticized the press, calling it the "enemy of the American people," fueling hostility toward journalists that many say led to violence. He also failed to condemn white supremacist and white nationalist groups that organized in Charlottesville, Virginia.

The "Unite the Right" rally became a turning point for the nation, prompting many people to finally stop and question the impact of Trump's rhetoric.

January 27, 2017: On the day the Trump administration instituted a ban against travelers from seven predominantly Muslim countries, a Muslim Delta employee wearing a hijab was physically and verbally attacked at JFK International Airport in New York. The perpetrator told the victim "[Expletive] Islam. [Expletive] ISIS. Trump is here now. He will get rid of all of you," according to ABC. On the campaign trail, Trump said he was open to the idea of closing mosques and creating a database of all Muslims in the US, consistently saying that Muslims were a "problem" and a "sickness."

February 17, 2017: In what the New York Times called a "striking escalation in his attacks," Trump tweeted that the news media is "the enemy of the American People."

> The FAKE NEWS media (failing @nytimes, @NBCNews, @ABC, @CBS, @CNN) is not my enemy, it is the enemy of the American People!
>
> — Donald J. Trump (@realDonaldTrump) February 17, 2017

Trump had long blamed news organizations for misrepresenting his agenda and performance, but in February he more explicitly positioned the media as a key opponent. At a press conference on February 16, Trump strategically called the media "dishonest" and labeled reporting from outlets like CNN "fake news."

Onlookers argued that Trump's rhetoric toward the press led to violent attacks on reporters. As Jeff Guo reported in 2017, "Anti-media rhetoric has abounded since the election," pointing to examples of physical hostility toward journalists at the time:

> In West Virginia last month, Dan Heyman of Public News Service was handcuffed and arrested at the state capitol building for posing questions to Tom Price, the secretary of Health and Human Services. And in Washington last week, a reporter from CQ Roll Call was pushed against a wall by security guards for asking an FCC commissioner questions in the lobby of a public building.

July 28, 2017: During a speech to law enforcement officials in Long Island, New York, Trump encouraged police to be more violent when handling suspects and potential offenders:

> Now, we're getting them [criminals] out anyway, but we'd like to get them out a lot faster, and when you see these towns and when you see these thugs being thrown into the back of a paddy wagon, you just see them thrown in, rough, I said, please don't be too nice. Like when you guys put somebody in the car and you're protecting their head, you know, the way you put their hand over, like, don't hit their head and they've just killed somebody. Don't hit their head. I said, you can take the hand away, okay?

In the 35-minute speech, Trump discussed his plan to fight MS-13 gang violence, calling the gang's members "animals" who had "transformed peaceful parks and beautiful quiet neighborhoods into blood-stained killing fields."

> Here's the president of the United States encouraging police officers to be rough with people they arrest pic.twitter.com/iLzoUEY89e
>
> — David Mack (@davidmackau) July 28, 2017

> Here's the president of the United States encouraging police officers to be rough with people they arrest pic.twitter.com/iLzoUEY89e
>
> — David Mack (@davidmackau) July 28, 2017

August 12, 2017: One of the clearest moments in which Trump refused to denounce violence, and thereby encouraged it, waswhen he equated the white supremacists who marched in Charlottesville, Virginia, as part of a "Unite the Right" rally with the leftist protesters who demonstrated against them. During the rally, a Nazi sympathizer drove a car into a crowd of anti-racism counterprotesters, killing 32-year-old Heather Heyer. The evening before, on August 11, the neo-Nazi and white supremacist groups marched at the University of Virginia, carrying lit tiki torches and chanting anti-Semitic slogans, in response to the impending removal of a statue of Confederate Gen. Robert E. Lee.

As Tara Golshan reported for Vox, Trump's very first response to the events in Charlottesville was to condemn violence on the part of many players, while initially refusing to even mention the presence of white supremacist groups. In a short statement issued that day, Trump said from his golf club in New Jersey, "We condemn in the strongest possible terms this egregious display of hatred, bigotry and violence on many sides, on many sides. It has been going on for a long time in our country — not Donald Trump, not Barack Obama. It has been going on for a long, long time. It has no place in America."

That same night, he tweeted condolences to Heyer's family but made no mention of who was responsible for the violence. Trump called for there to be "a study" to understand what happened in Charlottesville.

> Condolences to the family of the young woman killed today, and best regards to all of those injured, in Charlottesville, Virginia. So sad!
>
> — Donald J. Trump (@realDonaldTrump) August 12, 2017

On the Tuesday following the weekend rally, Trump infamously said, "You had some very bad people in that group. You also had some very fine people on both sides."

The president also attempted to identify the "good people" in the sea of white nationalists that weekend: "You had people and I'm not talking about the neo-Nazis and the white nationalists. They should be condemned totally. ... You had many people in that group other than neo-Nazis and white nationalists. Not all of those people were neo-Nazis, believe me. Not all of those people were white supremacists by any stretch."



Watch Video At: https://youtu.be/JmaZR8E12bs

September 22, 2017: At a rally in Alabama, Trump took aim at football players like Colin Kaepernick, who kneeled during the national anthem in protest of police brutality and systemic racism. "Wouldn't you *love* to see one of these NFL owners, when somebody disrespects our flag, to say, 'Get that son of a bitch off the field right now. Out. He's fired. *He's fired!*'" he said.

In the following days, Trump underscored his disdain for the anthem protests.

> Sports fans should never condone players that do not stand proud for their National Anthem or their Country. NFL should change policy!
>
> — Donald J. Trump (@realDonaldTrump) September 24, 2017

> Many people booed the players who kneeled yesterday (which was a small percentage of total). These are fans who demand respect for our Flag!
>
> — Donald J. Trump (@realDonaldTrump) September 25, 2017

Trump turned the NFL player's silent protest about police violence into a debate about nationalism. This became emblematic of a larger push: Trump continues to spin issues of racial injustice as an affront to American life, riling up his base (many supporters set fire to NFL team merchandise).

2018: Trump still fails to condemn white supremacists as hate crimes are on the rise

Multiple studies released between 2017 and 2019 showed how hate crimes reached a high during the first two years of Trump's presidency. A report from the FBI found that hate crimes, especially against Muslims, increased by 5 percent in 2016 and were up 17 percent in 2017; in 2018, hate crimes reached a 16-year high, with a significant rise in violence against Latinos.

According to a 2019 report, counties that hosted a rally with Trump as a headliner experienced a 226 percent increase in hate crimes. The report's authors noted: "Trump's rhetoric may encourage hate crimes." At the middle point of his term, when confronted with opportunities to condemn white supremacy and attempt to unify the country, Trump declined to do so.

June 24, 2018: Amid his administration's family separation crisis, Trump fanned the flames of anti-immigration sentiment. He tweeted rhetoric that justified his administration's "zero tolerance" immigration policy, which featured ICE raids and migrant detention facilities. Between October 1, 2017, and May 31, 2018, at least 2,700 children were split from their families at the border. "We cannot allow all of these people to invade our Country. When somebody comes in, we must immediately, with no Judges or Court Cases, bring them back from where they came. Our system is a mockery to good immigration policy and Law and Order. Most children come without parents ..." he wrote.

August 11, 2018: A year after the inaugural "Unite the Right" rally, organizers planned a second "Unite the Right" event, yet Trump still failed to condemn the hate groups by name. Ahead of the rally, he tweeted a rather vague statement against hate and did not acknowledge and condemn the people perpetrating the violence.

> The riots in Charlottesville a year ago resulted in senseless death and division. We must come together as a nation. I condemn all types of racism and acts of violence. Peace to ALL Americans!
>
> — Donald J. Trump (@realDonaldTrump) August 11, 2018

October 18, 2018: At a rally in Montana, Trump celebrated Republican Rep. Greg Gianforte, who body-slammed a reporter in May 2017, telling the crowd, "Any guy who can do a body-slam ... he's my guy."

> Here's the video of Trump on Greg Gianforte body slamming Ben Jacobs:

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>
> "Any guy that can do a body slam, he's my kind of guy."
> pic.twitter.com/8tWxLXE6Jx
>
> — Kyle Griffin (@kylegriffin1) October 19, 2018

> Here's the video of Trump on Greg Gianforte body slamming Ben Jacobs: "Any guy that can do a body slam, he's my kind of guy." pic.twitter.com/8tWxLXE6Jx
>
> — Kyle Griffin (@kylegriffin1) October 19, 2018

Gianforte assaulted journalist Ben Jacobs after Jacobs asked him a question about the GOP health care bill, on the day before Gianforte won election. He ultimately apologized (after his spokesperson first denied the assault) and pleaded guilty to misdemeanor assault. Gianforte was sentenced with 40 hours of community service, 20 hours of anger management, and a $300 fine along with an $85 court fee, in addition to a deferred 180-day jail sentence.

As Jeff Guo reported for Vox in 2017, the assault revealed how the Republican Party, at Trump's behest, has grown comfortable with verbal and physical violence against the press.

October 22-November 1, 2018: Cesar Sayoc, a Florida Trump supporter, mailed 16 inoperative pipe bombs to Democratic leaders, including Barack Obama, Joe Biden, and Hillary Clinton, who had been critical of Trump's presidency. Sayoc had been living in a van that was covered in photos of Trump and "decals attacking the media," according to NBC News. Sayoc's lawyers argued that Trump's rhetoric fueled his actions and that Sayoc viewed Trump as a "surrogate father." On August 4, 2019, Sayoc was sentenced to 20 years in prison.

Trump first condemned Sayoc's actions, but then walked back his condemnation. "In these times we have to unify," Trump said. "We have to come together and send one very clear, strong, unmistakable message that acts or threats of political violence of any kind have no place in the United States of America."

As Vox's Alex Ward reported, Trump had opportunities to unite the country after Sayoc was detained, but instead blamed the media and Democrats for the anger that his supporters were acting out.

> A very big part of the Anger we see today in our society is caused by the purposely false and inaccurate reporting of the Mainstream Media that I refer to as Fake News. It has gotten so bad and hateful that it is beyond description. Mainstream Media must clean up its act, FAST!
>
> — Donald J. Trump (@realDonaldTrump) October 25, 2018

October 27, 2018: An anti-Semitic terrorist murdered 11 worshippers and injured seven others at the Tree of Life synagogue in Pittsburgh. Though the shooter criticized Trump for being a "globalist" who was controlled by Jews, many critics linked Trump's rhetoric to the mass shooting. Jewish leaders in Pittsburgh wrote an open letter to Trump demanding that he "fully denounce white nationalism" before visiting a city in mourning. "For the past three years your words and your policies have emboldened a growing white nationalist movement," the letter said. "You yourself called the murderer evil, but yesterday's violence is the direct culmination of your influence."

Trump first lamented the shooting but then suggested that the victims should have protected themselves by having an armed guard inside the synagogue, and distanced himself from the National Rifle Association when asked about his ties to the organization.

2019: Mass shootings and hate crimes linked to Trump's rhetoric continued, while he lashed out at a group of newly elected congresswomen

Instead of denouncing the white supremacy and hate fueling many mass shootings, Trump pointed to mental illness as a key factor behind domestic terrorism. As Trump returned the campaign trail in an attempt to gain a second term, he targeted a new group at his campaign events— a group of young congresswomen of color, known as "the Squad."

May 8, 2019: At a Florida rally, Trump turned the idea of shooting migrants and asylum seekers into a punchline. In his remarks, he asked, "How do you stop these people?" A woman at the rally reportedly yelled "shoot them" in response. Trump then joked, "That's only in the Panhandle, you can get away with that statement."

Trump's statement came a day after reports that a border militia member said of migrants, "Why are we just apprehending them and not lining them up and shooting them. ... We have to go back to Hitler days and put them all in a gas chamber."

July 14, 2019: Trump attacked the group of congresswomen known as "the Squad," saying on Twitter that they should "go back" to the "crime infested places from which they came." Trump didn't initially name the lawmakers he was attacking, but it was clear he was directing his ire at first-term members Reps. Ilhan Omar, Rashida Tlaib, Ayanna Pressley, and Alexandria Ocasio-Cortez. The women, who advocate for progressive policies, became the target of backlash and scrutiny.

> ....and viciously telling the people of the United States, the greatest and most powerful Nation on earth, how our government is to be run. Why don't they go back and help fix the totally broken and crime infested places from which they came. Then come back and show us how....
>
> — Donald J. Trump (@realDonaldTrump) July 14, 2019

Three days later at a Trump 2020 campaign rally in Greenville, North Carolina, the crowd repeatedly chanted "Send her back! Send her back!" directed at Rep. Omar, whom Trump began to single out from the Squad, which he described that night as a group of "hate-filled extremists."



Watch Video At: https://youtu.be/8oiJKO9vrfo

Trump's rhetoric toward Omar and the rest of the Squad led to death threats and increased security for the women. In April, just hours after a man was charged for threatening to assault and murder Omar, Trump again told harmful lies about her at an event. The man told officials that "he loves the president" and "hates radical Muslims in our government." In June, Tlaib read out a death threat she received that said, "The only good Muslim is a dead one."

August 3, 2019: In one of the larger calamities of Trump's presidency, a 21-year-old white man opened fire at a Walmart in El Paso, Texas, killing 23 people and injuring 22 others. As Alexia Fernández Campbell reported for Vox, the shooter drove more than 10 hours to the store to target Mexicans. Officials believe that the gunman was the author of a racist, xenophobic online manifesto that warned of a "Hispanic invasion" of Texas and echoed the president's language, according to the New York Times. Trump responded to the shooting in a brief speech but "said nothing about widespread criticism of his own anti-immigrant rhetoric, which some say inspired the El Paso attacks," Fernández Campbell reported.

August 5, 2019: A 39-year-old Montana man was charged with felony assault for choking, slamming, and fracturing the skull of a 13-year-old boy who didn't take his hat off for the national anthem. The man's attorney told the local newspaper that Trump's "rhetoric" led to

the violent act. "His commander in chief is telling people that if they kneel, they should be fired, or if they burn a flag, they should be punished," the lawyer said, referencing Trump's harsh words against athletes like Colin Kaepernick who protested for social justice.

October 1, 2019: A New York Times report stated that Trump, as part of his border security plan in early 2019, reportedly wanted to shoot migrants in the legs and keep them away from the southern border with a trench filled with water, alligators, and snakes. Trump also reportedly asked for a cost estimate for an electrified wall with spikes that could "pierce human flesh."

November 1, 2019: A 61-year-old Milwaukee man was arrested and charged with a felony hate crime after allegedly throwing acid at a Peruvian American who was walking to a Mexican restaurant. The perpetrator accused the victim of being in the country illegally, asking him, "Why you invade my country?" and "Why don't you respect my laws?" before attacking him. When police searched the perpetrator's home, they found three letters addressed to Donald Trump. The victim suffered second-degree burns.

2020: Trump is explicit about the kinds of violence he is willing to use against Black Lives Matter protesters

As Black Lives Matter protests swept the country this summer following the police killing of George Floyd in Minneapolis, a key thread running through Trump's response was to call for and send in law enforcement officials — the National Guard, Secret Service police, local police, US Park Police, and state troopers — who dressed in riot gear and used a variety of weapons, from tear gas to rubber bullets. While he said violence was out of hand in cities, the protests were mostly peaceful, outside of escalation by police.

In fact, after Homeland Security agents were deployed in Portland in the summer, violent demonstrations increased from under 17 percent to over 42 percent, according to a report. Amid the unrest, Trump also repeatedly failed to identify and call out white supremacist agitators and counterprotesters who traveled to cities and towns and incited violence.

And throughout the country, Asian Americans faced violence due to fears about the coronavirus. Trump has repeatedly used a racist name for the virus, calling it the "Chinese flu" or the "Chinese virus." It's one of many ways he has downplayed Covid-19 and cast blame elsewhere for the deaths of hundreds of thousands of Americans, many of whom are people of color.

March 14, 2020: 19-year-old Jose L. Gomez stabbed three members of an Asian American family, including a 2-year-old and a 6-year-old, at a Sam's Club in Texas. According to the FBI's report obtained by ABC News, Gomez said he attacked them because "he thought the family was Chinese and infecting people with the coronavirus." Gomez was charged with three counts of attempted capital murder and one count of aggravated assault with a deadly weapon.

In a report released in late March, the FBI warned that hate crimes against Asian Americans would surge (and were already surging) due to rhetoric that associated the disease with China and Asian American populations. Trump began calling the coronavirus the "Chinese virus" early in the pandemic and defended his use of the phrase against frequent criticism, saying, "It did come from China. It is a very accurate term."

Catherine Kim reported for Vox that the phrase fits into Trump's "pattern of xenophobia" and "pattern of deflecting blame." After a week of anti-Asian rhetoric, Trump tweeted, "It is very important that we totally protect our Asian American community" (but othered Asian Americans — "they" and "us" — in his next tweet).

> ....is NOT their fault in any way, shape, or form. They are working closely with us to get rid of it. WE WILL PREVAIL TOGETHER!
>
> — Donald J. Trump (@realDonaldTrump) March 23, 2020

On October 8, a few days after being released from Walter Reed Medical Center, where he was treated for the virus, Trump released a video in which he again blamed China. "China's going to pay a big price for what they've done to this country," Trump said.

May 29, 2020: Following the first weekend of social justice protests after George Floyd's killing, Trump threatened to shoot looters in Minneapolis. His tweet thread showed the tone that would dominate his reaction to the unrest in the following months: He called protesters "thugs" and said, "when the looting starts, the shooting starts." Twitter flagged Trump's tweet for "glorifying violence."

> ....These THUGS are dishonoring the memory of George Floyd, and I won't let that happen. Just spoke to Governor Tim Walz and told him that the Military is with him all the way. Any difficulty and we will assume control but, when the looting starts, the shooting starts. Thank you!
>
> — Donald J. Trump (@realDonaldTrump) May 29, 2020

As Katelyn Burns reported for Vox, a day later, "Trump tried to walk back the phrase on Twitter by claiming he meant that when looting starts, people end up getting shot."

> Looting leads to shooting, and that's why a man was shot and killed in Minneapolis on Wednesday night - or look at what just happened in Louisville with 7 people shot. I don't want this to happen, and that's what the expression put out last night means....
>
> — Donald J. Trump (@realDonaldTrump) May 29, 2020

June 1, 2020: Police officers in Washington, DC, attacked hundreds of peacefulprotesters in Lafayette Square with tear gas to make way for Trump, who traveled from the White House to St. John's Church for a photo op. Before visiting the church, Trump said in a speech, "If a city or state refuses to take the actions necessary to defend the life and property of their residents, then I will deploy the United States military and quickly solve the problem for them." The remarks fit into Trump's repeated call for "law and order."

> This is what happened on the other side of the White House only 5 minutes before President Trump began remarks in the Rose Garden. pic.twitter.com/n3UNLTBAKn
>
> — Allie Malloy (@AlliemalCNN) June 1, 2020

> This is what happened on the other side of the White House only 5 minutes before President Trump began remarks in the Rose Garden. pic.twitter.com/n3UNLTBAKn
>
> — Allie Malloy (@AlliemalCNN) June 1, 2020

August 29, 2020: At an emergency operations briefing in Texas, Trump expressed interest in sending the National Guard to Portland to meet protesters with force.

"We sent in 1,000 National Guard, and that's not even a big force. We could clean out — as an example, Portland: We could fix Portland in, I would say, 45 minutes."

> The big backlash going on in Portland cannot be unexpected after 95 days of watching and incompetent Mayor admit that he has no idea what he is doing. The people of Portland won't put up with no safety any longer.The Mayor is a FOOL. Bring in the National Guard! https://t.co/bM6ypak94t
>
> — Donald J. Trump (@realDonaldTrump) August 30, 2020

August 31, 2020: After Jacob Blake, a 29-year-old Black man, was shot seven times by police in Kenosha, Wisconsin, protests broke out across the country. The next day, a group of armed men including 17-year-old Kyle Rittenhouse from Illinois showed up in Kenosha, saying they were there to protect property. Rittenhouse, a law enforcement enthusiast and a Trump supporter, shot and killed two people and injured another; he was later charged with murder.

Trump later appeared to justify Rittenhouse's actions by saying he was acting in self-defense. At a press briefing, Trump told reporters, "I guess it looks like he fell and then they very violently attacked him and it was something we're looking at right now and it's under investigation. I guess he was in very big trouble. He probably would have been killed. But it's under investigation."

September 1, 2020: Before traveling to Kenosha, Trump said he was going to the city to show support for law enforcement.He did not visit Blake's family or mention Blake by name.Instead, he said the officer who shot him must have "choked."

Trump also said that law enforcement was ready to stop protests "very powerfully." "As soon as they came in, boom, the flame was gone. Now maybe it will start up again, in which case they will put it out very powerfully," he said.

Blake's family and Wisconsin leaders feared that Trump's visit would lead to more violence and destruction.

September 17, 2020: In August 2020, an antifa supporter was accused of shooting and killing a pro-Trump activist during Portland, Oregon protests. The suspect, Michael Reinoehl, was killed by law enforcement officers in early September. In an interview with Jeanine Pirro on the 17th, Trump praised law enforcement for killing Reinoehl. Vox's Aaron Rupar wrote, "It's bad enough that the president is more or less endorsing extrajudicial killings before all the relevant facts are known, and despite an eyewitness saying it was unjustified. But it's even worse viewed in light of how Trump is politicizing street violence."

September 29, 2020: At the first presidential debate for the general election, when given the opportunity to denounce white supremacy, Trump spoke directly to a hate group, the Proud Boys, instructing them to "stand back" and "stand by." In response, the Proud Boys instantly expressed gratitude and joy at being recognized by the president.

Days later, after receiving bipartisan criticism, Trump told Fox News that he condemns far-right hate groups. "Let me be clear again: I condemn the KKK. I condemn all white supremacists," he said. "I condemn the Proud Boys. I don't know much about the Proud Boys, almost nothing, but I condemn that."

However, as EJ Dickson argued in Rolling Stone, there are reasons to believe that Trump knows who the Proud Boys are, from his connection to Roger Stone — who has close ties to the Proud Boys — to the fact that Proud Boys regularly attend Trump rallies, with a Proud Boy co-chair sitting directly behind Trump at a Miami rally in 2019.

October 8, 2020: Six men face conspiracy charges in a plot to kidnap Michigan Gov. Gretchen Whitmer. As Vox's Andrew Prokop reported, "the conspirators were in contact with a militia group based in Michigan — training in tactics and weapons with the group, and attempting to build an explosive device with a militia group member." The men were reportedly angry about Whitmer's coronavirus shutdown policies.

In August, Trump had tweeted "LIBERATE MICHIGAN" after the state instituted a stay-at-home order to combat the pandemic. In response to the FBI's investigation of the kidnapping plot, Trump demanded that Whitmer thank him. And he chastised Whitmer for the very thing that the conspirators targeted her for — taking action against the spread of a deadly virus that Trump has waved off as a threat.

> Governor Whitmer of Michigan has done a terrible job. She locked down her state for everyone, except her husband's boating activities. The Federal Government provided tremendous help to the Great People of Michigan. My Justice Department and Federal Law Enforcement announced...
>
> — Donald J. Trump (@realDonaldTrump) October 9, 2020

> ...I do not tolerate ANY extreme violence. Defending ALL Americans, even those who oppose and attack me, is what I will always do as your President! Governor Whitmer—open up your state, open up your schools, and open up your churches!
>
> — Donald J. Trump (@realDonaldTrump) October 9, 2020

In a livestream address, Whitmer said that Trump gives "comfort" to those who "spread fear and hatred and division." She pointed to Trump's comments at the presidential debate and called him "complicit":

> Just last week, the president of the United States stood before the American people and refused to condemn white supremacists and hate groups like these two Michigan militia groups. ... Hate groups heard the president's words not as a rebuke, but as a rallying cry, as a call to action. When our leaders speak, their words matter. They carry weight. When our leaders meet with, encourage, or fraternize with domestic terrorists, they legitimize their actions and they are complicit. When they stoke and contribute to hate speech, they are complicit.

2021: After losing the presidential election to Joe Biden, Trump continued a dangerous effort to overturn Biden's victory

January 6, 2021: On the day that Congress moved to certify the 2020 presidential election results confirming Biden as the winner, Trump encouraged thousands of his supporters to dispute vote counts. At an outdoor rally in Washington, DC, Trump turned on Republicans who refused to support his efforts to overturn the election results, calling them weak, and urged Vice President Mike Pence to reject the Electoral College results.

Trump told listeners, "You will never take back our country with weakness." (Trump's lawyer Rudy Giuliani also delivered a speech in which he encouraged "trial by combat.") He encouraged them to head to the Capitol to support objections to certification of the vote.

Hours of violence followed the speech when supporters stormed the US Capitol, as well as state capitols across the country. Capitol Police fatally shot Ashli Babbitt, a Trump supporter, as she and others tried to breach the halls of the Senate. Four others died, including a police officer. Washington, DC, Mayor Muriel Bowser imposed a city-wide curfew beginning at 6 pm, and few people were arrested, though many rioters violated the restriction.

That evening, Trump again equivocated in messages to supporters, making little attempt to try to stop the violence. He later denounced the violence, but refused to clearly state he lost the election. According to the New York Times, he soon expressed regret to White House aides about committing to a peaceful transfer of power and condemning the Capitol attack.

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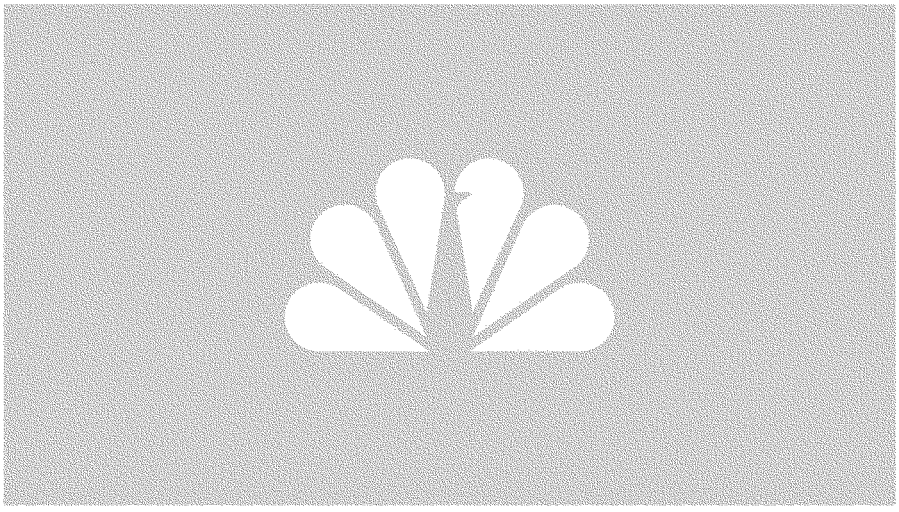
Protester Dragged Out of Trump Event by Attendee

nbcmiami.com/news/local/trump-protester/62047/



Ariel Rojas wasn't the only protester inside Donald Trump's campaign event at Trump National Miami Doral Resort on Friday. At least three separate groups could be heard interrupting Trump and chanting pro-immigration messages.

Rojas' group, comprised of eight Florida International University students, each holding up one letter, spelling out the word E-Q-U-A-L-I-T-Y.

Rojas, a senior at FIU, was holding up the letter Q before, he said, the Trump supporters standing in front of him turned around, grabbed their signs, and tore them to pieces.

"There were some choice moments of irony,' said Rojas, whose friend reported seeing a Trump supporter whacking a protester with a sign that read "The Silent Majority Supports Trump."

A man can be seen dragging Rojas by the collar of his shirt before falling to the ground. While on the ground Rojas gets kicked by the man who was dragging him.

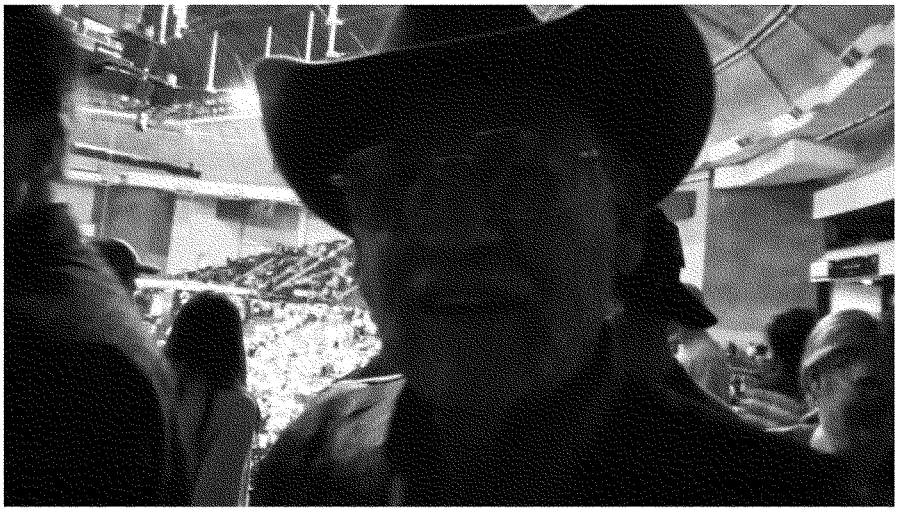
According to the campaign, the man who dragged Rojas is not a Trump campaign staffer or an employee of the Trump Resort, he was "merely an attendee" at the rally.

Once outside the event, Rojas and his fellow protesters were escorted off the premises by police

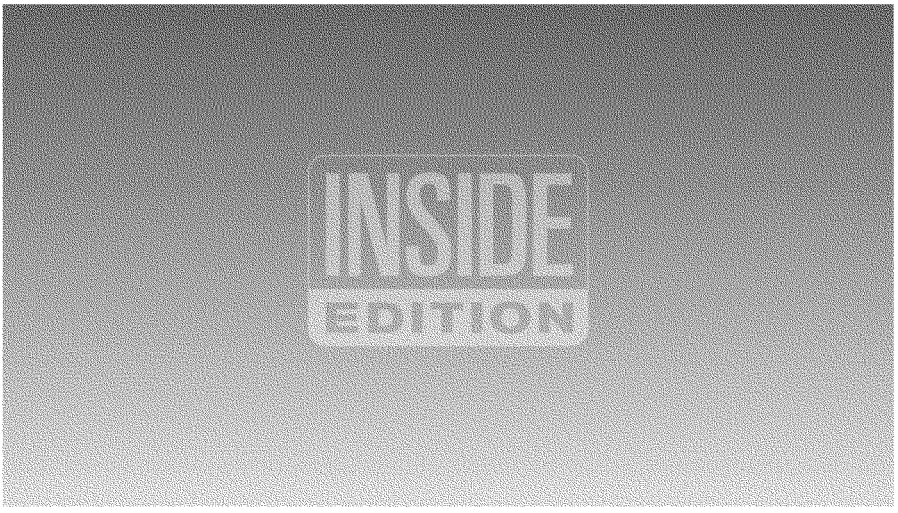
Trump Supporter Who Punched Protester: 'Next Time, We Might Have To Kill Him'

insideedition.com/headlines/15177-trump-supporter-who-punched-protester-next-time-we-might-have-to-kill-him

March 10, 2016



News
12:42 PM PST, March 10, 2016 - Inside Edition



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The Trump supporter who was filmed sucker punching a protester during Wednesday's rally in North Carolina said: "Next time, we might have to kill him."

Read: Protester Gets Sucker Punched By Trump Supporter During Raucous Rally

Multiple videos show the protester, 26-year-old Rakeem Jones, raising a middle finger to the crowd as security escorted him from the rally - before the unnamed supporter punched him to the ground.

INSIDE EDITION tracked down the supporter, 78-year-old John McGraw, who was unrepentant.

When asked if he liked the rally, he said: "You bet I liked it. Knocking the hell out of that big mouth."

And when asked why he punched the protester, he said: "Number one, we don't know if he's ISIS. We don't know who he is, but we know he's not acting like an American, cussing me... If he wants it laid out, I laid it out."

He added: "Yes, he deserved it. The next time we see him, we might have to kill him. We don't know who he is. He might be with a terrorist organization."

On Thursday, officials arrested and charged McGraw with assault and battery and disorderly conduct, according to the Cumberland County Sheriff's Office.

Jones told INSIDE EDITION on Thursday morning that his left eye still hurts from the punch and he remains confused about why he was being taken out by security in the first place.

Read: Trump Says He 'Didn't Realize' There Was A Problem With His Right Hand Rally Salute

He added that he doesn't regret going to the rally for the GOP frontrunner.

"Donald Trump probably doesn't care about what happened. He is already onto the next thing," he said. "If I can go to another [Trump] rally, I would go if I can."

When IE told Jones about his alleged attacker's comments, he said he did not have a response.

Jones attended the rally with friends.

"The people that are going to his rallies are hateful people," Jones' friend Ronnie Rouse told IE. "Not in general, because you cannot put a label on all of the people – but there is hatred."

Watch: Donald Trump: 'I Think Islam Hates Us'

Donald Trump Isn't Backing Down on Muslim Ban: I Think Islam Hates Us

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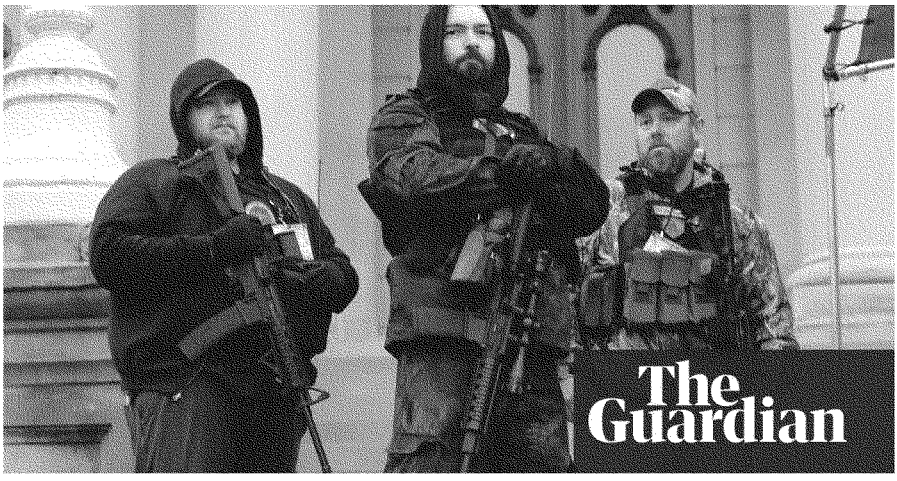
'Swastikas and nooses': governor slams 'racism' of Michigan lockdown protest

theguardian.com/us-news/2020/may/03/michigan-gretchen-whitmer-lockdown-protest-racism

Bryan Armen Graham May 3, 2020



Governor Gretchen Whitmer of Michigan issued a rebuke of the armed protesters who gathered inside the state capitol last week in defiance of statewide lockdown orders, saying the demonstrators embodied some of the "worst racism" of the nation's history.

"Some of the outrageousness of what happened at our capitol depicted some of the worst racism and awful parts of our history in this country," Whitmer said during a Sunday interview on CNN's State of the Union.

Last week Donald Trump had said of the protesters: "These are very good people."

Hundreds of protesters, many not wearing protective face masks and some armed legally with "long guns", gathered inside the statehouse in Lansing on Thursday as lawmakers debated the Democratic governor's request to extend her emergency powers to combat the coronavirus pandemic. The tightly packed crowd attempted to enter the floor of the legislative chamber and were held back by a line of state police and capitol staff, according to video footage posted by local journalists.

> "We have to listen to the epidemiologist and health experts and displays like the one we saw at our capitol is not representative of who we are." Michigan Gov. Gretchen Whitmer reacts to protesters descending on her state's capitol, including some who were armed. #CNNSOTU pic.twitter.com/lfPgGnpkGC
>
> — State of the Union (@CNNSotu) May 3, 2020

Whitmer highlighted that the number of protesters was relatively small but that the imagery some of them used was a disturbing reminder of ugly elements of America's past. "We know that people are not all happy about having to take the stay-home posture," Whitmer said on Sunday, "and you know what, I'm not either. But we have to listen to the public health experts and displays like the one we saw in our state capitol are not representative of who we are in Michigan.

"There were swastikas and Confederate flags and nooses and people with assault rifles. That's a small group of people when you think that this is a state of almost 10 million people, the vast majority of whom are doing the right thing."



Watch Video At: https://youtu.be/zXXFfoQ2bcU

01:01

▲ Armed protesters enter Michigan's state capitol demanding end to coronavirus lockdown – video

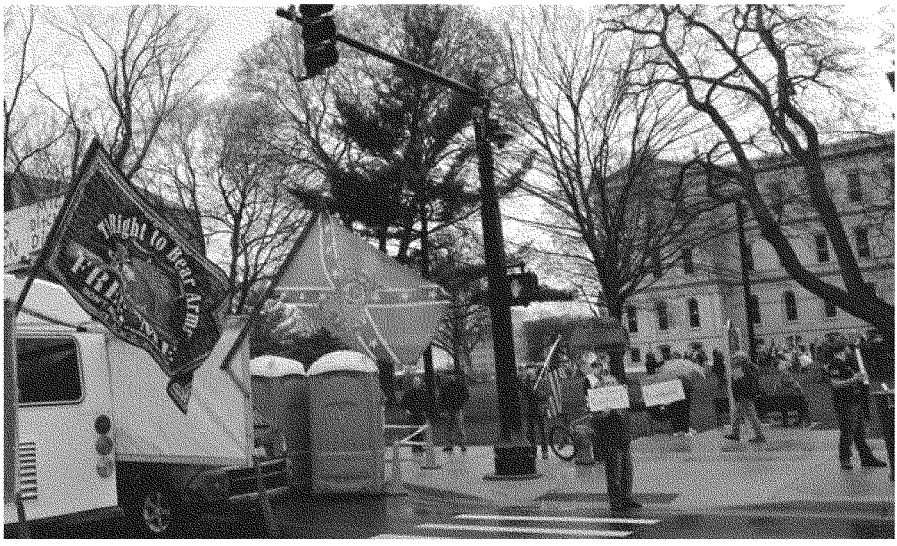
Displaying the Confederate flag, or other symbols of the slave-owning south during the American civil war, is usually seen as racist. While some claim they are celebrating southern identity, it is widely seen as a racist symbol deeply offensive to black Americans. There is also an ongoing campaign to remove Confederate war statues from public display or rename streets and buildings which commemorate Confederate generals or politicians.

Last week, the Democratic congresswoman Rashida Tlaib, who represents Michigan's 13th congressional district, condemned the demonstrations at the state Capitol. "Black people get executed by police for just existing, while white people dressed like militia members carrying assault weapons are allowed to threaten State Legislators and staff," Tlaib wrote in a tweet on Thursday.

> Black people get executed by police for just existing, while white people dressed like militia members carrying assault weapons are allowed to threaten State Legislators and staff.
>
> Our gun laws are so broken. https://t.co/w6Vw97kTV9
>
> — Rashida Tlaib (@RashidaTlaib) April 30, 2020

The protests continued to draw national attention on Friday when Trump once again threw his support behind the rightwing movement, saying Whitmer should "make a deal" with the demonstrators.

"The governor of Michigan should give a little, and put out the fire," the president wrote on Twitter. "These are very good people, but they are angry. They want their lives back again, safely! See them, talk to them, make a deal."



▲ Demonstrators display a Confederate flag at the anti-lockdown protest in Lansing. Photograph: Jeff Kowalsky/AFP via Getty Images

When asked if it was appropriate for the president to express support for protests in which "long guns" were carried on Friday afternoon, the White House press secretary, Kayleigh McEnany, said the president supported the right to protest within the law and while following federal social distancing guidelines.

"The president says that we must protest lawfully and act within the bounds of the law," said McEnany.

The staggering effects of the pandemic among Whitmer's electorate in terms of both illness and unemployment have placed a nationwide focus on Michigan, which is certain to be a key battleground state in the upcoming presidential election. The state had long been regarded as a Democratic stronghold but went for Trump four years ago, helping to spring his surprise electoral victory.

Trump predicts victory in election battleground Michigan as thousands defy coronavirus safety rules

reuters.com/article/us-usa-election-trump/trump-predicts-victory-in-election-battleground-michigan-as-thousands-defy-coronavirus-safety-rules-idUSKBN26208I



Trump 2020
Updated

By Andrea Shalal

4 Min Read

FREELAND, Mich. (Reuters) - U.S. President Donald Trump predicted at a rally in Michigan on Thursday that he would win the election battleground state as thousands of cheering, largely maskless supporters defied state guidelines aimed at containing the novel coronavirus.

"This is not the crowd of a person who comes in second place," Trump told men, women and children - many wearing red "Make America Great Again" T-shirts and hats - as he stood in front of the presidential aircraft Air Force One at an airport near Midland, Michigan.

Trump campaign officials say that in the run-up to the Nov. 3 election they are planning to spend "massive amounts" of time in Michigan, an industrial state that along with Wisconsin and Pennsylvania helped propel Trump to victory in 2016.

Democratic candidate Joe Biden leads Republican Trump among all likely voters nationally by 12 percentage points, according a Reuters/Ipsos poll. But Biden's lead is slimmer in Michigan, averaging just 4.2 percentage points, according to Real Clear Politics here.

Trump campaign deputy national press secretary Samantha Zager said Trump was tapping into "organic enthusiasm from those who are disillusioned with career politicians like Joe Biden," and would attract new voters to "expand an already broad coalition of support."

Biden visited Michigan on Wednesday, hammering Trump over his taped comments to Washington Post writer Bob Woodward in which he said he was purposely downplaying the threat of the virus to avoid public panic.

Biden also unveiled an "offshoring tax penalty" on profits from products made overseas and sold in the United States, taking a page out of Trump's trade playbook.

Slideshow (5 images)

The two politicians have widely divergent views on nearly everything, but both agree on the need to bring back manufacturing supply chains to the United States from China, and Biden is likely to keep many of Trump's tariffs in place initially if he were elected.

Trump criticized Michigan Governor Gretchen Whitmer's coronavirus restrictions, saying she "doesn't have a clue" about reopening the state's economy, drawing cheers from the crowd.

Whitmer's office had no immediate comment on the event, which appeared to violate state guidelines requiring social distancing and limiting large crowds. She told a news conference earlier Thursday she was concerned about plans for the rally, and would keep close tabs on infection rates in the region.

New York Times reporter Kathy Gray tweeted that she was escorted out the rally by Trump campaign workers after she tweeted photographs of the event.

A campaign source said a New York Times correspondent, who had not applied for credentials through the normal process, was asked to leave because she was not in the required press area. She was told she could stay in the general admission area but not while reporting, and she declined, the source said.

Greg Fernandez, 63, who works in real estate, said he was not wearing a mask at the rally because he had already had the virus, "so I'm good."

Fernandez said he expected Trump to win Michigan handily, adding: "No more globalists, no more new world order. We need a businessman to run our country, and he's done a great job."

Reporting by Andrea Shalal; editing by Grant McCool and Kim Coghill

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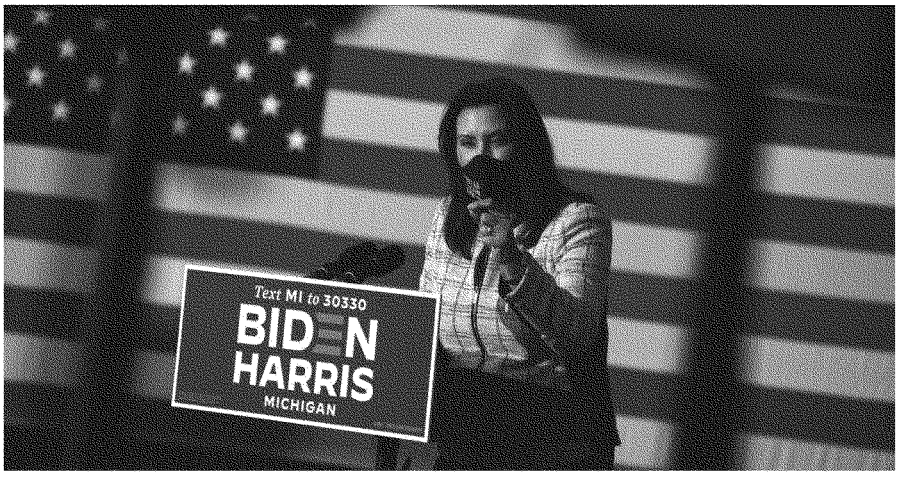
F.B.I. Says Michigan Anti-Government Group Plotted to Kidnap Gov. Gretchen Whitmer

nytimes.com/2020/10/08/us/gretchen-whitmer-michigan-militia.html

October 8, 2020



Storming the State Capitol. Instigating a civil war. Abducting a sitting governor ahead of the presidential election.

Those were among the plots described by federal and state officials in Michigan on Thursday as they announced terrorism, conspiracy and weapons charges against 13 men. At least six of them, officials said, had hatched a detailed plan to kidnap Gov. Gretchen Whitmer, a Democrat who has become a focal point of anti-government views and anger over coronavirus control measures.

The group that planned the kidnapping met repeatedly over the summer for firearms training and combat drills and practiced building explosives, the F.B.I. said; members also gathered several times to discuss the mission, including in the basement of a shop that was accessible only through a "trap door" under a rug.

The men spied on Ms. Whitmer's vacation home in August and September, even looking under a highway bridge for places they could place and detonate a bomb to distract the authorities, the F.B.I. said. They indicated that they wanted to take Ms. Whitmer hostage before the election in November, and one man said they should take her to a "secure location" in Wisconsin for a "trial," Richard J. Trask II, an F.B.I. special agent, said in the criminal complaint.

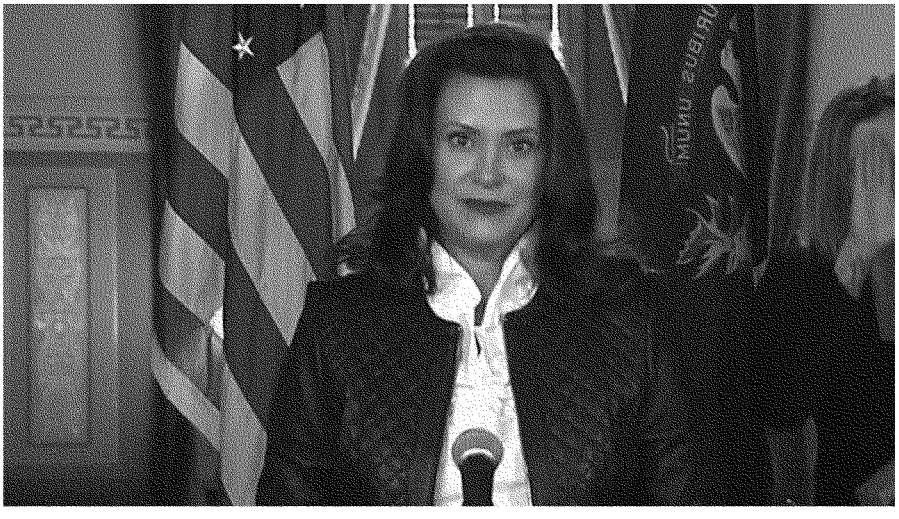
Mr. Trask said that one of those arrested had bought a Taser for the mission last week and that the men had been planning to buy explosives on Wednesday. Court records indicated that at least five of the men had been arrested on Wednesday in Ypsilanti, Mich.; it was not immediately clear if the sixth man had been taken into custody.

Video
transcript

'We Will Find You,' Whitmer Warns Extremists

At a press conference on Thursday, Gov. Gretchen Whitmer of Michigan addressed a recent plot to kidnap her along with other government officials.

Earlier today, Attorney General Dana Nessel was joined by officials from the Department of Justice and the F.B.I. to announce state and federal charges against 13 members of two militia groups, who were preparing to kidnap and possibly kill me. When I put my hand on the Bible and took the oath of office 22 months ago, I knew this job would be hard. But I'll be honest, I never could have imagined anything like this. I want to start by saying thank you to our law enforcement. Thank you to the fearless F.B.I. agents and thank you to the brave Michigan State Police troopers who participated in this operation. When our leaders speak, their words matter. They carry weight. When our leaders meet with, encourage or fraternize with domestic terrorists, they legitimize their actions. And they are complicit. So let me say this loud and clear: Hatred, bigotry and violence have no place in the great state of Michigan. If you break the law or conspire to commit heinous acts of violence against anyone, we will find you. We will hold you accountable, and we will bring you to justice.



At a press conference on Thursday, Gov. Gretchen Whitmer of Michigan addressed a recent plot to kidnap her along with other government officials.

"I knew this job would be hard," Ms. Whitmer said on Thursday, in reaction to news of the arrests. "But I'll be honest, I never could have imagined anything like this."

The F.B.I. said a leader in the kidnapping plot had reached out to members of an unnamed anti-government group for help, and the state charged an additional seven men, all from Michigan, with providing material support for terrorist activities, being members of a gang and using firearms while committing felonies.

The seven men were said to be affiliated with an extremist group known as the Wolverine Watchmen, and the state's attorney general accused them of collecting addresses of police officers in order to target them, threatening to start a civil war "leading to societal collapse" and planning to kidnap the governor and other government officials.

The seven men were charged with state crimes, which carry penalties of two to 20 years in prison.

Ms. Whitmer and Dana Nessel, the Michigan attorney general, tied the extremist plot to comments from President Trump and his refusal at times — including last week in his debate with former Vice President Joseph R. Biden Jr. — to condemn white supremacists and violent right-wing groups.

"Just last week, the president of the United States stood before the American people and refused to condemn white supremacists and hate groups like these two Michigan militia groups," Ms. Whitmer said. There is no indication in the court documents that any of the men were inspired by the president, but Ms. Whitmer said extremists had "heard the president's words not as a rebuke but as a rallying cry — as a call to action."

Hours later, in multiple tweets, Mr. Trump insulted Ms. Whitmer, saying that she had "done a terrible job" and that he had expected her to thank him for the charges announced on Thursday. Instead, he wrote, "She calls me a White Supremacist—while Biden and Democrats refuse to condemn Antifa, Anarchists, Looters and Mobs that burn down Democrat run cities."

Yet, the F.B.I. director, Christopher A. Wray, said in September that the most pressing threats facing the nation were from anti-government and white supremacist groups, who he said have carried out the most lethal domestic attacks in recent years.

The F.B.I. investigation of the kidnapping plot began early this year, according to an affidavit, after a social media discussion of violent government overthrow. The F.B.I. used confidential informants, undercover agents and intercepted messages to monitor the group.

Image



Roads leading to the Governor's Mansion in Lansing were blocked off on Thursday.Credit...Matthew Dae Smith/Lansing State Journal, via Associated Press

The six men were charged with conspiracy to commit kidnapping, which can carry a life sentence. Their names were listed in court documents as Adam Fox, Kaleb Franks, Brandon Caserta, Ty Garbin, Daniel Harris and Barry Croft. Mr. Croft lives in Delaware and the other five live in Michigan, the authorities said. A judge appointed lawyers for several of the men and set a preliminary hearing for Tuesday morning. None of the appointed lawyers had a comment on the charges.

The authorities said that Mr. Fox and Mr. Croft had decided to "unite others" to "take violent action" against state governments that they thought were violating the Constitution and that Mr. Fox was the one to initiate contact with the Michigan-based anti-government group. The F.B.I. said he had talked of storming the Michigan Statehouse with 200 men and trying Ms. Whitmer for treason.

Brian Titus, the owner of a vacuum store in Grand Rapids, said he had hired Mr. Fox, whom he had known since childhood, and even given him a place to stay in the store's basement after he was kicked out of his girlfriend's home. Mr. Titus said the store was raided by the authorities on Wednesday.

The Coronavirus Outbreak ›

Latest Updates

Updated
Jan. 30, 2021, 9:43 a.m. ET

- Scientists see the discovery of the South Africa variant in South Carolina as a 'pivotal moment.'
- Britain's vaccine rollout is a rare pandemic response success for the country.
- Countries tighten borders as alarm over coronavirus variants grows.

"I felt sorry for him but I didn't know he was capable of doing this; this is almost insane," Mr. Titus said in an interview. "I knew he was in a militia, but there's a lot of people in a militia that don't plan to kidnap the governor. I mean, give me a break."

Ms. Whitmer has been the subject of criticism from right-wing protesters for measures she imposed to try to control the spread of the coronavirus, which has infected about 146,000 Michigan residents and killed about 7,200.

In April, thousands of people gathered at the State Capitol to protest the executive orders she issued shutting down most of the state. Mr. Trump openly encouraged such protests, tweeting, "LIBERATE MICHIGAN!"

Image
Demonstrators gathered outside of the State Capitol in Lansing in May to protest Ms. Whitmer's stay-at-home order.Credit...Brittany Greeson for The New York Times

Ms. Nessel, in an interview, was critical of public officials who she said appeared to condone anti-government violence.

"We're asking elected leaders to tone down these very dangerous messages to those who would commit such violence," she said. "I think today's criminal charges are just the tip of the iceberg."

In May, a man was charged with threatening to kill Ms. Whitmer and Ms. Nessel. And the protests at the Capitol in Lansing featured some signs with swastikas, Confederate flags and demonstrators who advocated for violence against Ms. Whitmer, including one man who carried a doll with brown hair hanging from a noose. Many in the crowd carried semiautomatic weapons, leading some Democrats in the Legislature to call for a ban on guns in the Capitol.

Republicans in the Legislature sued Ms. Whitmer in May over the executive orders, and last week opponents of her lockdown filed petitions with more than 500,000 signatures to repeal a 1945 law that gives governors authority to declare emergencies during times of a public health crisis. The Michigan Supreme Court ruled last week that the law, which Ms. Whitmer had cited, was unconstitutional.

Many groups in the anti-government movement call themselves militias, even if definitions vary widely. Although the Second Amendment guarantees the right to bear arms and mentions a "well regulated militia," all 50 states have some manner of prohibition against private paramilitary groups.

- Are coronavirus case counts rising in your region? Our maps will help you determine how your state, county or country is fairing.
- Vaccines are rolling out and will reach many of us by spring. We've answered some common questions about the vaccines.
- Now that we are all getting used to living in a pandemic, you may have new questions about how to go about your routine safely, how your children will be impacted, how to travel and more. We're answering those questions as well.
- So far, the coronavirus outbreak has sickened more than 95 million people globally. More than 2 million people have died. A timeline of the events that led to these numbers may help you understand how we got here.

Michigan has a long history of anti-government activity. A group known as the Michigan Militia dates to the early 1990s, when Timothy McVeigh and Terry Nichols, later convicted of carrying out the Oklahoma City bombing attack in 1995 that killed 168 people, attended a few of its early meetings. It resurfaced again around 2008 and 2009, with the election of Barack Obama as president.

More recently, armed groups of men began appearing at some demonstrations, most notably the 2017 march by white nationalists in Charlottesville, Va.

The upheavals in 2020 provided new impetus for anti-government groups to move from the online world to the streets. During protests against the virus lockdowns, they accused the government of overreach, suggesting that business closings and mask mandates were forms of tyranny.

That initial scattered presence mushroomed with the nationwide protests over social justice after George Floyd died at the hands of the Minneapolis police in May. When some protests degenerated into arson and looting, groups of men appeared on the streets, saying that they were there to protect homes and businesses that law enforcement could not.

The alleged plot in Michigan was infused with elements that have been the focus of anti-government extremists for years, said J.J. MacNab, a fellow at George Washington University's Program on Extremism, such as accusing government officials of tyranny.

Most of all, Ms. MacNab said, they want their acts to serve as examples — to inspire others to carry out similar attacks.

"Starting a revolution is a common thread in the overall anti-government extremist movement," Ms. MacNab said.

Image
Armed protesters outside of the Michigan State Capitol during a rally for the Second Amendment last month.Credit...Matthew Dae Smith/Lansing State Journal, via Associated Press

Homeland Security analysts have warned in recent days of potential attacks from extremists seeking to retaliate against government-ordered social distancing measures and closures.

"Anti-government groups and anti-authority extremists could be motivated to conduct attacks in response to perceived infringement of liberties and government overreach," the analysts said in an annual report examining the most pressing threats to the United States.

The assessment included a warning that other extremists "have heightened their attention" to the election and that polling places or voter registration events were "likely flash points for potential violence."

Election administrators throughout the United States are taking steps to prepare, with some directing staff to undergo training sessions on extremist group tactics and even preparing poll workers for the possibility of someone showing up armed.

The F.B.I. said it had monitored the kidnapping plot throughout the summer as the target narrowed to the governor's personal vacation home. The group discussed the governor in vulgar terms and called her a "tyrant."

"Have one person go to her house. Knock on the door and when she answers it just cap her," one of the men said in an encrypted group chat, according to the F.B.I.

The group spoke of a "baker" and a "cake," the F.B.I. said, which its agents interpreted as code words referring to explosive devices. Mr. Fox spoke of the need to train for three months in preparation.

"I just wanna make the world glow, dude," the affidavit quoted him as saying in a profanity-laced tirade. "We're gonna topple it all, dude."

Neil MacFarquhar and Zolan Kanno-Youngs contributed reporting.

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Western District of Michigan

United States of America v. Adam Fox, Barry Croft, Ty Garbin, Kaleb Franks, Daniel Harris and Brandon Caserta	)	Case No. 1:20-mj-416

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 2020 to the present in the county of Kent and elsewhere in the Western District of Michigan, the defendant(s) violated:

Code Section	*Offense Description*
18 U.S.C. § 1201(c)	Conspiracy to commit kidnapping

This criminal complaint is based on these facts:

☑ Continued on the attached sheet.

Complainant's signature

RICHARD TRASK, Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: October 6, 2020

Judge's signature

City and state: Grand Rapids, Michigan

Sally J. Berens, U.S. Magistrate Judge

Printed name and title

CONTINUATION OF A CRIMINAL COMPLAINT

I, Richard J. Trask II, being first duly sworn, hereby depose and state as follows:

1. I am a Special Agent with the Federal Bureau of Investigation (FBI), and have been since April 2011. As a Special Agent with the FBI, I have participated in, and conducted numerous investigations under the Domestic Terrorism, Counterterrorism, and Counterintelligence programs, to include espionage, terrorism, and domestic extremism investigations. I have participated in and executed search warrants to seize items of evidence from residences, telephone providers, and electronic devices, such as cell phones and computers.

2. The facts in this affidavit come from my personal observations, training, experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause to support the issuance of a criminal complaint and does not set forth all of my knowledge about this matter.

3. The United States, including the FBI, is investigating a conspiracy to kidnap the Governor of Michigan. 18 U.S.C. § 1201(c) makes it a felony to conspire to kidnap or abduct any person and hold that person for ransom, reward, or otherwise, where the kidnapper or the victim crosses a state boundary, or a means of interstate commerce (such as a cellular telephone or the internet) is used in committing, or in furtherance of, the offense.

4. In the course of its investigation, the FBI relied on information provided by Confidential Human Sources (CHS) and Undercover Employees (UCE) over several months. Not all CHSs and UCEs were present at all times, however, at least one CHS or UCE was usually present during the group meetings. Those CHSs and UCEs consensually recorded the meetings and conversations with the subjects. Some meetings or conversations were recorded by more than one CHS or UCE. Certain CHSs also had access to group or individual

texts, online chats, and phone calls. Each CHS was vetted for reliability by the FBI agent handling the source. None of the CHSs were aware of the other CHSs involved with the groups in order to preserve the independence of their reporting. Although multiple CHSs were used over the course of the investigation, this complaint only relies on audio recordings and information provided by CHS-1, CHS-2, UCE-1 and UCE-2.

5. The evidence set forth in this affidavit demonstrates probable cause to issue a criminal complaint charging Adam FOX, Barry CROFT, Ty GARBIN, Kaleb FRANKS, Daniel HARRIS, and Brandon CASERTA with conspiring to kidnap Michigan Governor Gretchen Whitmer, in violation of 18 U.S.C. § 1201(c). FOX, GARBIN, FRANKS, HARRIS and CASERTA are residents of Michigan, and CROFT is a resident of Delaware.

CONSPIRACY TO KIDNAP THE GOVERNOR OF MICHIGAN

6. In early 2020, the FBI became aware through social media that a group of individuals were discussing the violent overthrow of certain government and law-enforcement components. Among those individuals identified were CROFT and FOX. Through electronic communications, CROFT and FOX agreed to unite others in their cause and take violent action against multiple state governments that they believe are violating the U.S. Constitution.

Group Meeting in Ohio to Discuss the Operation

7. On June 6, 2020, CROFT, FOX and approximately 13 other people from several states gathered in Dublin, Ohio. CHS-1 was present at this meeting.[1] The group talked about

[1] The FBI has paid CHS-1 approximately $8,600 to date for expenses. CHS-1 does not have a criminal history and has been deemed reliable by the FBI. Information given by CHS-1 has been shown to be reliable and corroborated through review of recordings and physical surveillance. That meeting was recorded and provided to the FBI.

creating a society that followed the U.S. Bill of Rights and where they could be self-sufficient. They discussed different ways of achieving this goal from peaceful endeavors to violent actions. At one point, several members talked about state governments they believed were violating the U.S. Constitution, including the government of Michigan and Governor Gretchen Whitmer. Several members talked about murdering "tyrants" or "taking" a sitting governor. The group decided they needed to increase their numbers and encouraged each other to talk to their neighbors and spread their message. As part of that recruitment effort, FOX reached out to a Michigan based militia group (the "militia group.")

8. The militia group had already been brought to the attention of the FBI by a local police department in March 2020, when members of the militia group were attempting to obtain the addresses of local law-enforcement officers. At the time, the FBI interviewed a member of the militia group who was concerned about the group's plans to target and kill police officers, and that person agreed to become a CHS.

Attempted Recruitment of the Militia Group and Others

9. As reported by CHS-2 and confirmed by the FBI, the militia group periodically meets for field training exercises ("FTX")[2] on private property in remote areas of Michigan, where they engage in firearms training and tactical drills.[3] CHS-2 told the FBI that, at a FTX on June 14, 2020, one of the founders of the militia group said he had been introduced to FOX.

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[2] The individuals identified in this affidavit often refer to a "field training exercise" as an "FTX" and, as such, the same is done in this affidavit.

[3] The FBI has paid CHS-2 approximately $14,800 to date, for reporting and expenses. CHS-2 does not have a criminal history and has been deemed reliable by the FBI. Information given by CHS-2 has been shown to be reliable and corroborated through review of recordings and physical surveillance. CHS-2 also consensually recorded certain meetings and provided those recordings to the FBI.

During that exercise, the militia group leadership had a call with FOX, who invited them to meet at his business in Grand Rapids, Michigan, later in the week.

10. FOX, in coordination with CROFT, met with members of the militia group at various times in June 2020. During one such meeting on June 18, 2020, which was audio recorded by CHS-2, FOX, militia group leadership, including Michigan resident Ty GARBIN, and CHS-2 met at a Second Amendment rally at the State Capitol in Lansing, Michigan. In an effort to recruit more members for the operation, FOX told GARBIN and CHS-2 he planned to attack the Capitol and asked them to combine forces.

The Operation Focuses on Governor Whitmer

11. As previously discussed, the FBI was able to monitor much of the activity between FOX and others through the use of CHSs. On June 14, 2020, CHS-2 participated in a consensually recorded telephone call with FOX, who described the meeting in Dublin, Ohio. FOX said he needed "200 men" to storm the Capitol building in Lansing, Michigan, and take hostages, including the Governor. FOX explained they would try the Governor of Michigan for "treason," and he said they would execute the plan before the November 2020 elections.

12. On June 20, 2020, FOX, GARBIN, and several other individuals, including CHS-2, met at FOX's business in Grand Rapids. As part of FOX's operational security, the attendees met in the basement of the shop, which was accessed through a trap door hidden under a rug on the main floor. FOX collected all of their cellular phones in a box and carried them upstairs to prevent any monitoring. CHS-2 was wearing a recording device, however, and captured the audio from the meeting. The attendees discussed plans for assaulting the Michigan State Capitol, countering law enforcement first responders, and using "Molotov cocktails" to destroy police

vehicles. The attendees also discussed plans for an additional meeting during the first weekend of July when they also would conduct firearms and tactical training.

13. On June 25, 2020, FOX live-streamed a video to a private Facebook group that included CHS-2, in which he complained about the judicial system and the State of Michigan controlling the opening of gyms. FOX referred to Governor Whitmer as "this tyrant bitch," and stated, "I don't know, boys, we gotta do something. You guys link with me on our other location system, give me some ideas of what we can do." The video was preserved by the FBI.

Training and Planning to Kidnap the Michigan Governor

14. On June 28, 2020, FOX, FOX's girlfriend, GARBIN, Michigan resident Kaleb FRANKS, Michigan resident Brandon CASERTA, and CHS-2 attended a tactical training exercise at the Munith, Michigan, residence of a militia-group member. After the training, FRANKS left the residence. Other people, including FOX, GARBIN, CASERTA, and CHS-2 remained at the residence and were told to leave if they were not willing to participate in attacks against the government and in kidnapping politicians. FOX, GARBIN, CASERTA, and CHS-2 stayed for the rest of the meeting. FRANKS left before the end of the night, though his departure does not appear to be related to FRANKS' commitment to the conspiracy.[4]

[4] On July 7, 2020, FRANKS attended a meeting at the residence of another militia group member, and CHS-2 was in attendance. FRANKS said that he was "not cool with offensive kidnapping" and added that he was "just there for training," or words to that effect. After the meeting, however, FRANKS actively continued to participate in the kidnapping plot, as further described below.

15. Over the weekend of July 10-12, 2020, FOX, CROFT, GARBIN, FRANKS, CASERTA, CHS-2, and others attended a FTX in Cambria, Wisconsin. Attendees participated in firearms training and other combat drills. On July 11, at the exercise, CROFT and a member of the militia group attempted to construct an improvised explosive device ("IED"), using black powder, balloons, a fuse, and BBs for shrapnel. CROFT, GARBIN and the militia group member attempted to make a second IED using similar components. The construction of the devices was faulty, and they did not detonate as planned. CHS-2 provided FBI with video of the event. FRANKS also brought and fired a rifle with a silencer at the exercise. Attendees shared photos and video recordings of the exercise in Facebook discussions that included CHS-2.

16. On July 18, 2020, GARBIN, FOX, CROFT, HARRIS, FRANKS, CHS-2, and other individuals met in Ohio. CHS-2 provided the FBI with an audio recording of the meeting. The attendees discussed attacking a Michigan State Police facility, and in a separate conversation after the meeting, GARBIN suggested shooting up the Governor's vacation home, which is located in the Western District of Michigan ("the vacation home.") The same day, GARBIN told CHS-2 and others that he did not want to go after the Capitol. He said he was "cool" with going after the Governor's vacation home, however, even if it only resulted in destruction of property.

17. On July 27, 2020, CHS-2 met FOX at his business in Grand Rapids. CHS-2 provided the FBI with an audio recording of the meeting. FOX said their best opportunity to abduct Governor Whitmer would be when she was arriving at, or leaving, either her personal vacation home or the Governor's official summer residence. Both residences are located in the Western District of Michigan. FOX described it as a "Snatch and grab, man. Grab the fuckin' Governor. Just grab the bitch. Because at that point, we do that, dude -- it's over." FOX said that after kidnapping the Governor, the group would remove her to a secure location in Wisconsin for

"trial." FOX suggested they get a realtor to help them find the exact location of the vacation home and collect information on the surrounding homes and structures. FOX discussed the importance of knowing the layout of the yard, homes, and security. FOX stated they needed to map out the surrounding property and gates, and they needed plumbers and electricians to help them read blueprints to refine their strategy. FOX also suggested recruiting an engineer or "IT [Information Technology] guy," a "demo guy," and other "operators."

18. On July 27, 2020 FOX asked in an encrypted group chat, which included GARBIN, HARRIS, FRANKS and CHS-2, "OK, well how's everyone feel about kidnapping?" No one responded to the question.

19. On July 28, 2020, FOX told CHS-2 over the phone that he had narrowed down his attack targets to the vacation home and the summer residence. The call was not recorded. The same day, FOX posted the following to a private Facebook page: "We about to be busy ladies and gentlemen . . . This is where the Patriot shows up. Sacrifices his time, money, blood sweat and tears . . . it starts now so get fucking prepared!!"

20. On August 9, 2020, FOX, GARBIN, HARRIS, FRANKS, and CHS-2 participated in a tactical training in Munith, Michigan. CHS-2 provided the FBI with an audio recording of the training. FOX asked the group about kidnapping Governor Whitmer. According to CHS-2, GARBIN initially expressed reluctance to talk about the plan in that setting. After the training, FOX, CHS-2, and others participated in a group call that was recorded by CHS-2. FOX suggested another member of the militia group could gather information about Governor Whitmer's primary residence in Lansing, and FOX discussed destroying the Governor's boat. After the call, FOX, FRANKS, GARBIN, HARRIS, and CHS-2 communicated in an encrypted group chat. In that chat, HARRIS stated, "Have one person go to her house. Knock on the door

and when she answers it just cap her . . . at this point. Fuck it." He added, "I mean . . . fuck, catch her walking into the building and act like a passers-by and fixing dome her then yourself whoever does it." (sic). In a follow-up chat about the plan, FRANKS told CHS-2, "OK sounds good I'm in for anything as long as its well planned."

21. On August 18, 2020, in an encrypted group chat that included FOX, HARRIS, GARBIN, FRANKS, CHS-2, and others, FRANKS expressed interest in taking part in a surveillance of the vacation home. In an effort to locate the Governor's vacation home, one of the members named specific cities where it could be located and told the group to check these cities. In a private chat later on August 18, 2020, the same person told CHS-2 the name of the lake in northern Michigan where the vacation home is located, and he said he was looking for an escape route using a boat on the lake.

The Group Uses Operational Security Measures to Avoid Detection

22. The conspirators often communicate via encrypted online platforms and use "code words" or phrases to describe their plans in a self-proclaimed effort to avoid law-enforcement detection. For example, on July 24, 2020, CHS-2 and GARBIN contacted FOX by telephone. The call was recorded by CHS-2. FOX said he had researched the Governor's office online, and he believed that the Governor kept only a ceremonial office in Lansing. FOX wondered aloud whether the group just needed to "party it out, make a cake and send it," in what CHS-2 believed was a coded reference to sending a bomb to the Governor. FOX discussed the need to train for the next three months to be ready to engage. FOX stated, "In all honesty right now . . . I just wanna make the world glow, dude. I'm not even fuckin' kidding. I just wanna make it all glow dude. I don't fuckin' care anymore, I'm just so sick of it. That's what it's gonna take for us to take it back, we're just gonna have to everything's gonna have to be annihilated man. We're

gonna topple it all, dude. It's what great frickin' conquerors, man, we're just gonna conquer every fuckin' thing man." FOX and GARBIN further discussed the need for the government to collapse because it has become so tyrannical.

23. On July 26, 2020, FOX told CHS-2 that he had not heard back from the "baker," which the CHS understood to mean an explosives manufacturer. FOX told the CHS that he thought it might be better to focus on the vacation home and summer residence as potential targets. FOX also said, "Maybe we should just make a bunch of cupcakes and send them out," in an apparent reference to a more widespread bombing campaign. CHS-2 understood these code words and phrases because the group often used such language when talking about explosives.

24. On August 23, 2020, GARBIN, HARRIS, FRANKS, CASERTA, CHS-2, and three other individuals met at HARRIS's residence in Lake Orion, Michigan. CHS-2 provided FBI with an audio recording of the meeting. The group had discussed concerns about being infiltrated by law enforcement, and all attendees were required to bring personal documents to confirm their identities. During the meeting, CASERTA asked FRANKS, "Franks, where you at?" FRANKS responded, "Same place. I'm ready to get it on. Doesn't matter. It could be 'cause somebody looked at us wrong." CHS-2, referring to FOX, stated, "He is all about fuckin' killin' her." CASERTA responded, "God. Go on someone's property and stuff like that. I would rather not scare them. Especially if it's a fuckin' political parasite. The world would be better without that person, I'll say that." CHS-2 explained that was why FOX wanted to do "recon" for the plan. The group discussed surveilling the vacation home in preparation for attacks on the Governor, and FRANKS advised he had recently spent almost $4,000 on a helmet and night-vision goggles. To address their concerns about law-enforcement infiltration, the attendees agreed to move their group chat to a different encrypted messaging application. Because the

group still included CHS-2, the FBI has maintained the ability to consensually monitor the chat communications.

The Conspirators Conduct Surveillance of the Governor's Home on Two Occasions

Daytime Surveillance on August 29, 2020

25. On August 29, 2020, FOX, CHS-2, and another individual conducted surveillance of the vacation home. CHS-2 provided FBI with an audio recording of the operation. FOX used his cell phone to attempt to locate the residence, but initially they had trouble finding it. He contacted a friend who had assisted them in the past; the friend told him where the vacation home was located and sent pictures of the home from the internet. FOX and the other individual located the vacation home, took photographs and slow-motion video from their vehicle as they drove by it, and discussed conducting additional surveillance from the water at a later date. The other individual then looked up the locations of the local police department and Michigan State Police in the area, and used them to estimate how long it would take law enforcement to respond to an incident at the vacation home. During the surveillance operation, FOX said, "We ain't gonna let 'em burn our fuckin' state down. I don't give a fuck if there's only 20 or 30 of us, dude, we'll go out there and use deadly force."

26. On August 30, 2020, FOX shared photos from his surveillance trip to the encrypted chat group, which included FRANKS, HARRIS, GARBIN and CHS-2. GARBIN offered to paint his personal boat black to support the surveillance of the vacation home from the lake where the vacation home is situated. In a text message conversation the same day, GARBIN asked CHS-2 how the surveillance trip had gone. CHS-2 shared a screenshot of a map of the area, which happened to show a bridge in the vicinity. Using symbols and emoticons, GARBIN replied "If the 🚤 go 👇, it also ❌ the 🌉," suggesting demolition of the bridge would hinder a

police response. CHS-2 provided the FBI with an image of a hand-drawn map of the lake near the vacation home with the mileage of the nearest police departments and the estimated response time. CHS-2 provided FBI with a picture of FOX drawing that map.

Nighttime Surveillance on September 12-13, 2020

27. Over the weekend of September 12-13, 2020, FOX, CROFT, GARBIN, FRANKS, HARRIS, CASERTA, CHS-2, a UCE, and another individual attended a FTX at GARBIN's property in Luther, Michigan. The location is approximately an hour and a half from the vacation home. CHS-2 and the UCE audio recorded the meetings and exercise. CROFT brought what he referred to as his "chemistry set," which included components for an IED. According to CHS-2, CROFT constructed an IED by removing the cap from a commercial firework, adding additional black powder, and wrapping the device in pennies and electrical tape as shrapnel. During the exercise, the group set the device in a clearing surrounded by human silhouette targets, and CROFT detonated it to test its anti-personnel effectiveness.

28. At the exercise, FOX took aside CROFT, GARBIN, FRANKS, CASERTA, CHS-2, two UCEs, and four other people. FOX briefed them on the plan to kidnap Governor Whitmer, and he told them about his first surveillance of the property. FOX selected CROFT, GARBIN, FRANKS, the CHS, the UCEs, and the four other people, to conduct a nighttime surveillance of the vacation home in preparation for the kidnapping. HARRIS, CASERTA, and another individual remained at the camp in Luther. HARRIS became aware of the surveillance the next day, and he expressed regret that he had not participated in the surveillance operation.

29. On September 12, 2020, while driving from GARBIN's property to Cadillac to bring others to the property, FOX told CHS-2 and another individual that the vacation home is the Governor's actual house, "And it's a perfect fuckin' setup. Out of everywhere that she

resides, this is the only one that's probably actually feasible with a success rate." That conversation was recorded by CHS-2.

30. During the late night of September 12 and early morning of September 13, the group drove from Luther to the vicinity of the vacation home in three separate vehicles. CHS-2 and the UCEs audio recorded the operation. Before leaving Luther, CROFT asked FOX if the surveillance participants were armed. FOX confirmed that they were, and CROFT suggested they take the opportunity to conduct an act of violence that night. CROFT was eventually dissuaded of this notion and decided to wait for a better time.

31. FOX, CROFT, CHS-2, a UCE, and an individual from Wisconsin traveled in the first vehicle. While in the vehicle, CROFT and FOX discussed detonating explosive devices to divert police from the area of the vacation home. They stopped at the M-31 highway bridge on the way, where FOX and the UCE inspected the underside of the bridge for places to seat an explosive charge. FOX took a picture of the bridge's support structure, which he later shared with CHS-2 in their encrypted chat. From there, they drove to a public boat launch across the lake from the vacation home to watch for the other cars in their group.

32. GARBIN, FRANKS, and another individual from Wisconsin traveled in the second vehicle to the vicinity of the vacation home. A digital dash camera was mounted in the vehicle and was activated to record the surveillance for later reference, which footage was later shared with CHS-2, who provided it to the FBI. External-facing video footage from the camera shows what the conspirators observed of the Governor's neighborhood, while the internal-facing footage captured GARBIN, FRANKS, and the other member inside the vehicle on the way to the vacation home. A review of the dash camera footage revealed GPS data indicating that the vehicle was located in close proximity to the vacation home next to the lake. When the second

vehicle arrived, the team contacted FOX, who was located in the first vehicle, to determine if they could see each other's lights across the lake. GARBIN asked the first vehicle, "Can you see my light?" CROFT asked the second vehicle, "You got our guys?" CHS-2 replied, "We got you."

33. Two of the other individuals and a UCE drove to the lake in the third vehicle. They were tasked by FOX to drive around and make sure no one was following or surveilling the group.

34. During the surveillance operation, FOX stated, "She fucking goddamn loves the power she has right now" and that "she has no checks and balances at all. She has uncontrolled power right now." CROFT stated, "All good things must come to an end." FOX also remarked "I can see several states takin' their fuckin' tyrants. Everybody takes their tyrants." The group also discussed how many people should be involved in the kidnapping operation.

35. During the ride back to GARBIN's property, FRANKS stated "We're doin' all the reconnaissance work, so it should go smooth." After arriving back at GARBIN's property, CHS-2 asked, "Everybody down with what's going on?" and someone stated, "If you're not down with the thought of kidnapping, don't sit here." GARBIN replied, "Oh no, we're not kidnapping, that's not what we're doing," which sparked general laughter. Amidst the laughter, another voice said, "No children!" and a voice added, "We're *adult* napping." FRANKS stated, "Kidnapping, arson, death. I don't care." The group then started discussing destroying the vacation home.

The Conspirators Begin Finalizing Plans to Kidnap Governor Whitmer

36. On the morning of September 13, 2020, the group reconvened at GARBIN's property in Luther, Michigan. FOX gathered CROFT, GARBIN, FRANKS, HARRIS,

CASERTA, CHS-2, the UCEs and two other individuals. CHS-2 recorded the discussion. FOX confirmed with the members that they were the group that was going to kidnap Governor Whitmer. An FBI UCE told FOX that it will cost approximately $4,000 to procure the explosives that FOX and CROFT want to use, to blow up the bridge leading to the vacation home. FOX later shared that information with the group. The group agreed to conduct a final training exercise in late October.

37. On September 14, 2020, FOX posted in the group's encrypted chat that he did not want the exercise to be the last week in October because it would leave insufficient time to execute the kidnapping before the national election on November 3, 2020. The group agreed to use the time until the final training exercise to raise money for explosives and other supplies.

38. On September 17, 2020, on an encrypted group chat that included FOX, GARBIN, FRANKS, HARRIS, CASERTA, CHS-2, and others, FOX asked the group what it thought of a militia group invitation to participate in an armed protest at the State Capitol. GARBIN replied, "I would highly advise minimizing any communication with him. Also there needs to be zero and i mean zero public interaction if we want to continue with our plans." CASERTA replied, "When the time comes there will be no need to try and strike fear through presence. The fear will be manifested through bullets." FOX responded, "Copy that boys, loud and clear!"

39. On September 30, 2020, FOX called CHS-2 on the phone and CHS-2 recorded the conversation. During the call, FOX discussed purchasing a taser for use in the kidnapping operation. FOX also told CHS-2 that CROFT, GARBIN, HARRIS, FRANKS, CASERTA, and others were aware of the $4,000 cost. On October 2, 2020, FOX confirmed he purchased an 800,000 volt taser in an encrypted chat message with CHS-2.

40. FBI's review of recent encrypted group chats indicates that, in preparation for their plan to kidnap Governor Whitmer, FOX, GARBIN, HARRIS, and FRANKS plan to meet with a UCE on October 7, 2020, to make a payment on explosives and exchange tactical gear. CASERTA said he could not attend because he will be at work. CROFT has returned to Delaware and is not available for this exchange.

41. On several occasions, FOX has expressed his intention and desire to kidnap Governor Whitmer before November, 3, 2020, the date of the national election.

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff, No. 1:20-mj-416-SJB

v.

ADAM FOX, BARRY CROFT,
TY GARBIN, KALEB FRANKS,
DANIEL HARRIS AND
BRANDON CASERTA,

Defendants. **PENALTY SHEET**
_____/

CHARGE: Conspiracy to Commit Kidnapping [18 U.S.C. § 1201(c)]

Imprisonment:	Any term of years, up to life	[18 U.S.C. § 1201]
Fine:	Not more than $250,000	[18 U.S.C. § 3571(b)(3)]
Supervised Release:	Not more than 5 years	[18 U.S.C. § 3583(b)(1)]
	Class A felony	[18 U.S.C. § 3559(a)(1)]

Date: 10/6/2020

/s/ Nils R. Kessler
Counsel for the United States

Submitted in accordance with Admin. Order 17-MS-046

Men detonated explosive, used encrypted messages in Whitmer kidnap plot, feds say

detroitnews.com/story/news/local/michigan/2020/10/08/michigan-gov-whitmer-kidnap-livestream/5922742002/



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Men detonated explosive, used encrypted messages in Whitmer kidnap plot, feds say

Officials said the men used encrypted messaging platforms and detonated an explosive wrapped in shrapnel to test its capabilities

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Christine Ferretti and Robert Snell, The Detroit News Published 1:03 p.m. ET Oct. 8, 2020 | Updated 7:58 p.m. ET Oct. 8, 2020
They were tired of being controlled by the "tyrannical government" and hatched a plan that called for an 800,000-volt taser and explosives to ensure its collapse, according to the government.

Militia group members in Michigan and Delaware banded together on plans for a "violent overthrow" that called for the murder of "tyrants" and intricate plans for the abduction of Democratic Gov. Gretchen Whitmer, according to a federal affidavit filed Thursday.

The group spent months convening in remote areas in Michigan and out-of-state for firearm and tactical training. They discussed the need for "200 men" to storm the Capitol building in Lansing and take hostages, including the governor, explaining she would be tried for "treason" by the group before the Nov. 3 election.

In June and July, the group discussed efforts to survey Whitmer's vacation and summer homes, evaluated a potential escape route via boat and discussed calling in experts to help decipher blueprints to plan out the strategy for attack, the affidavit notes.

Elements of the "elaborate plans" by a group of men linked to the militia were detailed Thursday by Michigan Attorney General Dana Nessel and federal officers who came together to thwart what Nessel called a "serious and credible threat" to public safety.

Federal officials charged Adam Fox, Ty Garbin, Kaleb Franks, Daniel Harris and Brandon Caserta of Michigan and Barry Croft of Delaware, with conspiring to kidnap Whitmer.

Andrew Birge, the U.S. attorney for the Western District of Michigan, said the men used operational security measures in their kidnapping plot, including encrypted messaging platforms and even detonated an explosive wrapped in shrapnel to test its capabilities.

"This case is one of the largest cases in recent history that the MSP has been involved in," said Michigan State Police Col. Joe Gasper on Thursday. "The nature of this case is rather unprecedented, but it does send a very vivid reminder that while we may be in a period of discourse, possibly even divisiveness and fighting across the nation, law enforcement stands united."

The FBI became aware of the group's discussions in early 2020 through social media.

Croft and Fox, the affidavit says, agreed to unite others in their cause to take action against state government that they believed was violating the U.S. Constitution.

On June 6, Croft, Fox and about 13 others from several states gathered for a meeting in Dublin, Ohio, near Columbus. Several talked about murdering the "tyrants" or "taking" a sitting governor.

"The group talked about creating a society that followed the U.S. Bill of Rights and where they could be self-sufficient," the FBI agent wrote.

The FBI was already tracking the militia in March after a local police department learned members were trying to obtain addresses of local law-enforcement officers, the FBI agent wrote.

Those present included an FBI confidential source who recorded the meetings. The source has been paid $8,600.

On June 20, the group met in the basement of a Grand Rapids shop accessed through a trap door under a rung on the main floor. The discussions, recorded by a confidential source, covered plans for assaulting the state Capitol and using Molotov cocktails to destroy police vehicles, the affidavit notes.

Later that month and in July, the group continued to meet in Munith, Michigan, in northeast Jackson County and Cambria, Wisconsin, for combat drills. During a July meeting, one member, "attempted to construct an improvised explosive device," the affidavit notes. Another brought, and fired, a rifle with a silencer at the exercise, it says.

On July 18, members met and discussed attacking a Michigan State Police building and "shooting up the governor's vacation home."

By late July, organizers determined the best opportunity to capture Whitmer would be at her vacation home or her summer residence. They would then take her to a secure location in Wisconsin for "trial."

“Snatch and grab, man. Grab the f-----’ Governor. Just grab the b----," said Fox, according to the affidavit. "Because at that point, we do that, dude — it’s over.”

The group discussed intensive mapping of the surrounding property and security, noting plumbers and electricians were needed to help them read blueprints. They communicated through encrypted chats and a private Facebook.

On Aug. 9, they revisited the talks and even discussed blowing up Whitmer's boat.

Harris, according to the affidavit, suggested someone walk to the door, knock and when Whitmer answered "just cap her ... at this point."

Franks, according to the affidavit, had spent $4,000 on a helmet and night vision goggles for the mission. Group members on Aug. 29, located the vacation home, allegedly taking photographs and slow-motion video — they also looked up local law enforcement locations to estimate how long it would take for police to respond.

Fox told the others "we ain’t gonna let ‘em burn our f-----’ state down" and "we'll go out there and use deadly force."

The next day, Fox shared the photo and video on an encrypted chat. There also was a hand-drawn map.

In mid-September, group members constructed an improvised explosive device, or IED, by removing the cap from a commercial firework, adding black powder and "wrapping the device in pennies and electrical tape as shrapnel."

"During the exercise, the group set the device in a clearing surrounded by human silhouette targets, and Croft detonated it to test its anti-personnel effectiveness," the affidavit reads.

On Sept. 12 to Sept. 13, armed group members drove to an area near Whitmer's vacation home in three separate vehicles. They staged near a boat launch across the lake from her property, according to the government.

As members closed on the property, Fox allegedly remarked that Whitmer, who used her emergency authority as governor to implement strict rules amid the COVID-19 pandemic, "loves the power she has right now."

Group members laughed about their plan, with Franks saying: "Kidnapping, arson, death. I don't care."

Thursday's affidavit was filed hours after a team of FBI agents raided a Hartland Township home Wednesday and comes amid an ongoing investigation into the death of a Metro Detroit man killed during a shootout with FBI agents.

Whitmer, during an afternoon news conference, said "hatred, bigotry and violence have no place in the great state of Michigan."

"If you break the law ... we will find you, we will hold you accountable and we will bring you to justice," said Whitmer, saying she's spent the last seven months "making gut-wrenching decisions."

Nessel separately announced on Thursday 19 state charges against seven other individuals pursuant to the state's anti-terrorism act, "all of whom are in custody and linked to the militia group Wolverine Watchmen."

The investigation is the result of months of work that culminated Wednesday night in the execution of a series of search warrants and arrest warrants — both in-state and out-of-state — related to acts of terrorism under Michigan state law.

The suspects, now under arrest, are alleged to have called on the groups' members to identify the home addresses of law enforcement officers in order to target them; made threats of violence to instigate a civil war leading to societal collapse; and engaged in the planning and training for an operation to attack the state Capitol building and kidnap government officials, including Whitmer, a statement from Nessel's office notes.

"There has been a disturbing increase in anti-government rhetoric and the re-emergence of groups that embrace extremist ideologies," Nessel said. "This is more than just political disagreement or passionate advocacy, some of these groups' mission is simply to create chaos and inflict harm upon others."

Search warrants were executed in more than a dozen cities around the state, including Belleville, Cadillac, Canton, Charlotte, Clarkston, Grand Rapids, Luther, Munith, Orion Township, Ovid, Portage, Shelby Township and Waterford Township.

Further individuals include Paul Bellar, 21, of Milford; Shawn Fix, 38, of Belleville; Eric Molitor, 36, of Cadillac; Michael Null, 38, of Plainwell; William Null, 38, of Shelbyville; Pete Musico, 42; and Joseph Morrison, 26, who live together in Munith.

Null and Molitor were arraigned Thursday before Antrim County Magistrate Jessica Allmand. A cash bond of $250,000 was set for William and Michael Null, while Molitor's bond was set at $250,000, 10%. Their probable cause conferences are set for 1 p.m. Oct. 14, and their preliminary exams are scheduled for Oct. 21.

Musico and Morrison were expected to be arraigned in Jackson County. Fix is in custody, and his arraignment is pending in Antrim County.

cferretti@detroitnews.com

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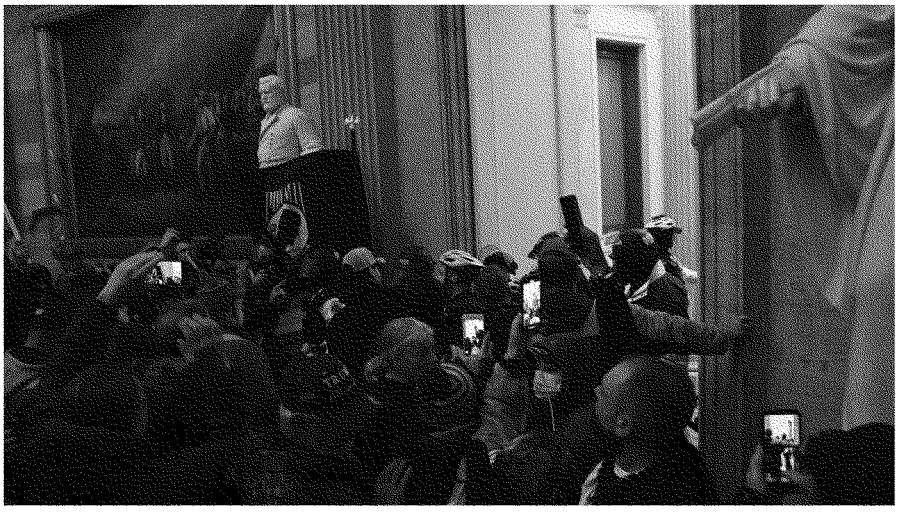
Several More Arrested After Capitol Riot, Including Man With 11 Molotov Cocktails: Feds

nbcwashington.com/news/several-arrested-after-capitol-riot-including-man-accused-of-having-11-molotov-cocktails-in-truck/2535100/



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Editor's Note (Jan. 10, 2021, 7:45 p.m. ET): This story is no longer being updated. For updates on Jan. 10, 2021, see Dozens Arrested For Capitol Riot After Feds Find Guns, Violent Threats and Molotov Cocktails.

Authorities have made a series of arrests following the riots at the Capitol. The U.S. Department of Justice announced several cases Friday and Saturday with some deeply disturbing allegations.

Authorities say they have charged several rioters who were allegedly captured in photos and videos that went viral in the aftermath, including an Arizona man seen in a horned hat and carrying a spear and a Florida man accused of carrying through the Capitol a lectern that reportedly is used by House Speaker Nancy Pelosi.

Another is the case announced against Alabama resident Lonnie Coffman. U.S. Capitol Police officers saw the handle of what appeared to be a firearm in a pickup truck registered to Coffman, police said. Members of the Capitol police bomb squad searched the truck and found 11 Molotov cocktails and a cache of firearms, including an automatic weapon.

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Police stopped Coffman returning to his truck that evening and found he was carrying two handguns, police said. The 11 mason jars found in the truck contained melted Styrofoam and gasoline, Coffman told police. That combination has the effect of napalm because it causes the flammable liquid to better stick to objects when detonated, according to the Bureau of Alcohol, Tobacco, Firearms and Explosives.

Coffman is charged with unlawful possession of a destructive device, carrying a maximum sentence of 10 years, and carrying a pistol without a license, carrying a maximum sentence of years. He is in custody pending a hearing on Tuesday.

There's been no response from Coffman's lawyer yet.

Federal officials also said they arrested a West Virginia state delegate, Derrick Evans, who is believed to have filmed himself storming the Capitol. He represents the 19th District of West Virginia in the state legislature.

Evans, a Republican, had just been elected to his seat in the legislature. He resigned on Saturday.

He has not yet responded to a request for comment.

Richard Barnett, who was photographed on Wednesday with his feet on Speaker of the House Nancy Pelosi's desk, was arrested Friday, according to law enforcement officials.

Also under arrest is Richard Barnett of Arkansas, the man suspected of illegally entering House Speaker Nancy Pelosi's office, putting his feet up on the desk and taking mail. He will face unlawful entry charges and mail theft charges.

Adam Johnson, a Florida man accused of carrying a lectern through the States Capitol as seen in a viral photo, has been arrested and booked into the Pinellas County Jail.

Thirteen people, including Barnett and Coffman, were charged by the end of Friday night in D.C. federal court, the Department of Justice announced. The FBI and Department of Justice say they've assigned hundreds of officers and prosecutors to handle cases from the Capitol unrest.

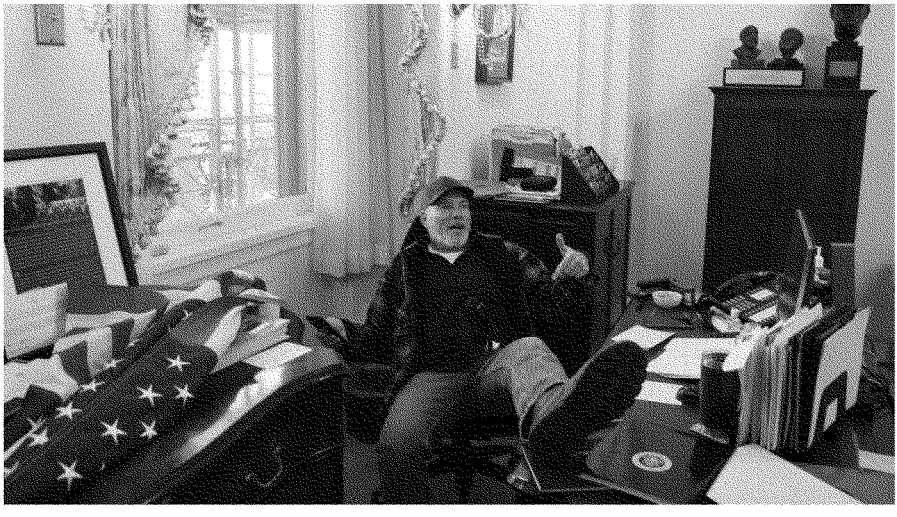
Mark Leffingwell allegedly entered the Senate side of the Capitol then hit an officer in the helmet and chest on Capitol Grounds. He is now charged with assault on a federal law enforcement, unlawful entry and other charges, the Department of Justice says.

Leffingwell will be held in custody for at least three days, News4 learned Saturday.



Donald Trump Jan 8

West Virginia State Legislator Derrick Evans Charged With Illegally Entering U.S. Capitol During Riot



Nicholas Ochs, who is allegedly the head of the Hawaii chapter of the Proud Boys, is scheduled for his court appearance at U.S. District Court in Hawaii.

Federal prosecutors showed photos of Ochs in the court filings, alleging he was unlawfully in the Capitol and smoking a cigarette during the unrest.

A Maryland man, Christopher Alberts, was charged with having two guns and ammunition near the Capitol, the Justice Department said.

Cleveland Grover Meredith, Jr. was also arrested for making "interstate threats to Speaker Nancy Pelosi," according to the Justice Department.

. Investigators allege Meredith texted others that he would be "putting a bullet" in Pelosi's head.

Although he did not arrive in the District in time for the pro-Trump rally, Meredith was found to be in possession of "a box of suspected THC edibles and a vial of testosterone cypionate/propionate," unregistered firearms and hundreds of rounds of ammunition, the FBI said.

At least 14 more people are facing charges for the chaos at the U.S. Capitol. The charging documents include some very troubling allegations. News4's Scott MacFarlane has been looking through the records and asking questions of the Justice Department.

In one text, Meredith said, "Thinking about heading over to Pelosi (obscenity) speech and putting a bullet in her noggin on Live TV [purple devil emoji]." In another, he asked, "How much u give me to go trench the Capital lawn with ma big truk?"

Charged with violent entry and knowingly entering a restricted building or grounds, among other charges, are: Barnett; Leffingwell; Matthew Council, of Florida; Cindy Fitchett, of Virginia; Michael Curzio, of Florida; Douglas Sweet, of Florida; Bradley Ruskelas, of Illinois; Terry Brown, of Pennsylvania and Thomas Gallagher.

Those six were arrested after refusing to leave the upper level of the U.S. Capitol Visitor Center. Officers pulled them from a larger crowd and handcuffed them, according to court documents.

About 40 people have been arrested and charged in Superior Court with offenses including unlawful entry, curfew violations and gun-related crimes, authorities said.

Twitter announced on Friday that it has permanently suspended President Donald Trump from the platform for using language that was "highly likely to encourage and inspire people to replicate the criminal acts that took place at the U.S. Capitol."

U.S. Rep. Gerry Connolly, D-Virginia, says more charges against more people are clearly warranted.

"Anyone who participated in the insurrection and the occupation of the United States Capitol, which is illegal, should be held to a lawful account and brought to justice," Connolly said.

Larry Cosme, the head of the Federal Law Enforcement Officers Association, says more charges are warranted against more people.

"Anyone that tries to injure men and women in the law enforcement community, federal, state or local will face severe consequences," Cosme said.

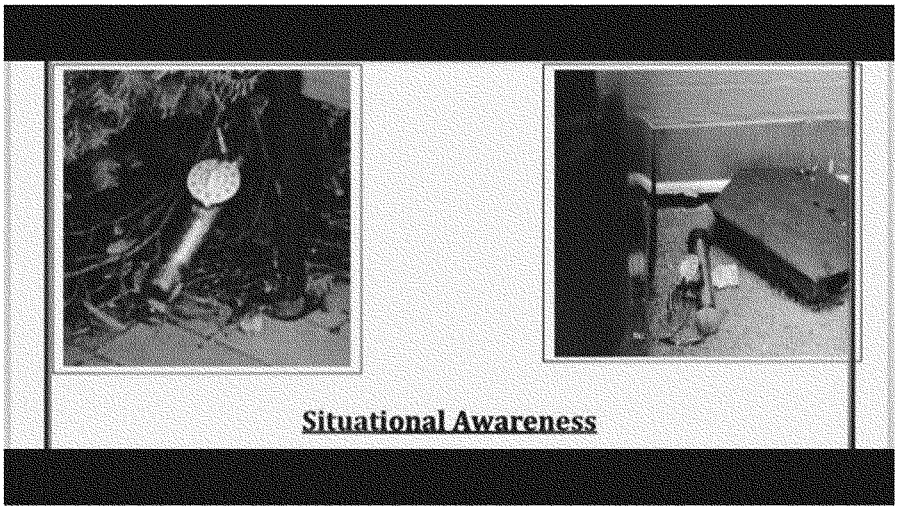
Federal officials said there's no indication that Antifa was involved.

These individuals are wanted by D.C. police and the FBI for unlawful entry, stolen property and other charges. **Click on a photo for more information.**

Credit: Nelson Hsu/NBC, Anisa Holmes/NBC Washington

2 pipe bombs and cooler of Molotov cocktails found near Capitol Building amid Capitol riot, DC Police Chief says

9: wusa9.com/article/news/national/capitol-riots/washington-dc-pipe-bombs-and-cooler-of-molotov-cocktails/65-d3fe68e9-0b79-4882-95ed-070da6abf2ee



Capitol Riots

Chief Contee said that a plain-clothes US Capitol Police officer is the one who shot and killed a woman inside the US Capitol Building.



WASHINGTON — DC Police said two pipe bombs and a cooler of Molotov cocktails were found near the US Capitol Building while Trump supporters began to riot in the area, eventually breaking into the building.

Police Chief Robert Contee III announced the findings during the late Wednesday news conference that involved DC Mayor Muriel Bowser.

The pipe bombs were found outside of the local DNC and RNC offices, respectively. The pipe bombs were found inside a car, where a long gun was also discovered.

DC police responded to the US Capitol Building after multiple calls to its dispatch units and at the request of US Capitol Police. They assisted in clearing pro-Trump rioters from the area after the building was overrun and in removing the pipe bombs and Molotov cocktails.

> #CapitolBuilding Law enforcement bulletin suspected IEDs - at least one near Cap Hill - "As of this writing MPD EOD units are in the process of disrupting the devices which appear to be Improvised Explosive Devices"+ unknown if devices are "legitimate or hoaxes." @CBSNews pic.twitter.com/Mq1kkNkxkO
>
> — Catherine Herridge (@CBS_Herridge) January 6, 2021

Chief Contee said that a plain-clothes US Capitol Police officer is the one who shot and killed a woman inside the US Capitol Building.

Contee said his department will review the shooting. He offered condolences with the family of the woman who lost her life.

RELATED: Woman shot inside U.S. Capitol building during riots dies from injuries

Multiple police departments and agencies in the region responded to help riots in DC, including Virginia State Police, Maryland State Police, Prince William County Police, Fairfax County Police, New Jersey State Police, Arlington County Police, multiple National Guard units, US Park Police, Prince George's County Police.

U.S. Capitol Police ordered the Capitol locked down around 2:30 p.m. on Wednesday and evacuations of two Capitol campus buildings — the Library of Congress James Madison Memorial Building and the Cannon House Office Building — as protests raged at the Capitol complex.

Shortly after President Trump addressed his supporters vowing "never to concede" the election in a speech on the Ellipse, large crowds of Trump supporters marched to the U.S. Capitol and squared off with Capitol Police. Rioters broke through several barriers placed at the steps of Capitol, while the certification of Electoral College votes began inside.

US Park Police, DC Police and National Guard troops worked to move Trump supporters and rioters from the steps of the US Capitol Building to create a safety perimeter as the city's curfew went into effect at 6 p.m.

Tear gas and percussion grenades have been deployed by police around the US Capitol to move back rioters, according to the Associated Press.

DC's Mayor Muriel Bowser announced a curfew from 6 p.m. Wednesday to 6 a.m. Thursday for people inside Washington.

RELATED: Public Emergency in effect in DC for 15 days after Capitol riots

Virginia's Ralph Northam also announced a State of Emergency for the Commonwealth and put Arlington and Alexandria under a 6 p.m. to 6 a.m. curfew because of the violence seen in DC.

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President Trump prompts anti-Whitmer chants of 'lock her up'

detroitnews.com/story/news/local/michigan/2020/10/17/president-trumps-return-michigan-draws-thousands-muskegon/3677360001/



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President Trump prompts anti-Whitmer chants of 'lock her up'

The president told supporters to "watch those ballots" and insisted that Gov. Gretchen Whitmer needs to relax more COVID-19 restrictions

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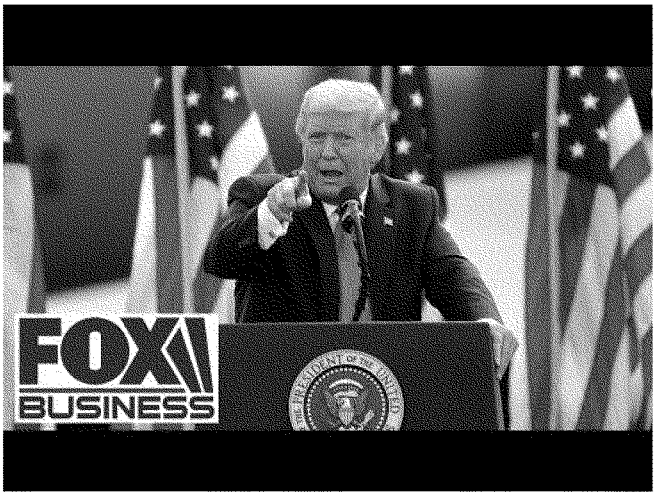
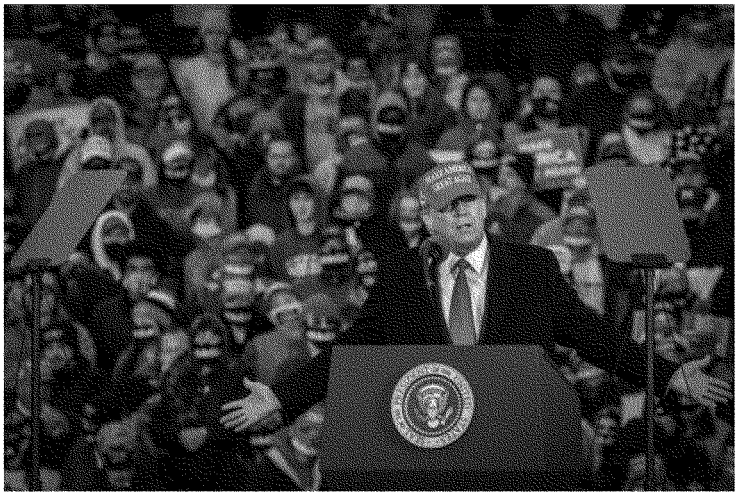


Watch Video At: https://youtu.be/mFUQvY4UxKo

Craig Mauger, The Detroit News Published 4:39 p.m. ET Oct. 17, 2020 | Updated 8:35 a.m. ET Oct. 18, 2020

Muskegon — President Donald Trump tried to tie Democratic rival Joe Biden to the radical left of his party and told his supporters to "watch those ballots"during a Saturday rally attended by thousands of people outside an airport hangar in Muskegon.

The Republican president also insisted that Gov. Gretchen Whitmer needs to relax more COVID-19 restrictions, even though the Michigan Supreme Court already invalidated her emergency executive orders because the 1945 law she relied on was unconstitutional. She has since had her state Department of Health and Human Services issue new epidemic orders to wear masks and limit the capacities of businesses.



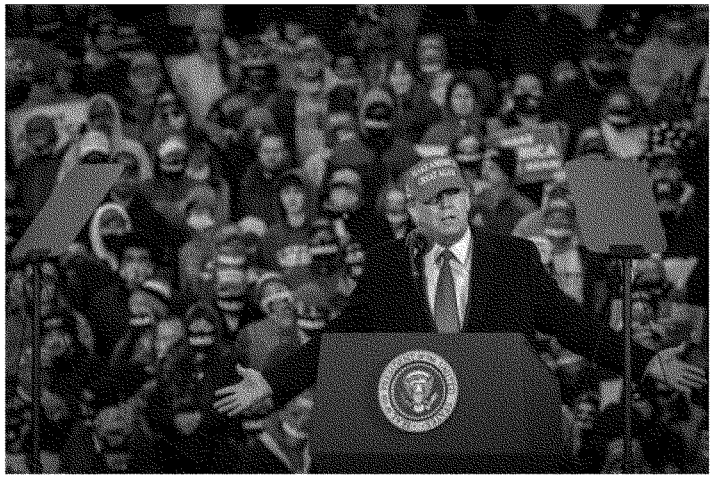
Buy Photo
U.S. President Donald Trump speaks to supporters at a rally at Muskegon County Airport in Muskegon on Oct. 17, 2020. (Photo: Chris duMond, Special to The Detroit News)

"You've got to get your governor to open up her state." Trump said to cheering. "And get your schools open. ... The schools have to be open."

Michigan's schools have been given the option of holding in-person classes or holding courses online. Many larger school districts have chosen to go with online courses, while others have done in-person classes or a mixture of online or in-person classes.

In response to Trump's statement, the crowd started chanting about the first-term Democratic governor: "Lock her up, lock her up, lock her up."

At another point, Trump raised concerns about the handling of the upcoming election by Whitmer and Attorney General Dana Nessel, another Democrat. He said Whitmer and Nessel are in charge of the ballots in the state.



U.S. President Donald Trump speaks to supporters at a rally at Muskegon County Airport in Muskegon on Oct. 17, 2020. Chris duMond, Special to The Detroit News

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Friends Anthony Netti (left, 16) of Grand Rapids and Ethan Phillips (16) of Middleville attend their first Trump rally. Netti stated "I'm so excited to see President Trump. I've been waiting for this for forever and I'm finally getting to see him in person." President Donald Trump spoke to supporters at a rally at Muskegon County Airport in Muskegon on Oct. 17, 2020. Chris duMond, Special to The Detroit News

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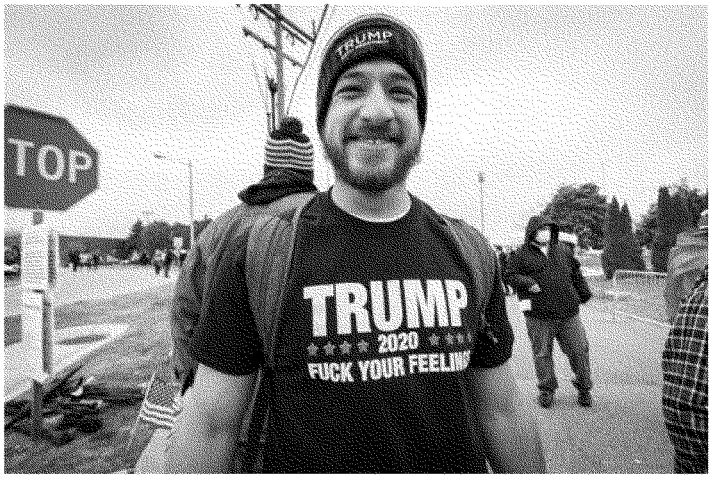

David Smith of Ludington waits in line to enter the rally. President Donald Trump spoke to supporters at a rally at Muskegon County Airport in Muskegon on Oct. 17, 2020. Chris duMond, Special to The Detroit News

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Flora Stout of Norton Shores gets a wristband in line indicating she's been temperature-checked. President Donald Trump spoke to supporters at a rally at Muskegon County Airport in Muskegon on Oct. 17, 2020. Chris duMond, Special to The Detroit News

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Glenn Kangas, 82, from Cadillac stands with a sign in support of Donald Trump outside the rally. President Donald Trump spoke to supporters at a rally at Muskegon County Airport in Muskegon on Oct. 17, 2020. Chris duMond, Special to The Detroit News



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A queue forms outside the rally for U.S. President Donald Trump at Muskegon County Airport in Muskegon on Oct.17, 2020. Chris duMond, Special to The Detroit News

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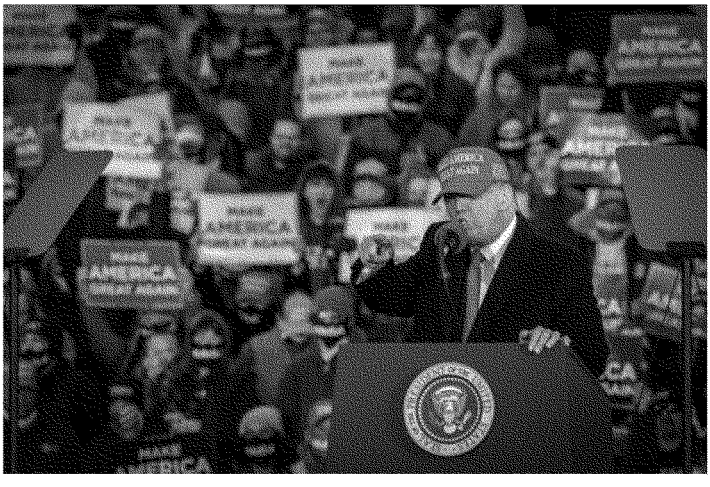

U.S. President Donald Trump speaks at a rally at Muskegon County Airport in Muskegon on Oct. 17, 2020. Chris duMond, Special to The Detroit News

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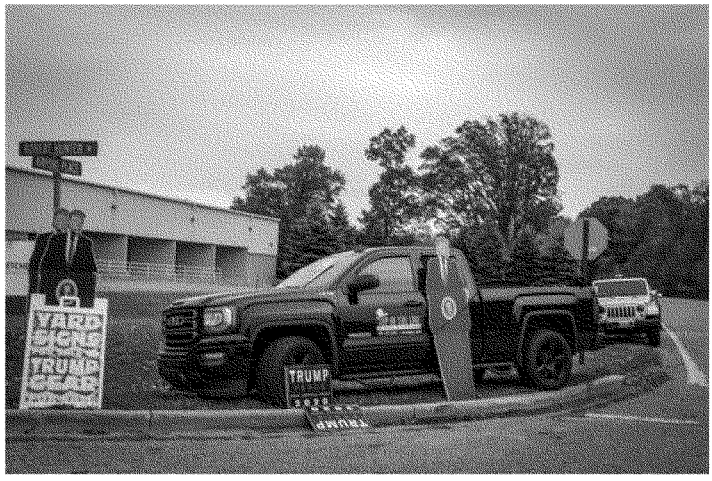

Cardboard cutouts of Donald Trump are for sale outside the rally. U.S. President Donald Trump speaks at a rally at Muskegon County Airport in Muskegon on Oct. 17, 2020. Chris duMond, Special to The Detroit News

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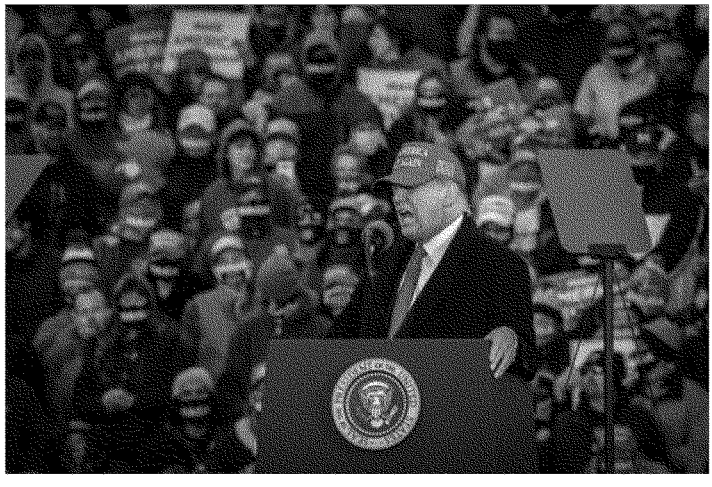

U.S. President Donald Trump speaks to supporters at a rally at Muskegon County Airport in Muskegon on Oct. 17, 2020. Chris duMond, Special to The Detroit News

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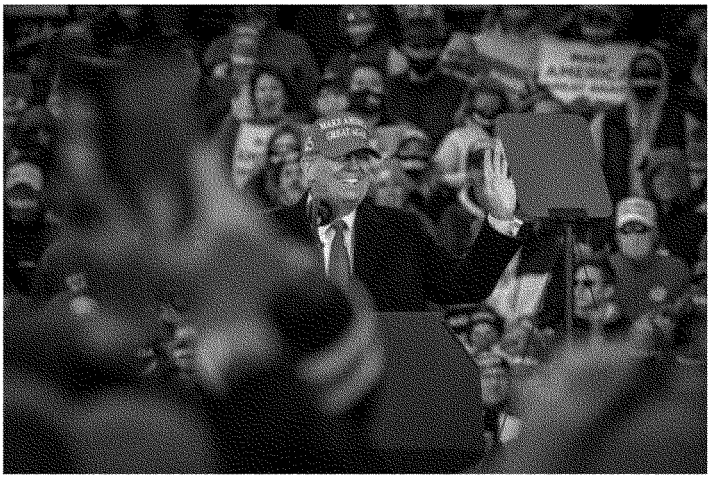

U.S. President Donald Trump speaks to supporters at a rally at Muskegon County Airport in Muskegon on Oct. 17, 2020. Chris duMond, Special to The Detroit News

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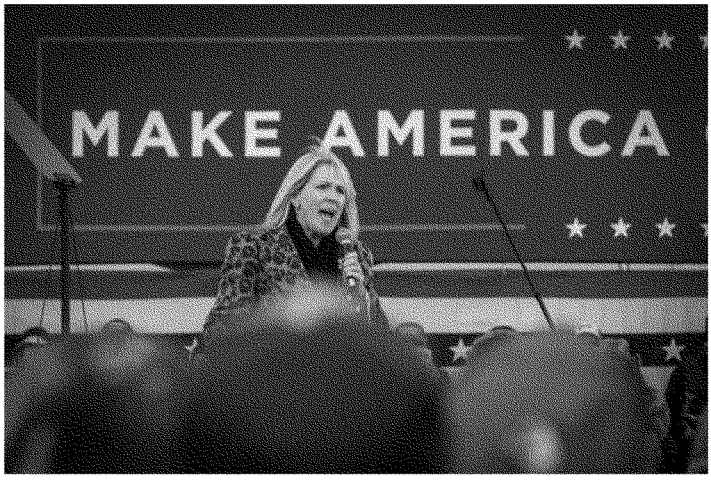

Michigan GOP chairwoman, Laura Cox, addresses the crowd before President Donald Trump speaks to supporters at a rally at Muskegon County Airport in Muskegon on Oct. 17, 2020. Chris duMond, Special to The Detroit News

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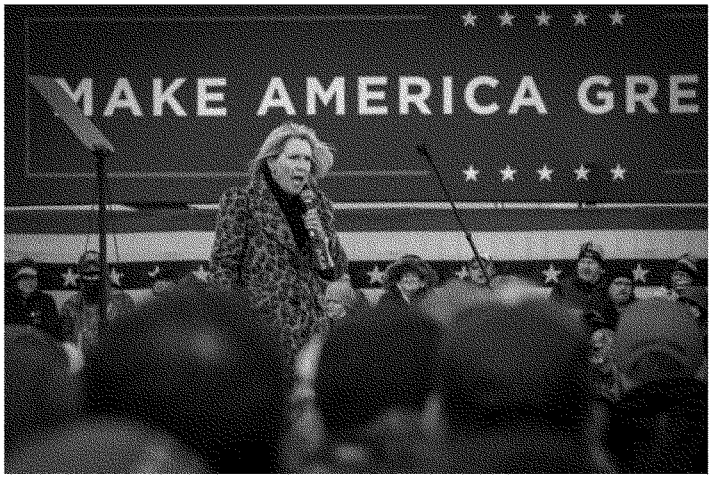

Michigan GOP chairwoman, Laura Cox, addresses the crowd before President Donald Trump speaks to supporters at a rally at Muskegon County Airport in Muskegon on Oct. 17, 2020. Chris duMond, Special to The Detroit News

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Michigan GOP chairwoman, Laura Cox, addresses the crowd before President Donald Trump speaks to supporters at a rally at Muskegon County Airport in Muskegon on Oct. 17, 2020. Chris duMond, Special to The Detroit News

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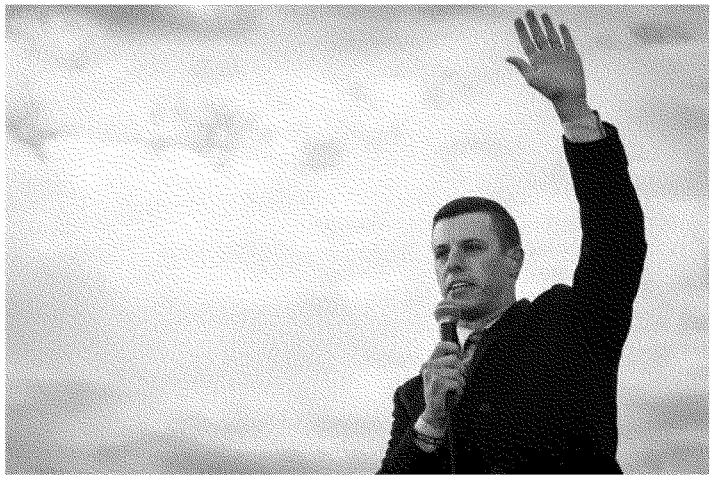

Michigan House Speaker Lee Chatfield addresses the crowd before President Donald Trump speaks at a rally at Muskegon County Airport in Muskegon on Oct.17, 2020. Chris duMond, Special to The Detroit News

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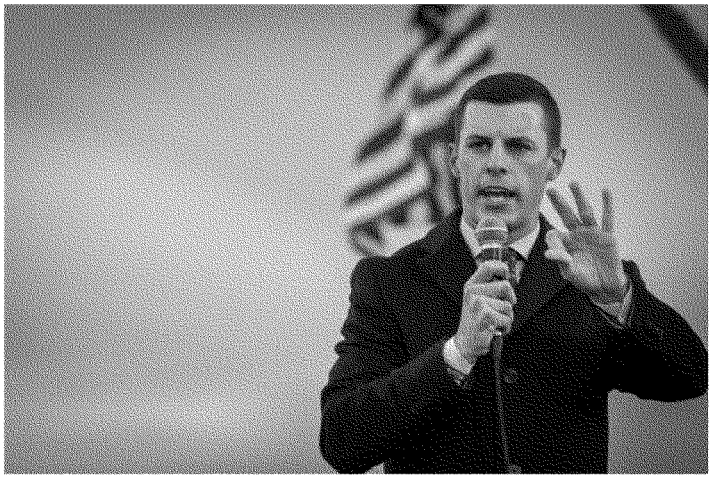

Michigan House Speaker Lee Chatfield addresses the crowd before President Donald Trump speaks at a rally at Muskegon County Airport in Muskegon on Oct.17, 2020. Chris duMond, Special to The Detroit News

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Ted Nugent plays the American national anthem at a rally for President Donald Trump at Muskegon County Airport in Muskegon on Oct. 17, 2020. Chris duMond, Special to The Detroit News

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Rally attendees get a wristband indicating they've been temperature-checked. President Donald Trump spoke to supporters at a rally at Muskegon County Airport in Muskegon on Oct. 17, 2020. Chris duMond, Special to The Detroit News

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A rally attendee holds a mask and gets their temperature checked by a volunteer. Chris duMond, Special to The Detroit News

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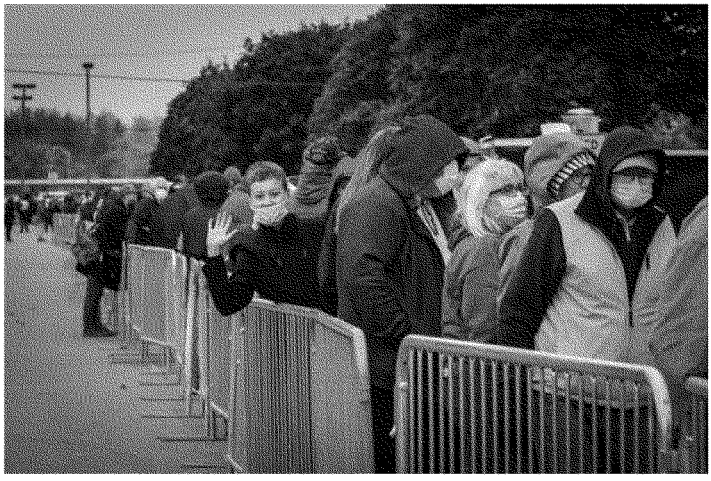

Luke Davis, 10, of East Muskegon stands in line to attend the rally. U.S. President Donald Trump speaks at a rally at Muskegon County Airport in Muskegon on Oct. 17, 2020. Chris duMond, Special to The Detroit News

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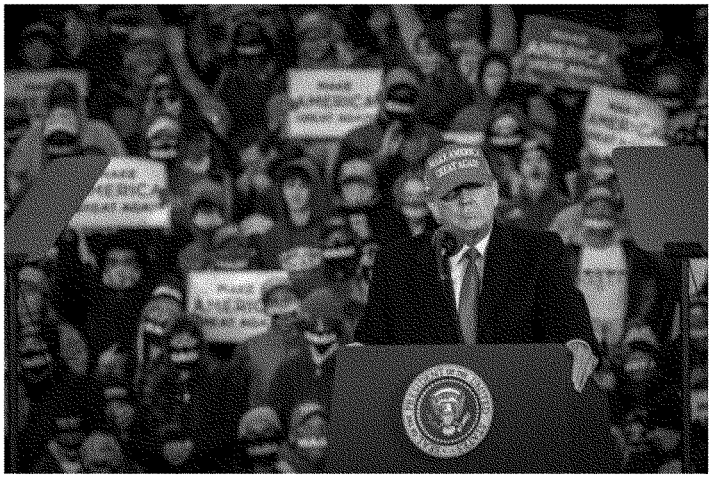

President Donald Trump speaks to supporters at a rally at Muskegon County Airport in Muskegon on Oct. 17, 2020. Chris duMond, Special to The Detroit News

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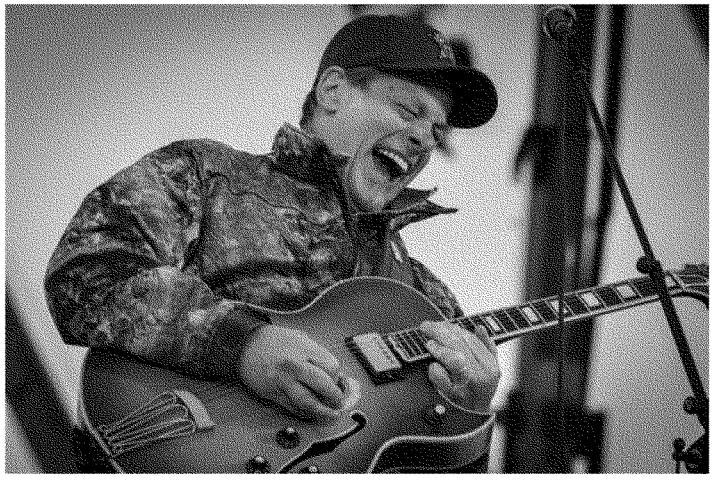

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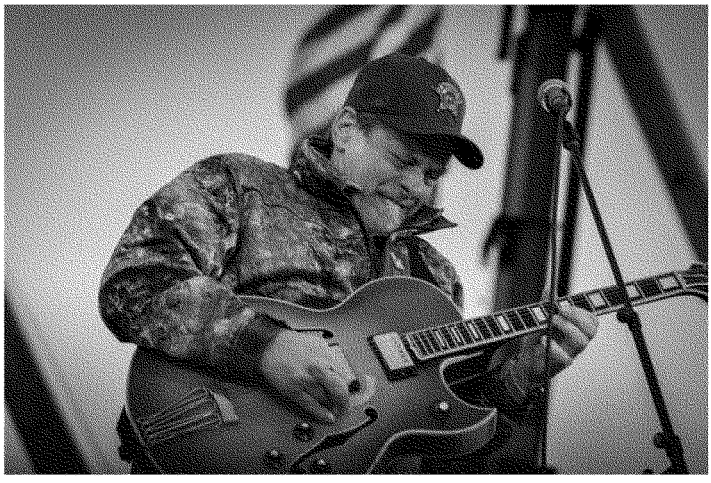

Ted Nugent plays the American national anthem at a rally for President Donald Trump at Muskegon County Airport in Muskegon on Oct. 17, 2020. Chris duMond, Special to The Detroit News

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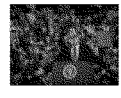



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But Secretary of State Jocelyn Benson, another Democrat, is Michigan's top election official. In May, the president threatened federal funding for Michigan and erroneously said Benson planned to send absentee ballots to all voters, when the Detroit Democrat instead sent voters applications for the ballots ahead of the elections.



"So how the hell do I put my political and our country's political life in the hands of a pure partisan like that?" Trump said. "So you've got to watch it. Watch those ballots. Watch what's going."

"Law enforcement is watching," he added.



The "lock her up" chant was reminiscentof Trump's campaign audiences from 2016, who chanted the phrase when Trump said Democrat Hillary Clinton should be locked up for sending emails over an insecure server in her home as secretary of state. Then FBI Director James Comey said Clinton shouldn't be prosecuted.




MAKE AMERICA


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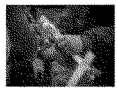
















President Donald Trump speaks during a campaign rally at Muskegon County Airport, Saturday, Oct. 17, 2020, in Norton Shores. (Photo: Alex Brandon, AP)

The chants in Muskegon also came after federal and state authorities charged 14 men over an alleged plot to kidnap Whitmer, storm the Michigan Capitol and potentially start a civil war.

The Democratic governor responded on Twitter: "This is exactly the rhetoric that has put me, my family, and other government officials' lives in danger while we try to save the lives of our fellow Americans. It needs to stop."

> This is exactly the rhetoric that has put me, my family, and other government officials' lives in danger while we try to save the lives of our fellow Americans. It needs to stop. https://t.co/EWkNQx3Ppx
>
> — Governor Gretchen Whitmer (@GovWhitmer) October 17, 2020

Whitmer also criticized Trump in the wake of the plot's revelation for not denouncing white supremacists and hatred.

The Republican president said at the rally that the Democratic governor should have thanked him since federal authorities foiled the plot against her, reiterating what he said on Twitter more than a week ago. "I do not tolerate any extreme violence," Trump tweeted. "Defending ALL Americans, even those who oppose and attack me, is what I will always do as your President!"

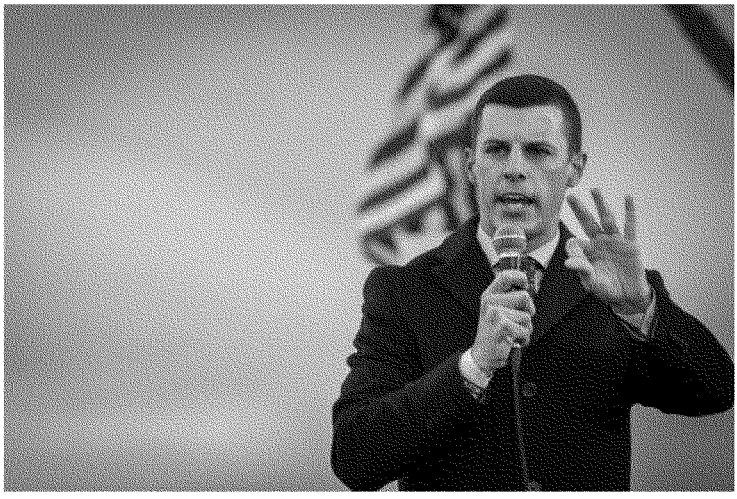
U.S. Sen. Gary Peters, D-Bloomfield Township, came to Whitmer's defense.

"The president continues to fan the flames of division and hatred," Peters tweeted. "I stand with Governor @GretchenWhitmer."

During the rally, Trump promoted Peters' Republican challenger John James and called the junior senator from Michigan the senator "nobody's heard of."

Lt. Gov. Garlin Gilchrist II turned the moment into a campaign pitch.

"We have a choice between two types of presidents in this election: @JoeBiden, a deeply caring human, who called @gretchenwhitmer to check in after the kidnapping plot. Or this guy — a superspreader of hate and divisiveness...," Gilchrist tweeted.



Buy Photo
Michigan House Speaker Lee Chatfield addresses the crowd before President Donald Trump speaks at a rally at Muskegon County Airport in Muskegon on Oct.17, 2020. (Photo: Chris duMond, Special to The Detroit News)

Michigan House Speaker Lee Chatfield, R-Levering, chastised the audience members for their chant in a tweet after the event while indicating he is excited to vote for Trump again..

"And no, Trump didn't chant 'lock her up' about our Governor. But others did and it was wrong," Chatfield wrote. "She was literally just targeted. Let's debate differences. Let's win elections. But not that."

'They crave power'

At the rally, Trump also insisted that Biden would be beholden to democratic socialists and radical leftists if elected.

"They crave power, and God help us if they get it," he said.

As an example, the president pointed to the firing of a Michigan teacher for tweeting about Trump. Whoever the person is, "we love you," Trump said.

Walled Lake teacher Justin Kucera was fired after tweeting about Trump and "liberals." Kucera, a 28-year-old social studies teacher at Walled Lake Western High School, wasn't fired for a tweet supporting the president but for a reply that later was deleted saying, "liberals suck man," according to a copy of the teacher's personnel file obtained by The Detroit News through a public records request.

Kucera was offered his job back a day after his story went viral, but declined the offer on the belief that "the issue would follow him into the classroom."

The official reason for the teacher's termination was a lack of professional judgment,according to a July 17 termination letter that followed two Zoom meetings in which he was asked about his July 6 tweets about the president and liberals.



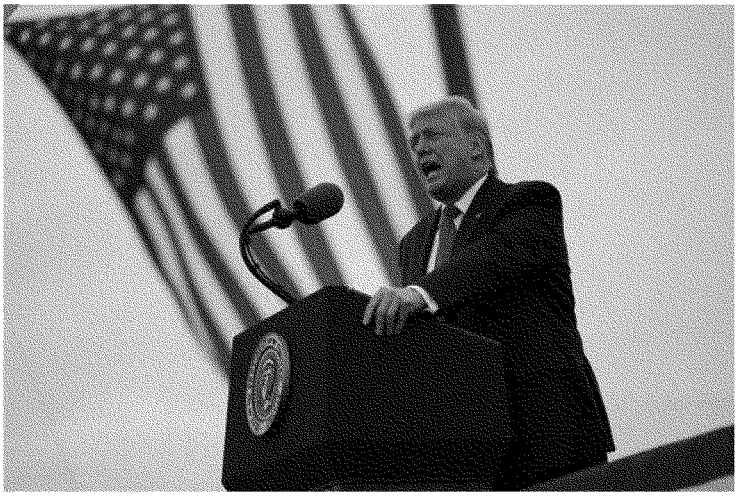
President Donald Trump arrives at a campaign rally, Saturday, Oct. 17, 2020, in Norton Shores. (Photo: Carlos Osorio, AP)

The July 10 and July 15 Zoom meetings were not recorded, but accounts from two employees who attended the meetings indicate that Kucera said he was attempting to be sarcastic when he wrote "Liberals suck man." He took the post down when he realized "that sarcasm does not come across well on Twitter."

Trump also made numerous exaggerations during his 90-minute speech. He again said 2019 was Michigan's best year, a claim that some economists have rejected. At another point, he said Biden would "turn Michigan into a refugee camp."

The crowded event in Muskegon came 17 days before the Nov. 3 election and as the state experienced its largest number of cases in a week since the pandemic began at 10,241 cases. The previous weekly high was 9,768 during April 5-11.

“I think this is an indicator to the country that the state of Michigan is well in play,” Chatfield said Saturday afternoon. “The fact that Joe Biden and President Trump are both visiting Michigan is something that should concern Democrats across the country.



President Donald Trump speaks during a campaign rally last month in Freeland, Michigan. (Photo: Evan Vucci, AP)

"All eyes are on Michigan again. We were here four years ago and it's going to be the same result."

Trump won the state by 10,704 votes in 2016, his smallest margin of victory nationally.

Trump's son, Eric, Vice President Mike Pence and his daughter-in-law Lara visited Michigan in the last six days. Daughter Ivanka Trump is headed to Alto on Monday, the Trump campaign said Saturday.

The campaign has also increased its television ad spending here this week, according to data from the nonprofit Michigan Campaign Finance Network.

But polling has shown the president behind Biden in key battleground states, including Michigan. Biden led Trump 48% to 39% in a Detroit News-WDIV poll of 600 likely Michigan voters, who were surveyed from Sept. 30 through Oct. 3. The poll had a margin of error of plus-minus 4 percentage points.

Trump last visited the state on Sept. 10, when he drew thousands of people to an airport hangar in Freeland, near Midland and Saginaw.

Biden has visited three times since the start of September, stopping in Detroit and Warren on Sept. 9, Grand Rapids on Oct. 2 and Southfield and Detroit on Friday.

In Southfield, the former vice president slammed Trump for not doing enough to combat the COVID-19 pandemic and racism in the country.

Unlike Trump, who has been holding large outdoor rallies across the country, Biden has spoken at small events — usually not open to the public — with dozens of people wearing masks and socially distanced six feet apart from one another. The former Delaware senator held a Friday evening car rally at Detroit's State Fairgrounds.

The country hasn't "turned the corner" when it comes to the pandemic, Biden said Friday.

"It's not disappearing. In fact, it's on the rise again," he said.

Michigan has reported its two largest days ever for new COVID-19 cases this week with 2,030 new cases on Thursday and 2,015 new cases on Friday amid fears that a second wave of the virus could be hitting the state.

Glenn Kangas, 82, of Cadillac was one of thousands gathered in Muskegon for the president's rally. Kangas wore an N95 mask and held a sign that said "Biden elected. USA gone."

"I'm a little bit reluctant to come to these things. But I'm trying to be careful," said Kangas, who added that he been at the venue since 10 a.m.



Supporters of President Donald Trump cheer as he speaks at a campaign rally, Saturday, Oct. 17, 2020, in Norton Shores. (Photo: Carlos Osorio, AP)

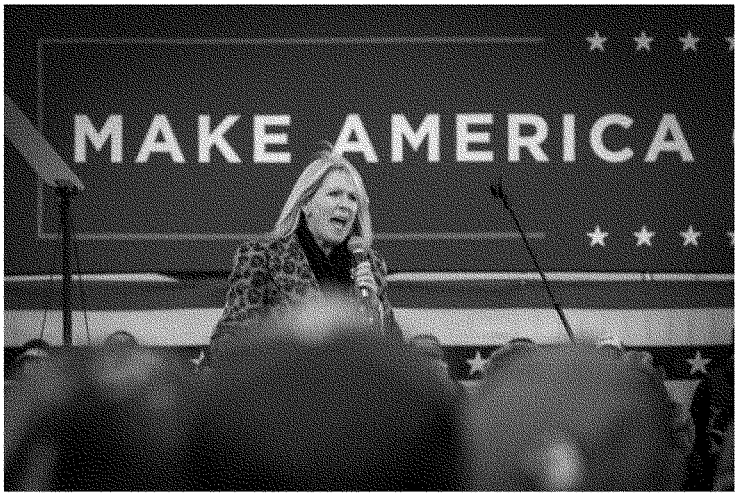
During a Saturday press conference, state Rep. Terry Sabo, D-Muskegon, called the Trump rally in his county "very concerning." He said it seemed like Trump was focused on "doing whatever it takes to get re-elected" instead of doing what's best for public safety.

"It's putting the health of the residents here in Muskegon County at risk," Sabo said. "We have people coming from all over the place to be a part of this rally, and history has shown that the president doesn't necessarily care about public safety when it comes to wearing a mask, doing the simple things that can prevent this virus, limiting the crowd sizes."

Located along Lake Michigan, Muskegon County is Michigan's 12th largest county.

In 2012, President Barack Obama beat Republican Mitt Romney in the county by 13,552 votes. Four years later, Clinton beat Trump here by 1,177 votes — a four-year difference that was more than Trump's overall margin of victory in Michigan.

"He nearly won it," Michigan Republican Party Chairwoman Laura Cox said about Trump's performance in Muskegon County in 2016. "He clearly has a strategy to win, and that's why he's here."



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Michigan GOP chairwoman, Laura Cox, addresses the crowd before President Donald Trump speaks to supporters at a rally at Muskegon County Airport in Muskegon on Oct. 17, 2020. (Photo: Chris duMond, Special to The Detroit News)

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Woman charged in Capitol riot said she wanted to shoot Pelosi 'in the friggin' brain,' FBI says

washingtonpost.com/dc-md-va/2021/01/29/dawn-bancroft-capitol-riot-pennsylvania-pelosi/

By Meryl Kornfield January 30, 2021



Federal authorities arrested two women in Pennsylvania on Friday on charges related to the storming of the U.S. Capitol building after the FBI said one of the women expressed an intent to shoot House Speaker Nancy Pelosi (D-Calif.).

News of their arrest and alleged threats come amid heightened security for U.S. lawmakers.

Dawn Bancroft and Diana Santos-Smith were identified by law enforcement after the FBI said it received a tip on Jan. 12 with a video purportedly capturing the two women as they left the U.S. Capitol on Jan. 6 amid a large mob of people, according to a criminal complaint.

"We broke into the Capitol. . . . We got inside, we did our part," Bancroft said in the video she sent to her children, according to the FBI. "We were looking for Nancy to shoot her in the friggin' brain, but we didn't find her."

The women — who the FBI said initially lied to authorities — face three federal charges, including knowingly entering a restricted building or grounds without lawful authority and impeding in government business by engaging in disorderly or disruptive conduct in a restricted building or grounds.

Information about their initial appearances in the U.S. District Court for the Eastern District of Pennsylvania was not immediately available. The women could not be reached Friday evening.

Bancroft and Santos-Smith, both donning red Make America Great Again hats, were among countless Trump supporters who entered the Capitol in a violent, chaotic scene meant to halt election certification proceedings, according to prosecutors. At least 160 people have been charged in federal court with crimes related to the riot.

Around Inauguration Day, Santos-Smith first told the FBI she attended Trump's rally but did not enter the Capitol building, according to the complaint. When FBI agents showed her the video in which Bancroft remarks about Pelosi, Santos-Smith admitted she lied and said she was in the Capitol to protest but had not planned it, the FBI said.

Santos-Smith told the FBI that, before entering the building, she heard people in the crowd saying "they're letting us in" to the Capitol. She then admitted to climbing over a wall, going under or through scaffolding and entering the building through a broken window, according to the FBI.

Both Bancroft and Santos-Smith told authorities that they were in the building for no more than a minute and denied entering offices. They said they deleted the videos they took from inside the Capitol, according to authorities, and Bancroft, who sent the footage to her children, instructed them to also delete what she shared.

Santos-Smith told the FBI she tried to get rid of the videos she took to prevent law enforcement from discovering it.

Videos and photos captured by those in the Capitol, as well as their own cellular data, have been used against them in criminal cases stemming from the attack.

On Thursday, Capitol Police asked members of Congress to report travel plans, while the agency beefed up protection for traveling lawmakers in major airports in the region, as well as Washington's Union Station. Pelosi said that part of the threat is an "enemy" within the chamber, referencing colleagues who "want to bring guns on the floor and have threatened violence on other members of Congress."

Rep. Cori Bush, a freshman Democrat from Missouri, said Friday she requested to move her Capitol office away from Rep. Marjorie Taylor Greene, claiming the Georgia Republican "berated" her in the hallway without a mask.

Read more:

How Rep. Marjorie Taylor Greene, promoter of QAnon's baseless theories, rose with support from key Republicans

MEDIAMATTERS
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"Stop The Steal" organizer bragged about a phone call with "people from the White House" weeks before the insurrection

In the same video, Ali Alexander also appeared to advocate for violence against lawmakers

WRITTEN BY OLIVIA LITTLE
PUBLISHED 01/29/21 3:27 PM EST

In a newly discovered video from a December 19 "Stop the Steal" rally in Arizona, organizer Ali Alexander bragged about being "on the phone" with "people from the White House" and appeared to encourage physical violence against members of Congress and other politicians who he claimed helped "steal" the election. This rally occurred just weeks before the Capitol insurrection.

At that same rally, Alexander appeared to advocate for physical attacks against members of Congress who he said helped "steal" the election, calling it a "moral obligation" to do so.

> To all these weak-kneed Republicans I say, what would you do if somebody broke into your house and stole something and they were -- well, I don't want to say still in your front yard because I know what we'd do. Let's say they made it out to the road. I don't want to be accused of anything yet. Yet. Let them hear that. Yet. What if somebody stole something from your house, and they'd made it out in the street. Would you pursue? Hell yeah. We have a moral obligation to pursue them, don't we?

Beyond seeming to endorse violence against members of Congress, Alexander also appeared to suggest that "Stop The Steal" had the potential to become violent: "Before we get to the Lord's Prayer, I want to say this. One of our organizers in one state says, 'You know, we're nice patriots. We don't throw bricks.' I leaned over, and I said, 'Not yet.' Not yet."

"We will not go quietly," said Alexander a few minutes later. "We will shut down this country if we have to."

Alexander is also on the record admitting to speaking with Kimberly Guilfoyle, a former senior official with Trump's campaign and also Donald Trump Jr.'s girlfriend, on January 5 about "Stop The Steal." On the morning of January 6, Alexander said on Breitbart News Daily: "The president's mood is he's in fighter mode and today will determine which Republicans are going to suffer his wrath going forward. That's the mood that he's in. In fact, I got a call last night from Kimberly Guilfoyle and none of us are stopping."

Actions by Proud Boy at Capitol show 'planning, determination, and coordination,' U.S. alleges

washingtonpost.com/local/legal-issues/brothers-charged-eugene-goodman-chase/2021/01/29/80dec868-6239-11eb-afbe-9a11a127d146_story.html

By Rachel Weiner and Spencer S. Hsu January 29, 2021



A police riot shield used to break a window, then a door kicked open from the inside — new court documents detail the first moments of the Jan. 6 breach of the U.S. Capitol that left five people dead and more than 100 police officers injured.

A criminal complaint against two Montana brothers and a detention memo against a prominent member of the Proud Boys help explain how, the government believes, one segment of a mob overran a small, poorly defended line of Capitol Police officers. In these and other filings, prosecutors trace the actions of possible key instigators in the storming of the Capitol, including members of the Proud Boys — a far-right nationalist and nativist group with a history of violence — and other right-wing extremist groups.

According to prosecutors, citing surveillance video and social media, Proud Boy Dominic Pezzola was one of the first to lead the charge both outside and inside the Capitol, helping overwhelm police defenses after stealing an officer's riot shield.

Starting at about 1 p.m., Pezzola, known as "Spaz," was among the first protesters to charge and overwhelm a line of police behind a pedestrian gate on the west-front Capitol grounds, prosecutors said. The crowd advanced toward a second set of waist-high metal barricades at

the Capitol's west plaza, where Pezzola and another Proud Boy dragged a piece of the fence away, leaving police unprotected and helping thousands follow onto the Capitol grounds, prosecutors said. Pezzola next was among the first to reach another police line at the base of the Capitol, prosecutors said.

As a scuffle broke out after a member of the mob was hit by a projectile, possibly fired by police, Pezzola can be seen on video pulling out a riot shield, according to prosecutors. He is then seen in images using the shield to break a building window at 2:13 p.m., according to court documents.

"Pezzola was not the only person trying to break windows and forcibly enter the Capitol at that time, but he appears . . . first to breach a window so successfully that he and other rioters could enter the Capitol through it," Assistant U.S. Attorney Erik Kenerson wrote. "The defendant's actions show planning, determination, and coordination."

Late Friday, a federal grand jury returned a new indictment adding a conspiracy charge against Pezzola, 43, of Rochester, N.Y., and another man previously charged in the riot, William Pepe, 31, of Beacon, N.Y., also an alleged member of the Proud Boys, who was identified in his charging papers as wearing an American flag bandanna. Prosecutors said the men conspired to obstruct and impede police protecting the Capitol, including by removing metal barricades meant to hold back crowds.

Prosecutors say two brothers from Montana, Joshua Calvin Hughes and Jerod Wade Hughes, followed Pezzola into the window and then helped kick down a door from the inside, giving more rioters access.

The Hughes brothers were charged late Thursday with felonies related to destruction of property, obstructing law enforcement and disrupting a government proceeding. They could not be immediately reached for comment.

Pezzola faces similar charges. The indictment Friday added counts alleging that he assaulted police and stole the riot shield, two additional crimes of violence.

"I've been provided the government's memorandum and will be filing a responsive memorandum prior to the detention hearing Monday," his attorney Michael Scibetta said. He added that D.C. jail officials had denied Pezzola contact with both his attorney and a pretrial services worker assigned to prepare a report recommending whether Pezzola should be detained, saying he was in "protective custody."

"Wouldn't he be better served being released, to be safer and afforded a meaningful legal defense?" Scibetta said. "The jail wouldn't even confirm that he was held there when I called."

According to prosecutors, members of the Proud Boys used walkie-talkie-style communication devices to coordinate during the attack. On Pezzola's computer, Kenerson said, FBI agents found information on making homemade firearms, poisons and explosives. Once inside the Capitol, authorities say, Pezzola and the Hughes brothers engaged in a confrontation with Capitol Police Officer Eugene Goodman at the foot of a staircase, according to an FBI agent's affidavit, "advancing . . . in a menacing manner." While Doug Jensen, 41, of Des Moines is identified as the "primary aggressor," the Hughes brothers "followed immediately" behind him, the agent wrote. Pezzola, according to prosecutors, was also part of the group.

Standing beside Pezzola in a confrontation with officers inside the Capitol was Robert Gieswein, 24, a Colorado paramilitary trainer and alleged member of the anti-government Three Percenters right-wing group, according to prosecutors, who have charged Gieswein. He was also recorded multiple times inside and outside the Capitol in military gear, moving with Proud Boys, prosecutors alleged.

Jensen, a self-described believer in the Q-Anon extremist ideology, was arrested the weekend after the riot.

Goodman lured the rioters away from the Senate chamber by lightly pushing Jensen, a tactical maneuver that experts say preempted a violent confrontation and may have saved lives. He has since been made acting deputy sergeant-at-arms, and he escorted Vice President Harris on Inauguration Day.

Internal and congressional investigations are examining the failure to fend off the rioters, who forced lawmakers to hide in corners of the building as the angry mob called for their deaths. In the court filings, authorities say police were outnumbered by rioters at every turn. While Goodman called for backup and was joined by other officers in an upstairs atrium, the FBI said they still lacked the manpower to attempt any arrests.

"So instead they used their training to try and de-escalate the situation by talking with individuals in an attempt to calm them down," an agent wrote in an affidavit. The crowd refused, shouting, "This is our house," "This is our America," and "We're here for the corrupt government."

When one rioter slammed a fire extinguisher on the floor, sending up a cloud of smoke, the agent said, the shock helped quell the crowd's anger, and it dispersed. But the Hughes brothers did not leave the building, prosecutors say, and made their way onto the Senate floor, where they sat in lawmakers' chairs and rifled through their desks.

Meanwhile, Kenerson wrote, Pezzola filmed himself smoking a "victory cigar" in another part of the building. Prosecutors alleged that Pezzola said in the video: "Victory smoke in the Capitol, boys. . . . I knew we could take this motherf---er over [if we] just tried hard enough."

Tracking the Oath Keepers Who Attacked the Capitol

nytimes.com/interactive/2021/01/29/us/oath-keepers-capitol-riot.html

January 29, 2021

Alleged conspirators



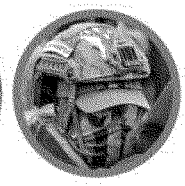
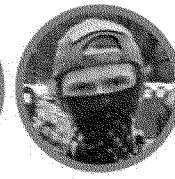
Other raid participants



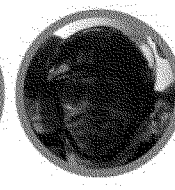








Alleged conspirators

Jessica

Watkins

Donovan

Crowl

Other raid participants



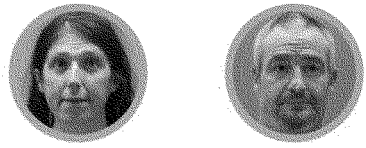


Alleged conspirators

Jessica Watkins

Donovan Crowl

Other raid participants





Alleged conspirators

Jessica Watkins

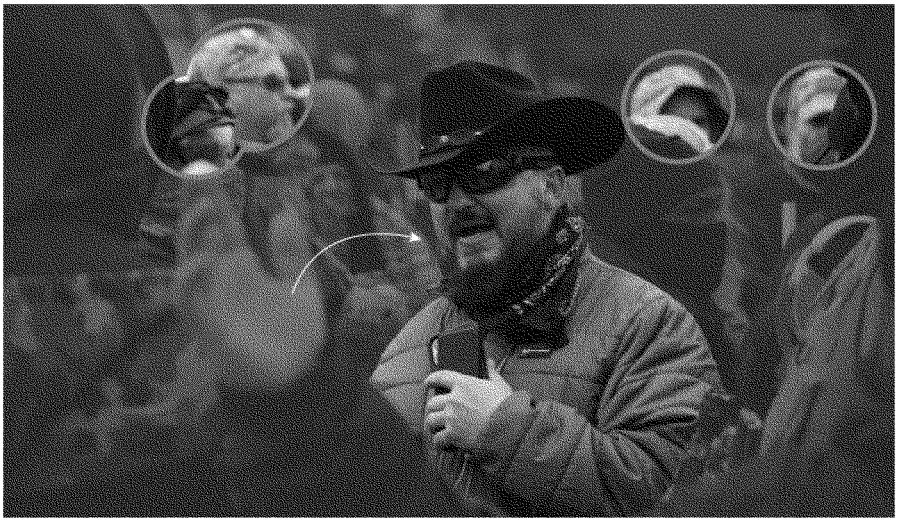
Donovan Crowl

Other raid participants

Donovan Crowl and Jessica Watkins — both members of the Oath Keepers with ties to its leader — have been accused by federal investigators of coordinating a Jan. 6 Capitol breach in advance and conspiring to obstruct Congress.

Visual evidence shows they, along with a third alleged conspirator named Thomas Caldwell, may not have acted alone. Ms. Watkins and Mr. Crowl first attended President Trump's rally and then entered the Capitol building in close coordination with at least 10 other people who had been seen wearing insignia of the Oath Keepers, a far-right paramilitary group.

The full identities of the 10 are currently unknown, but after they left the Capitol, all of them can be seen gathered around the Oath Keepers' leader, Stewart Rhodes, just 70 feet from the building, with Mr. Crowl and Ms. Watkins close by.



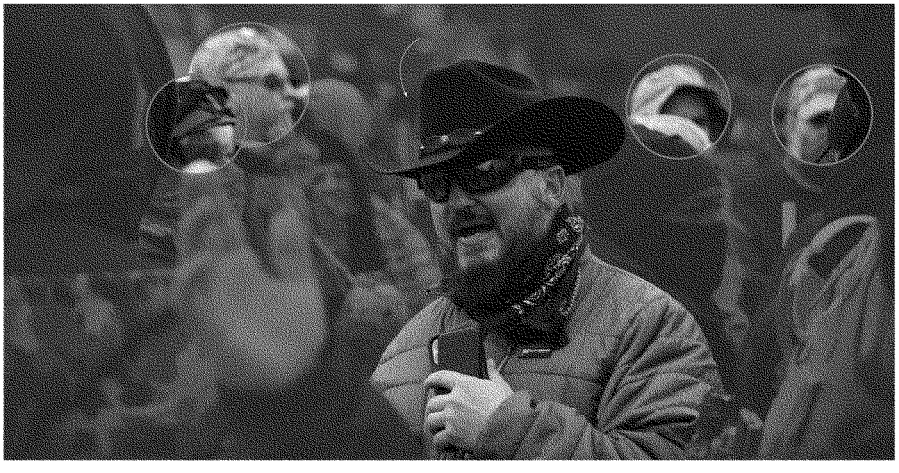
Raid participants

Raid participants

Stewart Rhodes

Leader of Oath Keepers

Jan. 6 | East side of the U.S. Capitol



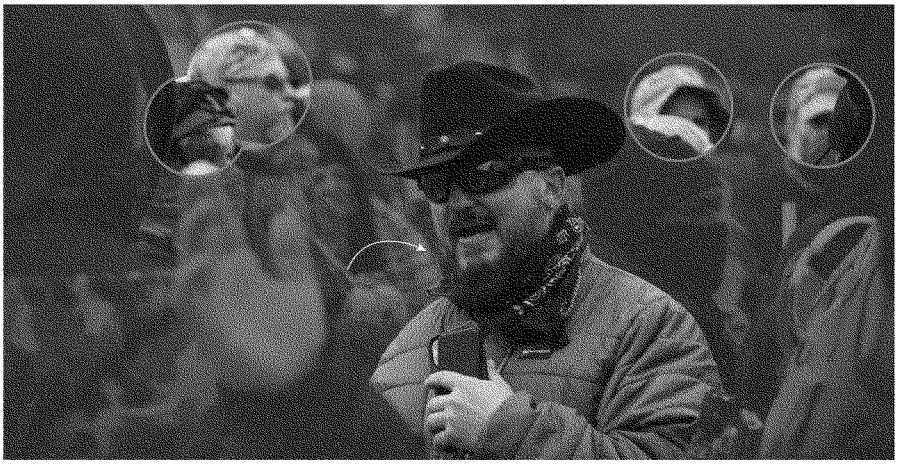
Stewart Rhodes

Leader of Oath Keepers

Raid participants

Raid participants

Jan. 6 | East side of the U.S. Capitol



Raid participants

Raid participants

Stewart Rhodes

Leader of Oath Keepers

Jan. 6 | East side of the U.S. Capitol

Ford Fischer

Mr. Rhodes has warned that if Mr. Trump didn't overturn the government, the Oath Keepers would be "in a much more desperate, much more bloody war." Here's what we know about the group's movements on Jan. 6.

At the Rally

On the morning of Jan. 6, many of the 10 Oath Keepers we tracked are seen attending the Trump rally near the White House. In the image below, Ms. Watkins is seen with several members at the scene.



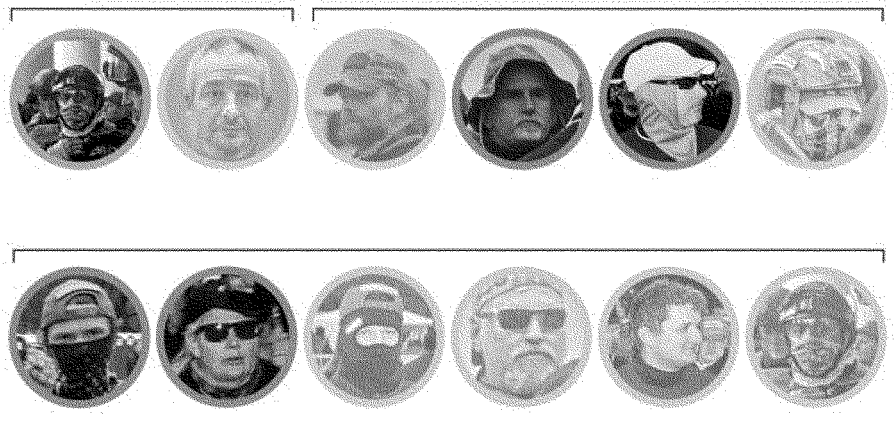
Alleged conspirators

Raid participants



Alleged conspirators

Raid participants



Alleged conspirators

Raid participants

Raid participants

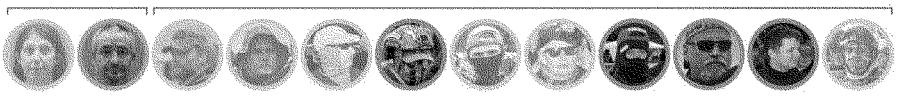






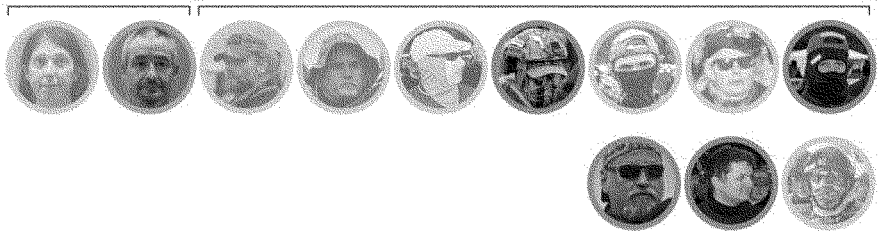
William Turton

Mr. Crowl is also present at the rally, alongside several other Oath Keepers.



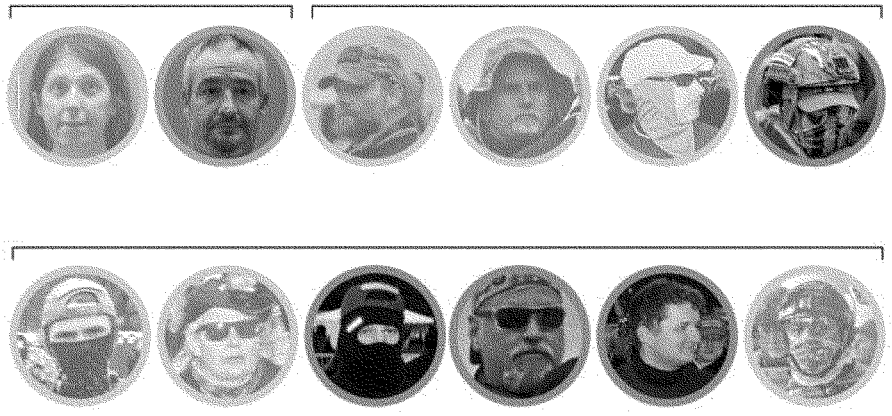
Alleged conspirators

Raid participants



Alleged conspirators

Raid participants



Alleged conspirators

Raid participants

Raid participants


MP



Leaving the Rally

Twenty minutes before Mr. Trump's speech ends — and at the same time that rioters across town first break through the Capitol's perimeter fence — one of the 10 Oath Keepers we tracked is seen leading several others from that group out of the rally, including Ms. Watkins.



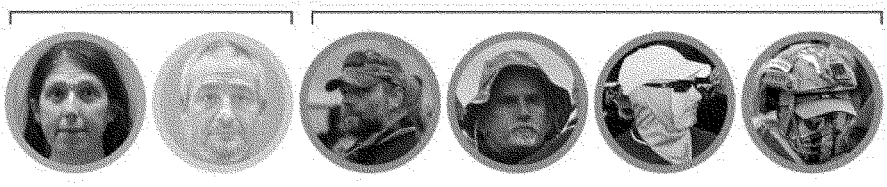
Alleged conspirators

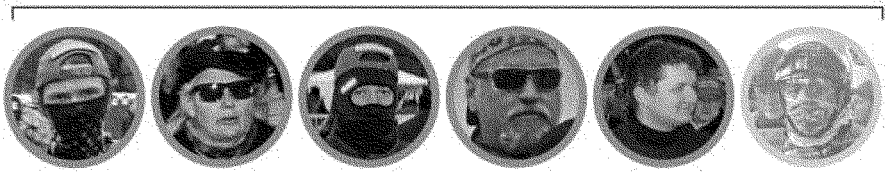
Raid participants



Alleged conspirators

Raid participants





Alleged conspirators

Raid participants

Raid participants

Fox News

Walking to the Capitol

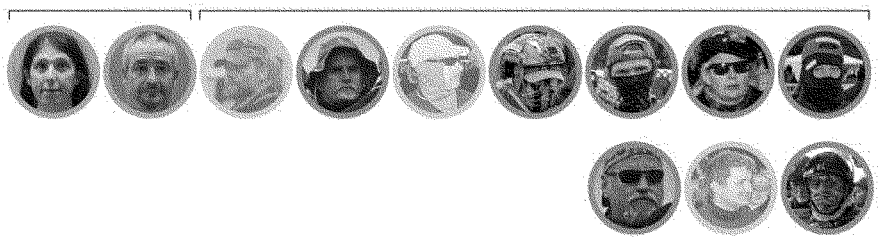
Several of the Oath Keepers, including Ms. Watkins, Mr. Crowl and at least two others, have now changed into tactical gear, such as bulletproof vests and helmets. Around this time, Ms. Watkins posts a message on the audio app Zello saying: "Trump's been trying to drain the

swamp with a straw. We just brought a shop vac."



Alleged conspirators

Raid participants



Raid participants

Alleged conspirators



Alleged conspirators

Raid participants

Raid participants

James Townsend

Approaching the Capitol

Minutes after the east doors of the Capitol are breached, Oath Keepers including Ms. Watkins, Mr. Crowl and others we tracked are walking in military-style patrol formation up the steps toward two members already at the top.

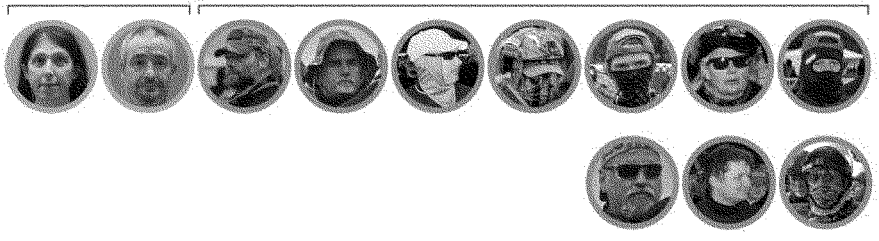


Alleged conspirators

Alleged conspirators

Raid participants

Raid participants



Alleged conspirators

Alleged conspirators

Raid participants



Alleged conspirators

Alleged conspirators

Raid participants

Raid participants









Robyn Stevens Brody

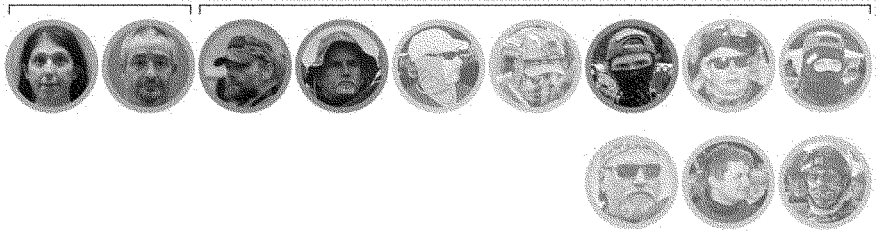
Inside the Capitol

All 10 Oath Keepers we tracked can be seen inside the building in and around the Rotunda, along with Ms. Watkins and Mr. Crowl, who are in the selfie video below on the left. In the clip on the right, three of the 10 members are seen praying.



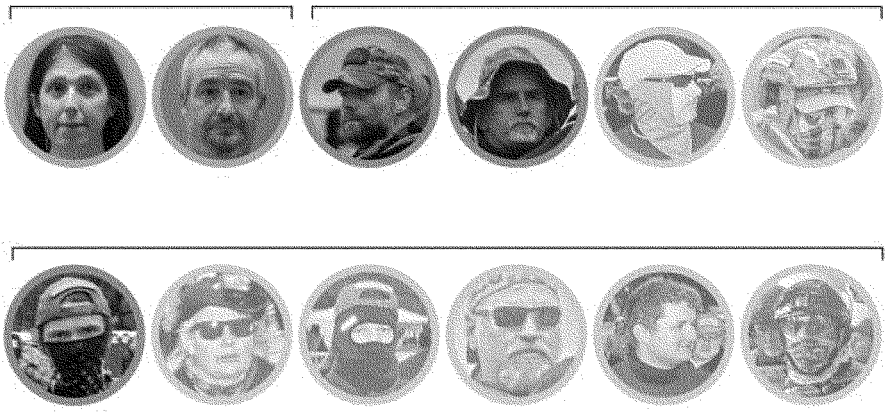
Alleged conspirators

Raid participants



Alleged conspirators

Raid participants



Alleged conspirators

Raid participants

Raid participants

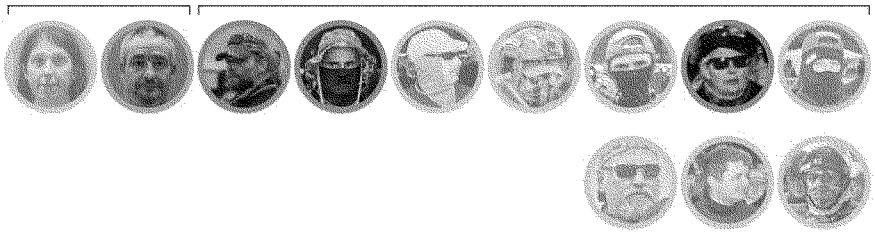
Parler

In this photo, Mr. Crowl is seen alongside three other Oath Keepers we tracked.



Alleged conspirators

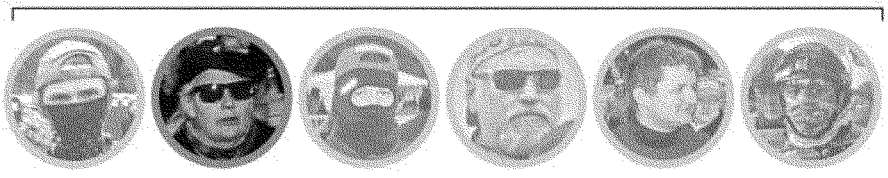
Raid participants



Alleged conspirators

Raid participants





Alleged conspirators

Raid participants

Raid participants





Saul Loeb/Agence France-Presse — Getty Images

With Rhodes After the Attack

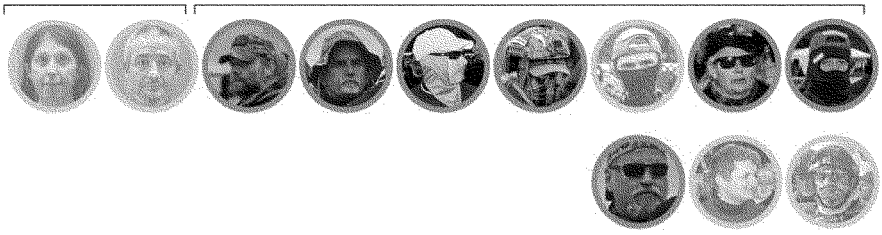
As the police continue trying to clear the Capitol, Mr. Rhodes is spotted about 70 feet away from the building.

All 10 of the Oath Keepers we tracked are seen near him. Most are in this photo.



Alleged conspirators

Raid participants



Alleged conspirators

Raid participants



Alleged conspirators

Raid participants

Raid participants



Stewart Rhodes

Leader of the Oath Keepers



Stewart Rhodes

Leader of tneOath Keepers

Robyn Stevens Brody

Mr. Crowl and Ms. Watkins are standing off-camera just a few hundred feet away. Both have been spotted with Mr. Rhodes at protests before, including in November at a rally in Washington, D.C.



Donovan Crowl

Jessica Watkins

Stewart Rhodes

Leader of the Oath Keepers



Donovan Crowl

Jessica Watkins

Stewart Rhodes

Leader of the Oath Keepers

Robyn Stevens Brody

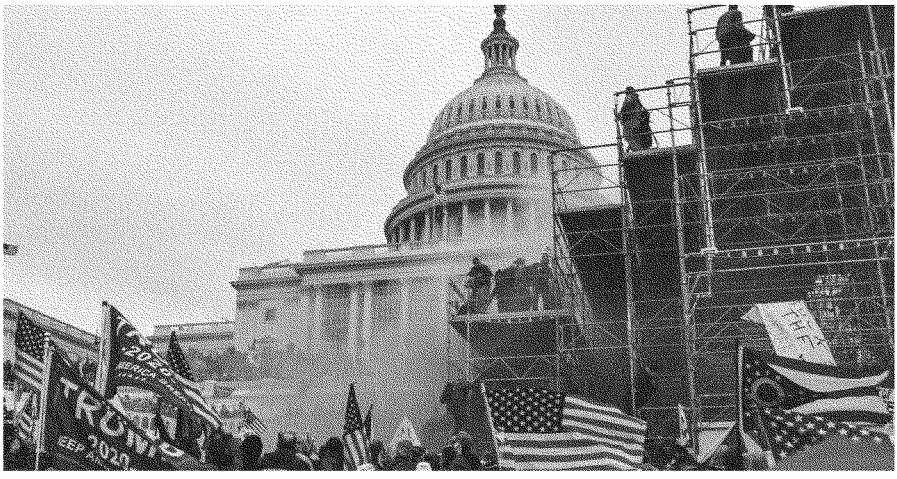
On Jan. 19, almost two weeks after the Capitol breach, Mr. Crowl and Ms. Watkins were charged with conspiracy and other crimes. Messages between them and Mr. Caldwell, the third Oath Keeper charged, suggest that Mr. Rhodes was not directly involved in their advance planning.

But in his public statements, Mr. Rhodes continues, as he had in the weeks before the Jan. 6 attack, to encourage supporters to "raise local militias" and prepare for impending civil conflict.

How Trump's Focus on Antifa Distracted Attention From the Far-Right Threat

nytimes.com/2021/01/30/us/politics/trump-right-wing-domestic-terrorism.html

January 30, 2021



WASHINGTON — As racial justice protests erupted nationwide last year, President Donald J. Trump, struggling to find a winning campaign theme, hit on a message that he stressed over and over: The real domestic threat to the United States emanated from the radical left, even though law enforcement authorities had long since concluded it came from the far right.

It was a message that was quickly embraced and amplified by his attorney general and his top homeland security officials, who translated it into a shift in criminal justice and national security priorities even as Mr. Trump was beginning to openly stoke the outrage that months later would culminate in the storming of the Capitol by right-wing extremists.

Mr. Trump's efforts to focus his administration on the antifa movement and leftist groups did not stop the Justice Department and the F.B.I. from pursuing cases of right-wing extremism. They broke up a kidnapping plot, for example, targeting Gov. Gretchen Whitmer of Michigan, a Democrat.

But the effect of his direction was nonetheless substantial, according to interviews with current and former officials, diverting key portions of the federal law enforcement and domestic security agencies at a time when the threat from the far right was building ominously.

In late spring and early summer, as the racial justice demonstrations intensified, Justice Department officials began shifting federal prosecutors and F.B.I. agents from investigations into violent white supremacists to focus on cases involving rioters or anarchists, including those who might be associated with the antifa movement. One Justice Department prosecutor was sufficiently concerned about an excessive focus on antifa that the official went to the department's independent inspector general, Michael E. Horowitz, telling his office that politics might have played a part.

- Federal prosecutors and agents felt pressure to uncover a left-wing extremist criminal conspiracy that never materialized, according to two people who worked on Justice Department efforts to counter domestic terrorism. They were told to do so even though the F.B.I., in particular, had increasingly expressed concern about the threat from white supremacists, long the top domestic terrorism threat, and well-organized far-right extremist groups that had allied themselves with the president.

- White House and Justice Department officials stifled internal efforts to publicly promote concerns about the far-right threat, with aides to Mr. Trump seeking to suppress the phrase "domestic terrorism" in internal discussions, according to a former official at the Department of Homeland Security.

- Requests for funding to bolster the number of analysts who search social media posts for warnings of potential violent extremism were denied by top homeland security officials, limiting the department's ability to spot developing threats like the post-Election Day anger among far-right groups over Mr. Trump's loss.

The scale and intensity of the threat developing on the right became stunningly clear on Jan. 6, when news broadcasts and social media were flooded with images of far-right militias, followers of the QAnon conspiracy movement and white supremacists storming the Capitol.

Militias and other dangerous elements of the far right saw "an ally in the White House," said Mary McCord, a former Justice Department official who teaches at Georgetown University and focuses on domestic terrorism. "That has, I think, allowed them to grow and recruit and try to mainstream their opinions, which is why I think you end up seeing what we saw" at the Capitol.

Image



Far-right and far-left groups clashing in Portland, Ore., in August. Dozens of F.B.I. employees and senior managers were sent on temporary assignments there, according to current and former law enforcement officials. Credit...David Ryder for The New York Times

A Focus on 'Anarchists and Thugs'

Mr. Trump's focus on what he portrayed as a major threat from antifa was embraced in particular by Attorney General William P. Barr.

Mr. Barr had long harbored concerns about protests and violence from the left. Soon after taking office in early 2019, he began a weekly national security briefing by asking the F.B.I. what it was doing to combat antifa, according to two people briefed on the meetings. Officials viewed his sense of the threat as exaggerated. They explained that it was not a terrorist organization, but rather a loose movement without an organization or hierarchy, and tried to correct what they described as misperceptions, according to one of the people.

Still, in meetings last year with political appointees in Washington, department investigators felt pressured to find evidence that antifa adherents were conspiring to conduct coordinated terrorist attacks.

When F.B.I. intelligence continued to deem white nationalists the leading domestic terrorism threats — part of what the bureau describes as racially or ethnically motivated violent extremists — prosecutors were asked to also consider information from the Department of

Homeland Security that antifa and radical leftist anarchists were instead the leading threats, according to a person involved in the conversations.

Mr. Barr said in a statement that "there was no 'prioritization'" of the leftist threat, and that all violence should be condemned.

"The F.B.I. already had a robust program to combat violence driven by white supremacy and nationalism," Mr. Barr said. "I wanted there to be a comparable one for antifa and antifalike groups."

The pressure from Mr. Trump was unrelenting. After Christopher A. Wray, the F.B.I. director, testified to Congress in September that antifa was "more of an ideology or a movement than an organization," Mr. Trump lashed out at him on Twitter, saying that the F.B.I. protected such "anarchists and thugs" and allowed them "to get away with 'murder.'"

Investigators at the Justice Department and the Department of Homeland Security moved quickly and forcefully to address the violence that erupted amid the summer's racial justice protests.

The demonstrations gave way to looting and rioting, including serious injuries and shootings. Over several chaotic nights in Minneapolis, rioters burned down a corridor of largely immigrant-owned businesses and set a police precinct on fire. Similar scenes played out in other cities.

In late August, Michael Reinoehl, a self-professed antifa supporter, shot and killed a pro-Trump protester in Portland, Ore. The president cheered his death at the hands of the federal officers who later tried to apprehend him. "We got him," he said.

But while Mr. Trump and others saw the developments as evidence of a major assault from the left, the picture was actually more complicated.

The shooting by Mr. Reinoehl, as the F.B.I. pointed out this month in an internal memo, was the first killing in more than 20 years by what the bureau classifies as an "anarchist violent extremist," the type of threat Mr. Trump had emphasized.

Over the late spring and summer, the F.B.I. opened more than 400 domestic terrorism investigations, including about 40 cases into possible antifa adherents and 40 into the boogaloo, a right-wing movement seeking to start a civil war, along with investigations into white supremacists suspected of menacing protesters, according to F.B.I. data and a former Justice Department official. Even among those movements, career prosecutors saw the boogaloo as the gravest threat.

Image

A group affiliated with the boogaloo, a loosely organized far-right movement preparing for a civil war, in Lansing, Mich., in October.Credit...Seth Herald/Getty Images

Members of violent militias began to go to protests as self-appointed police forces, sometimes saying that they had heeded Mr. Trump's call. They attended Republican events as self-described security forces.

Still, Justice Department leadership was adamant that terrorism investigators focus on antifa as the demonstrations spread, according to an official who worked on the inquiries.

The small cadre of intelligence analysts inside the department's counterterrorism section were pulled into the effort, writing twice daily reports. National security prosecutors staffed command posts at the F.B.I. to deal with the protests and associated violence and property crimes, and to help protect statues and monuments seen as potential targets.

All of this was a strain on the counterterrorism section, which has only a few dozen prosecutors and like other parts of the department was reeling from the coronavirus. A top F.B.I. domestic terrorism chief also expressed concern to Justice Department officials over the summer about the diversion of resources.

The counterterrorism section at the time was working with prosecutors and agents around the country on cases involving people affiliated with the Three Percenters, Oath Keepers, other militia members and violent white supremacists. In some parts of the country, agents who had been investigating violent white supremacists pivoted to investigate anarchists and others involved in the rioting, struggling in certain cases to find any conspiracy or other federal charges to bring against them.

Around the same time, the F.B.I. was tracking worrisome threats emanating from the far right. Agents in Michigan monitoring members of a violent antigovernment militia called Wolverine Watchmen received intelligence in June that the men planned to recruit more members and kidnap state governors, according to court documents.

After six members of the group were charged in October with plotting to abduct Ms. Whitmer, one of Mr. Trump's most vocal opponents, the president insulted her and reiterated that the left posed the true threat. "She calls me a White Supremacist — while Biden and Democrats refuse to condemn Antifa, Anarchists, Looters and Mobs that burn down Democrat run cities," Mr. Trump said on Twitter.

Dozens of F.B.I. employees and senior managers were sent on temporary assignments to Portland — including the head of the Tampa field office, who was an expert in Islamic terrorism, according to current and former law enforcement officials — where left-leaning protests had intensified since tactical federal teams arrived.

Some F.B.I. agents and Justice Department officials expressed concern that the Portland work was a drain on the bureau's effort to combat what they viewed as the more lethal strains of domestic extremism. The bureau had about 1,000 domestic terrorism cases under

investigation at the time, and only several hundred agents in the field assigned to them. The Homeland Security Department even sent agents to Portland who were usually assigned to investigate drug cartels at the border.

Mr. Barr also formed a task force run by trusted U.S. attorneys in Texas and New Jersey to prosecute antigovernment extremists. Terrorism prosecutors working on the investigations arising from the summer's violence were not told beforehand of Mr. Barr's decision. They questioned the rationale behind the task force because it seemed to duplicate their work and could create confusion, according to two people familiar with their pushback.

Ultimately, the federal response to last year's protests elicited a mixed bag. Federal prosecutors nationwide charged more than 200 people with crimes, including some who self-identified with antifa.

But the F.B.I. also charged adherents of the boogaloo, including an Air Force sergeant suspected of murdering a federal officer and trying to kill another in California. The sergeant had previously been charged with the shooting death of a sheriff's deputy in Santa Cruz County during a gun battle on June 6 that led to his arrest.

Image

As attorney general, William P. Barr played up the threat from antifa, a loose collection of leftist agitators, even as Justice Department and F.B.I. officials saw a greater threat from the far right.Credit...for The New York Times

The Homeland Threat

Domestic terrorism has long been a politically sensitive issue for the Department of Homeland Security.

A warning in a 2009 homeland security report that military veterans returning from combat could be vulnerable for recruitment by terrorist groups or extremists prompted backlash from conservatives, forcing the homeland security secretary at the time, Janet Napolitano, to apologize and retract the report. An edited version was eventually issued, but the lesson about the political risks of highlighting far-right extremism lingered inside the department.

"They overhype the threat of the far left at the expense of far-right extremism," said Daryl Johnson, a former senior analyst at the department who wrote the 2009 report.

Like Mr. Barr, Mr. Trump's acting homeland security secretary, Chad F. Wolf, took his lead from the White House and emphasized the threat from antifa. At one point, Mr. Wolf formed a task force that deployed tactical agents to protect statues and monuments.

Mr. Wolf denied that the administration's response to the violence at racial justice protests came at the cost of efforts to combat far-right violence, noting that the agency affirmed the rising threat of white supremacy in an assessment in 2019.

The riot inside the U.S. Capitol on Wednesday, Jan. 6, followed a rally at which President Trump made an inflammatory speech to his supporters, questioning the results of the election. Here's a look at what happened and the ongoing fallout:

- As this video shows, poor planning and a restive crowd encouraged by President Trump set the stage for the riot.
- A two hour period was crucial to turning the rally into the riot.
- Several Trump administration officials, including cabinet members Betsy DeVos and Elaine Chao, announced that they were stepping down as a result of the riot.
- Federal prosecutors have charged more than 70 people, including some who appeared in viral photos and videos of the riot. Officials expect to eventually charge hundreds of others.
- The House voted to impeach the president on charges of "inciting an insurrection" that led to the rampage by his supporters.

"You could argue the reverse. The fact we were focused on white supremacist extremists in late 2019, early '20, we missed the antifa stuff coming up," Mr. Wolf said. "One could always go back and say, 'You focused on this at the expense of that.' I would say we focused on things happening in real time."

Mr. Trump said in May that he intended to designate antifa a domestic terrorist organization. National Security Council staff members, including Andrew Veprek, an ally of Stephen Miller who is now at the State Department, asked homeland security officials for evidence to justify such a designation. They sought information about possible ties between antifa and foreign entities; federal law defines domestic terrorism but the statute does not carry any criminal penalties, and designations of terrorist organizations are limited to foreign groups.

In fact, the F.B.I. had seen troubling evidence of white supremacists in the United States with foreign ties, including one group that agents believe was being directed by an American living in Russia. The group, called the Base, was such a severe threat that the F.B.I. briefed Mr. Barr about it.

Homeland security officials balked at helping designate antifa as a terrorist organization, and the effort failed.

Officials in the department's Office of Intelligence and Analysis also expressed concern after Mr. Wolf questioned one of their reports that labeled the boogaloo as "far right" in describing the shooting death of the federal officer in which the suspect, an Air Force sergeant, was linked to the movement. Asked about his response, Mr. Wolf said he was only trying to gain information, not alter reports.

Under the Trump administration, analysts in the intelligence and analysis office had even more incentive to produce reports on threats outside of right-wing extremism, said Elizabeth Neumann, the former assistant homeland security secretary for counterterrorism and threat

prevention under Mr. Trump.

Many viewed their performance reviews as tied to whether they produced reports that aligned with the Trump administration's priorities, including Mexican cartel organizations, foreign terrorism and antifa, rather than reports on militias and white supremacists. The number of warnings about all types of extremists in the second half of last year eventually dwindled, according to current and former officials.

"You can read the tea leaves and say domestic terrorism isn't going to be our priority," Ms. Neumann said.

"The culture absorbs those messages they hear the president speak or tweet," she said, adding that some White House officials even cautioned against using the phrase "domestic terrorism."

Last spring, Brian Murphy, then the homeland security intelligence chief, requested $14 million to bolster training and increase staff to analyze social media for extremist threats, given that online forums had become a prime recruiting and organizing ground.

Mr. Wolf's deputy, Kenneth T. Cuccinelli II, rejected the request, as well as an appeal for $8 million, officials said.

Mr. Cuccinelli said in a statement that requests for additional funding would have come at the expense of other parts of the agency. He added that he had been working to shift resources from other parts of the department to expand training for the intelligence branch.

Mr. Murphy had filed a whistle-blower complaint in September that prompted an outcry. He accused department leaders of ordering him to modify intelligence assessments to make the threat of white supremacy "appear less severe" and include information on violent "left-wing" groups and antifa. Mr. Wolf and Mr. Cuccinelli have denied the allegations, and after congressional backlash, they eventually released a report in October identifying white supremacy as the "most persistent and lethal threat" in the United States.

Image

As he campaigned for re-election, Mr. Trump focused relentlessly on antifa, which at one point he sought to designate as a terrorist organization.Credit...Anna Moneymaker for The New York Times

Antifa Until the End

Campaigning for re-election, Mr. Trump spent the summer blaming rioting and violence on Democratic governors and mayors and warning about a "left-wing cultural revolution."

Armed far-right militia groups started appearing at racial justice protests and demonstrations about the outcome of the election. Extremists groups like the Proud Boys marched in Washington in December, clashing with anti-Trump protesters in altercations

that included stabbings.

The Homeland Security Department's intelligence branch issued an assessment on Dec. 30 highlighting the potential for white supremacists to carry out "mass casualty" attacks, according to a copy obtained by The New York Times.

But there was no specific mention of armed groups targeting the Capitol, despite plenty of indicators online. The acting chief of the Capitol Police, Yogananda D. Pittman, later said that the department knew militias and white supremacists would be coming and "that there was a strong potential for violence and that Congress was the target."

In the days before Jan. 6, the Secret Service was told by homeland security officials to expect only an "elevated threat environment," according to people familiar with the meeting.

Image

The doors to the House chamber after the attack on the Capitol. Trump administration officials did not foresee the extent of the threat from the far right.Credit...Erin Schaff/The New York Times

The Trump administration, however, continued to play up the threat of antifa. The night before the assault on the Capitol, the White House issued a memo seeking to bar any foreigners affiliated with antifa from entering the country and, once again, try to determine if the movement could be classified as a terrorist organization.

When the pro-Trump mob stormed the Capitol, some shouted explicit chants against antifa. Others were captured on video yelling, "We were invited by the president of the United States."

Mike Baker and John Eligon contributed reporting.

‘Be ready to fight’: FBI probe of U.S. Capitol riot finds evidence detailing coordination of an assault

washingtonpost.com/national-security/fbi-capitol-riot-coordination-planning/2021/01/30/c5ef346e-6258-11eb-9430-e7c77b5b0297_story.html

By Devlin Barrett, Spencer S. Hsu and Aaron C. Davis January 30, 2021



When die-hard supporters of President Donald Trump showed up at rally point “Cowboy” in Louisville on the morning of Jan. 5, they found the shopping mall’s parking lot was closed to cars, so they assembled their 50 or so vehicles outside a nearby Kohl’s department store. Hundreds of miles away in Columbia, S.C., at a mall designated rally point “Rebel,” other Trump supporters gathered to form another caravan to Washington. A similar meetup — dubbed “Minuteman” — was planned for Springfield, Mass.

That same day, FBI personnel in Norfolk were increasingly alarmed by the online conversations they were seeing, including warlike talk around the convoys headed to the nation’s capital. One map posted online described the rally points, declaring them a “MAGA Cavalry To Connect Patriot Caravans to StopTheSteal in D.C.” Another map showed the U.S. Congress, indicating tunnels connecting different parts of the complex. The map was headlined, “CREATE PERIMETER,” according to the FBI report, which was reviewed by The Washington Post.

"Be ready to fight. Congress needs to hear glass breaking, doors being kicked in," read one posting, according to the report.

FBI agents around the country are working to unravel the various motives, relationships, goals and actions of the hundreds of Trump supporters who stormed the U.S. Capitol on Jan. 6. Some inside the bureau have described the Capitol riot investigation as their biggest case since the Sept. 11, 2001, attacks, and a top priority of the agents' work is to determine the extent to which that violence and chaos was preplanned and coordinated.

Investigators caution there is an important legal distinction between gathering like-minded people for a political rally — which is protected by the First Amendment — and organizing an armed assault on the seat of American government. The task now is to distinguish which people belong in each category, and who played key roles in committing or coordinating the violence.

Video and court filings, for instance, describe how several groups of men that include alleged members of the Proud Boys appear to engage in concerted action, converging on the West Front of the Capitol just before 1 p.m., near the Peace Monument at First Street NW and Pennsylvania Avenue NW. Different factions of the crowd appear to coalesce, move forward and chant under the direction of different leaders before charging at startled police staffing a pedestrian gate, all in the matter of a few minutes.

An indictment Friday night charged a member of the Proud Boys, Dominic Pezzola, 43, of Rochester, N.Y., with conspiracy, saying his actions showed "planning, determination, and coordination." Another alleged member of the Proud Boys, William Pepe, 31, of Beacon, N.Y., also was charged with conspiracy.

Minutes before the crowd surge, at 12:45 p.m., police received the first report of a pipe bomb behind the Republican National Committee headquarters at the opposite, southeast side of the U.S. Capitol campus. The device and another discovered shortly afterward at Democratic National Committee headquarters included end caps, wiring, timers and explosive powder, investigators have said.

Some law enforcement officials have suggested the pipe bombs may have been a deliberate distraction meant to siphon law enforcement away from the Capitol building at the crucial moment.

'Ready for war'

The FBI is also trying to determine how many people went to Washington seeking to engage in violence, even if they weren't part of any formal organization. Some of those in the Louisville caravan said they were animated by the belief that the election was stolen, according to interviews they gave to the Louisville Courier-Journal.

Much of the discussion of potential violence occurred at TheDonald.win, where Trump's supporters talked about the upcoming rally, sometimes in graphic terms, according to people familiar with the FBI investigation who spoke on the condition of anonymity to discuss an open matter.

After the riot, a statement posted on the website said moderators "had been struggling for some time to address a flood of racist and violent content that appeared to be coming primarily from a small group of extremists who were often brigading from other sites," leading to inquiries from the FBI.

One of the comments cited in the FBI memo declared Trump supporters should go to Washington and get "violent. Stop calling this a march, or rally, or a protest. Go there ready for war. We get our President or we die."

Some had been preparing for conflict for weeks.

Prosecutors say Jessica Marie Watkins — an Ohio bartender who had formed her own small, self-styled militia group and had joined Oath Keepers, according to prosecutors — began recruiting and organizing in early November for an "operation."

Days after the election, Watkins allegedly sent text messages to a number of individuals who had expressed interest in joining her group, which called itself the Ohio State Regular Militia.

"I need you fighting fit by innaugeration," she told one recruit, according to court papers.

The same day, she also asked a recruit to download Zello, an app that allows a cellphone to operate like a push-to-talk walkie-talkie, saying her group uses it "for operations."

In conversations later that month, Watkins allegedly spoke in apocalyptic terms about the prospect of Joe Biden's being sworn in as president on Jan. 20.

"If he is, our way of life as we know it is over. Our Republic would be over. Then it is our duty as Americans to fight, kill and die for our rights. . . . If Biden get the steal, none of us have a chance in my mind. We already have our neck in the noose. They just haven't kicked the chair yet."

In December, prosecutors say, Donovan Ray Crowl, a 50-year-old friend of Watkins's, attended a training camp in North Carolina, while another friend, Thomas E. Caldwell, a 66-year-old Navy veteran from Berryville, Va., booked a room at an Arlington hotel, where Watkins also had a reservation for the days surrounding the Jan. 6 pro-Trump rally.

Prosecutors say Caldwell had written earlier to Watkins that "I believe we will have to get violent to stop this, especially the antifa maggots who are sure to come out en masse even if we get the Prez for 4 more years."

In the week leading up to the rally and riot, Watkins and Caldwell were in regular contact as they talked about various groups of people meeting up on Jan. 5 and Jan. 6, according to an indictment filed this past week against them.

At different points, according to court filings and people familiar with the investigation, Watkins and Caldwell indicated a degree of impatience with Stewart Rhodes, the national leader of Oath Keepers, for not providing more direction.

Watkins messaged Caldwell that if Rhodes "isn't making plans, I'll take charge myself, and get the ball rolling," according to the indictment. Caldwell replied that he was speaking to another person who expected a bus with 40 people to come from North Carolina. Caldwell allegedly told her that person, identified only as "Paul" in other court papers, "is committed to being the quick reaction force [and] bringing the tools if something goes to hell. That way the boys don't have to try to schlep weps on the bus" — an apparent reference to weapons.

Caldwell added in a subsequent message that he didn't know whether Rhodes "has even gotten out his call to arms but it's a little friggin late. This is one we are doing on our own. We will link up with the north carolina crew," according to court papers and the people familiar with the investigation.

On New Year's Eve, according to the indictment, Watkins "responded with interest to an invitation to a 'leadership only' conference call" for what was described as a "DC op."

The leaderless resistance concept

Such exchanges are critical early clues in the planning and coordination that went on before, during and after the riot. Videos from the Capitol show Oath Keepers such as Watkins dressed in military-type gear, moving in coordination with Crowl through the crowds around the building.

Watkins used the walkie-talkie app to tell others she was part of a group of about 30 to 40 people who are "sticking together and sticking to the plan," according to court documents.

Caldwell, for his part, posted images to Facebook, writing: "Us storming the castle. Please share. Sharon is right with me. I am such an instigator!" Sharon Caldwell, his wife, has not been charged with any crime; Caldwell, Crowl and Watkins are accused of conspiring to obstruct Congress and other violations.

Thomas Caldwell's lawyer has said his client expects to see the charges dropped or to be acquitted at trial. Caldwell, the lawyer said, is not a member of Oath Keepers.

Watkins has previously denied committing any crimes. "I didn't commit a crime. I didn't destroy anything. I didn't wreck anything," Watkins told the Ohio Capital Journal, adding that the riot was a peaceful protest that turned violent.

Crowl's lawyer has described his client as a law-abiding citizen who helped protect people during the riot.

In a phone interview this month, Rhodes, the founder of the Oath Keepers, told The Post that he gave no direction or signals to members of his group to storm the Capitol, and that he considers the entry by rioters a mistake that played into the hands of critics.

Rhodes said the only "mission" the Oath Keepers had organized to undertake in D.C. on Jan. 6 was dignitary protection for far-right personalities who had traveled to the city to participate in "Stop the Steal" events.

At the time of the riot, Rhodes said, he had just escorted one of the VIPs to a nearby hotel. Rhodes said one of his deputies "called and said, 'People are storming the Capitol.' I walked back over and found" fellow Oath Keepers, Rhodes said, but did not enter the building.

Rhodes disavowed any meaningful connection to Caldwell or Crowl. Rhodes said Watkins had played an important part in the group's mobilization in opposition to demonstrations around police abuse in Louisville last year.

Former domestic terrorism investigators say the alleged discussion by Watkins and Caldwell about the group's leader points to a longtime pattern among such extremists.

"Historically, within the right-wing extremist movements, leadership has produced rhetoric to spin up their members, increase radicalization and recruitment, and then stand back and let small cells or individual lone offenders follow through on that rhetoric with violent action," said Thomas O'Connor, a former FBI agent who spent decades investigating domestic terrorists. "Domestic terrorism actually developed the leaderless resistance concept, taking the potential blame away from the leadership and putting it down into small groups or individuals, and I think that is what you're starting to see here."

Current law enforcement officials said they have not reached any conclusions about the interactions between leaders of extremist groups and their members or followers.

Investigators are examining who may have joined Caldwell and Watkins's group, and whether any of those individuals, "known and unknown," had links or communications with others at the Capitol that day or elsewhere.

Colin Clarke, a domestic terrorism expert at the Soufan Group, said the Jan. 6 attack represents a "proof of concept" for dangerous extremists.

"They talk about things like this in a lot of their propaganda, and the fact that the Capitol Police allowed this to happen, you can call it a security breach, or intelligence failure, but these people do not look at this as a failure, they look at it as an overwhelming success, and one that will inspire others for years."

Julie Tate and Alice Crites contributed to this report.

Text Messages Show Top Trump Campaign Fundraiser's Key Role Planning the Rally That Preceded the Siege

propublica.org/article/trump-campaign-fundraiser-ellipse-rally



Series: The Insurrection

Caroline Wren, a Trump fundraiser, is listed as a "VIP Advisor" in a National Park Service permit for the Jan. 6th rally at the Ellipse. Text messages and a planning memo show the title downplays the active role she played in organizing the event.

by Mike Spies and Jake Pearson

Jan. 30, 10:50 a.m. EST



Supporters of President Donald Trump gather at the Washington Monument to listen to the president address the crowd on Jan. 6, 2021. Later that day, the group walked to the U.S. Capitol and stormed inside. (David Butow/Redux)



Series: The Insurrection

The Effort to Overturn the Election

ProPublica is a nonprofit newsroom that investigates abuses of power. Sign up to receive our biggest stories as soon as they're published.

In the week leading up to the Jan. 6 rally in Washington, D.C., that exploded into an attack on the Capitol, a top Trump campaign fundraiser issued a directive to a woman who had been overseeing planning for the event.

"Get the budget and vendors breakdown to me and Justin," Caroline Wren wrote to Cindy Chafian, a self-described "constitutional conservative," in a Dec. 28 text message obtained by ProPublica.

Wren was no ordinary event planner. She served as a deputy to Donald Trump Jr.'s girlfriend, Kimberly Guilfoyle, at Trump Victory, a joint presidential fundraising committee during the 2020 campaign. The Justin mentioned in her text was Justin Caporale, a former top aide to first lady Melania Trump, whose production company helped put on the event at the Ellipse.

Text messages and an event-planning memo obtained by ProPublica, along with an interview with Chafian, indicate that Wren, a Washington insider with a low public profile, played an extensive role in managing operations for the event. The records show that Wren oversaw logistics, budgeting, funding and messaging for the Jan. 6 rally that featured President Donald Trump.

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Chafian told ProPublica that Wren and others had pushed her aside as plans intensified, including as a late effort was made to get Trump to speak at the event.

On Dec. 29, after receiving the budget, Wren instructed Chafian, via text, to hold off on printing event-related slogans "until we decide what the messaging is and we have no clue on timing because it all depends on the votes that day so we won't know timing for a few more days." The "timing" appears to be a reference to Congress' Jan. 6 vote to certify the election results.

Wren's services were enlisted by a major donor to Trump's presidential campaign, according to The Wall Street Journal, which reported Saturday that Julie Jenkins Fancelli, the heiress to Publix Super Markets, committed some $300,000 to fund the Jan. 6 rally.

The funding commitment by Fancelli, who Federal Election Commission records show has donated more than $1 million to Trump Victory, the president's campaign and the Republican National Committee since 2018, was facilitated by the right-wing conspiracy peddler Alex Jones, the Journal reported. Chafian told ProPublica that she herself had been directed by Jones to Wren, who, she was told, had ties to a wealthy donor who wanted to support the January affair. Chafian said the donor is a woman but wouldn't disclose her name, citing a confidentiality agreement.

Fancelli hasn't responded to messages left at numbers listed for her.

The Associated Press had previously reported that Wren was listed as a "VIP Advisor" in an attachment to a National Park Service permit for the Jan. 6 event issued to Women for America First, a pro-Trump nonprofit run by the mother-daughter duo Amy and Kylie Jane Kremer. Chafian had worked on and off with Women for America First since October 2019.

But that title gives little indication of the scope of Wren's role in managing the "March to Save America" event, where the president would tell thousands of supporters to walk to the Capitol and "demand that Congress do the right thing and only count the electors who have been lawfully slated," the records show.

A guidance memo provided to VIP attendees of the Jan. 6 rally further establishes Wren's centrality to the event. She is listed, along with three other people, as one of the primary points of contact for the demonstration. The Kremers, whose nonprofit was attached to the event, are not mentioned at all.

Wren hasn't responded to requests for comment about the role she played in organizing the Jan. 6 rally. In a statement to the Journal, she said her role in the event was to "assist many others in providing and arranging for a professionally produced event at the Ellipse." She was last paid by the Trump campaign on Nov. 15, a campaign spokesman said, adding that the campaign "did not organize, operate or finance the event" and any former staffers who worked on the event "did not do so at the direction of the Trump campaign."

Since April 2017, Wren and her Texas-based firm, Bluebonnet Consulting, have received more than $890,000 from the Trump campaign, the Republican National Committee and Trump Victory, the joint fundraising committee, FEC records show.

Chafian, a longtime organizer, said that in December she met Jones "by complete happenstance" at the Willard Hotel in Washington. Not long before, Chafian said, Jones had had a falling out with the leadership of Women for America First. Chafian, who is a reiki practitioner, said she was "put in a position, in my opinion based on what I know from the universe, to clear that energy. To clear that negativity."

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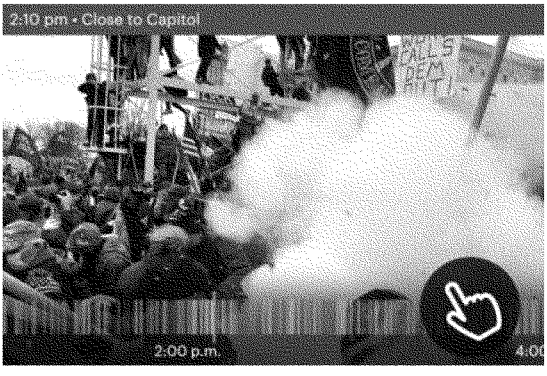

What Parler Saw During the Attack on the Capitol

ProPublica sifted through thousands of videos taken by Parler users to create an immersive, first-person view of the Capitol riot.

Later that month, Jones contacted Chafian to discuss staging a January rally in support of an effort by Trump and his allies to overturn the election results and President Joe Biden's victory, she said. He subsequently directed her to Wren.

On Dec. 28, Chafian texted Wren that it was her understanding that Wren was now "handling all of the funding from here on out," and promising to get her the "budget and breakdown."

By the end of December, after Wren became involved in the organizing efforts, Chafian said that Wren brought in Women for America First and that Chafian was ultimately sidelined. By that point, she had had her own falling out with the Kremers, leading her to start her own group, The Eighty Percent Coalition, which held a rally at Freedom Plaza in Washington, D.C., on Jan. 5 that was largely sponsored by Jones. The guidance memo provided to VIP attendees of the Jan. 6 event informs attendees of Chafian's rally, inviting them to attend should they wish and noting that "registration is not required."

In a video released the day after the Jan. 6 event, Jones claimed an unnamed donor covered 80% of the roughly $500,000 it cost to put on the rally that preceded the Capitol riot.

The Kremers, Caporale and Jones have not responded to requests for comment.

Lydia DePillis contributed to this story.

Do you have access to information about the Jan. 6 rally that should be public? Email mike.spies@propublica.org or jake.pearson@propublica.org. Here's how to send tips and documents to ProPublica securely.

Update, Jan. 30, 2021: Publix posted a statement on Twitter saying, "Mrs. Fancelli is not an employee of Publix Super Markets, and is neither involved in our business operations, nor does she represent the company in any way. We cannot comment on Mrs. Fancelli's actions."

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Jan. 6 Rally Funded by Top Trump Donor, Helped by Alex Jones, Organizers Say

WSJ wsj.com/articles/jan-6-rally-funded-by-top-trump-donor-helped-by-alex-jones-organizers-say-11612012063

Biography January 30, 2021



- WSJ News Exclusive
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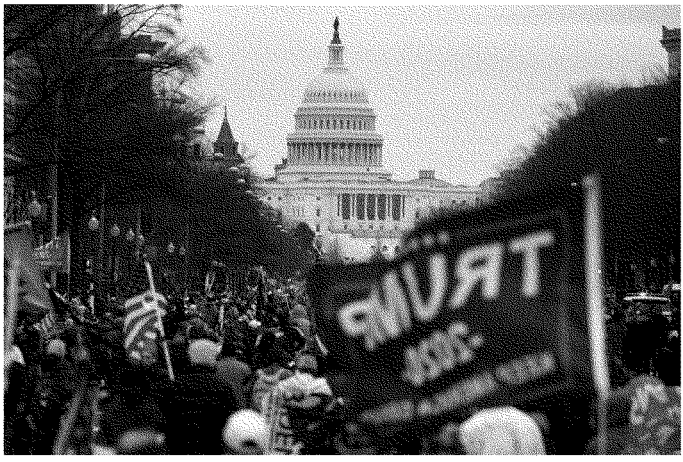
Publix Super Markets heiress donated about $300,000 to the Ellipse event; far-right show host pledged seed money, organizers say



The rally in Washington on Jan. 6 was arranged and funded by a small group of Trump supporters.

Photo: michael reynolds/Shutterstock

By
,
and
Updated Jan. 30, 2021 1:28 pm ET

The rally in Washington's Ellipse that preceded the Jan. 6 riot at the U.S. Capitol was arranged and funded by a small group including a top Trump campaign fundraiser and donor facilitated by far-right show host Alex Jones.

Mr. Jones personally pledged more than $50,000 in seed money for a planned Jan. 6 event in exchange for a guaranteed "top speaking slot of his choice," according to a funding document outlining a deal between his company and an early organizer for the event.

Mr. Jones also helped arrange for Julie Jenkins Fancelli, a prominent donor to the Trump campaign and heiress to the Publix Super Markets Inc. chain, to commit about $300,000 through a top fundraising official for former President Donald Trump's 2020 campaign, according to organizers. Her money paid for the lion's share of the roughly $500,000 rally at the Ellipse where Mr. Trump spoke.

Another far-right activist and leader of the "Stop the Steal" movement, Ali Alexander, helped coordinate planning with Caroline Wren, a fundraising official who was paid by the Trump campaign for much of 2020 and who was tapped by Ms. Fancelli to organize and fund an event on her behalf, organizers said. On social media, Mr. Alexander had targeted Jan. 6 as a

key date for supporters to gather in Washington to contest the 2020-election certification results. The week of the rally, he tweeted a flyer for the event saying: "DC becomes FORT TRUMP starting tomorrow on my orders!"

The Ellipse rally, at which President Trump urged supporters to march to the U.S. Capitol, was lawful and nonviolent. But it served as a jumping-off point for many supporters to head to the Capitol. Mr. Trump has been impeached by the Democrat-led House of Representatives, accused of inciting a mob to storm the Capitol with remarks urging supporters to "fight like hell."

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FOR IMMEDIATE RELEASE Friday, January 8, 2021

Alabama Man Charged With Possession of Eleven Molotov Cocktails Found Near Protest at U.S. Capitol

Authorities Also Found One Assault Rifle and Three Handguns

WASHINGTON— Today, Acting U.S. Attorney Michael Sherwin for the District of Columbia announced charges against an Alabama man that include one count of unlawful possession of a destructive device, and one count of carrying a pistol without a license.

Lonnie Leroy Coffman, 70, of Falkville, Alabama, was arrested yesterday and charged in a criminal complaint filed in the U.S. District Court for the District of Columbia. Coffman remains in custody pending a detention hearing scheduled for Tuesday, January 12.

As alleged in the Complaint, on January 6, U.S. Capitol Police (USCP) officers responded to reports of possible explosive devices in the area around the United States Capitol. In the course of conducting a protective sweep of the area, officers observed the handle of what appeared to be a firearm on the front right passenger seat of a red pickup truck with Alabama tags. A law enforcement database check of the vehicle registration revealed that the vehicle was registered to Lonnie L. Coffman with a home address in Falkville, Alabama. USCP Bomb Squad members subsequently searched the vehicle and secured one black handgun, one M4 Carbine assault rifle along with rifle magazines loaded with ammunition, and components for the construction of eleven "Molotov Cocktails" in the form of mason jars filled with ignitable substances, rags, and lighters.

Later that evening, Coffman was stopped in the vicinity of his truck when he attempted to return to his vehicle. Coffman was subsequently searched and found to have on his person a 9mm Smith & Wesson handgun, a 22-caliber derringer style handgun, and two sets of vehicle keys that matched the truck. When asked, Coffman told officers that the mason jars contained melted Styrofoam and gasoline. ATF advised that the combination of melted Styrofoam and gasoline is an explosive mixture that has the effect of napalm because, when detonated, the substance causes the flammable liquid to better stick to objects that it hits.

Coffman is charged with one count of unlawful possession of a destructive device, which carries a maximum prison term of up to 10 years, and one count of carrying a pistol without a license under D.C. law, which carries a maximum prison term of up to 5 years.

The charges contained in the complaint are allegations. The defendant is presumed innocent unless and until proven guilty beyond a reasonable doubt in a court of law.

The case is being prosecuted by the Assistant U.S. Attorneys Jason B.A. McCullough and Michael Friedman of the District of Columbia United States Attorney's Office, and Trial Attorney Taryn Meeks of the National Security Division of the Department of Justice. The case is being investigated by the U.S. Capitol Police Department with assistance from the U.S. Bureau of Alcohol, Tobacco, Firearms, and Explosives and Federal Bureau of Investigation.

The ATF and FBI continue to urge the public to report suspected use of explosive devices, or violent, destructive acts associated with the recent unrest. Anyone with information can call 1-888-ATF-TIPS (1-888-283-8477), email ATFTips@atf.gov or submit information anonymously via ReportIt.com .

The FBI is looking for individuals who may have incited or promoted violence of any kind. Anyone with digital material or tips can call 1-800-CALL-FBI (800-225-5324) or submit images or videos at fbi.gov/USCapitol.

Topic(s):
National Security

Component(s):
USAO - District of Columbia

Press Release Number:
21-004

Updated January 9, 2021

Trump's marks final presidential visit to the RGV

progresstimes.net/2021/01/13/trumps-marks-final-presidential-visit-to-the-rgv/



By Jose De Leon III | January 13, 2021 | 0
It started with the border wall and ended at the border wall.

After announcing his candidacy for president in 2015 by campaigning for stronger borders and a restrictive immigration policy, President Donald J. Trump made his second – and last presidential – visit to the Rio Grande Valley Tuesday.

The President held a press conference in Alamo to mark the 45th mile of new border wall that was constructed under his administration. The President previously visited the Valley in 2019 and his latest trip occurred with over a week to go before the inauguration of a new president.

News of his visit drew criticism from officials and local organizations, along with support from Trump's growing fan base in the Valley.

The Visit

The President made his first public appearance since a riot broke out in the U.S. Capital last week that killed five people as Congress was certifying President-elect Joe Biden's electoral victory.

Trump has been accused of inciting the attack by holding a rally prior to the riot where he expressed support for those protesting the certification of the votes. Though Trump refused to take responsibility for the attack, he condemned those who participated in it.

"Millions of our citizens watched... as a mob stormed the Capitol and trashed the halls of government," the President said Tuesday. "As I have consistently said throughout my administration, we believe in respecting America's history and traditions, not tearing them down. We believe in the rule of law, not in violence or rioting."

Due to his alleged involvement in inciting these attacks, as well as spending months spouting unfounded claims of voter fraud, Democrats are seeking to impeach the president. Trump called the proposed impeachment "an assault on free speech."

"The 25th Amendment is of zero risk to me but will come back to haunt Joe Biden and the Biden administration," the President said. "The impeachment hoax is a continuation of the greatest and most vicious witch hunt in the history of our country, and it is causing tremendous anger and division and pain — far greater than most people will ever understand, which is very dangerous for the USA, especially at this very tender time."

During his nearly 21-minute long speech, Trump focused on immigration issues and touted the construction of the border wall which he campaigned for.

"Looking at our wall, we reformed our immigration system and achieved the most secure southern border in U.S. history. It is at a level that it's never been before," Trump said. "It wasn't easy getting it built. Getting it financed was tough. Getting it built was even tougher. All the different chains of title and all the different things we had to go through — very, very complex and very difficult, but we got it done."

As part of his campaign, Trump promised the construction of up to 1,000 miles of new border wall throughout his administration that Mexico would pay for. Tuesday's visit marked the completion of about 450 miles of border wall funded by the U.S. Government. According to a report from NBC News only 47 of the 450 miles represent brand new border wall structures along the 2,000-mile-long border area.

"I kept my promises," Trump said, adding that an additional 300 miles of border wall will be added. "And today we celebrate an extraordinary milestone: the completion of the promised 450 miles of border wall. Four hundred and fifty miles. Nobody realizes how big that is."

For the extended story featuring local reactions to Trump's visit, pick up Friday's edition of the Progress Times wherever our newsstands are available.

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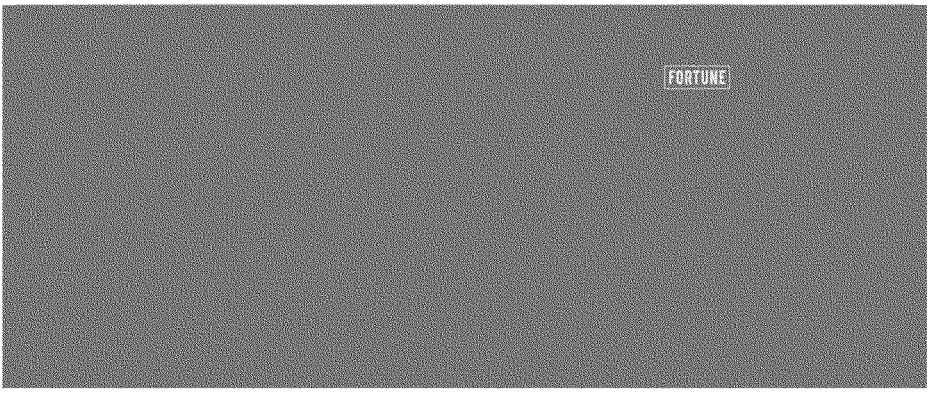

The two top Democrats in Congress on Thursday accused Trump of inciting the mob that stormed the Capitol and called him a continuing threat to democracy in his waning days in the White House.

Trump is "a very dangerous person who should not continue in office," Pelosi said in Washington. "This is urgent, an emergency of the highest magnitude."



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In a separate news conference in New York, Schumer echoed Pelosi's dire warnings. "The best thing to do is to get rid of him," he said. "I don't trust him one bit."

The extraordinary broadside against Trump came as the president is under siege from some Republicans as well as Democrats and from inside his own administration as top officials announce resignations.

Transportation Secretary Elaine Chao, who is married to Senate Majority Leader Mitch McConnell, is so far the highest ranking official to depart. She said in her resignation announcement that the storming of the Capitol by Trump supporters "deeply troubled me in a way that I simply cannot set aside."

Investors largely shrugged off the violence in Washington and the turmoil in the government, as nearly 70% of the companies in the S&P 500 rose in trading on Thursday on the prospect for more stimulus and the likelihood that calm will prevail once Joe Biden takes over the presidency on Jan. 20.

Pelosi said she wants to hear as soon as today from Vice President Mike Pence about whether he would act on calls to use the Constitution's 25th Amendment to remove Trump from office in the final 13 days of his term. Schumer said he and Pelosi attempted to reach Pence by phone Thursday morning but were left waiting for 25 minutes.

Although numerous congressional Democrats have been calling for Trump to be impeached, it was unclear whether there is time to do so before he leaves office on Jan. 20 and whether there is significantly more Republican support than earlier this year after the Senate voted to acquit him on impeachment charges brought by the Democratic-led House.

Although Schumer said the House and Senate should be brought back for impeachment proceedings, Pelosi said there were "no immediate plans" to call members back.

"If he wants to be unique and be doubly impeached—that's up to him and his cabinet if he wants to stay in office," Pelosi said.

Schumer, who is set to become majority leader, said in a statement earlier Thursday that Pence should take over the Oval Office until Biden is inaugurated on Jan. 20.

A number of rank-and-file Democrats have urged Trump's impeachment, and a Republican, Representative Adam Kinzinger of Illinois, also backed ousting the president via the 25th Amendment.

"Not only has the president abdicated his duty to protect the American people and the people's house, he invoked and inflamed

The outcry stemmed from the violence Wednesday, when a mob of Trump supporters broke through police lines and invaded the Capitol, disrupting a joint session of Congress convened to formally count the Electoral College votes from the November presidential election. A White House spokesman later promised an orderly transition of power, but Trump has refused to acknowledge his election loss to Biden.

Impeachment and removal from office would require a simple majority in the House but two-thirds of the Senate.

Only one Republican, Senator Mitt Romney, voted to convict Trump after his impeachment in 2019. Convicting Trump would require many more Republicans to vote in favor.

Romney on Wednesday said there is probably too little time before Trump is out of office on Jan. 20 to begin impeachment proceedings again.

Asked whether the 25th Amendment should be used, he told reporters, "I think we have to hold our breath for the next 20 days."

Many of Trump's GOP allies also have distanced themselves from the president after Wednesday's violence.

House Judiciary Committee Democrats led by Representatives David Cicilline, Ted Lieu and Jamie Raskin said Thursday they are circulating articles of impeachment of Trump charging him with "willfully inciting violence against the government of the United States" and calling for him to be immediately removed from office and barred from holding any U.S. office again.

"President Trump gravely endangered the security of the United States and its institutions of government," they wrote. "He threatened the integrity of the democratic system, interfered with the peaceful transition of power and imperiled a coordinate branch of government."

Pelosi emphasized the urgent need to strip Trump of all authority, given the uncertainty of how he might behave in the next two weeks before Biden is sworn in.

"While it is only 13 days left," Pelosi said, "any day can be a horror show for America."

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The need to reckon with Trump's lies

washingtonpost.com/world/2021/01/11/trump-lies-capitol-mob-analysis/

By Ishaan Tharoor

January 11, 2021



You're reading an excerpt from the Today's WorldView newsletter. ***Sign up to get the rest****, including news from around the globe, interesting ideas and opinions to know, sent to your inbox every weekday.*

For much of President Trump's time in power, observers and journalists have struggled with how to characterize his lying. It's sometimes hard to tell whether when spouting falsehoods, he knowingly mauled the truth.News organizations fact-checked Trump, called out his misleading claims and exaggerations, and catalogued the many thousands of falsehoods he propagated while holding the highest office in the land. But Trump carried on, insulated by a right-wing echo chamber and impervious to criticism.

Lies — a mendacity both calculated and weaponized — were always at the heart of the Trump presidency. His political career was launched with a lie about the place of former president Barack Obama's birth, intended to delegitimize the country's first Black president. And it may now be drawing to an end with an evidently dangerous set of lies about the election he lost and the capacity of his hardcore supporters to overturn the result.

Washington is still floundering in the aftermath of the failed but deadly attack Wednesday that saw a mob of Trump supporters attempt to storm the Capitol and stop lawmakers from certifying President-elect Joe Biden's victory. It's obvious that Trump played a role in stirring up the acts of insurrection, arguably along with a coterie of prominent Republican officials who pandered to the mob's misguided rage.

Yet Trump's campaign of incitement didn't begin last week. It has coursed through his presidency: He has stoked polarization and demonized political opponents with a cavalcade of lies aimed at channeling the anxieties of his base. Experts pointed to the authoritarian, even fascist, character of his politics, which was so tightly wound around loyalty to Trump himself and an almost apocalyptic worldview that warned of enemies plotting American ruin abroad and within.

"Like many other populist leaders — including Hungary's Viktor Orban, India's Narendra Modi, the Philippines's Rodrigo Duterte, and Venezuela's Nicolás Maduro — Trump has an us-versus-them mentality," wrote Harvard University political scientist Pippa Norris. "As he sees it, when defending 'us' against the existential threat of 'them,' nearly everything is justified."

"Our big lie is typically American, wrapped in our odd electoral system, depending upon our particular traditions of racism," wrote Timothy Snyder, a historian at Yale University. "Yet our big lie is also structurally fascist, with its extreme mendacity, its conspiratorial thinking, its reversal of perpetrators and victims and its implication that the world is divided into us and them. To keep it going for four years courts terrorism and assassination."

It's no surprise that the kindling Trump helped pile onto the American political landscape took spark. "What makes such movements turn violent," my colleagues wrote in a piece that linked the radicalization of those who stormed the Capitol to that of violent extremist movements around the world, "is the additional belief that some other entity — usually based on race, religion, or nationality — is to blame for perceived humiliation."

"Trump played on and amplified these messages," Cindy Storer, a former CIA counterterrorism analyst, explained to my colleagues.

The thorny question is what consequences the president should face. Some House Democrats are preparing for an unprecedented second round of impeachment proceedings for the president. "Absent a resignation or a move by Vice President Pence to lead the invoking of the 25th Amendment, for which Pence shows no stomach, impeachment proceedings could be on a fast-track," wrote my colleague Dan Balz. "In just a few days, the idea of impeachment has gone from preliminary conversations to the prospect of possible floor action early next week, if Trump has not resigned."

It's doubtful, though, that such a maneuver would get any traction in the Senate before Trump's term expires. And beyond Trump, there is an entire ecosystem of right-wing disinformation that proliferates. Polling last week before the attack on the Capitol found that significant numbers of Republicans doubted the results of the election. Polling in the aftermath showed that many Republicans — if not a majority — approved of the storming of the Capitol.

Tech companies whose social media platforms gave oxygen to years of Trumpist grievance and conspiracy theories have also started to take action. Trump's Twitter feed — the giant, defining megaphone of his presidency — was suspended permanently last week. Google, Apple and Amazon all took steps to limit or disable the use of right-wing messaging app Parler on the grounds that its insufficient content moderation policies failed to stop people like the pro-Trump rioters from spreading hate and voicing plans for violence.

Critics on the left have been calling for such measures for months, but, for the American right, these moves are evidence of a supposed big-tech conspiracy against conservatives. Analysts suggest that feelings of martyrdom and persecution may fuel the next phase of Republican politics.

Yet even some senior Republicans say a more honest accounting of what brought the country to this moment needs to take place. "It all started with lies, and lies, and lies, and intolerance," former California governor Arnold Schwarzenegger said in a video message, in which he spoke of his own upbringing in guilt-ridden Austria in the years after World War II. "So being from Europe, I've seen firsthand how things can spin out of control."

In an op-ed for Politico, Thierry Breton, a top European Union official, pointed to the untenability of allowing private tech companies to be the gatekeepers of political speech. But the United States, given its First Amendment protections, isn't on the verge of copying some of the stricter regulations around hate speech codified in many European countries.

"Last week's insurrection marked the culminating point of years of hate speech, incitement to violence, disinformation and destabilization strategies that were allowed to spread without restraint over well-known social networks," wrote Breton. "The unrest in Washington is proof that a powerful yet unregulated digital space — reminiscent of the Wild West — has a profound impact on the very foundations of our modern democracies."

Read more:

The end of the road for American exceptionalism

Trump's bitter fight and the fragility of U.S. democracy

The awkward timing of Europe's deal with China

House, With Some G.O.P. Support, Votes to Impeach Trump a Historic Second Time

nytimes.com/live/2021/01/13/us/trump-impeachment

January 13, 2021



Last Updated
Jan. 21, 2021, 7:59 a.m. ET

Jan. 21, 2021, 7:59 a.m. ET
The House impeached President Trump for inciting an insurrection against the government, and 10 Republicans joined Democrats to do so. Senator Mitch McConnell said he would not agree to use emergency powers to bring the Senate back into session for a trial before Jan. 19.

Follow our live coverage of Biden's presidency.

The House impeaches Trump for 'incitement of insurrection,' setting up a Senate trial.

Video



-0:00

transcript

Trump Impeached Again, With Some G.O.P. Support

On Wednesday, the House of Representatives impeached President Trump for inciting a violent insurrection against the United States government, following the Jan. 6 attacks on the Capitol. Ten Republican members voted with Democrats.

"Give me a break. The president of the United States instigated an attempted coup in this country, people died. Everybody should be outraged, whether you're a Democrat or a Republican. If this is not an impeachable offense, I don't know what the hell is." "President Trump is committed to a peaceful and uninterrupted transfer of power, but that's not good enough for my colleagues across the aisle. With just seven days left in President Trump's term, they are fast-tracking impeachment proceedings, a move, which will no doubt further divide an already fractured nation. Even House Democrats' last impeachment effort —" "I hid in an office for hours, terrified to open the door because I did not know if a rioter was on the other side, ready to attack, kidnap or murder me." "You cannot, consistent with the rule of law, punish that which the Constitution's First Amendment declares protected. If you do it, the violators of duty to this Constitution." "Those insurrectionists were not patriots. They were not part of a political base to be catered to and managed, they were domestic terrorists, and justice must prevail. But they did not appear out of a vacuum. They were sent here, sent here by the president, with words such as a cry to 'fight like hell.' Words matter. Truth matters, accountability matters." "If we impeached every politician who gave a fiery speech to a crowd of partisans, this Capitol would be deserted. That's what the president did. That is all he did." "Let me ask you a question: What do you think they would have done if they had gotten in? What do you think they would have done to you? And who do you think sent them here — the most dangerous man to ever occupy the Oval Office." "And you want to just go after a president, just go straight to the floor — no investigation, no judiciary committee, go straight to the floor, use it as a political weapon, as you wish. This is so dangerous what you're doing." "If we fail to remove a white supremacist president who incited a white supremacist insurrection, it's communities like Missouri's First District that suffer the most. The 117th Congress must understand that we have a mandate to legislate in defense of Black lives." "The president took an oath to defend the Constitution against all enemies, foreign and domestic. Last week, there was a domestic threat at the door of the Capitol, and he did nothing to stop it. That is why with a heavy heart and clear resolve, I will vote 'yes' on these articles of impeachment." [applause] "On this vote, the 'ayes' are 232. The 'nays' are 197. The resolution is adopted without objection, the motion to reconsider is laid upon the table."



On Wednesday, the House of Representatives impeached President Trump for inciting a violent insurrection against the United States government, following the Jan. 6 attacks on the Capitol. Ten Republican members voted with Democrats.CreditCredit...Erin Schaff/The New York Times

Second Impeachment of Donald J. Trump

	TOTAL	DEM.	REP.
Yes	232	222	10
No	197	0	197

Impeachment Results: How Democrats and Republicans Voted

See how each House member voted on the article of impeachment charging President Trump with inciting violence against the country.

The House on Wednesday impeached President Trump for inciting a violent insurrection against the United States government, as 10 members of the president's party joined Democrats to charge him with high crimes and misdemeanors for an unprecedented second time.

Reconvening under the threat of continued violence and the protection of thousands of National Guard troops, the House was determined to hold Mr. Trump to account just one week before he was to leave office. At issue was his role in encouraging a mob that attacked the Capitol one week ago while Congress met to affirm President-elect Joseph R. Biden Jr.'s victory, forcing lawmakers to flee for their lives in a deadly rampage.

The House adopted a single article of impeachment, voting 232 to 197 to charge Mr. Trump with "inciting violence against the government of the United States" and requesting his immediate removal from office and disqualification from ever holding one again.

Ten Republicans joined Democrats in voting to impeach: Representatives Liz Cheney of Wyoming, the party's No. 3 leader in the House; Jaime Herrera Beutler of Washington; John Katko of New York; Adam Kinzinger of Illinois; Fred Upton of Michigan; Dan Newhouse of Washington; Peter Meijer of Michigan; Anthony Gonzalez of Ohio; David Valadao of California; and Tom Rice of South Carolina.

The defections were a remarkable break from the head of the party by Republicans, who voted unanimously against impeaching Mr. Trump just over a year ago.

The vote set the stage for the second Senate trial of Mr. Trump in a year, though senators were not expected to convene to sit in judgment before Jan. 20, when Mr. Biden will take the oath of office.

The last proceeding, over Mr. Trump's attempts to pressure Ukraine to smear Mr. Biden, was a partisan affair.

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(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. RES. _____

Impeaching Donald John Trump, President of the United States, for high crimes and misdemeanors.

IN THE HOUSE OF REPRESENTATIVES

Mr. CICILLINE (for himself, Mr. TED LIEU of California, Mr. RASKIN, Mr. NADLER, and [see ATTACHED LIST of cosponsors]) submitted the following resolution; which was referred to the Committee on

.....

RESOLUTION

Impeaching Donald John Trump, President of the United States, for high crimes and misdemeanors.

Resolved, That Donald John Trump, President of the United States, is impeached for high crimes and misdemeanors and that the following article of impeachment be exhibited to the United States Senate:

Article of impeachment exhibited by the House of Representatives of the United States of America in the name of itself and of the people of the United States of America, against Donald John Trump, President of the

g:\VHLC\011021\011021.023.xml (785770|5)
January 10, 2021 (11:08 p.m.)

Read the Article of Impeachment

House Democrats on Monday introduced an article of impeachment charging President Trump with "high crimes and misdemeanors" for inciting the mob that assaulted the Capitol on Wednesday.

This time, Senator Mitch McConnell of Kentucky, the Republican leader, was said to support the effort as a means of purging his party of Mr. Trump, setting up a political and constitutional showdown that could shape the course of American politics when the nation remains dangerously divided.

In a note to Republican colleagues on Wednesday, Mr. McConnell did not deny that he backed the impeachment push, but he said that he had "not made a final decision on how I will vote, and I intend to listen to the legal arguments when they are presented to the Senate."

Mr. Trump showed no contrition for his actions. But in the run-up to the vote on Wednesday, he issued a statement urging his supporters to remain peaceful as federal authorities warned of a nationwide wave of violence surrounding Mr. Biden's inauguration.

"There must be no violence, no lawbreaking and no vandalism of any kind," the president said in a statement that was read by Republicans from the House floor. "That is not what I stand for, and it is not what America stands for. I call on all Americans to help ease tensions and calm tempers."

Image
President Trump is the first president to be impeached twice.Credit...Doug Mills/The New York Times

The House's vote was historic. Only two other presidents have been impeached; none has been impeached twice, by such a large bipartisan margin, or so close to leaving office.

Speaker Nancy Pelosi of California implored colleagues before the vote to embrace "a constitutional remedy that will ensure that the Republic will be safe from this man who is so resolutely determined to tear down the things that we hold dear and that hold us together."

"He must go. He is a clear and present danger to the nation that we all love," she said, adding later, "It gives me no pleasure to say this — it breaks my heart."

Republicans, who stood unanimously behind Mr. Trump in 2019 during his first impeachment, were split over the charge this time.

Representative Kevin McCarthy of California, the House Republican leader, spoke out against impeachment, warning that it would "further fan the flames of partisan division." But he also pinned blame on Mr. Trump for the attack and batted down false suggestions from some of his colleagues that antifa had actually been responsible for the siege, not loyalists to Mr. Trump. He proposed censuring the president instead of impeaching him.

"The president bears responsibility for Wednesday's attack on Congress by mob rioters," Mr. McCarthy said. "He should have immediately denounced the mob when he saw what was unfolding."

Mr. Biden also called for holding the president and the rioters accountable and applauded the vote in the House. "It was a bipartisan vote cast by members who followed the Constitution and their conscience," he said in a statement on Wednesday night.

Democrats and some Republicans had tried — briefly — to take another course. They urged Mr. Trump to resign voluntarily and voted late Tuesday to call on Vice President Mike Pence to invoke the 25th Amendment to wrest the powers of the presidency from Mr. Trump for the remainder of his term. Mr. Trump refused, and so did Mr. Pence.

— Nicholas Fandos

Now that the House has impeached Trump, what happens next?



It is the first time in American history a president has been impeached twice.Credit...Erin Schaff/The New York Times

The House on Wednesday impeached President Trump for a second time, charging him with "incitement of insurrection" one week after he egged on a mob of supporters that stormed the Capitol while Congress met to formalize President-elect Joseph R. Biden Jr.'s victory.

Minutes after the vote, Senator Mitch McConnell of Kentucky, the Republican leader, in a statement threw cold water on the prospect of the Senate beginning an impeachment trial before Mr. Biden is inaugurated next Wednesday. He endorsed a later start to the

proceedings and effectively handed responsibility for the process to Democrats, who will soon control the chamber.

"Given the rules, procedures, and Senate precedents that govern presidential impeachment trials, there is simply no chance that a fair or serious trial could conclude before President-elect Biden is sworn in next week," Mr. McConnell said. "In light of this reality, I believe it will best serve our nation if Congress and the executive branch spend the next seven days completely focused on facilitating a safe inauguration and an orderly transfer of power to the incoming Biden administration."

Here's what we know about what happens next.

How does the impeachment process work?

After the House has impeached the president — the equivalent of an indictment in a criminal case — members of the Senate consider whether to remove him, holding a trial in which senators act as the jury. The test, as set by the Constitution, is whether the president has committed "treason, bribery, or other high crimes and misdemeanors."

How can the Senate hold a trial if Trump is gone?

There is no precedent for the Senate holding an impeachment trial after a president has left office, but it has done so for other government officials.

Democrats who control the House can choose when to send their article of impeachment to the Senate, at which point that chamber would have to immediately move to begin the trial. But even if the House immediately transmitted the charge to the other side of the Capitol, an agreement between Republican and Democratic leaders in the Senate would be needed to take it up before Jan. 19, a day before Mr. Biden is inaugurated.

Since Mr. McConnell said on Wednesday that he would not agree, the trial cannot start until after Mr. Biden is president. That could clog the Senate floor in the early days of Mr. Biden's administration, at a time when he will be eager to have the chamber confirm senior members of his cabinet.

Would impeaching Trump disqualify him from holding office again?

Conviction in an impeachment trial would not automatically disqualify Mr. Trump from future public office.

But if the Senate were to convict him, the Constitution allows a subsequent vote to bar an official from holding "any office of honor, trust or profit under the United States." That vote would require only a simple majority of senators.

There is no precedent, however, for disqualifying a president from future office, and the issue could end up before the Supreme Court.

— Catie Edmondson and Nicholas Fandos

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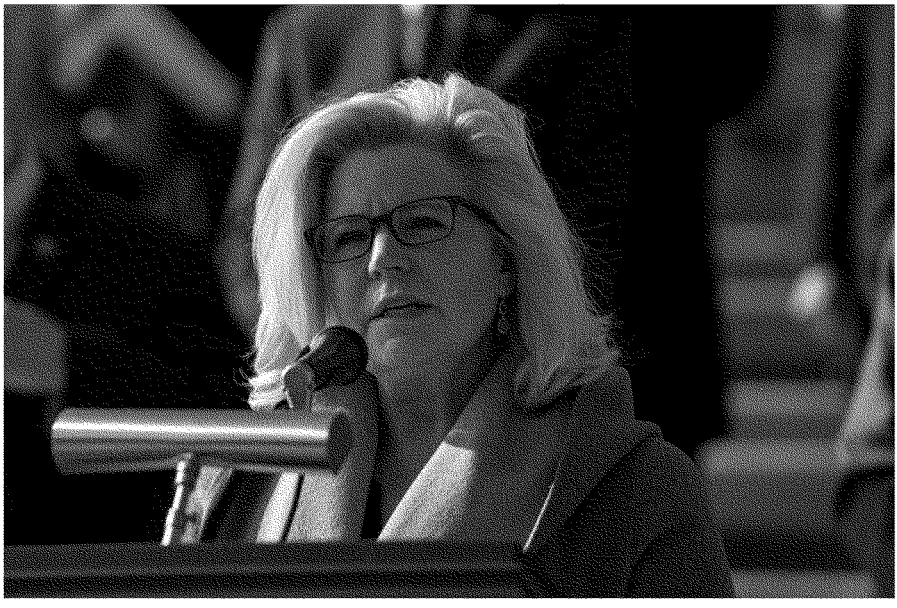
These are the 10 Republicans who voted in favor of impeachment.



Representative Liz Cheney of Wyoming, the No. 3 House Republican, cited the president's role in inciting the insurrection.Credit...Anna Moneymaker for The New York Times

As the House voted Wednesday to formally charge President Trump with inciting violence against the government of the United States, exactly one week after the Capitol was breached by an angry mob of Trump loyalists, 10 Republicans cast their votes in favor of impeachment.

It was the largest number of lawmakers to ever vote to impeach a president from their own party; just five Democrats voted to impeach President Bill Clinton, and not a single Republican voted in favor of impeaching Mr. Trump in 2019.

House Republican leaders said they would not formally lobby members of the party against voting to impeach the president this time.

Representative John Katko of New York was the first Republican to publicly announce that he would back impeachment. Not holding the president accountable for his actions would be "a direct threat to the future of our democracy," he said.

Representative Liz Cheney of Wyoming, the No. 3 House Republican, said on Tuesday evening that she would vote to impeach, citing the president's role in an insurrection that caused "death and destruction in the most sacred space in our republic."

Representative Adam Kinzinger of Illinois, a frequent critic of Mr. Trump, joined his Republican colleagues on Tuesday evening, saying the nation was in uncharted waters. He said that Mr. Trump "encouraged an angry mob to storm the United States Capitol to stop the counting of electoral votes."

Representative Fred Upton of Michigan said he would vote to impeach after Mr. Trump "expressed no regrets" for what had happened at the Capitol.

Representative Jaime Herrera Beutler of Washington State said, "The president's offenses, in my reading of the Constitution, were impeachable based on the indisputable evidence we already have." (An earlier version of this item incorrectly stated which state Ms. Herrera Beutler represents.)

Representative Dan Newhouse of Washington State announced that he was backing impeachment, attacking his party's core argument, that the process was being rushed. "I will not use process as an excuse," he said during the impeachment debate, to cheers and applause from Democrats. Mr. Newhouse also offered a mea culpa, chiding himself and other Republicans for "not speaking out sooner" against the president.

Representative Peter Meijer of Michigan said that Mr. Trump had "betrayed his oath of office by seeking to undermine our constitutional process, and he bears responsibility for inciting the insurrection we suffered last week."

Representative Anthony Gonzalez of Ohio said Vice President Mike Pence and members of the House and Senate "had their lives put in grave danger as a result of the president's actions," adding, "When I consider the full scope of events leading up to Jan. 6, including the president's lack of response as the United States Capitol was under attack, I am compelled to support impeachment."

Representative David Valadao of California complained that the process had been rushed but said: "Based on the facts before me, I have to go with my gut and vote my conscience. I voted to impeach President Trump. His inciting rhetoric was un-American, abhorrent and absolutely an impeachable offense. It's time to put country over politics."

Representative Tom Rice of South Carolina criticized Mr. Trump's response to the siege and concluded: "I have backed this president through thick and thin for four years. I campaigned for him and voted for him twice. But this utter failure is inexcusable."

Four Republicans did not vote: Representatives Kay Granger of Texas, Andy Harris of Maryland, Greg Murphy of North Carolina and Daniel Webster of Florida.

Nicholas Fandos and Glenn Thrush contributed reporting.

— Thomas Kaplan and John Eligon

Trump posts video condemning Capitol violence but does not mention his role in instigating it.



President Trump on Wednesday released a video condemning the violence at the Capitol last week.Credit...Doug Mills/The New York Times

Within hours of becoming the first president to be impeached twice, President Trump posted a five-minute video on a White House Twitter account on Wednesday evening condemning the storming of the Capitol complex by his supporters last week and urged his followers to avoid a repeat in "the coming days both here in Washington and across the country."

Mr. Trump recorded the video under pressure from aides, who have warned him that he faces potential legal exposure for the riot, which occurred immediately after a speech in which he urged them to "fight" the results of the election, which he falsely claimed was stolen.

The president did not mention his own role in instigating the violence last week. On Tuesday, he defended the remarks he made at a rally before his supporters marched to the Capitol as "totally appropriate" and said the effort by Congress to impeach and convict him was "causing tremendous anger."

He also did not acknowledge the loss of life or his own false claims of the election being stolen in the two months before the rally last week.

The video came a short time after Senator Mitch McConnell of Kentucky, the Republican leader, made clear in a statement that he was open to voting to convict the president on the article of impeachment — a sea change from a year ago, when Mr. McConnell whipped fellow senators against a conviction in the president's first impeachment trial. Just before the House impeached him on Wednesday afternoon, Mr. Trump issued a statement to his supporters calling on Americans to "ease tensions and calm tempers."

In the video, president did not mention the five people who died as a result of the violence at the Capitol. But he did go further in his language than he has at any point, as law enforcement is bracing for new insurgencies in Washington and around the country next week.

"As I have said, the incursion of the U.S. Capitol struck at the very heart of our Republic," Mr. Trump said, his most forceful statement after a few attempts that offered a fig leaf to his supporters last week. "It angered and appalled millions of Americans across the political spectrum."

"I want to be very clear," he continued. "I unequivocally condemn the violence that we saw last week. Violence and vandalism have absolutely no place in our country and no place in our movement. Making America great again has always been about defending the rule of law" and supporting law enforcement officials.

During the riot by his supporters, a Capitol Police officer sustained extensive head injuries and later died.

As a candidate in 2016, Mr. Trump once encouraged rally attendees to physically attack protesters. But in the video on Wednesday, he said that "mob violence goes against everything I believe in and everything our movement stands for. No true supporter of mine could ever endorse political violence."

"If you do any of these things, you are not supporting our movement, you are attacking it, and you are attacking our country," he said. "We cannot tolerate it."

Of the reports of new demonstrations next week, Mr. Trump said, "There must be no violence, no lawbreaking and no vandalism of any kind."

Michael Gold contributed reporting.

— Maggie Haberman

Lawmakers recount feeling unsafe because of colleagues' behavior during Capitol siege.

Video

-0:00

transcript

Ocasio-Cortez Says She Feared for Her Life During Capitol Riot

Representative Alexandria Ocasio-Cortez said that she and other members of Congress "were nearly assassinated" during the siege and that she felt some of her colleagues would have willingly put her at risk.

Wednesday was an extremely traumatizing event. And it is not an exaggeration to say that many, many members of the House were nearly assassinated. We were very lucky that things happened within certain minutes that allowed members to escape the Cap— the House floor unharmed. But many of us nearly and narrowly escaped death. I myself did not even feel safe going to the, that extraction point because there were QAnon and white supremacist sympathizers and frankly, white supremacist members of Congress, in that extraction point, who I know and who I had felt would disclose my location and allow me to — who would create opportunities to allow me to be hurt.



Representative Alexandria Ocasio-Cortez said that she and other members of Congress "were nearly assassinated" during the siege and that she felt some of her colleagues would have willingly put her at risk.CreditCredit...Anna Moneymaker for The New York Times

Democratic lawmakers are voicing safety concerns in the week after the storming of the Capitol and criticizing the actions of some of their Republican colleagues regarding security in the days around the attack.

Sarah Groh, the chief of staff to Representative Ayanna S. Pressley, Democrat of Massachusetts, told The Boston Globe on Wednesday that when Ms. Groh tried to push the panic buttons in the Capitol, she discovered that all of the ones in Ms. Pressley's office had been inexplicably "torn out."

Representative Jamaal Bowman, Democrat of New York, tweeted on Wednesday that his office also did not have panic buttons during the assault. And Democratic members of Congress on Wednesday accused unnamed Republicans of giving tours of the Capitol before the violent siege.

"Those members of Congress who had groups coming through the Capitol that I saw on Jan. 5, a reconnaissance for the next day, those members of Congress that incited this violent crowd," said Representative Mikie Sherrill, Democrat of New Jersey, "I'm going to see that they're held accountable."

The Government Accountability Office, a nonpartisan federal watchdog agency, has signaled that it would open an investigation that would examine what roles members of Congress might have played, according to Representative Jason Crow, Democrat of Colorado, who requested the inquiry.

The inspector general of the Capitol Police is also opening a potentially wide-ranging investigation into security breaches connected to the siege that could determine the extent of involvement of some Capitol Police officers, according to a senior congressional aide with direct knowledge of the investigation.

Representative James E. Clyburn of South Carolina, the Democratic whip, told CNN this week that although he took shelter in his unmarked office in the Capitol during the attack, the mob was able to find where he was.

"That to me indicates that something untoward may have been going on," he said.

In a livestream on Tuesday night, Representative Alexandria Ocasio-Cortez of New York said she feared that some of her colleagues would put her in danger by revealing her location.

"I didn't even feel safe around other members of Congress," Ms. Ocasio-Cortez said in an hourlong livestream posted on Instagram. "There were QAnon and white supremacist sympathizers and, frankly, white supremacist members of Congress in that extraction point who I know, and who I had felt would disclose my location, who would create opportunities to allow me to be hurt, kidnapped, etc."

Ms. Pressley echoed Ms. Ocasio-Cortez, writing on Twitter that she did not feel safe sheltering with certain lawmakers.

"The second I realized our 'safe room' from the violent white supremacist mob included treasonous, white supremacist, anti masker Members of Congress who incited the mob in the first place, I exited," Ms. Pressley said.

Ms. Ocasio-Cortez and Ms. Pressley are both members of "The Squad," a group of progressive lawmakers of color who have been verbally attacked by conservatives and the president.

Representative Lauren Boebert, Republican of Colorado, drew criticism from Democrats for tweeting about Speaker Nancy Pelosi's location during the attack, despite reports that lawmakers were instructed by security officials not to reveal their whereabouts. Ms. Boebert later dismissed the seriousness of her actions.

"They accuse me of live-tweeting the speaker's presence after she had been safely removed from the Capitol, as if I was revealing some big secret, when in fact this removal was also being broadcast on TV," Ms. Boebert said in a statement on Monday.

In the week leading up to the Capitol siege, Ms. Boebert, a fiery gun-rights activist, released an ad declaring that she would carry her Glock with her on the streets of Washington, including on her way to work. On her way to the House chamber for the impeachment vote on Wednesday, Ms. Boebert caused a spectacle by pushing her way through metal detectors, which were installed as part of heightened security measures after the attack, and ignoring police officers who asked her to stop.

Ms. Boebert and other freshman Republicans, such as Marjorie Taylor Greene of Georgia and Madison Cawthorn of North Carolina, have questioned or outright flouted guidelines meant to protect lawmakers from violence, intruders or the coronavirus.

"I did not know if I was going to make it to the end of that day alive," Ms. Ocasio-Cortez said during her livestream. "Not just in a general sense, but also in a very, very specific sense."

Luke Broadwater contributed reporting.

— Aishvarya Kavi

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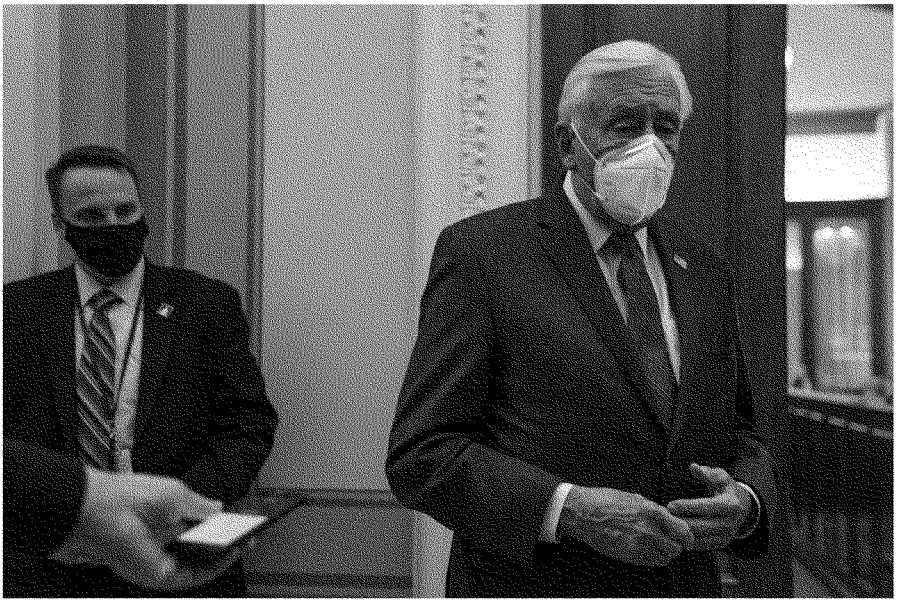
'It is never too late to do the right thing.' Read key quotes from Democrats and Republicans on impeachment.



"It is never too late to do the right thing," Representative Steny Hoyer, the majority leader, said.Credit...Anna Moneymaker for The New York Times

Gathered in the Capitol just one week after it came under violent attack by a pro-Trump mob, the House engaged in an emotional debate on Wednesday over whether to impeach President Trump for his role in inciting the violence.

Nearly every Democrat spoke out in support of impeachment and a handful of Republicans pledged to join them.

But in the run-up to the vote, the two parties traded bitter jabs and dueling arguments for and against using the Constitution's gravest remedy just days before Mr. Trump was to leave office. Democrats uniformly described the president's conduct in scathing terms, arguing that impeachment was an appropriate remedy. A few Republicans defended him, but most others simply argued that a rush to impeach Mr. Trump without a hearing or an investigation raised constitutional questions.

Democrats

Speaker Nancy Pelosi of California: "The president must be impeached and I believe the president must be convicted by the Senate, a constitutional remedy that will ensure that the republic will be safe from this man who is so resolutely determined to tear down the things that we hold dear and that hold us together. It gives me no pleasure to say this. It breaks my heart."

Representative Jamie Raskin of Maryland, the lead impeachment manager: "It's a bit much to be hearing that these people would not be trying to destroy our government and kill us if we just weren't so mean to them."

Representative Adam B. Schiff of California: "America has been through a civil war, world wars, a Great Depression, pandemics, McCarthyism, and now a Trumpist and white nationalist insurrection. And yet our democracy endures.

"It endures because at every juncture, every pivotal moment, when evil threatens to overtake good, patriotic Americans step forward to say, enough. This is one of those moments."

Representative Hakeem Jeffries of New York: "Donald Trump is a living, breathing impeachable offense. It is what it is."

Representative Steny H. Hoyer of Maryland, the majority leader: "Upon the foundations of virtue, reason and patient wisdom laid down by George Washington as our first president, Donald Trump has constructed a glass palace of lies, fear-mongering, and sedition. Last Wednesday on January 6, the nation and the world watched it shatter to pieces. There could be no mistaking any longer the kind of man sitting in the Oval Office, or his intentions and capabilities. The curtain has been pulled back. The office to which he was elected could not temper or reform him."

"That is not true of this president. And therefore, he ought to be removed. And we have that opportunity to do so. Is there little time left? Yes. But it is never too late to do the right thing."

Representative Ilhan Omar of Minnesota: "For years we have been asked to turn a blind eye to the criminality, corruption and blatant disregard to the rule of law by the tyrant president we have in the White House. We as a nation can no longer look away."

Representative Cedric Richmond of Louisiana, a Democrat leaving to join the Biden White House: "Simply put, we told you so."

Representative Joaquin Castro of Texas: "Let me ask you a question. What do you think they would have done if they had gotten in? What do you think they would have done to you? And who do you think sent them here?"

Representative Cori Bush of Missouri: "The 117th Congress must understand that we have a mandate to legislate in defense of Black lives. The first step in that process is to root out white supremacy, starting with impeaching the white supremacist-in-chief."

Republicans

Representative Jim Jordan of Ohio: "It's always been about getting the president, no matter what. It's an obsession, an obsession that has now broadened. It's not just about impeachment anymore, it's about canceling, as I've said. Canceling the president and anyone that disagrees with them."

Representative Tom McClintock of California: "If we impeached every politician who gave a fiery speech to a crowd of partisans, this Capitol would be deserted. That's what the president did, that is all he did.

"He specifically told the crowd to protest peacefully and patriotically. And the vast majority of them did. But every movement has a lunatic fringe."

Representative Dan Newhouse of Washington State: "The president took an oath to defend the constitution against all enemies foreign and domestic. Last week there was a domestic threat at the door of the Capitol and he did nothing to stop it. That is why with a heavy heart and clear resolve I will vote yes on these articles of impeachment."

Representative Matt Gaetz of Florida: "I denounce political violence from all ends of the spectrum, but make no mistake, the left in America has incited far more political violence than the right. For months, our cities burned, police stations burned, our businesses were shattered, and they said nothing. Or they cheer-led for it and fund-raised for it and they allowed it to happen in the greatest country in the world.

"Now some have cited the metaphor that the president lit the flame. Well, they lit actual flames. Actual fires."

Representative Guy Reschenthaler of Pennsylvania: Mr. Reschenthaler condemned the violence that had taken place, but was one of the few Republicans opposing the impeachment charge on its merits, disputing that Mr. Trump had incited violence.

"At his rally, President Trump urged attendees to, 'peacefully and patriotically make your voices heard.' There was no mention of violence, let alone calls to action."

Representative Nancy Mace of South Carolina: "The U.S. House of Representatives has every right to impeach the president of the United States. But what we're doing today, rushing this impeachment in an hour- or two-hour-long debate on the floor of this chamber, bypassing Judiciary, poses great questions about the constitutionality of this process."

Representative Jaime Herrera Beutler of Washington State, who supports impeachment: "I'm not afraid of losing my job, but I am afraid my country will fail."

Representative Chip Roy of Texas: Mr. Roy said Mr. Trump's conduct was impeachable, but warned Democrats that their charge would "send us down the perilous path of cleansing political speech in the public square."

— Nicholas Fandos and Zach Montague

The 'People's House' looked like a war zone during the impeachment debate, one week after the Capitol riot.



National Guard troops in the Capitol Rotunda on Wednesday.Credit...T.J. Kirkpatrick for The New York Times

Throngs of armed, camouflage fatigue-clad members of the National Guard ringed the Capitol and lined its halls on Wednesday as the House met to debate impeaching President Trump for inciting an insurrection, one week to the day after a mob egged on by Mr. Trump stormed the building.

The heavily militarized presence made for a jarring and sobering atmosphere in a building often known as the "People's House." It provided a surreal backdrop for a historic debate that unfolded in a House chamber newly outfitted by magnetometers near where the violent rioters tried to force their way in last week as terrified lawmakers, staff members and journalists took shelter on the other side.

There appeared to be troops at every corner: sleeping on the marble floors, curled up at the foot of statues and busts, lining up for coffee and food in the 24-hour snack bar, standing in Statuary Hall, visibly in awe of the marble likenesses of the nation's founders and leaders. A

group of Black troops posed for a photo with the statue of Rosa Parks; dozens more troops were splayed out in Emancipation Hall in the Capitol Visitors Center, in the shadow of a model of the Statue of Freedom, which sits atop the dome.

"The field trip is leaving without us," one Guardsman could be heard joking as a group of soldiers moved through the building.

Some lawmakers lamented the threat that made their presence necessary, with many Democrats irate about the role they said their own Republican colleagues had played in whipping up the rage of the mob that assaulted the Capitol, putting the lives of members of Congress in danger.

"It should not and will not be tolerated," Representative Hakeem Jeffries, Democrat of New York, told reporters. "And that's why extraordinary security measures have been taken."

Lawmakers had to walk through the new magnetometers in response to concerns about Republicans bringing guns to the House floor. Several Republicans grumbled about the added layer of security. Typically, lawmakers are allowed to bypass the magnetometers at the entrances to the buildings.

Outside the Capitol, red, white and blue bunting had been hung to adorn the building for President-elect Joseph R. Biden Jr.'s inauguration, which was to take place a week from Wednesday.

Near the House floor as lawmakers debated the impeachment charge, an aide to Speaker Nancy Pelosi wheeled out a lectern bearing her seal — the same lectern one of the rioters was spotted carrying across the Rotunda during the siege. Hours later, Ms. Pelosi spoke from behind it before signing the article, formalizing Mr. Trump's impeachment for sparking the mayhem.

— Emily Cochrane

Pelosi names nine Democrats to lead the impeachment effort.



"It is their constitutional and patriotic duty to present the case for the president's impeachment and removal," Speaker Nancy Pelosi said of the impeachment managers.Credit...Anna Moneymaker for The New York Times

Speaker Nancy Pelosi on Tuesday named nine Democrats as managers of the impeachment trial of President Trump on charges of inciting a violent mob of his supporters to storm the Capitol, where rioters ransacked the seat of American government and killed a Capitol Police officer.

The nine managers, all lawyers, have expertise in constitutional law, civil rights and law enforcement. They will be the new faces of the impeachment drive after Americans last year grew accustomed to seeing Representatives Adam Schiff, Democrat of California and the chairman of the Intelligence Committee, and Jerrold Nadler, Democrat of New York and the chairman of the Judiciary Committee, as the leaders of Mr. Trump's first impeachment trial.

The managers come from across the country and represent different ideological wings of the party. Of the nine, seven are people of color, L.G.B.T.Q. or women.

"It is their constitutional and patriotic duty to present the case for the president's impeachment and removal," Ms. Pelosi said of the managers. "They will do so guided by their great love of country, determination to protect our democracy and loyalty to our oath to the Constitution."

Ms. Pelosi named Representative Jamie Raskin, a constitutional lawyer from Maryland who drafted the impeachment article, as the lead manager of Mr. Trump's trial. Mr. Raskin, who lost his 25-year-old son to suicide on New Year's Eve and then survived the mob attack, is a professor of constitutional law at American University's Washington College of Law.

"I'm honored to be on a team with extremely distinguished lawyers and representatives," Mr. Raskin said. "We have a tremendous responsibility on our shoulders right now."

The other impeachment managers are: Representatives Diana DeGette of Colorado, a lawyer with a civil rights background; David Cicilline of Rhode Island, a former public defender; Joaquin Castro of Texas, a lawyer; Eric Swalwell of California, a former prosecutor; Ted Lieu of California, a former Air Force officer and prosecutor; Stacey Plaskett of the Virgin Islands, a former prosecutor; Joe Neguse of Colorado, a lawyer; and Madeleine Dean of Pennsylvania, also a lawyer.

— Luke Broadwater and Emily Cochrane

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Republican lawmakers are accused of giving Capitol tours to insurrectionists before the riot as new inquiries are opened.



Pressure is mounting on the Republican members of Congress who associated themselves with far-right extremist groups in the days leading to the Capitol riot.Credit...Anna Moneymaker for The New York Times

Democratic members of Congress on Wednesday accused unnamed Republicans of giving tours of the Capitol to insurrectionists ahead of last week's deadly siege of the Capitol, as federal agencies opened two new investigations into the extent to which Capitol Police and some lawmakers were complicit in the mob attack.

The inspector general of the Capitol Police is opening a potentially wide-ranging investigation into security breaches connected to the siege that could determine the extent to which some Capitol Police officers were involved, according to a senior congressional aide with direct knowledge of the investigation. The inspector general will suspend all other projects until the investigation is complete, the aide said.

Three officers have been suspended, and 17 others are under investigation by the force's Office of Professional Responsibility.

The Government Accountability Office, a nonpartisan federal watchdog agency, has also signaled it will open an investigation that will include the roles that members of Congress may have played in inciting the mob seeking to overturn the results of the election, according to the congressman who requested the inquiry, Representative Jason Crow, Democrat of Colorado.

Mr. Crow, a former Army Captain, asked the comptroller general of the United States, who is part of the agency, last week to initiate a broad investigation into many aspects of the security breach, including the roles members of Congress played.

Mr. Crow, whose request letter was signed by 107 of his colleagues, said Wednesday that he has been informed the investigation is underway.

"To the extent there were members of the House that were complicit, and I believe there were, we will pursue appropriate remedies including expulsion and a prohibition from holding elective office for the rest of their lives," Mr. Crow said in an interview. "They will of course be subject to criminal investigation and prosecution if that's what the facts of the investigation show."

The tours on the eve of the riot came to light after Representative Mikie Sherrill, Democrat of New Jersey and a former Navy pilot, said Tuesday night on Facebook without offering evidence that she knew of members of Congress who gave "reconnaissance" tours to rioters ahead of the attack.

"Those members of Congress who had groups coming through the Capitol that I saw on Jan. 5, a reconnaissance for the next day, those members of Congress that incited this violent crowd," Ms. Sherrill said, "those members who attempted to help our president undermine our democracy, I'm going to see that they're held accountable."

On Wednesday, about 30 lawmakers joined Ms. Sherrill in requesting an investigation from the acting House and Senate sergeants-at-arms and the Capitol Police into what Ms. Sherrill called "suspicious behavior" and access given to visitors to the Capitol complex the day before the riot.

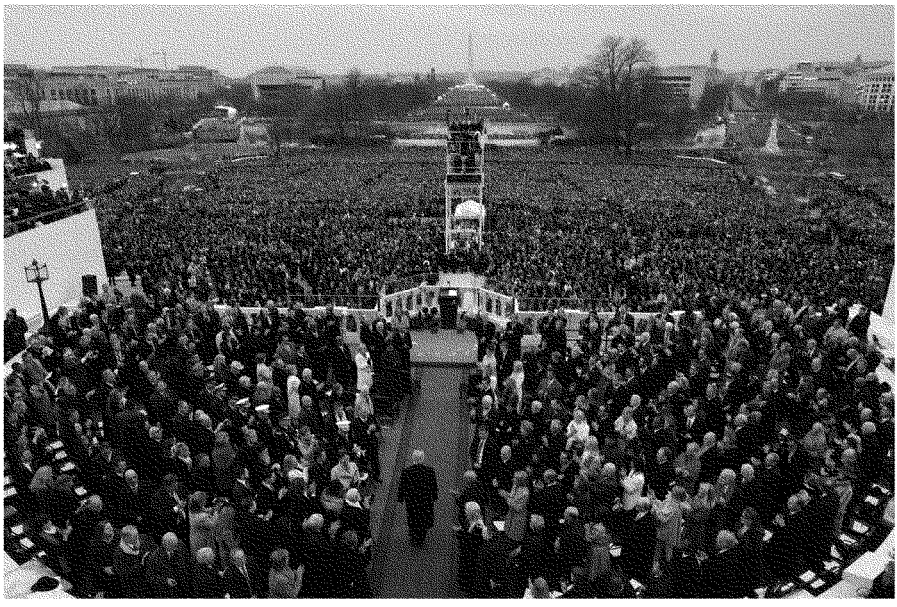
"Many of the members who signed this letter, including those of us who have served in the military and are trained to recognize suspicious activity, as well as various members of our staff, witnessed an extremely high number of outside groups in the complex on Tuesday, January 5," the lawmakers wrote. They called the visits suspicious, noting that tours have been restricted because of the coronavirus pandemic.

Representative Tim Ryan, Democrat of Ohio, said lawmakers were aware of the tours but are now looking at them in a new light given the attack. He said they included "handfuls" of people and that the authorities were aware of them. "Now you look back on certain things and you look at them differently so, yeah, we're looking into it," he said.

Pressure is mounting on the Republican members of Congress who associated themselves with far-right extremist groups in the days leading up to the mob attack. Several of Mr. Trump's most ardent supporters, including Representatives Mo Brooks of Alabama and Paul Gosar and Andy Biggs, both of Arizona, have been accused of helping plan the Jan. 6 rally that led to the violent attack on the Capitol.

— Luke Broadwater

Biden's inauguration celebration will include virtual performances and a prime-time special.



President-elect Donald J. Trump arriving at his inauguration ceremony on Jan. 20, 2017. President-elect Joseph R. Biden Jr.'s inauguration will look far different due to coronavirus and security precautions.Credit...Damon Winter/The New York Times

In the latest example of its virtual programming in lieu of mass gatherings and ballroom celebrations, President-elect Joseph R. Biden Jr.'s inaugural committee announced Wednesday that a 90-minute prime-time television special will air on Jan. 20, hosted by Tom Hanks and featuring musical acts and appearances by Mr. Biden and Vice President-elect Kamala Harris.

"Celebrating America" will air starting at 8:30 p.m. on ABC, CBS, CNN, NBC and MSNBC, and it will be streamed on Facebook, YouTube, Twitter and Twitch, among other online platforms, according to a statement from the Presidential Inaugural Committee.

The event's entertainers will include Ant Clemons, Jon Bon Jovi, Demi Lovato and Justin Timberlake.

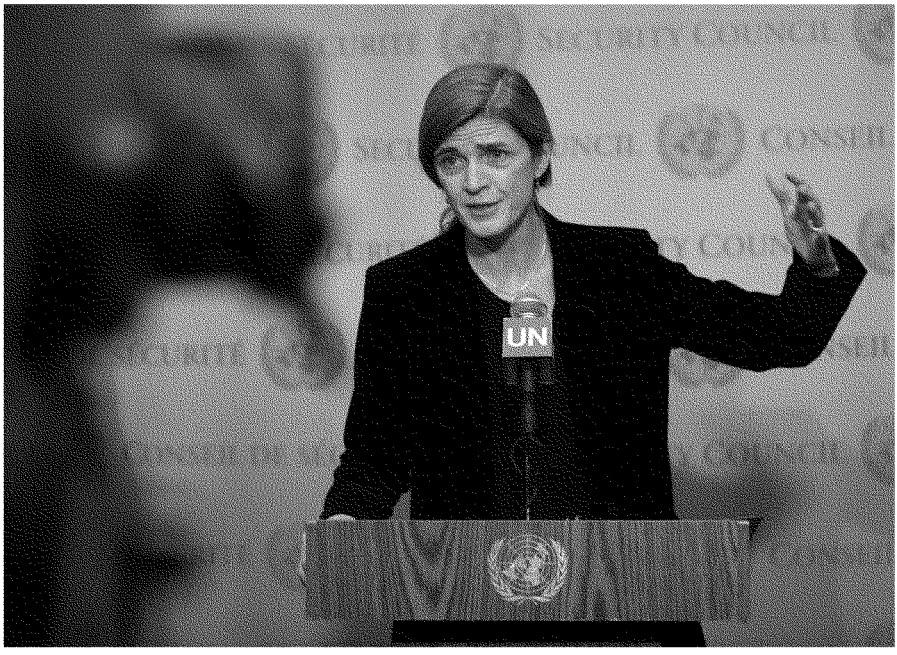
Presidential inaugurations traditionally draw huge crowds to Washington for parades, performances and evening balls and parties. But coronavirus precautions have made that impossible this year, along with heightened security following last week's riot at the Capitol.

Reminiscent of programming during the summer Democratic National Convention, whose traditional in-person events were also largely moved online, "the program will highlight the strength of our democracy, the perseverance of our people, and our ability to come together during trying times and emerge stronger than ever before," the Presidential Inaugural Committee said, adding that it would celebrate "frontline workers, health care workers, teachers, citizens giving back, and those who are breaking barriers."

The committee has previously announced other virtual and crowd-free activities, including a "virtual parade" following Mr. Biden's swearing-in at the Capitol and a "Field of Flags" public art display to symbolize the crowds typically gathered for the event in Washington, whose mayor has urged Americans not to travel to the city.

— Michael Crowley

With a week before his inauguration, Biden focuses on filling out his staff.



President-elect Joseph R. Biden Jr. will nominate Samantha Power, a former U.S. ambassador to the United Nations, as the head of the United States Agency for International Development.Credit...Seth Wenig/Associated Press

With just one week until he is inaugurated as the 46th president of the United States, President-elect Joseph R. Biden Jr. on Wednesday continued to fill out his senior staff, naming Samantha Power, a former U.S. ambassador to the United Nations during the Obama administration, to lead the United States Agency for International Development.

Mr. Biden also added the position to the National Security Council and elevated two White House posts that all but disappeared in the Trump administration: a homeland security adviser to manage matters as varied as extremism, pandemics and natural disasters, and the first deputy national security adviser for cyber and emerging technology.

During her tenure at the U.N., Ms. Power was involved in the international response to the Ebola outbreak. Before that, she worked on former President Barack Obama's National Security Council, advising the White House on human rights issues. In her new role, she will oversee the country's global efforts to help defeat the pandemic.

During the early days of the coronavirus pandemic, Ms. Power warned that other countries would look to the United States for how to respond to the crisis.

"If President Trump doesn't overcome his go-it-alone mind-set and take immediate steps to mobilize a global coalition to combat the Covid-19 pandemic, its spread will cause a catastrophic loss of life *and* make it impossible to restore normalcy in the United States in the foreseeable future," Ms. Power wrote in an April 7 opinion piece for The Times.

Here are other announcements coming from the Biden team with seven days to go until the his administration begins:

- The White House homeland security adviser will be **Elizabeth Sherwood-Randall**, according to transition officials. She is a longtime aide to Mr. Biden who served under Mr. Obama as senior director for Europe and then deputy secretary of energy, where she oversaw the modernization of the nuclear arsenal.

- Mr. Biden has carved out a role for **Anne Neuberger**, a rising official at the National Security Agency, to bolster cyber offense and defense. Ms. Neuberger ran the Russia Small Group, which mounted a pre-emptive strike on the Kremlin's cyber-actors during the 2018 midterm elections, part of an effort to counter Moscow after its interference in the 2016 presidential election.

- **Jeffrey Wexler** will head the Covid-19 operations, after working on virus preparedness during the campaign and transition.

- **John McCarthy**, the deputy national political director on the campaign, will be senior adviser to the counselor to the president, Steve Ricchetti.

- **Zayn Siddique**, the chief of staff for the domestic and economic transition team, and **Thomas Winslow**, the chief of staff to the campaign manager, will be senior advisers to the deputy chief of staff. (An earlier version of this item misspelled Zayn.)

- **Lisa Kohnke**, who runs the scheduling for the transition team, will become the director of presidential scheduling.

- **Sarah Feldmann** will be the chief of staff for the Office of Management and Administration. And **Christian Peele** will be the deputy director of management and administration for personnel.

- **Michael Leach**, a former senior manager of labor relations for the N.F.L. Management Council and assistant to the head coach for the Chicago Bears, will be the chief diversity and inclusion director. (An earlier version of this item inaccurately said that Mr. Leach also coached Texas Tech football, but that coach was a different man with the same name.)

— Eileen Sullivan and David E. Sanger

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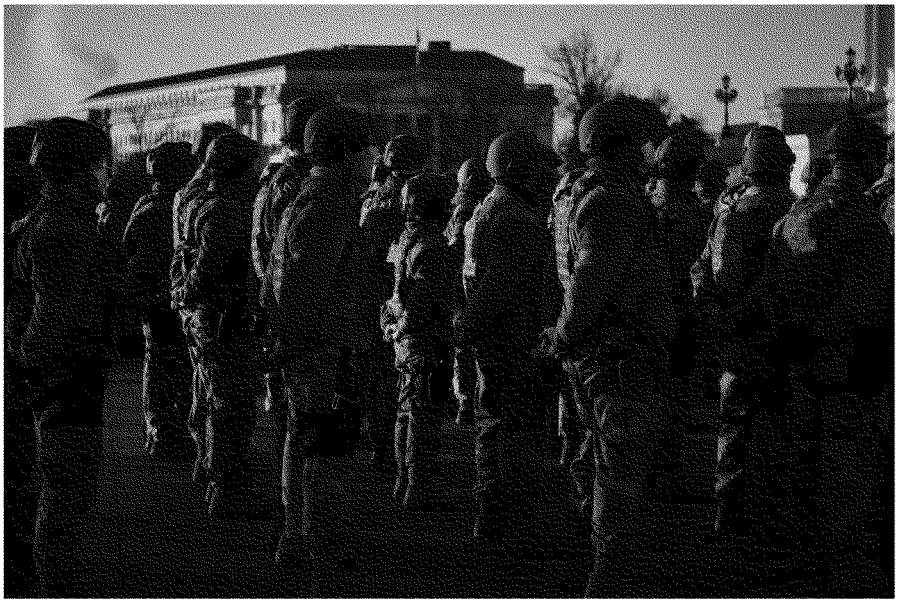
The Pentagon will arm National Guard troops deploying to the Capitol for the inauguration.



The decision to arm National Guard troops positioned around the Capitol complex came after Speaker Nancy Pelosi demanded that the Pentagon take a more muscular posture, congressional aides said.Credit...T.J. Kirkpatrick for The New York Times

National Guard troops who are flooding into Washington to secure the Capitol for Inauguration Day will be armed, the Army secretary, Ryan McCarthy, has decided, Defense Department officials said Tuesday.

The armed troops will be responsible for security around the Capitol building complex, the officials said.

As up to 20,000 troops continued to arrive in Washington from all over the country, Defense Department officials had been weighing whether to deploy them with arms. Mr. McCarthy has decided that at the very least those around the Capitol building will carry weapons, said the officials, who confirmed the decision on the condition of anonymity.

Mr. McCarthy's decision came after a meeting with Speaker Nancy Pelosi, Democrat of California. Ms. Pelosi, according to congressional staff members, demanded that the Pentagon take a more muscular posture after a mob, egged on by President Trump last week, breached the Capitol.

Pentagon officials say they are deeply worried about protests that are planned for the inauguration of President-elect Joseph R. Biden Jr. next week. About 16 groups — some of them saying they will be armed and most of them made up of hard-line supporters of Mr. Trump — have registered to stage protests in Washington, officials said.

Mayor Muriel Bowser of Washington sent a letter to Mr. Trump on Sunday asking for an emergency declaration to obtain additional funding for inauguration security.

"In light of the attack on the Capitol and intelligence suggesting further violence is likely during the inaugural period, my administration has re-evaluated our preparedness posture for the inauguration, including requesting the extension of D.C. National Guard support through Jan. 24, 2021," Ms. Bowser wrote.

Defense Department officials said that the White House had signed off on the decision to arm some of the National Guard troops coming to Washington to provide security. Pentagon officials have underscored that the National Guard — not active-duty military troops — will be assigned to those duties.

— Helene Cooper and Adam Goldman

Right-wing extremists vow to return to Washington for Joe Biden's inauguration

nbcnews.com/politics/congress/right-wing-extremists-vow-return-washington-joe-biden-s-inauguration-n1253546

January 8, 2021



Jan. 8, 2021, 10:59 PM UTC

By Anna Schecter

In the wake of Wednesday's riot at the Capitol, Trump supporters with extremist views feel emboldened and are vowing to return to Washington for the upcoming inauguration of President-elect Joe Biden on January 20, using online platforms to rally each other.

"Many of Us will return on January 19, 2021, carrying Our weapons, in support of Our nation's resolve, towhich [sic] the world will never forget!!! We will come in numbers that no standing army or police agency can match," wrote a popular Parler user who frequently posts about QAnon, and is being tracked by the Anti-Defamation League.

Parler, Telegram chat rooms and the platform TheDonald.win were all used to plan and coordinate the Jan. 6 rally that turned into a riot. Posters explicitly stated their intentions to "occupy" the Capitol. QAnon conspiracy theorists and people associated with militia groups had a visible presence in Wednesday's crowd.

"Round 2 on January 20th. This time no mercy. I don't even care about keeping Trump in power. I care about war," an anonymous person posted on the platform TheDonald.win, which is filled with comments posted by people who lauded those who rioted Wednesday as

"heroes."

Law enforcement is scrambling to identify those who broke into the Capitol building, and are worried about the inauguration as another target.

"There is growing concern that violent extremists are emboldened by the breach of the Capitol, which means the clock is ticking on taking down the most influential incites of violence before they act again," said Frank Figliuzzi, former FBI assistant director and NBC News national security analyst.

Federal and local law enforcement have made dozens of arrests so far in connection with Wednesday's Capitol breach and for violations of the curfew that followed.

The Secret Service, which is supervising security for the inauguration, could not immediately be reached for comment. The Department of Homeland Security, which oversees the Secret Service, referred NBC News to the Secret Service.

According the National Park Service, which handles permits for rallies in D.C., there are seven First Amendment permit applications in process that overlap with the inauguration date, one of which is clearly for Trump supporters.

Megan Squire, professor of computer science at Elon University and a senior fellow at the Southern Poverty Law Center who tracks online extremism, says she's concerned that since President Donald Trump will not be at the inauguration, extremists will be focused on Biden.

"On January 6th their energy was focused on Congress. On the 20th their energy will be focused on Biden. That's concerning especially since they're not remorseful or ashamed. Right now it looks not great," she said.

Squire has been collecting fliers for as many as 10 rallies planned for Jan. 17 organized by members of the far-right militia movement who call themselves "Boogaloo bois." They emerged last year showing up at rallies calling for the protection of Second Amendment rights and the group has been on law enforcement's radar for anti-government activity.

Of most concern is the excitement expressed online by accelerationists, some of the most violent and extreme in the white supremacist movement who believe there is an impending race war.

"On the whole the system's power took a major hit yesterday," one person wrote in a Telegram chatroom favored by accelerationists.

"[Accelerationists] are over the moon and talking about how to exploit grievances. They're on these Telegram groups completely excited about it," Squire said.

Just because a new president will be inaugurated, according to ADL President Jonathan Greenblatt, doesn't mean pro-Trump extremists will fade into the background.

"The conspiratorial, baseless narrative of a stolen election will continue to animate extremists for some time to come," he said.

Anna Schecter
Anna Schecter is a producer for the NBC News Investigations Unit.



Laura Strickler, Michael Kosnar and Julia Ainsley contributed.

Another armed man has been arrested at a DC security checkpoint

vox.com/2021/1/17/22236232/armed-man-guy-berry-arrested-dc-security-checkpoint

Sean Collins January 17, 2021



The man was carrying a handgun, three high-capacity magazines, and 37 rounds of ammunition.

By Sean Collins Jan 17, 2021, 6:50pm EST



Members of the Virginia National Guard equip themselves at the US Capitol building on January 17.
Samuel Corum/Getty Images

A 22-year-old man from Virginia, Guy Berry, was arrested while carrying a handgun, three high-capacity magazines, and 37 rounds of ammunition near the US Capitol on Sunday, becoming the third person detained by police this weekend amid heightened security measures put in place in response to the January 6 insurrection.

According to the Washington Post's Laura Meckler, Berry's weapon — a Glock 22 — was visible in a holster; his aunt told the paper, "He's one of those open-carry people," and added, "I keep telling him Black men can't walk around with guns on his hip, but he doesn't believe me."

It is not clear why Berry was near the Capitol; according to the Post, he is a supporter of President Donald Trump, a fact he seems to display openly on what Meckler notes appears to be his Facebook page. His aunt said Berry has often shared his pro-Trump stance with her.

Washington, DC's ABC News station reports Berry was arrested for having a handgun without a license, as well as for carrying high capacity magazines, and having unregistered ammunition. In the city, it is illegal to possess an unregistered gun, to openly carry a gun, to have a magazine capable of holding more than 10 rounds of ammunition, and to carry ammunition without having registered a gun.

Berry's arrest follows that of fellow Virginian Wesley Beeler, who was arrested by US Capitol Police on Friday, also for having an unregistered Glock — and for providing what the department called an "unauthorized" inaugural credential at a security checkpoint.

Beeler has claimed that he is a security contractor hired to reinforce the National Guard troops, Secret Service, Capitol Police, and DC city police who have increased their presence ahead of President-elect Joe Biden's inauguration. He told the Washington Post that having a gun on him was an "honest mistake" caused by his haste as he rushed to work.

"I pulled up to a checkpoint after getting lost in DC because I'm a country boy. I showed them the inauguration badge that was given to me," Beeler said, adding, "I don't know what the DC laws are. It still comes back on me, but I'm not a criminal."

Saturday, Capitol Police made a second arrest, of a woman NPR reports is 63-year-old Linda Magovern, from Connecticut.

Magovern was reportedly stopped in her vehicle at a police checkpoint near Washington's Union Station, which is only blocks from the US Capitol complex.

She is not reported to have had a weapon, but reportedly first told officers she was a law enforcement official, before telling them she was a member of the president's Cabinet. According to police, she also showed them "a round metallic object later identified as a Military Police Challenge Coin" — a memento usually given to members of a military unit or police force for identification purposes, or to honor a member's participation in a notable event.

According to the Washington Post, Magovern was evaluated by the DC Comprehensive Psychiatric Emergency Program before being jailed.

All three arrests come as security forces in Washington are on high alert. Following a delayed and criticized response to the insurrection at the Capitol, security around federal buildings has increased sharply, as Vox's Alex Ward has reported. Newly erected fences surround much of the National Mall and Capitol complex, and the city is expected to host 25,000 National Guard troops by Inauguration Day on January 20. Thousands of police and Secret Service members are also on duty.

And as Vox's Li Zhou has written, many parts of the city are simply inaccessible:

> The Secret Service has also worked with local officials to facilitate a large number of street closures, according to the Washington Post, dividing the area around the White House, National Mall, and the Capitol into "red" and "green" zones. In the red zones, which encircle federal buildings and national monuments, traffic is limited to authorized vehicles; in the green zones surrounding these red zones, resident and business traffic is allowed.

Throughout both these zones are security checkpoints, where all three people detained were reportedly arrested.

Amid intelligence about possible threats, security is expected to remain tight, at least through the inauguration. And some newly instituted measures are expected to be more permanent. New metal detectors have been erected near the chambers of Congress — and, much to the consternation of some members, even lawmakers must go through them.

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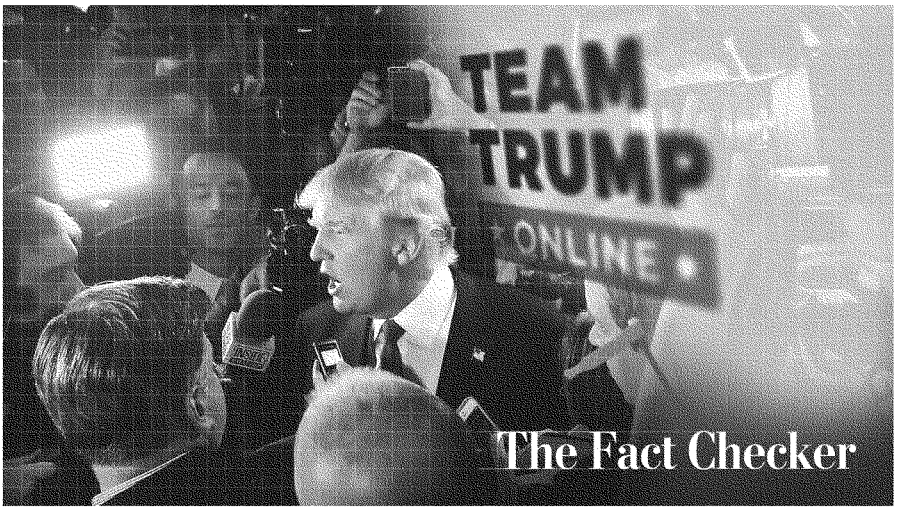
Next Up In Politics & Policy

'The only good Democrat is a dead Democrat.' 'When the looting starts, the shooting starts.' Twice in 25 hours, Trump tweets conspicuous allusions to violence.

washingtonpost.com/politics/2020/05/28/trump-retweets-video-saying-only-good-democrat-is-dead-democrat/

By Aaron Blake May 28, 2020



At 12 a.m. Thursday, President Trump retweeted a video in which a supporter says, "The only good Democrat is a dead Democrat."

At 12:53 a.m. Friday, he followed this up by referring to riots in Minneapolis and saying, "When the looting starts, the shooting starts."

This is all apparently part of one big misunderstanding about Trump actually advocating violence — one that for some reason keeps happening over and over again.

If there were ever a tweet tailor-made for promotion by President Trump, it might be the first one. In the video, the supporter, a county commissioner in New Mexico, offers the above quote but quickly qualifies that he was not speaking literally. The president felt this was the kind of message that people needed to see. "Thank you Cowboys. See you in New Mexico!" he said in a retweet.

Likewise, the Friday morning tweet will undoubtedly be explained as Trump not actually calling for the shooting of looters, but as an allusion to the kind of violence it can create. Regardless, Twitter has flagged the tweet for "glorifying violence." And a later tweet from the

White House's official account quoting Trump's tweet has also been flagged.

Update: Sure enough, this is the defense Trump is now offering.

It's an entirely predictable exercise, because it somehow has happened throughout Trump's presidency. He tweets or says something alluding to violence while reserving some plausible deniability. But the exercise is completely conspicuous — as evidenced by the tweets less than 25 hours apart.

Early in the 2016 election, Trump downplayed Russian President Vladimir Putin's killing of journalists by saying the United States kills people, too. He would later repeatedly and conspicuously allude to the idea that he himself would kill journalists — while making sure to dismiss it.

"And then they said, you know, [Putin has] killed reporters, and I don't like that. I'm totally against that," Trump said. "By the way, I hate some of these people, but I'd never kill him. I hate them. No, I think — no, these people, honestly — I'll be honest, I'll be honest. I would never kill them. I would never do that."

Trump then jokingly suggested he might reconsider. "Uh, let's see. Meh?" he said. "No, I wouldn't. I would never kill them."

(Trump during a meeting with Putin in 2019 would seemingly return to this idea, saying "Get rid of them" about journalists he didn't like and adding, "You don't have this problem in Russia.")

> Trump also bonded with Putin over a scorn for journalists.
>
> "Get rid of them. Fake news is a great term, isn't it? You don't have this problem in Russia, but we do."
>
> "We also have," Putin answered, in English. "It's the same."
>
> They shared a chuckle. pic.twitter.com/atGGYxnwfc
>
> — Jennifer Jacobs (@JenniferJJacobs) June 28, 2019

Later in the 2016 campaign, Trump obliquely referred to the prospect of an armed uprising against Hillary Clinton's judicial picks, saying there would be nothing you could do about them — "Although the Second Amendment people, maybe there is. I don't know."

In 2019 at a rally, Trump asked what could be done about immigrants crossing the border illegally, to which one rallygoer responded, "Shoot them." Trump replied, "That's only in the Panhandle can you get away with that statement."

After the tragedy in Charlottesville in 2017, Trump retweeted and then deleted a video depicting a train running over a CNN reporter.

In 2019, Trump also toyed with the idea of the military, police and Bikers for Trump getting violent with Antifa. "I can tell you I have the support of the police, the support of the military, the support of the Bikers for Trump — I have the tough people, but they don't play it tough — until they go to a certain point, and then it would be very bad, very bad." He offered similar comments at a rally in Missouri, saying: "But they're peaceful people, and Antifa and all — they'd better hope they stay that way. I hope they stay that way. I hope they stay that way."

Similar to the most recent example, Trump in 2017 suggested police might get rougher while apprehending suspected criminals.

"When you see these towns, and when you see these thugs being thrown into the back of a paddy wagon, you just see them thrown in — rough — I said, 'Please don't be too nice,'" Trump said. "Like when you guys put somebody in the car, and you're protecting their head, you know? The way you put your hand — like, don't hit their head, and they've just killed somebody? Don't hit their head? I said, 'You can take the hand away, okay.'"

The most recent examples of this are particularly telling, both because of their proximity and how blatant they are.

In the case of the tweet about looters in Minneapolis, Trump's quote has clear historical connotations. As The Post's Retropolis has reported, the phrase traces back to a Miami police chief who uttered it during riots following police mistreatment of a teenager. The same police chief, Walter Headley, also said, "We don't mind being accused of police brutality."

In the case of the New Mexico county commissioner, while he said he wasn't being literal, he went on to talk about an uprising if Democrats win the election and floated the idea of execution for Democratic lawmakers who he said might have committed treason. "You get to pick your poison: You either go before a firing squad, or you get the end of the rope," the commissioner, Couy Griffin, said this week.

The comments were disavowed by the New Mexico Republican Party and Young Republicans of New Mexico.

It's exactly the kind of thing Trump does: He's saying this thing, but he's also saying that he's not really saying this thing, and it's your fault for misinterpreting. Plenty of people will believe these musing are being exaggerated and taken out of context, but the thrust of all of them is unmistakable and consistent. It's like that old, stereotypical mafia expression, "It'd be a shame if something happened to XYZ."

It's the same trick Griffin played in the video, and it's the kind of rhetoric that, however hedged, is clearly purposeful and part of a long-running calculation.

As I wrote after the bikers comment:

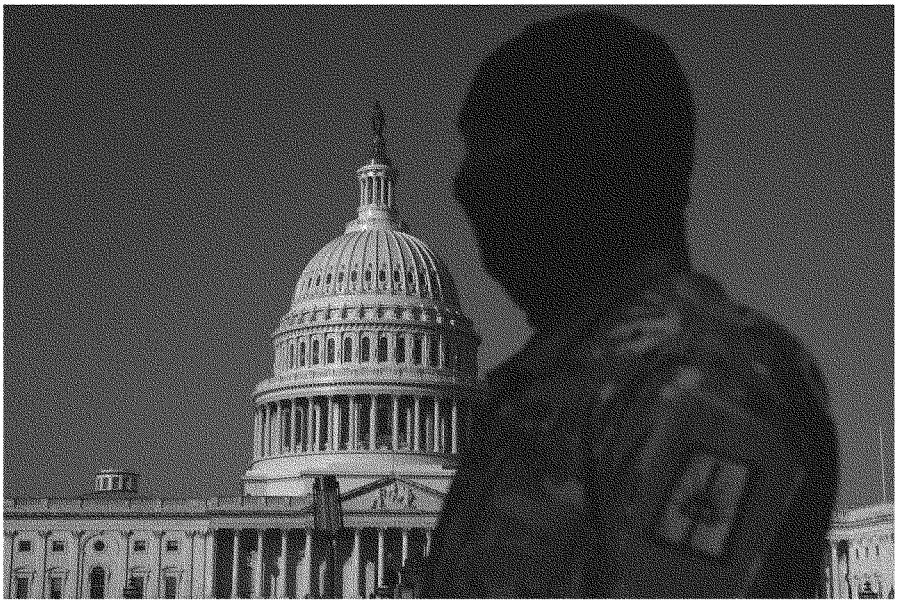
> The idea that anything like the scenes Trump is describing would ever happen is difficult to believe. But that's not really the point. Musing about this kind of thing is a great way to plant a seed in certain people's minds, and the fact that Trump keeps fertilizing that seed shouldn't escape notice.

This post has been updated with Trump's most recent tweet.

Secret Service launches massive security operation to protect Biden inauguration

washingtonpost.com/national/biden-inauguration-security-dc/2021/01/12/b1a9781a-54e9-11eb-89bc-7f51ceb6bd57_story.html

By Carol D. Leonnig, Karoun Demirjian, Justin Jouvenal and Nick Miroff January 13, 2021



The Secret Service and federal law enforcement agencies are spending the final days of the Trump administration bracing for a possible violent assault against the Jan. 20 inauguration, launching a security mobilization that will be unlike any in modern U.S. history.

On Wednesday, the Secret Service will take command of security preparations at the U.S. Capitol and other federal buildings, backed by as many as 15,000 National Guard troops, thousands of police and tactical officers, and layers of eight-foot steel fencing.

The high-alert security posture is starting six days earlier than planned to coordinate roles for the FBI, National Guard, U.S. Marshals Service and a host of other federal agencies that will fall under Secret Service command.

"Everyone can just rest assured they are throwing the kitchen sink at this event," said one Secret Service official involved in protective planning who was not authorized to speak to reporters.

The accelerated timetable has also allowed authorities to fortify the city and deploy officers in anticipation of potential violence on Sunday, when pro-Trump groups are calling for armed marches in Washington and the 50 state capitals.

Veteran Secret Service and Homeland Security officials who spoke on the condition of anonymity to share their worries described a level of concern unlike anything in their careers. Threats they fear include a plot by armed groups to encircle the White House or the U.S. Capitol and the inauguration event, as well as the possibility that gunmen could stage coordinated attacks against less-fortified targets in the city.

House Democrats were briefed by the new Capitol Police leadership Monday night about threats to the inauguration from groups supporting President Trump, and the new security measures they are putting in place to avoid a repeat of last Wednesday's riot.

According to members who were on the briefing call, the threats included promises to execute members of Congress, with the most dangerous coming from a handful of extremist groups. They are surfacing amid calls for a million "MAGA" devotees to flood Washington.

On Tuesday, police in the Chicago suburbs arrested 45-year-old Louis Capriotti, charging him with making threats to lawmakers last year in which authorities say he promised to kill any Democrat who attempted to enter the White House on Inauguration Day.

If people "think that Joe Biden is going to put his hand on the Bible and walk into that . . . White House on January 20th, they're sadly . . . mistaken," he told one member of Congress in an expletive-laden phone message, according to a criminal complaint. "We will surround the . . . White House and we will kill any . . . Democrat that steps on the . . . lawn."

Rep. Jim Himes (D-Conn.) said in an interview that the threats are real but will not stop the transfer of power.

"We're not talking about a 90-person ISIS cell. . . . We're talking mainly about a bunch of yahoos who, yes, are very dangerous. People could wind up dead," Himes said. "But there's no danger that they're going to overthrow the United States government."

The sweep of the heightened security was illustrated by the decision of the House sergeant at arms to use metal detectors to screen everyone entering the House chamber, including members.

The siege at the Capitol has put Secret Service planners and their federal partners in feverish reassessment mode to consider all the ways they can mitigate anything like a repeat of Jan. 6 — or something worse.

Starting Wednesday, the nerve center for coordinating inauguration security and locking down the District will be the Secret Service's Washington field office. Known as the MACC, the Multi-Agency Command Center will bring together representatives from 50 to 60

agencies or private companies for the next eight days, everyone from heavyweight players like the FBI and the Defense Department to the gas company, rail company CSX and Amtrak. Most personnel will work in 12-hour shifts.

"Unlike Jan. 6, nobody has to ask for the National Guard anymore," said one former Secret Service official who helped coordinate past inaugurations. "Nobody has to send out an emergency call for the FBI SWAT team. They're all there, pre-positioned and ready."

"It's no longer game planning," the former official added. "Radiation protection. Bomb detectors. Amtrak sweeps. All the security personnel — they're all now in place."

The Secret Service will coordinate all security decisions, including how to seal the Capitol, how to control the flow of demonstrations, which Metro stations are shuttered and which roads are blocked. But the Secret Service, a relatively tiny agency in the federal government, will rely heavily on the muscle and expertise of its partners. It will look to the FBI, for instance, for intelligence-gathering, and the National Guard, Park Police and D.C. police, as well as many other local police departments, to set up roadblocks, patrol security perimeters along the inauguration route and help shield the Capitol and White House.

Rep. Tom Malinowski (D-N.J.), who participated in the security briefing for lawmakers, said that if the extensive measures planned for the inauguration had been in place on Jan. 6, "a fly could not have gotten into the Capitol."

"Last week was a wake-up call," Malinowski said in an interview, adding that rioters are not going to be allowed to stage a repeat because police at the Capitol are "not just playing defense, we're playing offense."

The Secret Service has overseen all national security special events since President Bill Clinton signed a presidential declaration in 1998 putting the agency in charge of all major gatherings that might be a target for terrorists. These have included Super Bowls, summits of world leaders, meetings of international organizations, presidential conventions and, of course, inaugurations.

While the Department of Homeland Security, which includes the Secret Service, is lacking key leadership following the resignation of acting secretary Chad Wolf on Monday, officials say they can rely on the experience of some the major players involved in inauguration security planning. They include Matt Miller, the head of the Secret Service Washington field office, who is widely admired by his subordinates and was promoted in the wake of the seamless security planning he crafted for the Republican National Convention in Tampa in 2012; and D.C. police Inspector Robert Glover, an incident commander who rushed to the rescue of Capitol Police on Jan. 6 and commanded the joint force to eject rioters from the grounds.

The Secret Service has sent out a call to all of its field offices around the country to send agents to Washington for the week.

"It's really, truly all hands on deck right now," said one person familiar with the request.

Secret Service spokeswoman Justine Whelan said the service began preliminary planning for the inauguration a year ago, working more intensely in recent months. But several officials said the Capitol siege has forced the agency to reexamine its previous work.

"The events of Jan. 6 serve as a stark reminder of the criticality of comprehensive security planning," Whelan said in a statement. "As is always the case, security during a National Special Security Event (NSSE) is a layered network of operations, seen and unseen, that run in tandem with federal, state and local law enforcement, military, and public safety entities."

A law enforcement official briefed on inauguration planning said extensive fencing is being erected throughout D.C., including the area surrounding the White House. Those planning to attend the inauguration can also expect to barely be able to see the White House, as the perimeter will be expanded farther out than during past inaugurations.

Lamont J. Ruffin, the chief deputy U.S. marshal for the District of Columbia, said his office is planning to deputize between 3,000 and 4,000 local law enforcement officers from across the country who — at the request of the D.C. police department — will come into Washington to help with security.

Ruffin said he has been asked to prepare to also possibly deputize members of the National Guard to give them law enforcement authority, though those plans have not been finalized. Guard members in Washington will carry their firearms, two defense officials said, speaking on the condition of anonymity because of the sensitivity of the issue.

Ruffin said the officers coming into D.C. hail from all over the country — "all 50 states" — and will have to fill out a form attesting that they meet certain requirements, including that they not are not under active internal affairs investigation and that their departments are up to date with their certifications on using deadly and nonlethal force.

He said he was unaware of any additional requirements being imposed this year. Some law enforcement officers who participated in the rally that precipitated last week's riot at the U.S. Capitol have found themselves under investigation by their own departments, and the FBI has been investigating whether any military or law enforcement members broke the law.

Inside the Secret Service, senior supervisors have long been worried about the ability of an armed or organized group to pierce the White House fortress.

An unwelcome reminder of that risk came on May 29. Protective detail agents rushed Trump to the White House's underground bunker that night, as crowds of demonstrators protesting the killing of George Floyd converged on the White House's north side and many pushed over temporary barricades meant to keep them farther away from the fence.

One male protester made it over the heightened fence line and into the complex near the Treasury building, and others got into an enclosed Treasury courtyard nearby. That's when the Secret Service raised the threat level on the campus to "Condition Yellow" and spirited Trump, first lady Melania Trump and their son Barron to the subterranean shelter. After that night, the Secret Service pushed out the perimeter much farther and called in reinforcements from other federal law enforcement agencies to hold the line.

"They know that that's a huge vulnerability," said one Secret Service official. "There's one silver lining from the whole Capitol insurrection: I still believe the White House is a softer target than others, but you better believe it's going to get a really beefed-up security plan for the next couple of weeks."

Another worry is that pro-Trump groups seeking permits for protests downtown include people who joined the riot on Jan. 6 at the Capitol and conducted some of their planning on encrypted apps.

Researchers are finding that right-wing extremists of all stripes have migrated to the encrypted messaging app Telegram, especially since social media site Parler was forced off the Internet when its cloud provider, Amazon, dropped it Monday. They're sharing diagrams on how to mount an ambush, talking about mobilizing on the days leading up to Inauguration Day and are posting messages exhorting people to "descend on DC" and "stick to your guns," said Chris Sampson, chief of research at the Terror Asymmetrics Project on Strategy, Tactics and Radical Ideologies, a defense research institute. Sampson said he has flagged some of these posts to intermediaries who get them to the FBI. The migration to Telegram was first reported by NBC.

One pro-Trump group has applied to the National Park Service for a permit to protest in front of the White House. The Park Service, working with the Secret Service, will need to decide whether to reject those permit applications or determine a way for those protesters to be corralled and blocked from threatening the Capitol or White House.

City officials in Washington continued to erect an inauguration perimeter throughout downtown on Tuesday, putting up barriers around the White House, the Mall and the Capitol. People looking to travel inside the perimeter will have to provide proof of essential purpose to be within the inaugural grounds.

"This is similar to previous inaugurations — except the inauguration perimeter will be established and operational for several days," Susana Castillo, a spokesperson for Mayor Muriel E. Bowser's office, said in a text message.

Anthony Guglielmi, a spokesman for the Fairfax County police, said the agency planned to deploy extra officers at Metro stations that would be a primary conduit into the city, and was also beefing up security at courthouses and the county government center out of an abundance of caution.

Guglielmi said that civil disturbance units and helicopter and boat teams would be on alert to provide support to police and the National Guard in D.C., and that the department was reviewing how to quickly get into the city in the event roads were blocked.

"You are going to see the entire Northern Virginia region [having] much more communication with D.C. police," Guglielmi said.

Maryland Gov. Larry Hogan (R) said the District of Columbia could be subject to lockdowns and Metro shutdowns during the days surrounding the presidential inauguration.

The state, he said, will double the number of Maryland National Guard members in D.C. from 500 to 1,000. Greg Shipley, a spokesman for the Maryland State Police, said the agency has a team of specially trained troopers on standby.

"There are ongoing discussions about securing the nation's capital," Hogan said Tuesday at a news conference in Annapolis, "not just the immediate site around the Capitol itself, but the entire city."

Erin Cox, Matt Zapotosky, Dan Morse, Emily Davies, Rachel Weiner and Ellen Nakashima contributed to this report.

Far-right groups make plans for protests and assaults before and after Inauguration Day

washingtonpost.com/national-security/far-right-violent-plans-inauguration/2021/01/14/15668f16-567d-11eb-a817-e5e7f8a406d6_story.html

By Shane Harris, Souad Mekhennet and Razzan Nakhlawi January 14, 2021



President Trump's incitement of his supporters before their attack on the Capitol on Jan. 6 has galvanized a nationwide extremist movement and fueled those determined to disrupt the transfer of power to President-elect Joe Biden and violently challenge the legitimacy of the election for months — and possibly years, according to U.S. officials and independent experts.

U.S. officials have warned authorities nationwide to be on alert for potential acts of violence at state capitols, as well as a possible second attack on the Capitol or on the White House. Law enforcement authorities have said extremists might use firearms and explosives and are monitoring online calls to rally in cities nationwide beginning Sunday. Security at the inaugural ceremony in Washington on Wednesday probably will be the most intense ever.

At the center of the amorphous but increasingly motivated extremist movement sits the current president, now twice impeached, deprived of his social media megaphones but still exerting a powerful influence over his followers who take his baseless claims of election fraud

as an article of faith.

It remains unclear when and where groups might launch follow-up attacks, but even if they do pull back in the days to come — and experts say there is some reason to think they might — the threat from Trump-inspired extremism is likely to remain and grow.

"It has begun to shift from 'We are going to win this' to 'This fight is going to be a long one,' " said Rita Katz, executive director of the SITE Intelligence Group, which monitors extremist groups and their use of social media to inspire and organize adherents. "The prevalent consensus across the movements involved in or supporting the Capitol siege is that they will keep pushing forward."

Federal authorities are warning state leaders to be prepared for the possibility of attacks in state capitals in the days before Biden's inauguration.

New Mexico Gov. Michelle Lujan Grisham (D) declared a state of emergency on Thursday, saying it was "reasonable to believe" that rioters "will endanger the safety of legislators, legislative staff and the general public as well as destroy public and historic infrastructure" in the state.

"There are people in our country who want to turn peaceful protests into opportunities for violence," Ohio Gov. Mike DeWine (R) said at a news conference announcing he would call up more than 400 National Guard troops and close state offices in Columbus until Jan. 21.

FBI Director Christopher A. Wray told reporters that officials were monitoring "an extensive amount of concerning online chatter" about events surrounding the inauguration.

"Right now, we're tracking calls for potential armed protests and activity leading up to the inauguration," Wray said, noting that it was a challenge "to distinguish what's aspirational versus what's intentional."

Some officials said they aren't taking any chances and were braced for the likelihood of attacks. After the Capitol siege, "what we've already seen and experienced is the depths and lengths people are willing to go in furtherance of their cause," said Andrew Walsh, a deputy chief with the Las Vegas Metropolitan Police Department, who participated in a call with the FBI and local law enforcement officials on Wednesday.

"I'll put it this way: People tell us what they're going to do, and then they do it," Walsh said. "After that, there's no excuse to be surprised."

As Trump spends his final days in office, some of his followers, bereft of his directions via Twitter, are unsure where to focus their energy, experts said. Some events planned in Washington and in state capitals have been canceled, partly out of fear that the events were actually organized by federal authorities as a "false flag" operation meant to trap Trump's followers.

The organizer of the "Million Militia March" appears to have abandoned an Inauguration Day demonstration in Washington, warning followers on his personal website to "STAY FAR AWAY FROM DC & ALL STATE CAPITALS . . . IT IS A TRAP."

Social media platforms and Web hosting services have removed accounts and chat apps that Trump supporters used to coordinate the Jan. 6 assault. But that also has made it harder for law enforcement officials to monitor those who might be planning violence.

It's a measure of Trump's influence that the extremists are expressing frustration that they are left without clear guidance by any central figure about what to do and when and where to gather. But they are adapting.

"What they're now seeing is a fragmentation, a frustration among some of the followers because they don't even have Trump giving instructions," said one congressional aide, who spoke on the condition of anonymity to discuss sensitive government intelligence, including warnings contained in a joint intelligence bulletin issued by the FBI and the Department of Homeland Security. It concluded that there is "a great degree of uncertainty" around the timing and location of potential attacks, even as the volume of online extremist chatter has increased significantly.

The Anti-Defamation League said it has been tracking an uptick in calls for nationwide armed protests beginning Sunday.

Experts said far-right extremists have called on their followers to loot and burn buildings and engage in physical violence against those they perceive to have aided Biden in illegitimately seizing the presidency.

Several of the groups appear to have been deterred from a repeat protest in Washington, at least for now, by a massive show of military force. By next week, the D.C. police chief said, upward of 20,000 National Guard members are expected to be deployed in Washington.

On TheDonald.win, a forum that attracted some of Trump's most zealous and threatening supporters in the run-up to the Jan. 6 attack, users appeared to accept that law enforcement officials probably would crush any protest in the near future. Participants on the forum discussed when the next opportunity for armed protest might arise.

"We won't sit on our hands for the next four years but we can pick and choose our battles moving forward," said one message written by Enrique Tarrio, the chairman of the far-right Proud Boys, and sent to subscribers of the group's Telegram channel, an encrypted messaging app.

Thousands of users have flocked to Telegram as social media companies took steps to expel far-right groups and conspiracy theorists from their platforms. Twitter shut down more than 70,000 accounts affiliated with QAnon, a conspiracy theory that claims that a secretive cabal

of Democratic Satan worshipers runs the government, and Amazon suspended Parler, a conservative alternative to Twitter, from its Web-hosting services.

Telegram has cracked down on its own sizable number of white-supremacist and neo-Nazi users, experts said. On Telegram, some users have called on followers to abandon plans for a second protest in Washington in favor of surprise attacks nationwide.

"These lizards have addresses outside of DC, all over the country, hell maybe nearby in your flyover state," one channel administrator wrote. "Is the military going to deploy in mass everywhere? They can't."

Some members of Congress have sought out private personal security after Trump supporters harassed them at their homes, said one person familiar with the matter, who spoke on the condition of anonymity to protect the lawmakers from becoming bigger targets.

There are some indications that in the absence of clear direction from Trump, groups are taking it upon themselves to organize in their communities.

One Telegram message on a far-right channel called "Boogaloo Intel Drop" told followers to "get a feel for your local area and get your friends together." The message said they should find others who are outraged about the death of Ashli Babbitt, who was shot by a police officer while storming the Capitol.

"No, we're not going to tell you 'show up on XX day and do XX,' " which would risk alerting authorities, the message continued, advising followers to "have some damn ingenuity and autonomy."

In the week since the attack on the Capitol, members of the Boogaloo channel have been cheering the erosion of Trump supporters' reverence for police and calling for continued actions. Boogaloos have long been advocates of violence against police and have not had the same qualms as other far-right groups about turning on law enforcement officers.

Experts said that although extremist groups are loosely organized, they are firmly united in their belief that the election was stolen, an idea that will persist long after Trump leaves the White House.

"This animating narrative that something has been taken away from them, stolen from them, is essentially a gift that has been given to them by the president, by others and will likely animate some extremists for the next four years at least," said Oren Segal, the vice president of the Center on Extremism at the Anti-Defamation League.

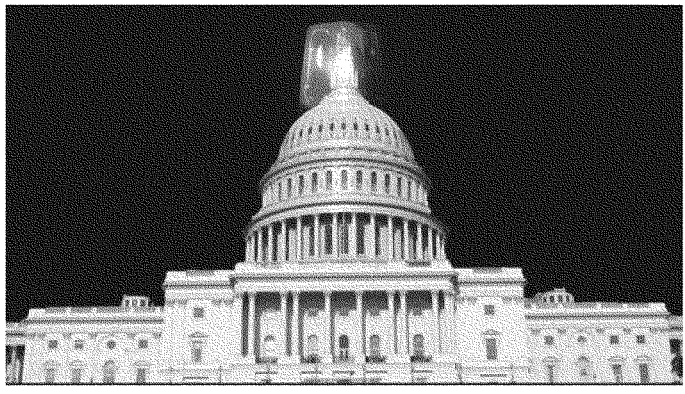
Katz, the terrorism researcher, said: "This movement isn't something we are going to simply delete from social media or evaporate by keeping them off mainstream media. Just as we have seen with other extremist movements, the extremists behind the Capitol siege will become further radicalized as they are pushed into less-moderated online venues."

Ellen Nakashima, Mark Berman and Marissa J. Lang contributed to this report.

‘It Is a Trap’: Far-Right Freaks Out About Rallies It’s Organized

thedailybeast.com/it-is-a-trap-far-right-freaks-out-about-rallies-theyve-organized

January 13, 2021



Elections

PARANOIA

“This is an infiltration and setup tactic used to incite violence and blame us,” wrote one group, which organized a Minnesota “Storm the Capitol” event on Jan 6.

Updated Jan. 13, 2021 8:15AM ET / Published Jan. 13, 2021 4:58AM ET

Photo Illustration by Sarah Rogers/The Daily Beast / Photos Getty

Pro-Trump activists who promoted the Jan. 6 protests that turned into the fatal Capitol riot are trying to distance themselves from future unrest as politicians and law-enforcement officials prepare for further violence ahead of the inauguration.

Extremism experts have focused on Jan. 17, as well as Inauguration Day and the days surrounding it, as potential flashpoints for violence. One Inauguration Day threat includes a “Million Militia March” that encourages armed Trump supporters to descend on D.C. A flyer circulating online that calls for an “armed march on Capitol Hill and all state capitols” on Jan. 17 has been cited as proof of the protest, although it’s not clear where the flyer originated or how much traction it’s gained on the right.

Capitol Police officials are taking no chances this time around. They briefed House Democrats late Monday about a series of potential threats including plans for the "largest armed protest ever to take place on American soil" and an alleged plot to either block Democrats from reaching the Capitol or kill them outright so that Republicans could take over the government.

Democrats were also warned about a more general threat for violence against politicians and police, according to a person familiar with the briefing, which was first reported by HuffPost and confirmed by The Daily Beast.

So far, however, public online discussions of the purported Jan. 17 protests have been much less visible than the wave of talk in pro-Trump forums that preceded the Jan. 6 riot.

"We are not seeing nearly the same level of online chatter about attending those events," said Lindsay Schubiner, a program director at the Western States Center, a group that tracks extremists in the Pacific Northwest.

Schubiner added, however, that the discussions about additional protests or violence leading up to the inauguration may have simply moved to less public online venues as social media companies crack down on extremists.

"We are in an extremely dangerous period for political violence, and it's hard to say exactly what will happen or when it might happen," Schubiner said. "But everything we're seeing gives us great cause for concern."

As thousands of National Guard troops flood into Washington, Trump supporters have suggested, without evidence, that the proposed Jan. 17 rally is a trick meant to entrap MAGA fans.

The Gateway Pundit, a right-wing hoax blog whose owner has been invited to the Trump White House, suggested the Jan. 17 protest was a "deep-state plot" meant to set the stage for mass arrests of Trump supporters. Mark Taylor, a former firefighter who became a star on the far right after receiving a "prophecy" that Trump would be elected, warned his more than 185,000 followers on Tuesday to stay away from the Jan. 17 protests.

"Folks any of these so called peaceful armed protests at all the state capitals and DC Jan 17th is a set up by the left," Taylor tweeted on Tuesday. "DO NOT go! It is a trap!!"

A number of Trump supporters have claimed that even the graphic design of the flyer, which is illustrated in red with the Statue of Liberty in the foreground, is proof that it's a scheme meant to hurt Trump and his allies.

"There is no organizer listed and it does not look like anything a Patriotic group would put out at all," Arizona state Rep. Kelly Townsend (R) tweeted on Tuesday.

That paranoia has filtered down to the state level. A Minnesota group that has recently organized "Stop The Steal" events at the state's capital issued a Facebook warning to followers about the Jan. 17 event.

"This is an infiltration and set up tactic used to incite violence and blame us," wrote the group, which organized a Minnesota "Storm the Capitol" event on Jan 6. "DO NOT GO TO THE CAPITOL ON SUNDAY!"

The group told The Daily Beast it advised people to stay home on Jan. 17. On Facebook, the group shared posters for the Jan. 17 event, and suggested that they were an "anarchist" plot. Those posters, however, were circulated in earnest by members of the Boogaloo movement, a far-right and libertarian coalition that lusts for civil war. Although the Boogaloo movement has been promoting the event since last month, at least some members appear to have reassessed after the Jan. 6 riot, with a Boogaloo news site running a statement from the event's alleged organizers, claiming the D.C. iteration of the rally was cancelled.

Fear that Trump supporters are walking into a trap—or could be implicated in violence—has ramped up as the FBI and federal prosecutors pursue more people allegedly involved in the Capitol riot. On Tuesday, acting U.S. Attorney for the District of Columbia Michael Sherwin said the investigation's scale was "unprecedented" for the Department of Justice, saying that he had empowered a "strike force" to pursue serious felony charges for sedition and conspiracy.

Still, the days surrounding Jan. 17 are also potential tinderboxes across the country. The Minnesota group that urged followers to stay home on the 17th said it still plans a pro-Trump demonstration at the state capitol on Saturday, Jan. 16.

Those plans coincide with the Jan. 16 event announced last month, in which organizers claim they will "begin the process of exterminating the democrat ideology from America," "prevent Joseph Biden, or any other democrat from being inaugurated as president of the United States of America," and "capture and detain all democrat politicians, both current, and former" who played a role in Biden's victory. The event's website has since gone offline, but not before users on the now-shuttered social media site Parler seized on it to declare that "any opposing force" to the event "will be classified as an enemy of America, and addressed as such with extreme prejudice, foreign, or domestic."

In Virginia, long-planned protests for "lobby day" at the state capitol happen to fall on Jan. 18. Last year's lobby day drew a reported 22,000 gun fans, including members of far-right groups like the Proud Boys and members of the then-embryonic Boogaloo movement. This year, Virginia Capitol Police are reportedly on high alert, citing Wednesday's riot.

A prominent pro-gun group wrote that it would be organizing caravans to Richmond for the event. "No doubt there will be 'rumors' and other scare tactics uses [sic] to keep people home, but we know better," the group wrote online.

Activists on the left are mobilizing medics and homeless outreach ahead of the Jan. 18 event, in case violence breaks out or the scene becomes unsafe for Richmond's unhoused population, one local activist told The Daily Beast.

Some of the most prominent figures involved in planning protests outside Congress on Jan. 6 say they're also not planning to come to Washington. InfoWars conspiracy theorist Alex Jones has claimed that the January protests are a "false flag."

Pro-Trump organizer Ali Alexander, who claimed to be one of the leading "originators" of the Jan. 6 protest, has been banned from financial services like PayPal and Venmo, as well as Twitter, Facebook and Instagram in the aftermath of the event. Friends of Alexander are distancing themselves from him and asking him to leave politics entirely, according to one member of his circle.

In an email to The Daily Beast, Alexander said he is urging Trump supporters to stay out of Washington around the inauguration, and groundlessly claimed that the posters promoting events in Washington were Democratic fabrications.

"No one should go to D.C. this month," Alexander told The Daily Beast.

-Additional reporting by Sam Brodey

U.S. Capitol siege emboldens motley crew of extremists

reuters.com/article/usa-election-extremists/u-s-capitol-siege-emboldens-motley-crew-of-extremists-idUSL1N2JJ0A0



Industry, Materials and Utilities
Updated

By Ted Hesson, Ned Parker, Kristina Cooke, Julia Harte

9 Min Read

WASHINGTON, Jan 8 (Reuters) - As the nation recoiled in horror at scenes of rioting and chaos in the U.S. Capitol on Wednesday, some right-wing and anti-government extremists saw the violence as the fulfillment of a patriotic duty or opportunity to advance their agenda.

Among the inspired was Mike Dunn, a 20-year-old follower of the "boogaloo" anti-government movement, whose adherents anticipate a revolution toppling the federal government or a second U.S. civil war.

Dunn, who lives in Virginia, said three or four groups of loyalists under his command helped storm the Capitol this week amid a motley mix of rioters who supported President Donald Trump's attempts to overturn the results of the November presidential election. While most "boogaloos" are libertarians who largely oppose Trump, Dunn said the group embraced the moment to strike against the government.

The mob swarmed the home of the U.S. House of Representatives and Senate, succeeding in temporarily interrupting a formal vote to confirm Democratic President-elect Joe Biden's victory.

Dunn's hope is that the incident - which resulted in five deaths - will trigger more actions in the months ahead. He said his group would seek to advance its own agenda by participating at protests and other events with those angry over Trump's loss, even if they held other beliefs.

Dunn said boogaloos would be "working overtime" to advance their cause. When asked whether boogaloos had planned to attack the Capitol, he responded: "Just know there is more to come."

While Dunn said he did not participate in the Capitol siege himself, he shared footage on social media that purported to show boogaloo members tussling with police and forcing their way through barriers outside the building.

The assault - one of the most destructive breaches of the Capitol since invading British forces set it ablaze in 1814 - marks a critical moment for extremists who have seized on false claims, spread by Trump, that the U.S. election system is fraudulent and rigged. Some say they will keep fighting in support of the Republican president's baseless allegations of a stolen election. Others said they would put immediate activities on hold but threatened to re-emerge later.

Pundit Nick Fuentes, who was permanently suspended from YouTube last year for hate speech, praised the storming of the Capitol in his livestream video on Thursday, calling it "glorious" and "awe inspiring."

Reuters photographer Jim Bourg, who was photographing protesters trying to break down doors to the Capitol building, said he heard three older white men in red "Make America Great Again" caps talking about finding Vice President Mike Pence to hang him from a tree as a "traitor."

Bourg said shouts of "traitor" were common among other demonstrators as well. Pence was presiding over the electoral vote count, a largely ceremonial duty to confirm Biden's victory. Trump had falsely suggested to his followers that Pence could ignore the official count and hand Trump a second term. Security agents rushed Pence from the Senate chamber after protesters breached the Capitol building.

The assault on the building led to the shooting death of a protester and the death of a U.S. Capitol Police officer from injuries sustained during the melee. Three more people died from medical emergencies, dozens of police officers were injured and congressional offices ransacked as law enforcement failed to control the mob. U.S. Capitol Police and the Metropolitan Police Department said on Thursday they had arrested a combined 82 people during the unrest.

The attack generated widespread backlash among U.S. officials of both parties and America's allies worldwide. But the mob's strike at the symbolic heart of the U.S. government suggests that Trump's baseless claims of election fraud may have unified a broader coalition of extremists who could pose a threat again when Biden takes office on Jan. 20 and into his four-year term in office, experts said.

Far-right groups have praised the siege in encrypted chat rooms and defended the participants as "patriots" on social media. Experts tracking protests expected actions in Texas and the Pacific Northwest in coming weeks, as well as around the inauguration in Washington. But turnout for those events remains unclear as Trump on Thursday finally conceded defeat and said he will be leaving office.

"Tempers must be cooled and calm restored," Trump later said in a brief video posted to Twitter.

A NEW COALITION

Protesters who gathered at the Capitol building on Wednesday included some of the most extreme elements of the president's base, including white nationalists, militia groups and QAnon conspiracy theorists, according to Devin Burghart, executive director of the Institute for Research and Education on Human Rights, which tracks extremism.

The mix of ideologies have been drawn together in recent weeks by "Stop the Steal" protests in cities across the country, pro-Trump efforts that seek to overturn the results of the presidential election, Burghart said.

"They formed this kind of new coalition and have been holding rallies virtually nonstop ever since the defeat," he said.

When demonstrators forced their way into Congress on Wednesday, the tumult blurred the lines between more mainstream Trump supporters and adherents of different extremist movements, according to Oren Segal, vice president of the Anti-Defamation League's Center on Extremism. Some people likely came to the protests with no plans for anything beyond a demonstration and then joined the mayhem, he said.

The Federal Bureau of Investigation and U.S. Department of Homeland Security issued memos last year warning that threats by domestic extremists would likely increase around the election.

Alleged domestic violent extremists in the United States killed 48 people in 2019 - more than in any year since the 1995 Oklahoma City bombing, according to a DHS report released in October.

Trump has faced criticism during his presidency for failing to take seriously the threat posed by far-right extremists in particular. Following a deadly 2017 rally organized by white supremacists and white nationalists in Charlottesville, Virginia, where a woman was killed, Trump blamed "many sides" for the violence. On Wednesday, amid intense pressure to disperse the Washington mob, he told his supporters in a video posted to social media to "go home," adding, "We love you. You're very special."

The right-wing, white nationalist and militia groups that participated in the Capitol siege have not tended to coordinate in the past, due in part to infighting and clashing personalities, according to Amy Cooter, a senior sociology lecturer at Vanderbilt University who has studied extremist groups for a decade.

But Wednesday's spectacle, which brought them together in Washington, might inspire them to try to work more closely in the future, Cooter said.

Biden's inauguration stands out as a possible target for disruptive or violent protests, but any new Biden policies that deal with race and gender equity could also trigger actions, she said.

'THE FIRST SHOT'

Tom O'Connor, a former FBI special agent, said he worries that far-right extremists and people who embrace conspiracy theories will feel that the Capitol attack represents "the first shot" in a broader war. He said lone actors may feel increasingly "victimized by the continued beat of the drum of conspiracies which will cause them to act out violently in a plethora of potential actions."

Enrique Tarrio, the Florida-based leader of the right-wing Proud Boys, told Reuters on Thursday that he would not broadly denounce people who entered the Capitol building during riots a day earlier, calling it "a form of protest."

Tarrio is under a court order to stay away from Washington following his arrest there Monday for destruction of property and possession of two firearm magazines. He said he did not participate in the siege.

Tarrio said the Proud Boys did not have plans to reconvene for Biden's inauguration later this month, but would be active during the Democrat's presidency.

"You're definitely going to see more of us," he told Reuters. (Reporting by Ted Hesson in Washington; Ned Parker in New York; Julia Harte in San Francisco; and Kristina Cooke in Los Angeles; Editing by Marla Dickerson in Los Angeles)

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The New York Times | https://nyti.ms/3iklnJ5

Capitol Attack Could Fuel Extremist Recruitment For Years, Experts Warn

An ideological jumble of far-right extremists and hate groups flourished under President Trump and claimed new energy after the attack on the Capitol. Now they are debating their next moves.

By Neil MacFarquhar, Jack Healy, Mike Baker and Serge F. Kovaleski

Jan. 16, 2021

Overthrowing the government. Igniting a second Civil War. Banishing racial minorities, immigrants and Jews. Or simply sowing chaos in the streets.

The ragged camps of far-right groups and white nationalists emboldened under President Trump have long nursed an overlapping list of hatreds and goals. But now they have been galvanized by the outgoing president's false claims that the election was stolen from him — and by the violent attack on the nation's Capitol that hundreds of them led in his name.

"The politicians who have lied, betrayed and sold out the American people for decades were forced to cower in fear and scatter like rats," one group, known for pushing the worst anti-Semitic tropes, commented on Twitter the day after the attack.

The Capitol riots served as a propaganda coup for the far right, and those who track hate groups say the attack is likely to join an extremist lexicon with Waco, Ruby Ridge and the Bundy occupation of an Oregon wildlife preserve in fueling recruitment and violence for years to come.

Even as dozens of rioters have been arrested, chat rooms and messaging apps where the far right congregates are filled with celebrations and plans. An ideological jumble of hate groups and far-right agitators — the Proud Boys, Oath Keepers, the Boogaloo movement and neo-Nazis among them — are now discussing how to expand their rosters and whether to take to the streets again this weekend and next week to oppose the inauguration of Joseph R. Biden Jr.

Some, enraged by their failure to overturn the presidential election, have posted manuals on waging guerrilla warfare and building explosive devices.

Law enforcement officials have responded by beefing up security at airports and creating a militarized "green zone" in downtown Washington. The F.B.I. and Department of Homeland Security issued an urgent warning that attackers could target federal buildings and public officials in the coming days, and at least 10 states have activated National Guard troops in their capital cities. Some states have canceled legislative activities next week because of the possibility of violence.

Purging extremist groups from mainstream social media platforms like Facebook and Twitter may have succeeded in disrupting their organizing, experts say, but such efforts have pushed them into tougher-to-track forms of communication including encrypted apps that will make it harder to trace extremist activities.

"Destroying the platforms could lead to more violence," said Mike Morris, the Colorado-based founder of Three Percent United Patriots, one of dozens of so-called "patriot" paramilitary groups. Mr. Morris said he does not support violence, but warned that other groups might find more freedom to plot on encrypted platforms. Mr. Morris said his group lost its Facebook account this summer and was recently kicked off MeWe, one of several smaller platforms that have drawn denizens of the far right.

Since last week, dozens of new channels on secure-messaging apps have popped up devoted to QAnon, the far-right conspiracy theory that says Mr. Trump is fighting a cabal of Satanists and pedophiles. Many militias have found thousands of new followers in darker corners of the internet, such as one Telegram channel run by the Proud Boys, a violent far-right group, which more than doubled its followers to over 34,000 from 16,000.

"People saw what we can do, they know what's up, they want in," boasted one message on a Proud Boys Telegram channel earlier this week.

Hate groups have been a staple of American life no matter who is in the White House. They have had natural foes when Democrats have held the presidency. Under Mr. Trump, they have had an ally.

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Sign Up

The president echoed their demonization of immigrants and fears of gun seizures and pushed white grievance into the American mainstream.

Far-right groups were buoyed after Mr. Trump spoke of "very fine people on both sides" of the 2017 "Unite the Right" rally in Charlottesville, Va., where a white supremacist fatally ran over a peaceful counterprotester with his car. They saw a signal of support when Mr. Trump, during a presidential debate, told the far-right Proud Boys to "stand back and stand by."

Again and again last year, they seized on openings created by the pandemic and civil unrest.

Paramilitary groups echoing Mr. Trump's calls for "law and order" showed up armed and outfitted in tactical gear at Black Lives Matter rallies in places like Louisville and Minneapolis. Right-wing protesters fought in the streets of Portland with left-wing activists. When a 17-year-old was charged with fatally shooting two people at a protest in Kenosha, Wis., armed groups and some conservatives rallied to his side.

Goaded by Mr. Trump's calls to "liberate" Democratic-run states locked down by the coronavirus pandemic, far-right groups and rifle-toting extremists forged common cause with some mainstream Republicans upset with government limits on business and public life. In Michigan, armed gunmen stormed the statehouse in Lansing, and prosecutors charged 14 men, including some tied to an armed group called Wolverine Watchmen, with plotting to kidnap Gov. Gretchen Whitmer in response to lockdown measures she imposed.

It all culminated at the "Stop the Steal" rally at the nation's Capitol on Jan. 6. As thousands of Trump supporters marched up the Mall, among them were adherents of white-supremacist groups, insignia-wearing militia members and far-right Proud Boys.

"Luck may be needed in the Second Civil War," Larry Rendell Brock Jr., a Texas man charged in connection with the attack, wrote on Facebook in the days before the events in Washington, according to federal prosecutors. Mr. Brock had aspired to take hostages, prosecutors said, and tagged the post with the names of two antigovernment groups.

At least two prominent activists involved in the 2017 Charlottesville rally were also at the Capitol riots, according to Amy Spitalnick, the executive director of Integrity First for America, a nonprofit group underwriting a lawsuit over the violence in Charlottesville.

One of them was Nicholas J. Fuentes, 22, a far-right agitator whose online diatribes in support of white nationalism and attacks against Jews and L.G.B.T. people have attracted a significant following among college students. His followers, waving flags bearing the logo of his America First organization, were seen storming the Capitol. Mr. Fuentes, in a video, praised the assault for being more brazen than any Black Lives Matter or antifascist protest, though he appears to have stayed outside.

"We forced a joint session of Congress and the vice president to evacuate because Trump supporters were banging down and then successfully burst through the doors," he exclaimed.

Lindsay Schubiner, a program director at the Western States Center focused on countering white nationalism, said it has been frightening to watch the rise of far-right groups in recent years who pose dangers to people of color and L.G.B.T.Q. communities. Without a major disruption, she expects the extremist groups to remain a risk to public safety and to the nation's democracy for years to come.

"This isn't something that can be put back in the bottle — at least not quickly or easily," Ms. Schubiner said.

The attack on the Capitol was likely to become "a significant driver of violence for a diverse set of domestic violent extremists," an array of government agencies said in a joint intelligence bulletin issued on Jan. 13. The storming of the building, several analysts said, could fuel a dangerous pushback against the incoming Biden administration and its agenda on gun control, racial justice, public lands and other issues by extremists who are not afraid to use violence to get their way.

But the backlash to the Capitol riot could also diminish them. After Charlottesville, alt-right leaders fractured amid a torrent of condemnation, infighting and legal action. Two dozen white nationalist leaders and groups are being sued for their role in that rally. No longer in the limelight, Richard Spencer, one of its lead organizers, said he has been crippled by legal fees, has lost social-media megaphones and now feels betrayed by his former allies within the alt-right movement.

The immediate aftermath of the Capitol attack has led to arguing among extremists over whether to hold another round of violent rallies or lie low and wait out the arrests, investigations and throngs of police and National Guard troops dispatched to protect statehouses and the Capitol ahead of the inauguration.

Just after the November election, a website called the Tree of Liberty suggested that armed adherents of the Boogaloo movement, an extremist ideology that seeks to overthrow the U.S. government, would carry out an "armed takeover" of Washington and march on all 50 state capitals as a way to voice political grievances and to commemorate a massive armed rally in Richmond, Va., a year earlier.

But given the security threats, officials in Richmond have closed the area around the Capitol and boarded up the building itself. The Virginia Civil Defense League, which organized last year's demonstration, has said it would go ahead on Monday with a caravan through the streets of Richmond in support of gun rights. The Tree of Liberty website has since been taken down.

The QAnon believers who thronged to the Capitol in Washington have been forced to adjust on the fly after the riot failed and Mr. Trump acquiesced to a transition of power.

Some are holding out hope for a miracle that will keep Mr. Trump in office. Others talk of how Mr. Trump was just the start of the plan and now a new phase is beginning.

Some far-right groups say they are hoping to capitalize on Republican fears of Democratic control in Washington.

"There's been quite an influx of people who weren't really active who are getting more active," said Casey Robertson, the founder of a paramilitary group in Utah, United Citizens Alarm, whose armed members have shadowed Black Lives Matter rallies. "That's been good. It's a worrying time."

Ammon Bundy, who once led an armed takeover of an Oregon wildlife refuge and has sought to build a network of thousands of anti-government allies, said he did not participate in the mob attack at the Capitol and was not aware of what had taken place in Washington until he returned from a trip to the mountains.

In the past year, Mr. Bundy has focused much of his efforts opposing government restrictions surrounding the coronavirus pandemic. But after getting arrested twice inside the Idaho State Capitol over the summer, he said he has grown to believe that the country's political venues are not a productive place to influence government.

Mr. Bundy claims to have nearly 50,000 members organized into local chapters. That may well be hype, but Mr. Bundy's effort to battle the government has helped him build a following in the West.

Enrique Tarrio, the leader of the Proud Boys, who was arrested in Washington several days before the Capitol attack on charges of carrying illegal ammunition clips and burning a Black Lives Matter banner, now calls the attack on the Capitol a mistake. But he said the far-right movement galvanized by Mr. Trump would outlast his presidency.

"I feel like the movement has surpassed the person," Mr. Tarrio said. "He has created this movement that I don't think anybody can stop. They can try to silence, they can try to deplatform, it's just going to make it louder."

Reporting was contributed by Frances Robles, Sheera Frenkel, Matthew Rosenberg, Mike McIntire and Ben Decker. Alain Delaquérière contributed research.

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A version of this article appears in print on , Section A, Page 1 of the New York edition with the headline: Assault Spawns New Rally Cry For Extremists

'This was really big': Far-right extremist groups use Capitol attack to recruit new members

usatoday.com/story/news/nation/2021/01/07/us-capitol-riots-used-extremists-recruit-new-pro-gun-members/6588908002/



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'This was really big': Far-right extremist groups use Capitol attack to recruit new members

The Capitol attack by Trump-supporting extremists has experts worried about more violence to come.

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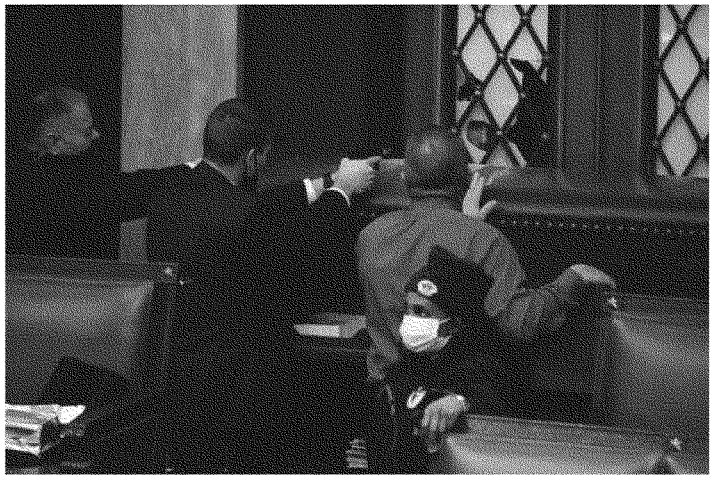
Will Carless, USA TODAY Published 7:49 p.m. ET Jan. 7, 2021 | Updated 10:53 a.m. ET Jan. 13, 2021

CLOSE
The timeline breaks down the riot that took place at the U.S. Capitol, when a Pro-Trump mob stormed the building, sending members of Congress running. USA TODAY

WASHINGTON — Wednesday's mob insurrection at the Capitol building in Washington, D.C., is unlikely to be the last violent action from far-right extremists, who may also be using the week's extraordinary events to recruit members for a swelling coalition around outgoing president Donald Trump, according to experts on extremism.

While this week's attack was extraordinary in its brazenness, it was also a wake-up call to federal and local law enforcement that threats from far-right Trump supporters should be taken very seriously over the last two weeks of Trump's presidency and beyond, said Mary McCord, legal director at the Institute for Constitutional Advocacy and Protection at Georgetown University in Washington, D.C.

"There's a whole lot of talk about what happened in far-right extremist forums and chatrooms today, and about how the inauguration on January 20 will be the last stand and now is the time to recruit," McCord said.



Police with guns drawn watch as a mob tries to break into the House chamber at the U.S. Capitol on Wednesday, Jan. 6, 2021, in Washington. J. Scott Applewhite/Associated Press

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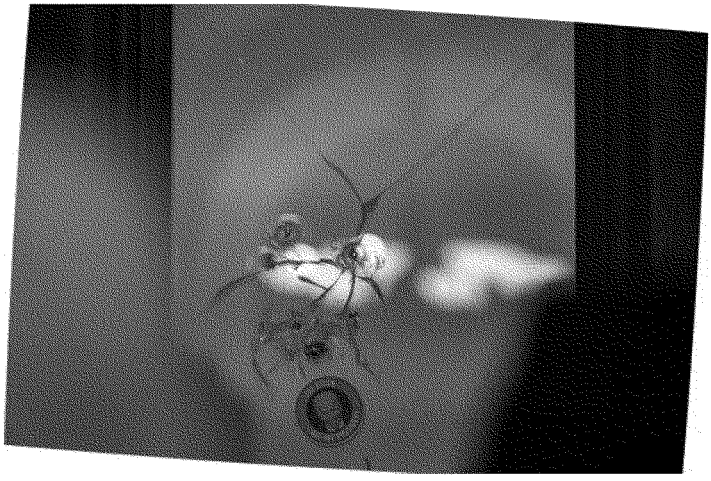

Rioters swarm the U.S. Capitol building as protests in Washington, DC as the U.S. Congress meets to formally ratify Joe Biden as the winner of the 2020 Presidential election on Jan. 6, 2021. Jasper Colt, USA TODAY

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Trump supporters receive aid after tear gas was deployed at rioters storming the U.S. Capitol Wednesday afternoon as lawmakers inside debated the certification of the presidential election. Jerry Habraken, USA TODAY

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Congress staffers barricade themselves after Trump supporters stormed inside the US Capitol in Washington, DC on Jan. 6, 2021. Donald Trump's supporters stormed a session of Congress held today, January 6, to certify Joe Biden's election win, triggering unprecedented chaos and violence at the heart of American democracy and accusations the president was attempting a coup. OLIVIER DOULIERY, AFP via Getty Images

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Trump supporters cover their faces after tear gas was deployed at rioters storming the U.S. Capitol Wednesday afternoon as lawmakers inside debated the certification of the presidential election. Jerry Habraken, USA TODAY

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A Trump supporter shows off her face paint at the U.S. Capitol Wednesday afternoon as lawmakers inside debated the certification of the presidential election. Jerry Habraken, USA TODAY

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Trump rioters storm the U.S. Capitol Wednesday afternoon as lawmakers inside debated the certification of the presidential election. Jerry Habraken, USA TODAY

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Trump rioters storm the U.S. Capitol Wednesday afternoon as lawmakers inside debated the certification of the presidential election. Jerry Habraken, USA TODAY

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Congress staffers barricade themselves after Trump supporters stormed inside the US Capitol in Washington, DC on Jan. 6, 2021. OLIVIER DOULIERY, AFP via Getty Images

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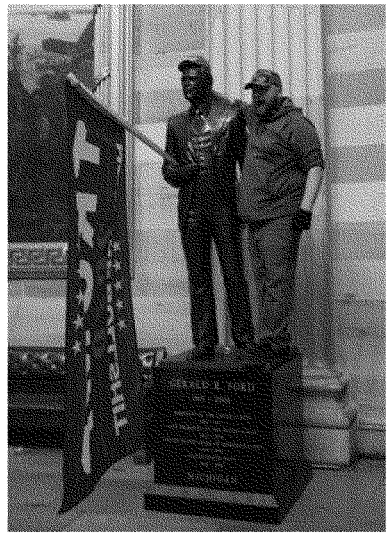
A protester adorns a statue of President Gerald Ford with Trump paraphernalia. SAUL LOEB, AFP via Getty Images



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Pro-Trump rioters protest inside the US Capitol on Jan. 6, 2021, in Washington, DC. - Demonstrators breeched security and entered the Capitol as Congress debated the a 2020 presidential election Electoral Vote Certification. SAUL LOEB, AFP via Getty Images

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Protesters gather outside the U.S. Capitol Building on Jan. 06, 2021 in Washington, DC. Pro-Trump protesters entered the U.S. Capitol building after mass demonstrations in the nation's capital during a joint session Congress to ratify President-elect Joe Biden's 306-232 Electoral College win over President Donald Trump. Tasos Katopodis, Getty Images

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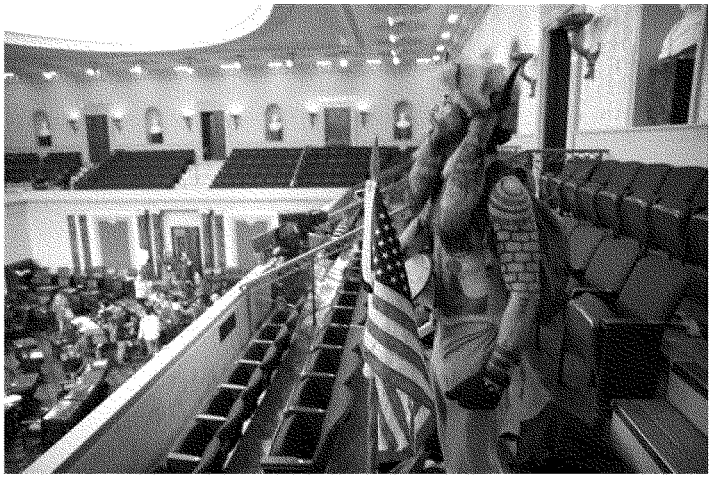

Jacob Anthony Chansley, aka Jake Angeli of Phoenix, yells inside the Senate chamber on Jan. 6, 2021, in Washington, D.C. Congress held a joint session to ratify President-elect Joe Biden's 306-232 Electoral College win over President Donald Trump. Pro-Trump protesters entered the U.S. Capitol during mass demonstrations in the nation's capital. Win McNamee, Getty Images

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Protesters enter the U.S. Capitol Building on January 06, 2021 in Washington, DC. Congress held a joint session today to ratify President-elect Joe Biden's 306-232 Electoral College win over President Donald Trump. A group of Republican senators said they would reject the Electoral College votes of several states unless Congress appointed a commission to audit the election results. Win McNamee, Getty Images

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Protesters enter the U.S. Capitol Building on January 06, 2021 in Washington, DC. Congress held a joint session today to ratify President-elect Joe Biden's 306-232 Electoral College win over President Donald Trump. A group of Republican senators said they would reject the Electoral College votes of several states unless Congress appointed a commission to audit the election results Win McNamee, Getty Images

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A rioter holds a Trump flag inside the US Capitol Building near the Senate Chamber on January 06, 2021 in Washington, DC. Congress held a joint session today to ratify President-elect Joe Biden's 306-232 Electoral College win over President Donald Trump. A group of Republican senators said they would reject the Electoral College votes of several states unless Congress appointed a commission to audit the election results. Win McNamee, Getty Images

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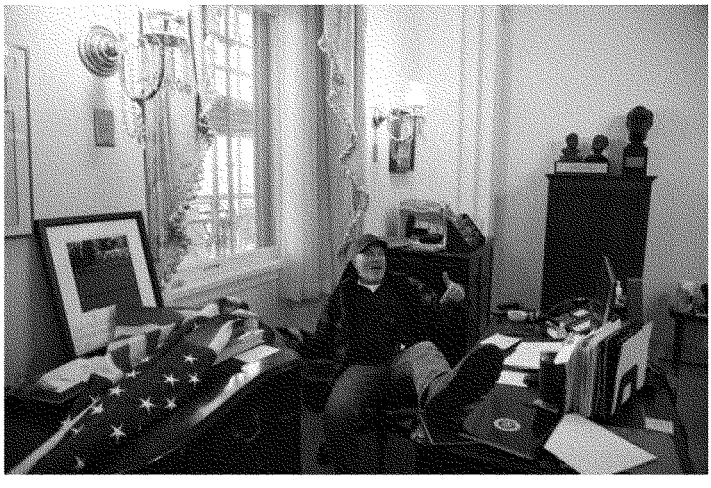

A supporter of President Donald Trump sits inside the office of U.S. Speaker of the House Nancy Pelosi inside the U.S. Capitol in Washington, D.C., on Wednesday, Jan. 6, 2021. SAUL LOEB, AFP via Getty Images

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Protesters enter the U.S. Capitol Building on January 06, 2021 in Washington, DC. Congress held a joint session today to ratify President-elect Joe Biden's 306-232 Electoral College win over President Donald Trump. Win McNamee, Getty Images

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Protesters enter the Senate Chamber on January 06, 2021 in Washington, DC. Congress held a joint session today to ratify President-elect Joe Biden's 306-232 Electoral College win over President Donald Trump. Win McNamee, Getty Images

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Rioters enter the Senate chamber on Jan. 6, 2021, in Washington, D.C. Win McNamee, Getty Images

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A protester sits in the Senate Chamber on January 06, 2021 in Washington, DC. Congress held a joint session today to ratify President-elect Joe Biden's 306-232 Electoral College win over President Donald Trump. Win McNamee, Getty Images

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Protesters attempt to enter the U.S. Capitol building on Jan. 6 after mass demonstrations during a joint session of Congress to ratify President-elect Joe Biden's 306-232 Electoral College win over President Donald Trump. Tasos Katopodis, Getty Images

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A protester is seen hanging from the balcony in the Senate Chamber on January 06, 2021 in Washington, DC. Congress held a joint session today to ratify President-elect Joe Biden's 306-232 Electoral College win over President Donald Trump. Pro-Trump protesters have entered the U.S. Capitol building after mass demonstrations in the nation's capital. Win McNamee, Getty Images

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A Capitol police officer looks out of a broken window as protesters gather on the U.S. Capitol Building on January 06, 2021 in Washington, DC. Tasos Katopodis, Getty Images

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Pro-Trump rioters roam under the Capitol Rotunda after invading the Capitol building on Jan. 6, 2021, in Washington, DC. Demonstrators breached security and entered the Capitol as Congress debated the 2020 presidential election Electoral Vote Certification. SAUL LOEB, AFP via Getty Images

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Police hold back supporters of US President Donald Trump as they gather outside the US Capitol's Rotunda on January 6, 2021, in Washington, DC. - Demonstrators breeched security and entered the Capitol as Congress debated the a 2020 presidential election Electoral Vote Certification. OLIVIER DOULIERY, AFP via Getty Images

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House of Representatives members leave the floor of the House chamber as protesters try to break into the chamber at the U.S. Capitol on Wednesday, Jan. 6, 2021, in Washington. Rep. Jim Jordan, R-Ohio, is at center. J. Scott Applewhite, AP

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Police keep a watch on demonstrators who tried to break through a police barrier, Wednesday, Jan. 6, 2021, at the Capitol in Washington. As Congress prepares to affirm President-elect Joe Biden's victory, thousands of people have gathered to show their support for President Donald Trump and his claims of election fraud. Julio Cortez, AP

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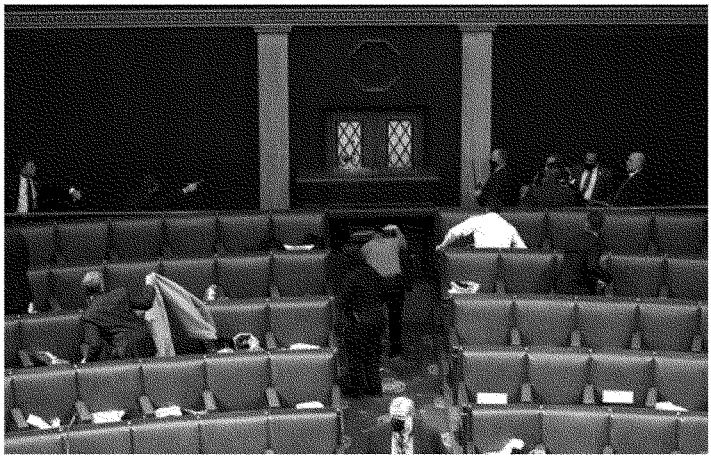

U.S. Capitol police officers point their guns at a door that was vandalized in the House Chamber during a joint session of Congress on January 06, 2021 in Washington, DC. Congress held a joint session today to ratify President-elect Joe Biden's 306-232 Electoral College win over President Donald Trump. A group of Republican senators said they would reject the Electoral College votes of several states unless Congress appointed a commission to audit the election results. Drew Angerer, Getty Images

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Supporters of President Donald Trump, including Jacob Anthony Chansley, aka Jake Angeli of Phoenix, center, who breached security enter the Capitol on Jan. 6 as Congress meets to confirm the 2020 presidential election. SAUL LOEB, AFP via Getty Images

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Lawmakers say rioters failed in their attempts to disrupt democracy. MANDEL NGAN, AFP via Getty Images

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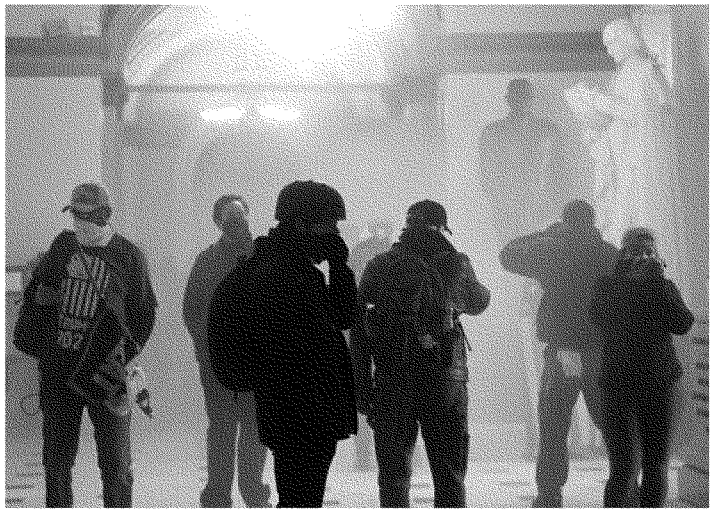

Supporters of President Donald Trump enter the U.S. Capitol as tear gas fills the corridor on Jan. 6, 2021. Saul Loeb/AFP via Getty Images

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A supporter of US President Donald Trump sits at a desk after invading the Capitol Building on January 6, 2021, in Washington, DC. SAUL LOEB, AFP via Getty Images

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State capitols should ramp up security, much as Washington, D.C., has started to do, she said, in the expectation that Trump's followers may try to repeat this week's attack or worse.

Mark Pitcavage, a senior research fellow at the Anti-Defamation League's Center on Extremism, said he's less concerned about organized attacks on federal or state capitols — though he agreed those should be heavily guarded on Inauguration Day — than he is about individuals or small extremist groups carrying out plots or shootings in the next two weeks.

"There's more of a danger of loose cannons going off and deciding to do something," Pitcavage said.

















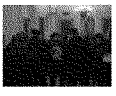














A boost for extremist recruitment



More than 40 Three Percenters demonstrated Saturday at a Black Lives Matter protest in Louisville, Kentucky, July 25, 2020 (Photo: Chris Kenning/Louisville Courier Journal)

It's unclear whether Wednesday's attack was led by any particular organization or individuals, but participants in the mob included people sporting insignia from the Oath Keepers and Three Percenters, two of the most well-known national extremist groups.

Chris Hill, leader of the III% Security Force, an extremist group in Atlanta, said he's been contacted by several people interested in joining groups like his since the Capitol takeover. (The Three Percenters are a loosely-affiliated collection of armed extremist groups named for the myth that only 3 percent of Americans took up arms against the British during the Revolutionary War.)

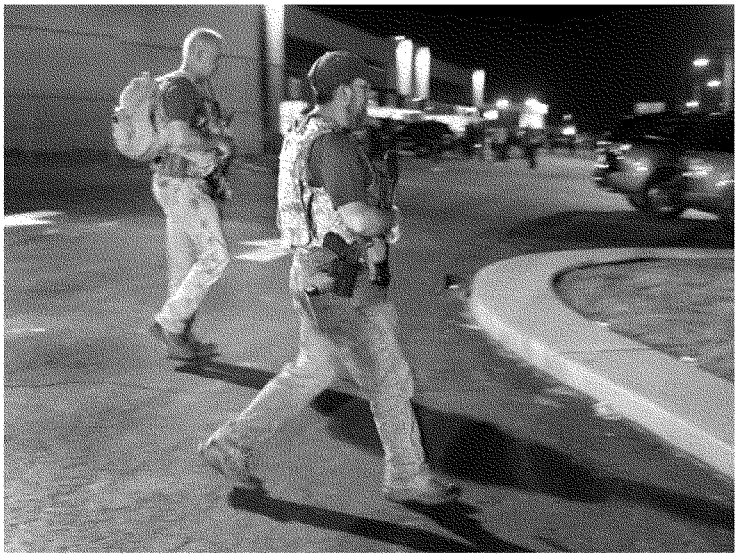
"A lot of people are very interested in seeking out patriot groups at this time," Hill said. "They're using alternative platforms and networking to resist what they're feeling is tyranny from the government."

Online message boards, websites and social media platforms dedicated to the armed far-right movement have been abuzz since the angry mob took over the nation's seat of power, said JJ MacNab, a fellow at George Washington University's Program on Extremism in Washington.

"There's a lot of chatter," said MacNab, "I usually try to downplay these things unless it's really big, but this was really big."

MacNab compared Wednesday's attack to other incidents that have spurred growth in pro-gunextremist groups, notably the Bundy Ranch standoff in 2014, when a relatively small group of armed men faced off against federal agents.

"I used to think that Bundy Ranch was the big one, but this was much, much bigger," she said.



Heavily armed civilians with a group known as the Oath Keepers arrive in Ferguson, Mo., Aug. 11, 2015. (Photo: Jeff Roberson, AP)

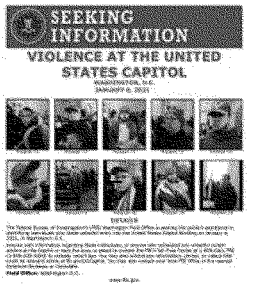
Pitcavage was less sure. He said he doesn't yet know whether Wednesday's attack will ultimately serve or hinder the pro-gun extremist movement.

These groupsare already primed for a boost, Pitcavage said. Membership swelled in the first years of the Obama presidency, due largely to new recruits terrified that Obama would attempt to pass strict new gun laws. But growth in the groups has slowed under Trump, he said.

An incoming Democrat as president could push more people into the movement, Pitcavage said. But he's not convinced that this week's events would add to that surge.

"The militia movement has a tendency to disassociate itself from things that get bad publicity," he said.

Handout poster from the Federal Bureau of InvestigationÕs (FBI) Washington Field Office "seeking the publicÕs assistance in identifying individuals who made unlawful entry into the United States Capitol Building on January 6, 2021, in Washington, D.C." (Photo: Federal Bureau of Investigation)



Blame antifa

Almost immediately following the attack, some within the militia movement, along with right-wing media personalities and politicians, were already blaming the Capitol attack on someone else: anti-fascist activists.

On social media and online message boards like MyMilitia.com, posters soon coalesced around a popular conspiracy theory: That the mob that actually broke into the Capitol on Wednesday, as opposed to the hordes who surrounded it, weren't right-wing extremists at all, but instead were anti-fascists in disguise.

There's noevidence to support this. Several of the people who have already been recognized as illegal intruders have already been associated with far-right groups, including the QAnon conspiracy theory and the Proud Boys.

Hill, in Georgia, repeated this disproven theory in an interview and renounced the people who "trespassed" in the Capitol, saying they should have made their point by simply surrounding the building, rather than going inside.

On Wednesday evening, the FBI announced it was searching for people who were involved in Wednesday's attack. Since many were caught on camera or on video, their identities – as well as their political affiliations – may soon be revealed for all to see.



Workers clean damage near an overrun Capitol Police checkpoint a day after a pro-Trump mob broke into the US Capitol Jan. 7, 2021, in Washington, DC. BRENDAN SMIALOWSKI, AFP via Getty Images

Fullscreen



A member of the Architect of the Capitol inspects a damaged entrance of the U.S. Capitol Jan. 7, 2021 in Washington, DC. Alex Wong, Getty Images

Fullscreen



The bust of U.S. President Zachary Taylor is covered with plastic after blood was smeared on it when a pro-Trump mob broke into the U.S. Capitol building on Jan. 7, 2021 in Washington, DC. Samuel Corum, Getty Images

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The remnants of pepper spray, tear gas, and fire extinguishers cover the area around the northern entrance to the U.S. Capitol building on Jan. 7, 2021 in Washington, DC. Samuel Corum, Getty Images

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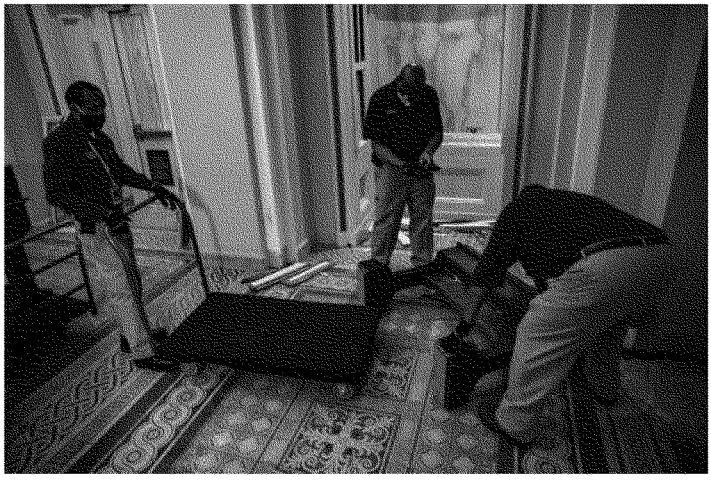

Workers begin to clean up the debris and damage caused by a pro-Trump mob at the U.S. Capitol building on Jan. 7, 2021 in Washington, DC. Samuel Corum, Getty Images

Fullscreen



Workers begin to clean up the debris and damage caused by a pro-Trump mob at the U.S. Capitol building on Jan. 7, 2021 in Washington, DC. Samuel Corum, Getty Images

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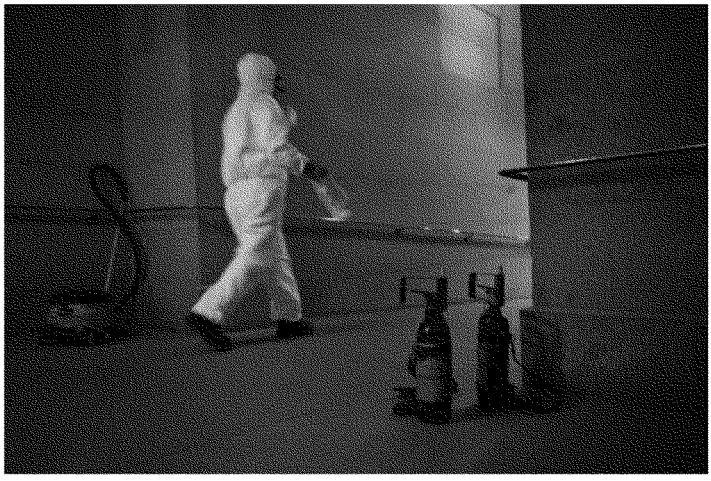

A worker walks past used crowd control chemicals near an overrun Capitol Police checkpoint a day after a pro-Trump mob broke into the US Capitol Jan. 7, 2021, in Washington, DC. BRENDAN SMIALOWSKI, AFP via Getty Images

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The U.S. Supreme Court is seen through a damaged entrance of the U.S. Capitol Jan. 7, 2021 in Washington, DC. Alex Wong, Getty Images

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A window is seen shattered next to the Senate Carriage Entrance on the eastern side of the U.S. Capitol building on Jan. 7, 2021 in Washington, DC. Samuel Corum, Getty Images

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Flex cuffs still hang from the northern entrance door from when Capitol Police attempted to secure it from a pro-Trump mob the day before at the U.S. Capitol building on Jan. 7, 2021 in Washington, DC. Samuel Corum, Getty Images

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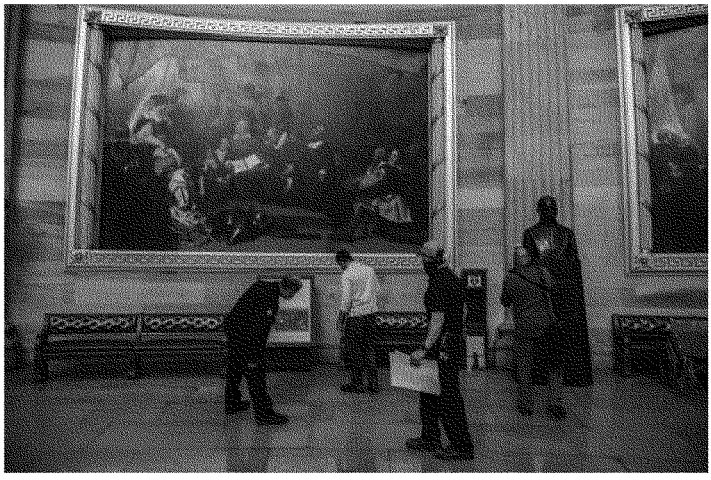

Members of the office of the Architect of the US Capitol check for damage in the Rotunda in Washington, DC, on Jan. 7, 2021, one day after supporters of outgoing President Donald Trump stormed the building. NICHOLAS KAMM, AFP via Getty Images

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Damage is seen near a breached window in the House of Representatives a day after a pro-Trump mob broke into the US Capitol on Jan. 7, 2021, in Washington, DC. BRENDAN SMIALOWSKI, AFP via Getty Images

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Rep. Andy Kim, D-N.J., cleans up debris and personal belongings strewn across the floor of the Rotunda in the early morning hours of Jan. 7, 2021, after protesters stormed the Capitol in Washington, on Wednesday. Andrew Harnik, AP

Fullscreen



An ATF police officer cleans up debris and personal belongings strewn across the floor of the Rotunda in the early morning hours of Thursday, Jan. 7, 2021, after protesters stormed the Capitol in Washington, on Wednesday. (AP Photo/Andrew Harnik) ORG XMIT: DCAH110 Andrew Harnik, AP

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Sen. Tim Scott, R-S.C., looks at damage on the morning of Jan. 7 after protesters stormed the Capitol in Washington. Andrew Harnik, AP

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Debris and dust litters a northern entrance after protesters swarmed the U.S. Capitol building in Washington, DC as the U.S. Congress meets to formally ratify Joe Biden as the winner of the 2020 Presidential election on Jan. 6, 2021. Jasper Colt, USA TODAY

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Debris litters the hallways after protesters swarmed the U.S. Capitol building in Washington, DC as the U.S. Congress meets to formally ratify Joe Biden as the winner of the 2020 Presidential election on Jan. 6, 2021. Jasper Colt, USA TODAY

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Medical debris from a rescue effort litters a hallway after protesters stormed the U.S. Capitol building in Washington, DC as the U.S. Congress meets to formally ratify Joe Biden as the winner of the 2020 Presidential election on Jan. 6, 2021. Christal Hayes, USA TODAY

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Papers and other equipment after the House floor was evacuate as protesters tried to break into the House Chamber at the U.S. Capitol on Wednesday, Jan. 6, 2021, in Washington. J. Scott Applewhite, AP

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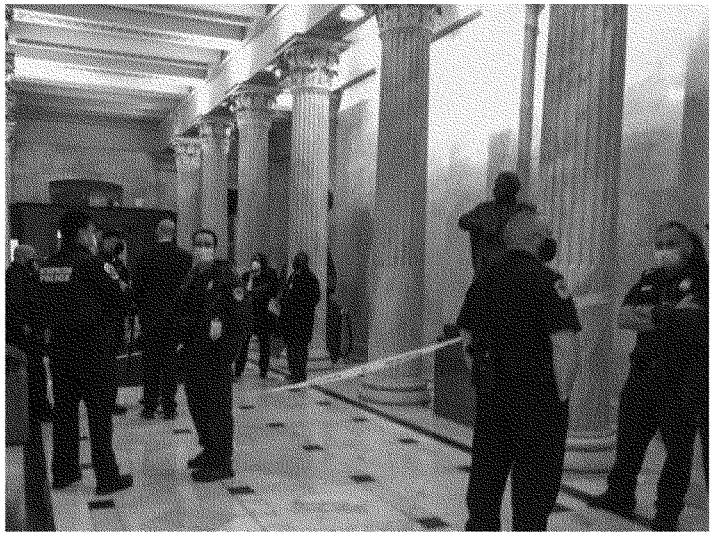

Police have cordoned off an area on the House side after protesters stormed the U.S. Capitol building in Washington, DC as the U.S. Congress meets to formally ratify Joe Biden as the winner of the 2020 Presidential election on Jan. 6, 2021. Christal Hayes, USA TODAY

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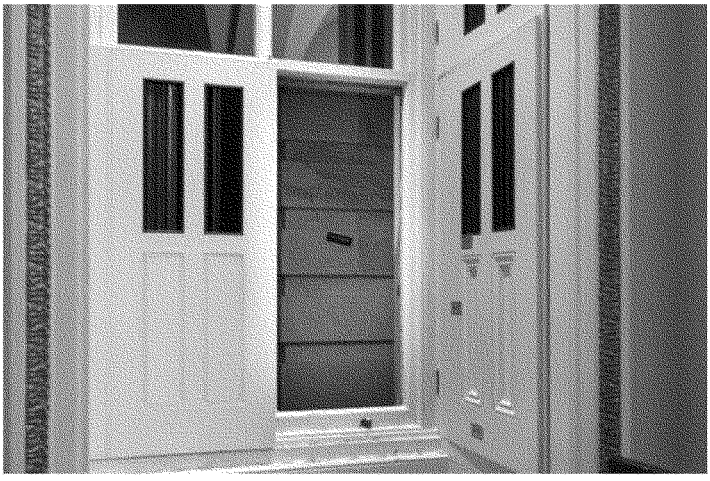

A Trump sticker can be seen through a window left open after protesters stormed the U.S. Capitol building in Washington, DC as the U.S. Congress meets to formally ratify Joe Biden as the winner of the 2020 Presidential election on Jan. 6, 2021. Jasper Colt, USA TODAY

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Dust covers the floors after protesters swarmed the U.S. Capitol building. Jasper Colt, USA TODAY

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Police rest in the rotunda after protesters swarmed the U.S. Capitol building in Washington, DC as the U.S. Congress meets to formally ratify Joe Biden as the winner of the 2020 Presidential election on Jan. 6, 2021. Jasper Colt, USA TODAY

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The sign above Speaker of the U.S. House of Representatives Nancy Pelosi's office is missing and another sign is damaged after protesters swarmed the U.S. Capitol. Jasper Colt, USA TODAY

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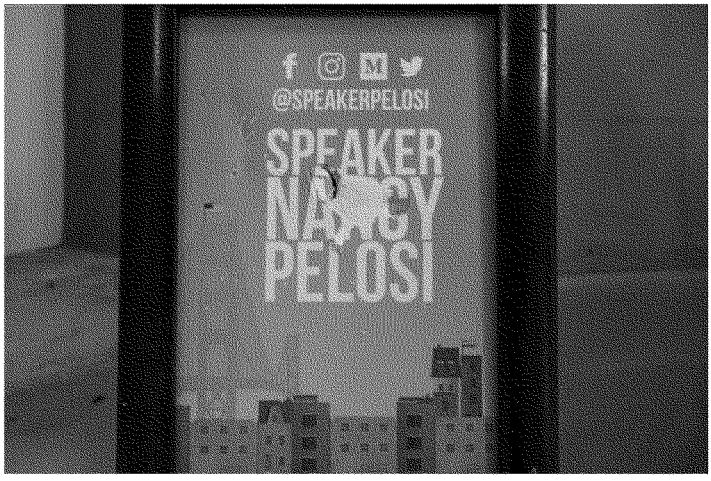

A sign Speaker of the U.S. House of Representatives Nancy Pelosi's office is damaged after protesters swarmed the U.S. Capitol. Jasper Colt, USA TODAY

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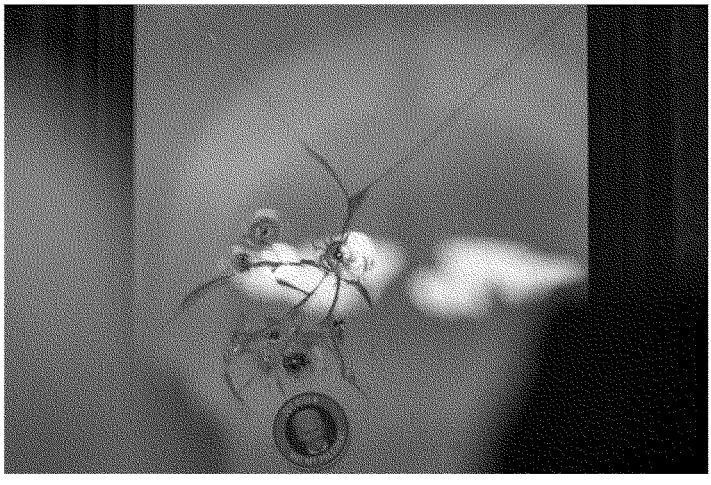

Damage is seen in a window of the U.S. Capitol building. Jasper Colt, USA TODAY

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Police and cleaners mill about outside the House chamber after protesters swarmed the U.S. Capitol building in Washington, DC as the U.S. Congress meets to formally ratify Joe Biden as the winner of the 2020 Presidential election on Jan. 6, 2021. Jasper Colt, USA TODAY

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Debris litters a hallway after protesters stormed the U.S. Capitol building. Christal Hayes, USA TODAY



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A picture frame lays in a hallway. Christal Hayes, USA TODAY

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Police rest after protesters stormed the U.S. Capitol building in Washington, DC as the U.S. Congress meets to formally ratify Joe Biden as the winner of the 2020 Presidential election on Jan. 6, 2021. Christal Hayes, USA TODAY

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Damage is shown after protesters swarmed the U.S. Capitol building as protests in Washington, DC as the U.S. Congress meets to formally ratify Joe Biden as the winner of the 2020 Presidential election on Jan. 6, 2021. Jasper Colt, USA TODAY

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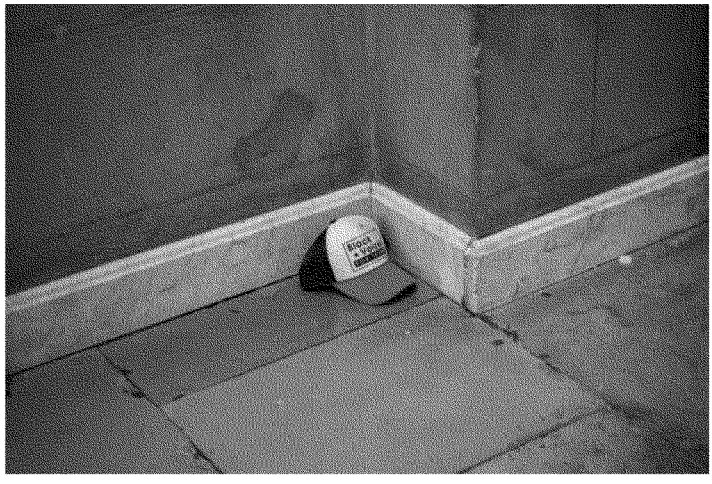

A cap lies abandoned in a hallway after protesters stormed the U.S. Capitol building in Washington, DC as the U.S. Congress meets to formally ratify Joe Biden as the winner of the 2020 Presidential election on Jan. 6, 2021. Christal Hayes, USA TODAY

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An office door shows damage after protesters stormed the U.S. Capitol building in Washington, DC as the U.S. Congress meets to formally ratify Joe Biden as the winner of the 2020 Presidential election on Jan. 6, 2021. Christal Hayes, USA TODAY

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An office door shows damage after protesters stormed the U.S. Capitol building in Washington, DC as the U.S. Congress meets to formally ratify Joe Biden as the winner of the 2020 Presidential election on Jan. 6, 2021. Christal Hayes, USA TODAY

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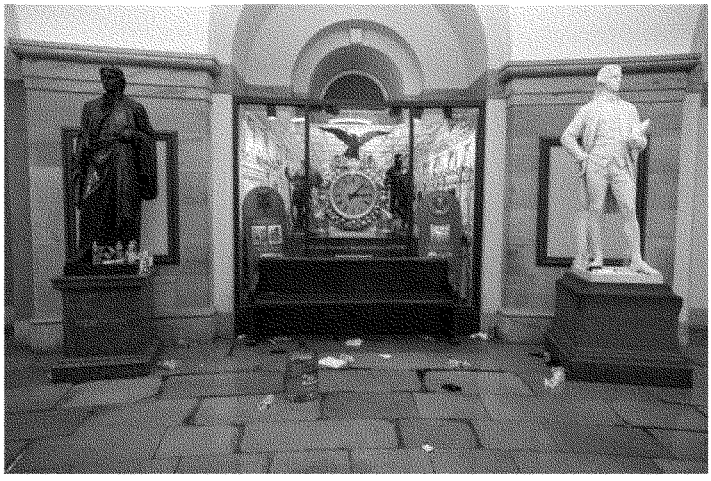

Litter is strewn about the crypt after protesters stormed the U.S. Capitol building in Washington, DC as the U.S. Congress meets to formally ratify Joe Biden as the winner of the 2020 Presidential election on Jan. 6, 2021. Christal Hayes, USA TODAY

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CONGRESS

Extremists move to secret online channels to plan for Inauguration Day in D.C.

Some pro-Trump extremists have used the platforms to suggest skipping local rallies to focus instead on a big turnout in D.C. at Biden's inauguration.



Security fencing surrounds the U.S. Capitol on Monday. Erin Scott / Reuters

Jan. 12, 2021, 11:24 AM EST

By Anna Schecter

Right-wing extremists are using channels on the encrypted communication app Telegram to call for violence against government officials on Jan. 20, the day President-elect Joe Biden is

inaugurated, with some extremists sharing knowledge of how to make, conceal and use homemade guns and bombs.

The messages are being posted in Telegram chatrooms where white supremacist content has been freely shared for months, but chatter on the channels has increased since extremists have been forced off other platforms in the wake of the siege of the U.S. Capitol last week by pro-Trump rioters.

Telegram is a Dubai-based messaging service that does little moderation of its content and has a sizable international user base, particularly in eastern Europe and the Middle East.

In the days since the Capitol attack, for example, an Army field manual and exhortations to "shoot politicians" and "encourage armed struggle" have been posted in a Telegram channel that uses "fascist" in its name.

Chris Sampson, chief of research at the Terror Asymmetrics Project on Strategy, Tactics and Radical Ideologies, a defense research institute, said his group is focused on and concerned about users of the channel and has alerted the FBI about it. (The institute is run by Malcolm Nance, an NBC News terrorism analyst.)

"When they start calling for assassinations, when they start calling for action versus sharing information, we flag them a little higher," Sampson said. "Some channels merely swap information, but then they accelerated into conversations of where to be."

FBI warns of possible armed protests in all 50 state capitols



POLITICS

Right-wing extremists vow to return to Washington for Joe Biden's inauguration

In response, some Trump supporters with extremist views have used encrypted platforms to post warnings about avoiding local rallies in the coming days and instead wait for a big turnout in Washington at Biden's inauguration on Jan. 20.

"Do not attend armed protests at state capitols before inauguration! Possible sinister plot hatched by radical left to take away gun rights!" someone posted in a Telegram chatroom with thousands of members favored by the far right.

After Jan. 6, far-right extremists starting posting calls to arms for "round 2" on Inauguration Day in Washington.

Too much or not enough? Securing Biden inaugural after Capitol riot



Moving to Telegram

News updates and content meant to inspire people to fight for President Donald Trump still abound on mainstream platforms.

A video stoking fears about a stolen election and galvanizing those who might want to fight in behalf of Trump was on YouTube for 12 hours Monday. Ominous music plays in the background as Trump speeches are woven with biblical verses. The video was recently removed for "violating YouTube's Community Guidelines."

Related

TECH

Warning signs were there, but disregarded, well before the Capitol riot

A spokesperson for YouTube's parent company, Google, did not respond to a request for comment.

Recommended

CONGRESS

Capitol Police officer who died from riot injuries to lie in honor in Rotunda

CONGRESS

Woman who said she wanted to shoot Pelosi during Capitol riot arrested

Far-right Telegram chat room membership has ballooned in recent days, particularly since the popular platform Parler, financed by the wealthy conservative backer Rebekah Mercer, went offline Monday after Amazon rescinded its web-hosting service.

There are multiple Telegram channels for the right-wing group called the Proud Boys, and the largest of them have more than 28,000 members. One channel frequented by Proud Boys has been renamed to attract ex-Parler users.

"Now that they forced us off the main platforms it doesn't mean we go away, it just means we are going to go to places they don't see," a user posted in the chatroom intended for refugees from Parler.

'Mounds and mounds of evidence to be nervous about:' Brandy Zadrozny discusses what happened before January 6



opportunity" for them "to make mistakes and reveal identifying information."

Pro-Trump militia, conspiracy theorists rioted in U.S. Capitol, not antifa



But Frank Figliuzzi, a former FBI assistant director, said he worries about the double-edged sword when a platform known to host extremists is shut down.

"We had all this success with ISIS: We took out their command site, but we also took away the ability to see the next lone wolf. We force them into the dark corners of the internet," said Figliuzzi, an NBC News national security analyst.

"History repeats itself. We saw with Facebook, Twitter, YouTube and Instagram, they knocked these guys out and boom, where are they?"



Anna Schecter

Anna Schecter is a producer for the NBC News Investigations Unit.

Brandy Zadrozny, Kevin Collier and Ezra Kaplan contributed.

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National Terrorism Advisory System

Bulletin

www.dhs.gov/advisories

January 27, 2021 11:00AM ET

SUMMARY

The Acting Secretary of Homeland Security has issued a National Terrorism Advisory System (NTAS) Bulletin due to a heightened threat environment across the United States, which DHS believes will persist in the weeks following the successful Presidential Inauguration. Information suggests that some ideologically-motivated violent extremists with objections to the exercise of governmental authority and the presidential transition, as well as other perceived grievances fueled by false narratives, could continue to mobilize to incite or commit violence.

DURATION
This Bulletin will expire on or before **April 30, 2021** at 1:00 PM ET

DETAILS

- Throughout 2020, Domestic Violent Extremists (DVEs) targeted individuals with opposing views engaged in First Amendment-protected, non-violent protest activity. DVEs motivated by a range of issues, including anger over COVID-19 restrictions, the 2020 election results, and police use of force have plotted and on occasion carried out attacks against government facilities.
- Long-standing racial and ethnic tension—including opposition to immigration—has driven DVE attacks, including a 2019 shooting in El Paso, Texas that killed 23 people.
- DHS is concerned these same drivers to violence will remain through early 2021 and some DVEs may be emboldened by the January 6, 2021 breach of the U.S. Capitol Building in Washington, D.C. to target elected officials and government facilities.
- DHS remains concerned that Homegrown Violent Extremists (HVEs) inspired by foreign terrorist groups, who committed three attacks targeting government officials in 2020, remain a threat.
- Threats of violence against critical infrastructure, including the electric, telecommunications and healthcare sectors, increased in 2020 with violent extremists citing misinformation and conspiracy theories about COVID-19 for their actions.
- DHS, as well as other Federal agencies and law enforcement partners will continue to take precautions to protect people and infrastructure across the United States.
- DHS remains committed to preventing violence and threats meant to intimidate or coerce specific populations on the basis of their religion, race, ethnicity, identity or political views.
- DHS encourages state, local, tribal, and territorial homeland security partners to continue prioritizing physical security measures, particularly around government facilities, to protect people and critical infrastructure.

TYPES OF ADVISORIES

Bulletin
Describes current developments or general trends regarding threats of terrorism.

Elevated Alert
Warns of a credible terrorism threat against the United States.

Imminent Alert
Warns of a credible, specific and impending terrorism threat against the United States.

HOW YOU CAN HELP

- We ask the public to report suspicious activity and threats of violence, including online activity, to local law enforcement, FBI Field Offices, or their local Fusion Center.
- Your choice can make a difference. Choose non-violent ways to make your voice heard and support friends and family in doing the same.
- Communities are strongest when they are not divided: Strengthen your community by standing together against violence.

BE PREPARED

- Avoiding large crowds, including protests, is safest due to ongoing pandemic conditions. However, if taking part in protests do so peacefully, safely, and wear masks.
- Be responsible for your personal safety. Make note of your surroundings and security personnel. Carry emergency contact as well as medical and other needs information with you.
- Connect, Plan, Train, and Report to prepare businesses & employees.

STAY INFORMED

- Local, state and federal agencies will provide specific information about emerging threats as additional information is identified. The public is encouraged to listen to local law enforcement and public safety officials.
- Last year, DHS released a Homeland Threat Assessment to the public examining the threat environment through 2021.
- The DHS Lexicon on terrorism includes terminology for DVEs and HVEs.

If You See Something, Say Something . | For more information, visit www.dhs.gov/seesay.

The National Terrorism Advisory System provides information on homeland security issues and threats. It is distributed by the Department of Homeland Security. More information is available at: www.dhs.gov/advisories. To receive mobile updates: www.twitter.com/dhsgov

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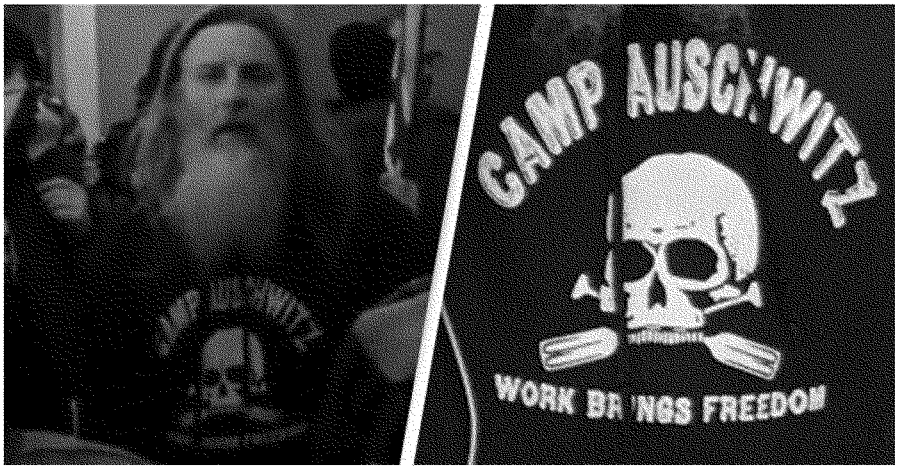
Man Pictured Wearing 'Staff' Of 'Camp Auschwitz' Hoodie Inside US Capitol

unilad.co.uk/viral/man-pictured-wearing-staff-of-camp-auschwitz-hoodie-inside-us-capitol/

by : Emily Brown on : 07 Jan 2021 12:50



BeschlossDC/Twitter/MrTAchilles/Twitter

Images taken inside the US Capitol show a rioter wearing a hoodie that reads 'Camp Auschwitz'.

The unidentified protestor was among hundreds of Donald Trump supporters who stormed the Capitol building yesterday, January 7, where they took over the Senate Chamber and vandalised congressional offices.

Advert

Images of the bearded man clearly display his black sweatshirt, which featured an image of a skull below the words 'Camp Auschwitz'.

Underneath the skull read 'Work brings freedom', while the back of the jumper is said to have brandished the word 'Staff'.

The sweatshirt refers to the Nazi concentration camp and extermination centre where more than 1.1 million men, women and children lost their lives, though evidently the man wearing it had no issue with branding himself as someone proud of the genocidal death camp.

Advert

Images of the man have been shared widely on Twitter, where the words 'Camp Auschwitz' are currently trending.

Human Rights Watch European Media Director, Andrew Stroehlein, condemned the rioters, writing:

> If you're storming a parliament with people wearing "Camp Auschwitz" sweatshirts, you know what side you're on...
>
> These are the faces of hatred and extremism.

Advert

Writer Shannon Stirone described the protestors as Nazis, writing, 'These are Nazis. A man in this photo is wearing a shirt that says "Camp Auschwitz." Use the right word. Nazis.'

Another man involved in storming the Capitol has been featured on a website that exposes known individuals in the neo-Nazi movement, indicating the man in the Camp Auschwitz jumper was not the only one acting on far-right beliefs at the protest.

Advert

If you have a story you want to tell, send it to UNILAD via

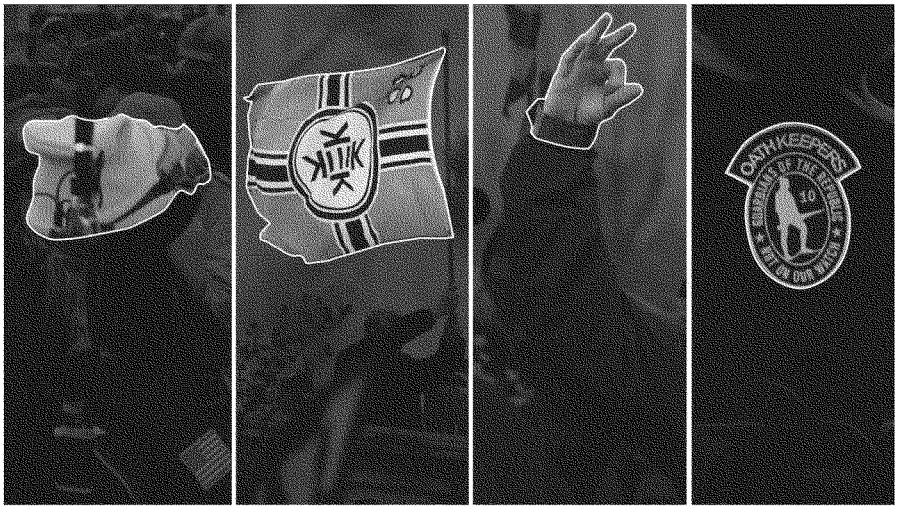
Emily Brown

Emily Brown first began delivering important news stories aged just 13, when she launched her career with a paper round. She graduated with a BA Hons in English Language in the Media from Lancaster University, and went on to become a freelance writer and blogger. Emily contributed to The Sunday Times Travel Magazine and Student Problems before becoming a journalist at UNILAD, where she works on breaking news as well as longer form features.

Topics: Viral, Capitol, Donald Trump, Racism

Identifying far-right symbols that appeared at the U.S. Capitol riot

washingtonpost.com/nation/interactive/2021/far-right-symbols-capitol-riot/



By Washington Post Staff

Updated Jan. 15 at 2:56 p.m.

A day that began with President Trump telling his most ardent followers to continue to fight back against the results of an election he lost spun out of control on Jan. 6 when a violent mob broke down the doors to the U.S. Capitol and went on a rampage inside. Assembled in the crowd were a range of far-right groups, including self-described militias, white nationalists, and sundry conspiracists and agitators. They broke windows with flags poles, raised banners on scaffolding assembled for the inauguration of President-elect Joe Biden and charged police lines, attacking officers as they surged forward. Some wore tactical vests and helmets adorned with far-right symbols and slogans.

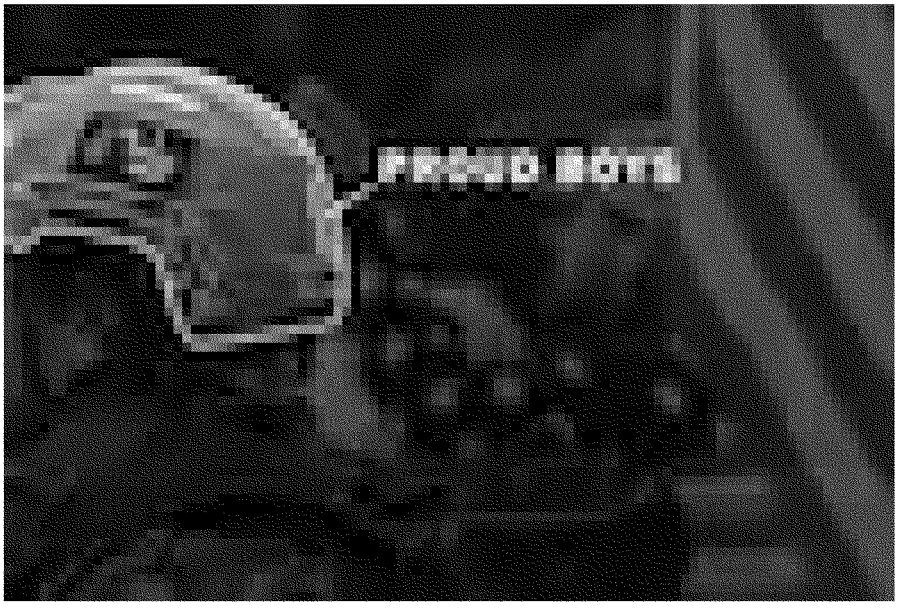
Here's what we know about the groups involved and what their symbols mean:

Proud Boys

SYMBOL DETAILS: Orange hats, orange tape



(Photo illustration by Daron Taylor/The Washington Post; photo by Amanda Andrade-Rhoades for The Washington Post)



(Photo illustration by Daron Taylor/The Washington Post; photo by Amanda Andrade-Rhoades for The Washington Post)

The Proud Boys,a far-right group with a history of violence and a reputation for instigating roving street fights with counterdemonstrators, announced in the days before the short-lived insurrection that members would forgo their traditional black-and-gold garb in favor of all-black attire and bright orange hats. Some members still donned the Proud Boys logo on patches, clothing and helmets.

The Proud Boys were founded in 2016 by Vice Media co-founder Gavin McInnes, who has since distanced himself from the group. It rose to national prominence this year when Trump told members to "stand back and stand by" during a presidential debate — a message that many in the Proud Boys took as marching orders.

Historical and far-right flags

The flags seen throughout the sea of rioters symbolize their support for far-right causes, white supremacy and anti-government militias. Watch the video above to see examples.

'OK'

SYMBOL DETAILS: Hand gesture forming in the shape of 'OK'



(Photo illustration by Daron Taylor/The Washington Post; photo by Amanda Andrade-Rhoades for The Washington Post)

The hand gesture commonly used to connote "OK" was co-opted in 2017 by members of the far-right and white supremacists who recast the symbol to mean "white power" — indicated by the W and P formed by the hand. The use of the hand gesture has since become a common occurrence at far-right rallies and among some Trump supporters who make it to taunt opponents.

The Three Percenters, a right-wing anti-government militia group, also utilizes a similar symbol — outstretched middle, ring and pinkie fingers to represent the Roman numeral for three — that can at a glance be mistaken for the "OK" gesture, though Three Percenters is not explicitly white supremacist.

1776 memorabilia

SYMBOL DETAILS: The year 1776 surrounded by stars in a circle



(Photo illustration by Daron Taylor/The Washington Post; photo by Jose Luis Magana/AP)

References to the year 1776 and the American Revolution have grown substantially among the far-right as Trump supporters and conspiracy theorists have hinted at the possibility of a revolution in the wake of Trump's election loss, which they view, falsely, as illegitimate. Trump allies and surrogates, including first-term Reps. Marjorie Taylor Greene (R-Ga.) and Lauren Boebert (R-Colo.), referred to Jan. 6 as Republicans' "1776 moment."

An online shop dubbed "1776.shop" that was founded last year by members of the Proud Boys, including its chairman Enrique Tarrio, hawks merchandise that co-opts 1776 as a symbol, along with other slogans and emblems touting the far-right.

Three Percenters

SYMBOL DETAILS: The roman numeral III, surrounded by a circle with stars



(Photo illustration by Daron Taylor/The Washington Post; image from video by Tyler Leikam via Storyful)



(Photo illustration by Daron Taylor/The Washington Post; photo by Shannon Stapleton/Reuters)

The Three Percenters, often connoted by the Roman numeral for three, is an anti-government paramilitary group that formed in 2008 around the idea that a small number of "patriots" protect Americans from the tyranny of big government. The name itself is a reference to thedebunked claim that only 3 percent of the population fought against the British in the American Revolution; historians say the percentage was actually much higher. The organization is considered by extremism experts to be a "traditional" self-described militia group that espouses right-wing, libertarian ideals, but has in recent years become an ardent supporter of Trump and has mobilized in opposition to more restrictive gun regulation, coronavirus-related shutdowns and racial justice protests.

QAnon

SYMBOL DETAILS: The letter 'Q'



(Photo illustration by Daron Taylor/The Washington Post; photo by Manuel Balce Ceneta/AP)

QAnon is a sprawling online conspiracy theory whose adherents believe Trump is leading a crusade against a cabal of Satan-worshiping pedophiles who encompass a majority of the nation's elites, including politicians, celebrities and executives. The loosely organized group exists largely online and follows cryptic messages and instructions from an anonymous person known only as Q. The Southern Poverty Law Center (SPLC) has said the QAnon belief that elites are abducting children to harvest their blood for a chemical used to extend people's lives is a variation of an anti-Semitic trope that has existed for centuries. Its online

campaigns under the hashtag #SaveOurChildren have also been used as an anti-LGBTQ dog whistle. In 2020, QAnon believers began to coalesce around anti-mask and anti-vaccine coronavirus conspiracy theories.

Ashli Babbitt, the 35-year-old veteran who was shot and killed by a Capitol Police officer during the insurrection, was a believer in QAnon.

Oath Keepers

SYMBOL DETAILS: Yellow words spelling 'Oath Keepers' or image of a male militia figure



(Photo illustration by Daron Taylor/The Washington Post; photo by Manuel Balce Ceneta/AP)



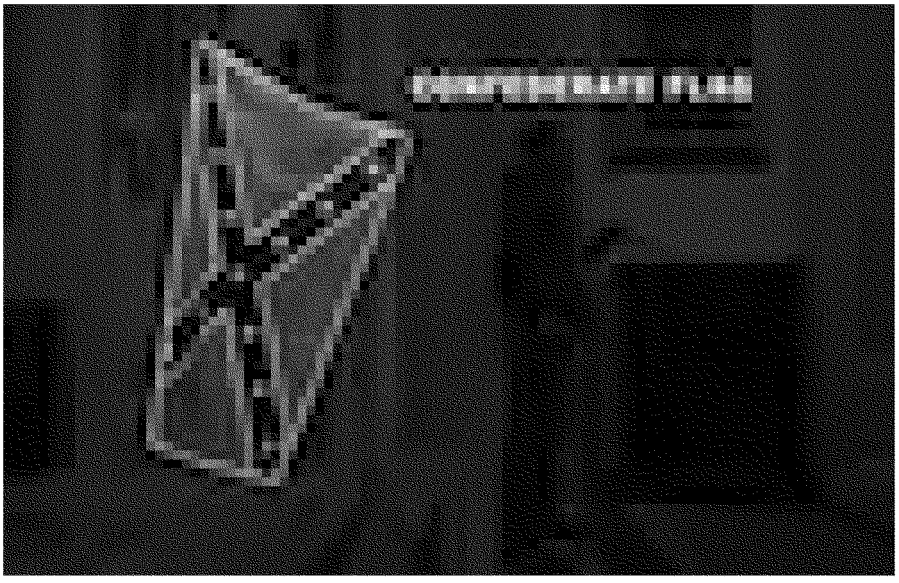
(Photo illustration by Daron Taylor/The Washington Post; photo by Roberto Schmidt/AFP/Getty Images)

The Oath Keepers is one of the largest self-described militia groups in the United States. Founded in 2009, the anti-government group is focused on recruiting law enforcement and active or former military members — those the group's leaders believe will follow its notion of what it means to take an oath to protect the Constitution against "all enemies both foreign and domestic."

The Oath Keepers has had a presence at many high-profile incidents over the past decade, including the 2014 standoff at the Bundy ranch in Nevada and the Ferguson, Mo., protests. Its yellow logo takes inspiration from the U.S. Army Ranger tab.

Confederate flag

SYMBOL DETAILS: A red flag with a blue cross and stars



(Photo illustration by Daron Taylor/The Washington Post; photo by Jim Lo Scalzo/EPA-EFE/Shutterstock)

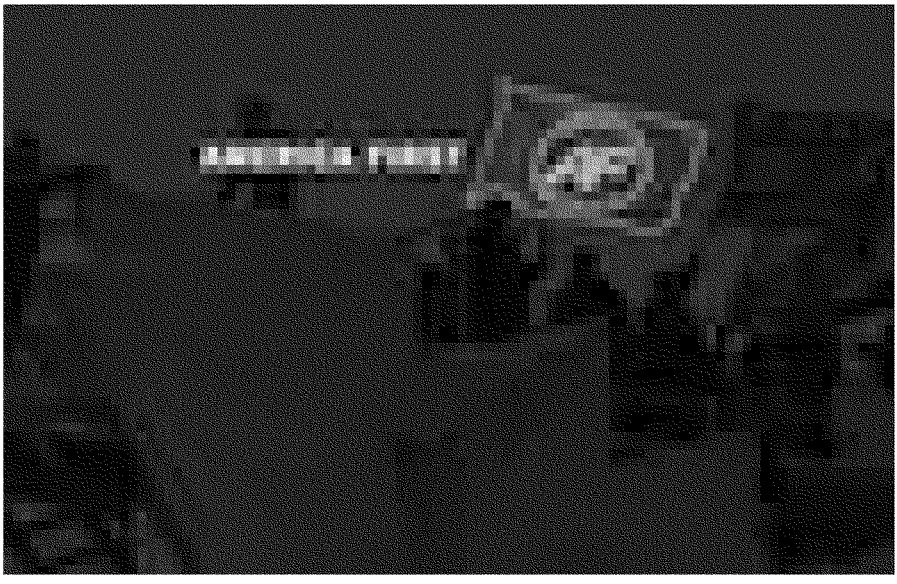


(Photo illustration by Daron Taylor/The Washington Post; photo by John Minchillo/AP)

The Confederate battle flag was first flown during the Civil War by the 11 states that supported secession from the United States and the continuation of slavery. Certain groups now claim it represents "Southern heritage," but according to the Anti-Defamation League (ADL), the symbol is commonly used by white supremacists both inside and outside of the United States.

America First

SYMBOL DETAILS: The letters 'AF' surrounded by a circle



(Photo illustration by Daron Taylor/The Washington Post; photo by Stephanie Keith/Reuters)

"America First" is the name of a podcast hosted by far-right activist Nick Fuentes, who appeared at the 2017 "Unite the Right" rally in Charlottesville and later taunted people protesting the killing of George Floyd in police custody. Fuentes's followers and associates call themselves "Groypers" and use Pepe the Frog imagery. According to the ADL, the "Groyper Army" has tried to distance itself from the white supremacist label but continues to espouse racist and anti-Semitic views.

Pepe the Frog

SYMBOL DETAILS: A smirking green frog

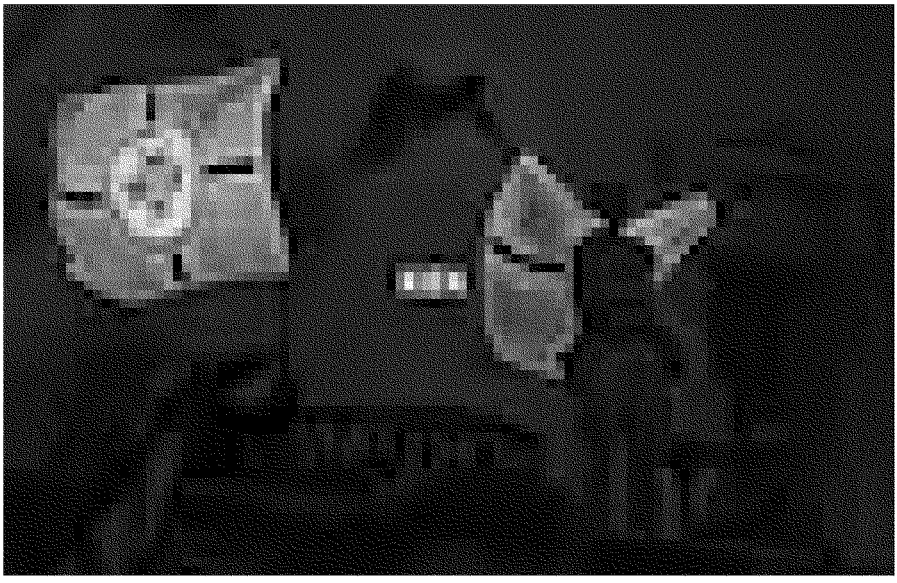


(Photo illustration by Daron Taylor/The Washington Post; photo by Evelyn Hockstein for The Washington Post)

Pepe, a humanoid cartoon frog created by artist Matt Furie, is an Internet meme appropriated by the far-right community online. While many depictions of the meme are innocuous, it is commonly depicted alongside extremist imagery, such as a Pepe clad in the uniform of the Waffen-SS, the military wing of Hitler's security force, and it has become associated with far-right Internet culture despite Furie's denunciations of such usage.

Kekistan flag

SYMBOL DETAILS: A green and black symbol spelling the words 'Kek'

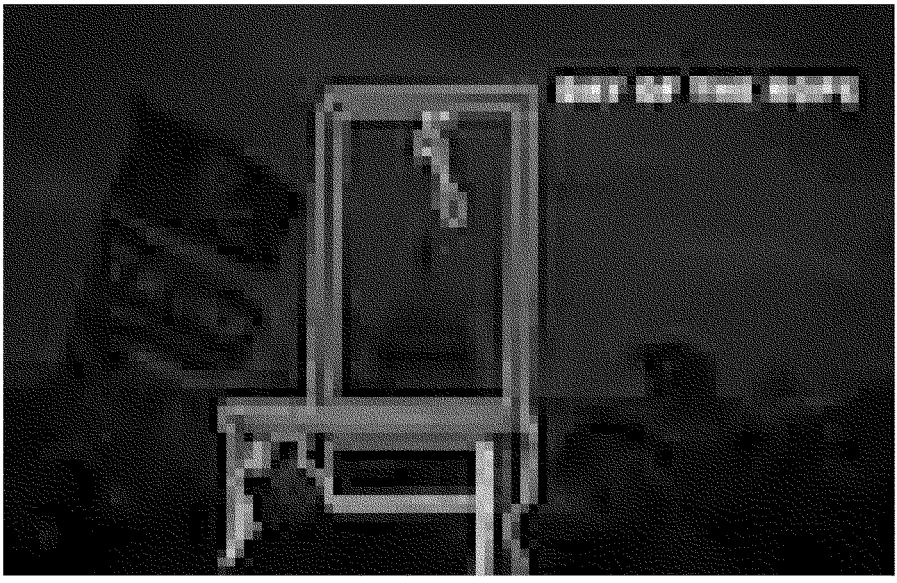


(Photo illustration by Daron Taylor/The Washington Post; photo by Evelyn Hockstein for The Washington Post)

The term "kek" originated in the gaming world but was absorbed into far-right culture, according to the SPLC. Coincidentally, users on the 4chan website discovered that an ancient Egyptian deity called "Kek" could appear as a man with a frog head, something they saw as a parallel with the use of Pepe the Frog as a symbol. Users have created a flag for the fictional country of Kekistan, where political correctness is supposedly decried. The flag is based on the Nazi swastika.

Noose/Day of the Rope

SYMBOL DETAILS: A hanging noose



(Photo illustration by Daron Taylor/The Washington Post; photo by Shay Horse/NurPhoto/Getty Images)

The nooses seen on Jan. 6 echoed the "Day of the Rope," a fictional insurrection described in a 1978 novel written by prominent white supremacist William Luther Pierce. In "The Turner Diaries," white supremacist rebels lynch politicians, journalists and White people in interracial relationships — groups they consider "race traitors."

In the weeks leading up to the real-world insurrection on Jan. 6, posts on far-right forums referenced hangman knots and hanging "traitors" who betrayed Trump's cause, including Supreme Court justices and lawmakers.

Valknot

SYMBOL DETAILS: Three triangles interlinked

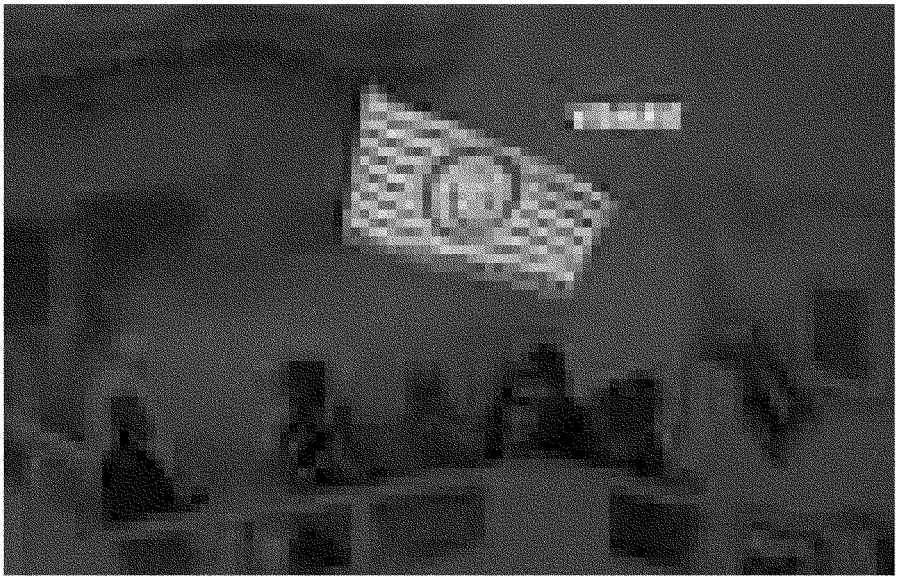


(Photo illustration by Daron Taylor/The Washington Post; photo by Victor J. Blue/Bloomberg News)

The Valknot tattoo and garb seen on Jacob Anthony Chansley, known as the "Q Shaman," are nods to Nordic culture and heritage. The Norse symbol has been associated with Odinism, a strain of white supremacist thought that claims to hark back to pre-Christian belief systems, but is also used by non-racist Pagans, according to the ADL.

VDARE

SYMBOL DETAILS: An image of a lion with red, white and blue stripes



(Photo illustration by Daron Taylor/The Washington Post; photo by Leah Millis/Reuters)

The red, white and blue lion imagery seen on a flag on Jan. 6 is associated with the xenophobic, ethnonationalist website VDARE, which gets its name from Virginia Dare, supposedly the first White child born in the New World, according to the SPLC.

VDARE is known to host far-right writers and intellectuals. The organizer of the 2017 "Unite the Right Rally" in Charlottesville was a contributor to VDARE. In 2019, the Trump campaign came under fire after using an almost identical lion graphic in a promotional video.

About this story

Reporting and analysis by Marissa J. Lang and Razzan Nakhlawi. Editing by Peter Finn. Copy editing by Frances Moody. Design and development by Yutao Chen. Video and photo illustrations by Daron Taylor. Video by Adriana Usero. Video editing by Nicki DeMarco. Project editing by Julie Vitkovskaya.

The New York Times https://nyti.ms/3nCSwld

VISUAL INVESTIGATIONS

Decoding the Far-Right Symbols at the Capitol Riot

There were militia flags and banners of extremist groups, as well as absurd images of dinosaurs and comic book logos that belied the violence that was to unfold.



By Matthew Rosenberg and Ainara Tiefenthäler

Jan. 13, 2021

Militiamen showed up proudly bearing the emblems of their groups — American flags with the stars replaced by the Roman numeral III, patches that read "Oath Keepers." Alt-right types wore Pepe the Frog masks, and QAnon adherents could be seen in T-shirts urging people to "Trust the Plan." White supremacists brought their variant of the Crusader cross.

And then there were thousands of Trump supporters with MAGA gear — flags, hats, T-shirts, thermoses, socks. One flag portrayed President Trump as Rambo; another featured him riding a Tyrannosaurus rex and carrying the kind of rocket-propelled grenade launcher seen on the streets of Mogadishu or Kandahar.

The iconography of the American far right was on display on Jan 6. during the violence at the Capitol. The dizzying array of symbols, slogans and images was, to many Americans, a striking aspect of the unrest, revealing an alternate political universe where violent extremists, outright racists and conspiracy theorists march side by side with evangelical Christians, suburban Trump supporters and young men who revel in making memes to "own the libs."

Uniting them is a loyalty to Mr. Trump and a firm belief in his false and discredited insistence that the election was stolen. The absurdity of many images — the patches that read "Zombie Outbreak Response Team," for instance — only masked a devotion that inspired hundreds from the crowd to mount a deadly attack on Congress.

"It's often all a caricature — it looks like military fan fiction — until it's not and it crosses a very dangerous line," said Joan Donovan, the research director of the Shorenstein Center on Media, Politics and Public Policy at the Harvard Kennedy School.

"It's funny until it's scary," she said.

These are some of the groups and their insignia.

The Militias

Out in force were right-wing militias like the Oath Keepers and the Three Percenters, whose symbol, the Roman numeral III, could be seen on patches and flags. Both groups are anti-government, pro-guns and, nowadays, devoted to Mr. Trump.

Others on the right who share the militia's anti-government views often signal their beliefs with the Gadsden flag, a yellow banner dating to the American Revolution with a rattlesnake and the phrase "Don't Tread on Me." Dozens were waved at the Capitol last week.

And then there is the Confederate battle flag. A man carried the banner of secession and slavery through the halls of the Capitol on Jan. 6.

Boogaloos and Proud Boys

The Boogaloos marked themselves by wearing their signature Hawaiian shirts. A group of Proud Boys showed up in orange hats.

THE MORNING: *Make sense of the day's news and ideas. David Leonhardt and Times journalists guide you through what's happening — and why it matters.*

Sign Up

Both the Boogaloos and the Proud Boys include racists and anti-Semites, though the outright white supremacists tend to keep a lower profile. Some wear Crusader crosses or Germanic pagan imagery that has become popular on the racist and anti-Semitic fringes. Others have adopted the "OK" hand gesture as their own, seeing it as mimicking the letters "W" and "P," for "white power."

Pepe and 'Kek'



Evelyn Hockstein for The Washington Post, via Getty Images

Pepe the Frog, the smirking cartoon amphibian that has become a widely recognized symbol of the alt-right crowd, was a common sight.

Also on display were the green-and-white flags of Kekistan, the fictional country that is home to the deity "Kek." In the meme-driven culture of the alt-right, a satirical religion has sprouted up around Kek "as a way to troll liberals and self-righteous conservatives," according to the Southern Poverty Law Center, which tracks hate groups. "He is a god of chaos and darkness, with the head of a frog, the source of their mimetic 'magic,' to whom the alt-right and Donald Trump owe their success."

The flag is partly derived from the Nazi flag, a design that is treated as a provocative joke in alt-right circles.

QAnon

This conspiracy theory falsely claims that there is a cabal of Democrats, deep-state bureaucrats and international financiers who use their power to rape and kill children, and that Mr. Trump was elected to vanquish them.

The canard is convoluted and confusing, but its iconography is clear and was plentiful: There were shirts with the letter "Q" or slogans like "Trust the Plan"; signs saying "Save the Children"; and flags with the abbreviation "WWG1WGA," which stands for "Where We Go One, We Go All."

Trump Supporters

Alongside the violent, the overtly racist and the paranoid were thousands of devoted Trump supporters, some of whom even brought young children. The crowd was filled with people in MAGA regalia, and Trump flags were everywhere. Most just said "Trump"; others were a bit more outlandish.

Comic Books and Science Fiction

The skull-like symbol of the Punisher, a crime-fighting Marvel comic book antihero, was a common sight. It has become a popular emblem on the far right in recent years and is sometimes used by police officers to signal one another without having to wear badges.

There were people waving the South Vietnamese flag, which disappeared decades ago when the North won the war. But now it lives again, adopted by some on the American right as a symbol of anti-communist resistance.

Then there was the Zombie Outbreak Response Team. A man wearing a sticker with its emblem was photographed inside the Capitol. His face is obscured in the picture, and he has not been identified. But the zombie team's website describes its members as "preppers and survivalists preparing for all worst case scenarios."

The New York Times https://nyti.ms/35TcZfS

Trump Pardons Bannon Hours Before Leaving Office

More Capitol Police Officers Test Positive for Coronavirus After Riot.



Jan. 19, 2021
By Ali Watkins

At least 19 Capitol Police officers either tested positive for the coronavirus or were found through contact tracing to have been exposed since a mob of Trump supporters — most of them not wearing masks — attacked the Capitol on Jan. 6, according to three people familiar with the matter.

They are the latest additions to a growing tally of people who have been infected since the deadly riot at the Capitol. Seven members of Congress have tested positive since the attack; some House Democrats have pointed to their Republican colleagues who did not wear masks while they were sheltering from rioters and forced into secure hiding for hours.

One of the people, who was not authorized to speak on the record about internal department matters, said that Capitol Police officers were being given rapid coronavirus tests to help determine which other officers may have contracted the virus from the Capitol siege.

Ali Watkins is a reporter on the Metro desk, covering crime and law enforcement in New York City. Previously, she covered national security in Washington for The Times, BuzzFeed and McClatchy Newspapers. @AliWatkins

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Here's the latest from **Trump Pardons Bannon Hours Before Leaving Office**

- With hours left in office, Trump pardons Bannon and other allies.
- McConnell, weighing impeachment vote, says mob that assaulted the Capitol was 'provoked by the president.'
- 'To heal, we must remember,' Biden says at ceremony for coronavirus victims, as U.S. tops 400,000 deaths.

See all

U.S. Capitol Police officer Brian D. Sicknick, who died after assault on Capitol, protected with a kind touch

washingtonpost.com/local/public-safety/brian-sicknick-capitol-police-officer-dies/2021/01/08/5552e036-51bc-11eb-83e3-322644d82356_story.html

By Peter Hermann, Rachel Weiner, Joe Heim and Tom Jackman January 8, 2021



He supported Donald Trump. She supported Hillary Clinton.

But in the midst of the 2016 election, Brian D. Sicknick, an officer with the U.S. Capitol Police, and Caroline Behringer, an adviser for a liberal congresswoman, found common ground.

They met mornings at an entrance to the Capitol, she heading to her office, he protecting those doing the people's work. They chatted about unwinding in the outdoors and joked about being on opposite sides of the political divide tearing the nation apart.

"There was a shared humanity," Behringer said, noting, "My job was very much dependent on him keeping me safe."

Sicknick, a 12-year veteran, died Thursday night, a day after police said he physically engaged with the riotous mob that broke into the Capitol trying to overturn the November election President Trump had lost.

The 42-year-old from South River, N.J., was the sixth U.S. Capitol Police officer to die in the line of duty since 1952, and the fourth to be a victim of an attack on the Capitol grounds.

Police did not provide details of how Sicknick was injured. His cause of death has not been determined, though homicide detectives from the D.C. police department have taken charge of the investigation.

Acting attorney general Jeffrey A. Rosen said in a statement that Sicknick died of "the injuries he suffered defending the U.S. Capitol, against the violent mob who stormed it on January 6th." Rosen added the FBI and D.C. police "will jointly investigate the case and the Department of Justice will spare no resources in investigating and holding accountable those responsible."

In a statement, Sicknick's family said "many details regarding Wednesday's events and the direct causes of Brian's injuries remain unknown and our family asks the public and the press to respect our wishes in not making Brian's passing a political issue."

The statement added, "Brian is a hero and that is what we would like people to remember."

Trump, who has often boasted of his support for law enforcement, did not publicly acknowledge Sicknick's death in the hours after it was announced. The White House issued a statement Thursday, before the officer died, saying it "grieves the loss of life" at the Capitol and prays for the recovery of others. Three people died in what police have called "medical emergencies" and one woman was fatally shot by a Capitol Police officer.

In response to a query on Friday evening, a White House spokesman said Trump and his administration "extend our prayers to Capitol Police Officer Brian Sicknick's family as we all grieve the loss of this American hero."

On Friday, House Speaker Nancy Pelosi (D-Calif.) ordered flags at the U.S. Capitol to be flown at half-staff. Thursday night, officers lined up in front of the Capitol in silence to honor their fallen colleague.

"The violent and deadly act of insurrection targeting the Capitol, our temple of American Democracy, and its workers was a profound tragedy and stain on our nation's history," Pelosi said in a statement. "But because of the heroism of our first responders and the determination of the Congress, we were not, and we will never be, diverted from our duty to the Constitution and the American people."

A family statement says Sicknick was the youngest of three brothers who grew up in a borough along the I-95 corridor south of New Brunswick, and earned a bachelor's degree in criminal justice from the University of Phoenix. He rescued dachshunds and loved the New Jersey Devils hockey team.

He is survived by his parents, Charles and Gladys Sicknick, brothers Ken and Craig, and his girlfriend of 11 years, Sandra Garza. Relatives and close friends did not speak publicly on Friday.

Sicknick's family said he had wanted to be a police officer his entire life. One of those brothers, Ken Sicknick, said in the statement that his sibling had joined the New Jersey Air National Guard "as a means to that end" following the 9/11 terrorist attacks.

He had been assigned to the 108th Air Refueling Wing out of Joint Base McGuire-Dix-Lakehurst in New Jersey. The New Jersey National Guard said it "was saddened by the loss" and said Sicknick joined in 1997 and deployed to Saudia Arabia in 1999 and to Kyrgyzstan in 2003.

Chief Master Sgt. Lance C. Endee, who was Sicknick's squad leader, said that after 18-hour days, Sicknick would be the last to turn in his weapon, and on below-freezing nights at a bare-bones airfield in Kyrgyzstan, he would cheer up the rest of the squad.

"Brian always had a smile on his face — you know — nothing shook him," Endee said. "Things would be going terribly wrong, everybody would be miserable and Brian would be able to joke about it."

When praised for "going above and beyond," he said Sicknick would "brush it off like it was no big deal," saying "That's what we do."

The two stayed in touch for nearly two decades, sending jokes to their alumni group. When the news came last night, Endee said he heard from over three dozen current or former squad members hoping it was not the Brian Sicknick they knew. "I think Brian had a bigger impact on people than he would have ever realized," Endee said.

Sicknick joined the Capitol Police force in 2008 and most recently served in the first responders unit.

Capitol Police officers are reeling, mourning the loss of a trusted colleague even as they try to comprehend the security failure that allowed the building they are charged with protecting to fall amid a riot.

"Everybody's upset and shaken right now," one officer, who like others spoke on the condition of anonymity because he was not authorized to speak publicly, said Friday outside of the Capitol Police headquarters. "There's a lot of confusion. We're tired and on edge and there's just the feeling of 'what's next, what's coming?' "

Another officer, who has been on the force 19 years, described members as "angry and frustrated," adding, "Things have to change. We have a job to do and we can't do it. And the change has to come from the chief on down."

Sicknick was the first Capitol police officer to die in an attack since the summer of 1998 when Russell E. Weston Jr. walked into a public entrance of the Capitol and opened fire after passing through the metal detector. Officer Jacob J. Chestnut, 58, who had been writing directions for two tourists, was shot in the back of the head at point-blank range. When Weston then entered the office of Rep. Tom Delay (R-Tex.), Special Agent John M. Gibson, 42, exchanged fire with Weston and was fatally wounded. Weston was struck four times and was resuscitated by Sen. Bill Frist (R-Tenn.), a heart surgeon.

Those who encountered Sicknick said his political views did not align neatly with one political party.

"He was conservative, but polite and measured" in messages he sent to the office of his congressman, Rep. Don Beyer (D-Va.), according to the lawmaker's spokesman, Aaron Fritschner.

He said Sicknick supported the president and opposed impeachment, but favored gun control. He was concerned about animal cruelty and the national debt.

Michael Ricci, who was a staffer to former House speakers Paul D. Ryan and John A. Boehner, said Sicknick was one of a half-dozen officers he saw every day as he arrived to work at the South door entrance of the Capitol building.

"He was a good officer, but also very personable," said Ricci, who now serves as spokesman for Maryland Gov. Larry Hogan (R). "He was just what you'd want at that door with so many people coming through."

Ricci recalled Sicknick's sharp sense of humor. "He was funny," he said. "Some officers, I recall, would be having political or sports debates . . . and he was a bit of a ball buster."

Behringer, who was Pelosi's communication adviser from 2016 to 2017 and is now a director of a Washington-based communications firm, said she bonded with Sicknick at a metal detector at an entrance near the Longworth House Office Building.

He poked fun at her, and she back. A word about Trump was met with a word about Pelosi, who at the time was the minority leader. While they both enjoyed the outdoors, she boated and ate crabs, and spent time with her parents who live on the Chesapeake Bay. He hunted and fished. He jabbed. "I gave it right back," she said.

Each assured the other their candidate would become president. The day after the 2016 election, Behringer said she arrived at work despondent, and found officers holding the doors open wide for her. Sicknick was waiting, not to joke or to gloat, but to console.

"He held me as I cried," Behringer recalled. "He knew how hard it was going to be for me. Neither of us said a thing. No words needed to be exchanged. I knew that even though it was a celebratory day for him, he was going to hold me up."

Julie Tate, Ovetta Wiggins, Josh Dawsey and Spencer S. Hsu contributed to this report.

Father of slain Capitol officer hopes son's death brings end to 'lunacy'

nbcnews.com/news/us-news/father-slain-capitol-officer-hopes-son-s-death-brings-end-n1253686

January 11, 2021



U.S. news

Charles Sicknick, father of slain Capitol Police Officer Brian Sicknick, said that his family had not received a call yet from President Trump.

Jan. 11, 2021, 1:24 PM UTC / Updated Jan. 11, 2021, 1:54 PM UTC

By Tim Fitzsimons

The father of slain Capitol Police officer Brian Sicknick is speaking out, saying that he hopes his son's killing at the Capitol riots will stop the "lunacy."

“I'm supposed to die first,” said Charles Sicknick, 81. “Not my son.”

In an interview with Reuters, the surviving Sicknick said that becoming a Capitol Police Officer was the fulfillment of a lifelong dream for his son.

"He loved his job," Sicknick said. "I'll never get over this."

Brian Sicknick died last Thursday at age 42, a day after he was injured while defending the U.S. Capitol from the violent mob that stormed the building after President Donald Trump delivered a speech encouraging supporters to disrupt the certification of Joe Biden's election

win.

Sicknick was reportedly bludgeoned with a fire extinguisher, according to The New York Times and The Associated Press, citing two law enforcement officials. A statement by the Capitol Police said he was injured and collapsed after returning to his office.

The elder Sicknick said that his son died because of a blood clot in his brain and that "if they had operated on him, he would've become a vegetable."

Sicknick's first assignment was to protect President Barack Obama's 2009 inauguration and though he was a supporter of Trump, his father said, "he just got along real well with everybody because he was a gentleman."

"If any good comes out of my son's death, I just hope that it stops all the lunacy that's been going on in this country," his father said.

Sicknick said he received condolence calls Friday from Speaker Nancy Pelosi and Vice President Mike Pence. Biden called Brian Sicknick's brother on Sunday, according to two Biden officials. Trump had yet to reach out to the family as of Sunday night.

Tim Fitzsimons
Tim Fitzsimons is a reporter for NBC News.



Reuters contributed.

BREAKING NEWS Long lines in the snow outside COVID vaccination center in Virginia Read More »

PRODUCER'S PICKS

'Kill him with his own gun' rioters chanted as a DC police officer fought for his life

Officer Mike Fanone describes for the first time publicly how he self-deployed to the Capitol on Jan. 6 to defend democracy.

'Kill him with his own gun' rioters chanted as a DC police of...

Author: **Bruce Leshan**
Published: **10:04 PM EST January 14, 2021**
Updated: **6:14 AM EST January 15, 2021**

WASHINGTON — DC Police officer Mike Fanone remembers wondering if his four daughters would be OK without him as he was beaten, tased and suffered a heart attack.

It all happened as he and his fellow police officers and commanders were fighting a pitched battle with rioters in a narrow hallway at the Capitol on Jan. 6.

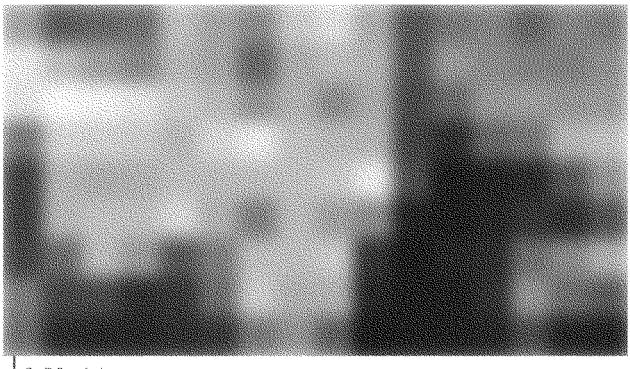
The Metropolitan Police Department almost never lets its line officers speak publicly to the media, but the new acting chief made an exception to offer a window into the minds of heroes who fought thousands of attackers in defense of democracy.

Fanone's been working plainclothes for a decade and could have spent the riot waiting at his desk. But he and his police/duck hunting partner Jimmy Albright self-deployed to the Capitol.

"I said, 'We're going to go. Suit up,' he told Albright as soon as he got to the office on that horrible day.

The 40-year-old hadn't taken his uniform or riot gear out of the plastic bags that were issued to him a decade ago. After he put the equipment on, a friend had to tell him to pull off the price tags.

RELATED: New video shows Capitol rioters dragging a DC police officer and beating him with an American flag



Credit: Bruce Leshan

Ofc. Mike Fanone describes being dragged into a crowd of thousands of rioters at the Capitol and being beaten, tazed, hit with bear spray and hurt badly enough to bring on a heart attack

He went in a door on the south side of the Capitol and made his way down to the basement,

where he found a police commander dry-heaving from the CS gas. The commander straightened his cap and silver eagles and prepared to return to the fight.

"I remember thinking, this dude looks like George BLEEPING Patton," Fanone said.

Fanone then found officer Daniel Hodges, bleeding being squished between a door and the mob screaming, "heave-ho."

RELATED: Young Montana girl writes letter to officer injured in Capitol riots

Fanone said it was like medieval combat.

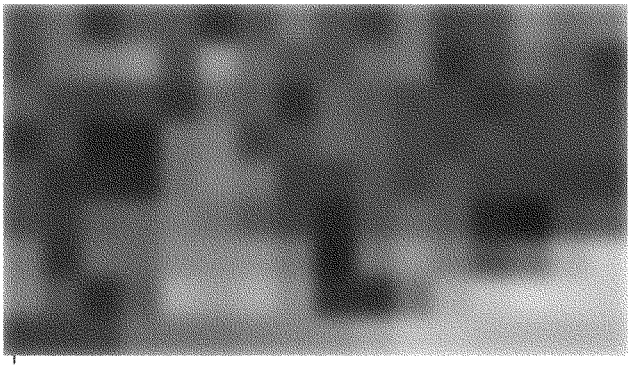
"Dig in, MPD," he shouted as a few dozen officers tried to hold a hallway entrance.

The narrow space helped neutralize the massive crowd's advantage over the outnumbered officers.

"It was like the real-life 300 [movie] minus the six-pack abs, which none of us have," he said.

Somehow the mob grabbed Fanone out of the line, and dragged him out into the crowd alone, beating, tasing and smashing him with flagpoles.

"I remember thinking the moment I got outside, like holy BLEEP, there's a lot of goddamn people out here," Fanone said.



A photo from overhead shows Fanone face down on the ground, a rioter holding a police baton

over his neck.

At one point, one of the rioters moved like he was going to impale him on the end of a flagpole.

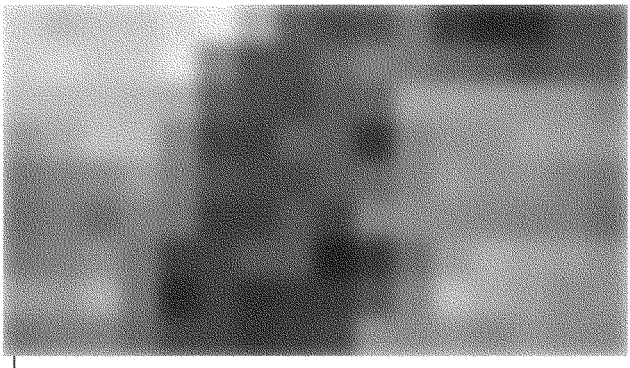
"Guys were like grabbing gear off my vest," he said. "I remember guys chanting, like 'Kill him with his own gun!'"

He held on to it.

"I thought about killing people," Fanone remembers.

But he thought better of it.

"I probably shoot a couple, and then they're going to take the gun away and kill me," he said.



Credit: Michael Fanone

Officer Mike Fanone said he's mind went to his four daughters as rioter beat and tazed him.

Fanone thought of his four daughters.

"I have kids!" he told the rioters.

A couple of them showed mercy.

"Thank you for that," he said. "But BLEEP you for being there! The only person I credit with saving my life is Jimmy Albright."

Albright pulled him back into the hallway and away from the mob.

If they assault the Capitol again on Jan. 20, will he go back on duty and go back?

"Oh hell yeah...I went there for my brothers and sisters in law enforcement," Fanone said. "There's no army on earth that would prevent me from fighting alongside those guys."

Fanone spent a day and a half in the hospital. He said the attack brought on what he calls a "mild" heart attack. He's on sick leave now, but said there's no way that will stop him from returning if he's needed again.

Morale deteriorates among Capitol police after assault on Capitol

cbsnews.com/news/capitol-police-morale-decline/



Analyzing police response to U.S Capitol attack

Analyzing police response to U.S Capitol atta... 08:06

*For immediate help if you are in a crisis, call the toll-free National Suicide Prevention Lifeline at **1-800-273-TALK (8255)**, available 24 hours a day, seven days a week. All calls are confidential.*

In the wake of the Capitol Hill riots, morale among the rank-and-file in the Capitol Police Department is flagging, multiple sources have told CBS News.

The sources, who are familiar with the internal U.S. Capitol Police response to Wednesday's events, said the department has had to respond to "a couple of incidents" in which officers threatened to harm themselves. In one case, a female officer turned in her own weapon out of

fear of what might happen.

"The situation has really demoralized the department. There's tremendous moral injury, a sense of failure weighing them down," one source said. "They went home to family and were asked, 'how did this happen?' And it's very easy for those officers to interpret that as 'how could you let this happen?'"

To address this, mental health and suicide prevention resources have been made widely available. Former Capitol Police Chief Steven Sund, who resigned after the attack, said at his home Monday that the department is "very resilient," but "they're hurting right now," and he reiterated that "we've brought in resources to help them."

A spokesman for the Capitol Police did not respond to multiple requests for comment.

On Wednesday, thousands of Trump supporters stormed the Capitol, pushing past Capitol Police officers whose numbers were inadequate to stop them. Rioters forced Congress to evacuate as lawmakers counted electoral votes to affirm President-elect Joe Biden's election victory.

Sund said that he asked for National Guard reinforcements but was rebuffed by the Army leaders who approve their deployment in Washington, D.C. "I needed boots on the ground, immediate assistance right then and there, helping to form police lines to help secure the foundation of the United States Capitol building," Sund said. "They were more concerned with the optics."

Two Capitol police officers who responded to the assault have died. Forty-two-year-old Brian Sicknick was injured in the melee and died a day later.

And a few days after responding to the riots, Officer Howard Liebengood died by suicide, a lawyer for his family confirmed. "His death is a tragedy that has deprived all of us a dedicated public servant. His family has suffered a devastating loss and asks that they be given space to grieve in private," the Liebengoods' attorney, Barry Pollack said in a statement.

Former Capitol Police Chief Terry Gainer characterized his death as a "line of duty casualty," and stated that it had been no less of a line-of-duty casualty than Sicknick's death.

Assault On The U.S. Capitol ▾

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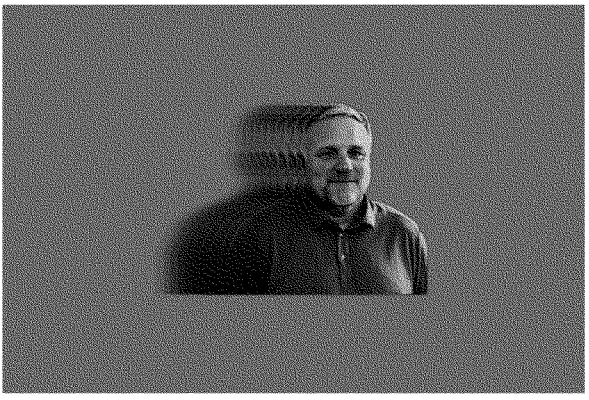

Andrea Wise/ProPublica; source image: courtesy of Greeson Family

THE INSURRECTION

The Radicalization of Kevin Greeson

How one man went from attending President Barack Obama's inauguration to dying in the mob protesting Donald Trump's election loss during the Capitol insurrection.

by Connor Sheets, AL.com, Jan. 15, 7 a.m. EST

ProPublica is a nonprofit newsroom that investigates abuses of power. Sign up to receive our biggest stories as soon as they're published.

This article was produced in partnership with AL.com, which was a member of the ProPublica Local Reporting Network in 2019.

In 2009, Kevin Greeson traveled from Alabama to witness the inauguration of President Barack Obama, at the time one of his political heroes. Twelve years later, a stone's throw from where Obama had been sworn in, Greeson died of a heart attack while demonstrating in support of President Donald Trump during the Jan. 6 siege of the Capitol.

Greeson had undergone a stark political transformation in those intervening years. A longtime Democrat who once championed unions and supported progressive politicians, Greeson had become a staunch Trump supporter by the time he died outside the Capitol at the age of 55.

In the weeks leading up to his death, he gave up Fox News for less mainstream right-wing news sources and wrote a series of posts on the

conservative-leaning social media site Parler advocating political violence in response to what he saw as Democrats' efforts to "steal" the 2020 election from the president.

"Let's take this fucking Country BACK!! Load your guns and take to the streets!" he wrote on Dec. 17.

While Greeson's inflammatory Parler posts and false online rumors that he tased himself to death have drawn considerable attention, his political transformation has not.

"He was a vice president at the union, and he was an Obama supporter," said Mark McDaniel, the Huntsville attorney representing the Greeson family. "He got interested in Trump because he felt he was more business-minded, and as the economy kept getting better, he kept getting more interested in Trump."

For much of the late 20th century, north Alabama was home to a number of large factories and industrial facilities that provided blue-collar jobs with decent wages to people like Greeson. But many of those positions were eliminated over the past two decades as manufacturers and plants closed or sold to foreign companies — and as the jobs disappeared, the Democratic Party's support dwindled.

"I think things are getting more polarized," said Doug Norman, a 73-year-old retired Decatur man who ran a waste oil recycling company for many years. "Over the last 10 years, there was a shift."

Over a plate of eggs Benedict at Whisk'd Cafe, a lunch spot in Decatur near the former Goodyear plant where Greeson worked for over two decades, Norman said that, like many other longtime residents, he has become more committed to Republican politics over the past 10 years. He, too, said he believes the 2020 election was "stolen" from the president.

"I think a lot of people saw where the stock market, unemployment and economy were going, and they started moving toward Trump," he said. "A lot of my friends weren't even into politics, but Trump kind of activated something."

Greeson wasn't the only Trump supporter from north Alabama with high-profile ties to the Jan. 6 insurrection. Lonnie Coffman, a 70-year-old from Falkville, a rural community about 30 miles from where Greeson lived, was arrested near the Capitol the night of the riots. He was indicted on 17 federal weapons charges after police allegedly found materials to produce Molotov cocktails and five illegal firearms — including an AR-15 — in his pickup truck.

A.J. Kramer, the federal public defender for the District of Columbia, said Thursday that his office is representing Coffman but that it had not yet

made any filings in his case.

Nancy Stephenson, who worked with Greeson at the Goodyear plant, left Alabama in 2007 for Memphis, Tennessee, and then for Houston. She returned in 2016 to find a changed — and charged — political landscape. According to Stephenson, the steady elimination of good jobs had combined with concerns about immigration and the Affordable Care Act to drive many people she knew in the area to take a hard right turn.

"When I left, they were into golf clubs and fishing poles," she said. "When I got back, it was automatic weapons."

"It's All Republicans Now"

For 21 years, Greeson worked at the Goodyear Tire & Rubber Company plant in Decatur where his father worked before him. He started out on the factory floor and eventually took on a leadership role with Local 88T of the United Food & Commercial Workers union.

Greeson stopped working at the plant in 2006, according to his LinkedIn profile — the same year a South Korean firm, Hyosung Corp., purchased the red-brick complex.

In the early 2000s, many people who worked in manufacturing in north Alabama supported Southern Democrats, and Obama enjoyed support on assembly lines and in union halls. The region was mostly red, but not intensely so, and there were pockets of blue.

Morgan County, home to the former Goodyear plant, and neighboring Limestone County, where Greeson lived, both favored George W. Bush in 2000 with around 60% of the vote. But over the years, north Alabama grew more Republican. By 2016, Trump received more than 70% of the vote in both counties. And there were no longer blue counties nearby.

Bryan Duncan, a corrections officer at Limestone Correctional Facility and an Athens resident, said he's felt the political winds shift since he first moved to north Alabama over two decades ago.

"It's all Republicans now," the 45-year-old said as he headed into Walmart in Athens on Tuesday afternoon. "I think people became more interested in the Republican Party especially due to social media and the easy access to everybody's opinions. It's easier to find more people on your side."

Valeria Vizcarra, an Athens waitress, said that though she is only 20, she is old enough to have seen how politics have affected her community. "When Trump came into office, they became more outspoken for sure," she said Tuesday. "They like that he was a businessman."

She, like Stephenson, said that locals see in Trump a leader who's looking out for the middle class.

"I believe the Obama policies caused a lot of soreness in this area," Stephenson said. "And I honestly think people thought Trump was going to make them wealthy."

Jess Brown, professor emeritus of government and public affairs at Athens State University, said many people share a "frustration" with the way the economy has declined in north Alabama.

"People who lack specialized skills and probably an education beyond a high school diploma in today's market are not experiencing social mobility," he said. "That simply was not the case for generations of people following the industrialization of America."

"Intellectual Rathole"

For most of his adult life, Greeson got the majority of his news from mainstream sources like CNN and AL.com, according to his wife, Kristi, who answered questions through the family attorney, McDaniel.

But over the past few years, Greeson gravitated toward Fox News and other conservative outlets as he became enamored with Trump and the good he believed the president was doing for the economy and for American industry.

In the days after Trump lost his reelection bid in November, Greeson posted on Parler that he, like many diehard Trump fans, no longer trusted Fox News, and that the cable channel had "jumped ship." Instead, he declared that he would only consume news produced by the pro-Trump, far-right outlet Newsmax, and that he would use Parler instead of Facebook.

"I'm done with Facebook and Fox News!" he wrote in a November Parler post, called a Parley.

"We can't get anything true from the news media," he wrote in another November Parley. "NewsMax is the only channel I'm trusting at this point."

Greeson's wife, who declined to respond to questions about her own politics or how her husband's political transformation impacted their family, told McDaniel she saw the shift in her husband's media habits.

Greeson became convinced that Trump had won the November election, a false narrative ceaselessly pushed by both the president and many far-right outlets.

Brown said it didn't surprise him to learn that Greeson's views intensified as he consumed increasingly fringe media.

"The new media landscape of America encourages extreme political behavior," Brown said. "Do I think there's a component or subset of the electorate in north Alabama that's gone down that intellectual rathole? I certainly do, but I think they've gone down that same rathole in Colorado and in Montana and other places."

In the weeks after the election, Greeson posted a series of violent messages on Parler, calling for people to take up arms against a political system he considered corrupt. He shared support for the white supremacist Proud Boys movement, called for Obama to "be put to death" and expressed his apparent hope that House Speaker Nancy Pelosi would die of COVID-19.

On Nov. 29, Greeson called for members of Congress to support Trump's attempts to overturn the election: "Stand the fuck up! Our President is being took (sic) out of office in [a] coup and you motherfuckers do nothing!! It might take a few years but Trump and the American people will take you fucks out of your office."

A Final Trip

On Jan. 5, Greeson drove from Alabama to Washington, where he did some sightseeing that evening and spent the night at a friend's house in Virginia. The next day, he joined the crowd of protesters who had gathered on the National Mall to express support for Trump and demand that Congress "stop the steal" and overturn the results of the 2020 presidential election.

McDaniel said that despite Greeson's menacing online rhetoric, his wife does not believe he had any intention of committing violence on Jan. 6. And unlike Coffman and some other attendees of the events that day, police have not alleged that Greeson had illegal weapons or committed a crime in Washington.

"I think that he looked at social media as something where he was just talking to friends. Nothing in this man's life would lead anyone to believe that he was headed up there to do anything bad or anything sinister," McDaniel said. "According to [Kristi Greeson], he was just a really big Trump supporter, and he wanted to go up there and show his support and live the experience."

Little information about exactly what happened in the minutes and hours preceding Greeson's death is available. In a written statement sent to members of the media after his death, his wife noted that he "had a history of high blood pressure, and in the midst of the excitement, suffered a heart attack."

McDaniel said Greeson was on the phone with his wife when he went into cardiac arrest.

"He was talking to her on the phone and he quit talking," McDaniel said. "She was upset because she thought he had hung up on her."

McDaniel said that in the days following Greeson's death, his wife spoke on the phone with a reporter who saw her husband in the moments before his death and a person who attempted to resuscitate him, and that they both told her Greeson was outdoors on the Capitol grounds at the time.

The Metropolitan Police Department incident report states that he "was in the area of the United States Capitol in attendance of first ammendment (sic) activities" when he had a heart attack.

According to the incident report, Greeson was declared dead at 2:05 p.m. on Jan. 6. Minutes later, the first rioters broke into the Capitol.

The Washington Post
Democracy Dies in Darkness

Dozens of people on FBI terrorist watch list came to D.C. the day of Capitol riot

By **Devlin Barrett**, **Spencer S. Hsu** and **Marissa J. Lang**

Jan. 14, 2021 at 2:34 p.m. EST

Dozens of people on a terrorist watch list were in Washington for pro-Trump events Jan. 6, a day that ended in a chaotic crime rampage when a violent mob stormed the U.S. Capitol, according to people familiar with evidence gathered in the FBI's investigation.

The majority of the watch-listed individuals in Washington that day are suspected white supremacists whose past conduct so alarmed investigators that their names had been previously entered into the national Terrorist Screening Database, or TSDB, a massive set of names flagged as potential security risks, these people said. The watch list is larger and separate from the "no-fly" list the government maintains to prevent terrorism suspects from boarding airplanes, and those listed are not automatically barred from any public or commercial spaces, current and former officials said.

The presence of so many watch-listed individuals in one place — without more robust security measures to protect the public — is another example of the intelligence failures preceding last week's fatal assault that sent lawmakers running for their lives, some current and former law enforcement officials argued. The revelation follows a Washington Post report earlier this week detailing the FBI's failure to act aggressively on an internal intelligence report of Internet discussions about plans to attack Congress, smash windows, break down doors and "get violent . . . go there ready for war."

Other current and former officials said the presence of those individuals is an unsurprising consequence of having thousands of fervent Trump supporters gathered for what was billed as a final chance to voice opposition to Joe Biden's certification as the next president. Still, the revelation underscores the limitations of such watch lists. Although they are meant to improve information-gathering and -sharing among investigative agencies, they are far from a foolproof means of detecting threats ahead of time.

Since its creation, the terrorist watch list, which is maintained by the FBI, has grown to include hundreds of thousands of names. Placing someone's name on the watch list does not mean they will be watched all of the time, or even much of the time, for reasons of both practicality and fairness, but it can alert different parts of the government, such as border agents or state police, to look more closely at certain individuals they encounter.

It's unclear whether any of the dozens of individuals already arrested for alleged crimes at the Capitol are on the terrorist watch list.

"The U.S. Government is committed to protecting the United States from terrorist threats and attacks and seeks to do this in a manner that protects the freedoms, privacy and civil rights and liberties of U.S. persons and other individuals with rights under U.S. law," a U.S. official said, adding that because of security concerns, the government has a policy

with rights under U.S. law," a U.S. official said, adding that because of security concerns, the government has a policy of neither confirming nor denying a person's watch list status. The official, like others interviewed for this report, spoke on the condition of anonymity to discuss an ongoing investigation.

The FBI declined to comment.

The riot's political aftershocks led the House of Representatives on Wednesday to impeach President Trump for allegedly inciting the violence — his second impeachment in a single four-year term — and may have significant consequences within law enforcement and national security agencies.

Inside the FBI and the Department of Homeland Security, officials are grappling with thorny questions about race, terrorism and free-speech rights, as some investigators question whether more could have been done to prevent last week's violence.

While some federal officials think the government should more aggressively investigate domestic terrorism and extremists, others are concerned the FBI, DHS and other agencies may overreact to the recent violence by going too far in surveilling First Amendment activity such as online discussions.

Several law enforcement officials said they are shocked by the backgrounds of some individuals under investigation in connection with the Capitol riot, a pool of suspects that includes current and former law enforcement and military personnel as well as senior business executives and middle-aged business owners.

"I can't believe some of the people I'm seeing," one official said.

The TSDB, often referred to within government as simply "the watch list," is overseen by the FBI's Terrorist Screening Center, which was created in the wake of the 9/11 attacks carried out by al-Qaeda. The watch list can be used as both an investigative and early-warning tool, but its primary purpose is to help various government agencies keep abreast of what individuals seen as potential risks are doing and where they travel, according to people familiar with the work.

Often that can be done as a "silent hit," meaning if someone on the watch list is stopped for speeding, that information is typically entered into the database without the individual or even the officer who wrote the ticket ever knowing, one person said.

After the 2013 Boston Marathon bombing, for instance, the FBI quickly searched a similar database to see which people on it had recently traveled to that city or raised other suspicions about possible involvement.

Before the Jan. 6 gathering of pro-Trump protesters, FBI agents visited a number of suspected extremists and advised them against traveling to the nation's capital. Many complied, but according to people familiar with the sprawling investigation, dozens of others whose names appear in the terrorist watch list apparently attended, based on information reviewed by the FBI.

Separately, while the FBI is hunting hundreds of rioting suspects who have dispersed back to their hometowns, federal agents are increasingly focused on alleged leaders, members and supporters of the Proud Boys, a male-chauvinist group with ties to white nationalism, these people said.

Proud Boys members participated in last week's protests, and FBI agents are taking a close look at what roles, if any, the group's adherents may have had in organizing, directing or carrying out violence, according to people familiar with the matter.

the matter.

The group's chairman, Enrique Tarrio, had planned to attend Trump's Jan. 6 rally but was arrested when he arrived in D.C. and charged with misdemeanor destruction of property in connection with the burning of a Black Lives Matter banner taken from a Black church during an earlier protest in Washington. He is also accused of felony possession of two extended gun magazines.

Tarrio told The Post on Wednesday that his group did not organize the Capitol siege.

"If they think we were organizing going into the Capitol, they're going to be sadly mistaken," he said. "Our plan was to stay together as a group and just enjoy the day. We weren't going to do a night march, anything like that. That's it as far as our day."

Tarrio said he's actively discouraging members from attending planned armed marches scheduled Sunday, and the Million Militia March next week when Biden is inaugurated. Proud Boys, he said, are on a "rally freeze and will not be organizing any events for the next month or so."

It is unclear how many Proud Boys devotees will abide by the freeze, or if such a shutdown might lessen the FBI's interest in the group. Even before the Jan. 6 riot, federal and local investigators were working to understand the group's plans, goals and activities. Privately, some federal law enforcement officials have described the group as roughly equivalent to a nascent street gang that has garnered an unusual degree of national attention, in part because Trump mentioned them specifically during one of his televised debates with Biden during the campaign. Other officials have expressed concern that the group may be growing rapidly into something more dangerous and directed.

The FBI has already arrested dozens of accused rioters, and officials have pledged that in cases of the most egregious conduct, they will seek to file tough, rarely used charges such as seditious conspiracy, which carries a potential 20-year prison sentence.

The bureau continues to face blowback over its handling of a Jan. 5 internal report warning of discussions of violence at Congress the next day. Steven M. D'Antuono, the head of the FBI's Washington Field Office, claimed in the days after the riot that the bureau did not have intelligence ahead of time indicating the rally would be anything other than a peaceful demonstration.

The Jan. 5 FBI report, written by the bureau's office in Norfolk, and reviewed by The Post, shows that was not the case, and the Justice Department took other steps indicating officials were at least somewhat concerned about possible violence the next day. The Bureau of Prisons sent 100 officers to D.C. to supplement security at the Justice Department building, an unusual move similar to what the department did in June to respond to civil unrest stemming from racial-justice protests.

Mindful of the criticism that law enforcement took a heavy-handed, all-hands-on-deck approach to Black Lives Matters protests in D.C. in the spring and summer, Justice Department officials deferred to the Capitol Police to defend their building and lawmakers. Some former officials have questioned whether the FBI and Justice Department should have done more.

"It would not have been enough for the bureau simply to share information, if it did so, with state and local law enforcement or federal partner agencies," said David Laufman, a former Justice Department national security official. "It was the bureau's responsibility to quarterback a coordinated federal response as the crisis was unfolding and in the days thereafter. And it's presently not clear to what extent the FBI asserted itself in that fashion during the exigencies of January 6 and in the immediate aftermath."

Matt Zapotosky contributed to this report.

Updated January 17, 2021

Complete coverage: Pro-Trump mob storms Capitol building

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Exclusive: Capitol Police intelligence report warned three days before attack that 'Congress itself' could be targeted

Attacked with bear spray and their own batons: D.C. police describe brutal and chaotic moments

Trump's second impeachment

Unprecedented: House hands Trump a second impeachment, this time with GOP support

Senate impeachment whip count: Where Democrats and Republicans stand

California man accused of stealing documents from Mitch McConnell's desk during Capitol riot

nbcnews.com/news/us-news/california-man-accused-stealing-documents-mitch-mcconnell-s-desk-during-n1255650

January 26, 2021



Jan. 26, 2021, 4:02 PM UTC

By Elisha Fieldstadt

A California man accused of taking government documents he said were from Mitch McConnell's desk and attempting to steal an American flag from the Capitol has been charged in connection with the deadly riot there earlier this month.

Tommy Frederick Allan was arrested on charges of violent entry or disorderly conduct on Capitol grounds, entering a restricted building or grounds and damage or theft of federal property, according to a criminal complaint filed Jan. 20 in federal court in Washington, D.C.

An arrest warrant outlines how two people sent tips to the FBI alleging Allan was part of the Jan. 6 attack on the U.S. Capitol. Authorities have said the riot led to the deaths of five people, including a Capitol police officer.

The first tipster sent photos and videos from Allan's Facebook page that show the suspect inside and outside the Capitol, according to the arrest warrant.

The second person said they were also aware of such photos and videos but reported Allan deleted his Facebook page. That same tipster said Allan destroyed the documents he took from the Capitol when he returned home to Rocklin, California.

Tommy Fredrick Allan of California, left, was arrested on charges of violent entry or disorderly conduct on Capitol grounds, entering a restricted building or grounds and damage or theft of federal property, according to a criminal complaint filed in federal court on Jan. 20. via FBI

Upon further investigation, the FBI discovered Allan flew from Sacramento to Washington, D.C. on Jan. 5 and returned to California on Jan. 7.

Videos of the Capitol riot taken by both journalists and security camera show Allan, with an American flag in one hand, take a document from a desk in the Senate Chamber and stash it in his back pocket, the arrest warrant said. A law enforcement officer stopped Allan from leaving with the flag, but he got out with the papers, the videos show, according to the arrest warrant.

Another video, posted on someone else's Facebook page, shows Allan holding the documents outside the Capitol, authorities said in the warrant. One of the documents read "Senate of the United States, One Hundred Seventeenth Congress, Calendar of Business, Wednesday, January 6, 2021."

Allan tells the person recording the video that one of the papers was "a letter from Trump" and was "signed by Trump," and a signature resembling Trump's is visible on the paper, according to the FBI. He also can be heard saying he removed documents from the desk of then-Senate Majority Leader Mitch McConnell.

When someone off-camera asks him why he took the documents, he says he is a "taxpayer," according to the warrant.

A public defender assigned to Allan said she and her client had no comment.

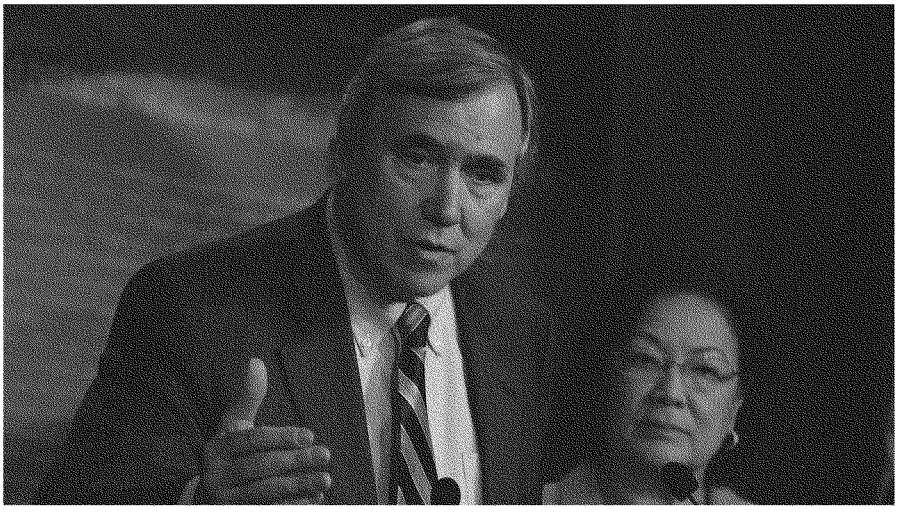
Allan appeared in court following his Jan. 22 arrest and was released, according to federal court documents. He is due back in court Friday.

Elisha Fieldstadt
Elisha Fieldstadt is a breaking news reporter for NBC News.



Sen. Jeff Merkley says rioters stole laptop, left "trail of destruction"

axios.com/jeff-merkley-rioters-laptop-destruction-capitol-af3247b7-ba05-4bf8-a6f3-8f2146752d8f.html



Sen. Jeff Merkley (D-Ore.) Photo: Mark Wilson/Getty Images

Sen. Jeff Merkley (D-Ore.) tweeted a video on Wednesday showing the pro-Trump mob that invaded the U.S. Capitol left "a trail of destruction" in his office.

The state of play: Merkley said the rioters stole a laptop, and the video showed the office littered with debris, cabinets removed from their casing, objects and chairs strewn across the floor, and cigarette butts left in various places. The door to the office was taken off its hinges.

- "It was unlocked," Merkley said. "[T]hey could have simply opened the door."
- "They stole the laptop that was sitting on the table," Merkley said in the video.
- "What happened today was an assault by the domestic terrorists who stormed the Capitol," Merkley said.

"A trail of destruction"

Rioters left behind trash and defaced statues throughout the building. One member of the mob who looted the offices of House Speaker Nancy Pelosi was seen in a photograph sitting in one of the rooms with his feet on a desk.



Photo: OLIVIER DOULIERY/AFP via Getty Images



Photo: Frank Thorp, via Twitter



Photo: Frank Thorp, via Twitter



Photo: Frank Thorp, via Twitter

Laptop stolen from Pelosi's office during storming of U.S. Capitol, says aide

reuters.com/article/us-usa-election-cyber/laptop-stolen-from-pelosis-office-during-storming-of-u-s-capitol-says-aide-idUSKBN29D2HA



By Raphael Satter

2 Min Read

FILE PHOTO: U.S. House Speaker Nancy Pelosi (D-CA) speaks to reporters a day after supporters of U.S. President Donald Trump occupied the Capitol, during a news conference in Washington, U.S., January 7, 2021. REUTERS/Erin Scott

WASHINGTON (Reuters) - A laptop was stolen from the office of U.S. House of Representatives Speaker Nancy Pelosi during the storming of the U.S. Capitol on Wednesday, one of her aides said on Friday.

Drew Hammill, an aide to Democrat Pelosi, said on Twitter that the laptop belonged to a conference room and was used for presentations. He declined to offer further details.

The theft of electronic devices from congressional offices has been a persistent worry following the invasion by pro-Trump followers. They were encouraged by Republican President Donald Trump at a rally beforehand to march to the Capitol while Congress was certifying Democrat Joe Biden's Nov. 3 election win.

Senator Jeff Merkley, a Democrat, said on Twitter that a laptop was taken from his office. On Thursday, Acting U.S. Attorney Michael Sherwin said that some of the thefts might have potentially jeopardized what he described as "national security equities."

"We just don't know the extent of that damage at this point," he said.

The demonstrators who broke into the Capitol posted several photographs of themselves using congressional phones and various other devices. One reporter with the right-wing outlet Blaze posted a photograph of what purported to be a computer from Pelosi's office with emails "still on the screen."

What else might have been taken during the chaos is not yet known. Some information technology experts worry that intruders may have planted malicious software on computers, although it's not clear that devices were the focus of any particular attention.

Reporting by Raphael Satter; editing by Grant McCool

Our Standards: The Thomson Reuters Trust Principles.

U.S. Capitol Now More Vulnerable As a Result of Wednesday's Mob Attack, Former DHS Official Says

defenseone.com/threats/2021/01/us-capitol-now-more-vulnerable-result-wednesdays-mob-attack-former-dhs-official/171245/



Members of the U.S. Secret Service Counter Assault Team walk through the Rotunda as they and other federal police forces responded as violent protesters loyal to President Donald Trump stormed the U.S. Capitol today, Wednesday. AP Photo/J. Scott Applewhite

Get all our news and commentary in your inbox at 6 a.m. ET.

By Patrick Tucker



Technology Editor

January 7, 2021

- Homeland
- 2020 Elections
- Domestic Extremism

The mob assault on the U.S. Capitol marked the worst assault on the building that is, perhaps, most closely associated with the U.S. government since August 24, 1814, when British soldiers led by Vice Adm. Sir Alexander Cockburn entered the building by force and set fire to all they surveyed. One former senior DHS official said

Wednesday's events publicized a terrible lack of planning and coordination on behalf of the patchwork of bodies responsible for its security and advertised enormous vulnerabilities for all the world to see.

Elizabeth Neumann served as a senior advisor and Deputy Chief of Staff of the Department of Homeland Security under the Trump Administration before resigning in protest this year. She said that Wednesday's events show that key bodies in charge of security failed to properly coordinate beforehand or rehearse a response to a threat they'd never dealt with before but that was plainly visible. "Imagine, now overseas you have terrorists who would love to destroy the Capitol. They just saw how easy it was to penetrate. We just exposed a huge vulnerability," she said.

So what would a proper response have looked like? Ideally, the reliable police presence that surrounds events like the Super Bowl, inaugurations and the like would have been in place. That means bringing together all of the different bodies that play some role in securing the building. It's a patchwork of delicate jurisdictions. Because the Capitol Building is separate from both the city of D.C. and the executive branch, security officials must make special arrangements in advance to invite federal officers into the building to perform security functions.

While DHS can play a key role in protecting federal buildings from civil strife, protecting the U.S. Capitol is a somewhat more complicated task as it isn't a "regular" federal building. It's protected by the Capitol Police force, which is independently funded by Congress and distinct from other federal law enforcement bodies and from the D.C. police force. Rep. Tim Ryan, D-Ohio, who sits on an appropriations committee that funds for the Capitol Police, told reporters yesterday. "You can bet your ass that we're going to get to the bottom of it...I think it's pretty clear that there's going to be a number of people who are going to be without employment very, very soon."

Better coordination would have enabled the Capitol Police to much more quickly call for backup from federal authorities, via FEMA's Emergency Support Function 8, which, Neumann said, should have been activated immediately.

Before the event, authorities should have role-played and rehearsed what might happen on the electoral college certification day, which became an unusually (but not spontaneously) charged political event this year. "The fact that none of that prep happened. That's concerning. It's a failure in response and it's a failure in carrying out their duties," she said. "When we have special national events like an election or an inauguration, there's a joint command center, the Capitol Police participate, the DC police, there's coordination."

There was also a lack of credible information from authorities in the minutes and hours after the event took pace, she said. "I was noticing that [D.C. Mayor Muriel] Bowser, was the only official who did what incident protocols call for in terms of communication," with the public.

The Capitol Police did finally put out a statement on Thursday, which addressed the shooting of a rioter inside the building as well as the explosive devices found near it. "The USCP had a robust plan established to address anticipated first amendment activities," it states, somewhat unconvincingly.

Does Wednesday's event suggest an intelligence failure on behalf of federal authorities like the Department of Homeland Security? It's not an easy answer. Some of the rioters had posted about their intentions in various forums that were publicly viewable to reporters and others, boasting of a desire to assemble and "storm the capitol." But reading or surveying threats in right-wing forums doesn't give you the intelligence to know who will act on their words and who won't. That's especially true of the rally goers on Wednesday, which included people who attacked the Capitol Building but also thousands of other Americans who peacefully protested.

"You look at the pictures of the people on the planes coming in... there's a difference between Ma and Pa Trumper," and violent rioters, Neumann said.

That's a big part of the problem in anticipating events like Wednesday's: large crowd political events in which regular protestors are interspersed with people that are primed to violence and others who may just follow along with the crowd. It's an altogether different sort of threat from what Neumann described as intricatly-planned "complex" forms of conventional terrorism, for which the United States has already developed strategies. The latter are in some ways easier to predict precisely because, in planning them, perpetrators leave clues about their targets and actual capabilities and intentions.

While some rioters had expressed some sort of intent it's clear from their actions that they didn't have an actual plan for what to do when they arrived inside the building other than take selfies and steal things from congressional offices.

Homeland Security officials that Neumann had been talking to in the days leading up to the rally expressed heightened alarm about what might happen during the event, she said. With self-appointed militia members announcing plans to congregate near the capitol, the level of planning and intent seemed to be greater than what observers had seen during previous events.

"A couple of days ago it was 'this is maybe a bit more serious than (the 9 December event.) As the last few days have ticked by, with the President's call, tension with [Vice President] Pence... You started seeing communications on social media that seemed more tactical," she said. "'We should string them all up' is fairly common. 'Let's met at this time, bring your weapons,' at very least, it suggests that they're preparing for violence if not necessarily to commit it."

Despite that, it's clear that the Department of Homeland Security leadership didn't take the threat seriously enough, as indicated by the fact that on the eve of a historic election certification, which saw thousands of angry political activists flooding into the nation's capital, acting secretary Chad Wolf was in the Middle East. "That tells you all you need to know," said Newman.

Wolf's successor, Alejandro Mayorkas, whom President-elect Biden has picked to lead DHS, will face extra burdens securing the Capitol because of Wednesday's events. The Capitol Police and other law enforcement agencies will not only have to completely overhaul security for the building and probably implement scores of new security measures, but make sure the world knows of it and finds the new defenses credible, said Neumann. "We're going to have to publicize all the security improvements we put in place," she said, in order to dissuade future attacks, foreign and domestic.

Minister Karooro tells US to stop preaching democracy to Ugandans

monitor.co.ug/uganda/news/national/minister-karooro-tells-us-to-stop-preaching-democracy-to-ugandans-3252646



Summary

Minister Karooro who was at the launch of team Ntambiko that is soliciting for president Museveni's votes in Bushenyi district at Kantungu said, the Pro-trump Americans recently wanted to burn Congress over election matters days shy of Biden's inauguration.

Advertisement

By Felix Ainebyoona
More by this Author

Cabinet Minister in Charge of General Duties, Ms Mary Karooro Okurut has asked the United States of America to stop coming to Uganda to preach democracy- referring to a January 06 incident that saw Pro-Trump supporters breach security and enter the US Capitol during a Congress debate.

Minister Karooro who was at the launch of team Ntambiko that is soliciting for president Museveni's votes in Bushenyi district at Kantungu said, the Pro-trump Americans recently wanted to burn Congress over election matters days shy of Biden's inauguration.

"The Americans should not come here and try to teach us democracy because after US president Elect Joe Biden was declared, we saw protests everywhere even at Congress. Americans cannot come here to disorganize our peace," Ms Karooro said at the weekend.

She urged people to vote on January 14 to show the world that there is democracy in Uganda.

"When you are in a marathon, there is always a finishing line. But the son of Kaguta has already gone beyond the finish line. So, come out and vote in big numbers to show the whole world how democratic Uganda is," said Ms Karooro

Ms Karooro said opposition candidates are on a mission of ensuring that the president does not get the required 50 per cent.

Advertisement

"They are lying to themselves because Ugandans are ready to vote him overwhelmingly," She argued.

She alleged, "those contesting with President Museveni always talk about plan B. they are telling you to get pangas and petrol bombs to burn our country down but we should get ready to ensure that their plan B does not work because we do not want chaos."

Bushenyi district business-man Hassan Basajjabalaba who also doubles as the NRM district chairman said Ugandans should maintain a revolutionary in power.

"I ask Ugandans to vote for President Museveni so that he can keep leading the country he liberated in 1986," said Mr Basajjabalaba

He added, "President Museveni has portrayed over the years his exemplary leadership not only to Uganda but also on the African continent."

Uganda holds presidential polls on January 14 with eleven candidates in the race.

Bolivarian Republic of Venezuela

Communiqué

The Government of the Bolivarian Republic of Venezuela expresses its concern with the acts of violence being carried out in the city of Washington, United States.

Venezuela condemns the political polarization and the spiral of violence that does nothing but reflect the deep crisis that the United States political and social system is currently undergoing.

With this unfortunate episode, the United States is experiencing what it has generated in other countries with its policies of aggression. Venezuela hopes that the acts of violence cease soon, and that the people of the U.S. can finally open a new path towards stability and social justice.

Caracas, january 6th, 2021

What the world is saying about the U.S. after the Capitol attack and Trump's impeachment

washingtonpost.com/world/2021/01/13/world-reactions-capitol-attack-aftermath/

Ruby Mellen, Adam Taylor



More than a week after the breach of the U.S. Capitol by a mob of President Trump's ardent supporters, world leaders are continuing to watch the troubled U.S. presidential transition from afar.

The political turmoil that followed the siege — including Trump's banishment from major social media platforms and his second impeachment Wednesday, an unprecedented indictment that is likely to lead to a Senate trial after his departure — has continued to command global attention as President-elect Joe Biden prepares to assume office on Jan. 20.

With Biden's inauguration just days away, world leaders have condemned the scenes at the Capitol and weighed in on the effects of Trump's removal from several social media platforms, but few have addressed the impeachment directly.

Here's what some world leaders and top officials have said about the chaos and its aftermath.



Andrés Manuel López Obrador

Mexican President

A week after Trump was banned from major social media platforms, President Andrés Manuel López Obrador said that he hopes to lead an international group that will stop social media companies from exercising too much power.

"I can tell you that at the first G-20 meeting we have, I am going to make a proposal on this issue," López Obrador said Thursday. "Yes, social media should not be used to incite violence and all that, but this cannot be used as a pretext to suspend freedom of expression."

López Obrador, citing a policy of not commenting on other countries' internal affairs, has offered few remarks on Trump's impeachment and declined to condemn the U.S. Capitol siege, though he said he regrets the loss of life.



Boris Johnson

British prime minister

As impeachment proceedings against Trump gathered steam on Wednesday, British Prime Minister Boris Johnson was pressed by journalists on whether he regretted pursuing a closer relationship with the U.S. leader.

Johnson gave a noncommittal answer, suggesting only that it was important for a British leader to have the "best possible relationship" with their U.S. counterpart and that he had had an "excellent conversation very recently with President-elect Joe Biden."

The remarks were a contrast to the sterner reaction by Johnson and others in his government after the storming of the Capitol. Johnson said Trump had been "completely wrong" to encourage the chaos that unfolded and described the scenes as "disgraceful."

British Home Secretary Priti Patel, a key ally of Johnson, told the BBC that Trump's comments had "directly led" to the storming of the Capitol.

Nicola Sturgeon, the first minister of Scotland, also condemned the riot as "utterly horrifying" and called for "solidarity with those ... on the side of democracy and the peaceful and constitutional transfer of power."

'Stop trampling democracy'



Angela Merkel

German chancellor

German Foreign Minister Heiko Maas said Thursday in parliament that those who instigated the violence should be held accountable.

"This closing of ranks begins with holding those accountable who are responsible for such escalations. That includes the violent rioters and it also includes their instigators," he said. "Those who agitate bear responsibility."

Maas said the House's impeachment of Trump was "an expression of the American need not to leave the damage to their democratic institutions without consequences."

German Chancellor Angela Merkel has also condemned the violence, and expressed the view that companies' permanent suspension of Trump's social media accounts was "problematic."

"The right to freedom of opinion is of fundamental importance," spokesman Steffen Seibert told reporters, adding Merkel thinks decisions to curb it should be made through the legislature, not by the management of social media companies.

Earlier, Merkel denounced the mob violence at the Capitol. "Unfortunately, President Trump has not accepted his defeat since November, and also did not accept it yesterday. And of course this has created an atmosphere, which led to such incidents, violent incidents," she said on the day of the siege.



Alexei Navalny

Russian opposition leader

Alexei Navalny, a Russian opposition leader now living in Berlin after he was the target of an assassination attempt in Siberia last year, wrote on Twitter on Saturday that he did not think Trump should be banned from Twitter, comparing it to censorship that activists like him see around the world.

"I think that the ban of Donald Trump on Twitter is an unacceptable act of censorship," Navalny tweeted. "Don't tell me he was banned for violating Twitter rules. I get death threats here every day for many years, and Twitter doesn't ban anyone (not that I ask for it)."

"If you replace 'Trump' with 'Navalny' in today's discussion, you will get an 80% accurate Kremlin's answer as to why my name can't be mentioned on Russian TV and I shouldn't be allowed to participate in any elections," he said.



Josep Borrell

European Union foreign policy chief

In a blog post published Monday, the European Union's top foreign policy official said the events on Capitol Hill reminded him of an attempted coup in a newly democratic Spain.

"It had a particular echo for me because I had to remember how, forty years ago, the young Spanish democracy had been threatened by an assault of the Congress of Deputies by a group of military police," Josep Borrell wrote. "Fortunately, Spain was able to overcome this ordeal, starting since the best years of our modern history."

Borrell, who serves as the high representative of the European Union for foreign affairs, said some of the blame for what happened should fall on Trump. "If some people believe that an election was fraudulent, because their leader has been once and again telling them, they will behave accordingly," he said.

Other European leaders have made similar remarks. "I believe in the strength of U.S. institutions and democracy. Peaceful transition of power is at the core," E.U. Commission President Ursula von der Leyen said on Jan. 6, adding that Biden won the election.



Michael McCormack

Acting Australian prime minister

The acting leader of Australia, one of a handful of leaders to avoid direct criticism of Trump after the Capitol siege, equated the pro-Trump protests in Washington to the anti-police-brutality Black Lives Matter protests of the year before.

Michael McCormack told Australia's ABC television on Monday that the events of last week were "unfortunate" and "similar to those race riots that we saw around the country last year." He later doubled down on the comments after they caused criticism from human rights groups.

"It involves violence, it involves destruction of property, it involves deaths of people. And any violence of that form is condemned," said McCormack, who has been temporarily serving as acting prime minister while Scott Morrison is on vacation.



Pope Francis

"I was astonished because [Americans] are people so disciplined in democracy," Pope Francis told Italy's Canale 5 news channel on Saturday, his first public comments on the events. "Thank God that this has burst into the open and is clear to see well, because like this you can put it right.

"Yes, this must be condemned, this movement, no matter who is involved in it," he said.



Emmanuel Macron

French president

"What happened today in Washington, D.C., is not America, definitely," French President Emmanuel Macron said in an English-language video statement on Jan. 6. "We believe in the strength of our democracies. We believe in the strength of American democracy."

Marine Le Pen, leader of the French far-right group National Rally, said she was "extremely shocked" by scenes from the Capitol and said Trump "must condemn [the events] in the clearest terms."



Benjamin Netanyahu

Israeli prime minister

Israeli Prime Minister Benjamin Netanyahu, a key foreign ally for the Trump administration, said in a statement on Jan. 7 that the acts at the Capitol were "disgraceful."

Israel analysts noted Netanyahu had waited longer than many other world leaders to criticize the storming of the Capitol.Israeli Defense Minister Benny Gantz, an electoral rival and former army general, tweeted a message the day before.

"This is proof that, before political rivalry, we must agree on the rules of the game: the maintenance of the rule of law, respect for democratic procedures and respectful discourse," Gantz said in a video message.

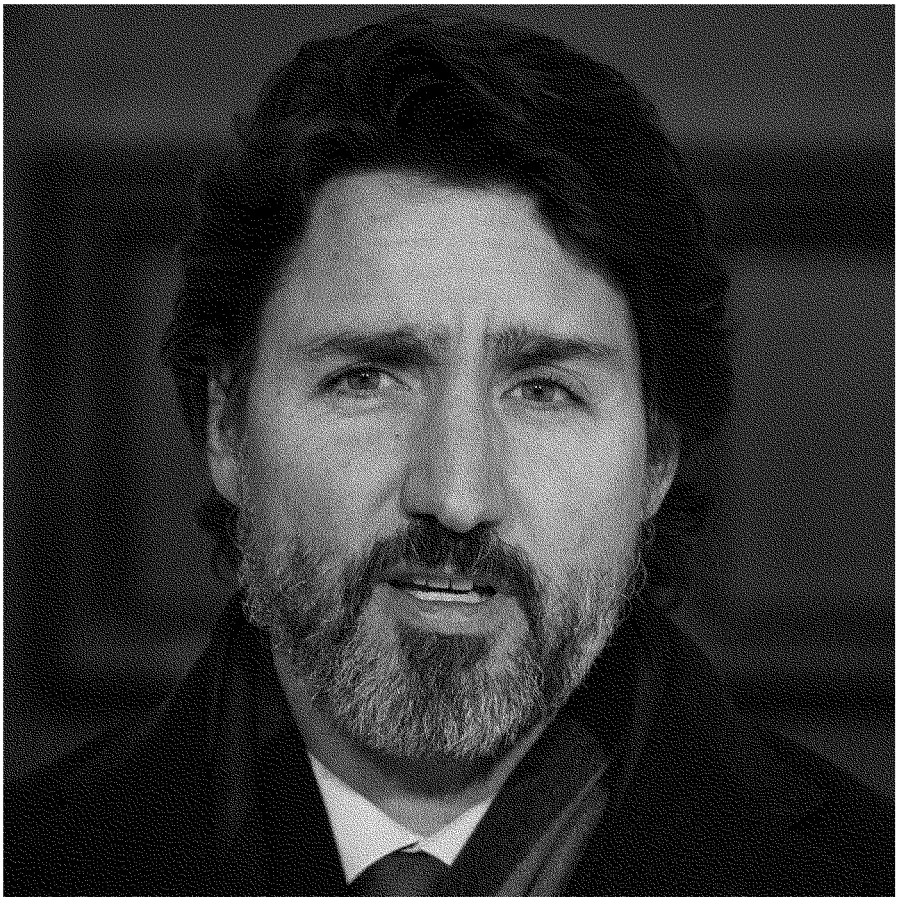
'An assault on democracy'



Stefan Lofven

Swedish prime minister

"This is an assault on democracy. President Trump and several members of Congress bear substantial responsibility for developments," Swedish Prime Minister Stefan Lofven tweeted on the day of the siege.



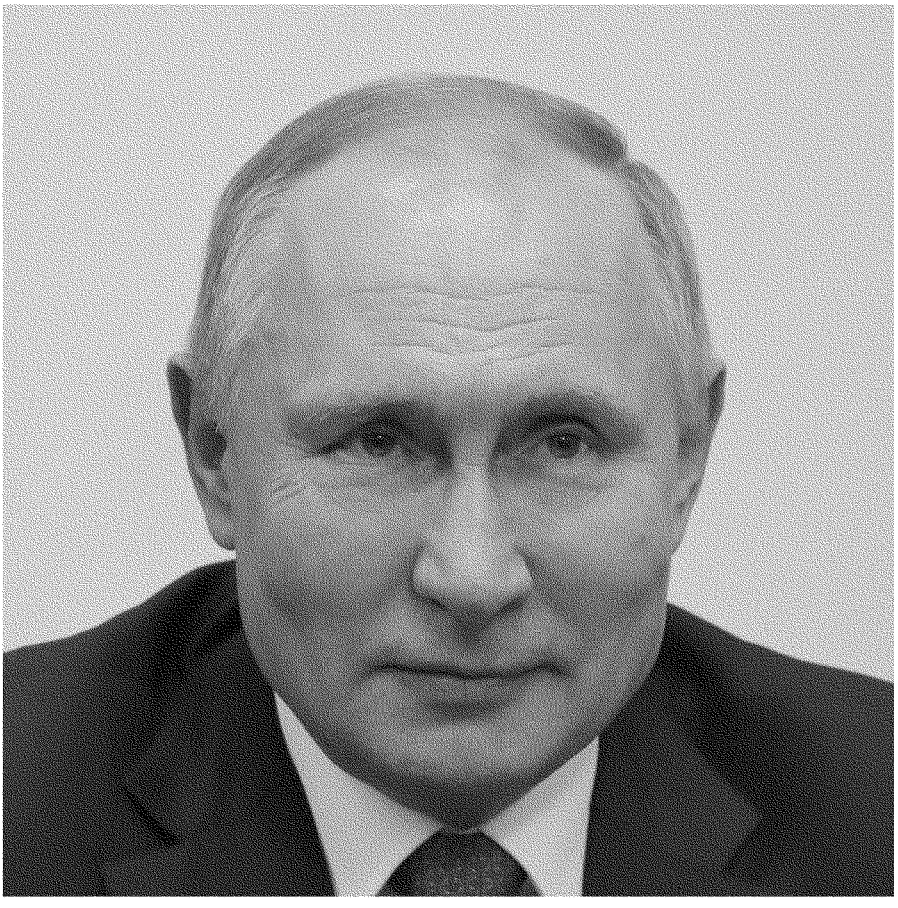
Justin Trudeau

Canadian prime minister

At a news conference on Friday, Canadian Prime Minister Justin Trudeau criticized Trump for inciting the rioters at the Capitol.

"What we witnessed was an assault on democracy by violent rioters, incited by the current president and other politicians," he said. "As shocking, deeply disturbing and frankly saddening as that event remains — we have also seen this week that democracy is resilient in America, our closest ally and neighbor."

As the events unfolded on Jan. 6, Trudeau said that he had been "following the situation minute by minute."



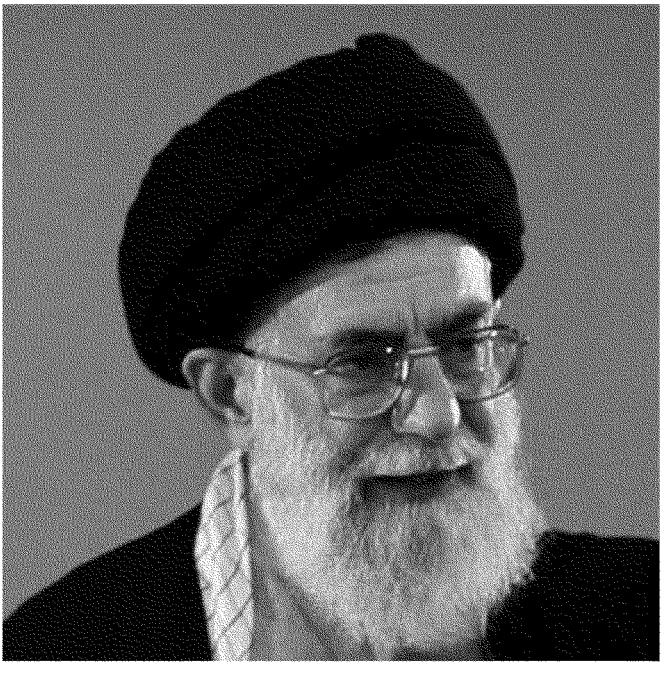
Vladimir Putin

Russian president

The Russian leader has offered no public comment in response to the storming of the Capitol, but other members of his government have weighed in.

"The events in Washington show that the U.S. electoral process is archaic, does not meet modern standards and is prone to violations," Russian Foreign Ministry spokeswoman Maria Zakharova said the day after the riot, according to the state-run RIA Novosti news agency.

U.S. democracy is "obviously limping on both feet," said Konstantin Kosachev, chairman of the foreign affairs committee in the Federation Council, the upper house of Russia's parliament, and a member of the Putin-backing party United Russia. "America no longer charts the course and therefore has lost all right to set it. And even more to impose on others."



Ali Khamenei

Iranian supreme leader

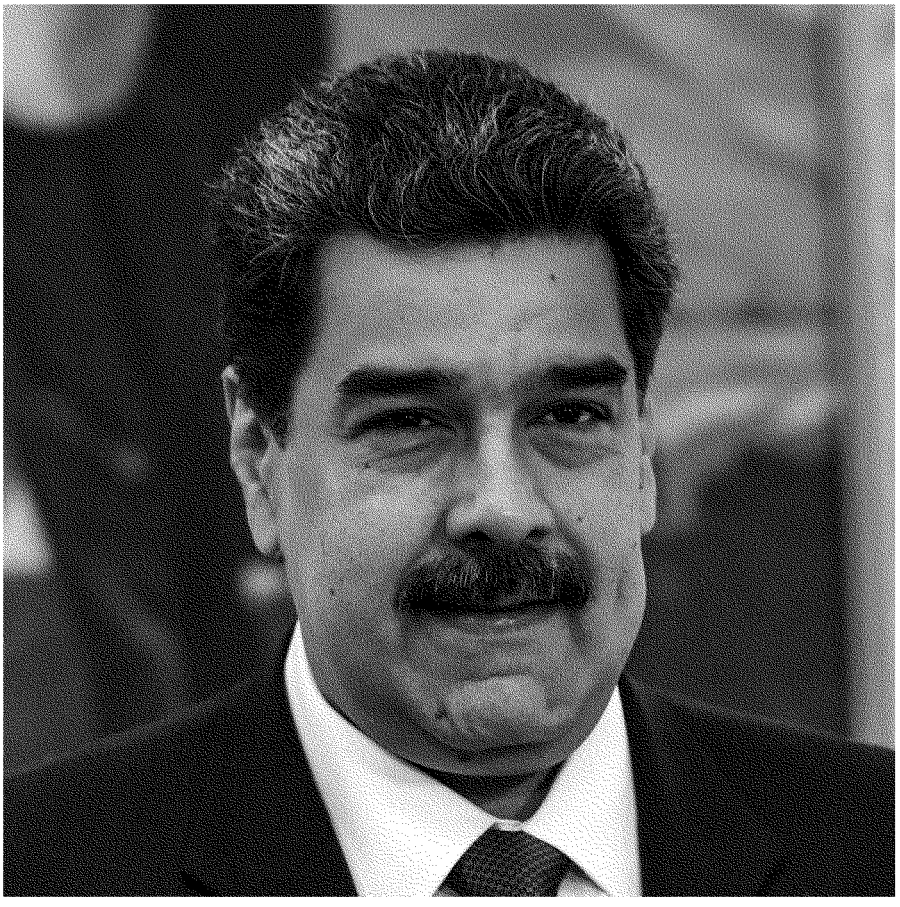
Ayatollah Ali Khamenei, Iran's supreme leader, mocked the U.S. political system after the attack, suggesting in speeches and on Twitter that the chaos in Washington was retribution for U.S. policy in the Middle East.

"Have you seen the situation in the U. S.? This is their democracy and this is their election fiasco. Today, the U.S. & 'American values' are ridiculed even by their friends," he said in a tweet on Friday.

Iranian President Hassan Rouhani echoed the sentiment. "What happened in the United States showed how weak Western democracy is," he said the day after the attacks in Washington.

Mohammad Javad Zarif, Iran's foreign minister, said in a tweet the same day that Trump's actions made him concerned about his control of U.S. nuclear weapons. "What's disturbing is that the same man has the UNCHECKED authority to start a nuclear war; a security concern for the entire int'l community," he wrote.

'On the verge of a civil war'

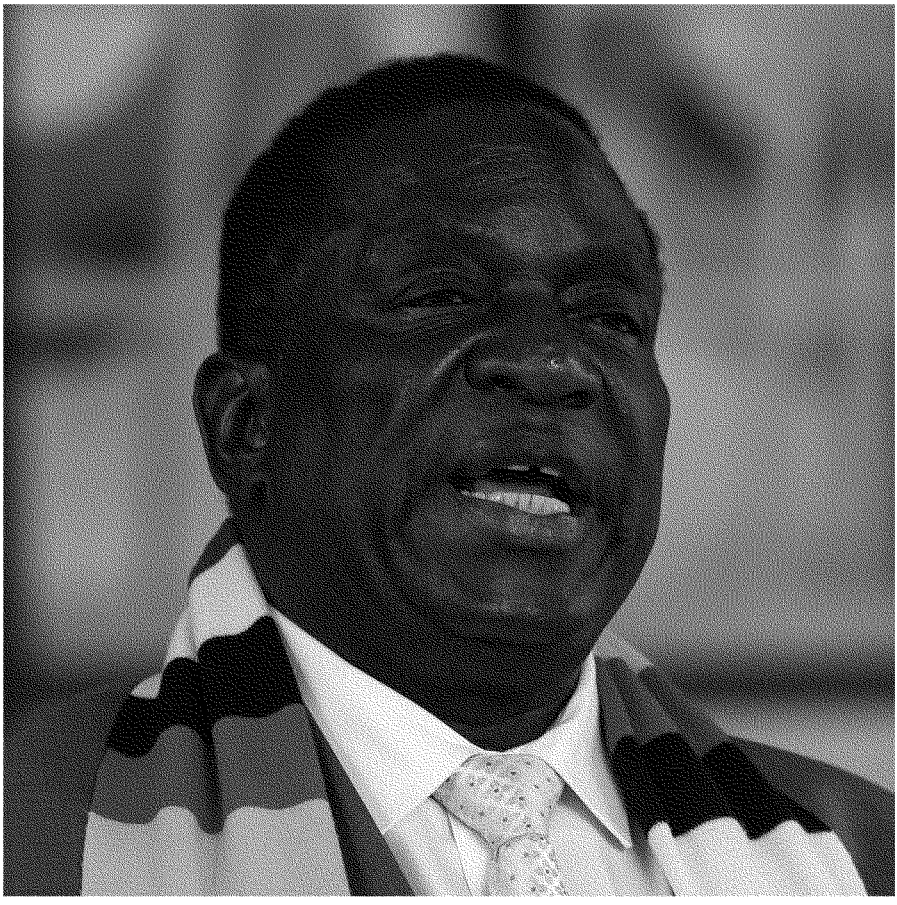


Nicolás Maduro

Venezuelan president

Nicolás Maduro, a frequent target of U.S. ire under Trump, suggested Sunday the United States could be "on the verge of a civil war."

"The United States is in a crisis," the Venezuelan leader said in a speech. "Joe Biden's term as president will start under the worst scenario, which includes hostile polarization, a split, animosity and confrontation."



Emmerson Mnangagwa

Zimbabwean president

Zimbabwean President Emmerson Mnangagwa viewed the acts of insurrection as an opportunity to decry U.S. sanctions on his country.

"Last year, President Trump extended painful economic sanctions placed on Zimbabwe, citing concerns about Zimbabwe's democracy," the African leader wrote on Twitter on Jan. 7. "Yesterday's events showed that the U.S. has no moral right to punish another nation under the guise of upholding democracy. These sanctions must end."



Xi Jinping

Chinese president

Although Chinese President Xi Jinping has not commented directly on the Capitol assault, high-ranking Beijing officials have used the fray to argue a double standard between U.S. lawmakers' response to the Capitol rioters and their characterization of protesters in Hong Kong.

Chinese Foreign Ministry spokeswoman Hua Chunying on Jan. 7 likened the Capitol mob to an incident in 2019, when pro-democracy demonstrators stormed Hong Kong's parliament, smashing windows, spray-painting the walls and defacing portraits of lawmakers. "The US

mainstream media had unanimously criticised violent Trump fans in [Washington], saying it's a violent event and those protesters are mobs, extremists. ... But what description did they use on the Hong Kong protest? 'Beautiful sight.' "



Narendra Modi

Indian prime minister

On Jan. 6, as events were unfolding in the Capitol, Indian Prime Minister Narendra Modi, a close ally of Trump's, expressed his dismay and rejected Trump's efforts to contest the election.

"Distressed to see news about rioting and violence in Washington DC. Orderly and peaceful transfer of power must continue. The democratic process cannot be allowed to be subverted through unlawful protests," he wrote in a tweet.

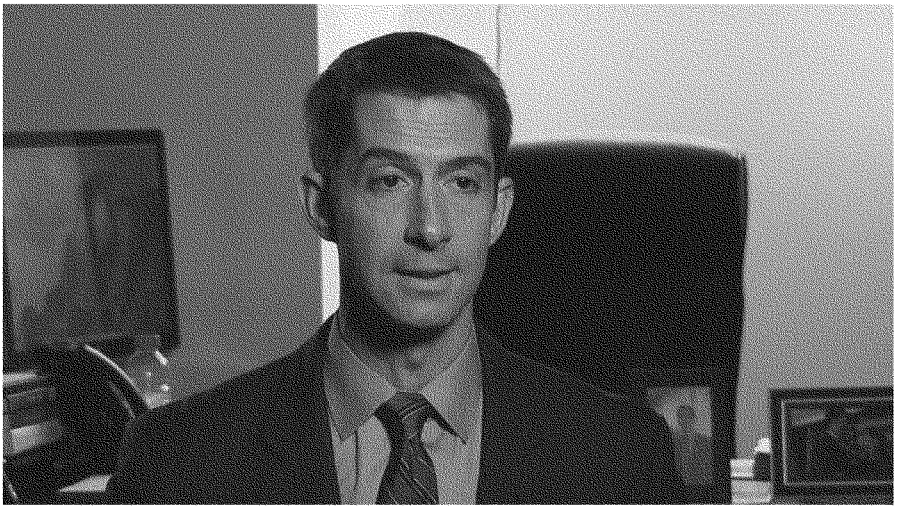
Modi's Hindu nationalist government and lawmakers in his party have come under criticism over accusations that they incited vigilante mob violence against the country's Muslim community.

This report has been updated.

Photo editing by Chloe Coleman. Video editing by Alexa Juliana Ard. Story editing by Benjamin Soloway. Copy editing by Mike Cirelli. Design by J.C. Reed.

Tom Cotton: Everything You Need to Know

abcnews.go.com/Politics/tom-cotton/story



Cotton is slated to speak at the RNC.

0:50

The prominent Republican is a sixth-generation Arkansan.

ABC News
-- **Name:** Thomas Bryant Cotton

Party: Republican

Date of Birth: May 13, 1977

Age: 39

What He Does Now: U.S. senator from Arkansas

What He Used to Do: Served in U.S. House from 2013 to 2014. Worked at McKinsey & Company management consulting firm. Previously, Cotton was inspired by the 9/11 attacks to join the U.S. Army and served in Iraq and Afghanistan for five years, from 2005 to 2009, with the 101st Airborne and a Provincial Reconstruction Team. Between his two combat

tours, Cotton served with The Old Guard at Arlington National Cemetery, a prestigious unit that oversees the Tomb of the Unknown Soldier. Cotton received, among other honors, the Bronze Star Medal, Combat Infantry Badge, and Ranger Tab. Cotton has degrees from Harvard College and Harvard Law School and also served a clerkship with the U.S. Court of Appeals and at a private law practice.

Hometown: Dardanelle, Arkansas

Family Tree: Cotton, a sixth-generation Arkansan, and his wife, Anna, have one son, Gabriel. His parents run a cattle farm in Yell County, Arkansas. Cotton's father volunteered to serve in Vietnam.

- Began active duty service with the U.S. Army on Jan. 11, 2005 (according to FOIA'd Army docs), having been inspired to serve his country after the 9/11 attacks. He said he would have started his service earlier but wanted to pay off his student loans and also felt "duty-bound to the judge who had hired" him.
- Spent only seven months in the U.S. House before announcing his ultimately successful bid to unseat Democratic Sen. Mark Pryor.
- Catapulted to electoral success after the conservative Club for Growth invested early in his U.S. Senate campaign.
- Led the drafting of an open letter to "leaders of the Islamic Republic of Iran" saying that Senate Republicans viewed the Iran deal as "nothing more than an executive agreement between President Obama and Ayatollah Khamenei" because Congress did not ratify the agreement, and that the next president could revoke the deal "with the stroke of a pen."
- Opposed a Senate criminal justice reform package and said in May that the United States has an "under-incarceration problem."

What You Might Not Know About Him:

- Cotton played basketball on his high school's team, the Sand Lizards.
- Cotton's parents, Len and Avis Cotton, are longtime Democrats who supported Bill Clinton as their governor and president, according to The Atlantic.
- There was once discussion as to whether or not Cotton was a real person after a letter he wrote to the The New York Times went viral among conservative bloggers -- there is also a hobbit named "Tom Cotton" in the Tolkien trilogy, "The Lord of the Rings."

What He Has Said About Trump:

- On March 25, he said on "Morning Joe": "Well, I think he could be the commander-in-chief. He's one of our leading candidates, and as I said, any of our candidates right now would be a better commander-in-chief."
- Cotton met with Trump in March, telling "Morning Joe," "I didn't hear much different from what we've heard in public."

- On Trump's view that the U.S. does too much to prop up NATO, Cotton said he agrees but said the solution is to get other countries to contribute more money: "He identified a serious problem that I've tried to address, along with some of my colleagues," Cotton said. "I would just have a slightly different solution to that problem."
- On May 11, US News quoted Cotton as saying,: "I've said all along, I'll support the nominee, because we can't afford another term of the Obama-Clinton foreign policy or for that matter, economic policy at home. And now Donald Trump's the presumptive nominee. So we obviously need to do some work to unify around our common and shared principles and Donald's got the responsibility and opportunity to do that in the coming weeks."
- "Well, I'd certainly advise him. I'd advise anyone who asked me for that. The most immediate thing I would say that we need to do to restore our capabilities around the world is an emergency supplemental spending bill for our military next year. If you extrapolate out what [former Secretary of Defense] Bob Gates predicted we would need in 2017, we're probably somewhere between $80 and $100 billion short, and you see that all around the world. In the end, there's a lot of stuff to change on our foreign policy, but foreign policy without military capability is largely empty."
- On June 8, the Washington Times reported that: Cotton encouraged Trump to campaign on beefing up military spending: "I suggested to Donald Trump the last time we spoke that that's a very important policy we need to pursue," the Arkansas Republican said at a forum hosted by The Heritage Foundation. "It's also a winning political issue."
- On July 3 on NBC, Cotton said: "Donald Trump can ultimately make the case for himself ... Donald Trump, like most Americans, like most Republicans, believes in protecting America's core national interests. He believes as do I, as do most Americans, that we aren't yet doing enough to take the fight to the Islamic State... .It's important to remember that whatever the presidential candidates of either party say, they will have to interact with the United States Congress, particularly the Senate, when it comes to crafting policy ... we play an important role. And I'm going to continue to play that role whoever is president."

About Senator Blumenthal

Originally sworn in on January 5, 2011, Richard Blumenthal is serving his second term as a United States Senator from the State of Connecticut.



Senator Blumenthal served an unprecedented five terms as Connecticut's Attorney General, fighting for people against large and powerful special interests. His aggressive law enforcement for consumer protection, environmental stewardship, labor rights, and personal privacy has helped reshape the role of state attorneys general nationwide, and resulted in the recovery of hundreds of millions of dollars for Connecticut taxpayers and consumers each year.

A key player in the national fight against Big Tobacco, he helped bring an end to deceptive marketing aimed at children – a victory significantly lowering youth smoking rates, and compelling a multi-billion dollar settlement for Connecticut taxpayers. He also helped lead a coalition of all 50 states that culminated in historic agreements with social networking sites to better protect children from Internet predators.

As Attorney General, he advocated for reforms in the health insurance industry to assure critical health care coverage and lower pharmaceutical drug prices. He has worked relentlessly to eradicate corruption in state government and make state contracting accountable, fair, honest, and transparent.

His vigorous investigation and legal action against insurance industry abuses has successfully forced financial restitution and reform, compelled greater disclosure by insurers and brokers to consumers, and recovered millions of dollars for the state, municipalities, and individuals. He has successfully fought unfair utility rate charges, air pollution causing acid rain, general environmental wrongdoing, as well as a wide array of consumer scams and frauds.

Senator Blumenthal has personally argued several major cases in court, including his successful effort to uphold the Connecticut sex offender registry in the Supreme Court. He has fought and sued the federal government for failing to follow or enforce environmental laws and energy statutes, as well as imposing multimillion dollar unfunded mandates on local taxpayers under the No Child Left Behind Act.

From 1977 to 1981, Senator Blumenthal served as a U.S. Attorney for Connecticut, prosecuting drug trafficking, organized and white collar crime, civil rights violations, consumer fraud, and environmental pollution. He served in the Connecticut House of Representatives from 1984 to 1987, and the Connecticut State Senate from 1987 to 1990. As a volunteer attorney for the NAACP Legal Defense Fund, Senator Blumenthal saved the life of an innocent, wrongly convicted death row inmate who came within hours of execution.

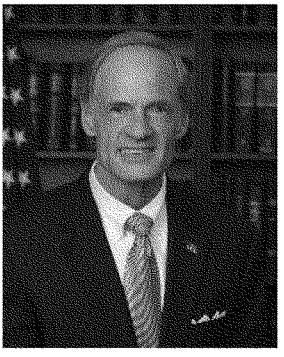
Prior to his position as U.S. Attorney, Senator Blumenthal also served as Administrative Assistant to U.S. Senator Abraham A. Ribicoff, aide to former U.S. Senator Daniel P. Moynihan when Moynihan was Assistant to the President of the United States, and law clerk to Supreme Court Justice Harry A. Blackmun.

Senator Blumenthal graduated from Harvard College (Phi Beta Kappa, Magna Cum Laude), and Yale Law School, where he was Editor-in-Chief of the Yale Law Journal. From 1970 to 1976 he served in the United States Marine Corps Reserves, and was honorably discharged with the rank of Sergeant.

Senator Blumenthal lives in Connecticut with his wife, Cynthia, and their four children.

ABOUT TOM CARPER

Born in West Virginia and raised in Virginia, Senator Tom Carper attended The Ohio State University on a Navy R.O.T.C. scholarship, graduating in 1968 with a B.A. in economics. He went on to complete five years of service as a naval flight officer, serve three tours of duty in Southeast Asia during the Vietnam War, and continued to serve in the Naval Reserve as a P-3 aircraft mission commander until retiring with the rank of captain in 1991 after 23 years of military service. With the war winding down in Southeast Asia, Tom Carper moved to Delaware in 1973 where he earned his M.B.A. at the University of Delaware. Today, he and his wife of 30 years, Martha, live in Wilmington and are the proud parents of two sons. Senator Carper travels from Wilmington to Washington each day on an Amtrak train.



His career in public service began in 1976 when he was elected to the first of three terms as Delaware's state treasurer at the age of 29 at a time when the state of Delaware had the worst credit rating of any state in America. Six years later, with that credit rating restored to a respectable "AA," he ran for – and was elected – to Delaware's at-large seat in the U.S. House of Representatives.

Senator Carper went on to serve five terms as a U.S. congressman where he earned a reputation as a results-oriented centrist serving on the House Financial Services Committee, as well as the Merchant Marine and Fisheries Committee, which is now part of the House Committee on Natural Resources. In 1991, then-Congressman Carper led a bipartisan, six-member congressional delegation of Vietnam veterans back to Southeast Asia to search for U.S. soldiers whose remains were never recovered and listed as MIAs. During that trip, the group met with the new Vietnamese General Secretary Do Muoi and helped lay the groundwork for normalizing relations between the United States and Vietnam.

Tom Carper was then elected the 78th governor of Delaware in 1992 and served two terms in that role. As governor, he pursued a common-sense agenda that led to eight balanced budgets, tax cuts in seven of those eight years, and major increases in employment. Governor Carper led the effort to strengthen the state's “rainy day” fund and boost Delaware's credit rating to "AAA" for the first time in state history, while helping to overhaul the state's education system and to implement welfare reform initiatives in Delaware and the nation.

During his second term as governor, Tom Carper was selected by his colleagues to serve as vice-chairman, then as chairman, of the National Governors' Association (NGA). After serving as chairman, he led the NGA's 'Center for Best Practices,' which focused on developing and implementing innovative solutions to policy challenges faced by governors across the nation. From 1994-1998, he served as a member of Amtrak's board of directors and, later, as founding vice-chairman of the American Legacy Foundation to combat youth smoking and as vice-chairman of Jobs for America's Graduates, a national non-profit to reduce high school dropouts.

On Jan. 3, 2001, Governor Carper stepped down two weeks early to become Delaware's junior senator. He was reelected in 2006, and with his reelection in November 2012 he has been elected to state-wide public office in Delaware 13 times. When Senator Joe Biden stepped down to become vice president in January 2009, Tom Carper became Delaware's senior senator.

In his time in the U.S. Senate, Senator Carper has worked extensively on reforming our health care system, improving our environment, and ensuring that federal programs are run efficiently and effectively. As a member of the Senate Finance Committee, Senator Carper helped craft the Affordable Care Act with a focus on how to improve our health care system by reducing costs, getting better results, and empowering consumers with the tools and resources they need to achieve better health and wellness. Senator Carper fought to include provisions on workplace wellness and menu labeling in the health care reform law, and he continues to be a leader in ensuring that the Affordable Care Act is implemented effectively.

As the top Democrat on the Environment and Public Works Committee, Senator Carper leads the fight to protect our environment and clean up our air as the committee's ranking member in the 117th Congress. During his time on the committee, Senator Carper successfully defended common sense clean air regulations from misguided attempts to repeal them, and he continues to push for meaningful protections that limit carbon pollution, regulate cross-state air pollution and help stem the tide of climate change. He led the effort to pass the Diesel Emissions Reduction Act with Sen. George Voinovich (R-Ohio), which has cleaned up millions of old, dirty diesel engines to help save lives and improve public health. Senator Carper also helped broker the compromise that created our country's highest fuel efficiency standards in a generation, saving Americans billions of dollars at the pump.

Senator Carper also serves as a senior member on the Senate Homeland Security and Governmental Affairs Committee, having served as the committee's chairman in the 113th Congress and ranking member in the 114th Congress. In his continued work on the committee, he focuses on protecting our country from threats to our national security, as well as ensuring federal government programs are efficient and using taxpayer dollars wisely. Senator Carper continues to champion postal reform with the goal of protecting

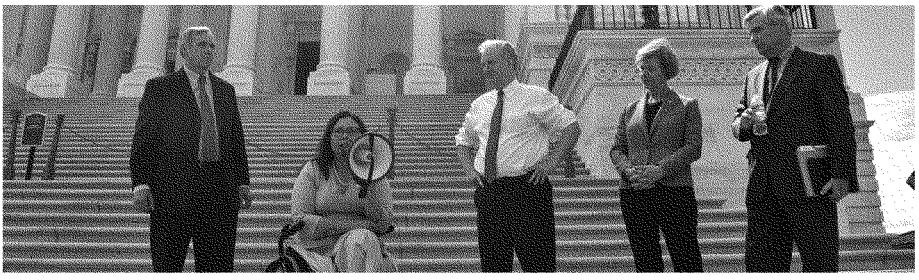
the U.S. Postal Service from collapse and ensuring it remains a robust American institution for generations to come. He has also supported legislation to improve cybersecurity across the federal government and ensure we are doing all we can to respond to the growing threats our country faces in cyberspace.

During more than 30 years of public service, Senator Carper has worked tirelessly to develop practical solutions to real problems. His ability to work across party lines has earned him a reputation for consensus-building that is unique in today's political climate. The Washington Post's late David Broder calls him "a notably effective and non-partisan leader, admired and trusted on both sides of the aisle."

Official Photo - Official Photo 2013_Press Publication_200 DPI.jpg (/public/?a=Files.Serve&File_id=0F1301AC-86CB-4FBC-B9CA-05B02C3783D6) (183.3 KBs)

Click here for more information about COVID-19

NOTICE: In order to protect constituents and out of an abundance of caution during the COVID-19 crisis, I've asked my staff to telework and our Illinois and Washington, D.C., offices are closed. Thank you for your patience and understanding at this time.



ABOUT TAMMY

U.S. Senator Tammy Duckworth is an Iraq War Veteran, Purple Heart recipient and former Assistant Secretary of the U.S. Department of Veterans Affairs who was among the first handful of Army women to fly combat missions during Operation Iraqi Freedom. Duckworth served in the Reserve Forces for 23 years before retiring at the rank of Lieutenant Colonel in 2014. She was elected to the U.S. Senate in 2016 after representing Illinois's Eighth Congressional District in the U.S. House of Representatives for two terms.

In 2004, Duckworth was deployed to Iraq as a Blackhawk helicopter pilot for the Illinois Army National Guard. On November 12, 2004, her helicopter was hit by an RPG and she lost her legs and partial use of her right arm. Senator Duckworth spent the next year recovering at Walter Reed Army Medical Center, where she quickly became an advocate for her fellow Soldiers. After she recovered, she became Director of the Illinois Department of Veterans' Affairs, where she helped create a tax credit for employers that hire Veterans, established a first-in-the-nation 24/7 Veterans crisis hotline and developed innovative programs to improve Veterans' access to housing and health care.

In 2009, President Obama appointed Duckworth as an Assistant Secretary of Veterans Affairs, where she coordinated a joint initiative with the U.S. Department of Housing and Urban Development to help end Veteran homelessness, worked to address the unique challenges faced by female as well as Native American Veterans and created the Office of Online Communications to improve the VA's accessibility, especially among young Veterans.

In the U.S. House, Duckworth served on the Armed Services Committee and was an advocate for working families and job creation, introducing bills like her bipartisan Friendly Airports for Mothers (FAM) Act to ensure new mothers have access to safe, clean and accessible lactation rooms when traveling through airports, which is now law. She helped lead passage of the bipartisan Clay Hunt SAV Act, which enhanced efforts to track and reduce Veteran suicides. She also passed the Troop Talent Act to help returning Veterans find jobs in the private sector and worked to cut waste and fraud at the Pentagon and throughout government, including passing a common-sense provision that was projected to save taxpayers $4 billion by reducing redundancy in military uniforms.

In the U.S. Senate, Duckworth advocates for practical, common-sense solutions needed to move our state and country forward like rebuilding our crumbling infrastructure, protecting Illinoisans from lead poisoning, growing manufacturing jobs while supporting minority-owned small businesses,

investing in communities that have been ignored for too long and making college more affordable for all Americans. She co-founded the Senate's first-ever Environmental Justice Caucus and also continues her lifelong mission of supporting, protecting and keeping the promises we've made to our Veterans as well as ensuring that we stand fully behind the troops our nation sends into danger overseas. In 2018, after Duckworth became the first Senator to give birth while serving in office, she sent a message to working families across the country about the value of family-friendly policies by securing a historic rules change that allows Senators to bring their infant children onto the Senate floor.

As Senator, she advocates for practical, common-sense solutions needed to move our country and our state forward

Senator Duckworth serves on several influential committees that give her an important platform to advocate for Illinois's working families and entrepreneurs: the Armed Services Committee; the Environment & Public Works Committee; the Commerce, Science, & Transportation Committee; and the Small Business & Entrepreneurship Committee. The first Senate bill she introduced—which supports Illinois jobs by helping prevent bureaucratic delays in infrastructure projects—became law in record time. As a result of her achievements, Duckworth was ranked as a "highly effective lawmaker" and as the most effective freshman Democratic Senator in the 115th Congress by the Center for Effective Lawmaking.

Duckworth is fluent in Thai and Indonesian. She attended college at the University of Hawaii and earned a Master of Arts in International Affairs from the George Washington University. Following graduation, Duckworth moved to Illinois and began pursuing a Ph.D. in Political Science at Northern Illinois

University and later worked for Rotary International. To this day, the Senator volunteers at local food pantries and participates in community service projects in her free time.

Senator Duckworth and her husband Bryan are the proud parents of two daughters, Abigail and Maile.



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BIOGRAPHY

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BIOGRAPHY

Home (https://www.lgraham.senate.gov/public/index.cfm/home) / About (https://www.lgraham.senate.gov/public/index.cfm/about) / Biography (https://www.lgraham.senate.gov/public/index.cfm/biography)

Lindsey Graham has earned a reputation as a conservative problem-solver and one of the strongest proponents of a robust national defense.

A frequent visitor to American troops stationed overseas for on-the-ground assessments, Graham has consistently pushed for outcomes in the War on Terror which protect our long-term national security interests. One leading conservative recently wrote that when it comes to defending America, "[Lindsey] Graham has been right about more things on foreign policy for longer than just about anyone...if anyone has bragging rights on foreign policy, it is Graham."

Graham is also a leader in cutting spending, reforming entitlements, and getting government out of the way so businesses can create jobs. One national conservative organization called him a Taxpayer Hero who puts "the interests of the taxpayer ahead of politics by consistently voting to cut wasteful spending, reduce the tax burden, and make government more accountable to taxpayers."

Graham was elected to the United States Senate in 2002 and was re-elected in 2008 and 2014. He became the first person in South Carolina history to garner over one million votes in the 2008 general election.

Graham currently serves as the Chairman of the Senate Judiciary Committee.

Prior to serving in the Senate, Graham was elected to the U.S. House of Representatives in 1994 as the first Republican from the Third Congressional District of South Carolina since 1877.

Before being elected to Congress, Graham compiled a distinguished record in the United States Air Force as he logged six-and-a-half years of service on active duty as an Air Force lawyer. From 1984-1988, he was assigned overseas and served at Rhein-Main Air Force Base in Germany. Upon leaving active duty Air Force in 1989, Graham joined the South Carolina Air National Guard where he served until 1995. During the first Gulf War in the early 90's, Graham was called to active duty and served state-side at McEntire Air National Guard Base as Staff Judge Advocate where he prepared members for deployment to the Gulf region.

In 1995, Graham joined the U.S. Air Force Reserves. During American military operations in Iraq and Afghanistan, Graham put his experience in military law to use pulling numerous short-term Reserve duties in both countries over congressional breaks and holidays.

Graham retired from the Air Force Reserves in June 2015 having served his country in uniform for 33 years. He retired at the rank of Colonel.

A native South Carolinian, Graham grew up in a blue collar family in the small town of Central where his parents ran a restaurant and pool hall. The first member of his family to go to college, Graham earned his undergraduate and law degrees from the University of South Carolina. He lives in Seneca and is a member of Corinth Baptist Church.

RELATED

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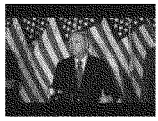

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(https://www.lgraham.senate.gov/public/index.cfm/videos?ID=EDB3B95E-A9E7-4F1C-B0CC-B5BFE68F28BF)



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INHOFE, James Mountain

1934 –

18 US Congresses Served
100th - 103rd (1987 - 1995)
103rd - 117th (1994 -)

House Years of Service
1987 - 1995

Senate Years of Service
1994 -

State / Territory
Oklahoma

2 Positions
Representative
Senator

Party
Republican

Biography

INHOFE, James Mountain, a Senator and a Representative from Oklahoma; born in Des Moines, Iowa, November 17, 1934; attended public schools in Tulsa, Okla.; B.A., University of Tulsa 1973; served in the U.S. Army 1957-1958; president, Quaker Life Insurance Company; member, Oklahoma State house of representatives 1967-1969; State senate 1969-1977; unsuccessful candidate for Governor of Oklahoma 1974, and for the U. S. House of Representatives 1976; mayor of Tulsa 1978-1984; elected as a Republican to the One Hundredth and to the three succeeding Congresses and served from January 3, 1987, to November 15, 1994, when he resigned, having been elected to the United States Senate in the November 8, 1994, special election to the unexpired portion of the term ending January 3, 1997, left vacant by the resignation of David L. Boren; took the oath of office on November 17, 1994; elected for a full term in 1996; reelected in 2002, 2008, 2014, and again 2020 for the term ending January 3, 2027; chair, Committee on Environment and Public Works (One Hundred Eighth, One Hundred Ninth, and One Hundred Fourteenth Congresses), Committee on Armed Services (One Hundred Fifteenth and One Hundred Sixteenth Congresses).

Congresses

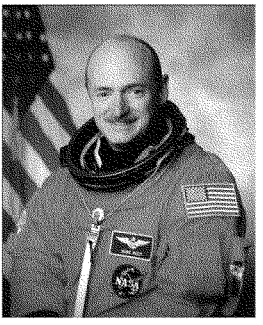
CONGRESS	POSITION	PARTY	STATE	START
100	Representative	Republican	Oklahoma	
101	Representative	Republican	Oklahoma	
102	Representative	Republican	Oklahoma	

Biographical Data

Lyndon B. Johnson Space Center
Houston, Texas 77058

National Aeronautics and Space Administration

MARK E. KELLY (CAPTAIN, USN)
NASA ASTRONAUT



PERSONAL DATA: Mark Edward Kelly is the son of Richard and Patricia Kelly, two retired police officers. He was born in Orange, New Jersey, on February 21, 1964, and raised in West Orange, New Jersey. Kelly is married to U.S. Congresswoman Gabrielle Giffords. Kelly's identical twin brother, Scott J. Kelly, is also an astronaut and served as commander of International Space Station (ISS) Expedition 26. The Kelly brothers are the only siblings who have both traveled in space.

EDUCATION: Kelly graduated from Mountain High School in 1982. He received a B.S. degree in marine engineering and nautical science from the United States Merchant Marine Academy, graduating with highest honors in 1986. In 1994, he received an M.S. degree in aeronautical engineering from the U.S. Naval Postgraduate School.

AWARDS: Defense Superior Service Medal (with one bronze oak leaf cluster); Distinguished Flying Cross; Air Medal (with valor device and three bronze service stars); Navy Commendation Medal (with valor device and one bronze service star); Navy Achievement Medal; Southwest Asia Service Medal (with one bronze service star); Navy Expeditionary Medal; National Defense Service Medal (with one bronze service star); Navy Unit Commendation (with one bronze service star); Sea Service Deployment Ribbon (with one bronze service star); Overseas Service Ribbon; Kuwait Liberation Medal (Saudi Arabia); Kuwait Liberation Medal (Kuwait); NASA Exceptional Service Medal; NASA Space Flight Medal (with three bronze service stars).

EXPERIENCE: In December 1987, Kelly became a naval aviator and received initial training on the A-6E Intruder attack aircraft. He was then assigned to VA-115 (Attack Squadron 115) in Atsugi, Japan, and made two deployments to the Persian Gulf on the aircraft carrier USS Midway, flying 39 combat missions in Operation Desert Storm. After receiving his master's degree, he attended the U.S. Naval Test Pilot School from June 1993 to June 1994. He has logged more than 5,000 hours in more than 50 different aircraft and has over 375 carrier landings.

At this time, Kelly remains on active duty. He is on loan to NASA and holds the rank of Captain in the U.S. Navy.

On Tuesday, June 21, 2011, Kelly announced his retirement from the U.S. Navy, and NASA, effective October 1, 2011.

SPACEFLIGHT EXPERIENCE:

Kelly's first trip into space was as pilot of STS-108. After several delays, Endeavour lifted off on December 5, 2001, on the final shuttle mission of 2001. STS-108 Endeavour visited the ISS, delivering over three tons of equipment, supplies, and a fresh crew to the orbiting outpost. Kelly and Mission Specialist Linda Godwin used the shuttle's robotic arm to lift the Raffaello Multi-Purpose Logistics Module from the shuttle payload bay and attach it to a berth on the station's Unity node. Mission managers extended Endeavour's flight duration to 12 days to allow the crew to assist with additional maintenance tasks on the station, including work on a treadmill and replacing a failed compressor in one of the air conditioners in the Zvezda Service Module. Kelly traveled over 4.8 million miles and orbited the earth 186 times over 11 days and 19+ hours.

In July 2006, Kelly served as pilot for STS-121 Discovery, the second "Return to Flight" mission following the loss of Columbia in February 2003. The main purposes of the mission were to test new safety and repair techniques introduced following the Columbia disaster as well as to deliver supplies, equipment, and European Space Agency (ESA) astronaut Thomas Reiter from Germany to the ISS. The transfer of Reiter to the ISS returned the station to a three crew member staffing level. During the STS-121 mission to the ISS, the crew of Discovery continued to test new equipment and procedures for the inspection and repair of the thermal protection system that is designed to increase the safety of the shuttles. It also delivered more supplies and cargo for future ISS expansion. Kelly traveled over 5.28 million miles and orbited the Earth 202 times over 12 days and 18+ hours.

-more-

STS-124 Discovery was Kelly's first mission as commander. Kelly and his crew delivered the pressurized module for Kibo to the ISS. The module is the largest component of the Kibo laboratory and the station's largest habitable module. Discovery also delivered Kibo's Remote Manipulator System. Perhaps the most important part they delivered was a replacement part for the station's toilet. The single toilet on the ISS had been malfunctioning for a week, creating a potentially serious problem for the crew. Kelly traveled over 5.7 million miles and orbited the earth 218 times over 13 days and 18 hours.

STS-134 launched on May 16, 2011. Kelly's wife, Gabrielle Giffords, traveled to Florida on her first trip since moving from Tucson to Houston in January after an attempted assassination. Kelly was the commander of the mission, which was Space Shuttle Endeavour's last. He and his crew delivered the Alpha Magnetic Spectrometer (AMS) to the ISS. AMS is a 15,000-lb cosmic particle detector that was installed on the outside of the space station. Its experiments will help researchers study the formation of the universe and search for evidence of dark matter and antimatter. Kelly traveled more than 6.5 million miles and orbited the earth 248 times over 15 days, 17 hours, and 38 minutes.

JULY 2011

A drive that stunned Markey's family, and never ebbed

bostonglobe.com/news/nation/2013/04/20/markey-rode-anti-vietnam-post-watergate-yearnings-seat-congress/geRkNb4wX1HRtZElFpXpgI/story.html

By Noah Bierman Globe Staff,April 21, 2013, 12:00 a.m. Email to a Friend Share on Facebook Share on Twitter Print this Article View Comments



In the annals of political break-ins, it was hardly Watergate. But sneaking into the Massachusetts State House with a camera crew on a summer Sunday in 1976 proved to be a pivotal moment that launched Edward J. Markey's long career in Washington.

Once inside the quiet State House, Markey and his congressional campaign team pushed a desk into an empty hallway and shot a television commercial that catapulted Markey — an obscure 29-year-old state representative — to the forefront of a 12-person Democratic primary for the US House.

Markey was recreating an episode that illustrated his defiance of powerful House leaders, who had ordered the furniture removed from his office in retaliation for his sponsorship of a court reform bill leaders had tried to quash.

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"The bosses may tell me where to sit," Markey said in the ad, after the camera shows a wooden desk marooned into the hallway. "No one tells me where to stand."

That campaign spot remains legendary within Massachusetts political circles for its sharp and defiant message. Perfectly attuned to post-Watergate, post-Vietnam yearnings, it marked the moment when Markey's political ambitions kicked into overdrive, carrying him from his working-class Malden district into Congress.



"The bosses may tell me where to sit. No one tells me where to stand," Markey said in his campaign ad.

"It was a period of intense political dynamism," Markey said.

Markey had entered politics, campaigning for the State House as a Boston College law student in 1972. Though a proud Irish Catholic inspired by John F. Kennedy, he spurned the tribal politics of Beacon Hill and defied the older Irish establishment that ran the state's political machine.

Markey opposed the Vietnam War and avoided the draft and overseas deployment by attending college and law school and enlisting in the Army reserves. The only jobs he would ever hold outside of politics were summer gigs as "Eddie the Ice Cream Man" selling Fudgsicles and Beatle Bars out of an ice cream truck and a stint as a substitute teacher.

Advertisement



A frame grab from Markey's famous 1976 campaign ad.

Politics "was something that had really begun to develop in my brain, especially since Bobby Kennedy had been assassinated," Markey said in an interview. "I saw this as an opportunity to make a difference, and to go up to the State House and be part of this movement to change America."

Politics, a stunning decision

Markey, who is running in the Democratic primary to fill the Senate seat left vacant by the elevation of John F. Kerry to secretary of state, was born in an Irish Catholic neighborhood of Malden, in 1946.

His father John E. Markey, whom Markey frequently invokes on the campaign trail as a hard-working milkman, eventually worked his way up to assistant manager of H.P. Hood and Co.'s foods division. Together with his wife, Christina, they raised three boys, including Markey's twin brothers Richard and John K., born just 13 months after the congressman.

Markey lived with his family and commuted to Boston College and Boston College Law School, where he earned degrees that made him a "Double Eagle," a valuable credential in Massachusetts politics.



The Markey family in 1952: Edward flanked by his brothers Richard (left) and John, with their parents, John and Christina.

Kitchen table discussions revolved around school and sports, though young Ed, who had an uncanny knack for memorizing batting averages, spent his evenings in high school learning politics from the Jerry Williams radio show every night at 10 p.m. on a transistor radio. (He said the only other careers he ever considered were sports journalism and owning his own ice cream truck.)

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But it still came as a shock to his family when he came home one day in the third year of law school and announced he would run for office.

"No one knew that Ed harbored these secret ambitions until that spring night," Richard Markey recalled.

His family laughed, and Ed Markey stormed out in anger at not being taken seriously, Richard recalled, though Ed Markey denies he had that reaction.

Markey's mother had little regard for politicians and bragged that she'd never asked one for anything. She hoped her oldest son would use his education "for something better," Richard Markey, an attorney in Charlestown, recalled.

"There was nothing in our history that suggested a Markey brother would run for office," said John K. Markey, the other twin, now an attorney for Mintz Levin. "It was a novelty. We had no politicians in our family."

Vietnam and Army Reserve

But anti-Vietnam War fervor swept through Boston College during Markey's junior year. The Catholic college was not wracked by mass demonstrations or campus strikes at first. Students mounted subtler forms of protest, including no longer wearing jackets and ties to class. The doubts about authority there echoed the rest of the country, however, and grew as students saw neighbors go off to war and die.

Markey and his brothers avoided that risk, winning acceptance into the Army Reserve, where they processed paperwork in a South Boston office rather than face deployment in Southeast Asia.

The Army Reserve served as refuge for the lucky, and in some cases, the well-connected. Markey's unit included Thomas P. O'Neill III, son of the House speaker, who later served in the state Legislature with Markey before becoming lieutenant governor; and Steven

Grossman, the current state treasurer whose uncle ran a congressional campaign for Robert Drinan, an antiwar Jesuit priest.

Advertisement



Markey first ran for the State House in 1972.Diana Bowen

"None of us wanted to be going off to a war that none of us were in agreement with," said Richard Markey. "You either went to Canada or you got into a reserve unit."

Ed Markey and his brother John said the representative never considered Canada. Ed Markey said he would have gone to Vietnam if he had failed to win a spot in the reserve and been drafted. Markey's campaign said he did not receive a draft notice until after he became a reservist, meaning it did not apply to him.

Asked if he sought a spot in the reserve to avoid combat, Markey said "it was more a question of knowing I could continue my law school education."

All three Markey brothers said they received no special help in securing their reserve positions. They just persisted until finally finding a spot.

"You just went from reserve unit to reserve unit to see if they had an opening," Richard said.

Ed Markey said his family "didn't know any political leaders, business leaders, or any other prominent leaders" who could have helped them get into the reserve.

"Before I went to law school, I never met a lawyer," he said. "Before I went to Congress, I had never been to Washington."

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Markey landed a spot with a New Hampshire Reserve unit, and then transferred to Boston, earning the rank of specialist, fourth class before his discharge, he said.

His duties were limited to several months of training in Texas and Arizona, meetings in South Boston once a week, two days a month of clerical work, and two weeks of summer duty.

The Globe obtained a two-page synopsis of Markey's Army Reserve records from the National Personnel Records Center, which shows he was discharged nearly a year before his six-year commitment ended, though such early separations were not uncommon by 1973 as the Army's needs diminished.

Markey's staff said earlier this month that he would also request his larger, complete file, but during an interview Wednesday, Markey said he had not yet made the request and would not commit to sharing his file with the Globe when he receives it.

At least 48 members of Markey's class of 1968 at Boston College did go to Vietnam, including six who died in action, according to an online repository maintained by the BC alumni magazine.

One member of the class, Greg Bonner, now a marketing professor at Villanova University in Philadelphia, said he trained as an officer after his local draft board refused to grant him a deferment for an additional year so he could become a premed major.

He served in the Navy, in the rivers of Vietnam. He knew people who secured spots in the reserve units, including a close friend who had no special connections.

"It was considered somewhat avoidance, not the same as going to Canada," he said. "But whatever. People had their choices to make."

First campaign, first win

Grossman said he and Markey became friendly during reserve duty and were inspired by Drinan's 1970 congressional victory over Representative Philip J. Philbin, an incumbent.

"It was a transformative moment," Grossman said. "Ed and I would talk about the power of organizing and the ability of younger people in politics to change the face of a community."

Drinan was serving as dean of BC Law School during his campaign and drew help from students to pound home his antiwar message. During the campaign, the war protests grew louder and more disruptive. Markey's first-year law exams were canceled as students around the nation went on strike after the killing of four Kent State students and the wounding of nine others by National Guardsmen during a protest.

Markey began contemplating a run for mayor or state Legislature, according to his brother Richard and his friend since law school, James Segel. He sought out Segel, who had run and lost a state legislative race. Together in the yard and the cafeteria, they plotted how both would run for office, while still in their third year of law school, Markey and Segel said.



Markey has a photo of Tip O'Neill in his office.Drew Angerer for the Boston Globe/Globe Freelance

Markey's family eventually signed on to the quest as Markey targeted an incumbent from his party, William R. Callahan, a well-liked figure in the community who was more than two decades older than Markey. Markey and his brothers set out to knock on virtually every voter's door in the district.

"We opened up a little hole-in-the-wall campaign office and people started drifting in," Richard Markey recalled, "law school classmates of Ed and John, friends of ours who we had grown up with in Malden, and we each sort of took a third of the district."

The slogan was fairly generic: A Chance for Change. Markey promised to work as a full-time legislator, rather than hold a second job, as many on Beacon Hill still do. He won a tight primary — 1,810 votes to 1,597 — before easily taking the general election against a pair of independent candidates.

Revelling in rebelling

When Markey arrived on Beacon Hill, he joined what would become a legendary class of 1973 freshmen lawmakers, including dozens of young progressives elected on platforms of challenging the entrenched Democrats who controlled the State House.

"The first two years, I think for all of us, was like getting a PhD in advanced political study," Markey said. "It was a bubbling, boiling cauldron of excitement."

Markey was assigned a seat on the House floor next to the progressives' unofficial leader, Barney Frank, already an intellectual force. Mel King, a boundary-breaking African-American lawmaker from Boston, sat nearby. And Segel, Markey's law school friend, also became a leader of they called the Democratic Study Group.

"We stayed together despite enormous pressure from the House leadership, the Senate leadership," Segel said.

The upstart lawmakers bucked the leaders to create a minority state senate district. They fought against cuts to human services. Markey served on the judiciary committee and sought to end a practice by which state judges also moonlighted as private attorneys — which raised the possibility of conflicts of interest. They also targeted the awarding of part-time judgeships, a valuable patronage tool.

House Speaker Thomas W. McGee and the other leaders were furious when Markey rallied enough lawmakers to pass the change, despite McGee's opposition. McGee stripped Markey of his committee post.

Frank said Markey's defiance was especially galling to House leaders, who were more tolerant of dissent from outside their tribe. Frank, Segel, and Lois Pines were Jewish liberals from the Back Bay, Brookline, and Newton. King and Doris Bunte were African-Americans from Boston.

"They basically said, 'Hey, Markey, you're a good Irish kid from Boston College,' " Frank said. "'What are you voting with the liberals for?'"

(McGee died in December. Markey attended his funeral and friends said McGee later came to relish the story and to like Markey.)

But even as some applauded Markey's courage, others saw opportunism, especially when Markey staged a press conference in the hallway, to show reporters that his desk had been thrown out and his committee position stripped.

"I think he was trying to carve out a niche for himself," said John R. Buckley, who served as a committee chairman at the time. "Maybe he was trying to assume the leadership of that group, the group of insurgents, or young Turks, call them what you want."

As Markey developed a reputation for defiance, it became obvious he would not rise to a leadership position in the House. Meanwhile, Torbert Macdonald, the blue-blooded congressman whose district encompassed Malden, was ailing.

Markey knew how rare open House seats were and was tempted to run, even though he had only been in the State House for less than two full terms.

"He was thinking of going either way," said James E. Smith, one of Markey's confidants in the Legislature. "And I said 'Eddie, it's a once-in-a lifetime opportunity. You should take it.' "

Eleven other people decided to take the same risk, making for a chaotic Democratic primary in a district where the nominee was almost assured of winning the general election.

It included a well-connected member of the governor's council, the mayors of Everett and Revere, a former Harvard football star from Everett, and Stephen J. McGrail, a state senator who was even younger than Markey.

The district, which extended from Winthrop to Burlington, "was flooded with advertisements and bumper stickers and roof rack signs and billboards," said McGrail, who finished fourth and years later became the state's top emergency manager. It was, he added, "the most fought after seat for that year, at least, in Democratic politics, and maybe for the decade.

"It was really hand-to-hand combat."

Macdonald aide Joseph E. Croken, who had Macdonald's Rolodex, family endorsement, and a 25-year history of helping constituents, came on late as Markey's main competitor.

Markey sought to blur ideological lines, taking socially conservative positions on abortion, school prayer, and busing, along with more liberal positions on almost everything else.

"I am not a conservative and I am not a liberal," he said during the campaign. "I am a reasonable man."

He also developed a large field operation, fueled in part by the people he met while selling ice cream in Malden, Melrose, and Fenway Park.

But his biggest gamble was producing a television commercial, considered by many to be a potential waste of money in a congressional race because audience in the Boston television market was far larger than the district.

The desk-in-the-hall commercial, filmed on that Sunday in the State House, became the defining moment of the race. The clinching line was written by veteran political ad man Daniel Payne, in collaboration with Barney Frank's brother, David, according to Payne.

It was a "jaw dropper," McGrail said. "As soon as you saw it you said 'Uh-oh. This is it.' It was that effective and that good. Everyone else just fell backward."

It also drew volunteers and donors to Markey's campaign. Markey no longer had to explain who the candidate was. He was the guy with the desk in the hall. Markey raised about $80,000 for the primary, according to records, which put him among the top five candidates in the race.

Even with the splash of publicity from the ad, it was hardly a runaway. Markey took 21 percent of the vote, or nearly 6,000 votes more than Croken, who finished second.

On election night, McGrail ran into McGee, just as he was leaving his campaign party at Caruso's Diplomat, the old function hall in Saugus.

"'Steve, I'm sorry I guess I just made a congressman,' " McGrail said McGee told him. "And I said 'Tom you didn't make the congressman. He ran a better campaign and he outworked us all.' "

Noah Bierman can be reached at nbierman@globe.com. Follow him on Twitter @noahbierman.

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Roger Marshall

Roger Marshall (Republican Party) is a member of the U.S. Senate from Kansas. He assumed office on January 3, 2021. His current term ends on January 3, 2027.

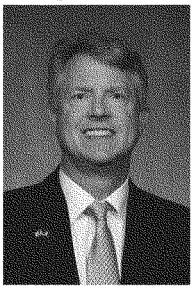
Marshall (Republican Party) ran for election to the U.S. Senate to represent Kansas. He won in the general election on November 3, 2020.

Marshall defeated the previous incumbent, Tim Huelskamp, in the Republican primary for Kansas' 1st Congressional District in 2016. Marshall won re-election in 2018 with 68.1 percent of the vote.

Click here to read about key votes made by Roger Marshall.

Prior to serving in the U.S. Congress, Marshall served in the U.S. Army Reserve from 1984 to 1991 and started a medical practice as an obstetrician.[1]

Roger Marshall



Republican Party
U.S. Senate Kansas
Tenure
2021 - Present
Term ends
2027
Years in position
0
Prior offices
U.S. House Kansas District 1

Compensation
Base salary $174,000
Elections and appointments
Last elected November 3, 2020
Contact
Official website
Official YouTube

Career

Below is an abbreviated outline of Marshall's academic, professional, and political career:[1]

- 2017-Present: U.S. Representative from Kansas' 1st Congressional District
- Physician
- 1984-1991: United States Army Reserve
- 1987: Graduated from the University of Kansas School of Medicine with an M.D.
- Graduated from Kansas State University with a B.S.
- 1980: Graduated from Butler Communi[illegible] with an A.S.

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Committee assignments

U.S. House

2019-2020

Marshall was assigned to the following committees:[Source]

- Committee on Science, Space, and Technology
- Committee on Agriculture

2017-2018

At the beginning of the 115th Congress, Marshall was assigned to the following committees:[2]

- Committee on Agriculture
- Committee on Science, Space, and Technology
- Committee on Small Business

Key votes

See also: Key votes

Ballotpedia monitors legislation that receives a vote and highlights the ones that we consider to be key to understanding where elected officials stand on the issues. To read more about how we identify key votes, click here.

Key votes: 116th Congress, 2019-2020

U.S. Rep. Marshall **voted against:**

U.S. House Joint Resolution 46

Terminate border wall emergency declaration

To terminate President Trump's declaration of an emergency at the U.S.-Mexican border, which allowed him to bypass Congress and re-allocate funds to build a border wall.

Passed 245 to 182 in the U.S. House of Representatives on February 25th, 2019

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U.S. House Bill 1644

Re-impose federal net neutrality rules

To reinstate Federal Communications Commission

rules that would regulate Internet service providers as public utilities. The rules would prohibit providers from offering pricing models that let websites or customers pay more to get faster

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Key votes: 115th Congress, 2017-2018

For detailed information about each vote, click here.

Votes on domestic policy (click to expand)

Votes on economic affairs and regulations (click to expand)

Votes on foreign policy and national security issues (click to expand)

2018

See also: Kansas' 1st Congressional District election, 2018

General election

Incumbent Roger Marshall defeated Alan LaPolice in the general election for U.S. House Kansas District 1 on November 6, 2018.

General election for U.S. House Kansas District 1

		Candidate	%	Votes
✓		**Roger Marshall** (R)	68.1	153,082
		Alan LaPolice (D)	31.9	71,558

BP Incumbents are **bolded and underlined**. The results have been certified. Source

Total votes: 224,640

Withdrawn or disqualified candidates

- Tim Huelskamp (R)

Democratic primary election

Alan LaPolice advanced from the Democratic pr...a... 1 ...ist 7, 2018.

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Democratic primary for U.S. House Kansas District 1

		Candidate	%	Votes
✓		Alan LaPolice	100.0	17,195

There were no incumbents in this race. The results have been certified. Source

Total votes: 17,195

Withdrawn or disqualified candidates

- Tim Huelskamp (R)

Republican primary election

Incumbent Roger Marshall defeated Nick Reinecker in the Republican primary for U.S. House Kansas District 1 on August 7, 2018.

Republican primary for U.S. House Kansas District 1

		Candidate	%	Votes
✓		**Roger Marshall**	78.7	64,843
		Nick Reinecker	21.3	17,593

Incumbents are **bolded and underlined**. The results have been certified. Source

Total votes: 82,436

Withdrawn or disqualified candidates

- Tim Huelskamp (R)

2016

See also: Kansas' 1st Congressional District election, 2016

Heading into the election, Ballotpedia rated this race as safely Republican. Roger Marshall (R) defeated Alan LaPolice (I) and Kerry Burt (L) in th[illegible] 201[illegible] Marshall defeated incumbent Tim Huelskamp in the [illegible] 2[illegible] Democrats filed to run.[41][42]

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U.S. House, Kansas District 1 General Election, 2016 [hide]				
Party		Candidate	Vote %	Votes
	Republican	✓**Roger Marshall**	65.9%	169,992
	Independent	Alan LaPolice	26.3%	67,739
	Libertarian	Kerry Burt	7.5%	19,366
	N/A	Write-in	0.3%	874
Total Votes				**257,971**
Source: Kansas Secretary of State				

U.S. House, Kansas District 1 Republican Primary, 2016 [hide]		
Candidate	Vote %	Votes
✓**Roger Marshall**	56.6%	59,889
Tim Huelskamp ***Incumbent***	43.4%	45,997
Total Votes		**105,886**
Source: Kansas Secretary of State		

Elections

2020

See also: United States Senate election in Kansas, 2020
United States Senate election in Kansas, 2020 (August 4 Republican primary)
United States Senate election in Kansas, 2020 (August 4 Democratic primary)

General election

General election for U.S. Senate Kansas

Roger Marshall defeated Barbara Bollier and Jason Buckley in the general election for U.S. Senate Kansas on November 3, 2020.

		Candidate	%	Votes
✓		Roger Marshall (R)	53.2	727,962
		Barbara Bollier (D)		

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	Jason Buckley (L)	5.0	68,263

There were no incumbents in this race. The results have been certified. Source

Total votes: 1,367,755

Democratic primary election

Democratic primary for U.S. Senate Kansas

Barbara Bollier defeated Robert Tillman in the Democratic primary for U.S. Senate Kansas on August 4, 2020.

		Candidate	%	Votes
✓		Barbara Bollier	85.6	152,889
		Robert Tillman	14.4	25,656

There were no incumbents in this race. Source

Total votes: 178,545 (100.00% precincts reporting)

Republican primary election

Republican primary for U.S. Senate Kansas

The following candidates ran in the Republican primary for U.S. Senate Kansas on August 4, 2020.

Scroll for more ↓

		Candidate	%	Votes
✓		Roger Marshall	40.3	167,800
		Kris Kobach	26.1	108,726
		Bob Hamilton	18.7	77,952
		Dave Lindstrom		

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	Steve Roberts	2.0	8,141
	Brian Matlock	1.7	7,083
	Lance Berland	1.5	6,404
	John Miller	1.1	4,431
	Derek Ellis	1.0	3,970

BP There were no incumbents in this race. The results have been certified. Source

Total votes: 416,563 (100.00% precincts reporting)

Withdrawn or disqualified candidates

- Barry Grissom (D)
- Nancy Boyda (D)
- Jacob LaTurner (R)
- Elliott Adams (D)
- Bryan Pruitt (R)
- Usha Reddi (D)
- Susan Wagle (R)
- Paul Tuten (None)
- Adam Smith (D)

Candidate profile

Roger Marshall

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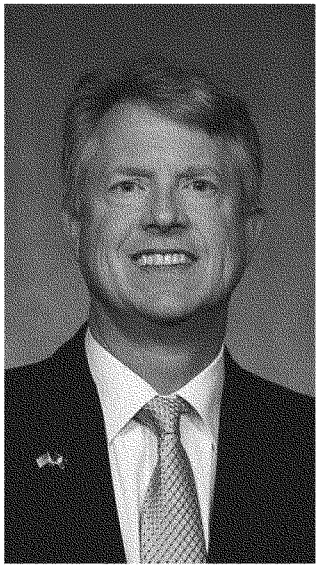

Party: Republican Party

Incumbent: No

Political Office:
U.S. House (Assumed office: 2017)

Biography:
Marshall graduated with a B.S. in biochemistry from Kansas State University and an M.D. from the University of Kansas. He served in the U.S. Army Reserves from 1984 to 1991. Marshall practiced medicine as an OB/GYN in Great Bend, Kansas, and served as chairman of the board of Great Bend Regional Hospital.

Key messages

- Marshall said he had delivered on the three promises he made when elected to Congress: "Get Kansas a seat back on the Agriculture Committee, help write a Farm Bill that protects crop insurance, and jumpstart the economy by rolling back regulation and passing a tax cuts bill."
- Marshall emphasized his background as an OB/GYN and his efforts in Congress to eliminate taxpayer funding for abortions, defund Planned Parenthood, and ban abortion after 20 weeks nationwide.
- Marshall said Bollier was too liberal for [illegible] dismemberment abortions ... , pushed a gu[illegible] funded tuition for illegal immigrants."

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Sources: *Roger Marshall 2020 campaign website*, "Home," accessed September 17, 2020; *Roger Marshall 2020 campaign website*, "Issues," accessed September 17, 2020; *YouTube*, "Hear This," September 7, 2020; *Biographical Directory of the United States Congress*, "MARSHALL, Roger Wayne (1960-)," accessed May 3, 2020; *Congressman Roger Marshall*, "About Me," accessed May 3, 2020; *Roger Marshall 2020 campaign website*, "Meet Doc," accessed May 3, 2020

2018

See also: Kansas' 1st Congressional District election, 2018

General election

Incumbent Roger Marshall defeated Alan LaPolice in the general election for U.S. House Kansas District 1 on November 6, 2018.

General election for U.S. House Kansas District 1

		Candidate	%	Votes
✓		**Roger Marshall** (R)	68.1	153,082
		Alan LaPolice (D)	31.9	71,558

BP Incumbents are **bolded and underlined**. The results have been certified. Source

Total votes: 224,640

Withdrawn or disqualified candidates

- Tim Huelskamp (R)

Democratic primary election

Alan LaPolice advanced from the Democratic primary for U.S. House Kansas District 1 on August 7, 2018.

Democratic primary for U.S. House Kansas District 1

		Candidate	%	Votes
✓		Alan LaPolice	100.0	17,195

BP There were no incumbents in this race. The results have b certified. Source

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Withdrawn or disqualified candidates

- Tim Huelskamp (R)

Republican primary election

Incumbent Roger Marshall defeated Nick Reinecker in the Republican primary for U.S. House Kansas District 1 on August 7, 2018.

Republican primary for U.S. House Kansas District 1

		Candidate	%	Votes
✓		**Roger Marshall**	78.7	64,843
		Nick Reinecker	21.3	17,593

BP Incumbents are **bolded and underlined**. The results have been certified. Source

Total votes: 82,436

Withdrawn or disqualified candidates

- Tim Huelskamp (R)

2016

See also: Kansas' 1st Congressional District election, 2016

Heading into the election, Ballotpedia rated this race as safely Republican. Roger Marshall (R) defeated Alan LaPolice (I) and Kerry Burt (L) in the general election on November 8, 2016. Marshall defeated incumbent Tim Huelskamp in the Republican primary on August 2, 2016. No Democrats filed to run.[41][42]

U.S. House, Kansas District 1 General Election, 2016 [hide]				
Party		Candidate	Vote %	Votes
	Republican	✓**Roger Marshall**	65.9%	169,992
	Independent	Alan LaPolice	26.3%	67,739
	Libertarian	Kerry Burt	7.5%	19,366
	N/A	Write-in	0.3	
Total Votes				257,971

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Source: Kansas Secretary of State

U.S. House, Kansas District 1 Republican Primary, 2016 [hide]		
Candidate	Vote %	Votes
✓**Roger Marshall**	56.6%	59,889
Tim Huelskamp ***Incumbent***	43.4%	45,997
Total Votes		**105,886**
Source: Kansas Secretary of State		

Campaign themes

2020

Ballotpedia survey responses

See also: Ballotpedia's Candidate Connection

Roger Marshall did not complete Ballotpedia's 2020 Candidate Connection survey.

Campaign website

Marshall's campaign website stated the following:

> "COMMONSENSE PROBLEM-SOLVING
>
> Dr. Marshall always says that the best physicians are the best listeners, and he believes the same is true for elected office. Not only is Dr. Marshall committed to conservative Kansas values, but he is committed to being a leader who will listen to those who elect him. That's why he's done more town halls than any Member of Congress.
>
> This does not mean Dr. Marshall will agree with everyone, but it does mean he will engage voters and actually listen to our concerns and won't be beholden to those special interests handing out meaningless indexes and scorecards.
>
> HEALTHCARE REFORM
>
> As a physician, Doc has seen firsthand the negative consequences of government-controlled healthcare systems. Obamacare, and now, government-controlled socialized medicine are some of the most egregious examples of what Doc has fought against.
>
> Government-run healthcare has not on[illegible] y interferes with the doctor-patient relations[illegible] thrive in America and rural Kansas, we mus[illegible] n"

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2016

The following issues were listed on Marshall's campaign website. For a full list of campaign themes, click here.

> "
> - **Healthcare**: The most important issue in health care is the sanctity of the doctor-patient relationship. When government gets involved, prices increase and quality of care decreases. By interfering with the free market, government creates distortions that have led to more government intervention. Obamacare, or the so-called Affordable Care Act, is neither affordable nor caring – it must be repealed and replaced.
> - **The Kansas Economy**: The best way to encourage job creation is to get government out of the way and allow the entrepreneurial spirit to prosper. Too often, businesses growth is stymied by complex regulations with ever changing interpretations and laws which are passed though they were never read in their entirety. Too often, the hands of business leaders are tied and stagnation, rather than growth, incentivized.
> - **Pro-Life**: Roger Marshall is staunchly pro-life and will oppose any efforts to ever use taxpayer funding for abortions.
> - **2nd Amendment & National Defense**: The most basic role of government is to defend Americans and to never encroach on citizens' right to also defend themselves. Dr. Marshall will make sure that your 2nd Amendment rights are never infringed upon. We must ensure that Ft. Riley and our other military installations are fully funded.
> - **Agriculture & EPA**: Agriculture is the life blood of Kansas and we Kansans know our land better than federal bureaucrats. Puddles are puddles – they are not wetlands. Ditches are ditches – they are not navigable streams. Lesser Prairie Chickens are great birds, but the economic consequences of federally listing them as "threatened" are totally unjustified. Farm dust does settle and is not a visibility or clean-air issue to be controlled by unelected Washington bureaucrats.[43] "
>
> —Roger Marshall's campaign website, http://www.kansansformarshall.com/issues

Noteworthy events

Electoral vote certification on Jai

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See also: Certification of electoral votes (January 6-7, 2021)

Congress convened a joint session on January 6-7, 2021, to count electoral votes by state and confirm the results of the 2020 presidential election. Marshall voted against certifying the electoral votes from Arizona and Pennsylvania. The Senate rejected both objections by a vote of 6-93 for Arizona and 7-92 for Pennsylvania.

Campaign donors

Comprehensive donor history

Note: The finance data shown here comes from the disclosures required of candidates and parties. Depending on the election or state, this may represent only a portion of all the funds spent on their behalf. Satellite spending groups may or may not have expended funds related to the candidate or politician on whose page you are reading this disclaimer. Campaign finance data from elections may be incomplete. For elections to federal offices, complete data can be found at the FEC website. Click here for more on federal campaign finance law and here for more on state campaign finance law.

Roger Marshall campaign contribution history

Year	Office	Result	Contributions
2018	U.S. House Kansas District 1	✓	$1,228,698
2016	U.S. House, Kansas District 1	✓	$1,477,370
Grand total raised			**$2,706,068**

Source: *Follow the Money*

2018

U.S. House Kansas District 1 2018 election - Campaign Contributions	
Top industry contributors to Roger Marshall's campaign in 2018	
Finance, Insurance & Real Estate	$147,250.00
Agriculture	$141,150.00
Health	$141,000.00
Energy & Natural Resources	$90,250.00

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General Business	$61,500.00
Total Raised in 2018	**$1,228,698.40**
Source: Follow the Money	

2018

U.S. House Kansas District 1 2018 election - Campaign Contributions	
Top individual contributors to Roger Marshall's campaign in 2018	
CASPER, ROBERT K	$5,400.00
REEVE, LEE M	$5,400.00
KIDAN, ADAM	$5,000.00
HARSHBERGER, GARY K	$5,000.00
POWELL, NICHOLAS	$3,700.00
Total Raised in 2018	**$1,228,698.40**
Source: Follow the Money	

2016

Marshall won election to the U.S. House in 2016. During that election cycle, Marshall's campaign committee raised a total of $1,477,370 and spent $1,444,637.[45] This is less than the average $1.46 million spent by U.S. House winners in 2016.[46]

Cost per vote

Marshall spent $8.5 per general election vote received in 2016.

U.S. House, Kansas District 1, 2016 - Roger Marshall Campaign Contributions [hide]	
Total Raised	$1,477,370
Total Spent	$1,444,637
Total Raised by Election Runner-up	$131,842
Total Spent by Election Runner-up	$135,494
Top contributors to Roger Marshall's campaign committee	
Nueterra Capital	$36,800
American Medical Assn	
American Academy of Family Physicians	$10,000

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American Bankers Assn	$10,000
American College of Surgeons	$10,000
Top 5 industries that contributed to campaign committee	
Health Professionals	$103,750
Crop Production & Basic Processing	$66,450
Securities & Investment	$62,650
Leadership PACs	$62,200
Retired	$56,525
Source: Open Secrets	

See also

2020 Elections

Who is on my ballot?
U.S. President
U.S. Congress
U.S. Congress special elections
State executives
State legislatures
State courts
Ballot measures
Municipal government
School boards

Government

Who represents me?
U.S. Congress

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The Heart of the Primaries
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Union Station
Checks and Balances

External links

- Search Google News for this topic
- Office website
- Campaign website
- Personal Facebook page
- Personal Twitter page

Suggest a link

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Footnotes

1. *Biographical Directory of the United States Congress*, "MARSHALL, Roger Wayne, (1960 -)," accessed January 14, 2017
2. *U.S. House Clerk*, ""Official Alphabetical List of the House of Representatives of the United States One Hundred Fifteenth Congress,"" accessed February 2, 2017
3. *Clerk.House.gov*, "Final Vote Results for Roll Call 434," accessed December 13, 2018
4. *Clerk.House.gov*, "Final Vote Results For Roll Call 284," June 21, 2018
5. *Clerk.House.gov*, "Final Vote Results For Roll Call 282," June 21, 2018

Only the first few references on this page are shown above. Click to show more.

Political offices		
Preceded by **Pat Roberts (R)**	**U.S. Senate - Kansas** 2021 - Present	Succeeded by -
Preceded by **Tim Huelskamp (R)**	**U.S. House, Kansas, District 1** 2017-2021	Succeeded by '

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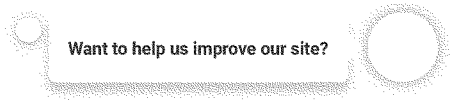

LEXINGTON HERALD-LEADER

LATEST NEWS

McConnell opens military record

BY JOHN CHEVES - JCHEVES@HERALD-LEADER.COM

OCTOBER 23, 2008 12:00 AM, UPDATED OCTOBER 23, 2008 05:32 AM

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03:00 Powered by Trinity Audio

WASHINGTON — With his brief Army service once again a campaign issue, Sen. Mitch McConnell on Wednesday allowed the Herald-Leader to take notes from two pages of his service records — his honorable-discharge certificate and his discharge form, which declared him medically unfit.

McConnell's office in Washington provided access to those pages but said it would not allow copies to be made.

On Tuesday, state Rep. Greg Stumbo, D-Prestonsburg, campaigning with McConnell's Democratic challenger Bruce Lunsford, called on McConnell to publicly share his Army records.

"Elections should be about informed choices. He's obviously not proud of his record, Sen. McConnell isn't, or he would have shown it by now," Stumbo told a crowd in Paris.

Questions about McConnell's military service have popped up toward the end of each of his last three campaigns. McConnell has previously allowed reporters to view some of his military records, but he has never allowed anyone to copy the documents.

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Based on records the Herald-Leader has obtained from the National Archives and the University of Kentucky, a bare outline emerges.

McConnell was a 25-year-old University of Kentucky law student with political aspirations in spring 1967, during the Vietnam War.

As his graduation neared, making him eligible for the draft, McConnell secured a coveted post in the U.S. Army Reserve, which President Lyndon Johnson kept out of combat for most of his administration. McConnell enlisted March 21, 1967, and then returned to UK to finish law school.

Private McConnell spent little time in uniform. He won a discharge from the Reserve after five weeks of active duty. He trained at Fort Knox from July 9 to Aug. 15, 1967.

McConnell's discharge came five days after U.S. Sen. John Sherman Cooper, R-Ky., for whom he had worked as an intern, sent a letter to the two-star general in command of Fort Knox.

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by steroids. The man's papers seemed to be stalled somewhere on base and needed to be forwarded, Cooper wrote.

"Mitchell anxious to clear post in order to enroll NYU," the senator told the general on Aug. 10, 1967. "Please advise when final action can be expected."

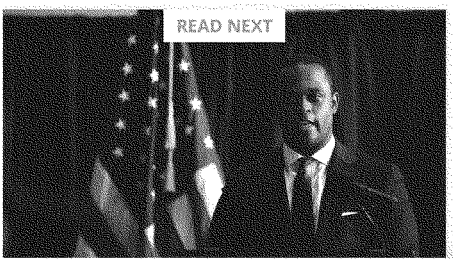
Actually, McConnell never attended New York University. After his discharge, he did a short stint at a local law firm, and then returned to Washington to join the office of Sen. Marlow Cook, R-Ky., where he worked for the next few years.

In a 2006 interview with the Herald-Leader, McConnell denied that anyone pulled strings for him in 1967. "No one helped me get into the Reserve, no one helped me get out of the Reserve," McConnell said.

McConnell said he was entitled to a medical discharge for his eye problems. His father asked the senator — a family friend — to expedite the discharge, but he eventually would have been granted an early release anyway, McConnell said.

On Wednesday evening, McConnell spokesman Don Stewart said the Army's medical board ruled McConnell was medically unfit for service on July 31, 10 days before Cooper's letter. The Herald-Leader has not yet inspected that document.

COMMENTS



TRENDING STORIES

Contractor for new Tates Creek High School in trouble with Lexington. Here's why.

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Bilas: No Texas game costs UK its

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Kentucky AG urges dismissal of impeachment petition

BY BRUCE SCHREINER *ASSOCIATED PRESS*
JANUARY 30, 2021 06:14 PM,
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Kentucky's attorney general is urging state lawmakers to dismiss an impeachment petition against him.

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Lexington teenager dies at hospital after being shot, Fayette County coroner says

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CRIME

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Bridge MICHIGAN
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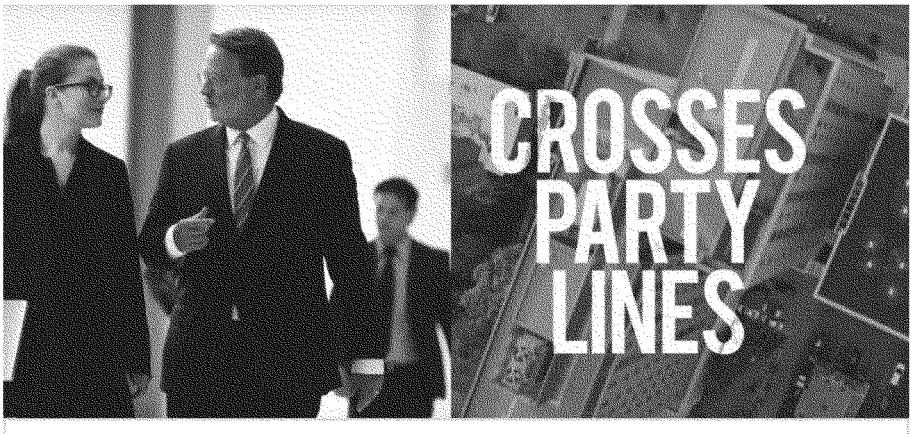
Michigan Government

Fact Squad | Gary Peters touts veterans work, bipartisan record in first ad



U.S. Sen. Gary Peters, joined in a television ad by his wife, Colleen, says he has effectively worked to help veterans by working with lawmakers of the opposite party. (screenshot)

February 14, 2020
Riley Beggin
Michigan Government
Michigan Fact Squad, 2020 Michigan election

First-term Democratic U.S. Sen. Gary Peters released the first television ad in his race for re-election this month, touting his military service and record of bipartisanship.

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In the ad titled "Service," Peters' wife, Colleen, says he's "willing to cross party lines and make a difference," concluding, "I think it's really working for Michigan."

- Fact Squad | Ad touts Elissa Slotkin's work fighting PFAS chemicals
- Fact Squad | Dueling ads take on Gov. Whitmer and those damn Michigan roads
- Fact Squad | Sanders promises Medicare for All will cut Michigan auto rates
- Bridge is doubling down on politics and changing how we fact-check claims

The claims



The ad outlines Peters' military service: a lieutenant commander in the Navy Reserve who joined again after the terrorist attacks on Sept. 11, 2001.

He says he "passed legislation to help veterans suffering from [post-traumatic stress disorder]" and to help them "put their skills to work in good-paying jobs when they return home."

Colleen Peters says her husband "is ranked one of the most effective senators. And that's because he's so willing to cross party lines and make a difference."

The facts

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Peters joined the U.S. Navy Reserve in 1993 and later rose in the ranks to become a lieutenant commander. He joined again after the 2001 terror attacks and worked as an engineer on construction projects such as roads, bridges and airstrips, according to reporting by MLive. He was honorably discharged in 2008.

He's sponsored legislation that would bolster apprenticeship programs for veterans that has passed the U.S. Senate and is awaiting review in the House. Peters also wrote an amendment to make veterans with a less than honorable discharge eligible for PTSD assistance that was signed into law in 2016.

According to scoring by the nonpartisan Center for Effective Lawmaking at Vanderbilt University, Peters was the fourth most effective Democrat in the Senate in 2017 and 2018. The scores are based on the number of bills a lawmaker sponsors, how close the bill gets to law and its policy impact.

He was ranked 17th out of 100 for bipartisanship over the same period, according to Georgetown University and the nonprofit Lugar Center.

The conclusion

Calling himself "effective" no doubt is a subjective claim that leaves room for interpretation, but Peters' ad backs it up with citations from nonpartisan sources. He sticks close to the facts in his first TV ad in his re-election campaign, accurately describing his accomplishments for veterans and record of bipartisan work.

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Weeks after vote, 13 fake fraud claims persist in Michigan. Here's the truth.

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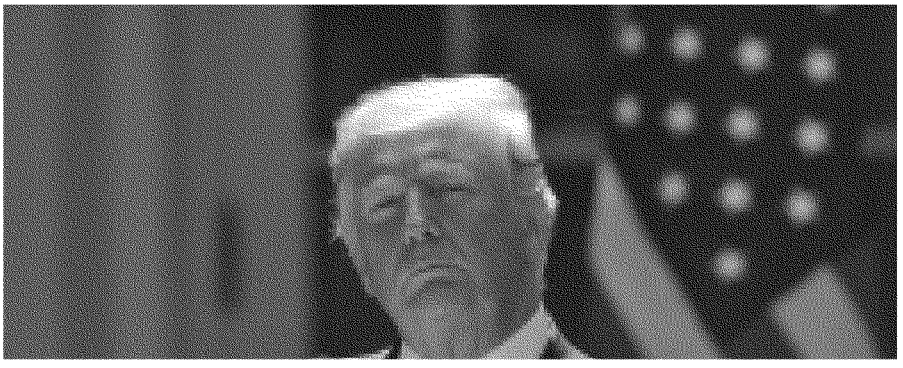

Fact Squad | Trump slams Biden son for buying Michigan auto firm with Chinese

September 14, 2020 | Mansur Shaheen

One day after Joe Biden touted his Made in America plan, President Trump notes that the Democrat's son teamed with a Chinese defense contractor to buy a Michigan firm that created jobs overseas.

Truth Squad | Does Bill Schuette care if sick people can get insurance?

Privacy - Terms

October 8, 2018 | Chastity Pratt

A Gretchen Whitmer ad goes beyond criticizing Schuette for his efforts to abolish the ACA. She says he favors letting insurance companies decide whether to cover people with pre-existing medical conditions.

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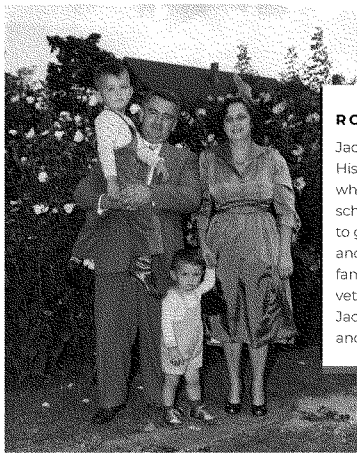
JACK'S STORY

Jack Reed is a champion for middle-class families and a strong believer that all Americans should have the opportunity to build a better life.



ROOTS

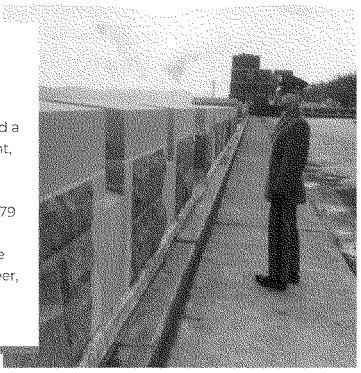
Jack was born and raised in Cranston and grew up on Pontiac Avenue. His father, Joe, was a World War II veteran and Cranston school janitor who worked his way up to become custodial supervisor of the city's school system. His mother, Mary, was a homemaker who was unable to go to college herself, but made sure her three children studied hard and had the opportunity to pursue a higher education. The Reed family benefited from the GI Bill – a program that helped countless veterans further their education and put a roof over their heads – and Jack's parents instilled in him the importance of serving his country and giving back to his community.

EDUCATION

Jack grew up attending St. Matthew's Elementary School in Cranston and graduated from La Salle Academy in Providence. He was nominated for an appointment to the United States Military Academy by U.S. Senator John O. Pastore. On July 3, 1967, Reed reported to West Point to begin cadet training. After graduating from the Military Academy in 1971 near the top of his class and receiving an active duty commission in the Army, Reed earned a master's degree in public policy from Harvard's John F. Kennedy School of Government. Reed also went on to earn a law degree from Harvard Law School in 1982.

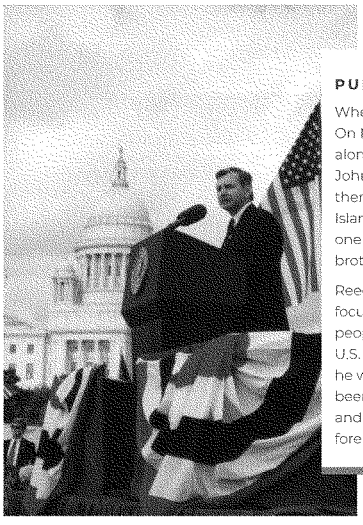
DUTY, HONOR, COUNTRY

One of the highest honors and greatest privileges of Jack's life was commanding his fellow soldiers. He served in the 82nd Airborne Division as an Infantry Platoon Leader, a Company Commander, and a Battalion Staff Officer. He eventually joined the faculty at West Point, teaching cadets about economics and international relations as an Associate Professor within the Department of Social Sciences. He served as a professor at the U.S. Military Academy until August of 1979 when he resigned from active duty as a Captain. He continued serving in the U.S. Army Reserves until June of 1991, when he left the Reserves with the rank of Major. Over the course of his military career, he earned the Army Commendation Medal with Oak Leaf Cluster, Ranger Tab, Senior Parachutist Badge, and Expert Infantry Badge.



PRIVATE PRACTICE

After graduating from law school, Jack became an attorney in private practice, first working as an associate with the law firm of Sutherland, Asbill, & Brennan before moving back to Providence and working for the firm of Edwards & Angell. He specialized in banking and securities law.



PUBLIC SERVICE

When Jack was young, he dreamed of being an architect or a soldier. On November 7, 1960, as he stood with his classmates and teachers along Elmwood Avenue in Cranston, Jack watched as then-Senator John F. Kennedy - who was campaigning to become President - and then-candidate Claiborne Pell - who was running to become Rhode Island's U.S. Senator - drove by his school. Jack never imagined that one day he'd have the opportunity to serve alongside Kennedy's brother and succeed Claiborne Pell in the United States Senate.

Reed served three terms in the Rhode Island State Senate, where he focused on housing, children's welfare, and mental health issues. The people of Rhode Island then elected him to serve three terms in the U.S. House of Representatives. As *Rhode Island Monthly* put it: "Since he was elected to the U.S. House of Representatives in 1990, Reed has been known as the hardest of workers who tirelessly researches issues and keeps himself in the know. His knowledge ranges far and wide, foreign and local."



RECORD OF ACCOMPLISHMENT

In 1996, the people of Rhode Island elected Jack Reed to succeed Claiborne Pell as Rhode Island's 46th United States Senator.

Senator Reed works every day to help make the federal government more efficient, effective, and responsive to the people of Rhode Island. He has a proven record of working on a bipartisan basis to help solve problems and achieve results. Senator Reed was part of the bipartisan working group that drafted the Coronavirus Aid, Relief, and Economic Security (CARES) Act and successfully led efforts to create the $150 billion Coronavirus Relief Fund to help states combat COVID-19. Senator Reed also helped include a $1.25 billion small state minimum to ensure Rhode Island could effectively respond to the pandemic.

As one of just eight Senators in U.S. history to graduate from West Point, *Time* magazine noted: "Reed is a serious, intellectually honest veteran and an expert on defense issues in the Senate," and the *New York Times* describes him as "a quiet deal-maker respected by colleagues in both parties."

A senior member of the powerful Appropriations Committee, which controls the funding of the federal government, Senator Reed has been described by the *Boston Globe* as "a relentless advocate for his home state." As Ranking Member of the Subcommittee on Transportation, Housing, and Urban Development, he works tirelessly to direct federal funding to the Ocean State to create jobs, strengthen its infrastructure, and support economic and community development initiatives.

He has supported clean water projects to ensure both a healthy economy and a healthy environment. And he authored a trio of laws to improve children's health care and ensure our youngest patients get the help they need when they need it: the Childhood Cancer Survivorship, Treatment, Access, and Research (STAR) Act to advance pediatric cancer research and child-focused cancer treatments, improve childhood cancer surveillance, and provide resources for survivors and those impacted by childhood cancer; the Trauma Care Systems Planning and Development Act to establish critical care networks nationwide so that more paramedics and first responders can get trauma care patients to the right doctor at the right time; and the Better Pharmaceuticals and Devices for Children Act (BPDCA) to help ensure drugs and medical devices are specifically tested, labeled, and proven to be safe and effective for children.

Senator Reed has led efforts to strengthen Rhode Island's transportation network – from expanding the runway at T.F. Green Airport to increasing capacity at our ports – in order to bring more jobs and businesses to Rhode Island and better link our state to the global economy.

Reed also serves as Ranking Member of the Armed Services Committee, where he has played a pivotal role in safeguarding our nation. In 2002, he voted against giving President George W. Bush the authority to go to war in Iraq because it was an ill-planned diversion from the war on terrorism. But he has always worked across the aisle to support our troops, and was instrumental in convincing Defense Secretary Robert Gates to continue serving in the Obama Administration and implement the plan to withdraw forces from Iraq.

Rhode Island's defense industry is critical to national security and our state's economy, and Senator Reed has been a leader at the federal level in growing Rhode Island's defense sector and bringing resources to the state. Thanks to his efforts on the Armed Services and Appropriations Committees, coupled with Rhode Island's talented defense workers, the U.S. Navy plans to begin building the next generation of submarines in the Ocean State, creating thousands of new, good-paying jobs in Rhode Island in the coming years.

As a senior member of the Banking, Housing, and Urban Affairs Committee, Reed authored several key pieces of the historic Wall Street reform law and has been nationally recognized for his dedication to protecting U.S. consumers. When taxpayers were forced to invest in banks to save the economy from total collapse, Jack Reed wrote the law ensuring that taxpayers would share in the rewards when the banks recovered. As a direct result of Reed's provision, taxpayers have earned nearly $10 billion in additional dividends -- money that would have otherwise been kept by the rescued banks.

He also helped create the Consumer Financial Protection Bureau (CFPB) to give American families the tools to fight unfair and abusive financial products and services, as well as a new Office of Financial Research (OFR) that will help provide early warnings to regulators about future financial problems.

Additionally, he authored laws to create a new affordable rental housing trust fund, improve consumer disclosures on mortgages, and address the needs of middle-class families who have struggled with the fallout from the housing crisis.

Senator Reed has been a leading voice on college affordability and student loan debt issues. He helped write laws preventing interest rate increases on new loans to millions of college students, and fought efforts to increase student borrowing costs. He recently proposed a Student Loan Borrowers Bill of Rights and has offered legislation to reform disclosure and servicing standards for both federal and private student loans.

And to help get our country back to full employment, he wrote a work-sharing law that provides an estimated $500 million for business-state partnerships to help prevent layoffs. Nationwide, Reed's law has been credited with saving more than 130,000 jobs since 2012, including over 1,000 in Rhode Island.

Today, Jack Reed continues to utilize the lessons he learned growing up in Cranston, which were deepened in the Army and tested in the halls of Congress, to stand up and speak out for the hard-working families who are the heart and soul of our country.



FAMILY

Jack Reed and his wife, Julia Hart Reed, have a daughter, Emily.

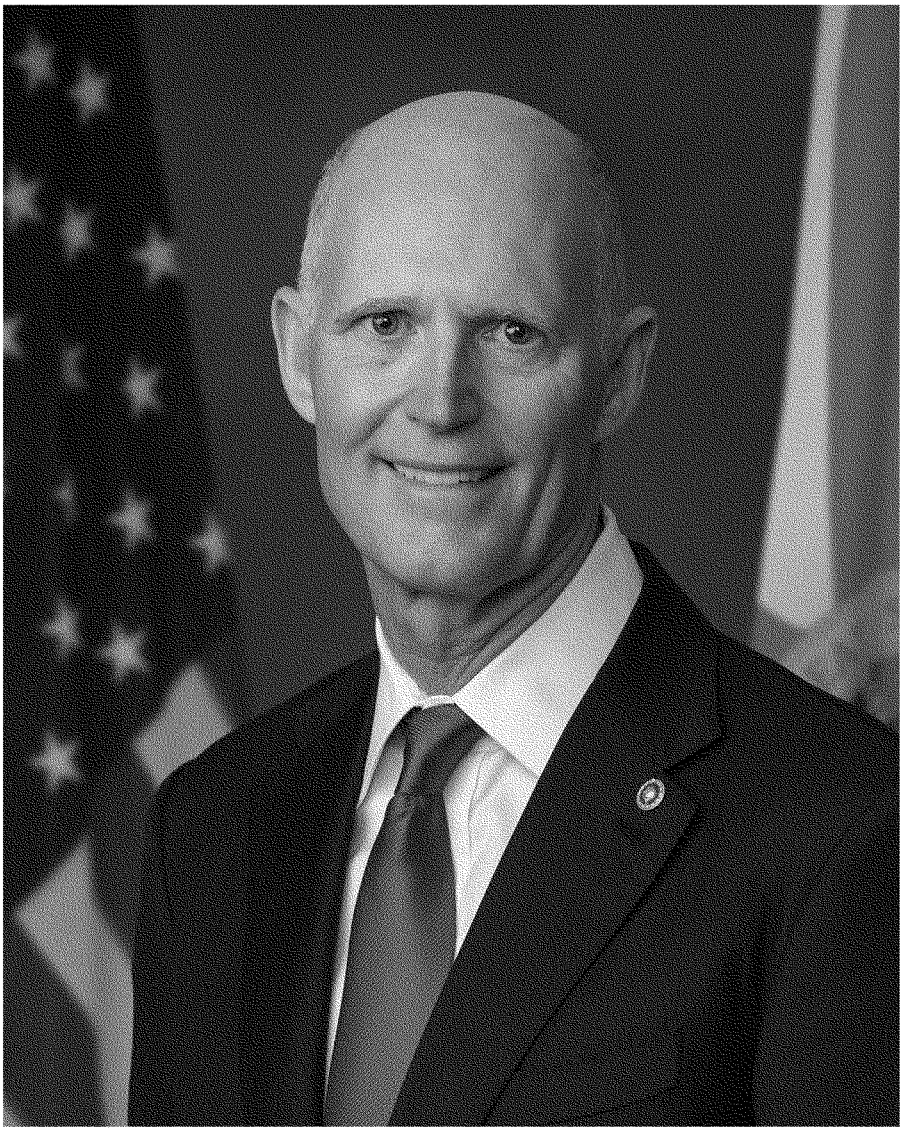
SEE MORE:

VOTING RECORD COMMITTEE ASSIGNMENTS OFFICIAL PHOTOS

Biography

U.S. Senator Rick Scott was sworn in to the Senate in January 2019.

Rick Scott was elected to the U.S. Senate in 2018 and is currently serving his first term representing the state of Florida. Prior to his election to the U.S. Senate, Rick Scott served two terms as the 45th Governor of Florida, working every day to turn around Florida's economy and secure the state's future as the best place for families and businesses to succeed. Scott grew up in public housing in the Midwest as his adoptive father, a World War II veteran and truck driver, and his mother, a store clerk, struggled to financially support their family. After marrying his high school sweetheart, Ann, Scott joined the Navy, where he served active duty as a radar man aboard the USS Glover. He used the G.I. Bill to attend the University of Missouri, Kansas City, and eventually opened his first business – a donut shop. Scott went on to run the world's largest healthcare company and continues to fight every day so families across the state can have the same opportunities he had to live the American dream.



Rick Scott knows firsthand that a good paying job is one of the most important things for a family, and following Florida's economic collapse ten years ago, he made the decision to run for governor as a businessman with no political experience. During his term as Governor, he successfully championed more than $10 billion in tax cuts and cut thousands of burdensome regulations that led Florida businesses to create nearly 1.7 million new jobs. Under his leadership, the unemployment rate dropped from 11 percent to 3.3 percent, Florida paid down $10 billion in state debt, and record investments were made in what matters most to Floridians – education, the environment, and public safety.

Rick Scott and his wife, Ann, have been married for 48 years and have two daughters, Allison and Jordan, six grandsons, Auguste, Quinton, Sebastian, Eli, Louie and Jude, and one granddaughter, Zelda Ann.

(https://twitter.com/SenRickScott)

(https://www.instagram.com/flsenrickscott/)

(https://www.facebook.com/RickScottSenOffice/)

(https://www.youtube.com/channel/UC-Y9pFmW4PYGZHkC8lcqSkQ)

ANCHORAGE DAILY NEWS

Candidate profile: Dan Sullivan, Marine and ex-resources chief, aims for US Senate seat

Author: **Lisa Demer** Updated: September 28, 2016 Published April 19, 2014

He's a tough-talking Marine with a killer resume: Georgetown law school and White House fellow, assistant secretary of state and top adviser to a combat commander, Alaska attorney general and natural resources commissioner.

He's a native of Ohio who says Alaska is his home now, but still finds himself trying to convince some voters he's Alaskan through and through. He's intense, driven and, these days, very partisan.

He's one of the Republicans hoping for the chance to knock Democrat Mark Begich out of the U.S. Senate this November, in what promises to be one of the country's hottest political races of the year.

He's the "other" Dan Sullivan, not the native-born Anchorage mayor, but the one foes deride as "Ohio Dan" and fans call "DNR Dan" or sometimes "Afghan Dan," in a nod to his wartime military credentials.

Democrats, Begich supporters and a Republican rival, fellow candidate Lt. Gov. Mead Treadwell, question his Alaska authenticity. Public records reveal a somewhat contradictory and confusing Alaska residency.

The primary election faceoff between Treadwell, Sullivan and a third well-known Republican, Joe Miller of Fairbanks, is just four months away.

A RICH HISTORY

Many Alaskans know little of Sullivan's story. It starts in metro Cleveland, includes stints in Boston, Washington, Afghanistan and Iraq, and covers two stretches in Alaska, where he worked at the highest levels of state government.

He rarely mentions his Ohio roots, but his family is prominent there. Sullivan's grandfather, Frank C. Sullivan, started a small business in Ohio back in 1947. The company grew into RPM International Inc., a publicly traded corporation with more than 10,000 employees and $4 billion in annual sales. Its subsidiaries make industrial products from roofing systems to the paints and sealants that line hardware store shelves, including Zinsser, DAP , Plastic Wood and Rust-Oleum.

That success did not come easy, Sullivan says. His grandfather was born into a big Irish Catholic family of eight children "who did not have much at all." None went to college. The business was still small in 1971 when his grandfather died suddenly and son Thomas -- Dan Sullivan's father -- took over.

"My dad was young, I think 34, 35, when that happened. Six kids. Just worked hard to try and grow a business," Sullivan, who has three brothers and two sisters, said in an interview. "So I saw that struggle."

When a younger sister was born, the family had to move out of its small home into a bigger one, he says.

While Democrats challenge his Alaska credentials, Sullivan points out that he hasn't lived year-round in Ohio since he was in middle school. He went to a private prep school, Culver Military Academy, in Indiana.

"Dan is considered the Alaskan Sullivan," said a cousin, Thomas Kelly, a Democrat who hosts a political talk radio show in Cleveland. The Cleveland Sullivans are low-profile philanthropists, he said.

At a January Senate forum before the Anchorage Chamber of Commerce, Sullivan gave no hint that his family includes captains of American industry. Instead, he talked about his uncles and great uncles returning after World War II to become "the greatest generation salesmen and factory workers and builders and small business entrepreneurs."

Some did well and others failed, he said.

"And that's what I grew up in, in a family where I worked in a factory, where I drove my brother's fish truck, where around the dinner table we talked about things related to business and success and failures and opportunities and, most of all, about giving back," Sullivan told the chamber crowd.

He didn't talk about RPM, and how his father built into what it is. His brother Frank is president and chief executive of the company. Another brother is a vice president there. A third brother is an entrepreneur who started a seafood company.

Sullivan didn't try to make a career for himself at RPM. When he left Ohio, he never looked back -- though he still holds significant stock in the company.

Executives at RPM and subsidiaries DAP Products Inc. and Rust-Oleum Corp. had contributed more than $53,000 to his campaign, plus another $5,000 from the RPM PAC, as of Dec. 31. Relatives too have contributed tens of thousands.

In years past, brother Frank has been a big campaign donor to Republicans, GOP organizations, business and conservative political action committeess, and politically active nonprofits, giving more than $170,000 from the 2010 election season through late 2013, according to the Center for Responsive Politics.

In January, Frank Sullivan gave $25,000 and their father gave $50,000 to a SuperPAC working to elect Sullivan that is being run by Anchorage political consultant Art Hackney. A former long-time RPM board member, Donald K.

Miller, donated $50,000 last year to the Alaska's Energy/America's Values SuperPAC.

Overall, Ohio residents were Sullivan's No. 1 donors last year, providing more than 31 percent of individual contributions to him, compared to 11 percent from Alaskans, according to the Center for Responsive Politics. Some 172 Ohioans donated almost $380,000, compared to 113 Alaskans who gave $131,000, which was slightly above the amount given by New York residents.

He raised almost $1.3 million last year and, his campaign announced recently, more than $1.3 million the first quarter of 2014. His campaign had just under $2 million ready to spend.

ATHABASKAN IN-LAWS

Sullivan wanted to be a doctor. He was "pre-med" for his first two years at Harvard University. After organic chemistry in his sophomore year, he said, he gave up on that idea. Instead he graduated magna cum laude with a degree in economics.

In 1990, he was a Georgetown law student when he met Julie Fate, then a staffer for U.S. Sen. Ted Stevens, later a reporter for the Los Angeles Times and now Julie Fate Sullivan.

"He was the most positive person I'd ever met in my life. His can-do spirit," Julie Sullivan said in an interview. "It was one of those things that clicked."

They've been married nearly 20 years. In the process, Sullivan became part of a prominent Alaska Native family. His mother-in-law is Mary Jane Fate, an Athabaskan leader who was the first woman co-chair of the Alaska Federation of Natives, a University of Alaska regent and for years a board member of Alaska Air Group, which runs Alaska Airlines. His father-in-law is Hugh Fate, a former state representative, retired dentist, Bush pilot and former president of the university board of regents.

Julie Sullivan said she grew up "in a pretty traditional Athabaskan family," with moose stew on the stove, a beloved uncle who played the fiddle, and fish camp every summer 30 miles down river from where the Haul Road crosses the Yukon.

"Those early years, that's where we would go. He'd fly into Fairbanks and we'd head straight to our fish camp. He'd just pitch in and work like everybody else," Julie Sullivan said of her husband. "There's always things to fix and outhouse holes to dig. But he loved it. He just fell in love with it."

Her husband still goes to fish camp when he can, she said. He dipnets, too, on the Kenai River. He went moose hunting with Marine buddies twice last fall but wasn't successful, she said. In September, the day after word of Sullivan's resignation as natural resources commissioner created buzz about a possible Senate run, he applied for a tag to kill a brown bear.

The couple has three teenage daughters: Laurel, 13, Isabella, 15, and Meghan, 17. They all attend public school in Anchorage. Julie is PTSA president at the youngest's school.

The family belongs to St. Elizabeth Ann Seton parish. Sullivan is on the board of The Thomas C. and Sandra S. Sullivan Foundation, his family's charity based in Cleveland, which provides money to Catholic groups and other organizations for education and anti-poverty work.

While Sullivan sidesteps some policy questions with the caution of a practiced lawyer, on two big social issues the lifelong Catholic has a ready answer: He's anti-abortion, except in cases of rape or incest or when a mother's life is in danger, and he opposes gay marriage.

ALASKAN ENOUGH?

At Georgetown, Sullivan earned both a law degree and a master's in foreign service in 1993. He then took a unusual detour: He enlisted in the Marines as an infantry officer.

When he completed his active duty with the Marines, he, Julie and their baby daughter made their way by Jeep and ferry from Camp Pendleton, Calif., to Fairbanks, his wife's hometown. That's when he says his Alaska residency begins, in 1997. But it's not quite that simple.

Is he a four-year resident, marking when he moved back in June 2009 to become attorney general, as Democrats say? Has he been here 10 years, counting both stretches, as he said on his 2013 hunting and fishing license application? Or more than 16 years, as he now maintains on the campaign trail, which includes seven years when he wasn't physically here.

Early on, GOP rival Treadwell told Politico, "I've got a jar of mayonnaise in my refrigerator that's been there longer than Dan Sullivan's been in Alaska."

Legally speaking, it doesn't matter. The U.S. Constitution says only that senators must live in the state "when elected."

Sullivan's Alaska residency came in two chunks, from 1997 to 2002, and from 2009 to the present.

In 2008, he lived in Bethesda, Md. He declared his home there to be his principal residence, which qualified him for a property tax break, but at the same time he voted absentee in the Alaska general election. In 2011, he said on a fishing license application that he had lived in Alaska for two years, but on last year's application he said 10 years, counting all his time in the state.

"I always say I moved here -- 1997, right, after I got out of the military like thousands of other Alaskans. And was settling down, starting a family, and getting involved in the community," Sullivan told the Daily News.

He and his family moved away in 2002 for good reason, Sullivan says: "9/11 happened and that changed everything."

His cold-weather reconnaissance Marine company wasn't deployed into combat. Instead, he sought out a fellowship in the Bush White House working under then-National Security Advisor Condoleezza Rice.

In that post, he served both the National Security Council and the National Economics Council. According to an official State Department capsule posted online, he focused on international trade, property rights and economic summits. The job was more than that, Sullivan says: he worked to cut off funding to terrorist networks and advance global energy security, for instance.

'RARE QUALITY'

In December 2004, he was recalled to active duty. Julie and the girls moved back to the home they still owned in Anchorage.

He was a frustrated staff officer, "not doing what I was trained to do, which was kick in doors and kill bad guys," he told the Conservative Patriots Group in March.

In February 2005, he came to the attention of Gen. John Abizaid, then commander of the U.S. Central Command, the strategic military authority over the long and difficult wars in Iraq and Afghanistan. Abizaid eventually wrote a letter recommending Sullivan for promotion to lieutenant colonel.

Abizaid said in a telephone interview that he was looking for smart guys, not yes men, to advise him. Sullivan's background -- Ivy League, Marine reconnaissance, White House aide -- seemed just right.

"He certainly stood out as one of the best very quickly," the general said.

Abizaid said he found in Sullivan "an extremely rare quality" of being able to move around war zones and to write insightful analyses rooted in common sense. At the forward headquarters in Qatar, Sullivan worked to clarify complex problems, "such as what drives Shia violence in Iraq, Shia as opposed to Sunni," Abizaid recalled.

Though he was a junior officer, Sullivan didn't "sugarcoat difficult truths," the general said in the 2011 promotion letter. "If I had the chance to pick one Marine to stand next to me on any battlefield it would be Dan Sullivan."

Abizaid later met Sullivan's father back in the U.S. Abizaid now sits on the RPM International board of directors. He was voted onto the board in 2008 after the elder Sullivan initiated it. Abizaid's annual compensation from RPM approaches $164,000, according to recent corporate filings.

When Sullivan's tour ended in April 2006, he and his family reunited in the Washington, D.C., area.

That June, he was sworn in as assistant secretary of state for economic, energy and business affairs, again working for Condoleezza Rice, who by then was secretary of state.

In an email sent through the Sullivan campaign, Rice praised him as a trusted advisor and endorsed his bid for Senate. She's featured in a TV ad praising Sullivan; the ad was generated by American Crossroads, the SuperPAC started by Bush administration political strategist Karl Rove. The group says it spent $180,000 to run the ad statewide last month.

Sullivan remains in the Marine reserves. Last summer he deployed for six weeks as part of a task force in Afghanistan, which Sullivan said worked on "dismantling terrorist networks, particularly focused on the Taliban."

He has a "secret" security clearance; it used to be top secret/SCI, for "sensitive compartmented information," an even higher level.

In September, Sullivan was selected from a number of lieutenant colonels to command a new reserve unit, the California-based 6th ANGLICO, or Air Naval Gunfire Liaison Co., which he described as an airborne battalion deployed in small teams to coordinate firepower with non-Marines, including Army brigades, special forces and foreign armies.

In December, Sullivan scored a perfect 300 on his Marine combat fitness test, which includes a short run, two minutes of lifting a 30-pound ammo can overhead and a maneuver drill that includes tossing a dummy grenade into a circle. Last summer, he scored 278 on the separate physical fitness test, doing 100 crunches and 20 pull-ups and completing a 3-mile run, the latter in 21 minutes, 38 seconds. Sullivan, a regular runner, would have to do it in under 18 minutes for a perfect 300.

'BACK TO ALASKA'

When President Barack Obama took office in January 2009, Sullivan was out of a job. He looked back to Alaska.

Then-Gov. Sarah Palin needed an attorney general. Sullivan let her staff know he was interested. Her revenue commissioner, Pat Galvin, had encountered Sullivan several times over the previous two years and was looking for a way to bring him on board, according to an email Galvin sent to Palin in April 2009.

"I've never even heard of the guy," Palin emailed an aide. But she was quickly won over.

"Confidential til we finalize but new AG has amazing credentials, love for and ties to Alaska law, our friends in former Bush Admin are his references," Palin emailed that June to then-Lt. Gov. Sean Parnell and chief of staff Mike Nizich.

Almost right away, Sullivan was approached about running for the U.S. Senate, his wife Julie said. She wouldn't say who was behind the push.

That first year, Palin quit and Parnell became governor. Parnell was elected in his own right in 2010 and soon named Sullivan to serve as his high-profile natural resources commissioner.

Sullivan has made fighting the feds a central theme of his career in Alaska state government. Now he says he wants to continue the fight from a different front.

On Oct. 15, he kicked off his Senate campaign.

Reach Lisa Demer at ldemer@adn.com or 257-4390.

By LISA DEMER

ldemer@adn.com

About this Author

Lisa Demer

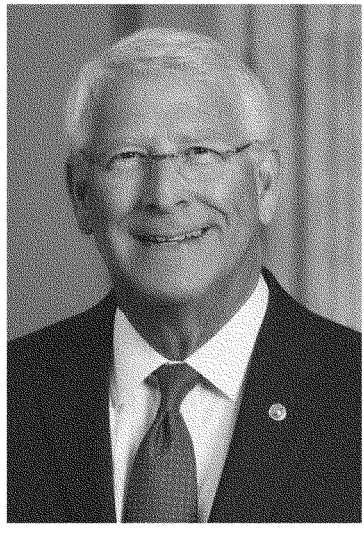
Lisa Demer was a longtime reporter for the Anchorage Daily News and Alaska Dispatch News. Among her many assignments, she spent three years based in Bethel as the newspaper's western Alaska correspondent. She left the ADN in 2018.

Comments

Coronavirus Disease 2019 (COVID-19)

During this time, my staff is working and available to serve the people of Mississippi. If you need immediate assistance, please call any of our offices (https://www.wicker.senate.gov/public/index.cfm/office-locations) or fill out our online contact form by clicking here (https://www.wicker.senate.gov/public/index.cfm/contact). You can also check out my Coronavirus Resources (https://www.wicker.senate.gov/public/index.cfm/coronavirus-resources) page for quick access to the many federal, state, and local resources available to help combat the effects of the coronavirus outbreak.

Biography (https://www.wicker.senate.gov/public/index.cfm/biography)



Roger F. Wicker has represented Mississippi in the United States Senate since December 2007. During his time in the Senate, Wicker has championed pro-growth policies to create jobs, limit federal overreach, protect life, and maintain a strong national defense.

Wicker is the chairman of the Senate Committee on Commerce, Science, and Transportation for the 116th Congress. He previously served as the chairman of the Senate Commerce Subcommittee on Communications, Technology, Innovation, and the Internet.

Wicker is the second-highest ranking Republican member of the Senate Armed Services Committee. His other committee assignments include the Environment and Public Works Committee; and the Rules and Administration Committee.

Wicker is the chairman of the U.S. Helsinki Commission and Vice President of the OSCE's Parliamentary Assembly. Wicker also serves as a member of the U.S. Merchant Marine Academy Congressional Board of Visitors.

In the 115th Congress, Wicker authored the "Securing the Homeland by Increasing our Power on the Seas (SHIPS) Act," which made it the policy of the United States to achieve the Navy's requirement for a 355-ship fleet. This legislation, which was designed to bolster national security and increase American shipbuilding capacity, was signed into law (https://www.wicker.senate.gov/public/index.cfm/2017/12/wicker-proposal-for-355-ships-signed-into-law) by President Trump as part of the National Defense Authorization Act.

Senator Wicker has been a strong advocate for economic development initiatives to help keep Mississippians competitive in a global marketplace. He has been honored by the National Association of Manufacturers (NAM) for his work on pro-growth, pro-manufacturing policies in Congress.

Senator Wicker has actively supported cancer survivorship programs and efforts to fight heart disease with the American Heart Association, diabetes, childhood obesity, and Alzheimer's. He has been recognized as a "champion" of polio eradication for his work to wipe out polio worldwide. Senator Wicker is the co-founder of the Senate Malaria and Neglected Tropical Disease Caucus and has worked to eliminate these preventable diseases.

He has been instrumental in bringing more research funding to Mississippi universities for a wide range of health-related projects to fight disease and improve quality of life. Most notably, Wicker authored the Muscular Dystrophy Community Assistance, Research, and Education (MD CARE) Act of 2001, which created NIH centers of excellence to coordinate and enhance muscular dystrophy research. The Wicker Project at Children's National Medical Center is a leader in muscular dystrophy research.

Prior to his service in the Senate, Wicker was elected seven times, beginning in 1994, to represent Mississippi's First Congressional District in the House of Representatives. Before being elected to Congress, he served in the state Senate on behalf of Lee and Pontotoc counties.

Senator Wicker served on active duty in the U.S. Air Force and then joined the Air Force Reserve. He retired from the Reserve in 2004 with the rank of lieutenant colonel.

A native of Pontotoc, Mississippi, the Senator is the son of former Circuit Judge Fred Wicker and the late Mrs. Wordna Wicker. He was educated in the public schools of Pontotoc and received his B.A. and law degrees from the University of Mississippi. Wicker is a member of the First Baptist Church Tupelo, where he served as chairman of the deacons, taught Sunday School, and where he still sings in the choir.

Senator Wicker is married to the former Gayle Long of Tupelo. They have three children: Margaret and son-in-law Manning McPhillips; Caroline and son-in-law Kirk Sims; and McDaniel Wicker and his wife Kellee; and seven grandchildren: Caroline, Henry, Maury Beth, and Virginia McPhillips; Evelyn and Joseph Sims; and Philippa Wicker.

Click here (https://www.wicker.senate.gov/public/_cache/files/2096cfe6-d661-4b9a-9900-ccb9f68ee6f7/roger-wicker-headshot-2018.jpg) to download a high-resolution copy of Senator Wicker's official portrait.

Event organizers or other parties wishing to publish this biography should contact Senator Wicker's press office at 202.224.6253.

RELATED LINKS

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OFFICE LOCATIONS

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Main: (202) 224-6253
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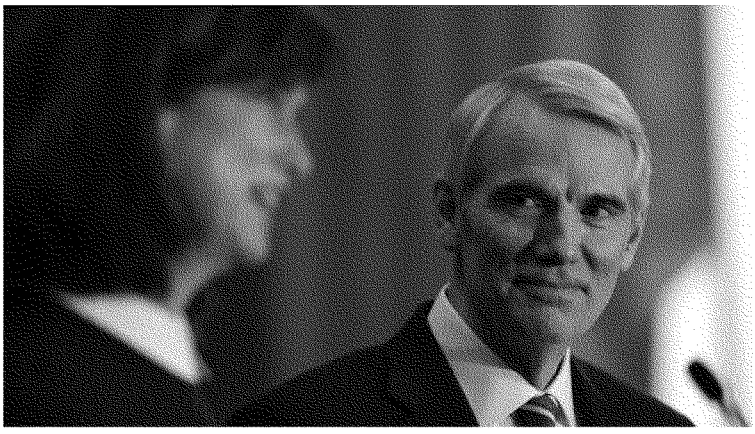
www.cincinnati.com /story/news/politics/2021/01/31/trump-impeachment-rob-portman-says-trial-could-set-bad-preceden...

Sen. Rob Portman: Trump's actions 'inexcusable,' but Senate conviction may set dangerous precedent

3-4 minutes



Sen. Rob Portman said Sunday that former President Trump's actions leading up to the Jan. 6 storming of the U.S. Capitol were 'inexcusable' – but that convicting Trump in a Senate impeachment trial may set a dangerous precedent.

Portman, an Ohio Republican who announced last week he will not seek re-election, appeared on CNN's State of the Union to discuss Trump's trial, COVID-19 relief, and conspiracy-spouting Georgia Rep. Marjorie Taylor Greene, among other things.

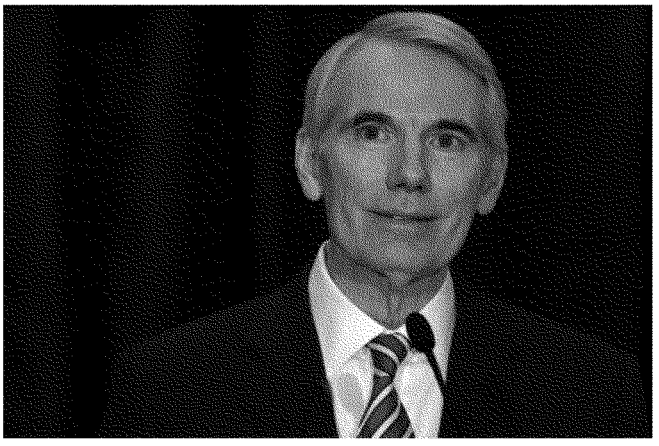
The House impeached Trump Jan. 13, charging him with inciting the insurrection at the U.S. Capitol the week before. In the trial, senators will vote to convict or acquit Trump.

"I have said with regard to the president's comments that day that they were partly responsible for ... the horrible violence that occurred on Capitol Hill. I've also said that what he did was wrong and inexcusable," Portman said.

"I am a juror and I'm going to keep an open mind as we go through this, but I do think this constitutionality issue has to be addressed. We would be convicting a private citizen, as you know, someone who is out of office, and that sets a precedent, and I think all former presidents, those alive and those not, could be affected in a negative way. I think that's a danger."

More: How will Portman vote on impeachment? He joined Rand Paul in questioning impeachment's constitutionality

Other highlights:



President Biden won the election

" ... There was not adequate irregularities or fraud, not widespread enough to change the results of the election. Period. .... So I think we need to be very clear with the American people. Those who voted for Donald Trump, and I was a Trump supporter and I think his policies were better for the country and better for my state, we have to acknowledge that this election was lost. And we have to move on."

Group of GOPers want skinnier COVID-19 relief

Portman is one of 10 Republican senators who issued an open letter to President Joe Biden on Sunday asking to discuss a COVID relief package the group believes will get bipartisan support in Congress.

"This morning we sent out a letter to the president saying we would love to work with him. It's signed by ten Republicans. It specifies the proposal that we think is more targeted and more appropriate for the times we're in."

Biden called Portman about his retirement

"Well, I had a very nice call from President Biden regarding my decision not to run again in two years and I appreciated that. I don't talk about what I talked to the president about but I will say it was a nice conversation."

Rep. Greene's remarks 'totally unacceptable'

"I think Republican leaders ought to stand up and say it is totally unacceptable what she has said. I saw a couple of the videos over the weekend and one had to do with violence, as I see it. And there is no place for violence in our political dialogue."

USA TODAY contributed

www.cnn.com /2021/01/30/politics/butch-bowers-deborah-barbier-trump-impeachment-team/index.html

First on CNN: Trump's impeachment defense team leaves less than two weeks before trial

Gloria Borger, Kaitlan Collins, Jeff Zeleny and Ashley Semler, CNN

3-4 minutes

*(CNN)*Former President Donald Trump's five impeachment defense attorneys have left a little more than a week before his trial is set to begin, according to people familiar with the case, amid a disagreement over his legal strategy.

It was a dramatic development in the second impeachment trial for Trump, who has struggled to find lawyers willing to take his case. And now, with legal briefs due next week and a trial set to begin only days later, Trump is clinging to his election fraud charade and suddenly finds himself without legal representation.

Butch Bowers and Deborah Barbier, who were expected to be two of the lead attorneys, are no longer on the team. A source familiar with the changes said it was a mutual decision for both to leave the legal team. As the lead attorney, Bowers assembled the team.

Josh Howard, a North Carolina attorney who was recently added to the team, has also left, according to another source familiar with the changes. Johnny Gasser and Greg Harris, from South Carolina, are no longer involved with the case, either.

No other attorneys have announced they are working on Trump's impeachment defense.

A person familiar with the departures told CNN that Trump wanted the attorneys to argue there was mass election fraud and that the election was stolen from him rather than focus on the legality of convicting a president after he's left office. Trump was not receptive to the discussions about how they should proceed in that regard.

The attorneys had not yet been paid any advance fees and a letter of intent was never signed.

CNN has reached out to the attorneys for comment.

"The Democrats' efforts to impeach a president who has already left office is totally unconstitutional and so bad for our country. In fact, 45 Senators have already voted that it is unconstitutional. We have done much work, but have not made a final decision on our legal team, which will be made shortly," former Trump campaign adviser Jason Miller told CNN.

Bowers, a respected lawyer from Columbia, South Carolina, once worked in the Justice Department under President George W. Bush.

Barbier, a South Carolina litigator, worked closely on several high-profile cases and was a former federal prosecutor for 15 years in the state before opening up her own boutique criminal defense firm.

Gasser and Harris are both former federal prosecutors. Gasser served as the interim US attorney for South Carolina earlier in his career. Both have worked closely with Barbier on the defense side.

Howard worked as an associate independent counsel on the Whitewater and Monica Lewinsky investigations during the Clinton presidency and spent a decade in the Justice Department where he worked on the confirmations of Supreme Court Chief Justice John Roberts and Justice Samuel Alito. Howard once served as the chairman of the North Carolina State Board of Elections, leaving the post at the beginning of 2016.

This story has been updated to include reporting on the additional departures from Trump's team.

CNN's Kara Scannell and Manu Raju contributed to this report.

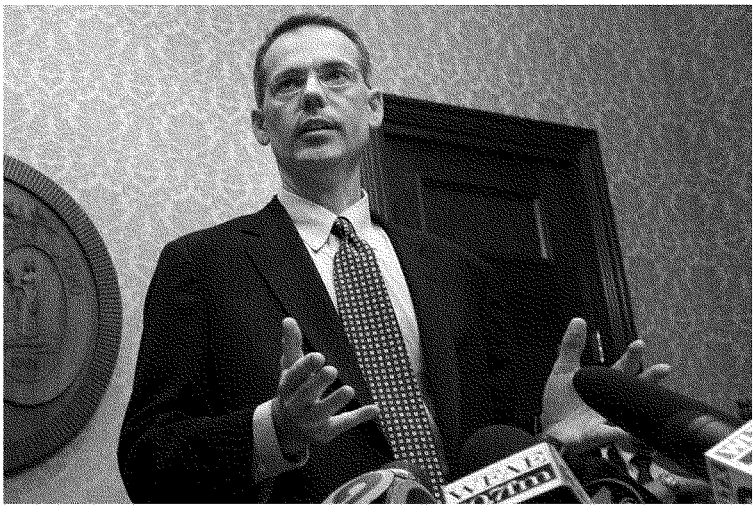
www.nytimes.com /2021/01/30/us/politics/trump-butch-bowers-impeachment.html

Trump Parts Ways With Five Lawyers Handling Impeachment Defense

Maggie Haberman

6-7 minutes

The departures, which include his lead lawyer, Butch Bowers, come more than a week before his Senate trial is set to begin.





Credit...Mary Ann Chastain/Associated Press

- Jan. 30, 2021

Former President Donald J. Trump has abruptly parted ways with five lawyers handling his impeachment defense, just over a week before the Senate trial is set to begin, people familiar with the situation said on Saturday.

Those departures include his lead lawyer, Butch Bowers, whose hiring was announced last week, a person familiar with the situation said. Four other lawyers who were reported to be joining, including Deborah Barbier, a criminal defense lawyer in South Carolina, are also leaving, according to multiple people familiar with the situation.

Mr. Trump had pushed for his defense team to focus on his baseless claim that the election was stolen from him, one person familiar with the situation said. A person close to Mr. Trump disputed that that was the case but acknowledged that there were differences in opinion about the defense strategy. However, Mr. Trump has insisted that the case is "simple" and has told advisers he could argue it himself and save the money on lawyers. (Aides contend he is not seriously contemplating doing so.)

The decision for Mr. Bowers to leave was "mutual," another person familiar with the situation said, adding that Mr. Trump and Mr. Bowers had no chemistry, a quality the former president generally prizes in his relationships. Mr. Trump prefers lawyers who are eager to appear on television to say that he never did anything wrong; Mr. Bowers has been noticeably absent in the news media since his hiring was announced.

Jason Miller, a Trump adviser, said that the former president and his aides had "not made a final decision on our legal team."

Mr. Bowers is the only lawyer whom Mr. Trump's aides had confirmed would defend the former president. Senator Lindsey Graham, a close ally of Mr. Trump's who represents South Carolina, was said to have helped line up Mr. Bowers, a well-known figure in the political world there who was working to establish a broader team.

The Morning: Make sense of the day's news and ideas. David Leonhardt and Times journalists guide you through what's happening — and why it matters.

The departures of Mr. Bowers and Ms. Barbier were previously reported by CNN. A third lawyer, Josh Howard, of North Carolina, is also no longer part of the team, another person familiar with the situation said. And two other lawyers from South Carolina, Johnny Gasser and Greg Harris, will also no longer be involved, one of the people familiar with the situation said.

Mr. Trump is due to file a response to the House charges by Tuesday.

The question of who will represent Mr. Trump in his Senate trial has vexed him and his advisers since it became clear that he would become the first American president to be impeached twice.

This month, Democrats in the House, joined by 10 Republicans, charged Mr. Trump with "incitement of insurrection" for his role in instigating a violent mob that stormed the Capitol on Jan. 6 as Congress convened to affirm President Biden's victory in the November election.

During various investigations while he was in office, Mr. Trump has struggled to find — or retain — lawyers to defend him, and the announcement of Mr. Bowers's hiring capped weeks of frantic searching.

Mr. Trump's lawyers from his impeachment trial last year are not expected to be involved this time. They include Jay Sekulow, the former White House counsel Pat A. Cipollone and his deputy, Pat Philbin, and another lawyer who worked in the West Wing, Eric Herschmann.

Rudolph W. Giuliani, who worked as Mr. Trump's personal lawyer during the special counsel's investigation into whether the Trump campaign in 2016 had colluded with Russian officials, has made no secret of wanting to defend Mr. Trump in the second impeachment trial.

But Mr. Giuliani is a potential witness because he spoke at a rally of Trump supporters on Jan. 6, hours before hundreds marched to the Capitol and rioted. Almost all of Mr. Trump's advisers blame Mr. Giuliani, who encouraged Mr. Trump's desire to find ways to overturn the election results and to call their legitimacy into question, for the latest impeachment.

They also blame him in part for Mr. Trump's first impeachment, which was driven by the former president's interest in pressuring Ukraine to investigate the Biden family. Mr. Giuliani repeatedly encouraged Mr. Trump to believe baseless allegations related to Mr. Biden's son, Hunter, and his business activities in Ukraine.

The second impeachment trial is set to begin on Feb. 9. This week, 45 Republican senators voted in support of a measure brought forward by Senator Rand Paul of Kentucky calling the trial unconstitutional because Mr. Trump is no longer in office. That all but five Republican senators voted to challenge the constitutionality of the trial suggested a likely acquittal for Mr. Trump.

Democrats have pushed back, noting that Mr. Trump was impeached by the House while still in office.

Still, the question of constitutionality is likely to be a key part of Mr. Trump's defense. And his advisers were buoyed by the show of Republican support for the Paul measure, believing it was an indication that Mr. Trump would be spared a conviction.

The Senate needs a two-thirds majority, or 67 votes, to convict Mr. Trump, meaning 17 Republicans would need to cross party lines to side with Democrats in finding him guilty. An additional vote, this one requiring a simple majority, would be needed to disqualify him from holding office again. Still, most of his aides say they doubt he will run for office again.

www.rollingstone.com /culture/culture-features/capitol-christian-right-trump-1121236/

Rolling Stone

Sarah Posner

17-22 minutes

This story was produced by Reveal from the Center for Investigative Reporting, a nonprofit news organization. Get their investigations emailed to you directly by signing up at RevealNews.org/newsletter.

The January 6th Save America March, where then-President Donald Trump incited a crowd to attack the U.S. Capitol, opened with a prayer. Trump's longtime spiritual adviser and White House adviser, the Florida televangelist Paula White, called on God to "give us a holy boldness in this hour." Standing at the same podium where, an hour later, Trump would exhort the crowd to "fight like hell," White called the election results into question, asking God to let the people "have the assurance of a fair and a just election." Flanked by a row of American flags, White implored God to "let every adversary against democracy, against freedom, against life, against liberty, against justice, against peace, against righteousness be overturned right now in the name of Jesus."

Within hours, insurrectionists had surrounded the Capitol, beaten police, battered down barricades and doors, smashed windows and rampaged through the halls of the Capitol, breaching the Senate chamber. In video captured by *The New Yorker*, men ransacked the room, rifling through senators' binders and papers, searching for evidence of what they claimed was treason. Then, standing on the rostrum where the president of the Senate presides, the group paused to pray "in Christ's holy name." Men raised their arms in the air as millions of evangelical and charismatic parishioners do every Sunday and thanked God for allowing them "to send a message to all the tyrants, the communists and the globalists, that this is our nation, not theirs." They thanked God "for allowing the United States of America to be reborn."

White evangelicals have been Trump's most dedicated, unwavering base, standing by him through the cavalcade of abuses, failures and scandals that engulfed his campaigns and his presidency — from the *Access Hollywood* tape to his first impeachment to his efforts to overturn the election and incite the Capitol Riot. This fervent relationship, which has survived the events of January 6th, is based on far more than a transactional handshake over judicial appointments and a crackdown on abortion and LGBTQ rights. Trump's white evangelical base has come to believe that God anointed him and that Trump's placement of Christian-right ideologues in critical positions at federal agencies and in federal courts was the fulfillment of a long-sought goal of restoring the United States as a Christian nation. Throughout Trump's presidency, his political appointees implemented policies that stripped away reproductive and LGBTQ rights and tore down the separation of church and state in the name of protecting unfettered religious freedom for conservative Christians. After Joe Biden won the presidency, Trump administration loyalists launched their own Christian organization to "stop the steal," in the ultimate act of loyalty to their divine leader.

Since even before Trump took office, his cry of "fake news" was embraced by GOP leaders and leaders on the Christian right, who reinforced their followers' fealty by seeking to sequester them from reality and training them to dismiss any criticism of Trump as a witch hunt or a hoax. At the 2019 Faith & Freedom Coalition conference, held just months after special counsel Robert Mueller released his report on the Russia investigation, then-Senate Majority Leader Mitch McConnell accused the president's critics of "Trump derangement syndrome," and Sen. Marsha Blackburn, a Republican from Tennessee, urged the audience to disregard mainstream news and turn instead to the "most important name in news" — "you and your circle of friends." A few months later, amid Trump's first impeachment hearings, then-Rep. Mark Meadows, who would go on to become Trump's chief of staff, encouraged Christian-right activists at a luncheon at the Trump International Hotel in Washington to counteract news reports by retweeting him and other Trump loyalists in Congress. He underlined the power of this alternative information system, claiming that recent tweets from himself and Rep. Jim Jordan of Ohio — who would later vote to overturn the results of November's election — had received 163 million impressions, "more than the viewership of all the networks combined."

Over the course of 2020, those circles of disinformation became infested with QAnon conspiracy theories about a satanic, child-sex-trafficking "deep state," priming Trump's White evangelical shock troops for his ultimate conspiratorial lie: that the election was stolen from him and that Biden's victory was the result of fraud. As Trump and his legal team fanned out across the country's courthouses and right-wing airwaves, insisting that they would prove voter fraud and reverse the results of the presidential election, Christian-right leaders and media picked up the rhetoric and ran with it. By Thanksgiving, the lie that the election had been stolen from Trump had become an article of faith.

Coverage of the Capitol insurrection has focused on such far-right instigators as the white supremacist Proud Boys and the Three Percenters, a militia group. But a reconstruction of the weeks leading up January 6th shows how a Christian-right group formed to "stop the steal" worked to foment a bellicose Christian narrative in defense of Trump's coup attempt and justify a holy war against an illegitimate state. In late November, two federal workers, Arina Grossu — who had previously worked for the Christian-right advocacy group Family Research Council — and Rob Weaver, formed a new Christian right group, the Jericho March. The new group's goal, according to a news release announcing its launch, was to "prayerfully protest and call on government officials to cast light on voter fraud, corruption, and suppression of the will of the American people in this election." In fact, the Jericho March would help lay the groundwork for the insurrection.

The group held its first rally in the nation's capital December 12th, the same day other protests against the democratic process took place there. That night in Washington, the protests devolved into violence as armed members of the Proud Boys roamed the city's streets looking to fight, stole a Black Lives Matter banner from a historic Black church and set it on fire. The Jericho March rally, which had run most of the afternoon on the National Mall, featured a lineup of some the right's most incendiary figures, blending conspiracies and battle cries with appeals to Christianity. Eric Metaxas, a popular author, radio host and unrelenting promoter of the false claim that the election was fraudulent, was the emcee.

In an interview from the rally posted on the influential disinformation site *The Epoch Times*, Weaver compared the marchers he enlisted to the capital to the story of Joshua's army in the Bible, which encircled the city of Jericho as priests blew trumpets, causing the walls to tumble down so the army could invade. Grossu told an interviewer that the election had been "stolen" from Trump, citing Trump lawyer Sidney Powell's baseless claims about voting irregularities. Grossu promised, "God can reveal all the election fraud and corruption that stole the election from him."

Other Jericho March speakers linked to the Trump administration pressed themes of biblical war and Christian redemption. Michael Flynn, Trump's former national security adviser who pleaded guilty to lying to federal investigators, described the walls of Jericho as a metaphor for the walls around the "deep state" and pledged, "We're going to knock those walls down." Trump campaign adviser Roger Stone, who claimed to have been born again since his conviction for obstructing the Mueller investigation, told the crowd in a recorded message: "It was Jesus Christ who gave our president, Donald Trump, the courage and the compassion to save my life when I was unfairly and illegally targeted in the Mueller witch hunt. ... My faith is in Jesus Christ, and we will make America great again and we will stop the steal." These testimonies were punctuated with the blowing of shofars, traditionally Jewish ritual objects, to echo the trumpets sounding outside Jericho that summoned an invasion.

Gallery: Attack on the U.S. Capitol

Among the speakers were leading figures in the subsequent insurrection. Weaver and Grossu, the rally's organizers, sang "God Bless America" with Ali Alexander, founder of Stop the Steal and a prominent organizer of the January 6th rally. Alexander had previously attracted attention in Trump circles – he was invited to a 2019 social media summit at the White House and appeared with GOP figures such as Rep. Paul Gosar at previous Stop the Steal rallies — and has said he worked with Gosar and Republican House members Andy Biggs and Mo Brooks to plan the January 6th rally. He rallied the December 12th Jericho March crowd, declaring that the event "is only the beginning." He urged them to return to Washington on January 20th — Inauguration Day — to "occupy D.C." According to an archived page from the Jericho March website, organizers took up the call, planning several subsequent rallies and marches, including mobilizing for Stop the Steal's "Wild Protest" on January 6th.

Stewart Rhodes, founder of the militia group Oath Keepers, also appeared, vowing that if Trump did not "show the world who the traitors are and then use the Insurrection Act to drop the hammer on them," then "we're going to have to do it ourselves later in a much more desperate, much more bloody war." Oath Keepers have since been arrested and charged with conspiracy for allegedly helping to coordinate movement inside the Capitol siege.

Alex Jones, the far-right conspiracist radio host and Trump booster, electrified the Jericho Marchers with his invocation of the Book of Revelation, thought to prophesy Christ's return. "Christ's crucifixion was not

our defeat, it was our greatest victory," he shouted. "The state has no jurisdiction over any of us. Our relationship with God is sacred and is eternal." He vowed that Biden "will be removed, one way or another.

Grossu and Weaver, though, were more than just Trump fellow travelers. They were on the payroll of the federal government, which constrains employees from engaging in certain partisan political activities. Grossu was a contractor in the U.S. Department of Health and Human Services' Office of Civil Rights, on a contract from November 6th, 2017, through January 30th, 2021, according to an agency spokesperson. For his part, Weaver was named an adviser in the department's Center for Faith-Based and Neighborhood Partnerships in July 2020 and served, according to the spokesperson, through January 8th, 2021. Earlier, in 2017, Trump had nominated Weaver to serve as director of the agency's Indian Health Service. But the nomination was withdrawn after *The Wall Street Journal* reported that Weaver had misrepresented his experience on his resume. Weaver leveraged his new health department role at the Jericho March, saying in the live interview that day that he worked for the federal government and claiming, without providing any details, to have "seen a lot of really hidden things that I just can't stand." The country, Weaver said in the interview, "stands on the shoulders of Jesus. He's the real government."

Weaver went on, "God told me to let the church roar."

Grossu did not respond to a request for comment, and Weaver's email at the Department of Health and Human Services was no longer functioning; the public relations firm that handled Jericho March media relations also did not respond to requests for comment.

Speakers at the December 12th Jericho March continued to show up at protests decrying the election as fraudulent. Jones, for example, returned to Washington on January 5th for a rally at Freedom Plaza, near the White House. That rally, according to the permit, was hosted by a group called the Eighty Percent Coalition, an apparent reference to a Gallup poll that showed more than 80 percent of Republicans did not trust the results of the election. That evening, Jones reprised his Christian nationalist bombast. Employing apocalyptic language about a coming "new world order," he called Biden a "slave of Satan" and warned that "things are going to be rough, things are going to get bad in the future." He added that "not everybody is going to make it, but that's OK, because in the end, God will fulfill his destiny and will reward the righteous."

Then he turned to the next day's events. "Tomorrow is a great day," he shouted. "We don't quietly take the election fraud, we don't quietly take the scam and believe their BS. We've seen the evidence. The system has had to desperately engage in this gambit to maintain control, but this will be their Waterloo, this will be their destruction."



Trump supporters demonstrating against the election results march to the Supreme Court to protest against the Court's decision not to overturn the election, on December 12, 2020 in Washington, D.C.

Andrew Lichtenstein/Corbis/Getty Images

The next day, Trump goaded protesters to march to the Capitol. Jones is seen in video footage of the insurrection scraped from Parler and other social media giving directions to rioters through a bullhorn. The day after the insurrection, Jones claimed the White House had asked him to lead the march to the Capitol.

The events of January 6th shook the nation, but they appear to have done little to weaken Trump's White evangelical support. A Marist College/PBS/NPR poll, conducted after January 6th, found that 63 percent of White evangelicals did not trust the election results were accurate, and a similar number, 65 percent, did not believe Trump was to blame for the violence at the Capitol. A poll conducted by the Public Religion Research Institute found that while Trump left office with his lowest overall favorability rating since his 2016 campaign — 31 percent — his approval rate was twice as high among White evangelicals.

The Sunday after the insurrection, Trump's spiritual adviser Paula White was back in the pulpit at City of Destiny, the church she pastors in Apopka, Florida. Trump and White have been friends since the mid-2000s, when he invited her for a meeting after he spotted the blond televangelist while channel surfing. White briefly condemned "lawlessness," but then mounted a strong defense of free speech rights and assured her congregation that "God is still at work." She recounted the story in the first Book of Samuel, in which the Philistines stole the Ark of the Covenant. In the biblical story, the ark is considered too holy for the apostate Philistines, "the eternal enemies of God," as White described them, to handle, and God returns it to the Israelites — evidence that, in White's view, God will restore America to its rightful inheritors, too.

Other evangelical leaders sought to deny reality, blaming the violence of that day on antifa or Black Lives Matter protesters who they falsely claimed had posed as Trump supporters. Michele Bachmann, the former Republican congresswoman who is now a dean at Regent University, had been inside the Capitol during the January 6th siege. Speaking to a prayer call with other Christian-right leaders that evening, she said: "You know the kind of people that we were with. The nicest, friendliest, happiest — it was like a family reunion out there. It was incredible, it was wonderful, and then all of a sudden, this happens." Of the rioters at the Capitol, Bachmann insisted that "this wasn't the Trump crowd, this didn't look anything like the Trump crowd or the prayer warriors."

Lance Wallnau, a popular evangelical author, speaker and Trump loyalist who attended the January 6th protest, echoed that same theme. "This is not your typical evangelical, I'm telling you right now," he told Metaxas on his radio program the day after the insurrection, "and they're banging on the hoods of the police and they're creating a scene, I said, 'This is the local antifa mob and this is like from the playbook 101.' "

By January 8th, the Jericho March had posted a statement denouncing violence and scrubbed any reference to Stop the Steal's January 6th protest.

Accountability for the former president was not on the table. Pastor Robert Jeffress of First Baptist Church of Dallas has been close to Trump for years, as one of the first evangelical leaders to endorse his candidacy in 2016. He condemned the violence but stopped short of blaming it on Trump, telling Reveal from The Center for Investigative Reporting that while he accepts the election results, Trump "has a right to believe" that it was stolen.

Another influential Trump ally, Franklin Graham, head of the Billy Graham Evangelistic Association, sent an unmistakable signal to Republican lawmakers that their White evangelical base would not tolerate a second impeachment. In a Facebook post, Graham compared the 10 House Republicans who voted to impeach Trump to Judas, whose betrayal of Jesus led to his crucifixion. "It makes you wonder," he wrote, "what the thirty pieces of silver were that Speaker [Nancy] Pelosi promised for this betrayal."

Meanwhile, the Christian right is readying its troops for an escalation of the culture war: a campaign to delegitimize not only Biden's presidency, but any Democratic election victory. Bachmann, during the prayer call just hours after the insurrection, claimed that Democrats also "stole" control of the Senate when Jon Ossoff and Raphael Warnock won their seats in Georgia — a development Bachmann repeatedly called a "coup."

That narrative means that Republican lawmakers can rest assured that their most loyal base will have their back as they reject Trump's second impeachment, obstruct the Democratic legislative agenda and refuse to accept the legitimacy of the Democratic president and Democratic leadership of Congress. The movement's new jeremiad, a battle against the democratic process itself, is just getting started.

On Wednesday, the Department of Homeland Security issued a terrorism advisory bulletin that warned of the potential costs of the false claims at the heart of that battle: "Information suggests that some ideologically-motivated violent extremists with objections to the exercise of governmental authority and the presidential transition, as well as other perceived grievances fueled by false narratives, could continue to mobilize to incite or commit violence."

This story was edited by Esther Kaplan and Matt Thompson and copy edited by Nikki Frick. Sarah Posner can be reached at sarahposner1@gmail.com. Follow her on Twitter: @sarahposner.

The New York Times https://nyti.ms/3t7xC1T

Trump Raised $255.4 Million in 8 Weeks as He Sought to Overturn Election Result

The former president's fund-raising slowed significantly after the Electoral College delivered its votes to make Joseph R. Biden Jr. the 46th president.



By Shane Goldmacher and Rachel Shorey

Jan. 31, 2021 Updated 3:56 p.m. ET

President Donald J. Trump and the Republican Party raised $255.4 million in the eight-plus weeks following the Nov. 3 election, new federal filings show, as he sought to undermine and overturn the results with unfounded accusations of fraud.

Mr. Trump's strongest fund-raising came in the immediate aftermath of the election, such as after major media organizations declared that Joseph R. Biden Jr. had won on Nov. 7. But even as Mr. Trump and his legal team lost case after case — in venues including the Supreme Court — his donors continued to give repeatedly. More than two million contributions flowed in to Mr. Trump, the Republican National Committee and their shared accounts from Nov. 24 through the end of the year.

The donations were made public over the weekend in a Federal Election Commission filing by WinRed, the digital platform that Republicans use to process online donations. Mr. Trump's campaign committee, joint committees with the R.N.C., and the new political action committee he formed after the election, Save America, will all file additional disclosures on Sunday with more details on spending and fund-raising.

Mr. Trump had previously announced that he and the R.N.C. had raised $207.5 million in the first month following the election. The new records show that his fund-raising fell sharply in December compared with November, with an especially notable dip after Dec. 14, the day the Electoral College formally cast its ballots to make Mr. Biden the nation's 46th president, and reality may have set in for some of Mr. Trump's supporters about the futility of the efforts to overturn the result.

In the two weeks leading up to the Electoral College vote, Mr. Trump and the R.N.C. had raised an average of $2.9 million every day online; in the two weeks after, the average was $1.2 million.

In fact, Mr. Trump and the R.N.C. had raised more than $2 million online every day since the election until Dec. 14. They did not raise that much again for the rest of the year, until Dec. 31, when donations spiked at the end-of-year deadline.

The new figures capture almost all of Mr. Trump's online fund-raising, as he stopped raising money on Jan. 6, the day on which he addressed a mob of supporters who then stormed the Capitol in a violent riot and on which Mr. Biden was formally ratified by Congress as the next president.

Following that riot, Mr. Trump essentially ceased sending fund-raising pitches to his supporters (the R.N.C. paused for about a week). His last campaign email that day began, "TODAY will be a historic day in our Nation's history."

Still, Mr. Trump left office with tens of millions of dollars raised for his new Save America PAC, which he can use to fund a post-presidential political operation, including travel and staffing.

But Mr. Trump still faces a wave of legal costs with a looming impeachment trial in the Senate set to begin in a little more than a week. Late on Saturday, Mr. Trump abruptly parted ways with the lead lawyer, Butch Bowers, on his impeachment defense.

Capitol Riot Fallout

From Riot to Impeachment

The riot inside the U.S. Capitol on Wednesday, Jan. 6, followed a rally at which President Trump made an inflammatory speech to his supporters, questioning the results of the election. Here's a look at what happened and the ongoing fallout:

- As this video shows, poor planning and a restive crowd encouraged by President Trump set the stage for the riot.
- A two hour period was crucial to turning the rally into the riot.
- Several Trump administration officials, including cabinet members Betsy DeVos and Elaine Chao, announced that they were stepping down as a result of the riot.
- Federal prosecutors have charged more than 70 people, including some who appeared

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In his first impeachment, the R.N.C. shouldered some of the legal expenses for Mr. Trump because he was the sitting president and the party leader. Those costs included a $196,000 payment to Alan Dershowitz, the lawyer who served as part of Mr. Trump's defense team.

It is not clear what role the R.N.C. will play in the upcoming impeachment but the party's coffers did benefit immensely from Mr. Trump's aggressive fund-raising as he spread conspiracy theories about voting fraud. Some 25 percent of funds raised through Mr. Trump's email and texting operation were earmarked for the R.N.C.

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Proud Boys settle in at Washington DC's oldest hotel and bar

Militant right-wing organisation makes Hotel Harrington its unofficial headquarters

Joe Heim, Marissa J. Lang | Monday 28 December 2020 10:59



Two people, one of them with a Proud Boys shirt, gesture with the White Power sign, as supporters of Trump gather in Freedom Plaza, in Washington, DC *(EPA)*

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Located five blocks from the White House, the Hotel Harrington is the city's oldest continuously operating hotel and has a long-standing reputation as one of the most affordable hotels in the heart of the District of Columbia. But over the past few months, the Harrington has been gaining a new reputation: the Proud Boys hangout.

The militant right-wing organisation that supports President Donald Trump, which has clashed in violent street battles with members of anti-fascist groups and others who oppose Mr Trump, has made the Harrington its unofficial headquarters when members come to the city. Several hundred Proud Boys recently stayed at the hotel while in town for the 12 December protest of Joe Biden's election.

More protests by pro-Trump groups are planned in downtown DC on 6 January 2021.

Wearing their signature black and gold colours, large numbers of the group spent much of the afternoon of 12 December drinking openly and chanting on the street in front of the hotel. They ranged in age from late teenagers to 50 and 60-year-olds, though most appeared to be in their 30s and 40s. Others filled the outdoor patio at

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The repeated and growing presence of Proud Boys at the bar and hotel has unnerved some guests and workers, many of whom are Black and Hispanic and were intimidated by their presence, according to two employees who spoke on the condition of anonymity because they were not authorised to speak publicly.

Read more

Proud Boys leader admits burning church's Black Lives Matter sign

Proud Boys boast they've had a member in White House for four years

Proud Boys burn BLM banner while making white supremacy signs

In the past three months, Harry's has been cited three times for violating social distancing and mask regulations. The violations occurred on weekends when large numbers of Proud Boys and other pro-Trump supporters, in town for demonstrations, were in the bar.

For the hotel and the bar, there seems to be uncertainty about what steps they can or should take. Ann Terry, the general manager of the hotel, declined to comment.

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Enrique Tarrio, the leader of the Proud Boys, said in an interview, that in the past, the group's members have stayed at the Harrington and frequented Harry's because it was accessible to downtown DC and close to the Trump hotel and the White House.

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He said the corner in front of the hotel and bar has remained a gathering point for the Proud Boys, but that the group had outgrown Harry's because it was not big enough to accommodate all of its members who attended the most recent protest, which he said numbered around 1,000.

Mr Tarrio said the group's members would not stay at the hotel or go to the bar if the businesses asked them to stay away.

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Since opening in 1914, the 250-room Harrington has billed itself as an affordable tourist hotel, hosting tens of thousands of visitors to the city over the past 106 years. It was also a family business. Charles McCutcheon, the owner of the hotel until he died this year, was the grandson of the hotel's co-founder. Many employees of the hotel have been there for generations.

For some of them, a longtime employee said, there is a fear that the hotel's reputation is being tarnished by the Proud Boys repeated presence at the hotel and its bar.

"It's sad that they feel so comfortable here, because obviously nobody who works here supports this stuff," the employee said.

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batons. Some carried cases of beer. They departed the hotel in packs and began marching through downtown D.C., chanting, "Whose streets? Our streets!" and "f*** antifa!"

The group tried to approach Black Lives Matter Plaza near the White House, where they hoped to encounter a smaller number of antifascists and others who had gathered to voice their opposition to Mr Trump and keep his supporters from removing signs or artwork critical of the president and memorialising Black people killed by law enforcement.

DC police spent much of the night trying to keep the groups apart and at one point established a police line. Unable to break through the barrier, a group of Proud Boys doubled back to the hotel, carrying a Black Lives Matter banner from a nearby church. They carried it in front of the Harrington and lit it on fire as members circled the flames, yelling and hooting.

City officials later said four churches in downtown DC had Black Lives Matters signs removed and damaged. Mr Tarrio told *The Washington Post* that he was among those responsible for tearing down and burning the signs.

For the most part, police were successful in keeping the groups apart, but there were skirmishes. At least four people were stabbed during a melee near Harry's. Police have declined to comment on the political affiliations of those involved.

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Police and protesters clash at Proud Boys demonstration in Washington DC

"These Proud Boys are avowed white nationalists and have been called to stand up against a fair and legal election," said DC Mayor Muriel Bowser, a Democrat. And DC Council Chairman Phil Mendelson, a Democrat, said a beautiful weekend "was ruined by white supremacists who came to our city seeking violence".

Bowser said that the city had encouraged Harry's to close early for protest weekend and that the bar was not open after 4pm on either 11 or 12 December. The mayor declined to draw a connection between the violence late that Saturday and the bar around which Proud Boys and other Trump supporters continued to gather through the night.

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But DC Council member Brooke Pinto, a Democrat who represents the ward in which Harry's is located, said the bar's complicity in allowing "hate groups" to gather should not be overlooked.

"I am angered and troubled by the violence committed by white supremacists in our city and in Ward 2 over the weekend and last month," Ms Pinto wrote in a statement to *The Washington Post*. "Harry's disregard for public health guidance as these hate groups have gathered in their establishment without masks and without being socially distant before taking to the streets and further jeopardising the health and safety of District residents is absolutely unacceptable."

Ms Pinto said she would like to see greater enforcement of the city's coronavirus protocols and would "encourage local businesses to protect our residents first," though she did not elaborate on how businesses such as Harry's might do so. Mr Boyle did not respond to Ms Pinto's comments.

Harry's has been cited for flouting the city's mask ordinance three times since October.

On 10 October, an investigator from the DC Alcoholic Beverage Regulation Administration (ABRA) noticed that a server was not wearing a mask as he waited on tables filled with patrons who were also barefaced though they were not actively eating or drinking, according to the ABRA incident report.

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A month later, on the night before the "Million MAGA March", a city investigator reported that patrons were not wearing masks and were moving about the bar freely, gathering in large groups and flouting social distancing requirements. Outside the bar, he wrote, more than 50 people were gathered listening to loud music and drinking in the street. The investigator called the situation "unacceptable" and issued Harry's a $1,000 fine.

Mr Boyle "admitted that he lost control of the establishment", according to the ABRA report. The investigator found that "the establishment was basically operating as normal prior to Covid".

The next day, after thousands of Mr Trump's most ardent supporters packed DC streets and marched to the US Supreme Court, many gathered at Harry's to celebrate.

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Dozens of maskless individuals were gathered outside the bar, waiting to be seated, the ABRA investigator wrote, while inside patrons crowded around small tables and moved freely about the establishment without donning face coverings.

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The ABRA investigator slapped Harry's with another $1,000 (£737) fine, the second in two days.

Patrick Young, 37, spent most of 12 December at Black Lives Matter Plaza, poised to defend the space where racial justice activists have gathered for months.

Throughout the day, he said, he saw "marauding bands of Proud Boys" try to make their way past police lines and into the plaza.

He was worried that as the night wore on, and as far-right agitators imbibed more, the threat of violence would increase, he said.

The next day, he called Harry's Bar, asking to speak with the owner. To Mr Young's surprise, Mr Boyle answered the phone.

"I told him I was very concerned that the bar was becoming a base of operations for the Proud Boys," said Mr Young, an organiser with activist coalition ShutDown DC.

ShutDown DC and other local social justice groups have for weeks encouraged their members to call Harry's and encourage the bar to denounce the Proud Boys and close during large pro-Trump gatherings.

Downtown hotels also received calls and emails from DC residents and activists

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ShutDown DC organisers said they will continue to lobby business owners and city officials to do more in the future. Harry's, they said, will remain priority No 1. The group launched an online petition this week calling on the ABRA to revoke Harry's liquor license.

"As long as people are coming into our community with the expressed intent of terrorising our friends and neighbours, we are going to work to keep each other safe," Mr Young said.

The Washington Post

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US Senate candidate Gary Peters built bridges in military, and wants to do same in upper chamber

By Fritz Klug | fklug@mlive.com

9-11 minutes

LANSING, MI — When the Michigan legislature wrapped up the session in December 1995, then-State Sen. Gary Peters left Lansing for a 15-day tour of the Persian Gulf.

Peters, a Ensign in the Navy, flew to Bahrain, two years into a nearly 15-year stint as a Navy reservist.

"I think about the training that I had as a Seabee — it's very helpful for me in public service and the U.S. Senate," Peters, currently a Democratic U.S. Representative, told a crowd earlier this month at American Legion Post 426 in Trenton.

This was the second stop on a two-day tour of Michigan in which Peters allowed a reporter to tag along as he talked to voters, and in this case, veterans.

"One of our missions was to build bridges," said Peters, who is from Bloomfield Hills. "I like to say: We learned how to build bridges while getting shot at. It's kind of a metaphor for Washington: people are constantly taking shots but we've got to be able to build bridges, we got to bring people together...it's about being a practical problem solver."

And now, Peters wants to bring his six years of experience in the U.S. House to one of the highest elected offices: the U.S. Senate.

Peters has traveled across Michigan several times and made a tour focusing on veterans issues earlier this month. At stops in Metro Detroit, Jackson, Battle Creek, Flint and Grand Rapids, Peters spoke about several pieces of legislation he introduced, including bills to invest in suicide prevention and business funding mechanisms for veterans. He called the recent at the "unacceptable" situation at the VA.

Months before the general election, Peters is gearing up for one of the most watched races in the state. Neither Peters nor his Republican opponent, former Michigan Secretary of State Terri Lynn Land, have primary challengers, but both have been campaigning hard for the general election in November.

The candidates have raised and spent millions of dollars and outside interest groups have spent millions more. Several televisions ads are running at any time across the state.

Related: Mark Schauer taps Obama database, 'special sauce' in bid to beat Michigan Gov. Rick Snyder

Time in the Navy Reserves

Traveling on the bus between visits, Peters chatted with veterans who joined him. They shared experiences about boot camp and training, as well as had some fun with the rivalries between branches.

Peters first joined the U.S. Navy Reserve as a drilling reservist in 1993, just weeks before he turned 35, the age limit for enlisting.

"I felt like it was something I really needed to do," Peters said. "It's either now or never."

Part of that desire to join the military comes from his family history: Peters' father was a World War II veteran; his great-grandfather a Civil War soldier and an earlier forefather was in the Virgina militia in the Revolutionary war.

"It's something my father instilled in me," Peters said. "Military service is an important responsibility of citizenship."

Peters had left the reserves to spend more time with his wife and three children. But after the Sept. 11 attacks, Peters re-joined.

"I went to my wife and said 'I have to get back in the reserves,'" Peters said. "Here I am, I'm a fully trained officer in the U.S. Navy."

Peters was a Seabee Combat specialist, which is an engineer responsible for various construction projects, including bridges, roads and airstrips for combat troops. He rose to the rank of Lt. Commander and was an expert marksman with a 9 mm pistol and M16 rifle. He was honorably discharged in 2008.

Peters said decisions Congress makes related to the military and foreign policy are some of its most important work.

"The most difficult decision a member of Congress can possibly make is to send men or women into harms way," Peters said. "I take that to heart and remember the fine men and women I served with…I will always have that as a frame of reference."

• Confused about the August primary? Check out MLive's voter guide.

On the tour that day was Andy Linko, who served under Peters in the reserves and is now running to be a state representative in the 23rd district.

"You never accept failure, you never blame anybody else," Linko said of his time with Peters in the reserves. "If you didn't get your mission accomplished, you had to answer to somebody. If you didn't have the right answers, you were back out there doing it."

Linko reconnected with his former commander in 2002 when Peters ran for Attorney General. Republican Mike Cox won by just one-tenth of a percentage point.

Linko says Peters' time in the service helps him in Congress.

"We gave 110 percent…I think the same thing goes for public service," Linko said.

State of the race

National Republicans see the Peters/Land race as an opportunity to take control of the Senate. State Republicans see it as realistic chance to elect one of their own to the highest chamber for the first time since 2000, when Debbie Stabenow beat incumbent Spence Abraham. Democrats want to maintain the seat and elect a replacement to Levin.

Peters has led in recent polls. The Cook Political Report says the race is a toss up, Real Clear Politics and Rothenberg Political Report/Roll Call labels it leaning Democratic. This week, Sabato's Crystal Ball moved it to Likely Democratic. Overall, Peters is leading by an average of 5.8 points, according to Real Clear Politics.

In fundraising, Land has raised a total of $8.55 million, more than Peters' $6.78 million. But Land has donated $2.9 million of her own money to the campaign. Peters has put none of his own money in the race.

Outside groups and political action committees have also spent large amount of money in the election. According to the Michigan Campaign Finance Network, independent organizations have spent $6.3 million on ads against Peters and $3.27 million attacking Land.

All of this makes for a hot election.

"This U.S. Senate race is the most interesting race in the state," said TJ Bucholz, a longtime Lansing political consultant and founder of Vanguard Public Affairs.

"You have two diametrically opposite candidates," Bucholz said. "You have Gary Peters, who is a traditional progressive, and Terri Lynn Land, who certainly Republicans are rallying behind but probably resonates more with the Tea Party wing of her party than the long-held establishment."

The candidates are taking two different approaches to campaign infrastructure, Bucholz said: Peters is doing more on an "old school" campaign, traveling from county to county, visiting various organizations and participating in forums.

Land, on the other hand, is spending money on more digital media options and support for outside groups.

"It's really a ground game versus an air game," Bucholz said.

The Land campaign has attacked Peters on several fronts, including his 2010 vote for the Affordable Care Act as well as his time working in the financial industry.

"I think that everybody who is going to vote on Obamacare has already made up their minds and are already voting that way," said Bernie Porn, a pollster at EPIC-MRA.

Recent polling numbers give an indication about what can happen in the race. If Peters continues to lead in the polls and, if after Labor Day takes a double digit lead, Porn said there could be drop off of outside money from Republicans.

A bipartisan issue

During each speech on the statewide veterans tour, Peters mentioned the importance of veterans issues and how it's something both parties can get behind.

It could be considered a step to build those bridges.

And that was viable during the last stop of the day: American Legion Post 298 in Battle Creek. Brian Ellis, a Republican running against incumbent U.S. Rep. Justin Amash, was at the event. Also there was the Republican chair of the Calhoun County Republican Party and a GOP state representative candidate.

It's not common to have members from one party show up for an event held by the other party.

Ellis said heard it was a veterans event and didn't know it was a Peters event. The other two said they were aware it was a Democratic event.

"We knew it was a Peters thing," said Art Kale, who is running in the Republican primary for state representative. "We have as much interest in the veterans as anyone else."

Calhoun County Republican Party Chairman David Mead added: "When a guy puts on a uniform, it doesn't have a 'D' or an 'R' on it."

Correction July 26: a previous version of this story had the incorrect Navy rank that Peters had.

Editor's note: MLive spent a full day with the Peters campaign and has requested a similar experience with the Land campaign. We'll have detailed profiles of each candidate later this year in the run-up to the fall election.

Fritz Klug is a news buzz reporter for MLive. Contact him at fklug@mlive.com or 269-370-0584. Follow him on Twitter, Facebook or Google+.

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5 things you need to know about veteran and US Senator Gary Peters - We Are The Mighty

Katie Foley

44-56 minutes

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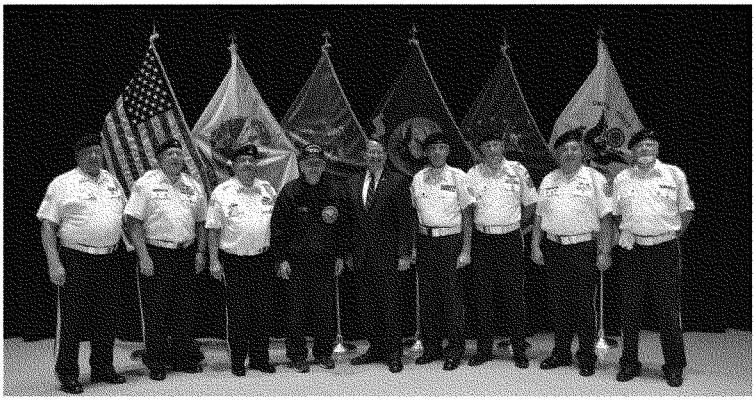



Senator Peters presented Vietnam Veteran lapel pins to Detroit Metro area veterans in October, 2016. Gary Peters

Vet On The Street

VET ON THE STREET - Word Assoc. 2

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Politicians — we love to hate them. But occasionally we come across one that we want to know more about. Michigan Democrat Sen. Gary Peters is one of those politicians.

We Are the Mighty caught up with the senator last week to chat about his work for and with veterans, and we came away with five things we think everyone should know about him:

1. Peters is working on veteran issues

Peters served in the Navy from 1993 to 2005. He left the Navy Reserve in 2000, only to return to duty just after the Sept. 11 terrorist attacks.

Not only has Peters had a heavy hand in incredibly pro-veteran legislation in the two years since he took office, he is actively looking for more ways he can contribute to the veteran community. Case in point: education.

The senator said that he was bothered that service members can spend entire careers in the military doing a specific job, and then find themselves in the civilian world and having to start completely over — either in college or in some sort of training for the very jobs they've just spent years doing.

"There should be some sort of translation," Peters told WATM.

One of the career fields he specifically mentioned was that of EMTs and other first responders. After extensive military training in medical fields, service members find that, upon their return to the civilian world, they are required to do all of that training again in civilian schools.

His idea is to find a way to make sure that those veterans are getting legitimate credit for their experience, rather than as as electives credits.

Bottom line: Peters wants to look at the issues facing veterans and put into action actual solutions to solve them.

2. He knows his stuff

The Michigan Democrat holds four degrees, including two masters, and a law degree.

At 22 and fresh out of college, Peters was named the assistant vice-president of Merrill Lynch — a position he held for nine years. That was followed by a four year stint as the vice-president of Paine Webber (a stock broker firm acquired by Swiss Bank UBS in 2000) before he joined the Navy.

During his time in the Navy, Peters served as an assistant supply manager and achieved the rank of lieutenant commander. His deployments include the Persian Gulf and various locations immediately after 9/11.

Peters served as a Michigan representative to the U.S. Congress from 2009 to 2015.

Bottom line: Peters has spent time both as a veteran and a politician learning the ins and outs of veteran issues.

3. Peters is working on keeping jobs in America

We asked Peters about the Outsourcing Accountability Act, which serves to gather accurate information from American companies on whether they outsource work to other countries, where exactly that work is going, and how many American jobs are being lost to outsourcing.

The bill has wide bi-partisan support.

The question was, did the Peters believe that his bill as introduced to the House would help or hinder veterans who were trying to get jobs?

"The idea is to create more jobs stateside," Peters told WATM. "This will, in turn, create more jobs for veterans stateside."

Bottom line: Peters is working to make sure that veterans have better access to American jobs.

4. He's working on PTSD and other mental and physical health issues veterans face

Peters authored an amendment to the National Defense Authorization Act called Fairness for Veterans.

Veterans who receive less-than-honorable discharges lose all of their benefits, and Peters says he strongly believes that those who received those discharges as a result of subsequently diagnosed PTSD should get an opportunity to have them reviewed.

Additionally, Peters cosponsored legislation to improve the veteran's crisis line, cowrote the No Heroes Left Untreated Act, and was a cosigner on a letter to President Trump about the VA hiring freeze and how it would negatively impact veteran access to care.

Bottom line: Peters shows a determination to get as much work done as possible while he serves his constituents.

5. Peters has a sense of humor

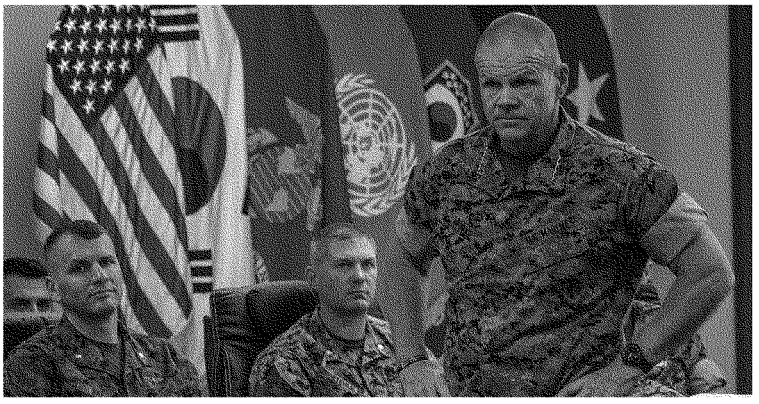
Peters was extremely limited in the amount of time he had to chat with We Are the Mighty, but when it was time for him to move into his next appointment, there was still one burning question that had been rolling around the office for days.

Given a choice, would the senator rather go into battle with one horse-sized duck or 1,000 duck-sized horses?

Peters' answer?

"Absolutely, 1,000 duck sized horses. I like to overwhelm my enemies with sheer numbers."

Bottom line: He's familiar with the sense of humor here at We Are the Mighty, and he digs it.



Physically fit? Check. Mentally fit? Check. Spiritually fit? Hmm.

That could be the response from more Marines and even other military service members of this Millennial generation, as fewer troops are claiming a religion than those of previous decades.



Time to get your 'spirit' on Marine! (USMC photo)

Earlier this month, Gen. Robert Neller, the commandant of the Marine Corps, issued an all-hands message to encourage his men and women and Navy sailors assigned to their units to take note of their own "spiritual fitness."

"During this time, I ask each of you to reflect on what you and the Marines and sailors you lead are doing to achieve and maintain an optimal level of strength and resilience. Your leaders and chaplains at all levels stand ready to engage with you in this task," Neller, a veteran infantry officer entering his second year as the service's top general officer, wrote in the Oct. 3 message. "By attending to spiritual fitness with the same rigor given to physical, social and mental fitness, Marines and sailors can become and remain the honorable warriors and model citizens our nation expects."

The general's mention of honorable warriors and model citizens – most Marines serve four to eight years and then return to civilian life – harkens to a generation ago. In the 1990s — with a military facing force cuts, ethical scandals and retention concerns — then-commandant Gen. Charles Krulak often spoke with Marines about the importance of integrity, having a "moral compass" and courage to do the right thing.

It wasn't specifically directed at religion or spirituality but took a broad, holistic approach at building better "citizen-soldiers."

In this generation, will that challenge to look inward at their spirituality, however they define it to be, resonate with Millennial Marines? And, if so, how?

If religious affiliation is any measure of that, military leaders might well be worried.

Last year, the Pew Research Center found that fewer Americans were identifying as religious. In its 2014 Religious Landscape Survey, the Pew Research Center found that 70.6 percent of Americans identified with a Christian-based religion, with "Evangelical Protestant," "Catholic" and "Mainline Protestant" the top groups. Almost 6 percent claimed non-Christian faiths – Jewish, Muslim, Buddhist and Hindu, for example.

But almost 23 percent in the survey of 35,000 Americans said they were unaffiliated – known as "nones" – or nonbelievers, and 15.8 percent of them claimed no ties even to agnostics or atheists. That was a significant change from 2007, when 16 percent identified as "nones."

The biggest group, 35 percent, among "nones" are Millennials, considered those born between 1981 and 1996, and "nones" as a whole "are getting even younger," Pew found. It's also an age group — 20 to 35 — that's well represented within the military services.

So how will today's Marines receive this latest message?

The Marine Corps hasn't detailed just what the push for spiritual fitness will entail, but it's described as part of leadership development and a holistic approach to overall fitness along with physical, mental and social wellness. The service's deputy chaplain, Navy Capt. William Kennedy, said it wasn't a program but "an engagement strategy to enable leaders at every level to communicate the importance of faith, values and moral living inside the Marine Corps culture of fitness."

"Spiritual fitness is for everyone," Kennedy said in an email response to WATM. "Every Marine has a position on matters of spirituality, belief in a higher being and religion. The individual Marine chooses if and how they will grow in spiritual fitness, enabling them to fulfill their duties successfully while deployed and in garrison."

Scott said the Navy's top chaplain Rear Adm. Brent Scott sent a letter to all Marine Corps' chaplains, challenging them to "engage their commanders and the Marine Corps in conversations on spiritual fitness."

A non-profit group, the Military Religious Freedom Foundation, has criticized the Corps' plan as an attempt to push religious, if not Christian, values on all Marines.

Mikey Weinstein, the group's founder and president and a former Air Force lawyer, has threatened to sue the Marine Corps to stop it from mandating spiritual fitness training for every Marine rather than having it be voluntary. Weinstein told Military.com last week that the service's plan to include spiritual fitness with some training and education courses is "nothing more than a Trojan Horse for fundamentalist Christians to proselytize to a captive audience."

"If they call this 'mental fitness,' that's great," Weinstein told WATM. But while Marines are regularly tested in physical fitness and military proficiency, he said, "who gets to decide what Marines are spiritually fit?"

While troops can be required to sit through legal discussions with a judge advocate or medical training with medics, they can't be required to attend teachings or preaching by unit chaplains, he said, citing separation of church and state. If the Marine Corps sets mandatory lectures, testing or measuring tools or classes that discuss things like faith or "a higher power," for example, that will push it into religious beliefs and violate the constitutional prohibition against religious tests, Weinstein said.

"If they do it, they'll be in court," he said.

In 2010, MRFF threatened to sue the Army when it pushed out a similar assessment program on spiritual fitness for soldiers, and Weinstein said the service eventually revised it.

But "spiritual fitness" remains a popular concept around the military — a phrase that might seem to avoid any specific religion to many but still retains an element of a belief. The Air Force considers it one of its comprehensive fitness pillars, along with mental, physical and social. And spiritual fitness is often mentioned in programs to help build resiliency among troops, including those grappling with combat or

post-traumatic stress and even in programs to strengthen relationships among military couples and families.

Navy chaplain Kennedy described spirituality generally as something "that gives meaning and purpose in life." It also might "refer to the practice of a philosophy, religion or way of living," he said. "For some this is expressed in commitment to family, institution or esprit de corps. For others, it may apply to application of faith."

Military chaplains have the duty to advise commanders and service members on "spiritual matters." They "are required to perform faith-specific ministries that do not conflict with the tenets or faith requirements of their religious organizations. Additionally, chaplains are required to provide or facilitate religious support, pastoral care and spiritual wellness to all service members, regardless of religious affiliation," according to a July 2015 Defense Department Inspector General report on "rights of conscience protections" for troops and chaplains.

Weinstein, who said he's Jewish but "not that religious," said his group isn't anti-religion and counts 48,000 active-duty troops among its members, with 98 percent who affiliate with a religion. Many supporters don't want the military services telling them what or whether to believe, he said, adding that "thousands of military people [say] that's my personal business."

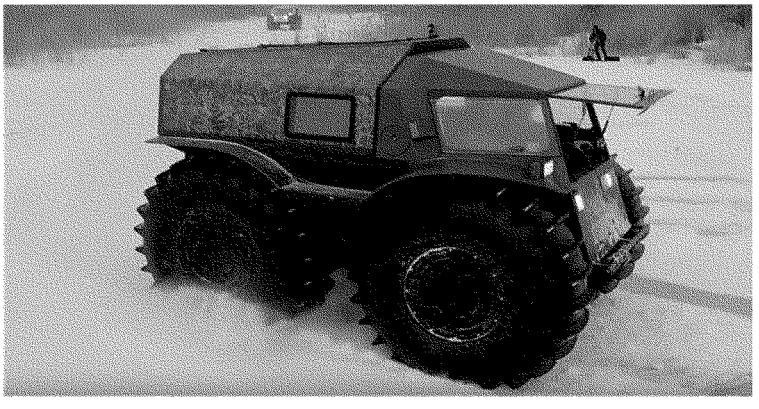
But is spiritual fitness inherently a part of something religious, or is it separate from a religious belief?

It may depend on who is defining it. A spiritual fitness guide briefing slide by the U.S. Navy Chaplains Corps, whose members advise Navy and Marine Corps units, describes spiritual fitness this way: "A term used to capture a person's overall spiritual health and reflects how spirituality may help one cope with and enjoy life. Spirituality may be used generally to refer to that which gives meaning and purpose in life. The term may be used more specifically to refer to the practice of a philosophy, religion or way of living."

Would having no religious affiliation or belief render one without spirituality? For some Leathernecks, the Marine Corps itself is like a religion, with its own spirituality that "non-believers" – like POGs or people-other-than-grunts – can't understand.

The Marines' own institutional bible, so-to-speak, the warfighting publication "Leading Marines," stated in its 1995 edition: "This manual is based on the firm belief that, as others have said in countless ways, our Corps embodies the spirit and essence of those who have gone before. It is about the belief, shared by all Marines, that there is no higher calling than that of a United States Marine."

Editor's Note: *This story has been changed to correct attribution from the Marine Corps Deputy Chaplain.*



The Sherp all-terrain Russian adventure-mobile looks like a Tonka truck. The two-passenger ATV with 63-inch wheels is deceiving in that it appears much larger than it actually is from far away.

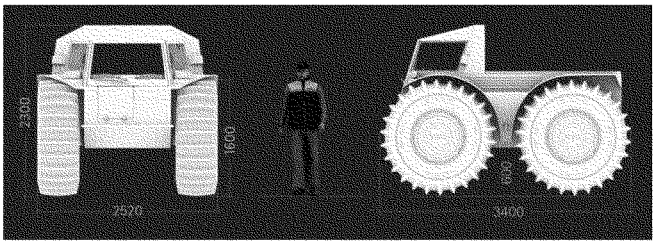
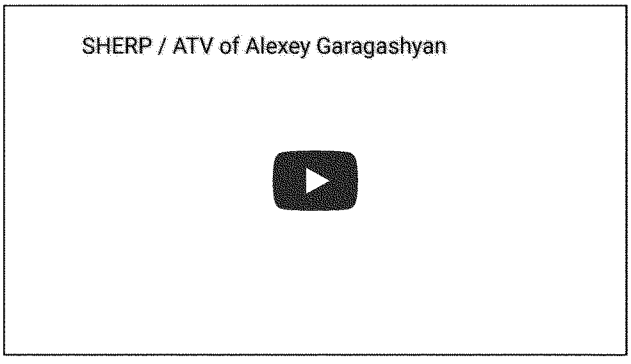


Image: Sherp

The Sherp's all-terrain capabilities are impressive. With nearly two feet of ground clearance, it can roll over brush fields, swamps, forest floors, and even fallen trees — it can clear anything up to 27.5 inches tall. Its ridged wheels are grapplers in rocky terrain and act as water paddles in the river.

The truck is way underpowered, however, sporting a 1.5-liter four-cylinder turbodiesel with 44 hp. The engine gives it a *head-spinning* speed of 28 mph on land and 3.7 mph in the water. Despite the power let down, it looks incredibly fun to drive.

Watch the ATV tackle the snow and water:





The AC-130 gunship is a devastating display of force and firepower. Through the years, the aircraft has been equipped with an array of side-fired canons, howitzers, mini-guns, wing-mounted missiles and bombs, and laser guided-missiles launched from the rear cargo door, earning it the moniker the "Angel of Death."

The primary missions of the gunship are close air support, air interdiction, and armed reconnaissance.

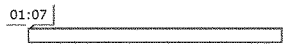
The heavily armed aircraft is outfitted with sophisticated sensor, navigation, and fire control systems, allowing it to track and target multiple targets using multiple munitions with surgical precision.

Another strength of the gunship is the ability to loiter in the air for extended periods of time, providing aerial protection at night and during adverse weather.

The AC-130 relies heavily on visual targeting at low altitudes and punishes enemy targets while performing pylon turns around a fixed point on the ground during attack.

The Air Force is the only operator of the AC-130 and the gunship has been providing close air support for special operators for the last 50 years.





Development and Design

During the Vietnam War, the C-130 Hercules airframe was selected to replace the original gunship, the Douglas AC-47 Spooky (Project Gunship I). The Hercules cargo airframe was converted into AC-130A (Project Gunship II) because it could fly faster, longer, higher, and with increased munitions load capabilities.

The gunship's AC identifier stands for attack-cargo.

The aircraft is powered by four turboprop engines and has a flight speed of 300 mph and a flight range of 1,300 miles, depending on weight.

> The AC-130 gunship's primary missions are close air support, air interdiction and force protection. Missions in close air support are troops in contact, convoy escort and urban operations. Air interdiction missions are conducted against preplanned targets or targets of opportunity. Force protection missions include air base defense and facilities defense. (U.S. Air Force photo)

The AC-130A was equipped with down facing Gatling guns affixed to the left side of the aircraft with an analog fire control system. In 1969, the AC-130 received the Surprise Package, which included 20mm rotary autocannons and a 40mm Bofors cannon configuration.

The gunships have been modified with multiple configurations through the years with each update providing stronger avionics systems, radars and more powerful armament.

Currently, Air Force special operations groups operate the AC-130U Spooky II and the AC-130W Stinger II.

The Spooky II became operational in 1994, revitalizing the special operations gunship fleet as a replacement for the AC-130A aircraft, and to supplement the workhorse AC-130H Spectre, which was retired in 2015.

The Spooky II is armed with a 25mm GAU-12/U Gatling gun (1800 rpm), a 40mm L60 Bofors cannon (120 rpm), and a 10mm M102 howitzer (6-10 rpm). The AC-130Us have a pressurized cabin, allowing them to operate 5,000 feet higher than the H models, which results in greater range.

The AC-130W was converted from the MC-130W Dragon Spear, a special operations mobility aircraft and are armed with precision strike packages to relieve the high operational demands on AC-130U gunships until new AC-130Js enter combat-ready status.

Over the past four decades, AC-130s have deployed constantly to hotspots throughout the world in support of special operations and conventional forces. In South America, Africa, Europe and throughout the Middle East, gunships have significantly contributed to mission success.

An AC-130W Stinger II fires its weapon over Melrose Air Force Range, N.M., Jan. 10, 2013. The AC-130W is one of the newest aircraft being flown at Cannon Air Force Base, N.M. (U.S. Air Force photo/Airman 1st Class Ericka Engblom)

As of Sept. 19, 2017, the AC-130J Ghostrider, the Air Force's next-generation gunship, achieved Initial Operating Capability and will be tested and prepared for combat deployment in the next few years. The AC-130J is the fourth generation gunship replacing the aging fleet of AC-130U/W gunships.

The Ghostrider is outfitted with a Precision Strike Package, which includes 30mm and 105 mm cannons and precision guided munitions of GBU-39 Small Diameter Bombs and AGM-176 Griffin missiles. The 105mm M102 howitzer system is a devastating weapon that can fire off 10 50lbs shells per minute with precision accuracy.

There are 10 Ghostrider gunships in the current fleet and the Air Force plans on purchasing 27 more by fiscal year 2021.

Operation and Deployment

The AC-130 Gunship operational history includes:

- 1960s/70s – Vietnam/Laos
- 1983 – Grenada – Operation Urgent Fury
- 1989 – Panama – Operation Just Cause
- 1991 – Persian Gulf – Operation Desert Storm
- 1993 – Somalia – Operation Restore Hope
- 1995 – Bosnia – Operation Deliberate Force
- 2001 – Present – Afghanistan – Operation Enduring Freedom
- 2003 – Present – Iraq – Operation Iraqi Freedom

An AC-130U Gunship aircraft from the 4th Special Operation Squadron jettisons flares over an area near Hurlburt Field, Fla., on Aug. 20, 2008. The flares are used as a countermeasure to heat-seeking missiles that can track aircraft during real-world missions. (Air Force photo/Senior Airman Julianne Showalter)

Air Force units that operate the current fleet of AC-130Us and AC-130Ws include:

AC-130U Spooky – 1st Special Operations Group, Hurlburt Field, Florida

AC-130W Stinger II – 27th Special Operations Group, Canon Air Force Base, New Mexico

VARIANTS:

AC-130A Spectre (Project Gunship II, Surprise Package, Pave Pronto)

Conversions of C-130As; 19 completed; transferred to the Air Force Reserve in 1975, retired in 1995

AC-130E Spectre (Pave Spectre, Pave Aegis)

Conversions of C-130Es; 11 completed; 10 upgraded to AC-130H configuration

AC-130H Spectre

Upgraded AC-130E aircraft; eight completed; last aircraft retired in 2015

AC-130U Spooky

Operational aircraft (active duty USAF); 17 in service

AC-130J Ghostrider

Based on MC-130J; 32 aircraft to be procured to replace AC-130H

AC-130W Stinger II (former MC-130W Dragon Spear)

Conversions of MC-130Ws (active duty USAF)

Also Read: This was the badass predecessor to the AC-130 Spooky gunship

Did you know?

– The original and unofficial nickname for the AC-130 gunship was "Puff the Magic Dragon" or "Puff."

– The AC-130H Spectre was introduced in 1969 and was used for 46 years in service; the longest service time of any AC gunship.

– Air Force Special Operations Command plans to install combat lasers on AC-130 gunships within a year.

AC-130U Spooky Fact Sheet:

Primary function: Close air support, air interdiction and force protection

Builder: Lockheed/Boeing Corp.

Power plant: Four Allison T56-A-15 turboprop engines

Thrust: 4,300 shaft horsepower each engine

Wingspan: 132 feet, 7 inches (40.4 meters)

Length: 97 feet, 9 inches (29.8 meters)

Height: 38 feet, 6 inches (11.7 meters)

Speed: 300 mph (Mach .4) at sea level

Range: Approximately 1,300 nautical miles; limited by crew duty day with air refueling

Ceiling: 25,000 feet (7,576 meters)

Maximum takeoff weight: 155,000 pounds (69,750 kilograms)

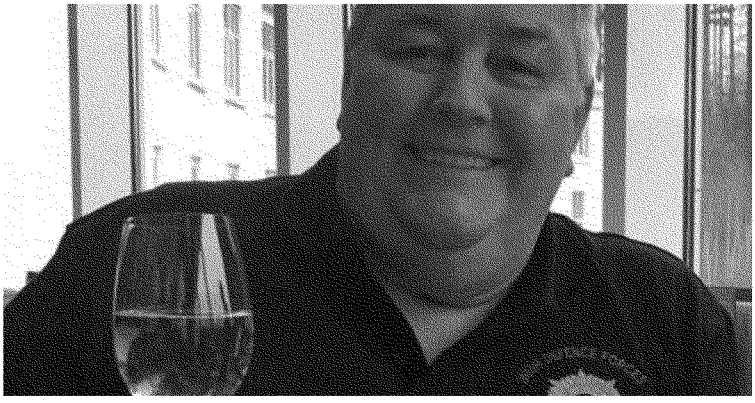
Armament: 40mm, 105mm cannons and 25mm Gatling gun

Crew: AC-130U – pilot, co-pilot, navigator, fire control officer, electronic warfare officer (five officers) and flight engineer, TV operator, infrared detection set operator, loadmaster, and four aerial gunners (eight enlisted)

Deployment date: 1995

Unit cost: $210 million

Inventory: Active duty, 17; reserve, 0; Air National Guard, 0



Members of the military and veterans the world over have a dark sense of humor. Given the nature of our lives, we can either think about the gravest consequences of what we do or we can choose to laugh about it. We spend so much time joking about dark things, it bleeds into the rest of our lives. For one Irish veteran, it carried on into his death.

Shay Bradley died on Oct. 8, 2019, of a long illness, one "bravely borne" in Dublin, Ireland. Bradley was a veteran of the Irish Defense Forces, the all-volunteer military forces of the Republic of Ireland. He was laid to rest just four days later in a beautiful funeral that would have been at the same time solemn and sad. That's when someone started knocking on the casket door.

From the inside.

"Hello? Hello. Hello? Let me out!" the funeralgoers heard. ""Where the f*ck am I? … Let me out, it's f*cking dark in here. … Is that the priest I can hear? … This is Shay, I'm in the box. No, in f*cking front of you. I'm dead."

Bradley wanted his wife to leave the funeral laughing instead of crying. According to his daughter Andrea, Shay recorded the audio about a year before his passing, knowing full well how his illness would end. No one knew about the recording that would be played at the funeral except Shay's son Jonathan and his grandson, Ben. Jonathan let the cat out of the bag two days before the funeral, though, telling the immediate family about the recording.

It was Shay's dying wish to play the prank at his own funeral. His wife was laughing as she left the cemetery, just as Shay had hoped.

"[It was his] way of saying not only goodbye, but to also say, 'OK the sadness is over now here is a laugh so you can go and celebrate my life with a smile on your face.'"Bradley's daughter told the Huffington Post. "This prank was one in a million, just like my dad."

More on We are the Mighty

More links we like



Veterans of Iraq and Afghanistan — and many people who have trained at sandy places like the National Training Center at Fort Irwin, California — know about the beautiful halo of light that surrounds helicopter blades at night when the air is full of dust.

(Photo: U.S. Marine Corps Sgt. Daniel D. Kujanpaa)

What most people don't know is that photojournalist and Special Forces veteran Michael Yon learned that these halos didn't have a name and so decided to give them one. He chose to honor two soldiers, an American and a Brit who died from wounds suffered in Afghanistan in 2009.

The Kopp-Etchells effect is named for U.S. Army Ranger Cpl. Benjamin Kopp and British Cpl. Joseph Etchells. Kopp was a soldier shot and MEDEVACed to the U.S. where he later died. His organs were donated, including his heart which went to a family member's friend.

Etchells was an infantryman and athlete known for how well he prepared his men for combat. He died of injuries suffered during an explosion on a foot patrol.

(Photo: U.S. Army Sgt. Michael J. MacLeod)

Jill Stephenson, Kopp's mother, later learned about the halos named for her son and told Fox News in 2013 that she was deeply touched by the gesture.

"What I see in it, even four years later, is the beauty in a tragedy," she said.



Tricare is warning customers that scammers are preying on coronavirus fears to steal personal information by offering Covid-19 test kits.

As the number of confirmed cases of coronavirus in the United States continues to climb, some Americans have growing concerns about the availability of testing. Nefarious actors, it seems, are taking advantage of that uncertainty by contacting people over the phone claiming to be Tricare representatives and offering Covid-19 test kits.

> "The scam involves direct calls to beneficiaries with an offer to ship or sell COVID-19 testing kits. The calls include requests for personal information such as Social Security numbers, bank or credit card information," the release states. "Beneficiaries should avoid any solicitation regarding a COVID-19 test kit by anyone other than their attending physician."

Tricare will only provide Covid-19 test kits upon order from a physician, and currently physician orders require that a patient meet certain criteria in order to be eligible for a test.

> Testing is authorized based on the clinical judgment of a provider, exposure, travel history and symptoms," Tricare's webpage reads.
>
> "You must have an in-person or virtual telephone/video visit with a provider who will arrange testing in a military treatment facility (if MTF-enrolled) or in the private sector (if enrolled to the network provider with TRICARE Prime or if you're using TRICARE Select or TRICARE For Life). If network, the cost of the test is covered in the cost of the visit itself."

As a result of these scammers, Tricare is asking that any unusual or suspicious calls from people claiming to be Tricare representatives should be reported on their Fraud and Abuse page here.

There have been more than a half million confirmed cases of Covid-19 infection around the world thus far, with more than 23,000 deaths attributed to the disease. America recently crossed over the 75,000 confirmed cases mark, with more than 1,000 deaths.

Tricare beneficiaries can be tested for Covid-19 at no cost provided they meet Tricare's aforementioned testing criteria.

For more information about how the coronavirus is affecting basic training graduations, click here.

If you want to learn more about how the coronavirus has affected PCS and TDY orders, click here.

This article originally appeared on Sandboxx. Follow Sandboxx on Facebook.

More links we like



North Korea is reportedly preparing missiles and rockets by the hundreds to parade around Pyongyang the day before the South Korean Winter Olympics kicks off in an attempt "to scare the hell out of the Americans."

> "Hundreds of missiles and rockets" will be on display, according to CNN's Will Ripley. Ripley reports this will include "many dozens" of Hwasong-15 intercontinental ballistic missiles, the type North Korea most recently tested that experts assess could hit the entire continental US with a large nuclear warhead.

South Korean media reports that launchers that stretch 250 meters and 50 meters have already been spotted at Mirim Airport in Pyongyang.

> Rows of TELs that stretch 250 meters and 50 meters seem to have already been assembled at Mirim Airport in Pyongyang, south of Taedong. https://t.co/9260M7HnSB pic.twitter.com/AJKr6Hr58F
>
> — Noon in Korea (@NoonInKorea) January 31, 2018

Ripley, who frequently travels to North Korea, cited diplomatic sources "with deep knowledge of North Korea's intentions" as saying they would show off the missiles to "scare the hell out of" US citizens as the two countries' leaders exchange nuclear threats.

But as is often the case with North Korea, the bark may be worse than the bite. Ripley notes that foreign media has been banned from the parade, meaning only North Korean imagery will come out of the event.

Also read: What happens next in the North Korea missile situation

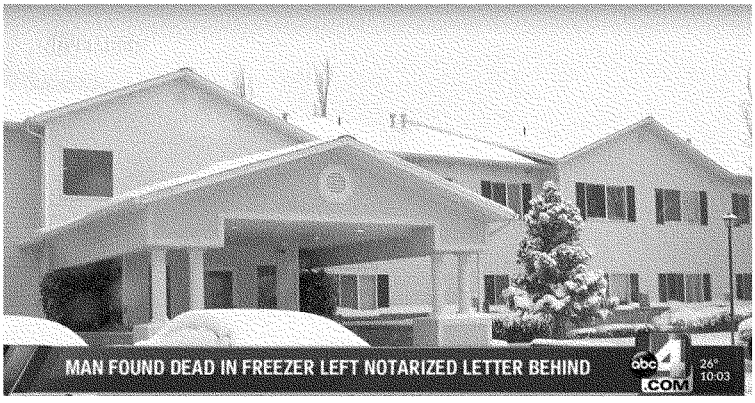
This gives North Korea ample opportunity to doctor the images, as they often do. North Korea's dozens of ICBMs may be faked, made of different materials, and almost certainly not coupled with actual nuclear warheads.

North Korea has made considerable efforts to capitalize on the Pyeongchang Winter Olympics as a propaganda coup, going as far as to rewrite their own history as the pretense for moving its usual military parade from April to February, when Pyongyang is bitterly cold.

Related: A failed North Korean missile crashed in its own city this year

Ripley reports that North Korea may conduct additional missile tests in the near future. If they do, the country runs a higher-than-ever-before risk of incurring the US's military wrath, as talk of strikes on

North Korea has reportedly reached a fever pitch in Trump's inner circle.



When the police arrived at a retirement community in Utah to conduct a welfare check last month, they were disturbed to find not only the body of the elderly woman who lived there, but a man's corpse tucked inside a deep freezer in her utility room.

That man was eventually identified as Paul Mathers, who was 58 years old when he was last seen in 2009. He was the husband of the 75-year-old woman also found in the home, Jeanne Souron-Mathers.

"I've been here 13 years — this is one of the strangest cases," Tooele City Police Department Sgt. Jeremy Hansen told news outlets, adding, "We've never had anything like this."

He said police officers had opened Souron-Mathers' fridge and freezer hoping to find food that would indicate "some type of a timeline" for when she died. But when a detective opened a deep freezer in the utility room, he "immediately finds an unidentified deceased adult male in the freezer," Hansen said.

The police made the discovery on November 22 and initially called the incident "very suspicious."

But after several weeks of investigating, the police announced on Monday that they'd found several equally bizarre clues that might help explain the incident.



Video: Police investigate body found in freezer during welfare check

www.youtube.com

Hansen said investigators searching through Souron-Mathers' home found a notarized letter from December 2008 that appeared to be from Mathers, declaring that he was not killed by his wife.

"We believe he had a terminal illness," Hansen told KSTU, adding that Mathers likely died sometime between February 4, 2009 — the date of his last appointment at a Veterans Affairs hospital — and March 8, 2009.

Hansen also told The Salt Lake Tribune that experts had not yet verified whether the signature on the letter truly belonged to Mathers. He added that the woman who notarized the letter in 2008 told the police she never read the document before stamping and signing it.

Investigators also discovered that Souron-Mathers had collected roughly 7,000 in Veterans Affairs benefits after her husband's death and are still looking into whether she continued to receive Mathers' Social Security benefits, Hansen said.

Hansen told The Tribune that they were still awaiting an autopsy report to confirm the cause of Mathers' death but that detectives were "wrapping up" their investigation.

This article originally appeared on Insider. Follow @thisisinsider on Twitter.

Read more:

- The sheriff's deputy seen slamming an 11-year-old onto the ground in a viral video has been charged with assault
- Thousands of Las Vegas shooting victims will have to split an 0 million settlement. Now, 2 retired judges have to decide which victims deserve the most.
- Parents of an 8-year-old boy who died by suicide are suing the Cincinnati school where he was bullied. Officials are arguing they're not responsible for eliminating student violence.
- An Oregon town couldn't afford to hire cops for the night shift, so it proposed installing security cameras manned by volunteers who can identify 'hardcore criminals' just by looking at them
- A self-taught baker made an incredible Baby Yoda pie for the holidays

More on We are the Mighty



In 2015, the standard issue service rifle for the Canadian Rangers got a much-needed upgrade. They were finally able to put away their well-worn Lee-Enfield No. 4 rifles, which were first issued in 1941.

A Canadian Ranger protecting mining facilities. (Department of National Defence photo)

Canada's Rangers are a reserve unit that operates in the Canadian Arctic. It's made up of 5,000 of Canada's finest outdoorsmen and features a roster of heavily Inuit and other First Nations peoples. They conduct sovereignty patrols and maintain early warning system sites, giving Canada a military presence in the increasingly militarized (but still desolate) Arctic areas.

> Star Marualik, a Canadian Ranger with 1 Canadian Ranger Patrol Group coaches a soldier from the Arctic Response Company Group's 2 Platoon during range day in Resolute Bay, Nunavut, for Operation Nanook 10 on Aug. 15, 2010. Operation NANOOK is one of three major recurring sovereignty operations conducted annually by the Canadian Forces (CF) in Canada's Arctic. (Department of National Defence photo)

Related: How the US is losing the war in the Arctic before it even begins

Naturally, the wilderness areas of the frozen north aren't the safest places in which to be casually hiking around. That's why the Canadian Rangers exist.

In their day-to-day mission, they need a service weapon that can handle temperatures below -58 degrees, resist saltwater corrosion, and still take down a polar bear from 300 meters.

> (Radio Canada photo by Levon Sevunts)

That's why it took 68 years to replace their Lee-Enfields.

First formed in 1947, the Canadian Rangers' intimate knowledge of their home turf allows them to act as guides and trainers for special forces units. During World War II, the Lee-Enfield was the standard issue rifle for British and Commonwealth troops. After the war, the abundance of the rifles made it easy to equip new units with the rifle.

Other firearms can make similar claims. The U.S. Marines still use the M1911 pistol. Taliban weapons caches have been found to contain Lee-Enfield bolt action rifles from 1915. Mosin-Nagant rifles used by insurgents from Chechnya to Syria to Iraq were made by the Tsarist Russian Empire in 1882. But the Lee-Enfield No. 4 was the longest-serving modern military rifle issued by a government for its armed forces.

See Also: Rebels in Syria fought with rare, expensive Nazi-made rifles

Now that the Lee-Enfield No.4 has been replaced, they will be offered to the public for sale, donated to museums, and individual Rangers will even be allowed to purchase their service rifle.



Now that 2016 is coming to a close, we wanted to recap the year with the most shared articles. From the deaths of notable veterans to the weapon that shoots 1 million rounds per minute, here are the posts

that flew around your social media feeds:

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1. Marine who raised first flag on Iwo Jima dies at 94

Raising the First Flag on Iwo Jima by SSgt. Louis R. Lowery, USMC, is the most widely circulated photograph of the first flag flown on Mt. Suribachi.Marine Corps Maj. John Keith Wells, who as a first lieutenant led the platoon that helped take Mt. Suribachi on Iwo Jima and which raised the first American flag from the mountain's summit, died in February.

He was awarded the Navy Cross and the Purple Heart for his actions on Iwo Jima after he continued leading his men up the mountain despite grievous wounds.

2. That day a lone Gurkha took out 30 Taliban using every weapon within reach

British Royal Gurkha Rifle Sgt. Dipprasad Pun was pulling guard on top of a two-story outpost in Afghanistan when he investigated a noise and found two insurgents burying an IED.

As he went to engage them, the Taliban triggered a complex attack that Pun beat off by expending all of his ammo, throwing some grenades and mines, and hurling a machine gun tripod at the enemy.

3. 11 things a military buddy would do that a civilian BFF probably won't

Workout with a buddy, but don't actually carry them unless you are taking turns. (Photo: U.S. Navy Mass Communication Specialist 2nd Class Michelle Kapica)

A funny look at the differences between military buddies, who would check out your rash or save you in a firefight, and your civilian buddies, who might help you put together furniture or something.

4. How long the US military would last in a war against the rest of the world

(Photo: Air Force Tech. Sgt. Jorge Intriago)

What would happen if the militaries of the entire rest of the world attacked the U.S. all at once? Not just our enemies, but our traditional allies like France and Britain as well? We'd stomp them. Here's how.

5. Oldest American WWII veteran dies at 110

Photo: www.Facebook.com/MrOvertonDoc

Frank Levingston was 110, making him the oldest American and the oldest World War II veteran, when he died in May. He was known for his colorful commentary.

6. The Metal Storm gun can fire at 1 million rounds per minute

(Photo: YouTube)

This weapon features rounds stacked inside dozens of barrels and electric charges can fire all the rounds stored in the weapon at once or in multiple volleys. At its maximum fire rate, this equates to 1 million rounds per minute.

7. Here's how a little girl who lost her Marine dad taught the Chairman of the Joint Chiefs of Staff the full cost of war

Lizzy Yaggy greets Gen. Dempsey during TAPS Good Grief Camp. (Photo: Erin Yaggy)

Most general officers struggle with the deaths caused by their decisions in war, but all that came home like it never had before for Army Gen. Martin Dempsey when he met the then-four-year-old Lizzy Yaggy, the daughter of a Marine aviator lost in a plane crash.

The two became close friends and Dempsey even asked Yaggy to introduce him at his retirement ceremony.

8. CENTCOM dusts off Vietnam-era aircraft to fight ISIS

Image: NASA Lewis Research Center Hangar and OV-10 Airplane

As the world struggled with the rapid and surprising rise of the Islamic State, an old airplane was quietly pressed back into combat service, the OV-10 Bronco.

These small planes served in combat from Vietnam to Desert Storm with the U.S. Marines before they were retired in 1995. But the plane flew over 100 sorties against ISIS, including 120 combat missions.



Civilians sometimes try to understand the military, but between media depictions, the stories of bygone eras, and common misconceptions, there are a lot of jobs within the service that the public just doesn't understand at all.

Here's a list of just six jobs from the Army that civilians don't understand:

This guy has to be able to provide emergency first aid under fire, read a battlefield to exploit enemy missteps, and call in helicopters and supporting fire when necessary, all while dodging bullets and attempting to outmaneuver an enemy who likely grew up in the fields he's fighting in.

(U.S. Army photo by Staff Sgt. Kenneth Pawlak)

Infantry

It's easy to understand the infantry stereotypes of dumb grunts. In the old draft Army, lots of guys were shucked into the infantry and other combat arms branches to simply fill uniforms and foxholes. If they were dumb — oh well, their draft would end soon anyway.

Modern infantry is *very* different. While grunts today have a well-earned reputation for being occasionally immature and often crude, they also have a well-earned reputation for precision and tactical and strategic foresight.

Today, we expect 19- and 20-year-old specialists and corporals to lead small teams, positioning themselves and two other soldiers in the exact right position to have the maximum impact, sometimes without guidance from squad and platoon sergeants too busy with other tasks. It's the age of the "strategic corporal," and we simply can't afford dumb grunts.

Soldiers bow their head in prayer during a Memorial Day Ceremony while deployed to Afghanistan.

(U.S. Army photo by Maj. Richard Barker)

Chaplain's assistant

People imagine the nerdiest kid from their Bible study class — and those kids *do* join as chaplain's assistants sometimes — but the mission they're required to do is less, "badly sing songs on guitar" and more "kill any threats to the chaplain while providing religious support to members of your faith, as well as Christians, Jews, Wiccans, Pagans, and members of any other faith who happen to be in your unit."

See, chaplains and their assistants are tasked with tending to the spiritual needs of all members of the unit, even the atheists. The chaplain can only fire a weapon in a purely defensive way — and that very, very rarely happens. So that means the assistant, who also helps everyone, has to eliminate any threats to the chaplain when they're working near the front.

Meanwhile, the chaplains and their assistants also provide counseling services to soldiers with various issues, from marital infidelity to survivor's guilt to suicidal thoughts or actions.

That's an Army tug, one of the service's smaller watercraft. Larger vessels are big enough to carry multiple tanks and trucks at once.

(U.S. Army photo by Sgt. Thomas Belton)

Watercraft operator

Most people assume that the Army has no ships or boats and, if they do, it must just be a couple of jet skis or landing crafts for hitting beaches. Well, the Army doesn't have any ships, but they do have quite a few boats that are key logistical assets, moving massive amounts of much-needed supplies between ports and beaches. The vessels are both larger than people think and more capable than they appear.

Some of the vessels can carry everything from humvees to tanks. The larger vehicles can carry trucks, armor, and literal tons of ammunition, weapons, or food. The Army also has tugs and dredges to keep rivers and ports open. Some of the ships can cross the ocean, but typically operate near the shore or on rivers. And yes, watercraft operators deployed to Iraq and Afghanistan, where they provided a key logistical service on rivers and canals.

These are military police. That is not a radar gun.

(U.S. Army photo by Sgt. Jameson Crabtree)

Military police

Yes, military police break up bar brawls and issue speeding tickets like you see in the movies. But many of them are also trained in maneuver warfare and have that as their primary role, meaning that they're much more focused on defending American convoys from determined Taliban attacks — complete with machine guns, rockets, and IEDs — than whether you're driving 22 in a 20-mph zone.

They're equipped and trained for the maneuver mission with Mk. 19 automatic grenade launchers, M2 .50-cal. machine guns, and AT-4 anti-tank recoilless-rifles. The military police branch also includes investigators who serve as true detectives on base, solving crimes from petty theft to sexual assault to murder.

Truck drivers load ammo during an exercise.

(U.S. Army photo by Spc. Joshua Boisvert)

Truck driver

Like infantry, these guys have a reputation for being dumb. Worse, they're also assumed to be "in the rear with the gear." But there's an old strategy that states tactics win battles and logistics wins wars — and smart enemies know to attack the supply chains.

There's a reason that so many images from Iraq and Afghanistan are of burning trucks. The insurgents were smart enough to target the fuel trucks and supply convoys to starve out remote outposts, putting the truck drivers in the crosshairs. Meanwhile, training the drivers takes a long time since most of them have to learn to drive everything from humvees to armored semi-trucks with loads ranging from two tons to over five.

An Iraqi-American soldier refuels vehicles during a drivers training class.

(U.S. Army photo by Sgt. Jessica DuVernay)

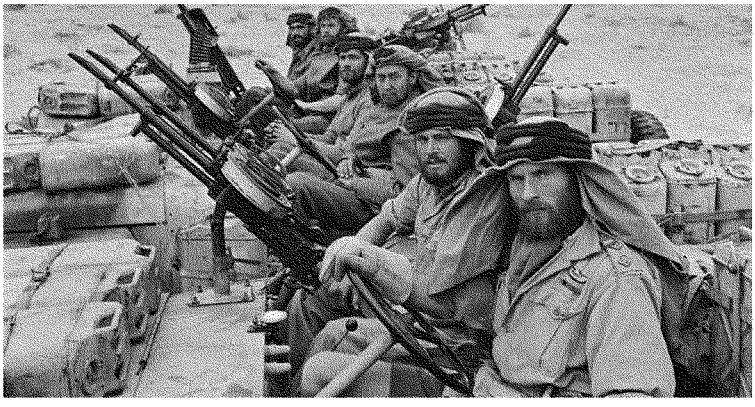
Fuelers

Notice that mention of fuel trucks above? Yeah, Army petroleum supply specialist may sound like a glorified gas attendant, but these guys have to build and maintain fuel points across the battlefield, sometimes within range of enemy artillery or mortars.

Imagine a gas attendant who's willing to stay at their post as enemy shells are blowing up the huge bags of fuel surrounding them, trying desperately to get a final few, crucial gallons of fuel into the helicopter before it takes off the beat back the attack.

It's more intense than you think.

More on We are the Mighty



In World War II, the British needed a special group of men to tip the scales in North Africa and they came up with the Special Air Service.

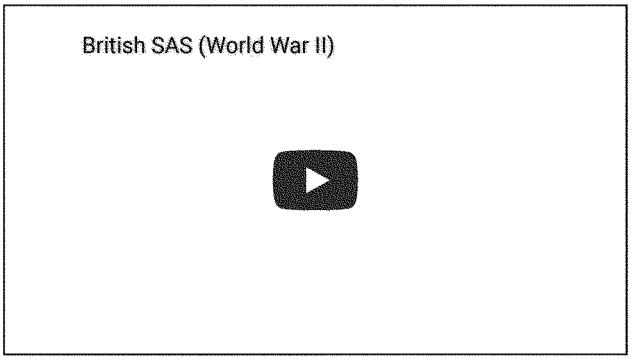
The SAS, originally put together as L Detachment of the Special Air Services Brigade in an effort to mislead the Germans and Italians as to the size of the unit, was tasked with conducting desert raids behind enemy lines.

An SAS jeep manned by Sgt. Schofield and Trooper Jeavons of 1st SAS near Geilenkirchen, Germany, on November 18, 1944. (Photo: British Army Sgt. Hewitt)

The paratroopers of the SAS failed in their first mission but were stunningly successful in their second when they destroyed 60 enemy aircraft on the ground with no casualties.

As the unit continued to rack up victories, they were given more daring missions and better equipment. One team was even tasked with assassinating German Field Marshall Erwin Rommel in France but was unable to reach him before he was injured and evacuated in an unrelated incident.

The SAS history is clearly and quickly laid out in this video from Simple History. Check it out below:



www.csis.org /analysis/knight-chessboard-perspectives-senate-armed-services-committee-featuring-ranking-member

Knight on the Chessboard: Perspectives from Senate Armed Services Committee featuring Ranking Member Jack Reed

27-34 minutes

September 23, 2020

Andrew Schwartz: Welcome to the Asia Chessboard, the podcast that examines geopolitical dynamics in Asia and takes an inside look at the making a grand strategy. I'm Andrew Schwartz at the Center for Strategic and International Studies.

Hannah Fodale: This week, Mike is joined by the ranking member of the Senate Armed Services Committee, Senator Jack Reed, to discuss the role of Congress in decision making on U.S. national security policy in the Asia Pacific. In their discussion, they look at strategic competition with China and the importance of working with allies and partners in the region, as well as highlight the Pacific Deterrence Initiative, a bipartisan initiative in this years' National Defense Authorization Act introduced by Senator Reed.

Mike Green: Welcome back to the Asia chessboard, I'm Mike Green from CSIS and Georgetown University. We're going to continue looking at strategic geopolitical military developments in the Indo-Pacific with Senator Jack Reed, the ranking member of the Senate Armed Services Committee, an Army veteran. And we'll talk about congressional views on security issues in Asia, on the National Defense Authorization Act, and especially its new focus in the last round on the Asia Pacific, the Indo-Pacific with the Pacific Deterrence Initiative. We'll get into that. How do we handle decoupling with China? What do we want from our allies? How do we assess the threat in the region? But we always like to open by hearing a bit about how our guests got here and got interested in the topics we're talking about. So welcome Senator Reed, and thanks for joining us. And why don't we open up? You know, you were a West Point grad, you're in the Senate from Rhode Island, and you're working Asia/Pacific issues among others.

Mike Green: How'd you get here?

Senator Reed: Well, I'm the generation where most of our fathers were World War II veterans. My dad was a machinist's mate in the Pacific in World War II, came back, never talked about it, but he served and he valued his service. So from a very early age, I was conscious of the fact that I would probably be serving. And I got interested in West Point from reading and just... In fact, when I was a kid, there was a TV show, a half an hour TV show about West Point. So maybe that helped too, but I decided about 13 or 14, I wanted to go. And my parents helped me and I worked hard, got an appointment from Senator Pastore and got to West Point, found it challenging. After four years got my commission.

Senator Reed: I was lucky enough to go up to Harvard at the Kennedy school for two years. Then after that I was a paratrooper, company commander, and a ranger qualified officer down at Fort Bragg, with the 82nd commander to company, back to West Point to teach for a while. And then I got lucky enough to get into Harvard law school, finished Harvard law school and then went off to D.C. briefly, but then back to Rhode Island for politics. I had began to see if I could do something in politics and then elected State Senate, and then the Congress, and then the Senate, and still trying to do my job.

Mike Green: And your Navy dad never held it against you that you went into the Army?

Senator Reed: No. My brother was a Marine. If we had good vision and another son, we would have had an air force pilot too, I guess.

Mike Green: That's a very blue, or very purple I should say, very purple family. When you were in the Army, did you deploy ever in the Pacific or was it primarily Europe focused?

Senator Reed: Really the focus was worldwide, we're Fort Bragg, we're the national ready force, but I never essentially deployed out of Fort Bragg, other than training missions to U.S. sites, the fort from

New York, out at Fort Bliss, Texas, training shops and things like that. So I spent my command time at Fort Bragg.

Mike Green: And this is what the 1970s, eighties?

Senator Reed: This is 19 about 1973 to 1976-77.

Mike Green: In my last book, which was on the history of strategy in Asia, I opened the Carter Era by describing 10 global war games that the Carter administration undertook at the beginning of their term and of the 10 global war games, all of them were Europe. None of them were Asia. So I'm guessing around that time as a company grade officer, you were spending a lot of time like others in the Army, thinking about NATO, thinking about Reforger exercises and not thinking a lot about the Pacific. How and when did you start shifting your gaze more to the Pacific?

Senator Reed: First of all, we were recovering from Vietnam. So we had been thinking about the Pacific for a decade and we decided that that was very painful. So we were reorienting to the Landau conflict with a Warsaw pact nation. And that was one of our principle motivations. The first contact with Asia really came when I became a member of the Senate. I had the opportunity three times to travel with the Mansfield Center to China, at a time in the mid nineties, when China seemed to be moving in a very positive direction in terms of opening up their economy, opening up their institutions. And got a chance to go all over, went out to... when they were building the dam in the Yangtze River, went out to see that, they built a great gorgeous dam. We went down into Southern China and went out to Manchuria. And also I got to the Yalu River, they wouldn't let us into North Korea, but we got along the Yalu River. So I had a chance to get a little bit of a feel for China.

Mike Green: The Mansfield Center is run by my friend Frank Jannuzi and does really incredibly important work, connecting not only members of Congress, but staff with their counterparts in the region. And Mike Mansfield, here's a guy who was in the Army, and the Navy, and the Marine Corps. And then, of course became one of the most important, maybe the most important senators on Asia in the body you network in.

Senator Reed: Absolutely. In fact, when I came back, my first trip, he asked me to come down and just visit with him and fill him in on what I saw. I was very, very honored to be able to ask. And one of the great gentlemen and I'll never forget it... He's buried at Arlington and his tombstone basically is Michael Mansfield U.S. Marine Corps.

Mike Green: So he made his choice. I got to meet him cause I'm a Japan expert. And the highest honor you can get when you met ambassador Mansfield was for him to make you a cup of instant coffee in his office. And it was the most horrible coffee you ever drank.

Senator Reed: I did, I drank it.

Mike Green: But it was an honor. The other really interesting thing about Mike Mansfield, there are many, many interesting things about him. When he was a student at the University of Montana, he wrote his thesis on the Korean Peninsula, in 1930 something, when nobody was thinking about Korea. And I read it and cited it for my own book, it is an incredibly insightful geopolitical history of the Korean peninsula, by a kid from Montana, really remarkable.

Senator Reed: No, he was a brilliant man and a gentleman and someone of great dignity and great integrity.

Mike Green: You know, looking at the Senate today. It's hard to know who's going to be the next Mike Mansfield, but I do see a lot of members on both sides of the aisle who are like Mansfield in that they are thinking about the Pacific. Younger generation, if you will, Schatz from Hawaii, my buddy Dan Sullivan from Alaska, there seems to be maybe some proto Mike Mansfield's starting to come up in the Senate these days on Asia.

Senator Reed: Well, I think there's a renewed interest in Asia, and some of that is a result of since 9/11, we were engaged in counter-terrorism in the Mideast. And particularly after the invasion of Iraq, we were just tied down there. And so the interest and the attention of all of us, in fact, particularly President Bush, was getting that solved, if we could. And it took our attention away from Asia. And also at that point, Asia and China particularly looked like it was moving in a positive direction, global economic engagement and a rising middle class looked like it would be the magic formula that would move them away from the depths of Maoism in the cultural revolution to a more pragmatic and more integrated country in the world.

Mike Green: Do you have a short boilerplate description of how we should think about strategic competition with China? The Trump administration's first national security document in 2017 said we are in strategic competition with China and Russia. For 20 years before that, including national scrutiny strategy documents I worked on, we didn't say that. We said we would work together on global issues. We had terrorism, we had climate change. Do you think that's right, that we're in strategic competition and what's the concept of operations? What does victory look like? How do we organize ourselves?

Senator Reed: Well, I think we are in a strategic competition with China and to a degree Russia, but China is a much more formidable foe because of its economic prowess. And because it has put together this authoritarian capitalism, if you will, they're very ingenious and entrepreneurial. The Soviets weren't that entrepreneurial, that's one of the reasons I think the Soviet Union collapsed, the economy just imploded on its own people and they rejected the Soviet Union.

Senator Reed: But China has been able to grow its economy to increase its middle class, to be dominant in many areas internationally. Now with Xi's ascension in 2012, you have someone who's basically declared almost one man rule. And also that China is no longer going to be just a player. They want to be the leader in Asia, if not the world. And they've made it quite clear that they're prepared to be confrontational, their island construction in the South China Sea, their recent actions in Hong Kong. They're not hiding anything any longer. And I think that's become more and more obvious.

Mike Green: Yeah. The old Deng Xiaoping maxim, hide and bide, is behind us, which is an awfully big strategic mistake by the Chinese. They were doing pretty well before they started showing us what their intentions are.

Senator Reed: I think you're right. I think in terms of what's the strategy, obviously the strategy is to maintain a liberal international order in which rites of passage at sea are respected. And the sovereignty of nations are respected, that there is appropriate trade, and of course you want to deter any type of armed conflict because the consequences could be significant. You know, China is putting together a formidable arsenal in terms of ships and particularly missile systems. And doing lots of research... They're out aggressively researching and also taking information wherever they can find it. So this is becoming a much more perilous proposition in terms of maintaining the international order in the Pacific, as well as maintaining the peace.

Mike Green: I've testified a few times in front of your committee on China. And you know, it felt like if you covered your eyes up, you wouldn't know who's a Republican, and who's a Democrat. It seems like this is an area where there's a fairly broad bipartisan consensus about the problem we're looking at, is that right?

Senator Reed: I think there is a very broad bipartisan consensus, the Pacific Defense Initiative, which is a part of our NDAA this year was a product... a collaboration between chairman and often myself, a very thorough and friendly collaboration, because we both recognized... And not just us, you've mentioned several other of my colleagues on the committee who are quite astute, in fact, very astute about Asia, and that recognition is there.

Mike Green: Maybe this is a good time to hear a bit more about the PDI. What are the lines of effort? Is it a change?

Senator Reed: I think there was a recognition by both sides that we had not focused sufficiently on the Pacific. We had not a coherent plan. We understood an emerging threat, but we didn't understand very well the strategy to confront it. And so basically we decided to try to raise up the profile and concentrate on several things. First increasing the lethality of our forces in the Pacific, because we're seeing a much more lethal opposition, particularly in China. And then enhance the design and posture of our forces, so that we're better deployed, we're better communicating, we're better integrated. It's not the service by service, the Navy does their thing, the Air Force does their thing. We want that integration, and then we have to strengthen our alliances and partnerships. We cannot do this alone by a long shot. We need the collaboration, cooperation of traditional allies like Australia and Japan.

Senator Reed: We need emerging nations. We need a major effort to bring us all together. And then finally we have to get demonstration, experimentation, innovation, because you're not going to learn how to get the job done unless you go out and try to do it and practice. That's one of the key aspects, I think, that ties this all together. We're not just going to sort of talk about it, et cetera. We're going to actually go out there and practice this and make the mistakes in practice, not when the flag comes down. Then there's another area too. About the Pacific Defense Initiative. We've asked the Department of Defense to identify all the significant funding that's going to the Pacific, in one place. It's scattered all over, as you can imagine. And when you get it in one place, now we'll be able to take a look and say, what's really going into the Pacific. So those are the features, the most prominent of the features of the

Pacific Defense Initiative. And I think it's been embraced enthusiastically by the Department of Defense. And again, it's got strong bipartisan support.

Mike Green: One of the tough questions about forward posture and capabilities, and how we spend resources in the Pacific, is what to do about ground forces? And we have a forward presence with the Army in Korea and the Marines in Okinawa, that's basically a residual World War II and Korean War presence in some ways. And General Berger at the Marine Corps, thinking in new ways about the Marine Corps' role in high end war fighting in the Western Pacific. And the chief staff of the Army is also really working to re-align the Army, but it's a maritime theater. So in the Pacific Deterrence Initiative, how'd you think about the role of ground forces, the Army and the Marine Corps, in that region.

Senator Reed: I think the Marine Corp and the Army both are talking about getting their forces into the first island chain, dispersing their forces, having them coordinated, multidimensional coordination, with the Air Force, with the Navy, with space, on them with anti ship missiles. Hopefully provide air defense systems that are capable because... Particularly against some of the new missiles that the Chinese are developing and what that will do, they believe... Now, I think it's worth trying to justify or examine, is first of all; It will disperse a concentration of forces, which are very vulnerable to attack by anyone, including the Chinese.

Senator Reed: Then I think it will provide more areas in which the opponent has to neutralize before they can move and change. So, that makes the task of the opponent much more complicated. And then again, if we do it correctly, and we're sure we have the kind of communication, the logistical support, which might require redundancy in the theater, that's one area too, of the Pacific Defense Initiative, looking at the logistics. That I think is going to be seriously tested in terms of operational war gaming, not just table tops, but in the field too. And just to see how we can maximize this new dispersed effort of land forces in the Pacific.

Mike Green: So a critical part of our strategic success when we've had it in the Pacific has been because of our alliances, and the American people get it. We at CSIS just finished a survey we'll publish soon. And we asked thought leaders and members of the public, both, on a scale of one to 10, with 10 being highest, how much risk should we be prepared to take, to defend our allies, Japan, Korea, Australia, but also Taiwan, which is not a treaty ally. And the mean average across all these surveys was close to nine, meaning very strong support in the American public, and I'm sure in the Congress, for defending allies, but our alliances are undergoing changes. President Trump's demanding very, very large increases in host nation support from Japan, SMA from Korea, paying for our bases. Allies have to make decisions about capabilities and so forth. How do allies fit in the PDI? And what's kind of where do we want to be five, 10, 15 years from now with our allies?

Senator Reed: Allies are critical in the PDI. And I concur, I think the President's approach to try to do a transactional relationship with allies, "pay me as much as I can get out of you", is the wrong approach. They have to bear a burden. They do, and it might require additional, but it has to be done in a cooperative, collegial way and not by demanding. We still don't have an agreement with the South Koreans and we're halfway through the year or more. That's not the way to approach it. I think what we want to do is bring our allies closer to us, work with them.

Senator Reed: I think again, CSIS has done some interesting work about trying to organize, what we hope might be a joint headquarters with some of our key allies, that's very good work. But we certainly want to get them predisposed to be with us, not only their political leadership, but their people, we want them committed to the same sort of ideals we have, which is the liberal order in the Pacific area. And that I think is not done by bluster and by anything other than constant appropriate diplomacy and cooperation. As I said, and as CSIS has suggested one effort would be developing this kind of combined joint headquarters. It would be a long way off. It would have to overcome some obviously, probably political opposition within certain countries. But I think moving to something where we are truly united and functioning effectively would be a very good deterrent. And that's what we have to look for.

Mike Green: Well thanks Senator, for highlighting our proposals on this, easier for us to say, somebody else has to do it. We looked at options, you're not going to create a NATO in Asia, right? Too many different kinds of threat perception, views of China. We probably need a better joint and combined command and relationship of some kind with Japan than we've had. We could probably do some kind of joint standing Naval task force, that would be inclusive of a lot of other countries. When we went and asked the Marine command, the INDOPACOM U.S. Forces Korea, U.S Forces Japan... When we went around to the commands in Asia and said, which one of these would be the best. They all said "Us being in charge." So I think this is going to probably be something that Congress or the next administration, whoever it is, has to tackle.

Senator Reed: But I think they'll reproach, you start with kind of a nucleus, an experimental nucleus. And then we have traditional allies, like the Japanese and Australians, the logical candidates to be part of this effort. And then you start expanding it out and you do it keyed to exercises. So that there's practical experience about; how do you integrate forces? How do you talk to each other? I mean, the Australians and the United States, even we have problems talking to each other, that language issue, and you want to sort these issues out now, before you get into a real crisis situation and you're trying to do it on the fly. And so I think it makes a great deal of sense, what you're proposing.

Mike Green: I'm wondering, in the PDI discussions, if the committee, or if you and your staff gave thought to what kind of capabilities our allies should have. I remember a few years ago, a senior Australian defense official came to see me before going to the administration. And he said he was going to ask the administration what requirements, what capabilities Australia should have. And he said, I don't think they have an answer. And I said, "What if they do?" And he said, "Well, I'll tell them to mind their own business, but I'd still feel better if Washington knew what they wanted out of us." And I'm wondering if this came up a bunch in your discussions. For example, there's a lot of discussion... Australia has just stepped up to more surface to surface missiles and strike capability. The Koreans are doing that. The Japanese now are debating some kind of strike capability. Is that the right direction? What kind of capacity, capability we want our allies to have, for their part?

Senator Reed: I think strike capability is important. I mean, we've seen both China and North Korea have demonstrated the ability to launch strikes that could cover a large part of the Pacific, if not even the continental United States. So the ability to have a capability to preemptively strike could be a deterrent. And again, we first search for deterrence. That's what we want to do. And I think what we'd like to be able to do, and this goes to kind of more of the sort of redesigning our presence there, is coordinate, not dictate what you're having. But if the Australians have a particular weapon system that is very effective doing a particular task, we might not need it. If we can practice with them and work with them and coordinate closely with them, the same goes with our other allies out there. And one of the key factors I would say is first, we've got to have a much better command and control system.

Senator Reed: I think that, the ability to communicate, to get intelligence, secured intelligence, to our partners, to share it with us, so that everyone has the same, or a good picture of the battle space. I think that's critical too. And more and more is going to be determined in space. Again, 20 years ago, space was rather a neutral place. Now it is a hostile area potentially, and so we have to be thinking about that. All of the cyber developments have to be integrated. So it's, I think less and less, not completely, but less and less about these sophisticated platforms, and more and more, the coordination, the integration, the intelligence, and the ability to operate in cyberspace.

Mike Green: You're describing what John Hamre calls, federated defense, sometimes, it's not a NATO type collective defense, but it's defense capabilities across our alliances that can talk to each other that specialize with their best and so forth. And back to your earlier point about transactional debates, about caution for bases, that's a complete sucking of the air out of the room when you need it to deal with these complexities that you're describing. As a committee, is India part of this, or how do you think about India, which is of course not a treaty ally, but an important player.

Senator Reed: India is increasingly important player. I mean, one thing, it is a democracy and it has those democratic values that it's maintained for many years. It is a growing economic power obviously, and it's a growing military power and we have to be able to cooperate with India. It would be nice to bring them into this emerging sort of constellation of democracies that are working for stability and peace in the Pacific. And I think we should, and we can do that. I think that requires training with them, operating with them, getting them involved in as many exercises as possible, thinking about equipment that we might sell to them. We have a residual issue with their non-aligned days, and when they were buying a lot from the Soviet Union, and they still buy things from Russia, which causes problems. But I think we can overcome that. I think the issue though, is it's an important democratic power in a place where there's not that many democratic powers.

Mike Green: Switching back to China a bit, I've been struck how much your committee is focusing on what might be considered economic issues and especially securing supply chains. Which is complicated now because so much of a military technology is civilian technology. Is it possible to have clean supply chains for the department of defense without killing innovation in the non-defense part of the economy? Have you guys found the magic sauce for that?

Senator Reed: No, but I think one of the key steps... And we continue to not take it, even though I've been urging it for several years now, is that we should find out who owns all these companies. The securities and exchange commission... This is on my other hat, the banking committee could, by rule, require beneficial ownership of all listed companies, at least. And maybe even further than that, so that we know that this company in some place in the Midwest is actually a subsidiary or indirect subsidiary of

a Chinese company. They have access to information, et cetera. That's one of the first steps I think we should take. We've tried to do that in the traditional defense chain, defense contractors to make sure that's the case, but I think that the problem really doesn't come there. It comes more in some of these smaller research companies and some of these Silicon Valley companies, or 128 Companies around Boston where, they can be controlled and influenced by China.

Senator Reed: So finding out who owns what is the first step and then making sure and trying to preserve access to critical equipment, that might require not just doing research and development about the government, it might require providing support to companies so that they can actually produce the quantities too. One of the things we discovered in COVID was a lot of the PPE, the protective equipment, was made in China. And we were beside ourselves. We have discovered lots of things that were made in China. And I think we have to be conscious of it and we have to make judgments. We can't isolate ourselves from the world economy, but we have to make conscious decisions about what's dangerous and what's not dangerous.

Mike Green: So last question, Senator, people who've listened to this podcast have heard members from both sides of the aisle, talk about these issues. And I think would conclude that there is a lot of bipartisan consensus about this problem set, but let me ask you anyway and not to jinx you, but if the Democrats do take the Senate or if the White House changes, but especially in the Senate, do you think there'll be some different emphasis or prioritization in defense policy or Asia strategy?

Senator Reed: I don't think there'll be a significant change because everything we've done so far in the Pacific Defense Initiative has been bipartisan, Chairman Inhofe and I were very much involved collectively and cooperatively, in drafting it, our colleagues in the committee share the view. So I think we'll see a situation where the aspect of China is consistent and continues. I think what you'll see and this probably more so if there's a change in administration and Vice President Biden is elected, you'll see a much more aggressive diplomatic effort. You will also see a diplomatic effort that's not as transactional and as, you know, "Pay me more, I want it now." You will see trying to deal with some of these very complex issues of coordination, cooperation, collaboration, and that'll be encouraged, I think, by the Senate. Very much encouraged by the democratic Senate.

Mike Green: Where does the Pacific Deterrence Initiative go? It has to go from authorization to appropriation, to implementation. What are the next steps people should be looking for in that part of the NDAA?

Senator Reed: Well, the Pacific Defense Initiative is strongly supported on our side, we have to go to conference. Time is running out. We have about a week and a half or so, and we have to get the continuing resolution done, et cetera. So I don't know if we can do a conference. In fact, it's doubtful before the election. So we'll come back and do that. I think there'll be strong support on both sides, from what I've heard from my colleagues in the house. And then the appropriations process, I think again, there is a recognition by the appropriate... If I serve on the defense appropriation committee, there's a recognition that China is very, very much the emerging threat and, episodes like last week, the gunfire along the border with India, the situation in Hong Kong. We're reminded on a regular basis that this is not... This is not 20 years ago when they were hiding their plans.

Mike Green: Well, I think a lot of people are going to be watching and wishing you luck.

Senator Reed: Well, thank you.

Mike Green: And thank you, Senator. It's a good thing for the country, your Navy dad let you go to West Point, and that the good people of Rhode Island let you go to the U.S. Senate, and terrific for everybody who listens to this podcast, you could join us today. Thanks very much for everything you've done.

Senator Reed: Thank you, Mike, take care.

Andrew Schwartz: Thanks for listening. More on strategy and the age of programs work, visit the CSIS website at CSIS.org and click on the Asia program page.

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Upcoming Hearings (3)

February 2, 2021 at 9:30am EST

Committee:
Senate Armed Services

February 4, 2021 at 9:30am EST

Committee:
Senate Armed Services

February 3, 2021 at 10:00am EST

Committee:
Senate Commerce, Science, and Transportation

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Biography

SCOTT, Richard Lynn (Rick), a Senator from Florida; born in Bloomington, Ill., December 1, 1952; graduated North Kansas City High School, Kansas City, Mo., 1970; B.A., business administration, University of Missouri-Kansas City, 1975; J.D., Southern Methodist University, 1978; served in the United States Navy 1971-1974; admitted to the Texas bar in 1978 and commenced practice in Dallas, Tex.; co-owner of Texas Rangers baseball team; venture capitalist and founder of health care, investment, and other companies; chief executive officer; governor of Florida 2011-2018; elected as a Republican to the United States Senate in 2018 for the term ending January 3, 2025.

Committees (14)

US - Senate Aging (Special) (Senate)

Title: member

US - Senate Armed Services (Senate)

Title: member

US - Subcommittee on Personnel (Senate)

Title: member

US - Subcommittee on Airland (Senate)

Title: member

US - Senate Budget (Senate)

Title: member

US - Senate Commerce, Science, and Transportation (Senate)

Title: member

US - Subcommittee on Science, Oceans, Fisheries, and Weather (Senate)

Title: member

US - Subcommittee on Communications, Technology, Innovation, and the Internet (Senate)

Title: member

US - Senate Homeland Security and Governmental Affairs (Senate)

Title: member

US - Subcommittee on Federal Spending Oversight and Emergency Management (Senate)

Title: member

US - Subcommittee on Regulatory Affairs and Federal Management (Senate)

Title: member

US - Subcommittee on Cybersecurity (Senate)

Title: member

US - Subcommittee on Security (Senate)

Title: member

US - Subcommittee on Transportation and Safety (Senate)

Title: member

Sponsored Bills (4)

US - SJRES2 A joint resolution proposing amendments to the Constitution of the United States relative to the line item veto, a limitation on the number of terms that a Member of Congress may serve, and requiring a vote of two-thirds of the membership of both Houses of Congress on any legislation raising or imposing new taxes or fees.

US - S55 A bill to repeal the provision of law that provides automatic pay adjustments for Members of Congress.

US - S73 A bill to ban the Federal procurement of certain drones and other unmanned aircraft systems, and for other purposes.

US - SRES13 A resolution expressing the sense of the Senate that the International Olympic Committee should rebid the 2022 Winter Olympic Games to be hosted by a country that recognizes and respects human rights.

Cosponsored Bills (21)

US - S28 A bill to include the State of Florida in the Gulf of Mexico outer Continental Shelf revenue sharing program, to extend the moratorium on oil and gas leasing in certain areas of the Gulf of Mexico, and for other purposes.

US - S46 A bill to reauthorize the Coral Reef Conservation Act of 2000 and to establish the United States Coral Reef Task Force, and for other purposes.

US - S61 A bill to amend title 18, United States Code, to protect pain-capable unborn children, and for other purposes.

US - S65 A bill to ensure that goods made with forced labor in the Xinjiang Uyghur Autonomous Region of the People's Republic of China do not enter the United States market, and for other purposes.

US - S66 A bill to require the Inter-Agency Task Force on Harmful Algal Blooms and Hypoxia to develop a plan for reducing, mitigating, and controlling harmful algal blooms and hypoxia in South Florida, and for other purposes.

US - S68 A bill to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law.

US - S74 A bill to expand opportunity through greater choice in education, and for other purposes.

US - S75 A bill to amend title 18, United States Code, to prohibit discrimination by abortion against an unborn child on the basis of Down syndrome.

US - S78 A bill to amend the Federal Food, Drug, and Cosmetic Act to prohibit the approval of new abortion drugs, to prohibit investigational use exemptions for abortion drugs, and to impose additional regulatory requirements with respect to previously approved abortion drugs, and for other purposes.

US - S80 A bill to require U.S. Immigration and Customs Enforcement to take into custody certain aliens who have been charged in the United States with a crime that resulted in the death or serious bodily injury of another person, and for other purposes.

US - S92 A bill to prohibit taxpayer funded abortions.

US - S95 A bill to amend title XIX of the Social Security Act to allow for greater State flexibility with respect to excluding providers who are involved in abortions.

US - S106 A bill to allow a State to submit a declaration of intent to the Secretary of Education to combine certain funds to improve the academic achievement of students.

US - S108 A bill to authorize the Seminole Tribe of Florida to lease or transfer certain land, and for other purposes.

US - S111 A bill to establish the Federal Clearinghouse on School Safety Best Practices, and for other purposes.

US - S120 A bill to prevent and respond to the misuse of communications services that facilitates domestic violence and other crimes.

US - S123 A bill to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion.

US - S124 A bill to amend the Internal Revenue Code of 1986 to provide that amounts paid for an abortion are not taken into account for purposes of the deduction for medical expenses.

US - S137 A bill to restrict the availability of Federal funds to organizations associated with the abortion industry.

US - SJRES3 A joint resolution proposing an amendment to the Constitution of the United States relative to limiting the number of terms that a Member of Congress may serve.

US - SRES5 A resolution honoring the memory of Officer Brian David Sicknick of the United States Capitol Police for his selfless acts of heroism on the grounds of the United States Capitol on January 6, 2021.

ANCHORAGE DAILY NEWS

Dan Sullivan's personal and professional timeline

Author: Updated: September 28, 2016 Published April 19, 2014

Dan Sullivan's personal and professional timeline:

November 1964 -- Born in Ohio. Grew up near Cleveland.

1983 -- Graduates from Culver Military Academy, a private prep school in Indiana.

1987 -- Graduates magna cum laude from Harvard University with an economics degree.

1987-89 -- On scholarship at the University of Birmingham in Britain.

1993 -- Graduates from Georgetown University in Washington, D.C., with a law degree and a master's in foreign service.

1993 -- Enlists in the U.S. Marine Corps. As a 2nd lieutenant, deploys to the western Pacific with the 31st Marine Expeditionary Unit during the 1995 Taiwan Strait crisis.

1994 -- Marries Julie Fate in her hometown of Fairbanks.

1997 -- Completes Marine Corps active duty. Moves to Fairbanks, serves as a captain in the Marine Reserves and a law clerk for 9th U.S. Circuit Court of Appeals Judge Andrew Kleinfeld.

1998 -- Moves to Anchorage to clerk for Warren Matthews, then-chief justice of the Alaska Supreme Court.

1999 -- Applies for his first Alaska Permanent Fund dividend.

2000 -- Applies for permanent fund dividend.

2000 -- Joins Anchorage office of the Perkins Coie law firm.

September 2000 -- Buys a three-bedroom, three-bath home on the Anchorage Hillside.

2001 -- Applies for a permanent fund dividend.

2002 -- Applies for a permanent fund dividend.

August 2002 -- Moves to Washington, D.C., to begin a fellowship in Bush White House as a director for National Security and National Economics councils.

2003 -- Applies for permanent fund dividend while living in Washington, D.C. Dividend applications for Sullivan and family rejected, though past White House fellows from Alaska kept their residency and received PFDs, his campaign says.

April 2004 -- Doesn't vote in the Anchorage municipal election.

August 2004 -- Doesn't vote in the Alaska primary.

November 2004 -- Votes absentee in the Alaska general election.

December 2004 -- Recalled to active duty in the Marines with the rank of major. Wife and three daughters move from Washington to the family's Anchorage home during his deployment, which ended in April 2006.

April 2005 -- Doesn't vote in the Anchorage municipal election.

April 2006 -- Votes a questioned ballot in the Anchorage municipal election, which includes then-Mayor Mark Begich running for re-election.

May 2006 -- Returns to Washington, D.C. Sworn in in June as assistant secretary of state for economic, energy and business affairs under Secretary of State Condoleezza Rice.

August 2006 -- Doesn't vote in the Alaska primary, in which then-Gov. Frank Murkowski faces challenger Sarah Palin.

November 2006 -- Votes absentee in the Alaska general election.

December 2006 -- Buys house in Bethesda, Md., for $1.3 million. Declares the house his family's principal residence, qualifying them for Montgomery County property tax breaks in 2007 and 2008.

April 2007 -- Doesn't vote in the Anchorage municipal election.

April 2008 -- Doesn't vote in the Anchorage municipal election.

August 2008 -- Doesn't vote in the Alaska primary.

November 2008 -- Votes absentee in the Alaska general election. At the time he is declaring his Maryland home his principal residence.

April 2009 -- Doesn't vote in the Anchorage municipal election.

June 2009 -- Returns to Alaska to become Palin's third attorney general.

September 2009 -- Applies for a one-day, nonresident fishing license.

April 2010 -- Votes a questioned ballot in the Anchorage municipal election.

April 2010 -- Sells the Bethesda, Md., house.

July 2010 -- Applies for an Alaska resident seven-day commercial crew license and a resident sport fishing and hunting license. Says he has been in Alaska for one year.

August 2010 -- Votes in person in the Alaska primary.

November 2010 -- Votes early in the Alaska general election.

December 2010 -- Moves from attorney general to natural resources commissioner.

2011 -- Applies for permanent fund dividend.

January 2011 -- Applied for a free resident military hunting and fishing license. Says he has lived in Alaska for one year, nine months. Doesn't apply for a 2012 license.

April 2011 -- Doesn't vote in the Anchorage municipal election.

July 2011 -- Applies for a resident sportfishing license. Says he has lived in Alaska for two years.

2012 -- Applies for permanent fund dividend.

April 2012 -- Votes in person in the Anchorage municipal election.

August 2012 -- Votes in person in the Alaska primary.

November 2012 -- Votes in person in the Alaska general election.

2013 -- Applies for permanent fund dividend.

April 2013 -- Doesn't vote in the Anchorage municipal election.

June 2013 -- Buys four-bedroom, 31/2-bath home on the Hillside.

July 2013 -- Applies for a free military hunting and fishing license. Says he had lived in Alaska for 10 years. (Sullivan knew his residency would be a campaign issue, his campaign says.) Deploys late that month to Afghanistan for six weeks of active duty.

August 2013 -- Sells original Hillside home.

Sept. 11, 2013 -- Tells Gov. Sean Parnell he is resigning effective Sept. 24.

Oct. 15, 2013 -- Announces that he is running for U.S. Senate.

April 2014 -- Votes in person in the Anchorage municipal election.

Compiled by Lisa Demer from Alaska voting records, Permanent Fund Division records, Anchorage property records, Montgomery County property records, state Recorder's Office records, biographical information, Sullivan campaign and interviews.

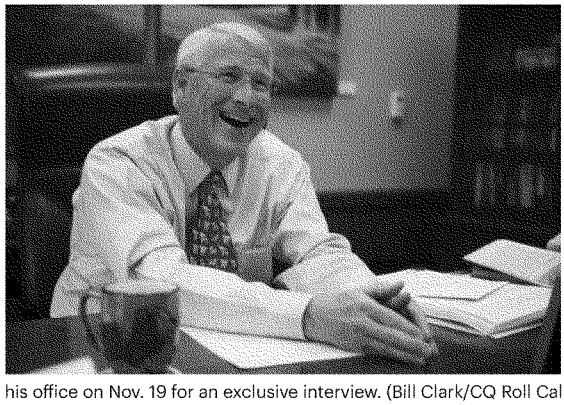
Anchorage

Comments

Roger Wicker Looks for Fast Start at NRSC



By **Kyle Trygstad**
Posted November 24, 2014 at 4:01am



Wicker sat down in his office on Nov. 19 for an exclusive interview. (Bill Clark/CQ Roll Call)

Twenty-one Republican senators up for re-election in 2016 filed into the National Republican Senatorial Committee on the morning of Nov. 19 to meet with party strategists about campaign preparations.

Leading the confab with the incumbents and their chiefs of staff were incoming NRSC Chairman Roger Wicker, the Mississippi senator elected to the position a week earlier, and Ward Baker, the 2014 political director who was promoted to executive director for the new

cycle. Unlike the past four NRSC administrations, this one is charged with defending a Senate majority.

Later that day, in his first newspaper interview since being elected chairman, Wicker spoke candidly about the challenges ahead. He declined to detail the meeting but said, "I guarantee you the issue of fundraising arose." While Republicans are primed to net nine seats in 2014 with a win next month in Louisiana, the party faced two noteworthy hurdles in the midterms: a late organizational start and being significantly outraised by Democrats.

With Baker in place — about two months earlier than when Rob Collins took the helm of the committee in 2013 — Wicker already has avoided the first issue. Now, his goal is to overcome the financial disparity.

"It's all about putting together a good staff and fundraising," Wicker told CQ Roll Call. "And getting the right message, and more fundraising. And it all comes back, every other day, to fundraising — then spending it smart."

Wicker beat out Nevada Sen. Dean Heller for the chairmanship in a closed-door Nov. 13 GOP conference meeting. Six days later, seated behind his desk on the fifth floor of Dirksen, Wicker was confident in the party's ability to hold a potential 54-seat majority, despite a map that puts the Senate in play for Democrats.

With limited offensive opportunities, Republicans are defending 24 seats in 2016, including seven in states President Barack Obama won twice. But Wicker, who said he's not expecting a single GOP retirement, was adamant that with a strong GOP presidential nominee, the party would be well-positioned to hold seats in swing states — Pennsylvania, Wisconsin, Florida, New Hampshire and beyond.

"I'm not conceding the electoral votes from any of those states to a Democratic presidential nominee, much less a senator like the ones we have who have done a good job, have stayed in touch, worked across the aisle and have been stalwarts and stood up for their states," he said. "I would feel good about those candidates in a presidential year or a midterm."

The 63-year-old held his first job in the Capitol in 1967 as a page for Democratic Rep. Jamie L. Whitten. By the time of Whitten's retirement in 1994, he had become the longest serving member in House history — so long that Wicker successfully ran to succeed him, but as a Republican.

Wicker is one of more than two dozen House or Senate pages who went on to later serve in Congress. Retiring Rep. John D. Dingell, D-Mich., may be the only other one to replace the member who appointed him — in Dingell's case, it was his father.

After receiving undergrad and law degrees from Ole Miss, Wicker joined the Air Force Judge Advocate General Corps. In 1980, he went back to Capitol Hill to serve as House Rules Committee counsel to Mississippi Republican Trent Lott. After a few years he returned to Tupelo, Miss., and in 1987 was elected to the state Senate — a race Wicker said cost him a grand total of $25,000, including for TV and radio ads.

He spent $750,000 to overcome a crowded field and replace the retiring Whitten in the Republican wave of 1994. Soon after, he was elected president of that massive freshman House class. In 2007, then-Gov. Haley Barbour appointed him to replace Lott in the Senate.

In the interview, Wicker said he would be reaching out for advice about his new role to the other chairmen of the GOP campaign committees and to former Virginia Rep. Tom Davis, who once chaired the National Republican Congressional Committee. But among his first bit of outreach before the leadership elections was to Lott.

"He called some time ago and wondered what I thought," Lott told CQ Roll Call. "I said, 'Golly, Roger, why would you want that job? It's the toughest job in the Senate leadership.' But he felt like he could do the job, and he asked if I had any advice. I said, 'Well, do your whip work.' And apparently he did."

"I've known Roger since he was in college," Lott continued. "Roger has always done well in anything he's done."

As Wicker noted, incoming Senate Majority Leader Mitch McConnell often makes the final decisions at the NRSC. That includes naming Sen. Rob Portman of Ohio as vice chairman for finance last cycle. That structure could be repeated for 2016.

"While the chair of the NRSC was no doubt consulted, it was a motion that came straight from the leadership," Wicker said. "So we'll be visiting with the leader about co-chairs for areas of emphasis. And I wouldn't be a bit surprised if an announcement is made early on."

Wicker's most prominent role in the midterms was on the stump for his endangered Mississippi colleague, Thad Cochran, for whom Wicker first door-knocked as a 21-year-old Ole Miss college student in 1972. This year, Wicker assisted Cochran in the primary and then helped lead an all-hands-on-deck effort that resulted in Cochran emerging victorious in the runoff.

"I was certainly happy to swing into action," Wicker said. "I think we did the country a favor, and certainly the party a favor, because we got a good man back in office."

With Republicans back in the majority and Cochran expected to reclaim the Appropriations gavel, Wicker said that will only help the Senate run more smoothly and ultimately help endangered Republicans in 2016.

"To look better than we have the last six years is a pretty low bar, but I think we'll look far better," Wicker said. "And I think that's good politics."

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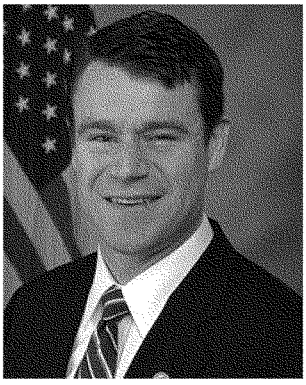

Todd Young

R-Indiana, Marine Corps

Bio: As the son of a small business owner and a nurse, Todd Young says his parents taught him that if you work hard and dream big, anything is possible. Growing up in Indiana, Todd worked hard in the classroom, in sports, and even mopping floors at the family business after school.

Todd and Jenny settled down in Bloomington, where they still live today with their four children. They both worked at the small law firm started by her grandfather in Paoli and saw a chance to give back to the community by offering free legal services to couples looking to adopt.

Military Bio: Todd's persistence and hard work led to an appointment to the U.S. Naval Academy, where he graduated with honors. Then Todd accepted a commission in the Marine Corps. There, he served as an intelligence officer specializing in counter-narcotics and anti-terrorism. His service instilled a keen understanding of the very real threats facing our country. The expertise he has gained distinguishes him as leader who will fight to equip our military with the tools they need to protect our nation.

His final chapter with the Corps brought him closer to home, where he led recruiting efforts for Chicago and northwest Indiana. During that time, Todd attended night classes and earned his MBA with a concentration in economics from the University of Chicago. Following 10 years of service and an honorable discharge as a captain – and then a short stint in Washington where he worked at the Heritage Foundation – Todd came back home to Indiana. While working as a management

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Legislation:

- Todd voted for the Veterans Access to Care Act to secure quality health care that was promised to our veterans.

https://toddyoung.org/ (https://toddyoung.org/)

3

FILTER

Members

State

Any

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Any

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Factbox: Bombings, shootings, beatings - U.S. Capitol's history of violence

Steve Gorman

5-6 minutes

(Reuters) - The storming of the halls of Congress by a mob of President Donald Trump's supporters is the latest episode of violence to darken the U.S. Capitol in a history dating back to a British arson attack in Washington during the War of 1812.

> FILE PHOTO: Supporters of U.S. President Donald Trump protest in front of the U.S. Capitol Building in Washington, U.S. January 6, 2021. REUTERS/Stephanie Keith/File Photo

With five lives lost on the Capitol grounds, including a woman shot by police and an officer injured in the melee, Wednesday's turmoil appeared to rank as the deadliest violence to unfold in and around the citadel of American democracy in 200 years.

But the upheaval also stood out in one other notable respect, its White House origins, said David Meyer, a sociology professor at the University of California, Irvine.

"The Capitol is a magnet for protest, and sometimes it's violent," Meyer, author of "The Politics of Protest: Social Movements in America," told Reuters on Thursday.

"What's really unusual this time is a president of the United States explicitly encouraging people to take up violent means against his political opponents."

Here is a chronology of some of the most notorious acts of violence to flare at the Capitol - shootings, bombings, a knife attack, a beating by cane and even an assassination attempt.

1814 - Invading British forces torched the original Capitol building while it was still under construction, setting bonfires of furniture in the House of Representatives and the original Supreme Court chamber.

1835 - In the first known attempt on a U.S. president's life, a disgruntled house painter tried to shoot Andrew Jackson as he emerged from a funeral in the House chamber. The assailant's two flintlock derringers both misfired, and an enraged Jackson clubbed the would-be assassin with his walking stick before the man was subdued. The suspect was found not guilty by reason of insanity and confined to a mental institution.

1856 - An abolitionist senator, Charles Sumner of Massachusetts, was savagely beaten with a cane by his South Carolina colleague, Preston Brooks, on the Senate floor after delivering a speech criticizing slavery.

1915 - A former Harvard University German language professor used a timing device to detonate three sticks of dynamite in an empty Senate reception room during a holiday recess. The professor, angry that American financiers were aiding the British against Germany during World War One, then fled to New York, where he shot and slightly injured banker J.P. Morgan. He was subsequently captured and later took his own life in jail.

1954 - A group of four armed Puerto Rican nationalists indiscriminately opened fire on the House floor from the visitors' gallery and unfurled a Puerto Rican flag. Five members of Congress were wounded. The four assailants - three men and a woman - were apprehended and sentenced to lengthy prison terms, which President Jimmy Carter commuted in 1979.

1971 - A bomb planted by the radical antiwar group Weather Underground to protest the U.S.-backed invasion of Laos was detonated in a restroom on the Senate side of the Capitol, causing extensive damage but no casualties.

1983 - A bomb concealed under a bench outside the Senate chamber exploded, blowing the hinges off the door to the office of then-Senate Democratic leader Robert Byrd and damaging a portrait of renowned lawyer-statesman Daniel Webster. No one was hurt. A militant leftist group said it carried out the bombing in retaliation for U.S. military involvement in Lebanon and Grenada.

1998 - An armed man stormed through a U.S. Capitol security checkpoint and opened fire, fatally wounding two police officers, and made his way to the Republican Whip's office of Representative Tom DeLay. A tourist also was injured. The two slain officers became the first private citizens to lie in honor in the Capitol Rotunda.

2001 - United Airlines Flight 93 crashed in a Pennsylvania field after passengers stormed the cockpit to overpower suicide hijackers, whose likely intended target was later determined by investigators to have been the U.S. Capitol.

2013 - A woman who tried to drive through a White House security checkpoint was chased by authorities to the Capitol, where she was shot dead. Her baby daughter was found unharmed in the vehicle.

2021 - Hundreds of pro-Trump supporters stormed the Capitol and occupied the building for hours, ransacking offices, forcing an evacuation of lawmakers and interrupting their certification of the November presidential election.

One woman in the mob was shot to death by police in a corridor, and one of several policeman injured in clashes with protesters died on Thursday, U.S. Capitol police said. Three more died of medical emergencies on the grounds during the tumult.

Reporting by Steve Gorman in Los Angeles; Editing by Leslie Adler and Clarence Fernandez

www.history.com /this-day-in-history/andrew-jackson-narrowly-escapes-assassination

Andrew Jackson narrowly escapes assassination

History.com Editors

5-6 minutes

On January 30, 1835, Andrew Jackson becomes the first American president to experience an assassination attempt.

Richard Lawrence, an unemployed house painter, approached Jackson as he left a congressional funeral held in the House chamber of the Capitol building and shot at him, but his gun misfired. A furious 67-year-old Jackson confronted his attacker, clubbing Lawrence several times with his walking cane. During the scuffle, Lawrence managed to pull out a second loaded pistol and pulled the trigger, but it also misfired. Jackson's aides then wrestled Lawrence away from the president, leaving Jackson unharmed but angry and, as it turned out, paranoid.

READ MORE: A History of Attacks at the US Capitol

Lawrence was most likely a mentally unstable individual with no connections to Jackson's political rivals, but Jackson was convinced that Lawrence had been hired by his Whig Party opponents to assassinate him. At the time, Jackson's Democrats and the Whigs were locked in battle over Jackson's attempt to dismantle the Bank of the United States. His vice president, Martin Van Buren, was also wary and thereafter carried two loaded pistols with him when visiting the Senate.

Jackson's suspicions were never proven and Lawrence spent the rest of his life in a mental institution. A century later, Smithsonian Institute researchers conducted a study of Lawrence's derringers, during which both guns discharged properly on the test's first try. It was later determined that the odds of both guns misfiring during the assassination attempt were one in 125,000.

READ MORE: Violence in Congress Before the Civil War: From Canings and Stabbings to Murder

On January 30, 1956, an unidentified white supremacist terrorist bombed the Montgomery home of Reverend Dr. Martin Luther King, Jr. No one was harmed, but the explosion outraged the community and was a major test of King's steadfast commitment to non-violence. King was relatively *...read more*

In London, King Charles I is beheaded for treason on January 30, 1649. Charles ascended to the English throne in 1625 following the death of his father, King James I. In the first year of his reign, Charles offended his Protestant subjects by marrying Henrietta Maria, a Catholic *...read more*

In Londonderry, Northern Ireland, 13 unarmed civil rights demonstrators are shot dead by British Army paratroopers in an event that becomes known as "Bloody Sunday." The protesters, all Northern Catholics, were marching in protest of the British policy of internment of suspected *...read more*

On January 30, 1920, Jujiro Matsuda (1875-1952) forms Toyo Cork Kogyo, a business that makes cork, in Hiroshima, Japan; just over a decade later the company produces its first automobile and eventually changes its name to Mazda. Today, Mazda is known for its affordable, *...read more*

Mohandas Karamchand Gandhi, the political and spiritual leader of the Indian independence movement, is assassinated in New Delhi by a Hindu extremist. Born the son of an Indian official in 1869, Gandhi's Vaishnava mother was deeply religious and early on exposed her son to *...read more*

On January 30, 1994, the American speed skater Dan Jansen sets a new world record of 35.76 at the World Sprint Championships in Calgary, Alberta, Canada. Born in 1965 in Wisconsin, Jansen had been the youngest skater to compete at the 1984 Winter Olympics in Sarajevo, where he *...read more*

On January 30, 1882, future President Franklin Delano Roosevelt is born. Roosevelt grew up the only child in an upper middle-class family in Hyde Park, New York. He graduated from Harvard in 1904 and later received a degree from Columbia Law School. In 1905, Roosevelt married *...read more*

With the stirring notes of the William Tell Overture and a shout of "Hi-yo, Silver! Away!" The Lone Ranger debuts on Detroit's WXYZ radio station. The creation of station-owner George Trendle and writer Fran Striker, the "masked rider of the plains" became one of the most ...read more

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On January 30, 1781, Maryland becomes the 13th and final state to ratify the Articles of Confederation, almost three years after the official deadline given by Congress of March 10, 1778. The Continental Congress drafted the Article of Confederation in a disjointed process ...read more

On January 30, 1933, President Paul von Hindenburg names Adolf Hitler, leader or führer of the National Socialist German Workers Party (or Nazi Party), as chancellor of Germany. The year 1932 had seen Hitler's meteoric rise to prominence in Germany, spurred largely by the German ...read more

history.house.gov /Historical-Highlights/1851-1900/The-death-of-Congressman-William-Taulbee-on-the-steps-of-the-U-S-...

The Shooting of Congressman William Taulbee on the Steps of the U.S. Capitol | US House of Representatives: History, Art & Archives

2-3 minutes

Historical Highlights

February 28, 1890


Image courtesy of Library of Congress In 1890, Klipper desks were used in the House Chamber. They were later replaced with more functional chairs to accommodate the growing size of the House of the Representatives.

On this date, Charles Kincaid, a newspaper correspondent, fatally shot former Congressman William Taulbee of Kentucky. The two men had a volatile history which began in 1887 when Kincaid wrote a story implicating Taulbee in an extramarital affair. Taulbee opted not to run for a third term, however, his work as a lobbyist kept him in close proximity to Kincaid who covered Congress for the *Louisville Times*. During the next few years Taulbee and Kincaid traded verbal insults. On the day of the shooting, House doorkeepers had to separate the two men. The "tall and sinewy" Taulbee allegedly warned the slight reporter—described in a contemporary account as "a little pint-of-cider fellow"—to arm himself. Kincaid later met up with Taulbee and shot the former Representative on the east staircase of the House Wing of the Capitol. The media widely covered the shocking event. "For the first time in the memory of man a gunshot was heard in the National Capitol today, and the marble steps of the staircase leading from the House floor to the restaurant below were stained with human blood." Taulbee eventually succumbed to the gunshot wound and died on March 11, 1890. A jury later acquitted Kincaid on the grounds of self defense.

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- House Doorkeeper
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timeline.com /in-1954-these-four-puerto-rican-radicals-stormed-the-capital-and-started-shooting-u-s-congressmen-7e7018...

Upset with mistreatment, Puerto Rican radicals stormed the Capitol and started shooting in 1954

Matt Reimann

7-9 minutes

The nationalists were eventually pardoned by Jimmy Carter



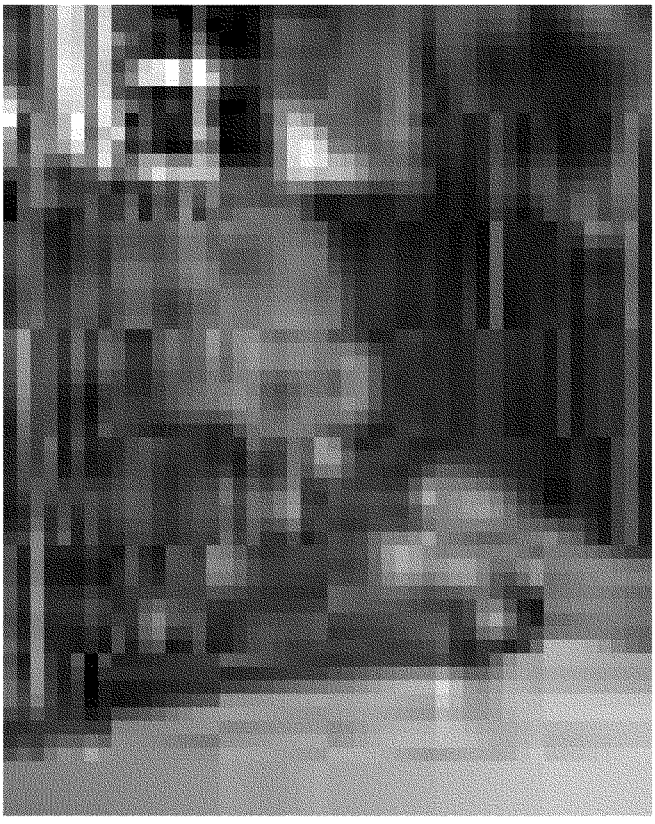
On the afternoon of March 1, 1954, four armed Puerto Rican nationalists entered the United States Capitol building. Security guards stopped the group — consisting of three men and one woman — and asked them if they had cameras. They did not. The quartet then proceeded to an upper gallery of the House chamber. Below them, members of the Congress were debating a bill.

They drew guns and began shooting down into the floor of the House. It was the the most severe assault in the history of the Capitol building. In all, five members of Congress were hit, and while some were critically wounded, they all survived.

The 1950s were seeing progressively rising tensions between the U.S. and the Puerto Rican nationalists. In 1950, the United States granted permission to Puerto Rico to draft its own constitution, while more or less forbidding it a track to independence. The Puerto Rican Nationalist Party, which had endured domestic suppression and conflict for two decades (one 1948 law prohibited the flying of the Puerto Rican flag), were outraged by what they viewed as colonial rule. On October 29, 1950, the party incited uprisings against U.S. and local government forces across Puerto Rico. America sent fighter planes armed with machine guns to control the riots. Nine nationalists were killed, including five who were executed in a police station without trial.

Following the nationalist defeat, a couple days later on November 1, two nationalists attacked Blair House in Washington, D.C. where President Harry Truman was living during White House renovations, with the intent of killing him. The shooters were suppressed following a gun battle with Secret Service and police officers outside the door. One shooter and one United States officer died in the firefight.

In 1952, Puerto Rico drafted a constitution to continue its territorial relationship with the U.S., a measure that 82 percent of Puerto Ricans supported. The nationalists were incensed. Their leader, Pedro Albizu Campos, was in prison at the time, but was determined to maintain the fight for independence. He coordinated with Puerto Rican exiles stateside to execute more acts of political violence.





Puerto Rican revolutionary Oscar Collazo lies on the steps of Blair House after his failed assassination of President Truman in 1950. Collazo lived to face trial while his companion, Griselio Torresola, was killed in the resulting gun battle. (Bettmann/Getty Images)

On the morning of March 1, 1954, four Puerto Rican-born New Yorkers named Lolita Lebrón, Rafael Cancel Miranda, Andres Figueroa Cordero, and Irvin Flores Rodríguez, took a train to Washington, D.C. with the intention of assassinating members of Congress and bringing international attention to Puerto Rico's struggle for independence. The group did not expect to survive their attack. The four of them arrived in Union Station shortly after noon and had lunch. The walk to the Capitol from the station is only a few blocks, but on the way they got lost, and in the unpleasant weather the men in the group got cold feet.

Lebrón was their leader, however, and had been the one to arrange the attack while Campos was in prison. Later, her high heels and red lipstick would capture reporters' attention in the aftermath of the shooting. When her companions expressed doubts about executing their attack that day, she said "I am alone," and continued forward. Her partners followed.

Entering alongside a class of sixth-graders from Maryland, the nationalists had little trouble making their way up to the House Chamber Ladies' Gallery. They each carried a .38 caliber German Luger-like pistol. Below them were 243 representatives and other members of congressional staff. In an ironic

coincidence, representatives were debating an immigration bill concerning *braceros* — migrant Mexican workers to be permitted entry to the country to work in the farms of California and the Southwest.

At 2:32 p.m., people in the House Chamber heard a sequence of popping sounds resembling firecrackers. Paul Kanjorski, a 16-year-old page at the time, felt a spray of dust on his arm, reminding him of his days of target practice in the quarries of Pennsylvania. He was one of the first to glean the reality of the situation: members of Congress were under assault.

From the right corner of the gallery, the nationalists emptied rounds onto the House Chamber, while screaming "Viva Puerto Rico libre!" and waving a Puerto Rican flag.

Representative Alvin M. Bentley (R-Michigan), who took a bullet to the chest, was most severely wounded. Upon his arrival at the hospital doctors did not expect him to live. Ben F. Jensen (R-Iowa) was shot in the back, Clifford Davis (D-Tennessee) was shot in the leg, and wounded as well were George Hyde Fallon (D-Maryland) and Kenneth A. Roberts (D-Alabama).

Lebrón fired her eight shots at the ceiling, earning her the least sentence of the group for lacking the intent to kill. In fact, most of the 30 or so rounds fired at the House floor that day came from Rafael Miranda's gun.

The bravery and quick action coming from actors on the House floor was striking. Pages helped carry the wounded Bentley and others to safety. One representative wrapped his tie around another congressman's wounded leg. Congressman James Van Zandt of Pennsylvania mounted the stairs to the balcony and grabbed Miranda before he could escape. Three of the shooters were immediately captured by visitors and security guards and brandished before reporters outside the Capitol. The fourth escaped and was captured later that day.

Other response efforts did not go so smoothly. Arthur Cameron, a House page, called hospitals for ambulance assistance. "There's been a shooting in the House of Representatives," Cameron said. "Kid, you shouldn't joke about things like that," said the man at the other end of the line, before hanging up.

The docility of the captured shooters reflected their expectations, which were not to escape but to die for Puerto Rico. As a note inside LeBron's purse explained: "Before God and my world, my blood claims for the independence of Puerto Rico. My life I give for the freedom of my country. This is a cry for victory for our struggle for independence. The United States of America is betraying the sacred principles of mankind in their continuous subjugation of my country."

The four were sentenced each to more than 49 years in prison, essentially a life sentence. Cordero died in 1979, and the remaining three were pardoned by President Jimmy Carter that same year. It is believed the pardonings came as part of a negotiation for the release of U.S. intelligence officials incarcerated in Cuba, but the White House denied this.

Lebrón relinquished her commitment to nonviolence, though went on to become a revered figure among Puerto Ricans, and died in 2010. Rafael Cancel Miranda is the last surviving member of the four shooters. Meanwhile, Puerto Rican public opinion has drifted even further from independence. A 2012 referendum showed that only about 5 percent of citizens preferred independence, and 61 percent actually supported statehood. And the most recent referendum, in June 2017, showed 97 percent of Puerto Ricans who voted were in favor of making the island a state.

www.history.com /this-day-in-history/bomb-explodes-in-capitol-building

Bomb explodes in Capitol building

History.com Editors

4-5 minutes

A bomb explodes in the Capitol building in Washington, D.C., causing an estimated $300,000 in damage but hurting no one. A group calling itself the Weather Underground claimed credit for the bombing, which was done in protest of the ongoing U.S.-supported Laos invasion.

The so-called Weathermen were a radical faction of the Students for a Democratic Society (SDS); the Weathermen advocated violent means to transform American society. The philosophical foundations of the Weathermen were Marxist in nature; they believed that militant struggle was the key to striking out against the state to build a revolutionary consciousness among the young, particularly the white working class. Their primary tools to achieving these ends were arson and bombing.

Among the other targets of Weathermen bombings were the Long Island Court House, the New York Police Department headquarters, the Pentagon, and the State Department. No one was killed in these bombings, because the bombers always called in an advanced warning. However, three members of the Weather Underground died on March 6, 1970, when the house in which they were constructing the bombs exploded.

On March 1, 1961, President John F. Kennedy issues Executive Order #10924, establishing the Peace Corps as a new agency within the Department of State. The same day, he sent a message to Congress asking for permanent funding for the agency, which would send trained American men *...read more*

Venera 3, a Soviet probe launched from Kazakhstan on November 15, 1965, collides with Venus, the second planet from the sun. Although Venera 3 failed in its mission to measure the Venusian atmosphere, it was the first unmanned spacecraft to reach the surface of another planet. *...read more*

In Salem Village in the Massachusetts Bay Colony, Sarah Goode, Sarah Osborne, and Tituba, an Indian slave from Barbados, are charged with the illegal practice of witchcraft. Later that day, Tituba, possibly under coercion, confessed to the crime, encouraging the authorities to *...read more*

On March 1, 1932, in a crime that captured the attention of the entire nation, Charles Lindbergh, Jr., the 20-month-old son of aviation hero Charles Lindbergh, is kidnapped from the family's new mansion in Hopewell, New Jersey. Lindbergh, who became an international celebrity *...read more*

On March 1, 1969, New York Yankees center fielder Mickey Mantle announces his retirement from baseball. Mantle was an idol to millions, known for his remarkable power and speed and his everyman personality. While "The Mick" patrolled center field and batted clean-up between 1951 *...read more*

President Grant signs the bill creating the nation's first national park at Yellowstone. Native Americans had lived and hunted in the region that would become Yellowstone for hundreds of years before the first Anglo explorers arrived. Abundant game and mountain streams teaming *...read more*

Two trains are swept into a canyon by an avalanche in Wellington, Washington, on March 1, 1910, killing 96 people. Due to the remote location of the disaster and the risk of further avalanches, efforts to rescue survivors and find the bodies of the dead were not completed until *...read more*

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www.pbs.org /newshour/nation/capitol-has-seen-violence-over-220-years-but-not-like-this

Capitol has seen violence over 220 years, but not like this

By —

4-4 minutes

In more than 220 years, the U.S. Capitol had seen nothing like it: a roiling mob, forcing its way past its majestic marble columns, disrupting the passage of power, desecrating the seat of the world's greatest democracy.

But this was far from the first time the Capitol has been scarred by violence.

In 1814, just 14 years after the building opened, British forces in the War of 1812 tried to burn it down. The invaders looted the building first, and then set the southern and northern wings ablaze — incinerating the Library of Congress. A sudden rainstorm prevented its total destruction, but the building was left "a most magnificent ruin," according to architect Benjamin Henry Latrobe.

Over the centuries since, events have made a mockery of the inscription on the rostrum of the House chamber — "Union, Justice, Tolerance, Liberty, Peace." The building has been bombed several times. There have been shootings. One legislator almost killed another.

The most famous episode occurred in 1950, when four Puerto Rican nationalists unfurled the island's flag and, shouting "Freedom for Puerto Rico," unleashed a barrage of about 30 shots from the visitor's gallery of the House. Five congressmen were injured, one of them seriously.

"I did not come to kill anyone, I came to die for Puerto Rico!" cried the leader, Lolita Lebron, when she and the others were arrested.

Before and since, the building has been a target. In 1915, a German man planted three sticks of dynamite in the Senate reception room; it went off shortly before midnight, when no one was around.

LIVE UPDATES: Pro-Trump mob breaches U.S. Capitol

The bomber — who had previously murdered his pregnant wife by poisoning, and would go on to shoot financier J.P. Morgan Jr,. and bomb a steamship loaded with munitions bound for Britain — killed himself before he could be arrested.

More recently, the Weather Underground set off an explosive in 1971 to protest the U.S. bombing of Laos, and the May 19th Communist Movement bombed the Senate in 1983 in response to the invasion of Grenada. Neither caused any deaths or injuries, but both resulted in hundreds of thousands of dollars in damage and led to tougher security measures.

The most deadly attack on the Capitol occurred in 1998, when a mentally ill man fired at a checkpoint and killed two Capitol Police officers. One of the dying officers managed to wound the gunman, who was arrested and later institutionalized. A nearby statue of Vice President John C. Calhoun still bears a bullet mark from the incident.

In 2013, a dental hygienist with her 18-month-old daughter in tow tried to drive onto the White House grounds, and was chased to the Capitol, where she was shot to death by police.

There have been other, storied attacks. In 1835, a deranged house painter tried to shoot two pistols at President Andrew Jackson outside the building; the guns misfired, and Jackson caned his assailant into submission.

And famously, in 1856, Rep. Preston Brooks attacked abolitionist Senator Charles Sumner with his cane on the floor of the Senate after the senator gave a speech criticizing slavery.

Sumner was beaten so badly that three years passed before he had sufficiently recovered to return to Congress. The House failed to expel Brooks, but he resigned — and was immediately reelected.

www.cnn.com /2013/10/03/politics/u-s-capitol-shooting-main/index.html

Wild car chase ends with suspect shot to death near U.S. Capitol

Tom Cohen, Phil Gast

6-7 minutes

Story highlights

Investigation goes to New York City; Stamford, Connecticut

Police say suspect, a woman, was shot and killed

Car chase began near White House and ended near the Capitol

A young child was in the suspect's car and was later placed in protective custody

(CNN) —

She had a 1-year-old child inside and apparently was unarmed.

Instead, the motorist's black Infiniti, according to authorities, itself became a weapon Thursday afternoon, first striking a security barrier and U.S. Secret Service officer near the White House before hurtling down some of the capital's most famous streets, police cruisers in pursuit.

Dramatic video taken minutes later near the U.S. Capitol showed the vehicle backing into a police vehicle before the chase resumed. Gunshots rang through the traffic circle. The motorist was shot by police just a few blocks away.

The woman died. The child was safe and in protective custody. Two officers were injured. Police vehicles were damaged.

And a city heretofore fixated on a partial government shutdown was left with unanswered questions.

Why did this happen? Why did the woman drive away from the White House and toward Capitol Hill?

While U.S. Capitol Police Chief Kim Dine said there appeared to be no evidence of terrorism, Metropolitan Police Department Chief Cathy Lanier said, "This does not appear to be in any way an accident."

Officials, who called it an "isolated incident," were tight-lipped about the suspect and did not name her at an evening briefing.

The early hours of the investigation turned northward Thursday night.

A task force prepared to execute a search warrant at the woman's Stamford, Connecticut, residence, law enforcement sources said. Police and bomb squad units surrounded an apartment complex.

Authorities wanted to speak with the suspect's relatives in Brooklyn, New York, but were turned away, federal law enforcement sources told CNN.

The chase created a chaotic scene of blaring sirens, locked-down lawmakers and bystanders hitting the dirt.

House and Senate sessions were immediately suspended, with legislators ordered to take cover and keep away from windows. Police also closed Pennsylvania Avenue in front of the White House.

The chase began near the White House.

A U.S. Secret Service source said when the woman drove up to a barrier at the 15th and E street checkpoint, she was approached by Secret Service officers who did not recognize her car.

The motorist hurriedly tried to drive away, executed a three-point turn, struck the barrier and backed into an officer before driving away, the source told CNN.

Police said the car sped down Pennsylvania Avenue toward the Capitol, where security vehicles stopped it at Garfield Circle.

Frank Schwing, a Washington resident who was near the area, said officers "came out with their guns drawn" and approached the suspect's vehicle.

"At that point, the driver slammed into reverse, slammed into a cruiser, did a 180 (degree turn), took off," Schwing told CNN, adding, "at that point, there were a half dozen or so shots fired," apparently all by small arms from police.

Video footage by other witnesses showed the black vehicle then careening around a nearby traffic circle with a police car in close pursuit and then headed away. Shortly afterward, the car crashed into security barriers a few blocks away, witnesses said.

Lanier said more shots were fired after the vehicle stopped, and the woman was hit several times. The driver was later pronounced dead, Lanier said.

According to multiple sources, there was no reason so far to believe that the woman fired any shots or even had a weapon. Officers did not know a child was inside during the chase, officials said.

Lanier, citing the lengthy pursuit, rammed vehicles and an attempt to breach two security perimeters, said the driver's actions did not appear to be accidental.

Security perimeters at the White House and Capitol worked, Lanier told reporters.

"They did exactly what they were supposed to do," she said.

A Capitol Police officer whose vehicle crashed during the chase also was hurt, authorities said. The officer was released from a local hospital Thursday night. The Secret Service did not release information about its injured agent.

Authorities lauded the action of police – some of whom aren't being paid – who responded to the incident.

Because of the government shutdown, U.S. Capitol Police aren't receiving a paycheck, although they will receive checks once appropriations are restored.

In Congress, a Capitol Police bulletin said reports of gunshots required "all occupants in all House office buildings to shelter in place."

"Close, lock and stay away from external doors and windows," the bulletin said. Authorities later lifted the lockdown, with police saying they believed the incident was isolated.

President Barack Obama was briefed on the situation, which occurred on the third day of a government shutdown due to a stalemate in Congress over government funding.

"The timing on this was really kind of scary," said Republican Rep. Blake Farenthold of Texas. "Capitol Hill police are at a lower personnel level because of the shutdown."

Tom Cohen reported and wrote from Washington. Phil Gast wrote from Atlanta. CNN's Deborah Feyerick, Evan Perez, Dana Bash, Mike Ahlers, Ted Barrett, Jake Tapper, John King, Aaron Cooper, John Auerbach, Gabe Lamonica, Brian Todd, Martina Stewart, Rose Arce and Dan Merica contributed to this report.

New Trump PAC raised $31.5 million in the weeks after Election Day, as Trump was making baseless claims of voter fraud

washingtonpost.com/politics/trump-raised-315-million-in-the-weeks-after-election-day-for-his-new-leadership-pac-filing-shows/2021/01/31/1847c75a-63f1-11eb-8468-21bc48f07fe5_story.html

By Michelle Ye Hee Lee and Anu Narayanswamy February 1, 2021



Former president Donald Trump's new political action committee raised $31.5 million in the weeks after Election Day through a flurry of fundraising appeals purporting to fight election fraud and help Republicans maintain their majority in the Senate, new filings show.

But by Jan. 1 — two weeks after the electoral college certified President-elect Joe Biden's victory and days before the two Senate elections in Georgia that tipped control of the chamber to Democrats — he spent no money on either endeavor, according to disclosures made public Sunday evening.

Instead, Trump had held on to the majority of that money in the coffers of Save America, his new leadership PAC, which carries few restrictions on how the money can be spent and can now be used to finance his post-presidential political career.

In all, the official committees supporting Trump and the Republican Party raised more than $290 million since his Nov. 3 election defeat — a staggering amount by an outgoing president that highlights Trump's lasting influence on the party and its fundraising apparatus.

But the donations took a sharp dive in December, filings show, even as Trump and his allies continued to make baseless claims of widespread election fraud and brought unsuccessful legal challenges to overturn the presidential election results in key battleground states.

The vast majority of the approximately $290 million post-election haul came between Election Day and Nov. 23, filings show. At least $82.6 million of that total was raised from Nov. 24 through Dec. 31, the filing period for the new Federal Election Commission disclosures filed Sunday night.

It is unclear whether Trump maintained his fundraising cachet after a mob of his supporters stormed the U.S. Capitol on Jan. 6. That led to his second impeachment, and some Republican lawmakers distanced themselves from his incendiary rhetoric calling into doubt the integrity of the presidential election.

Save America spent only about $343,000 of the $31.5 million it raised since it was created after the election, to pay fees to the company that processes its donations, filings show. The committee retained the rest of the donations as of Jan. 1.

The money collected by the leadership PAC cannot be used directly for Trump's campaign purposes, but there are few other restrictions on how the money can be spent. For example, donations could be used to pay for events at Trump's properties or to finance his travel or personal expenses.

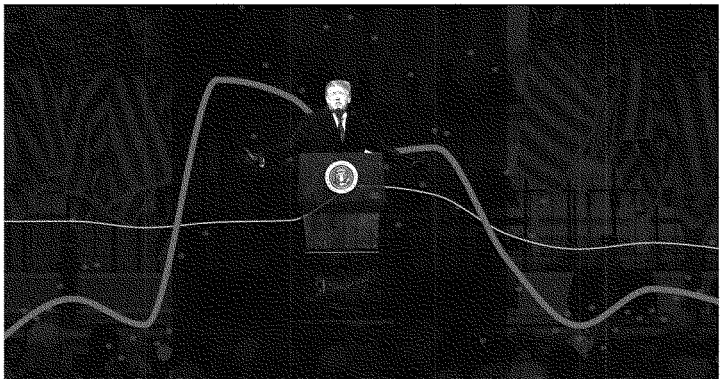
Leadership PACs are commonly used by current and former members of Congress to raise money for their allies on Capitol Hill through fundraising vehicles separate from their campaign committees.

In addition to Save America, the pro-Trump donations were made to his campaign committee, the Republican National Committee and two committees that raise money for both the campaign and the national party.

Those committees made fundraising appeals using hyperbolic language about voter fraud and election integrity to raise money after the Nov. 3 election, raising so much that they shattered fundraising records set during the campaign.

When Trump started his speech before the Capitol riot, talk on Parler turned to civil war

usatoday.com/in-depth/news/2021/02/01/civil-war-during-trumps-pre-riot-speech-parler-talk-grew-darker/4297165001/



Text analysis shows calls for civil war intensified on the right-leaning social media app Parler as Trump urged his followers to march on the Capitol.

Aleszu Bajak, Jessica Guynn and Mitchell Thorson, USA TODAY

Published 11:39 am UTC Feb. 1, 2021 Updated 4:23 pm UTC Feb. 1, 2021

Calls for civil war intensified on the right-leaning social media platform Parler on Jan. 6 as President Donald Trump spoke and urged his followers to march on the U.S. Capitol, a USA TODAY analysis shows.

In the minute between 12:15 and 12:16 p.m., Trump told the crowd to head to the Capitol and that "you'll never take back our country with weakness." One minute later, a Parler user wrote: "Time to fight. Civil war is upon us." Another wrote: "We are going to have a civil war. Get ready!!"

On the ground, the sentiment was more tactical. A Parler video that captured Trump's voice saying "show strength" captures one man in the crowd responding, "Invade the Capitol building." "Let's take the Capitol," others in the crowd shouted in the video. "Take the Capitol right now!"

During Trump's speech, mentions of "civil war" on Parler surged to nearly four times the level the phrase was being shared before it. "Civil war" was used 40 times in the hour before 12:15 p.m., the approximate time Trump told supporters they had to "show strength." In the hour following his words, mentions of "civil war" jumped to 156.

Using a dictionary that researchers use to rate words for positivity or negativity, USA TODAY examined a trove of 80,146 Parler posts captured by analysts at the Social Media Analysis Toolkit before Parler went offline. The posts run from 9 a.m., when Trump supporters ramped up their Save America rally in Washington, to 2:30 p.m., when the Capitol was under full siege.

To assess what was driving changes in sentiment, the news organization also examined words and phrases that gained the most as a share of Parler traffic over time.

The analysis found a pronounced decline in the mood on Parler during Trump's time on stage. The term "civil war" moved up as a share of all phrases in use, joining a volatile mix of words in use that day focusing on election fraud and Republican leaders considered disloyal to the cause.

Along with "President Trump," "American people" and "God Bless," "civil war" was among the top five most frequently mentioned phrases overall on Parler from 12:15 p.m. to 1:15 p.m., as some Trump followers were already assembling in front of the Capitol. Among the fastest-rising phrases after 12:15 p.m., "civil war" made No.1 – followed by "voting machines," "president elect," and "Mitch McConnell."

The analysis adds weight to reports quoting attorneys for riot suspects saying Trump's speech inspired the attack on the Capitol. Such interpretations of Trump's words are likely to be at the center of an impeachment trial of the president in the Senate that begins next week.

It's impossible to see inside a social media user's mind and know whether Trump's speech prompted their postings, and much of the discussion on Parler was among people who were not at the rally.

But experts who study language, social media use and extremism see strong connections between the words of Trump, Parler users and people in the Washington mob that day.

"In those crucial moments, it appears that for many Parler users – including some who marched to the Capitol and participated in the rampage – vague hostility hardened into a call for violent action," Paul Barrett, deputy director of the NYU Stern Center for Business and Human Rights, who studies social media, said in an email. "Trump helped transform an angry protest into a mob whose insurrection left five people dead."

Supporters of President Donald Trump gather at the Save America rally in Washington on Jan. 6.
John Minchillo, AP

Parler did not respond to a request for comment on Friday. Trump's impeachment attorney Butch Bowers also did not respond and has since left the former president's legal team.

Sen. Rand Paul, R-Ky., described Trump's Jan. 6 remarks as political rhetoric, no more threatening than any impassioned speeches other politicians give to rally support. "Who hasn't used the words 'fight' figuratively?" he asked his colleagues, calling out Democratic senators who'd used strong language in the past. "And are we going to put every politician in jail? Are we going to impeach every politician who has used the words 'fight' figuratively in a speech?"

Eugene Volokh, a First Amendment law professor at the University of California-Los Angeles, said that even if Trump could have foreseen that his words would move some to commit criminal acts, his speech would not be enough for a conviction in criminal court.

But James Wagstaffe, a First Amendment lawyer who has taught constitutional law for three decades, took the opposite view. He pointed to phrases like "If you don't fight like hell, you're not going to have a country anymore."

"It had the element of an incitable crowd and the ability to stop it," Wagstaffe said. "Had he said, 'Stay here, stay with me. We are going to get that vote, and we will watch it on TV together,' there is every reason to believe that that crowd would have stayed there."

The 'free speech' alternative site

Parler bills itself as a "free speech" alternative to Facebook and Twitter with much looser rules around what people can say on the service. John Matze and Jared Thomson started the platform in 2018 and named it after the French word "to speak." Investors include conservative donor Rebekah Mercer and media personality Dan Bongino.

As Facebook and Twitter cracked down on election-related falsehoods last year, pro-Trump Republicans and conservatives gravitated to Parler, where Donald Trump Jr., Sen. Ted Cruz, R-Texas, and Trump's personal lawyer Rudy Giuliani held court.

Violent chatter on Parler before and after the Capitol attack has since prompted Amazon to stop hosting the service. Apple and Google also removed Parler from their app stores. Rep. Carolyn B. Maloney, D-N.Y., has asked the FBI to investigate Parler's role in the Jan. 6 attack. Parler's domain as of last week was registered with Epik, which also hosts right-leaning social media app Gab. A Russian firm DDos-Guard owns the IP address.

Peter Sheridan Dodds, who studies social media sentiment as co-director of the University of Vermont's Computational Story Lab, said Trump's actions in the past have been associated with dramatic swings in Twitter sentiment. But he said Parler is likely to show an even more direct connection because the audience is more uniformly pro-Trump.

"Parler is the engaged viewer," said Dodds, who created the word sentiment scale USA TODAY used for its analysis. "They're watching the channel directly."

Parler claimed to have 15 million users in January – less than a tenth of Twitter's average of 187 million.

Those users were riled up on the day of the riot.

USA TODAY's text analysis drew on posts and comments from a panel of 4 million accounts that researchers with the Social Media Analysis Toolkit consider representative of the platform's overall tone.

As the Save America rally speeches began in earnest near the Washington Monument around 9 a.m., user sentiment on Parler was registering more negative than the trend among Parler users over the previous four mornings.

Rep. Mo Brooks, R-Ala., delivered a fiery speech to the rally-goers. "Today is the day American patriots start taking down names and kicking ass!" he shouted around 9:15 a.m.

The phrases "civil war" and "election fraud" were among those dragging Parler sentiment index downward as the rally progressed from 9 a.m. to 10 a.m., according to the analysis, which scored phrases using the average of each word's positivity rating. But these phrases weren't in heavy circulation yet.

Then, at about 10:30 a.m., as speakers at the rally came and went, a wave of positivity briefly took hold on Parler.

USA TODAY's analysis found the change was at least partly driven by a clumsily worded prayer that drew 4,600 comments and was shared more than 450 times. The zone became flooded with words from the prayer that mostly rated high in positivity on UVM's sentiment scale.

"Let us pray," the prayer begins. "On January 6, 2021, Lord the American Patriots with President Trump your servant welcome you and are thankful that for a time like this has open our eyes to the many unruly and vain talkers and deceivers, who's mouths must be stopped. Lord we pray victory for the American people… I love you America."

Jeremy Blackburn, a professor of computer science at Binghamton University who studies Parler and other social media, said the prayer's impact was meaningful.

"This uptick in sentiment, especially its seeming relationship to the prayer, can be interpreted as an uplifting rallying cry," Blackburn said. "Considering that crusader imagery is well represented in online conspiracy theories like QAnon and violent militias, it makes sense to see it show up shortly before the Capitol was stormed."

The prayer remained in heavy circulation, keeping Parler sentiment high even as speakers at the Save America rally delivered confrontational rhetoric in the run-up to Trump's arrival.

Trump's son Donald Trump Jr. warned shortly before 10:30 a.m., "Friend or foe today, Republicans, you get to pick a side for the future of this party." In an apparent reference to GOP primary challenges, the president's son said: "If you're going to be the zero and not the hero, we're coming for you, and we're going to have a good time doing it."

By the time Trump took the stage around noon, words of the prayer had started being displaced in popularity by less uplifting terms. The mood on Parler was shifting.

'You have to show strength'

A key moment seems to have come 16 minutes into the speech, at 12:16 p.m.

"You'll never take back our country with weakness. You have to show strength, and you have to be strong," Trump told his followers, shortly after telling them "we're going to walk down to the Capitol."

Immediately after, posts on Parler turned to calls for violence. "Time to physically fight. Civil war," wrote one user at 12:17 p.m. "Be men fight back and f____ them up. Civil war is upon us," wrote another at 12:18 p.m. Still another wrote, "Time to fight. Civil war is upon us," at 12:19 p.m.

The sentiment index on Parler dropped with increased use of negatively scored words like "war," "remove," "treason," "cheated," "corrupt" and "fight," the USA TODAY analysis shows. In his speech, Trump used the word "fight" 20 times, "corrupt" 10 times and "cheat" three times.

Another, relatively neutral pair of words also rose in popularity as "civil war" became a hot phrase: "It's time."

What exactly Parler users meant by invoking the phrase "civil war" is difficult to know.

Three members charged in the riot are members of the militia-style organization Oath Keepers, which frames its role as an armed resistance to tyranny similar to volunteers in the American Revolution, according to Sam Jackson's 2020 book on the group. The three allegedly planned their part in the Capitol attack weeks in advance, then coordinated their movements by radio inside the building wearing helmets, reinforced vests and military-looking insignia.

On Jan. 6, 2021, people with Oath Keepers patches gathered outside the U.S. Capitol in Washington.
Manuel Balce Ceneta, AP

When Trump in 2019 quoted an ally predicting "a civil war like fracture" if he were removed through impeachment, Oath Keepers retweeted the message, adding, "We ARE on the verge of a HOT civil war. Like in 1859."

Some Parler users may have used the term "civil war" symbolically on Jan. 6. The short, internet-ready catchphrase lent itself to the moment, said Joshua Tucker, professor of politics and co-director of the Center for Social Media and Politics at New York University. It encompassed the ideologies of disparate groups attending the Jan. 6 rally, be it the Hawaiian shirt-clad "Boogaloo bois," a loosely affiliated group of extremists who are preparing for a second civil war, or Trump supporters conjuring warlike imagery to express their anger over the election.

"It's a hashtagable phrase that quickly spread and everyone quickly began to associate with," Tucker said.

Vice News' Tess Owen shared a photo on the day of the rally with three Trump supporters in identical black shirts reading, "MAGA CIVIL WAR JANUARY 6, 2021."

Trump himself never used the words "civil war" in his speech Jan. 6. But he used other terms that painted supporters as the only force of good standing against evil.

The crowd on the lawn consisted of "patriots," or "American patriots." Trump described the more than 100 House Republicans who were expected to reject the Electoral College vote for Biden as "warriors." He said his supporters would "defend and preserve government of the people, by the people and for the people," adapting the phrase Lincoln used in the Gettysburg Address.

At the end of his speech, around 1:10 p.m., Trump returned to the idea of fighting for the country and urged those assembled to walk to the Capitol.

"We fight like hell," Trump said, "and if you don't fight like hell, you're not going to have a country anymore." He continued, "So we are going to walk down Pennsylvania Avenue – I love Pennsylvania Avenue – and we are going to the Capitol."

These were Trump's 19th and 20th uses of the word "fight" during the speech.

Donald Trump

> "We fight like hell, and if you don't fight like hell, you're not going to have a country anymore."



Hundreds of Trump supporters were already at the Capitol by that point. After Trump left, members of the crowd at the rally began to move in that direction.

How a Trump mob stormed the US Capitol: Timeline: How a Trump mob stormed the US Capitol, forcing Washington into lockdown

A Texas realtor named Jenna Ryan, charged in connection with entering the Capitol, told a local CBS affiliate, "I thought I was following my president. I thought I was following what we were called to do." Others were under the same impression, according to court documents cited by The Washington Post.

"We the people will stand up and fight!" wrote one user on Parler at 1:10 p.m. "Have to fight fire with fire or do nothing and pay the consequences," wrote another at 1:13 p.m. At 1:16 p.m., another Parler user wrote: "This country needs a civil war badly. Ones itching right now."

The swing in average sentiment scores on Parler between 11:30 am. and 1:30 p.m. was dramatic. Had the drop occurred on a much larger platform like Twitter, it would have been the equivalent of about half the decline associated with a major mass shooting, said Dodds, the University of Vermont researcher who has measured fallout from other news events.

'The Republican Party is dead'

While Trump's exhortations to "fight" gave way to calls on Parler for "civil war," much of the day's talk on stage and online girded Trump supporters for war on fellow Republicans.

Election and voter fraud were common refrains. But equally prominent were attacks on Republicans viewed as betraying Trump not blocking the certification of electoral votes in Joe Biden's favor.

"The Republican Party is dead !!!" wrote one user at 12:19 p.m., while Trump was still speaking. Another wrote at 12:50 p.m., "We need a new party: The Patriots or MAGA party. The Republican Party has gone belly up."

Vice President Mike Pence and Senate Majority Leader Mitch McConnell, both of whom were seen as resisting Trump's call for them to overturn the election, were subjected to special fury.

Trump invoked Pence's name 10 times in his speech. "And Mike Pence is going to have to come through for us, and if he doesn't, that will be a, a sad day for our country because you're sworn to uphold our Constitution," Trump said at 12:15 p.m.

"Mike Pence, I hope you're going to stand up for the good of our Constitution and for the good of our country," he said to applause at 12:51 p.m. "And if you're not, I'm going to be very disappointed in you. I will tell you right now. I'm not hearing good stories."

Trump: If Pence 'does the right thing, we win'

President Donald Trump is continuing his pressure-campaign against Vice President Mike Pence, telling thousands of supporters falsely that all Pence has to do to stay in office is send Electoral College votes back to the states to be recertified. (Jan. 6)

AP

And at 1:04 p.m. Trump said: "So I hope Mike has the courage to do what he has to do. And I hope he doesn't listen to the RINOs and the stupid people that he's listening to," using an acronym for "Republicans in Name Only."

As Trump's speech ended and his supporters moved toward the Capitol, the conversation online mirrored Trump's disdain for Pence and other Republicans. But on Parler, the tone was more ominous.

"Pence is a traitor," one user wrote at 1 p.m. "Patriots need to build gallows and start removing these rhinos like Mitch McConnell Mitt Romney and Royal Blunt to name a few," wrote another at 1:07 p.m. "Traitor. Hang the bastard," wrote another at 1:58 p.m. Mentions of Mike Pence went from a little more than 30 in the hour before Trump told supporters to "show strength" and said Pence "is going to have to come through for us – to about 90 in the hour afterward.

That rhetoric online matched actions on the ground. A makeshift gallows was erected at the Capitol.

Prosecutors have alleged that some who broke in were looking to "arrest" the politicians inside.

An 'echo chamber' that fed anger

Once the riot was in full swing at the Capitol, roughly an hour after Trump left the rally stage, it was unclear how much of the Parler discussion came from users fueled by his speech and how much was driven by news footage of a mob on the attack. Regardless, some researchers said, at some point the voices online and in person started to feed one another.

"Let the civil war start today, let their blood run deep in the streets!!" wrote one user at 1:56 p.m.

"There is no political solution to this problem. Time to fight back," another wrote at 1:58 p.m.

At 2:24 p.m.: "Better have a plan to take over the Capital Building Just storm it!!"

And at 2:27 p.m.: "Yup, time to storm every corrupt politician's home do a citizens arrest and burn their house down just for being so evil and corrupt…"

Ponnurangam Kumaraguru, a professor of computer science at Indraprastha Institute of Information Technology-Delhi, recently analyzed Parler messages from Jan. 6 and described Parler as an "echo chamber" that fed the crowd during the riot. It fits a pattern he has seen increasingly in recent years.

"We are seeing a stronger relationship between social media content and the actual incidents on the ground," he said.

Like USA TODAY's analysis, Kumaraguru's research identified an increase in frequency of words and phrases like "civil war," "corrupt" and "fraud."

Supporters loyal to President Donald Trump clash with authorities before breaching the Capitol on Jan. 6.
John Minchillo, AP

To Leah Windsor, a research professor at the University of Memphis who studies the effect of Trump's words on his followers, his speech on Jan. 6 was the culmination of a series of speeches meant to build up momentum in his supporters, spurring them to action. The groundwork he had been laying came to a head that day, she said.

"What was most fascinating to me about Trump's language is besides the overt directives like 'We're going to march down to the Capitol' and 'You have to fight like hell' is that in the week prior there was an undercurrent of momentum and forward-movement references in his speeches," Windsor said.

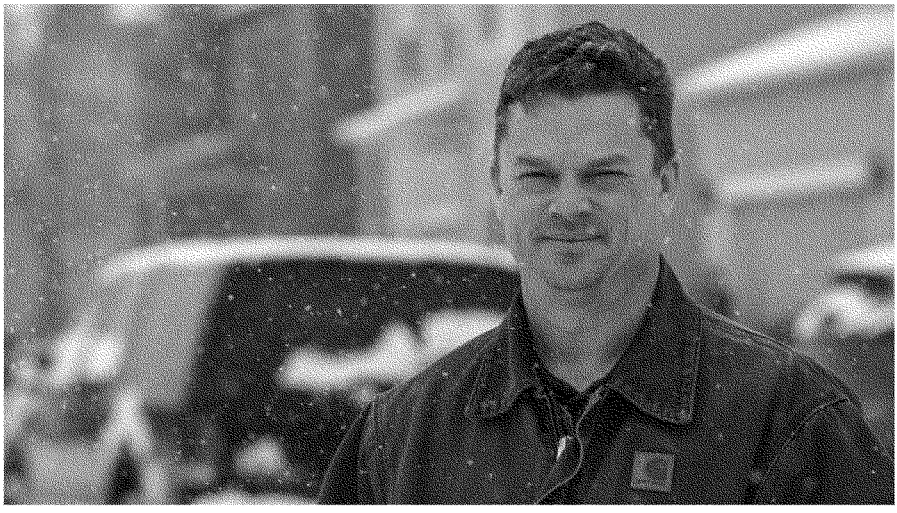
Once he had called on his supporters to march to the Capitol, his work was in a sense done, she said. The violent rhetoric would then be picked up by his followers, visible in their shouts, on and off social media that day.

"He was building the momentum," Windsor said. "And after the insurrection happened, there wasn't a need for anything else."

Contributing: Christal Hayes, David Jackson, USA TODAY.

Spurred By The Capitol Riot, Thousands Of Republicans Drop Out Of GOP

npr.org/2021/02/01/962246187/spurred-by-the-capitol-riot-thousands-of-republicans-drop-their-party



Spurred By The Capitol Riot, Thousands Of Republicans Drop Out Of GOP

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February 1, 20215:00 AM ET

Andrew Kenney

From

CPR News

Spurred By The Capitol Riot, Thousands Of Republicans Drop Out Of GOP

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"I was completely shocked and ashamed. That's not how I think of the Republicans — who we were, and who we are," said Lyle Darrah of the riot at the Capitol. Darrah recently changed his party registration from Republican to Democrat. **Hart Van Denburg/CPR News hide caption**

"I was completely shocked and ashamed. That's not how I think of the Republicans — who we were, and who we are," said Lyle Darrah of the riot at the Capitol. Darrah recently changed his party registration from Republican to Democrat.

Hart Van Denburg/CPR News

Lyle Darrah was on a conference call at work in rural Weld County, north of Denver, when the riot at the U.S. Capitol started on Jan. 6. When his boss mentioned what was happening, he turned on news coverage — and immediately felt his last allegiance to the Republican Party slipping away.

"I was completely shocked and ashamed. That's not how I think of the Republicans — who we were, and who we are," he said. "It's something I felt I could no longer be in support of."

That night, he talked with his wife over dinner at their home. Darrah had been a lifelong Republican, while his spouse and children are Democrats — the kind of family that joked about canceling out each other's votes.

Later, Darrah, age 49, sat in his living room and pulled up the state's voter registration website. And then, like thousands of other Coloradans in the wake of the insurrection, he left the Republican Party.

"I think it should be a signal," said Darrah, a software company director who voted for Donald Trump in 2016 and Joe Biden in 2020.

His strongest political priorities are fiscal restraint and national defense, he said.

"I don't know if there's anything to be said about being party loyal your entire life, if your party doesn't go in the direction you want it to," Darrah added.

But in this moment of upheaval, his story is just one of many reasons that voters have abandoned the GOP in Colorado, a once-competitive state that swung strongly left in the Trump era.

4,600 fewer Republicans after the riot

In the week from Jan. 6 through Jan. 12, about 4,600 Republicans changed their party status in Colorado, according to a CPR News analysis. There was no comparable effect with any other party. CPR News was able to contact dozens of them by tracking changes in the state's voter file.

The number of people changing parties spiked immediately after the Capitol breach. The same phenomenon is playing out nationwide. News outlets documented about 6,000 defections from the party in North Carolina, 10,000 in Pennsylvania and 5,000 in Arizona.

In Colorado, only a small fraction of the defectors made the same dramatic leap as Darrah did in choosing to join the Democratic Party. Some went to conservative third parties. But the vast majority — about 4,200 people — switched from Republican to unaffiliated status, accelerating a trend that has affected both parties in Colorado in recent years.

"I don't think there would be any other reason why it would begin at that day except that they looked at what was happening in Washington, D.C., and decided this is a time for me to make what is clearly a symbolic move," said Ryan Winger, director of data analysis and campaign strategy for Republican pollster Magellan Strategies.



Enlarge this image
The storming of the Capitol by a pro-Trump mob prompted thousands of Republicans across the country to change their party registrations. **Brent Stirton/Getty Images hide caption**

toggle caption
Brent Stirton/Getty Images



The storming of the Capitol by a pro-Trump mob prompted thousands of Republicans across the country to change their party registrations.

Brent Stirton/Getty Images
All told, the Colorado GOP lost about a half a percent of its registered voters in the week after the riot.

The thousands of newly unaffiliated voters can still support Republican candidates and participate in the party's primaries. And both parties have seen registered members switch to unaffiliated in large numbers for years.

But interviews and data analysis show how the tumultuous postelection period has created a new split within the Republican Party.

For some right-of-center voters, like Lyle Darrah, the violence at the Capitol was simply the final straw. They described an increasingly strained relationship with the GOP, with some citing the rise of Sarah Palin more than a decade ago as the first sign that the party was focusing on culture wars instead of fiscal conservatism.

"As my husband said, it's just become the party of mean people," said Jo Swanson, 73, a retired school psychologist in Denver. She voted for Hillary Clinton in 2016 but didn't register as a Democrat until this month. She had always considered herself more socially liberal, but her anti-abortion rights beliefs had held her back.

"I really found that hard to let go," she said, adding that she will still fight for abortion restrictions.

Trump supporters are leaving, too

Other newly former Republicans had the opposite reaction: They cut ties with the party because they felt its leaders had abandoned Trump by blaming him for the riot and refusing to overturn the election.

"I quickly realized that I would probably never vote for another Republican again. They have let America down," said Cara Samantha Toney, a 45-year-old mother of three who switched from Republican to Libertarian and lives in Jefferson County, a suburb of Denver.

Phil Trubia, a 52-year-old Mesa County voter, made a similar move to the American Constitution Party. He sees himself continuing to vote for Trump loyalists like Rep. Lauren Boebert, but not for mainstream Republicans.

"I do feel there is a split," Trubia said. "I'm not necessarily doing it to hurt the Republican Party, but the way they turned their backs completely on Trump, that kind of got me really upset."



Enlarge this image

A Trump supporter holds a sign with a pitchfork as he protests the election outside the Colorado State Capitol on Jan. 6 in Denver. **Michael Ciaglo/Getty Images hide caption**

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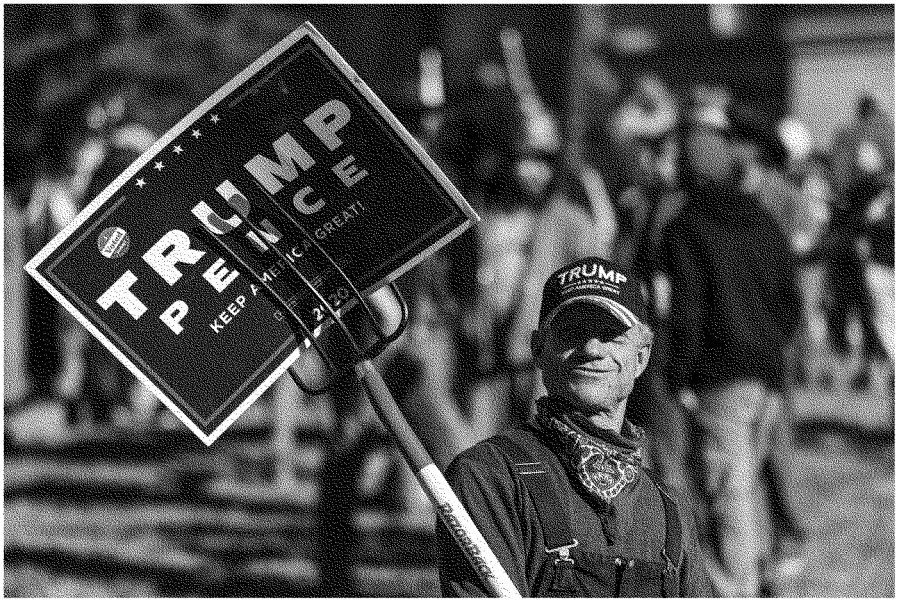

A Trump supporter holds a sign with a pitchfork as he protests the election outside the Colorado State Capitol on Jan. 6 in Denver.

Michael Ciaglo/Getty Images
The change was especially pronounced in Colorado's politically competitive counties. In fact, nearly 800 of the switchers were in Douglas County, a Republican stronghold where the party has recently been losing strength — another dangerous signal for the GOP. While Douglas is only the seventh-most-populous county in the state, it had the largest number of voters who left the Republican Party.

"There's going to be a point where the party has to decide what kind of party it wants to be moving forward — and unfortunately for the party as a whole, that's going to mean no matter which fork in the road they choose, they're clearly going to lose what is part of the coalition or has been part of the coalition," strategist Winger said.

"The job after that is going to be to rebuild."

To engage or retreat?

Among the dozens of voters CPR News called for this article, one theme was common: No one knew what would come next for the GOP. Few were optimistic. And some bought into terrifying conspiracy theories about what Democrats would do with their narrow majorities in Congress.

One younger voter moved to unaffiliated because she feared that Republicans could be targeted for abuse. And many have asked themselves whether they should step back from politics altogether.

"Part of me wants to think about all the preppers and people who are battening down the hatches at home and say, 'Well, they're coming to take our guns, take our rights — and be fearful,' " said Karen Trubia, who joined the Constitution Party with her husband, Phil.

In rural Weld County, 44-year-old Sara Ocker switched from Republican to unaffiliated and doesn't expect to vote again anytime soon, because she doesn't believe the elections are run fairly.

"It feels like we're living in the upside-down world," she said. Ocker feels that "RINOs" — Republicans in name only — betrayed the president and wrongly blamed him for the riots. She added that it was impossible that any Trump supporter could have committed violence that day.

"We've all been living a lie and been told a lie," she said.



She hasn't spoken with her parents, who are Biden supporters, since the election. They see her as a QAnon conspiracy theorist, she said, but she thinks of herself as a skeptic who does her own research. Now, she fears a civil war — or, at the least, a generation-long rebuilding of conservative politics.

"A party's got to implode," she said. "I think that's what's happening to the Republican Party, a little bit."

Others are taking a pragmatic approach: Where will they be able to influence politics the most as Colorado stays reliably Democratic?

"I've gotta tell you, the vast majority of my friends are laughing at me, that I switched over to Democrat. They think I'm crazy," said Martin Lee Hussman, 45.

A well-connected resident of Alamosa in the southern part of the state, he was previously a registered Libertarian but voted for Trump last November. As he watched the fallout of the riots, he decided that Democrats would hold power for the foreseeable future.

"Honestly, I think the Republican Party is dead. I don't think there's going to be a Republican Party in the next couple years," said Hussman, a plumber.

Hussman figured that being registered as a Democrat would help him moderate the party's candidates by supporting centrist candidates. But Hussman didn't feel very different after changing his party registration.

"Aw, hell," Hussman said. "It's easy to switch back to something else if I don't like the way this one's going."

Colorado Public Radio's Kevin Beaty contributed to this report.

After the Attack

slate.com/news-and-politics/2021/02/capitol-riot-january-6-trauma-terror-attack.html

On the morning of the Capitol insurrection, Rep. Lois Frankel, D-Florida, was watching the debate over the certification of Joe Biden's presidential victory from the balcony of the House chamber when she began to feel uneasy. It was too crowded up there for her liking, and she was worried about COVID-19, so she left to wait for the vote elsewhere.

As Frankel was exiting the balcony, Rep. Abigail Spanberger, D-Virginia, who is a former CIA officer, stopped her. Spanberger recommended that Frankel remove the pin that identifies her as a member of Congress, lest any malicious Trump supporters, who were then gathering outside the Capitol, identify her as a target. Frankel complied, though she thought it seemed excessive. "I had no warning of any danger. I was clueless," Frankel told me. "I don't go on social media. I had not been watching television that day. I don't even know if I knew that the president was having a rally."

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Frankel had to take care of some business elsewhere in the Capitol, where she assured a Capitol Police officer that she was a congresswoman and authorized to be there, but had been advised to remove her pin. "And she said to me, 'Oh, you don't have to worry, we're going to keep you safe,' " Frankel said. "Famous last words."

Frankel would spend five hours that day barricaded in a room alone with Rep. Grace Meng, D–New York, while mobs of rioters searched the building for legislators. When the lockdown alert came, the two women were in an empty lounge together. They shoved furniture against the door and waited. From inside the room, they heard chanting, yelling, and stomping as the rioters streamed right past the lounge. They texted their family members and staff. Frankel gave a live interview to a West Palm Beach, Florida, NBC affiliate, her voice lowered to just above a whisper. Her son, who'd served in the Marines, called her to check in and tried to explain the best way to block a door. She sent him a picture of what they'd done, and he approved. But Meng was still worried that the mob would try to break the door down. Frankel told me she'd planned to pretend they were both "secretaries" if the rioters broke in. "But what actually scared me more was what would come after, when they opened the door and realized that I was a minority, a woman of color," Meng said. "I was scared what they would do to me if they [saw] what I look like."



Rep. Grace Meng barricaded in a lounge at the Capitol on Jan. 6. Photo courtesy of Grace Meng

Eventually, the legislators got a text from staff members that the Capitol Police force was overwhelmed and wouldn't be coming to save them. In that moment, Meng feared for her life. "Thank God we were fine afterward," Frankel told me. "Physically fine—mentally, I don't know," she said with a laugh.

Meng has noticed that she now feels "nervous" when she hears people she can't see making loud noises outside the room she's in.

Much has been reported on the aftermath of the Jan. 6 attack on the Capitol. There are law enforcement investigations of militia groups, other investigations into the failure of the police response, and new reporting on the riot every day. But while all of these developments play out, the congresspeople I spoke to are still trying to process what happened, deal with lingering feelings of anger and fear, and help one another grapple with what was not just a giant news story but a very personal traumatic event.

For days after the ordeal, Frankel continued her work while battling extreme exhaustion, as her body and mind recovered from the stress of being trapped in a room with violent agitators outside. When we talked eight days after the attack, Frankel said it was the first day since the riot she hadn't felt "totally wiped out." Meng has noticed that she now feels "nervous" when she hears people she can't see making loud noises outside the room she's in.

She's also gotten calls from fellow members of Congress and their staffers, some of whom she barely knows, to check in on her after hearing what she'd gone through. "And I said, 'I'm fine, I'm good now,' " Meng said. "And then they would just break down and cry, or they would just say to me, 'I'm not OK.' And some of these are grown men."

Things moved quickly in Congress after the siege. Lawmakers returned to the chambers as soon as the Capitol was cleared of rioters, certifying Biden's victory in the wee hours of Jan. 7. It made sense. They went back to work immediately in order to, as the saying goes, not let the terrorists win. But it's not often that the victims of a terror attack are directly responsible for the nation's response to it, and the members of Congress I spoke to all talked about how difficult it's been to work through what they experienced. People were killed in their workplace. Some lawmakers and staff members were holed up alone in their offices, or hid under tables in darkened rooms, while rioters raged outside their doors. Others heard gunfire and made phone calls to family members, believing that those conversations might be their last. Legislators will continue to do their jobs, but their recovery process is just beginning.

The pressure to instantaneously move on from a crisis is acute for lawmakers, who don't have the luxury of mental health days in the middle of overlapping national crises and are incentivized to project an image of strength. But "it's sort of like going through a car accident," trauma therapist Betty Teng told me. "If you walked away and don't feel something right away, you have to pay attention to the fact that maybe in a day, in two days, or maybe even in a week or a month, you will feel the impact in some way or another, physically or psychologically."

Some members of Congress told me that the swift return to seminormalcy has helped them recuperate from the assault. "I didn't want it to build up into a place I was scared of going," said freshman Rep. Sara Jacobs, D-California, of the House chamber, to which she returned the night of the attack. "My chief [of staff] walked with me, I think for a similar reason."

Jacobs had served in Congress all of three days before the insurrection. When the rioters breached the Capitol, she was in the House gallery—the balcony. The few dozen members of Congress and journalists who were up there with her were evacuated after those on the floor of the chamber, which meant a much closer brush with catastrophe. They were the ones photographed in those escape hoods and comforting one another while huddled on the ground. Some members were trapped in the gallery for 15 minutes or more, watching Capitol Police officers move furniture in front of the doors on the House floor, while other law enforcement officers outside the chamber struggled to clear a path through the rioters for their escape.

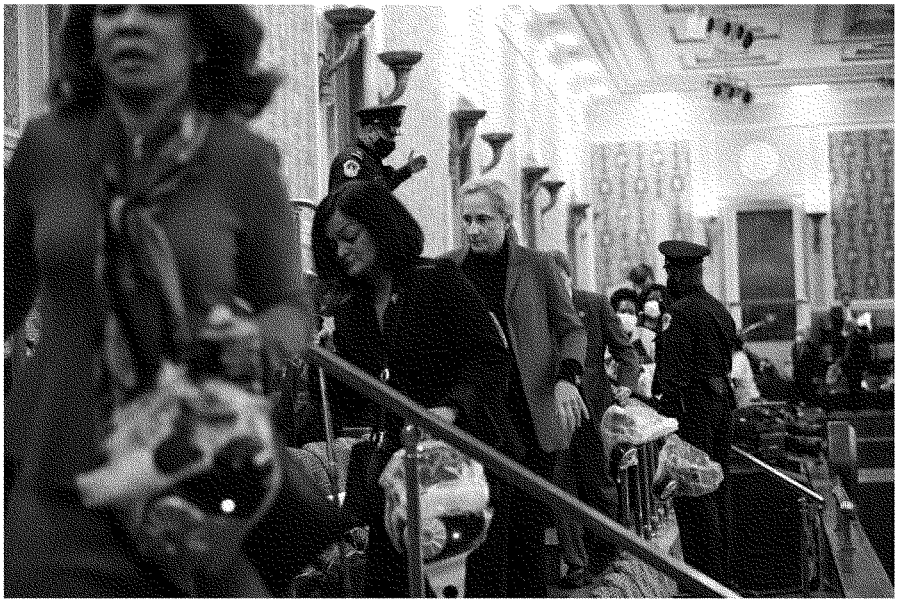
"We could hear the mob behind us. We heard gunshots," Jacobs said. "I remember thinking to myself that I don't even know how to get out of the gallery in the best of times. It's my fourth day—how am I going to evacuate?" She had a fleeting, morbid thought that maybe, if members of Congress were killed, "people would finally recognize the depth and danger of white supremacy in this country." Before she ran for Congress, Jacobs, 32, did stints at the

United Nations and the State Department, where she specialized in conflict areas and post-coup settings. In the gallery, as she waited to see if she'd be able to escape, "I was thinking of articles I could send my team of how other countries were able to recover and rebuild from similar incidents, and what I wanted my final message to the country to be," Jacobs said.

Instead of returning to California for the weekend after the riot, Jacobs stayed in D.C., in part to give herself time to process the attack. She's talked to her therapist and says she's feeling "resilient," but has been experiencing more anxiety than usual, including "a couple moments of really, I would say, feeling the magnitude of what we're going through."

Rep. Rosa DeLauro, D-Connecticut, was also in the gallery when rioters breached the Capitol on Jan. 6. The next week, when she returned to the chamber to vote to impeach Trump for the second time, she found herself staring up at the balcony. "I mentally retraced my steps around the perimeter of the gallery, and where we'd gotten before we were told to hit the ground. And I looked squarely at the door where we were evacuated," she said. "You're in the moment, but then you have more time to reflect after. You think about what could have happened. I'm fine, I'm good. [But] every now and again I think about it—it brings tears to your eyes."

In the days after the attack, some of the legislators who were in the House gallery during the attack started a text chain. They commiserated about the impact of the assault on their family members, some of whom had received "goodbye" phone calls from spouses in Congress during the riot. They sent jokes to one another, and also links to purchase bulletproof vests for Biden's inauguration. "We realized that our experience was different and that we needed each other," said Rep. Ann McLane Kuster, D–New Hampshire. (Kuster's son is the boyfriend of Slate's news director.) Over the past couple of weeks, as she's absorbed advice on how to recover from a traumatic incident, Kuster learned that "it's very important to connect with the group of people that had the same experience, because they will be best suited to understand what you're going through."



Reps. Lisa Blunt Rochester, Pramila Jayapal, and Abigail Spanberger evacuate the gallery as rioters breach the Capitol. Tom Williams/CQ-Roll Call Inc via Getty Images

On the Sunday after the riot, the congressional text chain moved to Zoom. Organized by Rep. Pramila Jayapal, D-Washington, members of Congress who had been in the gallery spent a couple of hours talking to one another and a trained counselor. Rep. Jason Crow, D-Colorado, a former Army Ranger who served three tours in Afghanistan and Iraq, was on the video chat. "What he has shared with all of us is that the surge of adrenaline that he had, and the fear that he faced—that we all experienced—was the same as combat," Kuster said.

Since the siege, Crow has been vocal about this comparison. After a photo of him clutching the hand of Rep. Susan Wild, D-Pennsylvania, on the balcony floor made the rounds, Crow gave several interviews about going "into Ranger mode" in that moment of crisis. For Crow, that meant preparing for the possibility of having to fight off the rioters. He told me he double-checked the locks on the doors in the gallery and readied a pen as a makeshift weapon. He also considered asking one of the Capitol Police officers in the gallery to lend him a firearm—"You never know who's capable of pulling the trigger until you're put in that position ... and I know that I am capable of doing that if necessary," he said—but decided against it.

"It is hard to know who you can trust." — Rep. Sara Jacobs

When he's in Ranger mode, Crow said, "I just kind of box up my emotions and my feelings and put them aside." But, eventually, those feelings come out. Crow says he's been trying to harness the anger, anxiety, and fear prompted by the attack into action as Congress works to hold Donald Trump and his allies accountable for the attack. But the "hypervigilance" Crow remembers from his military service is back—even though it's been 15 years since he felt it last. "I never thought the person I was then, and who I had to be as a combat leader, would ever come back and converge on my current life," he said, noting that he's had two children since leaving the Army. "But that is what happened. I had to tap back into that, and those two lives converged again."

As some of his colleagues have dealt with symptoms of traumatic stress, Crow has reminded them that what they're enduring is a normal human response to surviving a life-threatening assault. "I feel a responsibility to destigmatize the experience," he said.

For Kuster, that experience has included "a level of anger that I am unfamiliar with," she told me when we spoke the week after the attack. "I don't swear, and honestly, I've dropped more F-bombs in the past week than I think I have in my lifetime."

Some members of Congress, forced to quarantine after being locked down for several hours with their colleagues—including many Republicans who refused to wear masks—were not present at the Capitol in the days immediately following the riot. Those who were, though, were subjected to what was described to me as a kind of secondary trauma, as several Republican colleagues bypassed metal detectors, aggressively confronted law enforcement officers, and asserted their intentions to remain armed with deadly weapons in the workplace. The day after the inauguration, Rep. Andy Harris, R-Maryland, made an ostentatious attempt to bring a gun onto the House floor, taking the GOP preoccupation with triggering the libs to its most literal extreme. Rep. Nancy Mace, R–South Carolina, has said that she plans to bring a firearm to work because she felt "like a sitting duck" during the riot, and the only reason she wasn't carrying that day was because her concealed-carry permit hadn't yet come through.

"The scariest part is that there are likely colleagues of ours who were helping the very people who were trying to take our lives," Jacobs said. "It is hard to know who you can trust."

It's not just the politicians dealing with the emotional fallout. Aides, reporters, custodial staffers, and law enforcement personnel are all trying to recover. A few days after the attack, Crow talked to one Capitol Police officer who was trampled by a mob of Trump supporters after fighting for nearly an hour to hold them back. As he was being kicked and beaten, the officer told Crow, his immediate thoughts went to the members of Congress who still hadn't been evacuated. Crow has thought about that officer as he's watched the Capitol Police force return to the building to protect Congress, including Republicans who berate them and try to circumvent their security checkpoints. "Frankly, their selfishness, to focus more on political grandstanding than the safety and security of the Capitol complex, but also retraumatizing the Capitol Police, is astounding to me," Crow said.



Rep. Jason Crow comforts Rep. Susan Wild while taking cover. Tom Williams/CQ-Roll Call Inc via Getty Images

Recently in Politics

Republicans were victims of the attack, too, and not all of them have been carrying guns around the Capitol. Mace is taking a both/and approach: She's getting ready to arm herself at work, and also, with Crow, co-leading a bipartisan effort to get House employees better access to mental health resources. I contacted several Republican members of Congress to see how they've been processing the attack. None responded. But Kuster told me that many were "equally terrified," and Crow says some came crying to him after the assault, fearing they'd be killed by Trump supporters if they voted to impeach the man who incited the riot.

I asked Kuster if she was able to access empathy for those Republicans frightened by the riot, knowing that they had a hand in causing it. "It's as though you've been reading my text messages," she said. "That is precisely the struggle." In her eight years in Congress, Kuster has enjoyed a collegial working relationship with many House Republicans. But "this experience has torn that fabric of trust."

Kuster is proud that Congress pushed on to certify the election the night of the attack, and she's glad that members of both parties moved quickly to impeach Trump. But she doesn't want the Capitol riot to be flattened into yet another political talking point as it moves from

real-life horror to the impeachment trial evidence pile. Even as the legislative agenda rolls on and the standard proceedings resume, the victims of a terror attack can't simply turn the page. "I'm a human being, too," Kuster said.

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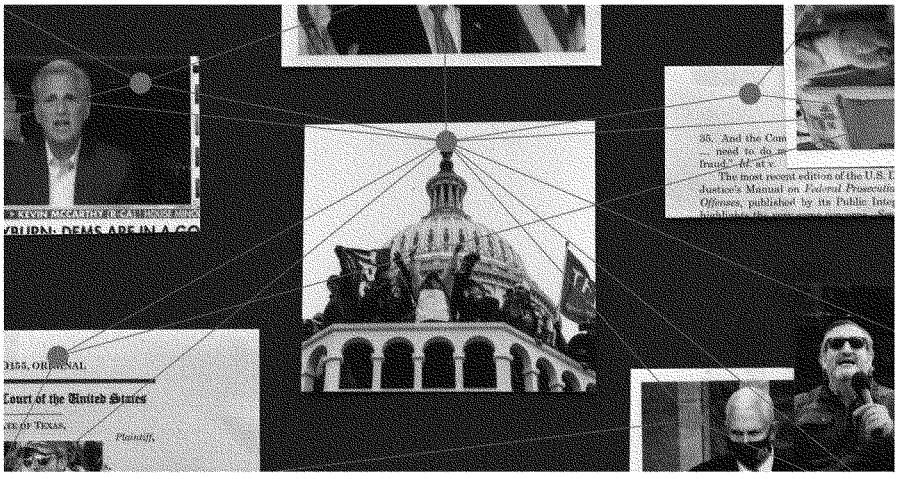
77 Days: Trump's Campaign to Subvert the Election

nytimes.com/2021/01/31/us/trump-election-lie.html

January 31, 2021



By Thursday the 12th of November, President Donald J. Trump's election lawyers were concluding that the reality he faced was the inverse of the narrative he was promoting in his comments and on Twitter. There was no substantial evidence of election fraud, and there were nowhere near enough "irregularities" to reverse the outcome in the courts.

Mr. Trump did not, could not, win the election, not by "a lot" or even a little. His presidency would soon be over.

Allegations of Democratic malfeasance had disintegrated in embarrassing fashion. A supposed suitcase of illegal ballots in Detroit proved to be a box of camera equipment. "Dead voters" were turning up alive in television and newspaper interviews.

The week was coming to a particularly demoralizing close: In Arizona, the Trump lawyers were preparing to withdraw their main lawsuit as the state tally showed Joseph R. Biden Jr. leading by more than 10,000 votes, against the 191 ballots they had identified for challenge.

As he met with colleagues to discuss strategy, the president's deputy campaign manager, Justin Clark, was urgently summoned to the Oval Office. Mr. Trump's personal lawyer, Rudolph W. Giuliani, was on speaker phone, pressing the president to file a federal suit in Georgia and sharing a conspiracy theory gaining traction in conservative media — that Dominion Systems voting machines had transformed thousands of Trump votes into Biden votes.

Mr. Clark warned that the suit Mr. Giuliani had in mind would be dismissed on procedural grounds. And a state audit was barreling toward a conclusion that the Dominion machines had operated without interference or foul play.

Mr. Giuliani called Mr. Clark a liar, according to people with direct knowledge of the exchange. Mr. Clark called Mr. Giuliani something much worse. And with that, the election-law experts were sidelined in favor of the former New York City mayor, the man who once again was telling the president what he wanted to hear.

Thursday the 12th was the day Mr. Trump's flimsy, long-shot legal effort to reverse his loss turned into something else entirely — an extralegal campaign to subvert the election, rooted in a lie so convincing to some of his most devoted followers that it made the deadly Jan. 6 assault on the Capitol almost inevitable.

Weeks later, Mr. Trump is the former President Trump. In coming days, a presidential transition like no other will be dissected when he stands trial in the Senate on an impeachment charge of "incitement of insurrection." Yet his lie of an election stolen by corrupt and evil forces lives on in a divided America.

A New York Times examination of the 77 democracy-bending days between election and inauguration shows how, with conspiratorial belief rife in a country ravaged by pandemic, a lie that Mr. Trump had been grooming for years finally overwhelmed the Republican Party and, as brake after brake fell away, was propelled forward by new and more radical lawyers, political organizers, financiers and the surround-sound right-wing media.

In the aftermath of that broken afternoon at the Capitol, a picture has emerged of entropic forces coming together on Trump's behalf in an ad hoc, yet calamitous, crash of rage and denial.

But interviews with central players, and documents including previously unreported emails, videos and social media posts scattered across the web, tell a more encompassing story of a more coordinated campaign.

Across those 77 days, the forces of disorder were summoned and directed by the departing president, who wielded the power derived from his near-infallible status among the party faithful in one final norm-defying act of a reality-denying presidency.

Throughout, he was enabled by influential Republicans motivated by ambition, fear or a misplaced belief that he would not go too far.

In the Senate, he got early room to maneuver from the majority leader, Mitch McConnell. As he sought the president's help in Georgia runoffs that could cost him his own grip on power, Mr. McConnell heeded misplaced assurances from White House aides like Jared Kushner that Mr. Trump would eventually accede to reality, people close to the senator told The

Times. Mr. McConnell's later recognition of Mr. Biden's victory would not be enough to dissuade 14 Republican senators from joining the president's last-ditch bid to nullify millions of Americans' votes.

Likewise, during the campaign, Attorney General William P. Barr had echoed some of Mr. Trump's complaints of voter fraud. But privately the president was chafing at Mr. Barr's resistance to his more authoritarian impulses — including his idea to end birthright citizenship in a legally dubious pre-election executive order. And when Mr. Barr informed Mr. Trump in a tense Oval Office session that the Justice Department's fraud investigations had run dry, the president dismissed the department as derelict before finding other officials there who would view things his way.

For every lawyer on Mr. Trump's team who quietly pulled back, there was one ready to push forward with propagandistic suits that skated the lines of legal ethics and reason. That included not only Mr. Giuliani and lawyers like Sidney Powell and Lin Wood, but also the vast majority of Republican attorneys general, whose dead-on-arrival Supreme Court lawsuit seeking to discount 20 million votes was secretly drafted by lawyers close to the White House, The Times found.

As traditional Republican donors withdrew, a new class of Trump-era benefactors rose to finance data analysts and sleuths to come up with fodder for the stolen-election narrative. Their ranks included the founder of MyPillow, Mike Lindell, and the former Overstock.com chief executive Patrick Byrne, who warned of "fake ballots" and voting-machine manipulation from China on One America News Network and Newsmax, which were finding ratings in their willingness to go further than Fox in embracing the fiction that Mr. Trump had won.

As Mr. Trump's official election campaign wound down, a new, highly organized campaign stepped into the breach to turn his demagogic fury into a movement of its own, reminding key lawmakers at key times of the cost of denying the will of the president and his followers. Called Women for America First, it had ties to Mr. Trump and former White House aides then seeking presidential pardons, among them Stephen K. Bannon and Michael T. Flynn.

As it crossed the country spreading the new gospel of a stolen election in Trump-red buses, the group helped build an acutely Trumpian coalition that included sitting and incoming members of Congress, rank-and-file voters and the "de-platformed" extremists and conspiracy theorists promoted on its home page — including the white nationalist Jared Taylor, prominent QAnon proponents and the Proud Boys leader Enrique Tarrio.

With each passing day the lie grew, finally managing to do what the political process and the courts would not: upend the peaceful transfer of power that for 224 years had been the bedrock of American democracy.

Image



A rally in Grand Rapids, Mich., on the night before Election Day marked the conclusion of the Trump campaign. After the president's loss, a new, reality-denying campaign would follow.Credit...Doug Mills/The New York Times

'A Fraud on the American Public'

In the days before Nov. 3, polls strongly indicated that election night would show Mr. Trump in the lead, as his voters were less concerned about the coronavirus and more likely to vote in person. Those tallies would register first on the network television scoreboards.

But the polls also indicated that the president's apparent lead would diminish or disappear overnight, as more mail-in ballots, favored by Biden voters, were added to the official counts.

As Election Day approached, Mr. Trump and those closest to him believed that his lead would be insurmountable, theirviews swayed by the assurances of pro-Trump pundits and the unscientific measure of the size and excitement of the president's rally crowds. Yet for months he had also been preparing an argument to dispute a possible loss: that it could only be due to a vast conspiracy of fraud. (A spokesman for the former president declined to comment for this article.)

Flying home on Air Force One from the final campaign event in Grand Rapids, Mich., in the early hours of Nov. 3., Mr. Trump's son Eric proposed an Electoral College betting pool.

He wagered that the president would win at least 320 electoral votes, according to a person present for the exchange. "We're just trying to get to 270," an adviser more grounded in polling and analytics replied.

The polls, in fact, had it right.

Gathered in the East Room of the White House on election night, Mr. Trump and his entourage fell into enraged disbelief as his lead inexorably dissipated, even in formerly red states like Arizona, which Fox called for Mr. Biden at 11:20 in what the president took as a stinging betrayal. Eric Trump goaded him on — a dynamic that would play out in the weeks to come. There would be no early victory speech that evening.

Instead, in a brief televised address shortly before 2:30 a.m., Mr. Trump furiously laid down his postelection lie.

"This is a fraud on the American public. This is an embarrassment to our country. We were getting ready to win this election — frankly, we did win this election," the president declared. "We want all voting to stop. We don't want them to find any ballots at 4 o'clock in the morning and add them to the list."

Image

President Donald J. Trump, in the early hours after election night, called the votes against him "a fraud on the American public."Credit...Doug Mills/The New York Times

Leading Republicans quickly fell in line.

On Fox, Newt Gingrich, the former House speaker, predicted that Mr. Trump's supporters would erupt in rage "as they watch Joe Biden's Democratic Party steal the election in Philadelphia, steal the election in Atlanta, steal the election in Milwaukee."

On Thursday night, Kevin McCarthy, the House Republican leader, told Laura Ingraham on Fox: "Everyone who's listening, do not be quiet, do not be silent about this. We cannot allow this to happen before our very eyes."

Online, the disinformation floodgates opened still further, their messages frequently landing on local and cable news. Facebook, Twitter and Instagram filled with videos alleging that a dog had voted in Santa Cruz, Calif. Fears that thousands of Trump votes would be thrown out in Arizona — because voters had been forced to use felt-tipped Sharpie pens that scanners could not read — rocketed across conservative social media accounts and the QAnon network before informing two lawsuits, one filed by Mr. Trump's campaign. (The ballots were readable; both suits were dropped.)

But another, more enduring conspiracy theory was gaining momentum, one that would soon be taken up by Mr. Giuliani.

On Oct. 31, an obscure website, The American Report, had published a story saying that a supercomputer called the Hammer, running software called Scorecard, would be used to steal votes from Mr. Trump.

The story's authors had spent years spreading false claims that the Obama administration had used the Hammer to spy on the 2016 Trump campaign — in their telling, a central part of the deep-state conspiracy that spawned the Russia investigation and Mr. Trump's first impeachment.

Their reports were sourced to Dennis Montgomery, a onetime national security contractor described by his former lawyer as a "con man," and were often backed by Thomas McInerney, a retired Air Force lieutenant general whose military résumé could lend credibility to the fantastical tales.

Mr. McInerney was just emerging from conservative media purgatory. Two years earlier, Fox had banned him after he falsely stated that Senator John McCain had shared military secrets while he was a prisoner of war in North Vietnam. But he was finding new exposure through social media and new outlets, like One America News and Mr. Bannon's podcast and radio show, "War Room: Pandemic," that had elastic ideas about journalistic standards of verification.

The vote-stealing theory got its first exposure beyond the web the day before the election on Mr. Bannon's show. Because of the Hammer, Mr. McInerney said, "it's going to look good for President Trump, but they're going to change it." The Democrats, he alleged, were seeking to use the system to install Mr. Biden and bring the country to "a totalitarian state."

The Hammer and Scorecard story came together with disparate conspiracy theories about Dominion voting systems that had been kicking around on the left and the right, most forcefully on the Twitter feed of a Republican congressman from Arizona, Paul Gosar. In a post on Nov. 6, he called on Arizona's governor, Doug Ducey, to "investigate the accuracy and reliability of the Dominion ballot software and its impact on our general election."

Image

The tweet helped set off a social media wildfire, drawing intense interest from accounts that regularly circulate and decode QAnon-related content.

A day later, The Associated Press and the major television networks declared that Mr. Biden would be the 46th president of the United States.

'The Media Doesn't Get to Decide'

For decades, leaders of both parties have treated the TV network and Associated Press election calls as definitive, congratulating the president-elect within hours. Despite record reliance on mail voting because of the pandemic, there was nothing especially unusual about

the outcome in 2020: Mr. Biden's margins in key Electoral College states were similar to Mr. Trump's four years before.

This time, Republican leaders in Congress broke with the norm.

On ABC's "This Week" on Nov. 8, the senior Republican senator overseeing elections, Roy Blunt of Missouri, declared that the old rules no longer applied. "The media can project, but the media doesn't get to decide who the winner is," he said. "There is a canvassing process. That needs to happen."

The senator who mattered most, whose words would have the greatest bearing on Mr. Trump's odds-against campaign, was the majority leader, Mr. McConnell of Kentucky.

Mr. McConnell was playing a long game.

Image

Senators Mitch McConnell and Roy Blunt delayed acknowledging the Biden victory as Mr. Trump railed against the results.Credit...Anna Moneymaker for The New York Times

The leader and the president had been in regular contact in the days since the election, according to several people with knowledge of their conversations. But the publicly bellicose president rarely confronted Mr. McConnell in one-on-one calls and avoided making any specific demands. He did not threaten retribution should Mr. McConnell follow tradition and congratulate Mr. Biden.

But Mr. McConnell knew that by doing so, he would endanger his own overriding political goal — winning the two runoffs in Georgia and maintaining Republican control of the Senate, which would allow him to keep his power as majority leader. If he provoked Mr. Trump's anger, he would almost certainly lose the president's full support in Georgia.

So as Mr. Trump would rant about voter fraud as if he were making an appearance on "Fox & Friends," Mr. McConnell would try to redirect the discussion to a specific court case or the runoffs, according to party officials familiar with the calls. "They were talking past one another," one of them said.

The senator was also under a false impression that the president was only blustering, the officials said. Mr. McConnell had had multiple conversations with the White House chief of staff, Mark Meadows, and the senator's top political adviser, Josh Holmes, had spoken with Mr. Kushner, the president's son-in-law and senior adviser. Both West Wing officials had conveyed the same message: They would pursue all potential avenues but recognized that they might come up short. Mr. Trump would eventually bow to reality and accept defeat.

The majority leader rendered his verdict on Nov. 9, during remarks at the first postelection Senate session. Even as he celebrated Republican victories in the Senate and the House — which in party talking points somehow escaped the pervasive fraud that cast Mr. Biden's

victory in doubt — Mr. McConnell said, "President Trump is 100 percent within his rights to look into allegations of irregularities and weigh his legal options." He added, "A few legal inquiries from the president do not exactly spell the end of the republic."

That left the Senate with only a handful of Republicans willing to acknowledge the president's loss: established Trump critics like Mitt Romney of Utah and Lisa Murkowski of Alaska.

Image

"We lose elections because they cheat us," Senator Lindsey Graham told Sean Hannity.

That night, Senator Lindsey Graham of South Carolina, then the Judiciary Committee chairman, went on Sean Hannity's program to share an affidavit from a postal worker in Erie, Pa., who said he had overheard supervisors discussing illegally backdating postmarks on ballots that had arrived too late to be counted. He had forwarded it to the Federal Bureau of Investigation.

"They can all go to hell as far as I'm concerned — I've had it with these people. Let's fight back," Mr. Graham said. "We lose elections because they cheat us."

Earlier that day, however, the postal worker had recanted his statement in an interview with federal investigators — even though he continued to push his story online afterward. His affidavit, it turned out, had been written with the assistance of the conservative media group Project Veritas, known for its deceptive tactics and ambush videos.

2020 Is Not 2000 All Over Again

The attorney general, Mr. Barr, arrived at the White House on the afternoon of Dec. 1 to find the president in a fury.

For weeks, Mr. Trump had been peppering him with tips of fraud that, upon investigation by federal authorities, proved baseless. That morning, after the president complained to Fox that the Justice Department was "missing in action," Mr. Barr told The Associated Press that "we have not seen fraud on a scale that could have effected a different outcome."

But another allegation had just captured the presidential imagination: A truck driver on contract with the Postal Service was claiming that he had delivered many thousands of illegally filled-out ballots to Pennsylvania from a depot on Long Island.

Federal investigators had determined that that one, too, was bunk. Court records showed that the driver had a history of legal problems, had been involuntarily committed to mental institutions several times and had a sideline as a ghost hunter, The York Daily Record reported.

Now, with the White House counsel, Pat A. Cipollone, backing him, Mr. Barr told the president that he could not manufacture evidence and that his department would have no role in challenging states' results, said a former senior official with knowledge about the meeting, a version of which was first reported by Axios. The allegations about manipulated voting machines were ridiculously false, he added; the lawyers propagating them, led by Mr. Giuliani, were "clowns."

Image

Attorney General William P. Barr leaving a contentious White House meeting on Dec. 1.Credit...Brendan Smialowski/Agence France-Presse — Getty Images

Mr. Trump paused, thought about it and said, "Maybe."

But before Mr. Barr left the building, the president tweeted out the truck driver's account, which quickly gained 154,000 mentions on Twitter, according to an analysis by Zignal Labs. The driver would appear on Newsmax, Mr. Bannon's "War Room" and "Hannity," among the most-watched programs on cable.

Days later, that allegation was featured in a lawsuit with an extraordinary request: that the court decertify the Pennsylvania result and strip Mr. Biden of the state's delegates — a call to potentially disenfranchise nearly seven million voters.

The legal group behind the suit, the Amistad Project, was part of the Thomas More Society, a conservative law firm historically focused on religious liberty issues. It was now working with Mr. Giuliani and had as a special counsel a Trump campaign legal strategist, Jenna Ellis. A judge dismissed the suit as "improper and untimely."

It was exactly the sort of lawsuit Mr. Trump's more experienced election lawyers viewed as counterproductive and, several people involved in the effort said in interviews, embarrassing.

In the run-up to the election, the legal team, led by Mr. Clark and Matt Morgan, had modeled its strategy on the disputed election of 2000, when only a few hundred votes separated Al Gore and George W. Bush in Florida. Mr. Bush had benefited from a combination of savvy lawyering and ugly political tactics that included the riotous "Brooks Brothers" protest over specious allegations of Democratic fraud.

Twenty years later, the margins were far too large to be made up by recounts or small-bore court maneuvers.

Even after a recount in the tightest state, Georgia, found some 2,000 lost Trump votes, Mr. Biden led by nearly 12,000. And Mr. Giuliani's arguments that the Trump campaign could prove Dominion voting machines illegally made the difference were summarily dismissed by Mr. Trump's other lawyers, who were carefully tracking a recount of the machines' paper receipts.

"There was a literal physical hand count of every single one of those five million pieces of paper, and they matched almost identically, and we knew that within a week," said Stefan Passantino, a Trump lawyer who helped oversee the initial strategy in the state. "We are not going to participate in bringing allegations about the sanctity of this machine." (Dominion has sued Mr. Giuliani and Ms. Powell for defamation.)

Image

A worker counting ballots in Georgia, which Joseph R. Biden Jr. led with about 12,000 votes.Credit...Lynsey Weatherspoon for The New York Times

But the Trump election lawyers were looking to another lesson from 2000. In a Supreme Court opinion in Bush v. Gore, Chief Justice William H. Rehnquist had argued that Florida court orders dictating recount procedures violated the constitutional clause that gives state legislatures the power to set the terms for selecting electors.

Many of the early Trump campaign suits had adopted that approach. Contradicting the president, the campaign lawyers — and even Mr. Giuliani — had in several cases acknowledged in court that they were not alleging fraud. Rather, they argued that in bending rules to make mail voting easier during the pandemic — extending deadlines, striking requirements for witness signatures — secretaries of state or state courts or election boards had improperly usurped their legislatures' role.

Yet as the suits failed in court after court across the country, leaving Mr. Trump without credible options to reverse his loss before the Electoral College vote on Dec. 14, Mr. Giuliani and his allies were developing a new legal theory — that in crucial swing states, there was enough fraud, and there were enough inappropriate election-rule changes, to render their entire popular votes invalid.

As a result, the theory went, those states' Republican-controlled legislatures would be within their constitutional rights to send slates of their choosing to the Electoral College.

If the theory was short on legal or factual merit, it was rich in the sort of sensational claims — the swirl of forged ballots and "deep state" manipulation of voting machines — that would allow Mr. Trump to revive his fight, give his millions of voters hope that he could still prevail and perhaps even foment enough chaos to somehow bring about an undemocratic reversal in his favor.

'This Is the Big One'

Before Thanksgiving, a team of lawyers with close ties to the Trump campaign began planning a sweeping new lawsuit to carry that argument.

One of them, Kris Kobach, a former Kansas secretary of state, had been a central player in some of the harshest recent moves to restrict voting, leading to frequent pushbacks in court. He had also helped lead Mr. Trump's "election integrity" commission, created after the

president claimed he had lost the 2016 popular vote because of fraud; it had ended with litigation, internal strife and no evidence of fraud.

Another member of the team, Mark Martin, a former North Carolina chief justice, was now a law school dean and informal Trump adviser. A third, Lawrence Joseph, had previously intervened in federal court to support Mr. Trump's efforts to block the release of his income-tax returns.

According to lawyers involved in the conversations, the group determined that the fast-approaching Electoral College vote did not leave time for a series of lawsuits to work their way through the courts. They would need to go directly to the Supreme Court, where, they believed, the conservative majority would be sympathetic to the president, who had appointed three of its members. The team quickly began working on a draft complaint.

Only one type of lawyer can take a case filed by one state against another directly to the Supreme Court: a state attorney general. The president's original election lawyers doubted that any attorney general would be willing to do so, according to one member of the team, speaking on the condition of anonymity. But Mr. Kobach and his colleagues were confident. After all, nine attorneys general were on the Trump campaign's lawyers group, whose recruitment logo featured the president as Uncle Sam, saying: "I want you to join Lawyers for Trump. Help prevent voter fraud on Election Day."

Image

A recruitment logo for a legal group supporting the Trump campaign.

Yet as the draft circulated among Republican attorneys general, several of their senior staff lawyers raised red flags. How could one state ask the Supreme Court to nullify another's election results? Didn't the Republican attorneys general consider themselves devoted federalists, champions of the way the Constitution delegates many powers — including crafting election laws — to each state, not the federal government?

In an interview, Mr. Kobach explained his group's reasoning: The states that held illegitimate elections (which happened to be won by Mr. Biden) were violating the rights of voters in states that didn't (which happened to be won by Mr. Trump).

"If one player in a game commits a penalty and no penalty is called by the referee, that is not fair," he said.

The obvious choice to bring the suit was Ken Paxton of Texas, an ardent proponent of the president's voter-fraud narrative who had filed a number of lawsuits and legal memos challenging the pandemic-related expansion of mail-in voting. But he was compromised by a criminal investigation into whether he had inappropriately used his office to help a wealthy friend and donor. (He has denied wrongdoing.)

The Trump allies made a particularly intense appeal to Louisiana's attorney general, Jeffrey M. Landry, a member of Lawyers for Trump and, at the time, the head of the Republican Attorneys General Association.

He declined. Mr. Paxton would be the one. He decided to carry the case forward even after lawyers in his own office argued against it, including his own solicitor general, Kyle D. Hawkins, who refused to let his name be added to any complaint.

Image

Ken Paxton, the Texas attorney general, helped bring a lawsuit before the Supreme Court that sought to dismiss the popular votes in multiple states.Credit...Jacquelyn Martin/Associated Press

On Dec. 7, Mr. Paxton signed an unusual contract to hire Mr. Joseph as a special outside counsel, at no cost to the State of Texas. Mr. Joseph referred questions about his role to the Texas attorney general; Mr. Paxton declined to comment.

The same day the contract was signed, Mr. Paxton filed his complaint with the Supreme Court. Mr. Joseph was listed as a special counsel, but the brief did not disclose that it had been written by outside parties.

The lawsuit was audacious in its scope. It claimed that, without their legislatures' approval, Georgia, Michigan, Pennsylvania and Wisconsin had made unconstitutional last-minute election-law changes, helping create the conditions for widespread fraud. Citing a litany of convoluted and speculative allegations — including one involving Dominion voting machines — it asked the court to shift the selection of their Electoral College delegates to their legislatures, effectively nullifying 20 million votes.

Condemnation, some of it from conservative legal experts, rained down. The suit made "a mockery of federalism" and "would violate the most fundamental constitutional principles," read a brief from a group of Republican office holders and former administration officials. Putting a finer point on it, Richard L. Hasen, an election-law scholar at the University of California, Irvine, called it "a heaping pile of a lawsuit."

One lawyer knowledgeable about the planning, speaking on the condition of anonymity, said: "There was no plausible chance the court will take this up. It was really disgraceful to put this in front of justices of the Supreme Court."

Even the Republican attorney general of Georgia, Chris Carr, said it was "constitutionally, legally and factually wrong."

That prompted a call from the president, who warned Mr. Carr not to interfere, an aide to the attorney general confirmed. The pressure campaign was on.

The next day, Dec. 9, Representative Mike Johnson of Louisiana sent an email to his colleagues with the subject line, "Time-sensitive request from President Trump." The congressman was putting together an amicus brief in support of the Texas suit; Mr. Trump,

he wrote, "specifically asked me to contact all Republican Members of the House and Senate today and request that all join." The president, he noted, was keeping score: "He said he will be anxiously awaiting the final list to review."

Image

An email from Representative Mike Johnson requesting congressional Republicans' support for the Texas lawsuit.

Some 126 Republican House members, including the caucus leader, Mr. McCarthy, signed on to the brief, which was followed by a separate brief from the president himself. "This is the big one. Our Country needs a victory!" Mr. Trump tweeted. Privately, he asked Senator Ted Cruz of Texas to argue the case.

On Fox, Sean Hannity, who spoke regularly with the president, declared that "tonight, every decent Republican attorney general with a brain needs to get busy working on their amicus briefs to support this Texas suit."

In fact, the Missouri solicitor general, D. John Sauer, was already circulating an email, giving Republican attorneys general less than 24 hours to decide whether to join a multistate brief.

And once again, red flags were going up among the attorneys generals' staff, emails obtained by The Times show.

"The decision whether we join this amicus is more political than it is legal," James E. Nicolai, North Dakota's deputy solicitor general, wrote to his boss.

"I still think it is most likely that the Court will deny this in one sentence," Mr. Nicolai wrote in a follow-up email, which was also sent to the attorney general, Wayne Stenehjem.

But the brief was gaining momentum, closing in on support from two-thirds of the Republican attorneys general, 18 in all. At the last minute, Mr. Stenehjem decided to become one of them, leading Mr. Nicolai to send another email.

"Wonder what made Wayne decide to sign on?" he wrote.

At Mr. Trump's urging, the Republican Attorneys General Association made one final play, asking Mr. Barr to back the suit. He refused.

On Dec. 11, the court declined to hear the case, ruling that Texas had no right to challenge other states' votes.

Image

Caravans of Trump supporters, organized by Women for America First, rallied across the country to oppose the certification of Mr. Biden's electoral votes.Credit...Tasos Katopodis/Getty Images

'We the People Decide'

If the highest court in the land couldn't do it, there had to be some other way.

And so they came the next day, by the thousands, to a long-planned rally in Washington, filling Freedom Plaza with red MAGA caps and Trump and QAnon flags, vowing to carry on. The president's legal campaign to subvert the election might have been unraveling, but their most trusted sources of information were glossing over the cascading losses, portraying as irrefutable the evidence of rampant fraud.

"The justice system has a purpose in our country, but the courts do not decide who the next president of the United States of America will be," the freshly pardoned former national security adviser, Mr. Flynn, told the crowd. "We the people decide."

There was encouragement from figures like Marjorie Taylor Greene, the conspiracy theorist just elected to Congress from Georgia, and Senator Marsha Blackburn of Tennessee, beamed in on a giant video screen.

"Hey there, all of you happy warrior freedom fighters," Ms. Blackburn said. "We're glad you're there standing up for the Constitution, for liberty, for justice."

The rally had been planned by Women for America First, which was quietly becoming the closest thing Mr. Trump had to a political organizing force, gathering his aggrieved supporters behind the lie of a stolen election.

The group's founder, Amy Kremer, had been one of the original Tea Party organizers, building the movement through cross-country bus tours. She had been among the earliest Trump supporters, forming a group called Women Vote Trump along with Ann Stone, ex-wife of the longtime Trump adviser Roger Stone.

With donors including the Trump-affiliated America First Policies, Women for America First had rallied support for the Supreme Court nomination of Amy Coney Barrett and defended Mr. Trump during his first impeachment.

The group's executive director was Ms. Kremer's daughter, Kylie Jane Kremer, who recently worked on Sean Hannity's radio show. Two organizers helping the effort, Jennifer Lawrence and Dustin Stockton, were close to Mr. Bannon, having worked at Breitbart and then at his nonprofit seeking private financing to help complete Mr. Trump's border wall. (In August, federal prosecutors accused Mr. Bannon of defrauding the nonprofit's donors, after an investigation that included a raid of Ms. Lawrence and Mr. Stockton's motor home; they were not implicated, and Mr. Bannon, who pleaded not guilty, was later pardoned by the president.)

A onetime organizer for the hard-line Gun Owners of America, according to his LinkedIn page, Mr. Stockton had come to know members of the Three Percenters militia group. He had an online newsletter, Tyrant's Curse, whose credo was, "A well-armed and self-reliant

populace, who take personal responsibility and put their faith in God, can never be oppressed and will never be ruled." One post featured a photo from the Dec. 12 rally — Mr. Stockton posing with several Three Percenter "brothers" in military-grade body armor.

Ms. Lawrence had personal ties to Mr. Trump. Her father was a real estate broker in the Hudson Valley, where Mr. Trump has a golf club and his sons have a hunting ranch. "He's done business with Mr. Trump for over a decade, so I've had the opportunity of meeting the president and interacting with him on a lot of occasions," she said in an interview. She also knew Mr. Flynn through their mutual association with a conservative think tank, she said.

Image
Credit...C-SPAN

Image
Credit...C-SPAN

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Credit...C-SPAN

Image
Credit...C-SPAN

Within hours of the last poll closings on election night, Women for America First had started organizing, forming one of the first major "Stop the Steal" Facebook groups — shut down within 22 hours for posts that the platform said could lead to violence — and holding the first major rally on the Mall, on Nov. 14. The rally permit predicted 10,000 protesters; the crowd was far larger.

"The letdown of the election was kind of put aside," Mr. Stockton said in an interview. "It was like, 'We have a new fight to engage in.'"

For the Kremers, Ms. Lawrence and Mr. Stockton, the instrument of that fight would be a reprise of the Tea Party Express, a bus tour to enlist state and federal lawmakers in Mr. Trump's effort to keep states from certifying results ahead of the Electoral College vote. Equally important, it would be a megaphone to rally the dejected faithful.

The group tapped new veins of financing, with sponsorships from Mr. Bannon's "War Room," which paid $5,000, and Mr. Lindell, who said he believed he gave $50,000. It helped the group lease the bus and paint it MAGA red, with a huge photo of Mr. Trump and the logos of MyPillow, "War Room" and other sponsors emblazoned on the sides.

As they made their way across the country, they reached out to local elected officials and branches of the Republican National Committee. But with the social media platforms starting to block groups promoting the stolen-election theory, Ms. Lawrence explained, the bus tour would also give "people the outlet that if they'd been de-platformed, they were able to come out and be around like-minded people."

Early on, the "Trump March" website had included promotion for banned extremists and conspiracy theorists like the white supremacist Mr. Taylor, various QAnon "decoders" and the "Western chauvinist" Proud Boys, according to a version saved by the Internet Archive. (The promotion was taken down ahead of the bus tour).

There were early warning signs of the explosion to come.

In Tennessee, a church that was to host a rally canceled after threats of violence. An evangelical pastor, Greg Locke, who had gained national attention for calling Covid-19 a "fake pandemic," offered them his church and joined the tour as a speaker.

Following a rally in Des Moines, an armed and armored protester shot a Black teenager in the leg after she and some friends drove by taunting the crowd. An Army veteran named William McKinney who followed the Proud Boys on his Facebook page, The Des Moines Register reported, was later charged with attempted murder. (He has pleaded not guilty; his lawyer says he was acting in self-defense as the teenagers menaced the crowd with their car.)

The tour was otherwise doing what it was intended to do. Large crowds often turned out, drawn in part by Mr. Lindell. He had emerged as a star of the Trump media universe in part by standing firm as a major sponsor of Tucker Carlson on Fox when other advertisers deserted over, among other things, Mr. Carlson's remarks that white supremacy was "a hoax."

In an interview, Mr. Lindell said he had sponsored the bus tour so that he could share the findings of investigations he was financing — he was spending $1 million in all — to produce evidence of voter fraud, including for Ms. Powell's Dominion lawsuits.

"Donald Trump got so many votes that they didn't expect, it broke the algorithms in the machines," he told the crowd in Des Moines. "What they had to do was backfill the votes." Ms. Powell, he said, had "the proof, 100 percent the proof."

Mr. Trump was watching and, seeing the tour's success, even helicoptered above the Dec. 12 rally on Marine One.

But after the 12th, the group found itself in limbo — leading a restive movement without a clear destination.

The Cavalry 'Is Coming, Mr. President'

The day after the Electoral College certified the votes as expected, Mitch McConnell moved to bring the curtain down. He called the president's chief of staff, Mr. Meadows, to say that he would be acknowledging Mr. Biden as president-elect that afternoon on the Senate floor.

Mr. McConnell had been holding off in part because of the earlier assurances from Mr. Meadows and Mr. Kushner, and he had been inclined to believe them when Mr. Trump finally freed the General Services Administration to begin the transition. Yet even now, the president was refusing to concede. "This fake election can no longer stand," he wrote on Twitter. "Get moving Republicans."

Perhaps most important in Mr. McConnell's evolving calculus, internal polls were showing that the Republicans' strongest argument in the Georgia runoffs was that a Republican-led Senate would be a necessary check on a new — and inevitable — Democratic administration.

Mr. McConnell did not call the president until after his speech congratulating Mr. Biden. It was a perfunctory conversation, with the president expressing his displeasure. The men have not spoken since.

At the White House, Mr. Trump was still searching for ways to nullify the results, soliciting advice from allies like Mr. Flynn, Mr. Giuliani and Ms. Powell.

On Dec. 18, he met with Mr. Byrne, Mr. Flynn and Ms. Powell in a four-hour session that started in the Oval Office and ended in the White House residence, where Swedish meatballs were served, Mr. Byrne later recalled.

With a team of "cybersleuths," Mr. Byrne was working with Mr. Flynn and Ms. Powell to develop and promote theories about Dominion and foreign interference. Earlier, Mr. Flynn had publicly raised the notion that the president should use martial law to force a revote in swing states.

The meeting descended into shouting as a group that included Mr. Cipollone, who had absorbed most of Mr. Trump's frustrations for weeks as he tried to stop a number of legally questionable ideas, tried to dissuade the president from entertaining a range of options the visitors were proposing. "It was really damned close to fistfights," Mr. Byrne recalled on the "Operation Freedom" YouTube show.

Image

Pat A. Cipollone, the White House counsel, often found himself at odds with those advising the president on a postelection strategy.Credit...Anna Moneymaker for The New York Times

By then, even Mr. Bannon had turned on the Dominion theory he'd helped push — it was time to present "evidence" or move on, he said on his show a few days later. And ultimately Mr. Trump agreed, at least for the moment, to focus on a different goal: blocking congressional certification of the results on Jan. 6.

Mr. Meadows had connected the president to Mr. Martin, the former North Carolina justice, who had a radical interpretation of the Constitution: Vice President Mike Pence, he argued, had the power to stop the certification and throw out any results he deemed fraudulent.

In fact, under the Constitution and the law, the vice president's role is strictly ministerial: He "shall" open envelopes from each state, read the vote count and ask if there are objections. Nothing more.

But that process, at the very least, gave Mr. Trump and his congressional allies an opening to stir up trouble — and a cause to energize the base. If one senator and one House member object to a state's results, the two chambers must convene separately to debate, then reconvene to vote. Rejection of the results requires majority votes in both chambers.

Now, Women for America First had a purpose, too. Objectors were already lining up in the House. So the group planned a new bus tour, this one to travel from state to state helping to sway persuadable senators — 11 by their count.

The cavalry "is coming, Mr. President," Kylie Kremer tweeted to Mr. Trump on Dec. 19.

This tour took on an edgier tone. Before heading out, the Kremers, Ms. Lawrence and Mr. Stockton visited the Tactical Response marksman training center in Nashville. Its owner, James Yeager, had had his gun permit suspended in 2013 after posting a video in which he threatened to "start killing people" if the Obama administration banned assault rifles.

At the training center, Kylie Kremer and Ms. Lawrence taped an episode of Mr. Yeager's "Tactical Response" YouTube show, promoting their tour. They also documented the afternoon with a campy Facebook video of themselves cradling assault weapons and flanking Mr. Stockton, who narrated.

Image
Women for America First posted a video of its leaders carrying firearms.

"See, in America, we love our Second Amendment like we love our women: strong. Isn't that right, girls?"

Ms. Lawrence whooped. "That's right," she replied. "Second Amendment, baby."

By the time the bus pulled into West Monroe, La., for a New Year's Day stop to urge Senator John Kennedy to object to certification, Mr. Trump was making it clear to his followers that a rally at the Ellipse in Washington on Jan. 6 was part of his plan. On Twitter, he promoted the event five times that day alone.

The emcee of the Louisiana stop, the Tea Party activist James Lyle, announced that the next day's event in Missouri was now going to be a thank-you — Senator Josh Hawley had just become the first senator to announce that he would object. "You've got to thank them when they do the right thing," Mr. Lyle said.

But talk at the rally was tilting toward what to do if they didn't.

"We need our president to be confirmed through the states on the 6th," said Couy Griffin, the founder of Cowboys for Trump. "And right after that, we're going to have to declare martial law."

The next day, Mr. Kennedy announced that he would sign on, too.

Image
Mr. Trump's supporters listened to him speak on Jan. 6 before the storming of the Capitol.Credit...Pete Marovich for The New York Times

'Standing at the Precipice of History'

On Saturday, Jan. 2, Kylie Kremer posted a promotional video for Wednesday's rally on Twitter, along with a message: "BE A PART OF HISTORY."

The president shared her post and wrote: "I'll be there! Historic day."

Though Ms. Kremer held the permit, the rally would now effectively become a White House production. After 12,000 miles of drumbeating through 44 stops in more than 20 states, they would be handing over their movement to the man whose grip on power it had been devised to maintain.

There were new donors, including the Publix supermarket heiress Julie Jenkins Fancelli. She gave $300,000 in an arrangement coordinated through the internet conspiracy theorist Alex Jones, who pledged $50,000 as well, The Wall Street Journal reported.

New planners also joined the team, among them Caroline Wren, a former deputy to Kimberly Guilfoyle, the Trump fund-raiser and partner of Donald Trump Jr. The former Trump campaign adviser Katrina Pierson was the liaison to the White House, a former administration official said. The president discussed the speaking lineup, as well as the music to be played, according to a person with direct knowledge of the conversations.

For Mr. Trump, the rally was to be the percussion line in the symphony of subversion he was composing from the Oval Office.

That Saturday, Mr. Trump had called the Georgia secretary of state, Brad Raffensperger, and pressed him, unsuccessfully, to "find" the 11,780 votes needed to win the state.

Mr. Barr had resigned in December. But behind the back of the acting attorney general, Jeffrey A. Rosen, the president was plotting with the Justice Department's acting civil division chief, Jeffrey Clark, and a Pennsylvania congressman named Scott Perry to pressure Georgia to invalidate its results, investigate Dominion and bring a new Supreme Court case challenging the entire election. The scheming came to an abrupt halt when Mr. Rosen, who would have been fired under the plan, assured the president that top department officials would resign en masse.

That left the congressional certification as the main event.

Mr. McConnell had been working for weeks to keep his members in line. In a mid-December conference call, he had urged them to hold off and protect the two Republican runoff candidates in Georgia from having to take a difficult stand.

When Mr. Hawley stepped forward, according to Republican senators, Mr. McConnell hoped at least to keep him isolated.

But Mr. Cruz was working at cross-purposes, trying to conscript others to sign a letter laying out his circular logic: Because polling showed that Republicans' "unprecedented allegations" of fraud had convinced two-thirds of their party that Mr. Biden had stolen the election, it was incumbent on Congress to at least delay certification and order a 10-day audit in the "disputed states." Mr. Cruz, joined by 10 other objectors, released the letter on the Saturday after New Year's.

Mr. McConnell knew that Senator Tom Cotton of Arkansas, among the most conservative Republicans, had been planning to come out publicly against the gambit. Now the majority leader called Mr. Cotton, according to a Republican familiar with the conversation, and urged him to do so as soon as possible. Mr. Cotton quickly complied.

It was coming down to a contest of wills within the Republican Party, and tens of thousands of Trump supporters were converging on Washington to send a message to those who might defy the president.

The rally had taken on new branding, the March to Save America, and other groups were joining in, among them the Republican Attorneys General Association. Its policy wing, the Rule of Law Defense Fund, promoted the event in a robocall that said, "We will march to the Capitol building and call on Congress to stop the steal," according to a recording obtained by the progressive investigative group Documented.

Mr. Stockton said he was surprised to learn on the day of the rally that it would now include a march from the Ellipse to the Capitol. Before the White House became involved, he said, the plan had been to stay at the Ellipse until the counting of state electoral slates was completed.

The president's involvement also meant that some speakers from the original Women for America First lineup would be dropped from the main event. So, Mr. Stockton said, he arranged to have them speak the night before at a warm-up rally at Freedom Plaza.

That event had been planned by a sister group, the 80 Percent Coalition, founded by Cindy Chafian, a former organizer with Women for America First.

"What we're doing is unprecedented," Ms. Chafian said as she kicked off the rally. "We are standing at the precipice of history, and we are ready to take our country back." Addressing Mr. Trump, she said: "We heard your call. We are here for you."

One scheduled speaker would not be in Washington that night: the Proud Boys' leader, Enrique Tarrio. A judge had banished him from the city after his arrest on charges of destruction of property and illegal weapons possession.

Defiantly, to a great roar from the plaza, Ms. Chafian cried, "I stand with the Proud Boys, because I'm tired of the lies," and she praised other militant nationalist groups in the crowd, including the Oath Keepers and the Three Percenters.

Speakers including Mr. Byrne, Mr. Flynn, Mr. Jones, Mr. Stone and the Tennessee pastor Mr. Locke spoke of Dominion machines switching votes and Biden ballots "falling from the sky," of "enemies at the gate" and Washington's troops on the Delaware in 1776, of a fight between "good and evil."

"Take it back," the crowd chanted. "Stop the steal."

Image

Mr. Trump's remarks on Jan. 6 would lead to his second impeachment, on a charge of "incitement of insurrection."Credit...Pete Marovich for The New York Times

As the rally wound down in a cold drizzle, groups of young men wearing Kevlar vests and helmets began appearing toward the back of the plaza. Some carried bats and clubs, others knives. Some were Proud Boys, but more sported the insignia of the Three Percenters.

One of the men, with a line of stitches running through his ear, told a reporter: "We're not backing down any more. This is our country." Another, holding a bat, cut the conversation short. "We know what to do with people like you," he said.

Mr. Trump took the stage at the Ellipse the next day shortly before 1 p.m., calling on the tens of thousands before him to carry his message to Republicans in the Capitol: "You'll never take back our country with weakness."

As he spoke, some protesters, with Proud Boys helping take the lead, were already breaching the outer security perimeter around the Capitol. Inside, when Mr. Gosar stood to raise the first objection, to results in his home state of Arizona, several Republican lawmakers gave him a standing ovation.

Less than an hour later, the lawmakers would flee to a secure location as the mob streamed into the building.

By that point, with "all hell breaking loose," as Mr. Stockton put it, he and Ms. Lawrence decided to take golf carts back to their room at the Willard Hotel and, "await instructions about whether to go back to the Ellipse."

Women for America First put out a statement. "We are saddened and disappointed at the violence that erupted on Capitol Hill, instigated by a handful of bad actors, that transpired after the rally," it read. (The Kremers did not provide comment for this article.)

At least one of those actors had been part of their tour — Mr. Griffin, the Cowboys for Trump founder, who was later arrested and charged with knowingly entering a restricted building. The federal charging documents cited a Facebook post in which he vowed to return and leave "blood running out of that building." Others arrested included members of the Proud Boys and the Three Percenters.

On Jan. 15, Mr. Trump acquiesced to an Oval Office meeting with Mr. Lindell, who arrived with two sets of documents. One, provided by a lawyer he would not name, included a series of steps Mr. Trump could take, including "martial law if necessary." The other, Mr. Lindell claimed in an interview the next day, was computer code indicating that China and other state actors had altered the election results — vetted by his own investigators after he found it online.

"I said: 'Mr. President, I have great news. You won with 79 million votes, and Biden had 68 million,'" he recalled. (Mr. Biden had more than 80 million votes, to Mr. Trump's 74 million; Homeland Security officials have rejected the allegations of foreign meddling.)

A couple of minutes later, Mr. Trump directed his national security adviser, Robert O'Brien, to escort Mr. Lindell upstairs, to Mr. Cipollone's office. He told the MyPillow founder to come back afterward.

After a perfunctory discussion, aides directed Mr. Lindell to the exit. "I say it loud, 'I'm not leaving,'" he recalled telling them. He eventually left when an aide made it clear there would be no Oval Office follow-up. The president was done.

The violence at the Capitol, and Congress's eventual certification of Mr. Biden's victory that day, may have spelled the end of Mr. Trump's postelection campaign. The same cannot be said about the political staying power, the grip on the Republican faithful, of the lie he set in motion.

Image

The president's supporters, emboldened by the lie of a stolen election, breached the halls of Congress to stop the certification of the vote.Credit...Kenny Holston for The New York Times

In the Senate, Mr. McConnell, who lost his majority leader's gavel with dual defeats in Georgia, initially indicated that he might vote against Mr. Trump in an impeachment trial. But amid rising fury in the Republican ranks, he ultimately voted with most of his colleagues in an unsuccessful attempt to cancel the trial altogether. With only five defectors, though, any thought of a conviction seemed dead on arrival.

In the House, moves were afoot to recruit primary challengers to the 10 Republicans who had voted for impeachment.

It was all as Ms. Lawrence had predicted. "The MAGA movement is more than just Donald Trump," she said in an interview. "This is not going to go away when he leaves office."

Mr. Lindell now says he has spent $2 million and counting on his continuing investigations of voting machines and foreign interference.

And Mr. Stockton recently announced a new plan on his Facebook page: a "MAGA Sellout Tour."

"What we do now is we take note of the people who betrayed President Trump in Congress and we get them out of Congress," he said. "We're going to make the Tea Party look tiny in comparison."

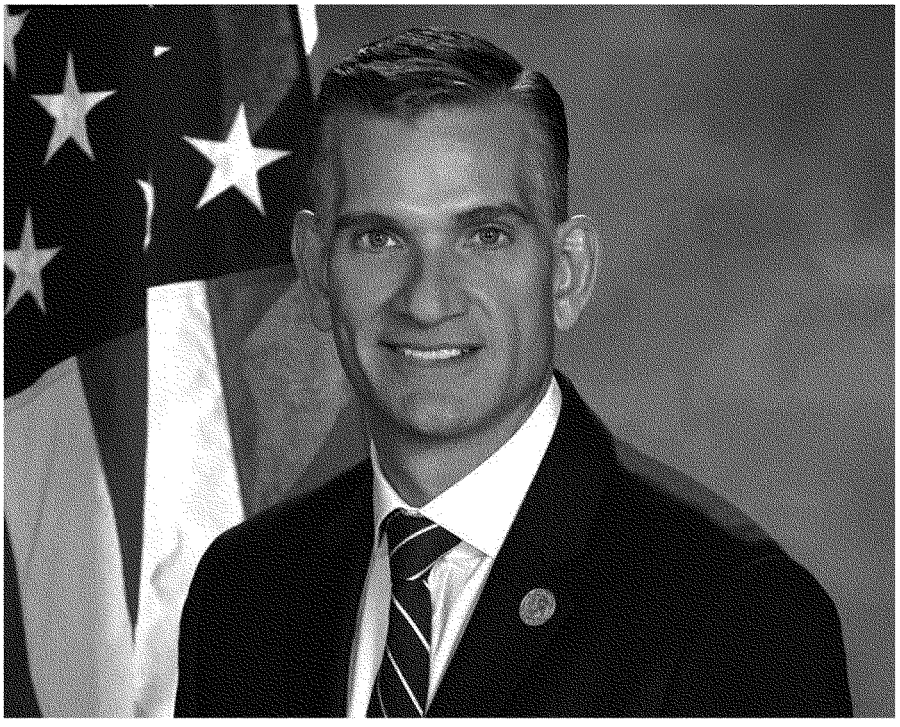
Mark Walker contributed reporting.

Photographs in illustration by: Ben Margot/Associated Press (Sidney Powell); Stefani Reynolds for The New York Times (rally); Doug Mills/The New York Times (Donald Trump); Samuel Corum/Getty Images (Trump supporters at the Capitol); Erin Schaff/The New York Times (Mike Pence); Lynsey Weatherspoon for The New York Times (ballots); David J. Griffin/Icon Sportswire (Ted Cruz); Pool photo by John Bazemore (Georgia Electoral College).

Atlanta U.S. attorney, appointed by Trump amid post-election pressure campaign, resigns

washingtonpost.com/national-security/atlanta-us-attorney-bobby-christine-trump-byung-pak/2021/02/01/a94a9cd6-64a6-11eb-8c64-9595888caa15_story.html

By Matt Zapotosky February 1, 2021



The federal prosecutor tapped by President Donald Trump to lead the Atlanta U.S. Attorney's Office during Trump's failed bid to overturn the election has resigned from that post, a spokesman confirmed Monday.

Bobby Christine, a former local prosecutor and magistrate court judge, had been appointed by Trump as the acting U.S. attorney for the Northern District of Georgia after fellow Trump appointee Byung J. "Bjay" Pak suddenly resigned Jan. 4.

The move raised questions of possible political interference, as Trump bypassed Pak's deputy — who would otherwise have taken over as acting U.S. attorney by default — to install an official who was leading the U.S. attorney's office in the Southern District of Georgia. At the

time, Trump was pressing officials in the state to support his unfounded claims of voter fraud, and Christine brought with him to Atlanta two prosecutors who had been assigned to monitor election malfeasance.

Christine will remain as the U.S. attorney in the Southern District of Georgia, a post Trump appointed him to in 2017, officials said. Kurt Erskine, who had been Pak's deputy, will take over in Atlanta on an acting basis, a spokesman for that office said. The Justice Department has previously told employees that President Biden's administration had asked Trump-appointed U.S. attorneys who remained after the inauguration to stay on "for the time being."

Justice Department Inspector General Michael Horowitz has been investigating the circumstances surrounding Pak's departure and conducting a broad review of whether any current or former department officials tried to improperly "alter the outcome of the 2020 presidential election."

People familiar with the matter have said Pak resigned after a senior Justice Department official in Washington led him to believe he should do so. Around the same time, Trump was entertaining a plan to replace his acting attorney general, Jeffrey Rosen, with another department official more amenable to supporting his fraud claims. He was persuaded not to do so after officials threatened to resign en masse, people familiar with the matter have said.

If Christine had plans to support Trump's claims, the effort seemed never to truly get off the ground. A week after replacing Pak, he told staff members "there's just nothing to" the few claims of fraud the Atlanta office was examining, and the prosecutors he brought with him departed.

Trump's Sleight of Hand: Shouting Fraud, Pocketing Donors' Cash for Future

nytimes.com/2021/02/01/us/politics/trump-cash.html

February 1, 2021



Former President Donald J. Trump and the Republican Party leveraged false claims of voter fraud and promises to overturn the election to raise more than a quarter-billion dollars in November and December as hundreds of thousands of trusting supporters listened and opened their wallets.

But the Trump campaign spent only a tiny fraction of its haul on lawyers and other legal bills related to those claims. Instead, Mr. Trump and the G.O.P. stored away much of the money — $175 million or so — even as they continued to issue breathless, aggressive and often misleading appeals for cash that promised it would help with recounts, the rooting out of election fraud and even the Republican candidates' chances in the two Senate runoff races in Georgia.

What fraction of the money Mr. Trump did spend after the election was plowed mostly into a public-relations campaign and to keep his perpetual fund-raising machine whirring, with nearly $50 million going toward online advertising, text-message outreach and a small television ad campaign.

Only about $10 million spent by Mr. Trump's campaign went to actual legal costs, according to an analysis of new Federal Election Commission filings from Nov. 4 through the end of the year.

Far more is now sitting in the coffers of a new political action committee, Save America, that Mr. Trump formed after the election and that provides him a fat war chest he can use to pay advisers, fund travel and maintain a political operation. Mr. Trump's new PAC had $31 million in the bank at the end of 2020 and an estimated $40 million more sitting in a shared party account waiting to be transferred into it.

Mr. Trump's extraordinary success raising money came mostly from grass-roots and online contributors drawn to his lie that the election result would soon be somehow wiped away. Only about a dozen donors gave $25,000 or more to one of Mr. Trump's committees after Nov. 24. (The lone six-figure donation came from Elaine J. Wold, a major Republican donor in Florida.)

"Sophisticated donors are not dumb," said Dan Eberhart, a major Republican donor who has supported Mr. Trump in the past. "They could see through what Trump was trying to do."

A spokesman for Mr. Trump did not respond to a request for comment.

One of the few five-figure checks deposited in December came from the National Fraternal Order of Police PAC. But its executive director, James Pasco, said the group had actually issued the $25,000 donation in early November. He said he did not know why it hadn't been cashed until December.

"The optics of this are terrible," Mr. Pasco lamented. "We in no way questioned the election at any point, or were involved in an effort to forestall the results."

Still, many Republican grass-roots donors were drawn in by Mr. Trump's false promises and "stop the steal" message. He fomented intense opposition to the inauguration of President Biden, which eventually culminated in the Jan. 6 riot at the Capitol as flag-waving Trump supporters violently sought to disrupt the certification of Mr. Biden's victory.

All told, more than two million donations flowed to the former president and his shared committees with the Republican National Committee from Nov. 24 to the end of the year. Mr. Trump's fund-raising did stall drastically after the Electoral College certified Mr. Biden as the winner on Dec. 14.

In the two weeks leading up to that day, Mr. Trump and the R.N.C. had raised an average of $2.9 million every day online; in the two weeks after, the average was $1.2 million, according to records from WinRed, the Republican digital donation platform.

Despite that slowdown, Mr. Trump still outpaced the online fund-raising of the two Republican senators, Kelly Loeffler and David Perdue, who were competing in the Georgia runoff elections that would determine control of the chamber in the last 39 days of the year, which the most recent federal filings cover.

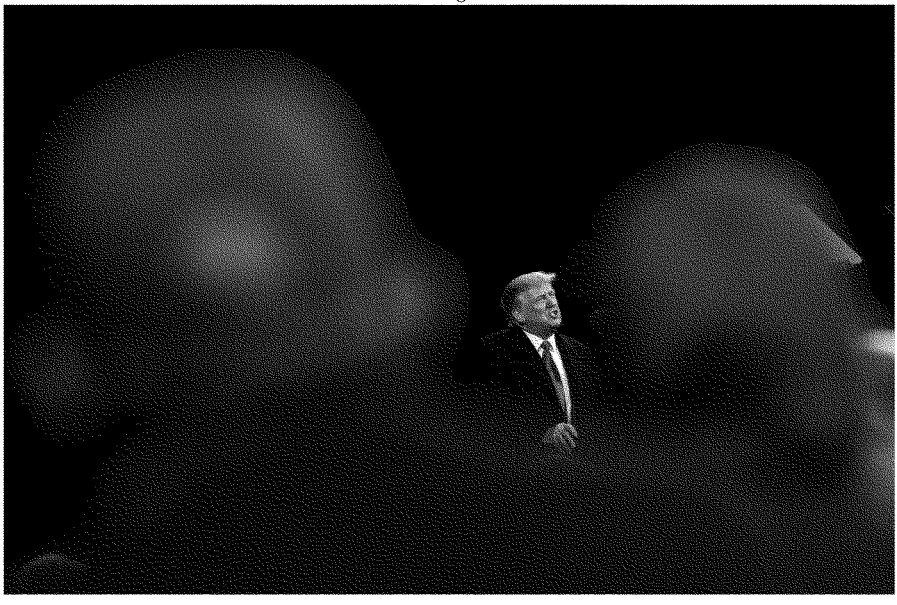
Mr. Trump and his shared committees with the R.N.C. raised $80 million online during that period; Ms. Loeffler and Mr. Perdue combined for closer to $75 million. Both Senate candidates lost.

"Absolutely that money was misdirected," Mr. Eberhart said. "I would have loved to see half that money go to the Georgia Senate races."

Mr. Trump's campaign appears to have contributed nothing to the Georgia races, despite fund-raising appeals that emphasized the importance of the races; the R.N.C. reported $7.9 million in expenditures aiding Ms. Loeffler and Mr. Perdue.

A host of corporations and major donors mostly ignored Mr. Trump in the weeks after the election and poured money instead into the Georgia runoffs. Donations included a $5 million check from the American Petroleum Institute and hundreds of thousands more from oil giants like Chevron and Valero, which were fearful of the impact of a Democratic-controlled Senate.

Image



Mr. Trump spoke at a campaign rally in Valdosta, Ga., in December. His campaign appears to have contributed nothing to the Georgia Senate runoffs.Credit...Doug Mills/The New York Times

Kenneth Griffin, the chief executive of the financial firm Citadel, donated $10 million to the main Senate Republican super PAC in November. Mr. Griffin's firm now faces scrutiny for some of its investments related to the GameStop stock that soared last month in a Reddit-

driven populist revolt.

Stephen A. Schwarzman, the chief executive of the private equity giant Blackstone, who has known Mr. Trump for decades and donated to him in the past, said publicly by mid-November that Mr. Biden had most likely won. Around that time, he gave $15 million to the same Senate Republican super PAC focused on Georgia.

"The outcome is very certain today, and the country should move on," Mr. Schwarzman said in late November.

Mr. Trump did incur some legal costs, though there were no disclosed payments to some of the best-known figures in his failed legal fight, including Sidney Powell, the lawyer who spread conspiracy theories and held one news conference in the lobby of the R.N.C., and Rudolph W. Giuliani, the former president's personal lawyer.

Mr. Giuliani's firm was reimbursed for $63,423 in travel in mid-December. (Another firm run by an ally of Mr. Giuliani, the former New York police commissioner Bernard B. Kerik, was also paid $20,130 in travel reimbursements; Mr. Trump pardoned Mr. Kerik last year for his 2010 conviction on eight felonies.)

All told, the Trump campaign paid more than a dozen law firms, including $1.6 million to Kasowitz Benson Torres, more than $500,000 to Jones Day and about $600,000 to Dechert. The law firm of Kurt Hilbert, who was on Mr. Trump's phone call pressuring the Republican secretary of state in Georgia, Brad Raffensperger, to "find" votes to overturn the election outcome, was paid more than $480,000. A $3 million payment went to the Wisconsin Elections Commission to pay for a recount.

One major Republican donor, C. Boyden Gray, who contributed more than $2 million to Republicans in the 2020 cycle, also provided legal consulting for Mr. Trump, earning $114,000.

The Trump operation continued to spend on fund-raising, pouring millions into a secretive limited liability company, American Made Media Consultants, for online and text-message advertising. Family members of Mr. Trump and Vice President Mike Pence once served on the board of the company, which had more than $700 million in spending flow through it during the 2020 campaign.

In the postelection period, more than $63 million in spending flowed through the company from committees linked to Mr. Trump.

The Republican National Committee ended the year with more than $80 million in the bank after the fund-raising blitz, and the party is entitled to a share of the $63 million more in two shared accounts with Mr. Trump. Per an agreement, the R.N.C. collected 25 cents for every dollar Mr. Trump raised online through their joint account in December.

One of Mr. Trump's shared committees with the R.N.C. spent nearly $235,000 on books through a company, Reagan Investments, that has also done work for a PAC controlled by Senator Ted Cruz of Texas. The Trump campaign offered signed copies of a book by Mr. Cruz last fall to donors who gave $75 or more.

And, as they have since the beginning of his candidacy in 2015, Mr. Trump's campaign accounts patronized his businesses in the postelection period.

The Trump Victory committee paid $34,000 to the Trump Hotel Collection in its final 2020 filing. The same committee also paid a Trump-owned limited liability company that operates a private plane, DT Endeavor, $39,200 on Nov. 24.

Another Trump campaign committee paid $75,000 in rent to the Trump Tower building in December.

POLITICO

politico.com/news/2021/01/20/fbi-evidence-capitol-insurrection-plan-460836

Supporters of former President Donald Trump clash with Capitol police on Jan. 6, 2021.

Federal investigators have begun piecing together evidence that some of the insurrectionists who stormed the Capitol on Jan. 6 were executing well-laid plans, deploying communications systems and issuing marching orders to rioters as they battled police.

A new affidavit filed Tuesday by the FBI described preparations by the right-wing Proud Boys to storm the Capitol, including using earpieces and walkie-talkies to direct movements throughout the building and a discussion about wearing black to dupe people into blaming antifa for any trouble.

A separate criminal filing released Wednesday afternoon — charging Patrick McCaughey III for pinning a police officer with a shield, which led to a now-iconic image of the brutality of the insurrection — described leaders among the rioters issuing marching orders to more effectively fight police.

"Unidentified rioters are heard instructing the front line of rioters to make a 'shield wall' to prevent law enforcement from controlling rioters with oleoresin capsicum spray," according to the affidavit from a deputy U.S. marshal.

At a hearing on McCaughey's case on Wednesday afternoon, a federal magistrate judge in White Plains, N.Y., ordered the 23-year-old Connecticut native detained pending trial on charges of assaulting police officers, civil disorder, entering a restricted building or grounds, and violent entry or disorderly conduct. The ruling to hold McCaughey without bail came after prosecutors emphasized the level of coordination in the attack.

"Mob is not the right term, because there's a level of organization here that bears noting," Assistant U.S. Attorney Benjamin Gianforti said. "The rioters are swapping in people here who are fresh. They're passing weaponry to the front of the scrum to use against officers."

The new court filings were the latest indications that the Jan. 6 riots included cells of organized, militarized insurrectionists, beyond the rabble of disorganized Trump supporters who joined the fray. That evidence includes the conspiracy case filed this week against three so-called Oath Keepers, members of an Ohio-based chapter of the loosely connected paramilitary group, who face charges of seeking to injure police officers, obstruct Congress and damage federal property.

FBI and Justice Department officials have emphasized in recent days that they expect the investigation to lead to grave criminal charges that could include seditious conspiracy. But the early rush of criminal complaints has focused largely on trespassing, disorderly conduct

and impeding police — charges that prosecutors say were the fastest and most sure-fire way to bring some of the rioters into custody while more detailed and damning cases are developed.

Then-President Donald Trump was impeached during his final week in office for inciting the violent insurrection. Many participants in the riots openly cited Trump's false claims that the 2020 election was stolen as a basis for their decision to storm the Capitol. Trump urged the crowd to march on the Capitol and later told the rioters "we love you" — asking them to go home peacefully — even as lawmakers and then-Vice President Mike Pence were sheltering amid the violence. Though some pleaded with Trump for pardons, citing his encouragement of the event, Trump left office without moving to shield himself or the participants in the riots from the legal fallout.

The latest round of filings included charges against Joseph Biggs, whom the FBI describes as a Proud Boys "organizer." According to the affidavit, Biggs encouraged other members of the group to attend the Jan. 6 events in D.C. and echoed Proud Boys leader Enrique Tarrio's suggestion that they dress to appear like adherents of antifa, a violent left-wing movement.

Biggs was also on the front lines of the group that first breached the Capitol, according to the FBI, along with Dominic Pezzola, another Proud Boys member who was charged for his role in the assault earlier in the week.

"In one image ... Pezzola appears to have what I believe to be an earpiece or communication device in his right ear," says the unnamed FBI agent who filed the case. "Your affiant also notes that multiple individuals were photographed or depicted on videos with earpieces, including other individuals believed to be associated with the Proud Boys."

The agent also noted that Biggs and other Proud Boys used walkie-talkies during the siege. Biggs spoke to FBI agents after he was identified in videos and "denied having any knowledge of any pre-planning of storming the Capitol, and had no idea who planned it."

Prosecutors and investigators described McCaughey's conduct as exceptionally depraved. Videos of the episode show Officer Daniel Hodges of the D.C. police grimacing and crying out in pain as he is pinned between a door jamb and a mob surging against him.

"The vicious attack on Officer Hodges was abhorrent and quintessentially un-American," said Michael Sherwin, the acting U.S. attorney for the District of Columbia. "McCaughey's alleged actions were an assault on Officer Hodges, the Capitol and the rule of law itself."

The head of the FBI's Washington Field Office, Steven M. D'Antuono, called McCaughey's behavior "violent, barbaric and completely out of control."

However, aspects of an affidavit that a deputy U.S. Marshal submitted to a federal magistrate judge in Washington to get an arrest warrant for McCaughey hinted at possible defenses in the case.

While surveillance and body-worn camera video appear to leave little doubt that McCaughey was pinning Hodges even as he cried out in agony, the events in the tunnel on the west front of the Capitol were chaotic and at times there appeared to have been a horde of angry rioters surging against the police and the doors.

The marshal, whose name was deleted from the public court record, asserts that in one recording taken near McCaughey someone can be heard saying, "Come on man, you are going to get squished just go home."

However, McCaughey is not on camera at that moment, and the affidavit acknowledges at another point that he seems to express concern for Hodges, saying, "Hey you, hey you, this guy isn't doing too well."

The marshal says that after Hodges was moved behind the police line, McCaughey continued to bash other officers with the shield and by that time the crowd behind McCaughey had thinned out, undermining any defense he might have that he was being jostled by others.

"At the time of the strikes, no other rioters are in contact with McCaughey that could have caused McCaughey to somehow inadvertently move towards uniformed law enforcement officers," the marshal wrote.

During the hearing in New York, prosecutor Gianforti said McCaughey's actions "struck at the heart of American democracy."

Gianforti said the video of the episode provided overwhelming evidence of McCaughey's guilt.

"This video is crystal clear," the prosecutor said. "The officer's fear and just the frenzy of that moment are palpable from the video."

Gianforti also said the intense anger McCaughey and others displayed in the attack could not have waned significantly in the two weeks that have passed. "Whatever was in their hearts that day," he said, that has not been "extinguished."

Defense attorney Justin Ser did indeed argue that McCaughey wasn't in total control of events in that doorway, given the chaotic scene and the large crowd.

"That's only part of the story here," Ser said of the prosecution's account. "Mr. McCaughey is nowhere near as maniacal and dangerous as the government is making him out to be."

"He was in that mob," Gianforti countered. "He made his way to the front of that mob."

In turning down Ser's request to have McCaughey's parents post a bond to secure his release, Magistrate Judge Andrew Krause called the video "extraordinarily disturbing."

"The nature and circumstances of the offense absolutely support detention here as a danger to the community," the judge said.

Krause, who is based in Westchester County, where McCaughey was arrested on Tuesday, said it was laudable that McCaughey expressed concern for the officer after he appeared to be injured. However, the judge said that hardly excused the defendant's conduct.

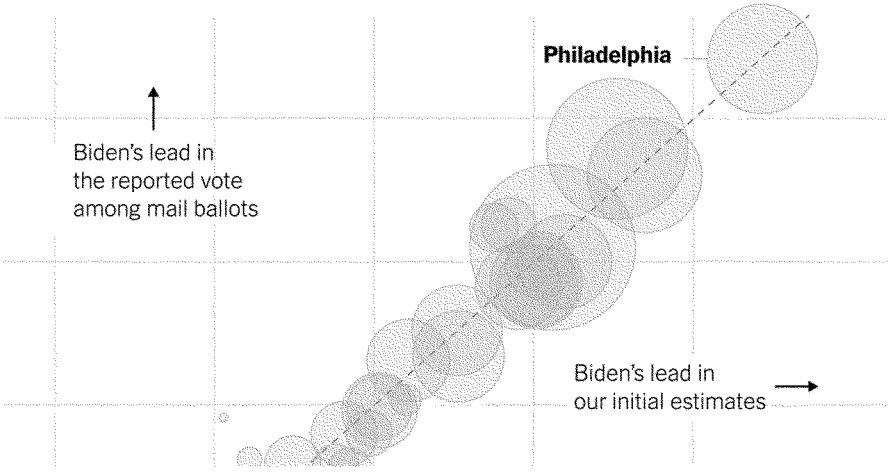
"That's great. I'm glad to know that's within him," the judge said. "That doesn't wipe away what happened before then."

McCaughey will be sent to Washington for further court proceedings, but his transfer could take weeks or longer because of delays related to the Covid-19 pandemic, Gianforti said.

The Remaining Vote in Pennsylvania Appears to Be Overwhelmingly for Biden

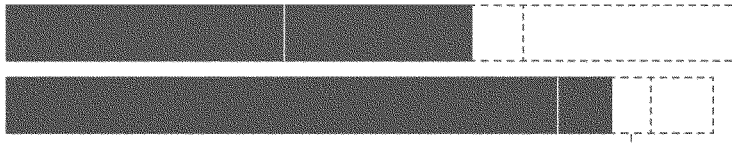
nytimes.com/2020/11/04/upshot/pennsylvania-election-results-ballots.html

November 4, 2020



Joe Biden has won absentee ballots counted in Pennsylvania by an overwhelming margin so far, according to data from the Secretary of State early Wednesday. If he carried the remaining absentee ballots by a similar margin, he would win the state.

Votes in Pennsylvania



REMAINING VOTE,

IF VOTING PATTERNS CONTINUE

COUNTED VOTE

In

person

Biden

50.3%

In person

By mail

By mail

By

mail

By

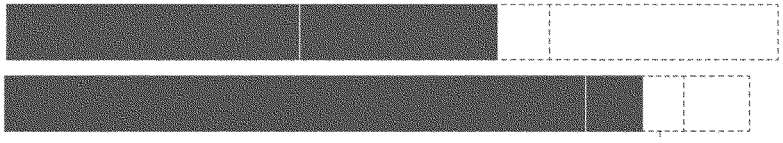
Mail

48.5%

Trump

In person

In person



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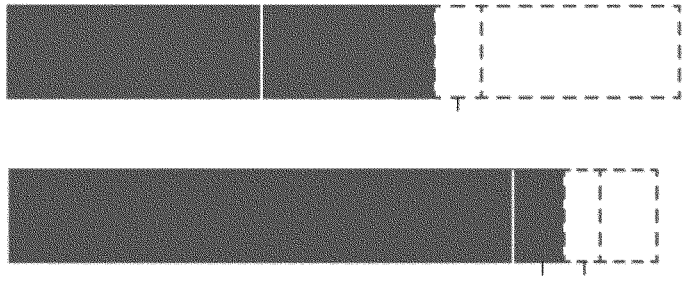

REMAINING VOTE,

IF PATTERNS CONTINUE

COUNTED VOTE

Biden

In person

By mail

By mail

50.3%

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48.5%

Trump

In person

By mail

In person

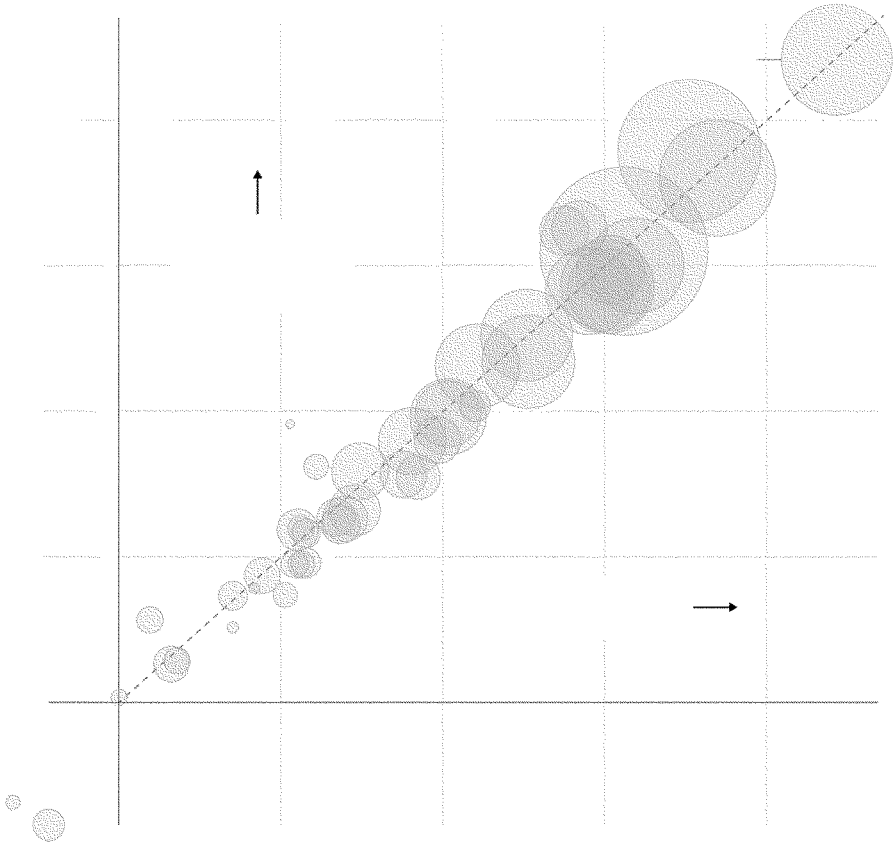
As of 5 a.m. Eastern
President Trump leads by nearly 700,000 votes in Pennsylvania as of 5 a.m. on Wednesday, and Mr. Biden's chances depend on whether he can win a large percentage of the more than 1.4 million absentee ballots that remain to be counted.

So far, Mr. Biden has won absentee voters in Pennsylvania, 78 percent to 21 percent, according to the Secretary of State's office. The results comport with the findings of pre-election surveys and an analysis of absentee ballot requests, which all indicated that Mr. Biden held an overwhelming lead among absentee voters.

If Mr. Biden won the more than 1.4 million absentee votes by such a large margin, he would net around 800,000 votes — enough to overcome his deficit statewide.

Of course, there's no guarantee that Mr. Biden will win the remaining absentee vote by quite so much. But so far, his standing in the tabulated absentee vote has almost exactly matched our pre-election projections for the absentee vote by county, based on New York Times/Siena polling and data from L2, a political data vendor.

Counted mail ballots have matched expectations



Philadelphia

+80 pts.

Biden's lead in

the reported vote

among mail ballots

+60

+40

+20

Biden's lead in

our initial estimates

Even

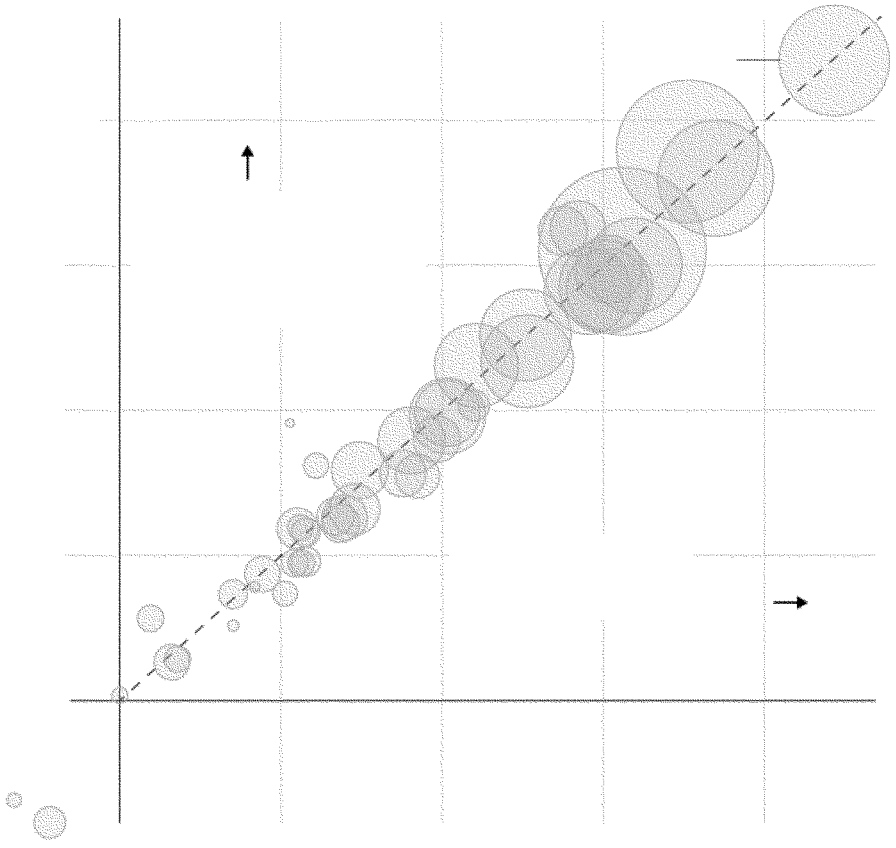
Even

+20 pts.

+40

+60

+80



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Even

Even

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+40

+60

+80

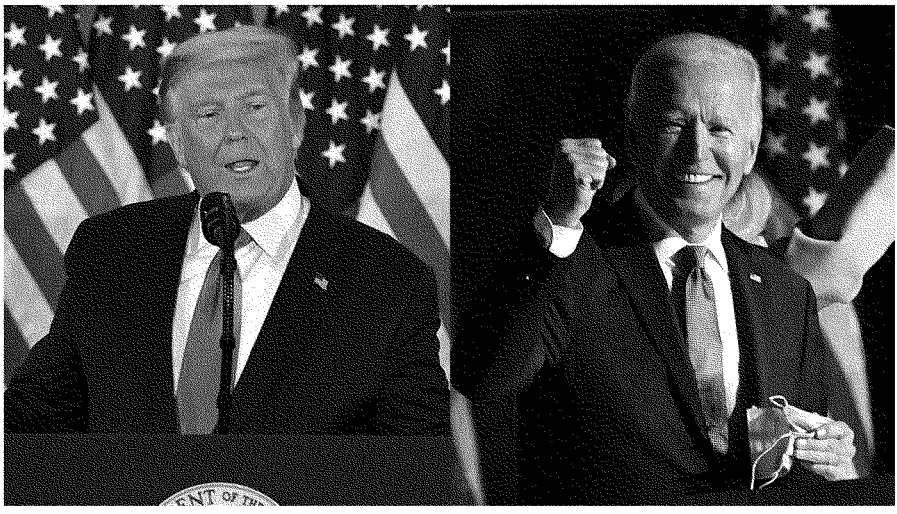
As of 5 a.m. Eastern. Each bubble is a Pennsylvania county where more than 10 percent of mail-in votes have been counted. Circle size is proportional to the number of mail-in ballots counted in each county.
If anything, the pre-election estimates suggest that Mr. Biden might be expected to do better, because the areas with remaining absentee votes are ever so slightly more Democratic than the state as a whole.

And there are possible if still uncertain sources of additional strength for Mr. Biden, like absentee ballots that arrive in the days after the election — or the possibility that the count is not yet including ballots that were left in drop boxes on the day of the election.

Mr. Trump has few places to turn for votes. His strength in the Election Day vote, which he carried by a wide margin, is all but exhausted,according to our estimates of the vote remaining. Most of the Election Day vote that remains is in Philadelphia and its suburbs.

Biden on edge of 270 as Trump claims victory in Pennsylvania, other states before race calls

foxnews.com/politics/biden-on-edge-of-270-as-trump-continues-to-claim-victory-in-pennsylvania-elsewhere-before-race-calls



Fox News Go

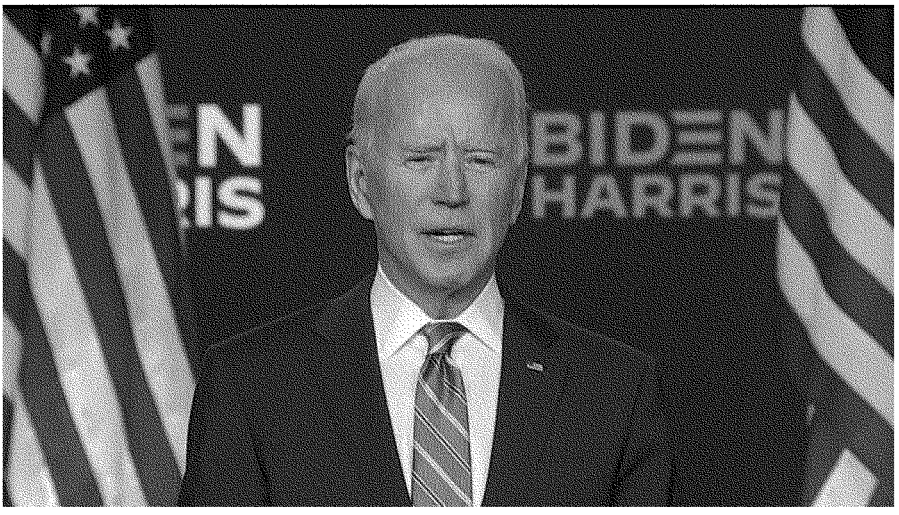
After major wins for Joe Biden on Wednesday when the Fox News Decision Desk projected that he will win in Wisconsin and Michigan -- two states where President Trump came out on top in 2016 -- the Democratic nominee sits at 264 electoral votes, needing just one more state to win the White House.

Trump currently has 214 electoral votes in his column.

With his team expressing optimism in his path Wednesday, Biden confidently said that he was "not here to declare that we won," but to "report that when the count is finished, we believe we will be the winners."

Striking a presidential tone, Biden said he would govern as an "American president" and that once the dust is settled from the election he plans "to lower the temperature, to see each other again, to listen to one another, to hear each other again, to unite and heal, to come together as a nation."

Meanwhile, Trump is at 214 electoral votes and claiming victory in a handful of states where either the result is not yet clear or the Fox News Decision Desk has projected that Biden will win.



Video

PRESIDENCY HINGES ON FOUR BATTLEGROUNDS AS BIDEN AND TRUMP RACE TO 270 ELECTORAL VOTES; SEE RESULTS, MAP

"We have claimed, for Electoral Vote purposes, the Commonwealth of Pennsylvania (which won't allow legal observers) the State of Georgia, and the State of North Carolina, each one of which has a BIG Trump lead," the president said in a tweet. He added that he is claiming Michigan conditioned on confirmation that "there was a large number of secretly dumped ballots," a claim that was walked back by the person whose tweet inspired an earlier Trump post on the matter.

Fox News has confirmed a discrepancy in Michigan returns, which is apparently what Trump was citing in his tweet, was the result of a typo by one clerk that was quickly corrected.

And Trump's team is claiming that Republicans in a handful of key states are being blocked from "meaningful access" to observe the elections workers counting ballots. Trump's personal attorney Rudy Giuliani claimed that ballots in Philadelphia could "be from Mars as far as we're concerned."

Sen. Chris Coons. D-Del., a Biden surrogate, said that the claims by Giuliani and the Trump team "smack of desperation."

On Thursday the Trump campaign said an appellate judge had ordered it to be let in the convention center in Philadelphia where votes are being counted and allowed within six feet of the workers counting the ballots, apparently meaning that it will be given the "meaningful access" it wants. Previously observers were kept much farther away from workers counting mail ballots, and now, according to the Trump campaign, they will be allowed within six feet. The Trump campaign added in a press call that it expected further legal action to ensure that it can see ballots that were previously counted.



Video

"Our team of 15 people will be let in right now to observe the vote-counting process," Trump backer and former Florida Attorney General Pam Bondi said to the press. "If there is one illegal vote that is cast it takes away" from Pennsylvanians who cast legal ballots.

Added Trump campaign adviser Corey Lewandowski: "This is a win for every person that's cast a legal ballot in the state of Pennsylvania."

BIDEN PREDICTS VICTORY, SAYS HE WILL GOVERN AS AN 'AMERICAN PRESIDENT'

"Big legal win in Pennsylvania!" Trump said in a Thursday tweet.

Biden spokesman Bill Russo said on Twitter that "We don't care if your observers are 18 feet away or 15 feet away or 6 feet away -- as long as election officials can do their jobs.."

Trump representatives in Philadelphia, however, said that the city was not following the appeals court's order. The city has asked the Pennsylvania Supreme Court to weigh in but it has not ruled.

The Trump team has also filed a lawsuit to stop vote-counting in Michigan over their objections regarding "meaningful access," and said it will request a recount in Wisconsin. In Georgia, the Trump team filed a lawsuit alleging that a GOP poll observer saw that late absentee ballots were being added to others that were received on time.

The Trump team also announced later Thursday morning a lawsuit in Nevada as it alleges that people who were dead or have moved out of the state during the pandemic voted illegally. It did not provide specific evidence at the event.

Their press event included a woman named Jill Stokke who said she went to vote in person and was told that she had already voted by mail. Nevada earlier this year passed legislation making it a universal vote-by-mail state, meaning that mail ballots were sent to every registered voter. Republicans raised concerns that sending so many ballots to people who had not requested them could open up the possibility of fraud.

"I went to vote and was told I already voted," Stokke said. "They also took the ballot of my roommate."

Joe Gloria, the Clark County, Nev., voter registrar, pushed back on Stokke's claims, saying he'd personally dealt with her.

"In our opinion, it's her signature," Gloria said. He added that she refused to provide a statement to the county and that the Nevada Secretary of State's office, which is controlled by a Republican, backed Clark County's handling of the situation.

Trump backer and former acting Director of National Intelligence Ric Grenell -- who currently serves as the Special Presidential Envoy for Serbia and Kosovo Peace Negotiations -- lead the event in North Las Vegas.

With the presidential race still undecided, the emerging results in the four key states of Pennsylvania, Nevada, North Carolina and Georgia will swing the race one way or another. Trump needs to sweep all four states while a win for Biden in any of them would give him at least 270 electoral votes, the number needed to win the presidency.

Nevada, where 76% of results were reported as of Thursday afternoon, is the only state where Biden leads as of Thursday afternoon. As of Thursday afternoon Biden was ahead of Trump by 11,438 votes, which comes to slightly less than 1%.

TRUMP CAMPAIGN FILES VOTE-COUNTING LAWSUIT IN GEORGIA AS MARGIN NARROWS

The ballots yet to be counted in Nevada, the Elections Division said, are mail ballots that were received on Election Day, mail ballots sent by Election Day but received later, and provisional ballots. Generally throughout the country, those kinds of votes have swung toward Biden.

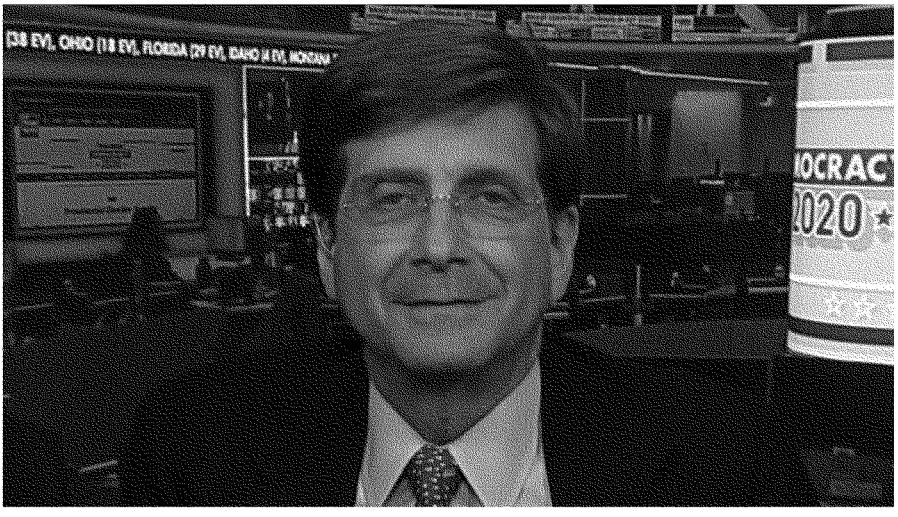
In Georgia, nearly all ballots are in with 99% reporting as of Thursday afternoon and Trump leads by just under 13,000 votes, the equivalent of two-tenths of a percent. The Fox News Decision Desk has not yet called the race in favor of Trump.

Georgia Secretary of State Brad Raffensperger, speaking to the press on Thursday morning, said that about 60,000 ballots in the state remained to be counted.

"It's counties who run elections ... some are more resourced in others," and some have more votes to count than others, the secretary of state said.

"The reality is it's about 60,000 votes that are out right now," Raffensperger said. He added that his office is working with local elections offices to ensure numbers are all uploaded properly. "Accuracy is vital and it's the key to all of our processes."

The situation is similar in North Carolina. Trump is holding a small lead of about 1.4% with 94% of votes reported as of Thursday afternoon. Trump's lead equates to just over 75,000 votes.



Video

TRUMP CAMPAIGN FILES LAWSUIT IN PENNSYLVANIA, MICHIGAN, GEORGIA, DEMANDS RECOUNT IN WISCONSIN

North Carolina allows mail ballots sent by Election Day to be received up to nine days later. This means there may be more ballots yet to be counted in the state, according to North Carolina State Board of Elections Executive Director Karen Brinson Bell.

"There are also no more ballots that can be cast for this election. All eligible ballots have already left the voter's hands," she said.

Bell also alluded that it may take some time before additional results are able to be reported in the state, noting that with "very few exceptions would North Carolina's numbers move before the 12th or the 13th."

But with the nature of Trump's lead in the state it is possible -- but not guaranteed -- that with slightly more information, media organizations could be able to make a projection in the presidential race in that state.

Alaska, for a dearth of data, has yet to be called. But Trump, in the 50% of votes counted as of Thursday morning, holds a significant lead.

Finally, in Pennsylvania, where the Trump team leveled its most serious accusations of election-related hijinx -- but did not name any specific examples of ballot irregularities -- Trump continues to lead as of Thursday afternoon by just under 110,000 ballots, the equivalent of 1.7%. That lead is smaller than the lead the president held even hours earlier on Thursday.

But because Pennsylvania was unable to start counting its massive stack of mail ballots, which were requested in significantly larger numbers by Democrats than Republicans, until Tuesday morning, the result in the state is still up in the air.

BIDEN'S 72M VOTES PASS OBAMA 2008 MARK; TRUMP'S COUNT CLOSE BEHIND

As of Thursday afternoon, 88% of ballots in the state are reported and significant numbers of ballots remain to be counted in several counties. These include Democratic strongholds like Philadelphia, but also many rural counties that are leaning toward Trump.

Notably, Allegheny County, which encompasses Pittsburgh and is leaning heavily for Biden as of Thursday morning, is reporting just 81% as of Thursday afternoon.

"In Pennsylvania, every vote is going to count," Gov. Tom Wolf said Wednesday evening. "I'm going to fight like hell to protect the vote of every Pennsylvania. And I'm going to do everything in my power to make sure that every vote counts, because in Pennsylvania, every voice matters."

Republicans, meanwhile, have slammed Democrat officials like Secretary of State Kathy Boockvar and Attorney General Josh Shapiro in Pennsylvania over alleged bias.

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"To have this kind of stuff going on at the 11th hour is unconscionable. So we have a totally lack of faith in her ability to do her job and to do it fairly," Pennsylvania Senate Majority Leader Jake Corman, a Republican, said in calling for Boockvar to resign. Corman specifically panned last-minute changes in guidance on so-called "naked" ballots from Boockvar's office to local elections officials.

"We believe every legal vote should count," Corman said, specifically noting that there is not a result in the presidential election. "I think the governor should ask her to step aside so that the people of Pennsylvania can have confidence in the integrity of this election, whether it's Joe Biden, whether it's President Trump ... all we want to do is have confidence in the result."

If Trump manages to pull out victories in North Carolina, Georgia and Nevada, the presidential election is likely to come down to the result in Pennsylvania, which may not be decided for days or more. And, if Trump's claims made after 2 a.m. Wednesday as results poured in are to be believed, that state could come down to a Supreme Court case.

Fox News' Brooke Singman, Bruce Becker, Amy Wehinger and John Roberts contributed to this report.

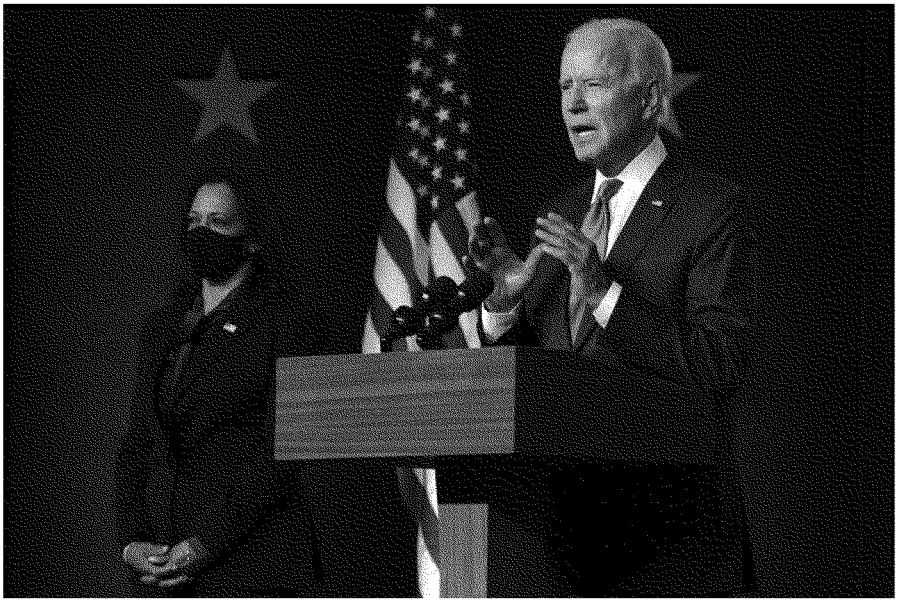
Tyler Olson covers politics for FoxNews.com. You can contact him at tyler.olson@foxnews.com and follow him on Twitter at @TylerOlson1791.

Biden claims mandate as he stops short of declaring victory in presidential race

latimes.com/politics/story/2020-11-06/trump-biden-election-georgia-pennsylvania

By Mark Z. Barabak, Melanie Mason, Janet Hook Published Nov. 6, 2020 Updated Nov. 6, 2020 9:55 PM PT Facebook Twitter Show more sharing options Share Close extra sharing options Facebook Twitter LinkedIn Email Copy Link URLCopied! Print

November 6, 2020



Former Vice President Joe Biden speaks Friday in Wilmington, Del., as his running mate, California Sen. Kamala Harris, listens.

(Carolyn Kaster / Associated Press)

WILMINGTON, Del. —
Joe Biden delivered a just-shy-of-victory speech Friday as he moved closer to winning the White House, claiming a mandate for change and promising to bring the country together after one of the most scathing and divisive presidential elections in modern times.

Sounding familiar themes, the Democrat said it was time to leave the differences of the past months behind and begin working to address crises like the COVID-19 pandemic and its stark economic fallout.

"We don't have any more time to waste on partisan warfare," Biden said in a late-night appearance in his hometown of Wilmington, Del., on a day that saw him grabbing leads in Georgia and Pennsylvania, either of which would provide enough electoral votes to make him president.

Appearing with his running mate, California Sen. Kamala Harris, standing silently onstage, Biden cited the breadth of their victory — a record 75 million votes and counting — and the states they carried in all corners of the country.

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Voters, he said, "chose change over more of the same. They have given us a mandate for action on COVID, the economy, climate change, systemic racism."

Biden drew a contrast with President Trump by promising to lower the temperature of political debate and work even for those who voted against the Democratic ticket.

"At least we can agree to be civil with one another," the former vice president said, "put the anger and the demonization behind us."

Check this page for live election results



Check this page for live election results

Advertisement

Even as the country awaits the outcome, Biden said he and Harris were looking ahead — receiving briefings on the economy and the pandemic, which he described as "getting more worrisome all across the country."

"We are not waiting to get to work," he said.

In what has become a ritual since the election process pushed past Tuesday, Biden again urged calm and patience as the vote counting spills into the weekend.

In a rejoinder to the president, who has gone to court to halt the tabulations, Biden said: "I don't care how hard people try to stop it. I will not let it happen."

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Biden stopped notably short of declaring victory, though he hinted that he expected to do so soon — perhaps Saturday.

"We don't have a final declaration of victory yet, but the numbers tell us a clear and convincing story," Biden said. "We're going to win this race.

World & Nation

A country divided: Photos from across the United States mirror election tension



World & Nation

A country divided: Photos from across the United States mirror election tension

Images from Pennsylvania, Arizona, Georgia and Nevada show 2020 election unrest.

“I hope to be talking to you tomorrow,” he said, before leaving the stage after speaking for just about seven minutes.

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Biden, making his third try for president, has secured 264 of the 270 electoral votes needed to win. Along with Georgia and Pennsylvania, he is also ahead in Nevada — another of the undecided states — where his lead expanded Friday. Combined, those states offer 42 electoral votes.

But President Trump showed no signs of conceding defeat.

"Joe Biden should not wrongfully claim the office of the President. I could make that claim also," tweeted Trump, who had done exactly that in the early hours Wednesday. "Legal proceedings are just now beginning!"

Republican lawyers went to the Supreme Court seeking an order that would "segregate" late-arriving mail ballots and prevent them from being counted, even though Pennsylvania's secretary of state had already issued an order to do that. Justice Samuel A. Alito Jr., who handles emergency appeals for the region, approved the request maintaining the status quo.

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Either way, with Biden ahead by nearly 30,000 votes, those ballots were not likely to change the outcome. Pennsylvania still has tens of thousands of ballots left to count, but the bulk of them come from parts of the state that heavily favored Biden, making it unlikely Trump will reclaim the lead.

In fact, the greatest suspense Friday was whether the Associated Press or any of the television networks would officially call the race for Biden, which, though having no legal force, would set about the informal transition to power.

Anticipating a celebration, hundreds of supporters gathered outside Chase Center in Wilmington, which has served as the campaign's unofficial soundstage, planning to party on the banks of the Christina River on an unseasonably warm evening.

Instead, after repeated delays, Biden and Harris made their short appearance indoors.

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By then, the crowd had dwindled to a couple of dozen die-hards who honked and cheered as the Democrats' motorcade passed by.

Meantime, in counting centers around the country, the labor of establishing a winner and putting the election in the books ground on.

In Georgia, where Biden was ahead by about 4,000 votes out of nearly 5 million cast, state officials said there would probably be a recount.

If Biden hangs onto his leads, he would end up with 306 electoral college votes, the same number Trump won in 2016 — which Kellyanne Conway, a Trump strategist, described on Twitter at the time as: "Landslide. Blowout. Historic."

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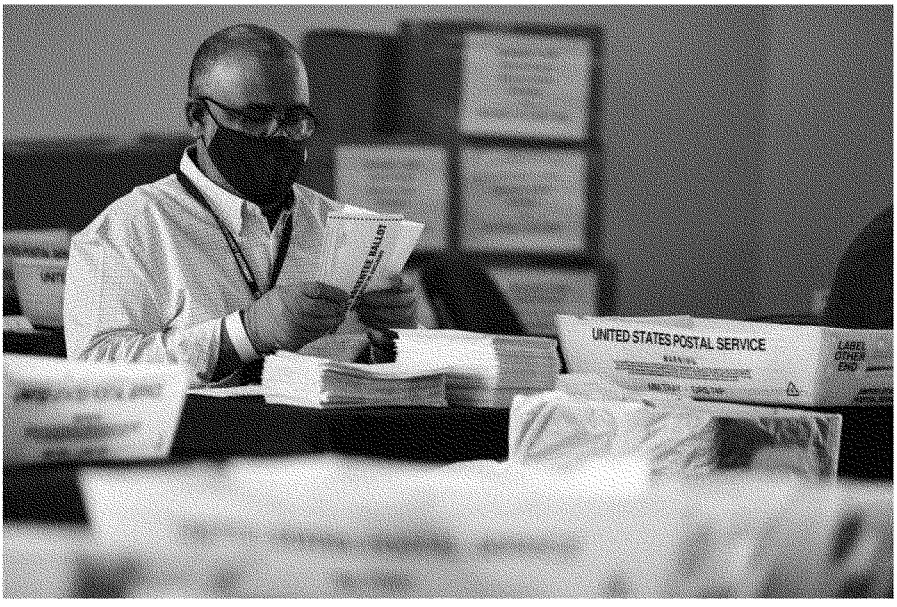
In addition, Biden is on track to win with a significant majority of the popular vote, probably a margin of about 5 percentage points over the president. In 2016, Trump lost the popular vote to Democrat Hillary Clinton.

Politics

What if there's a recount in the presidential race? Here are the rules in the closest states



Politics

What if there's a recount in the presidential race? Here are the rules in the closest states

The presidential race is coming down to the wire. What are the recount rules in Georgia, Nevada, Arizona, Pennsylvania, Wisconsin and Michigan?

As Biden noted, winning Pennsylvania along with Wisconsin and Michigan would be the fulfillment of a Democratic mission that began with Clinton's defeat: rebuilding the "blue wall" of traditionally Democratic states in the industrial Midwest that Trump demolished in 2016. His victories that year, by fewer than 80,000 votes across the three states, gave Trump his electoral college victory.

But Biden noted it was likely he would do more than just reclaim lost ground. Wins in Georgia and Arizona, two traditional GOP strongholds, would be a significant encroachment in the Republican-leaning Sun Belt.

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Although Biden's lead in Arizona continued to erode Friday, to just under 30,000 votes, Trump did not appear to be on a path to overtaking his rival.



Biden supporter Ron Russ walks through a crowd of hundreds of pro-Trump protesters gathered in the parking lot of the Maricopa County elections building in Phoenix on Friday.

(Gina Ferazzi / Los Angeles Times)

A victory in Arizona, which Democrats last carried in 1996, would be the fruit of the party's appeal to the state's growing Latino population, even as Biden fell short of expectations among that diverse voting bloc in Florida and Texas.

A victory in Georgia, home state of the late civil rights icon Rep. John Lewis, would be an important breakthrough for Democrats hoping to make inroads in a changing South and a testament to the strong support Biden has received from Black voters.

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The vote counting proceeded despite the Trump campaign's multiple legal maneuvers and the president's baseless claims of vote fraud.

Politics

Polls underestimated Trump's support, but not by as much as you might think



Politics

Polls underestimated Trump's support, but not by as much as you might think

On average, polls in 2020 are slightly more accurate than normal, on track to be off by about 3 to 4 points nationwide. But accuracy varied a lot by state.

Many in his own party cast doubt on those efforts.

Senate Majority Leader Mitch McConnell (R-Ky.) on Friday morning issued a carefully worded statement on Twitter that did not openly challenge Trump but fell short of a full-throated endorsement.

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"Here's how this must work in our great country: Every legal vote should be counted," McConnell said. "Any illegally-submitted ballots must not. All sides must get to observe the process. And the courts are here to apply the laws & resolve disputes. That's how Americans' votes decide the result."

Republican Pennsylvania Sen. Patrick J. Toomey, in an interview on CBS, defended the integrity of his state's vote count.

"I am not aware of any significant fraud, any significant wrongdoing," Toomey said. "If it's happened, then the evidence needs to come out, we need to go to court, we need to punish the wrongdoers, we need to redress whatever went wrong. But I'm not aware of any such evidence."

Philadelphia's mayor pushed back more emphatically Friday.

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"I think what the president needs to do is, frankly, put his big-boy pants on," Mayor Jim Kenney said at a news briefing at the city's ballot counting center. "He needs to acknowledge the fact that he lost, and he needs to congratulate the winner, just as Jimmy Carter did, just as George H.W. Bush did and, frankly, just as Al Gore did, and stop this and let us move forward as a country."



Pro-Biden crowd dances at the intersection of Third and Arch streets in Philadelphia.

(Luis Sinco/Los Angeles Times)

Hundreds of police officers stood guard in Philadelphia as scores of anti-Trump protesters gathered outside the convention center where election workers were counting ballots. A white "Count Every Vote" banner spanned the street in front of the Reading Terminal

Market.

The count was a slow process, with each ballot needing to be removed from two envelopes, unfolded and scanned, and the eligibility of every voter checked.

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In many states, those preliminary steps are done before election day, but in Pennsylvania, Republican legislators blocked efforts to change the law to allow processing of the ballots in advance, setting the stage for the long count that Trump and his supporters are now attacking.

Justin Clark, Trump's deputy campaign manager, claimed Democrats were blocking the president's observers and counting ballots "with zero transparency."

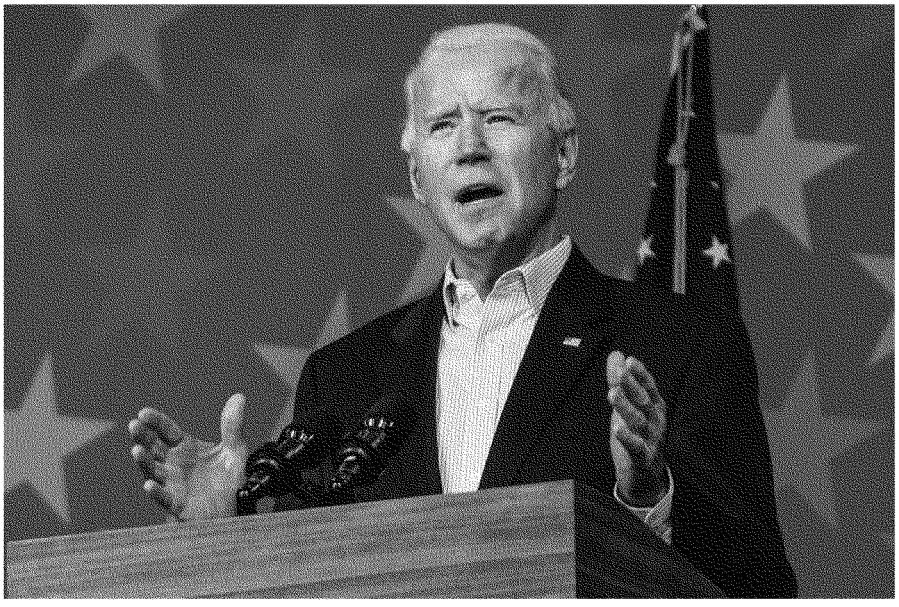
But Al Schmidt, the Republican on the three-member Philadelphia election commission, told CNN on Friday that Republican observers had been there nonstop.

Barabak reported from San Francisco, Mason from Wilmington and Hook from Washington. Times staff writers Michael Finnegan in Philadelphia, Chris Megerian in Washington and Brittny Mejia in Las Vegas contributed to this report.

Biden inches closer to presidential victory as Trump's chances of victory fade

washingtonpost.com/politics/biden-trump-election/2020/11/06/b16a85ea-2066-11eb-ba21-f2f001f0554b_story.html

By Toluse Olorunnipa November 6, 2020



Former vice president Joe Biden appeared to be on a clear path to being elected the 46th president of the United States, after updated vote counts on Friday put him ahead in several key states and seemed to all but close off President Trump's already dwindling chances of remaining in office.

Although no winner had been projected in the presidential race, Biden's strong showing as mail-in votes were counted in key cities had him leading Trump in Arizona, Nevada, Pennsylvania and — very narrowly — Georgia.

After securing 253 electoral votes since Election Day on Tuesday, Biden was on the cusp of being declared the winner as the remaining states neared the end of the ballot-counting process.

"The numbers tell us a clear and convincing story: We're going to win this race," Biden said Friday in Wilmington, Del., with Sen. Kamala D. Harris (Calif.), his running mate, next to him. "We're going to win this race with a clear majority of the nation behind us."

Speaking from a stage at the Chase Center, Biden forcefully declared that he had "a mandate" on a number of policy issues and said he has begun preparing to take office.

"I know watching these vote tallies on TV moves as slow as it gets and can be numbing," he said. "But never forget, the tallies aren't just numbers. They represent votes and voters, men and women who exercised their fundamental right to have their voice heard."

Three times, Biden noted that he and Harris had received a record number of votes — more than 74 million at the time he spoke.

Trump and his campaign continued to make unsubstantiated claims of voter fraud while disputing the election results in multiple states. The Trump campaign pushed for a recount in Georgia, which state officials said was a given, considering the narrow margin in the race.

In a statement that was less defiant but more sweeping than his previous baseless assertions that Democrats were attempting to steal the election in specific states, Trump said Friday that his complaints were "no longer about any single election" but "about the integrity of our entire election process."

"From the beginning, we have said that all legal ballots must be counted and all illegal ballots should not be counted, yet we have met resistance to this basic principle by Democrats at every turn," he said, falsely characterizing the Democratic position in the statement released by his campaign. "We will pursue this process through every aspect of the law to guarantee that the American people have confidence in our government. I will never give up fighting for you and our nation."

The Trump team planning the legal assault, meanwhile, faced another complication: White House Chief of Staff Mark Meadows, one of the key figures in the post-election effort, has tested positive for the coronavirus, according to an official with knowledge of the situation.

Meadows, often without a mask, has been at the campaign headquarters and in the White House since Election Day. Administration officials declined to comment Friday night.

Democrats have answered Trump's assertions by countering that all the ballots being counted are legal — but that Trump and fellow Republicans were refusing to acknowledge that because the results were not in the president's favor.

Biden, in brief and confident speeches delivered since Tuesday, has counseled patience and calm as the final ballots are tallied.

Trump has not presented any concrete evidence of the kind of broad-scale vote-rigging he has alleged took place in major cities such as Detroit, Milwaukee and Philadelphia. Biden won Michigan and Wisconsin. And with Biden's vote lead increasing in Nevada and Pennsylvania, it was unclear whether any of the allegations of voter fraud, if true, would be sufficient to change the results.

Biden reversed Trump's early lead in Pennsylvania on Friday after mail-in ballots, most from heavily Democratic areas, were counted late Thursday and early Friday. Although the state still had thousands of additional votes to count, Biden's strong performance among voters who mailed in their ballots suggested that his lead there was likely to grow. Winning Pennsylvania's 20 electoral votes would put Biden over the threshold of 270 needed to win the presidency.

A similar trend of late-counted mail-in ballots helped expand Biden's lead in Nevada, which has six electoral votes, as of Friday afternoon. In Georgia — where, as in Pennsylvania, Trump appeared to be leading on Election Day — ballots cast by mail helped boost Biden's vote total. The winner will secure the state's 16 electoral votes.

The only state in which the president was gaining ground was Arizona, where he clipped some of Biden's lead but by Friday was not gaining at a rate that appeared likely to end in victory. The state has 11 electoral votes. Trump has advocated continuing to count votes there even as he has tried to stop the counting in states where he is losing.

Despite his worsening odds, Trump did not appear prepared to concede the race Friday. He instead stayed in the White House and tweeted complaints about the electoral system. His campaign continued to push lawsuits challenging the vote count in multiple states.

A Biden campaign spokesman suggested that there was no concern in the former vice president's camp about the prospect of Trump refusing to leave office.

"As we said on July 19th, the American people will decide this election," spokesman Andrew Bates said in a statement that referred to an earlier dust-up over Trump's refusal to say he would respect the results of the election. "And the United States government is perfectly capable of escorting trespassers out of the White House."

Despite the uncertainties, there was a sense of excitement among top Biden campaign staff members as they began to gather at the Westin hotel in Wilmington, Del., on Friday morning.

"At this point, we're sort of waiting for there to be enough for networks to feel comfortable enough to make the call," said one Biden aide, who spoke on the condition of anonymity to discuss internal deliberations.

If Biden wins the election, his campaign does not intend to wait for Trump to concede before Biden declares victory. "Donald Trump doesn't get to decide who wins elections," the aide said. "The American people do."

Biden, the aide said, wants to turn to governing.

Some congressional leaders also began to treat a Biden victory as all but assured.

House Speaker Nancy Pelosi (D-Calif.), in her first news briefing since Tuesday's election, repeatedly called Biden the "president-elect" on Friday and said his election is a mandate.

"This morning, it is clear that the Biden-Harris ticket will win the White House," Pelosi said. "President-elect Biden has a strong mandate to lead, and he'll have a strong Democratic House with him and many Democrats in the Senate. This has been a life-or-death fight for the fate of our democracy, as [Biden] says, 'the soul of our country.' "

Referring to internal Democratic complaints about the party's message leading up to Tuesday's election, Pelosi said the reason Democrats lost some of the seats they gained in 2018 was that they were competing in Trump-won districts with Trump on the same ballot. What matters, she said, is "we have the gavel."

Senate Majority Leader Mitch McConnell (R-Ky.) advocated Friday that the election process continue to play out and that courts resolve disputes.

In a tweet, he echoed Trump's refrain about not counting illegal ballots but was silent about baseless conspiracies that Trump has pushed alleging widespread election fraud.

"Here's how this must work in our great country: Every legal vote should be counted," McConnell said. "Any illegally submitted ballots must not. All sides must get to observe the process. And the courts are here to apply the laws & resolve disputes. That's how Americans' votes decide the result."

Pressed by reporters during a subsequent news conference in Kentucky, McConnell repeatedly pointed back to his tweet.

Other Republicans were more forceful in condemning the accusations Trump leveled, including in defiant remarks Thursday night in which he repeated his belief that he had won states he did not win. He offered no evidence then for a blizzard of accusations, including some aimed at election workers who are counting the ballots across several states.

Sen. Mitt Romney (R-Utah) said the president's assertion that the election was rigged and is being stolen by Democrats was reckless and dangerous.

"The President is within his rights to request recounts, to call for investigations of alleged voting irregularities where evidence exists, and to exhaust legal remedies — doing these things is consistent with our election process," Romney said in a statement. "He is wrong to say the election was rigged, corrupt and stolen — doing so damages the cause of freedom here and around the world, weakens the institutions that lie at the foundations of the Republic, and recklessly inflames destructive and dangerous passions."

Georgia officials said Friday that the state was headed toward a recount for the presidential election as counties wrapped up counting mail-in ballots.

"Right now, Georgia remains too close to call. Out of approximately 5 million votes cast, we'll have a margin of a few thousand," said Secretary of State Brad Raffensperger (R). "The focus for our office and for the county election officials, for now, remains on making sure that every legal vote is counted and recorded accurately. As we are closing in on a final count, we can begin to look toward our next steps. With a margin that small, there will be a recount in Georgia."

Biden's lead in the state was within the vote margin that would allow a candidate to request a recount under Georgia law. A formal recount challenge probably will not be made until later in November. Under state law, candidates can request a recount if the margin is 0.5 percent or below, and they must do so within two business days of the statewide certification of results, set to take place by Nov. 20.

Elsewhere in Georgia, two Senate races appeared headed to runoffs on Jan. 5 after no candidate secured more than 50 percent of the vote. Democrats probably would need to win both races to seize control of the chamber.

In Arizona, former astronaut Mark Kelly, a Democrat, was projected to win the Senate seat held by Republican Martha McSally, who was appointed to the post after losing the 2018 election for the state's other Senate seat.

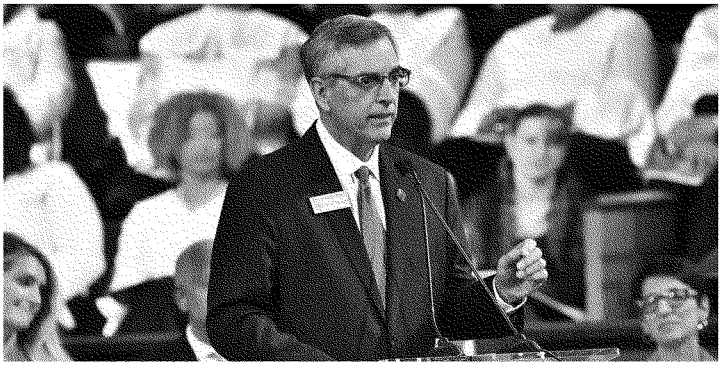
John Wagner, Hannah Knowles, Emma Brown, Annie Linskey and Colby Itkowitz contributed to this report.

Trump called Georgia Secretary of State Brad Raffensperger an 'enemy of the people,' exactly 2 years after he said he'd be 'fantastic'

BI businessinsider.com/trump-calls-raffensperger-enemy-of-people-over-baseless-election-claims-2020-11

Adam Payne 2020-11-27T11:04:12Z





Brad Raffensperger.
Paras Griffin/Getty Images

- President Donald Trump on Thursday called Georgia Secretary of State Brad Raffensperger an "enemy of the people."

- The Trump campaign has targeted Raffensperger — a Republican who is the state's top election official — after Georgia voted for a Democratic presidential candidate for the first time in nearly 30 years.
- The outgoing president continues to claim, without evidence, that widespread voter fraud in key states like Georgia helped Joe Biden win the election.
- Raffensperger this week said Trump had thrown him and his family "under the bus."
- Visit Business Insider's homepage for more stories.

President Donald Trump on Thursday called Georgia Secretary of State Brad Raffensperger an "enemy of the people" as he continued to push baseless claims to explain his loss in the battleground state to Joe Biden.

Speaking with reporters, the outgoing president accused Raffensperger, without evidence, of making some kind of "deal" with the Democrat Stacey Abrams to allow vote harvesting in Georgia and said the state had a "fraudulent system."

"You're not allowed to harvest, but I understand the secretary of state, who is really an enemy of the people, the secretary of state, and whether he's Republican or not, this man, what he's done, supposedly he made a deal and you'll have to check this, where she is allowed to harvest but in other areas they're not allowed," Trump said.

Abrams has been credited with helping register 800,000 people to vote in Georgia for the 2020 election, but that is not the same as ballot harvesting, in which a voter completes an absentee ballot and gives it to another person to hand in to a polling station.

Raffensperger, a Republican who is Georgia's top election official, has been the subject of intense criticism by the Trump campaign since the state voted for a Democratic presidential candidate for the first time in nearly 30 years. Sens. David Perdue and Kelly Loeffler — two Republicans who are seeking to defend their seats in January runoff elections — have called for him to resign.

Raffensperger recently accused Sen. Lindsey Graham of South Carolina of asking him whether he could disqualify thousands of mail-in ballots over mismatched signatures. Ethics experts have asked the Senate Ethics Committee to investigate whether Graham "threatened anyone with a Senate investigation of the Georgia vote tally."

> JUST IN: President Trump calls GOP Georgia Secretary of State Brad Raffensperger the "enemy of the people" as he makes repeated false claims about the 2020 election. pic.twitter.com/1gjvZ4lMq3
>
> — The Hill (@thehill) November 26, 2020

In a column for USA Today this week, Raffensperger said that Georgia's election count was "wildly successful and smooth" and that Trump, who he said he and his family had voted for, was throwing them "under the bus."

On November 26, 2018, exactly two years before Trump's remarks Thursday, he endorsed Raffensperger for the role of Georgia secretary of state, tweeting that he would be "fantastic" and "great for jobs."

> —Donald J. Trump (@realDonaldTrump) November 26, 2018

Georgia certified Biden's victory last week despite a legal challenge from the Trump campaign. The president-elect won by 12,670 votes.

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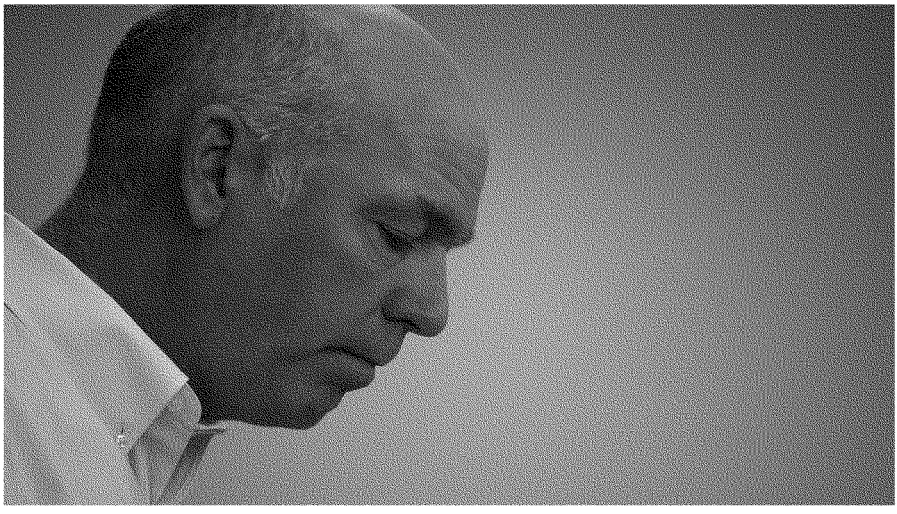
More: Election 2020 Trump Raffensperger Georgia

A reporter says a Republican candidate "body slammed" him after asking about the GOP health care bill

vox.com/2017/5/24/15688542/montana-republican-candidate-body-slammed-reporter

Dylan Scott May 24, 2017



Justin Sullivan / Getty Images

Greg Gianforte, a Republican running for the open House seat in Montana, reportedly "body slammed" a journalist the day before the state's special election, according to eyewitness accounts and audio posted by the reporter.

Ben Jacobs, a political reporter for the Guardian, a British newspaper, tweeted Wednesday evening about the incident.

> Greg Gianforte just body slammed me and broke my glasses
>
> — Ben Jacobs (@Bencjacobs) May 24, 2017

The Guardian later posted audio of the incident, in which Jacobs appears to calmly ask Gianforte about the new Congressional Budget Office score of the House health care legislation. The incident quickly escalates from there, judging by the audio, which lasts for 45 seconds.



Watch Video At: https://youtu.be/fhoH4v8xYlU

Gianforte responded in his own statement, portraying Jacobs as the aggressor who intruded on a private interview without permission.

> Gianforte's statement: pic.twitter.com/WVNdA1yZ8w
>
> — Kyle Cheney (@kyledcheney) May 25, 2017

Another reporter on the scene corroborated some of Jacobs's account.

> All of a sudden I heard a giant crash and saw Ben's feet fly in the air as he hit the floor
>
> — Alexis Levinson (@alexis_levinson) May 24, 2017

Later on Wednesday night, reporters from Fox News — who were about to interview Gianforte when the altercation occurred — provided another first-person account that seemed to contradict the candidate's version of events (emphasis mine):

> At that point, Gianforte grabbed Jacobs by the neck with both hands and slammed him into the ground behind him. Faith, Keith and I watched in disbelief as Gianforte then began punching the man, as he moved on top the reporter and began yelling something to the effect of "I'm sick and tired of this!"
>
> Jacobs scrambled to his knees and said something about his glasses being broken. He asked Faith, Keith and myself for our names. In shock, we did not answer. He then said he wanted the police called and went to leave. Gianforte looked at the three of us and repeatedly apologized. At that point, I told him and Scanlon, who was now present, that we needed a moment. The men then left.
>
> ...
>
> **To be clear, at no point did any of us who witnessed this assault see Jacobs show any form of physical aggression toward Gianforte, who left the area after giving statements to local sheriff's deputies.**

The Montana special election, in which Gianforte is facing Democratic folk singer Rob Quist, is Thursday. Gianforte is running to replace Republican Ryan Zinke, who was appointed to be President Trump's interior secretary. Gianforte has been considered a slight favorite; Cook Political Report rates the race Lean Republican.

A few political analysts on Twitter noted that many ballots have already been cast, because Montanans can vote by mail.

> Probably about 2/3rds of the vote has already been cast, FWIW
> https://t.co/qjyF9groKq
>
> — Kyle Kondik (@kkondik) May 24, 2017

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Next Up In Politics & Policy

Blackburn and Hagerty Joint Statement

blackburn.senate.gov/2021/1/blackburn-and-hagerty-joint-statement

January 7, 2021



NASHVILLE, TENN. – U.S. Senators Marsha Blackburn (R—Tenn.) and Bill Hagerty (R—Tenn.) issued the following statement.

UNITED STATES SENATE
SENATOR MARSHA BLACKBURN PRESS OFFICE

"Yesterday was a shocking day of lawlessness. We watched in horror as rioters breached the security of both Houses of Congress and inflicted significant property damage upon those historical halls.

"Our Republic will rise above the chaos that ensued yesterday in the Capitol. These violent assaults on our democratic processes threaten to unwind the fabric of this country. As Americans, we must unite in our commitment to the Constitution and the rule of law.

"We are grateful for the heroic law enforcement officials who helped restore peace, allowing us to complete our work. Last night we reconvened with our Senate colleagues to fulfill our constitutional duty to certify the 2020 election results and prepare for a peaceful transition of

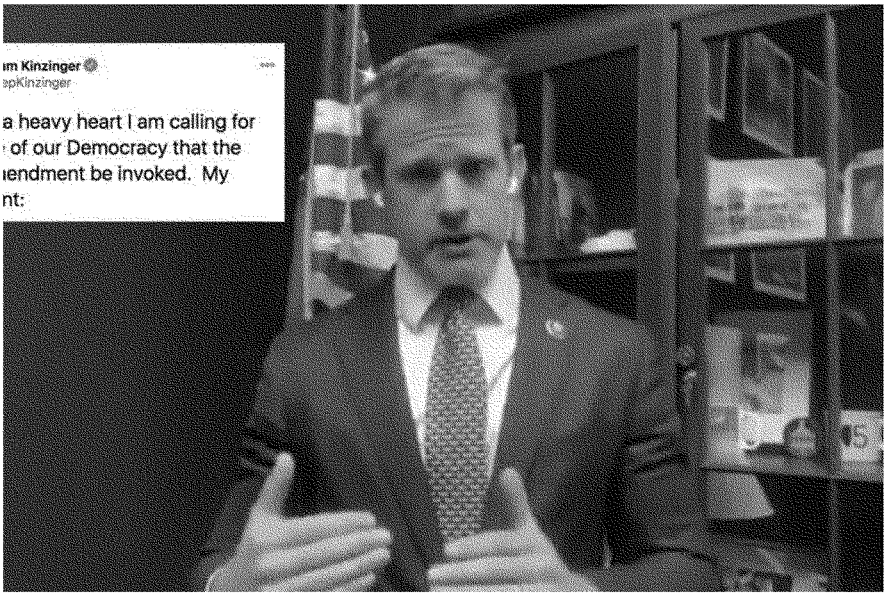
power. On January 20th, we will prove to the world that America is still the shining city on the hill."

— U.S. Senator Marsha Blackburn (R—Tenn.) and U.S. Senator Bill Hagerty (R—Tenn.)

GOP Congressman Adam Kinzinger calls for President Trump's removal via the 25th amendment

upworthy.com/adam-kinzinger-25th-amendment

January 7, 2021



Adam Kinzinger/Twitter

Yesterday was a dark day for the United States of America. As members of Congress met to officially count the 2020 presidential election votes from the Electoral College, a pro-Trump mob of insurrectionists broke into the Capitol building and stormed both chambers of Congress, forcing Senators and Representatives into hiding, and leaving a path of destruction in their wake.

The threat was, and is, real. United States lawmakers were temporarily prevented from performing their constitutional duty to count the certified election results—a duty that is necessary to ensure the orderly transition of power—by people who had just built gallows outside of the Capitol building and who carried guns and zip ties into Congress chambers. The storming of the Capitol was not a peaceful protest, but an act of terror by people who believe President Trump's delusional rhetoric that he actually won the 2020 election in a landslide.

Unsurprisingly, Senate Minority Leader Chuck Shumer has called for President Trump to be removed from office, either via impeachment or the 25th amendment. Also unsurprisingly, other Democratic leaders have voiced support for the idea.

> The quickest and most effective way—it can be done today—to remove this president from office would be for the Vice President to immediately invoke the 25th amendment.
>
> If the Vice President and the Cabinet refuse to stand up, Congress must reconvene to impeach President Trump.
>
> — Chuck Schumer (@SenSchumer) January 7, 2021

However, it's not just Democrats who are now calling for such measures.

This morning, Republican representative Adam Kinzinger of the 16th district in Illinois took the bold step of calling for Trump to be removed from office via the 25th amendment.

> It's with a heavy heart I am calling for the sake of our Democracy that the 25th Amendment be invoked. My statement: pic.twitter.com/yVyQrYcjuD
>
> — Adam Kinzinger (@RepKinzinger) January 7, 2021

In a video statement, Kinzinger said:

"Yesterday was a sad day, as we all know. It was the day where fires stoked by the president and other leaders finally leapt out of the pit, and it lit the trees. Thankfully, the strength of our Constitution and democracy help, and we emerge today a little battered, but resolved.

What happened yesterday is a wake-up call to many, but it's a call to accountability for others. In the past few presidencies, the administrations have been so concerned about even a moment of weakness that the 25th Amendment was invoked during minor surgeries, passing the duties to the vice president while the president was under anesthesia, because even for that moment to have the captain of the ship absent could cause a major catastrophe.

Sadly, yesterday it became evident that not only has the president abdicated his duty to protect the American people and the people's house, he invoked and inflamed passions that only gave fuel to the insurrection that we saw here. When pressed to move and denounce the violence, he barely did so, while of course, victimizing himself and seeming to give a wink and a nod to those doing it. All indications that the president has become unmoored,

not just from his duty or even his oath, but from reality itself. It is for this reason that I call for the vice president and members of the Cabinet to ensure the next few weeks are safe for the American people and that we have a sane captain of the ship.

Section 4 of the 25th Amendment allows a majority of the Cabinet and the vice president to assume the duties of the office of presidency until the president is able to himself. It's time to invoke the 25th Amendment and to end this nightmare. We will rise from this, but we cannot forget what led us here. The liars and the conspiracy authors are already at it again this morning with false narratives about yesterday's disaster.

Here's the truth — the president caused this. The president is unfit and the president is unwell, and the president must now relinquish control of the executive branch voluntarily or involuntarily. God bless you, and God bless our enduring democracy."

What a time to be an American, when members of a president's own party are calling for his removal two weeks before he's going to lose power anyway. In a truly dark time for our nation, seeing glimmers of truth and reason peeking through offer glimpses of hope for the future of the U.S.

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Alpha Sound/YouTube

Tim Storms says he first realized he had a wide vocal range when he sang songs at a Christian camp as a kid. As he's gotten older, that range has only widened as his voice has gotten deeper.

Considering the fact that he's held the Guinness World Record for singing the lowest note for nearly a decade (an honor he had to reclaim in 2012 after winning it the first time in 2008), you'd expect Storms' speaking voice to sound like James Earl Jones or something. But to hear him speak, you'd never guess how low his voice can really go.

To give you an idea of how low we're talking, hit the bottom note of a piano, then imagine adding another piano's worth of keys below that note. Storms' lowest notes are so low, they're nearly impossible for our ears to hear—instead, they feel like the rumble of a subwoofer. The official record-breaking low vocal note was registered at G-7 (0.189 Hz), which means nothing to most of us, but it's really freaking low.

The guy can really sing, though. Check him out singing "Lonesome Road":

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P&G Good Everyday

Let's Do More Together

Meet the people infusing their communities with love and support when it's needed most

Ally Hirschlag
01.16.21

If the past year has taught us nothing else, it's that sending love out into the world through selfless acts of kindness can have a positive ripple effect on people and communities. People all over the United States seemed to have gotten the message — 71% of those surveyed by the World Giving Index helped a stranger in need in 2020. A nonprofit survey found 90% helped others by running errands, calling, texting and sending care packages. Many people needed a boost last year in one way or another and obliging good neighbors heeded the call over and over again — and continue to make a positive impact through their actions in this new year.

Upworthy and P&G Good Everyday wanted to help keep kindness going strong, so they partnered up to create the Lead with Love Fund. The fund awards do-gooders in communities around the country with grants to help them continue on with their unique missions. Hundreds of nominations came pouring in and five winners were selected based on three criteria: the impact of action, uniqueness, and "Upworthy-ness" of their story.

Here's a look at the five winners:

Edith Ornelas, co-creator of Mariposas Collective in Memphis, Tenn.

Edith Ornelas has a deep-rooted connection to the asylum-seeking immigrant families she brings food and supplies to families in Memphis, Tenn. She was born in Jalisco, Mexico, and immigrated to the United States when she was 7 years old with her parents and sister. Edith grew up in Chicago, then moved to Memphis in 2016, where she quickly realized how few community programs existed for immigrants. Two years later, she helped create Mariposas Collective, which initially aimed to help families who had just been released from detention centers and were seeking asylum. The collective started out small but has since grown to approximately 400 volunteers.

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community

Remember Brendan Fraser? 10 years ago, he was one of Hollywood's biggest stars. Then, he suddenly disappeared.

If you were a kid in the late '90s and early '00s, chances are you saw a Brendan Fraser movie. The comedy and action star catapulted to fame behind blockbusters like "The Mummy" franchise, "George of the Jungle," "Looney Tunes: Back in Action," and the Oscar-winning film "Crash."

But after 2008, he largely disappeared from major starring roles. His absence wasn't due to drugs, a sex-scandal, or illness — despite memes and even reported articles speculating about his career arc, with many blaming it on poor career choices.

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The Recount / Twitter

It's no surprise there have been some hiccups in distributing the COVID-19 vaccine across America. The Pfizer and Moderna vaccines were developed in just ten months' time. Then, supply chains were hastily put together to get the vaccine across the third-largest country on Earth.

Add to that, medical professionals need a massive amount of supplies such as needles and vials to administer the shots, and vaccine centers made to accommodate thousands were put together overnight.

In most cases, these sites were created by local governments with little experience in mass vaccinations. So when a South Carolina drive-thru coronavirus vaccination site got backed up, the town's quick-thinking mayor called in someone he knew he could help, a local Chick-fil-A manager.

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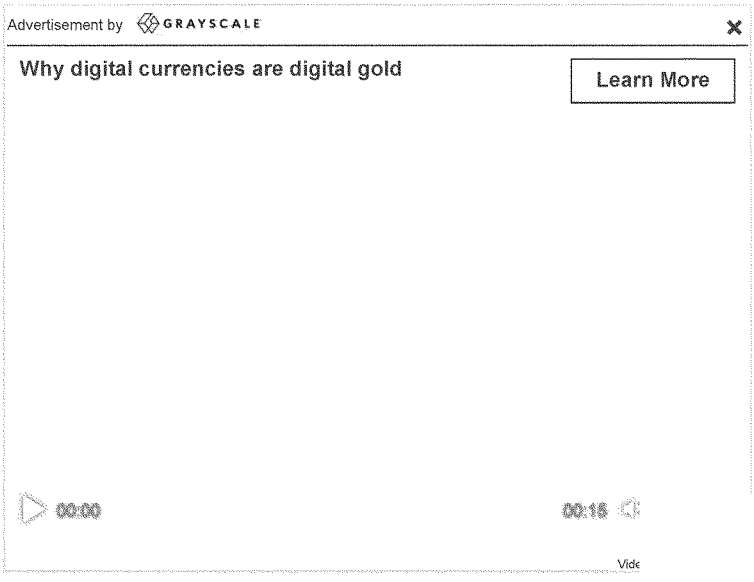
Some Right-Wing Groups Warning Their Members Away From Protests

By Ari Natter
January 15, 2021, 4:45 PM EST

- ▶ Armed rallies at state capitols feared a trap by FBI, leftists
- ▶ National Guard being deployed in Washington and state capitals

Some far-right groups are warning members to avoid the armed rallies planned before President-elect Joe Biden's inauguration, alleging that the federal government or rivals may be seeking to incite them to violence and entrap them.

"Groups would love for us to show up and get violent in order to push their own agenda -- whether it be a crackdown on militias, gun legislation or something else to charge Donald Trump with in this farce of an impeachment," said Michael Lackomar, one of the 217 members of the Southeast Michigan Volunteer Militia.



He said his group has reversed plans to air grievances at the state capitol in Lansing on Sunday ranging from the election of Joe Biden to Covid restrictions.

Other right-wing groups that just last week joined thousands of angry protesters in storming the U.S. Capitol in Washington are also urging their members to stay away from the events, which include an armed march on Capitol Hill from the Washington Monument to the White House.

More from Election

Biden's Pick for Pentagon Deputy Vows to Defend Nuclear Triad

Trump's Guilt Inciting Riot Is 'Unmistakable,' Democrats Say

Biden Plans to Roll Back Trump's Refugee, Asylum Crackdowns

Biden Stimulus May Be Democrat-Only Despite Cordial GOP Meeting

Latest: Rioters Came to Capture and Assassinate Officials, U.S. Says

"We're not going to any 'Million Militia March' or any other fed honeypot event that's being promoted," Enrique Tarrio, a leader of the Proud Boys, wrote on Telegram. "We suggest none of you go to these events. We won't sit on our hands for the next four years but we can pick and choose our battles moving forward."

More than 25,000 law enforcement, military and intelligence personnel have been activated to provide security in Washington leading up to Biden's swearing-in, a ceremony that will have far less pomp and fewer attendees than in past years due to the Covid-19 pandemic and last week's riots at the Capitol.

In a posting on its website, the Three Percenters, an anti-government extremist group, said it believed the protests were "crafted by the left" so the FBI could label those in attendance as domestic terrorists and to provide a reason to take away citizens' right to bear arms.

"Do not attend these rallies in any form and stay away from Washington, D.C. during this time at all costs," the group said. "We are trying our hardest to NOT get our organization listed as a domestic terrorist organization."

Washington Made a Fortress for Inauguration After Capitol Riot

The Federal Bureau of Investigation press office did not return a request for comment about the accusations from right-wing groups and militias.

A bulletin from the FBI and other agencies this week warned that extremists targeting the inauguration may exploit the aftermath of the Jan. 6 Capitol breach by conducting attacks to destabilize and force a larger conflict in the U.S., according to a person familiar with it.

"We're concerned about the potential for violence at multiple protests and rallies planned here in D.C. and at state capital buildings around the country in the days to come," FBI Director

Christopher Wray said in a security briefing on Thursday. "It could bring armed individuals within close proximity to government buildings and officials."

Experts say it's unlikely the government is behind organizing the protests but may be trying to gather intelligence due to concerns about violence.

"I would not be surprised if the government would use online honey traps, in other words posing at someone who is organizing something for people to contact, but the idea that the government would be promoting an armed rally is unlikely," said Michael German, a former FBI agent who serves as a fellow at the Brennan Center for Justice at New York University School of Law. "They are trying to get their hands around what is going on."

– With assistance by Chris Strohm

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UNCLASSIFIED

THE JOINT CHIEFS OF STAFF
WASHINGTON, DC 20318

MEMORANDUM FOR THE JOINT FORCE

SUBJECT: MESSAGE TO THE JOINT FORCE

The American people have trusted the Armed Forces of the United States to protect them and our Constitution for almost 250 years. As we have done throughout our history, the U.S. military will obey lawful orders from civilian leadership, support civil authorities to protect lives and property, ensure public safety in accordance with the law, and remain fully committed to protecting and defending the Constitution of the United States against all enemies, foreign and domestic.

The violent riot in Washington, D.C. on January 6, 2021 was a direct assault on the U.S. Congress, the Capitol building, and our Constitutional process. We mourn the deaths of the two Capitol policemen and others connected to these unprecedented events.

We witnessed actions inside the Capitol building that were inconsistent with the rule of law. The rights of freedom of speech and assembly do not give anyone the right to resort to violence, sedition and insurrection.

As Service Members, we must embody the values and ideals of the Nation. We support and defend the Constitution. Any act to disrupt the Constitutional process is not only against our traditions, values, and oath; it is against the law.

On January 20, 2021, in accordance with the Constitution, confirmed by the states and the courts, and certified by Congress, President-elect Biden will be inaugurated and will become our 46th Commander in Chief.

To our men and women deployed and at home, safeguarding our country—stay ready, keep your eyes on the horizon, and remain focused on the mission. We honor your continued service in defense of every American.

MARK A. MILLEY
General, U.S. Army
Chairman of the Joint Chiefs of Staff

JOHN E. HYTEN
General, U.S. Air Force
Vice Chairman of the Joint Chiefs of Staff

JAMES C. MCCONVILLE
General, U.S. Army
Chief of Staff of the Army

DAVID H. BERGER
General, U.S. Marine Corps
Commandant of the Marine Corps

MICHAEL M. GILDAY
Admiral, U.S. Navy
Chief of Naval Operations

CHARLES Q. BROWN, JR.
General, U.S. Air Force
Chief of Staff of the Air Force

JOHN W. RAYMOND
General, U.S. Space Force
Chief of Space Operations

DANIEL R. HOKANSON
General, U.S. Army
Chief of the National Guard Bureau

UNCLASSIFIED

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America
v.
Dawn Bancroft, (DOB: XXXXXXXXX)
Diana Santos-Smith, (DOB: XXXXXXXXX)

Defendant(s)

Case: 1:21-mj-00182
Assigned to: Judge Faruqui, Zia M
Assign Date: 1/28/2021
Description: COMPLAINT W/ARREST WARRANT

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 6, 2021 in the county of _____ in the _____ in the District of Columbia, the defendant(s) violated:

Code Section	*Offense Description*
18 U.S.C. 1752 (a)(1)-Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority	
18 U.S.C. 1752(a)(2)-Knowingly Engaging in Disorderly or Disruptive Conduct in any Restricted Building or Grounds	
40 U.S.C. 5104(e)(2)(D), (G)-Violent Entry and Disorderly Conduct on Capitol Grounds	

This criminal complaint is based on these facts:

See attached statement of facts.

☒ Continued on the attached sheet.

[redacted]
Complainant's signature

[redacted]
Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone.

Date: 01/28/2021

2021.01.28 17:32:51 -05'00'
Judge's signature

City and state: Washington, D.C.

Zia M. Faruqui, U.S. Magistrate Judge
Printed name and title

Case: 1:21-mj-00182
Assigned to: Judge Faruqui, Zia M
Assign Date: 1/28/2021
Description: COMPLAINT W/ARREST WARRANT

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

AND ARREST WARRANT

I, [redacted], being first duly sworn, herby depose and state as follows:

PURPOSE OF THE AFFIDAVIT

1. This Affidavit is submitted in support of criminal complaints and arrest warrants against Dawn Bancroft (hereinafter "BANCROFT") and Diana Santos-Smith (hereinafter "SANTOS-SMITH") charging violations of 18 U.S.C. § 1752(a)(1) and (2); and 40 U.S.C. §§ 5104(e)(2)(D) and (G).

BACKGROUND OF AFFIANT

2. I have been a Special Agent with the Federal Bureau of Investigation (FBI) since 2004. In addition to my regular duties, I am currently also tasked with investigating criminal activity in and around the Capitol grounds. As a Special Agent, I am authorized by law or by a Government agency to engage in or supervise the prevention, detention, investigation, or prosecution of a violation of Federal criminal laws.

3. Unless otherwise stated, the information in this Affidavit is either personally known to me, has been provided to me by other individuals, or is based on a review of various documents, records, and reports. Because this Affidavit is submitted for the limited purpose of establishing probable cause to support an application for an arrest warrant, it does not contain every fact known by me or the United States. The dates listed in this Affidavit should be read as "on or about" dates.

STATEMENT OF FACTS SUPPORTING PROBABLE CAUSE

4. The U.S. Capitol is secured 24 hours a day by U.S. Capitol Police. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by U.S. Capitol Police. Only authorized people with appropriate identification are allowed access

inside the U.S. Capitol. On January 6, 2021, the exterior plaza of the U.S. Capitol was also closed to members of the public.

5. On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in separate chambers of the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Shortly thereafter, by approximately 1:30 p.m., the House and Senate adjourned to separate chambers to resolve a particular objection. Vice President Mike Pence was present and presiding, first in the joint session, and then in the Senate chamber.

6. As the proceedings continued in both the House and the Senate, and with Vice President Mike Pence present and presiding over the Senate, a large crowd gathered outside the U.S. Capitol. As noted above, temporary and permanent barricades were in place around the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside.

7. At such time, the certification proceedings were still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, shortly after 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows and by assaulting members of the U.S. Capitol Police, as others in the crowd encouraged and assisted those acts.

8. Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress was effectively suspended until shortly after 8:00 p.m. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the sessions resumed.

9. During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of violations of local and federal law, including scores of individuals inside the U.S. Capitol building without authority to be there.

10. On or about January 12, 2021, the FBI received a tip with a video purported to be filmed by BANCROFT. The video was a "selfie" video which depicted BANCROFT and another woman, later identified as SANTOS-SMITH, in the process of attempting to exit the U.S. Capitol building in Washington, D.C. The video further captured a large mob of individuals who had become bottlenecked at a Capitol exit point. During the video, BANCROFT stated, "We broke into the Capitol…we got inside, we did our part." BANCROFT continued, "We were looking for Nancy to shoot her in the friggin' brain but we didn't find her." Your affiant believes that the "Nancy" BANCROFT was referencing is Speaker of the House, Nancy Pelosi. BANCROFT was wearing a red "Make America Great Again" ski-cap style hat, and SANTOS-SMITH wore a red "Make America Great Again" baseball hat during the video. A screenshot of this video is depicted below:



11. On or about January 20, 2021, the FBI interviewed SANTOS-SMITH. SANTOS-SMITH initially told these Agents that she attended President Trump's Washington D.C. rally on January 6, 2021 but that she did not physically enter the Capitol Building. After interviewing agents showed SANTOS-SMITH the video described above, SANTOS-SMITH then stated that she lied and that she was inside the Capitol. Specifically, SANTOS-SMITH stated that she and BANCROFT went to the Capitol to protest and that they did not have a pre-planned agenda of entering the Capitol. When they arrived at the Capitol, SANTOS-SMITH stated that she heard people saying "they're letting us in." SANTOS-SMITH said that she interpreted this as protesters were being allowed to enter the Capitol. SANTOS-SMITH said she followed the crowd to the Capitol building steps. While trying to get closer to the Capitol, SANTOS-SMITH said that she climbed over a waist-high wall. SANTOS-SMITH also explained that she climbed under/through a scaffolding apparatus in order to get closer to the Capitol. Once SANTOS-SMITH reached an

entrance to the Capitol, SANTOS-SMITH said she and BANCROFT attempted to enter through an exterior door but the entrance was too crowded to gain entry. SANTOS-SMITH then said they walked around to another area on the exterior of the Capitol, seeking an alternative way to enter. SANTOS-SMITH said they saw people entering the Capitol through a broken window. SANTOS-SMITH said BANCROFT entered through the window first and SANTOS-SMITH followed. SANTOS-SMITH described that an unknown person helped her enter through the broken window and then she helped another person enter the building through the same spot. SANTOS-SMITH stated that after seeing BANCROFT enter the building, SANTOS-SMITH knew that they should not be going inside the building. SANTOS-SMITH stated that neither she nor BANCROFT entered into any chambers or offices and that they were inside the Capitol for approximately 30 seconds to one minute. SANTOS-SMITH stated that she and BANCROFT exited the Capitol building through the same window in which they entered.

12. During the interview, SANTOS-SMITH provided the interviewing Agents with a video SANTOS-SMITH took with her cellular telephone from inside the Capitol building. SANTOS-SMITH stated that she had made multiple video recordings of the activities around the Capitol on January 6, 2021 on her cellular telephone. SANTOS-SMITH stated she had initially deleted the footage she had taken from inside the Capitol to prevent law enforcement from discovering it, but was able to recover the footage.

13. BANCROFT was also interviewed on or about January 20, 2021 by your affiant. BANCROFT told your affiant she had entered the U.S. Capitol Building on January 6, 2021. In particular, BANCROFT explained that she and SANTOS-SMITH followed other protestors up the exterior stairs of the Capitol Building to a courtyard area filled with people. BANCROFT stated that she did not witness these exterior barriers being breached, but she and SANTOS-SMITH just

followed others up the stairs. BANCROFT said that she and SANTOS-SMITH then saw a window to the Capitol Building which had been broken and they witnessed people entering the Capitol Building. BANCROFT stated that they followed and entered the Capitol Building through this broken window at approximately 3 p.m. Upon climbing through the window, BANCROFT explained that she was in a hallway with corridors in either direction, and a staircase nearby. BANCROFT estimated that she stayed inside the Capitol Building for approximately 20-30 seconds before deciding to exit. BANCROFT stated that she was aware that she was entering restricted grounds when she entered through the Capitol Building window. BANCROFT stated that she had taken video of herself and SANTOS-SMITH inside the Capitol Building but had deleted it. BANCROFT further stated that she had sent the video to her children and subsequently instructed her children to delete it. BANCROFT showed the FBI agents additional photographs and videos on her cell phone that she filmed on January 6, 2021.

14. On or about January 20, 2021, your affiant reviewed CCTV footage that captured BANCROFT and SANTOS-SMITH attempting to enter the Capitol Building on January 6, 2021. A screenshot of this footage is depicted below:



15. Based on the foregoing, your affiant submits that there is probable cause to believe that BANCROFT and SANTOS-SMITH violated 18 U.S.C. § 1752(a)(1) and (2), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do; and (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions; or attempts or conspires to do so. For purposes of Section 1752 of Title 18, a "restricted building" includes a posted, cordoned off, or otherwise restricted area of a building or grounds where the President or other person protected by the Secret Service, including the Vice President, is or will be temporarily visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance.

16. Your affiant submits there is also probable cause to believe that BANCROFT and SANTOS-SMITH violated 40 U.S.C. § 5104(e)(2)(D) and (G), which makes it a crime to willfully and knowingly (D) utter loud, threatening, or abusive language, or engage in disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of a hearing before, or any deliberations of, a committee of Congress or either House of Congress; and (G) parade, demonstrate, or picket in any of the Capitol Buildings

[redacted]
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 28th day of January, 2021.

2021.01.28
17:31:55 -05'00'

ZIA M. FARUQUI

U.S. MAGISTRATE JUDGE

Two Americas: Black Lives Matter protesters and pro-Trump rioters at U.S. Capitol

revolt.tv/2021/1/11/22225366/black-lives-matter-protesters-trump-rioters-us-capitol

Hannah Drake January 11, 2021



Roberto Schmidt/Getty Images

The views expressed in this article are those of the author and do not necessarily reflect the official policy or position of any other agency, organization, employer or company.

> "Through a veil, I could perceive the forbidden city, the Louisville where white folks lived. It was the Louisville of the downtown hotels, the lower floors of the big movie houses, the high schools I read about in the daily newspapers, the restricted haunts I sometimes passed, like white restaurants and country clubs, the other side of windows in the banks, and of course the inner sanctums of offices where I could go only as a client or a menial custodian. On my side of the veil, everything was Black: the homes, the people, the churches, the schools, the Negro park with the Negro park police…I knew that were two Louisville and in America, two Americas. I knew also which America was mine."
>
> - Professor Blyden Jackson, "Life Behind A Veil"

My niece came home from her first week of kindergarten and told her mom, "Everyone in my class is white, and I am brown." As a Black woman, I always wondered when the reality that she was living in two Americas would hit her. I wondered when she would realize that in

America, her life existed behind a veil. That between her and this other world, there was a great chasm, a deep ravine filled with the blood and bones of Black people that dared try to cross it.

She was five.

I was reminded of the words of James Baldwin: "It comes as a great shock around the age of 5, 6, or 7 to discover that the flag to which you have pledged allegiance, along with everybody else, has not pledged allegiance to you. It comes as a great shock to see Gary Cooper killing off the Indians, and although you are rooting for Gary Cooper, that the Indians are you. It comes as a great shock to discover that the country which is your birthplace and to which your life and identity has not, in its whole system of reality, evolved any place for you."

And so begin my niece's dance with America. It is a dance behind the veil. It is a dance that Black people know all too well, scored to the rhythm of our blues. It was a dance that we participated in last summer as we took to the streets to protest the killings of Ahmaud Arbery, Breonna Taylor, and George Floyd. Just on the other side of police brutality was freedom. No matter how loud we shouted, how many miles we marched, justice always seemed slightly out of our grasp.

I remember the first day protesting Taylor's death, a 26-year-old Black woman killed in her home by the Louisville Metro Police Department. As I stood in the street, we were met with armored trucks and police officers in riot gear. Then, a chemical smell started to fill the air. My partner asked, "Do you smell that?" and before she could say another word, she started coughing violently, and the crowd of protesters started running. Teargas filled the air. I was choking, spitting, and my eyes were burning as people scattered trying to get away from the fumes. I grabbed my partner's hand, trying to lead her to safety. A woman ran up to me, handing me a mask, and started washing my eyes out with milk. A million thoughts ran through my mind. Was this the cost of freedom? The next several months, we were shot with rubber bullets, teargassed, flash banged, arrested, and charged with felonies. We were not called patriots. We were called niggers and thugs. We were vilified. We were criminalized simply for screaming, "No justice, no peace." It is a moment in time that has traumatized and changed my life forever. A city that I loved had declared war on its citizens.

When I watched a group of predominately white people storm the United States Capitol, all the memories of the summer came flooding back. I watched as these self-described patriots, fueled by Donald Trump's rhetoric, attempted to undermine an American election. They entered the Capitol as Congress was certifying the electoral votes for President-elect Joe Biden, causing a halt to the proceedings as legislators and staff were forced to shelter in place.

How did this group of white people breach the United States Capitol, seemingly one of the nation's most secure buildings? Where were the armored trucks? Where were the barriers? Where was the tear gas? Where were the police in riot gear? Where was the National Guard?

Where were the rubber bullets and flashbangs?

And I remembered I am living in two Americas. Not just the have and the have nots. But, the haves and the don't you dare think you can have.

One America where police strictly enforce law and order, the other America where police protect, serve, and take selfies with domestic terrorists.

One America where Black people will always be seen as a threat. Where Black people protesting will be seen as a crime. Where Black people are told to whisper when all we want to do is shout. Where Black people's cries for peace are met with force. Where justice for Black people is seen as a threat to white people. Where Black people are arrested for even believing we can be free. Where Black people are vilified for taking a knee to bring awareness to police brutality. Where Black people are seen as the enemy.

And the other America, where white people are given the freedom to terrorize. Where white people are allowed to have a tantrum when they don't win elections. Where white people are given free rein to fight to uphold white supremacy. Where white people can participate in looting, and many in the media will attempt to justify it. Where white people can always be seen as the victim. Where white people can kill a police officer and people overlook his death. Where white people can express their anger and frustrations freely.

White people exist beyond the veil. White people are allowed to take up and take over all spaces. They exist knowing they have the privilege to storm the United States Capitol because upholding white supremacy is their right and as American as apple pie. They exist in an America that is designed for their comfort, their joy, their happiness — even at the expense of everyone else.

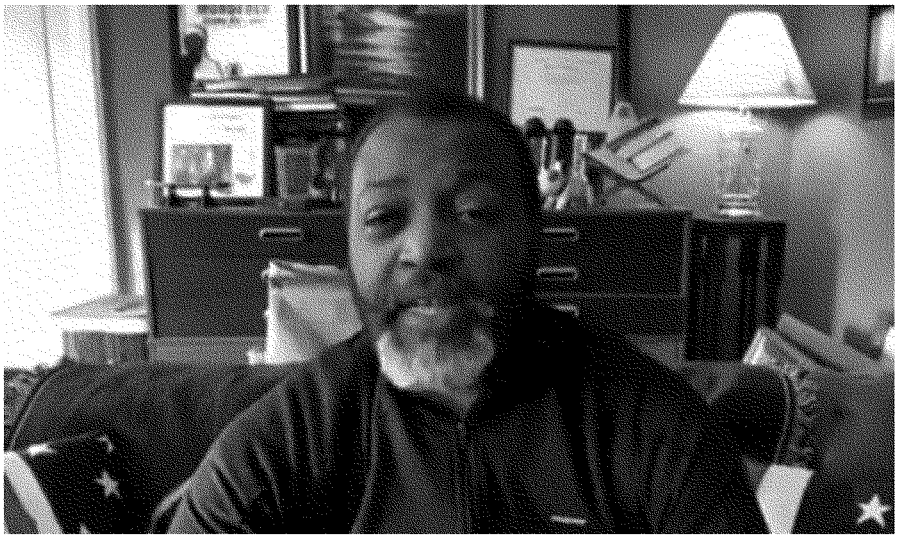
And as Black people, we look on, across the chasm, from behind the veil. We looked on after Black people in Georgia fought to regain the Senate. We looked on as Eugene Goodman, a Black Capitol officer, single handily took on a white mob buying time for the Senate Chambers to secure its door. We looked on, wondering why we continue fighting for an America that never fights for us.

Next Up In Social Justice

US warning: Capitol riot to serve as 'blueprint' to ISIS for future Washington attacks

express.co.uk/news/world/1381316/US-warning-Capitol-riot-ISIS-terrorism-Donald-Trump-latest-police-washington-vn

Tim McNulty January 8, 2021



Washington protests have given 'blueprint' to ISIS says expert

Analyst Malcolm Nance has slammed the events on Capitol Hill as an "absolute disaster security-wise." Video footage shows thousands of Donald Trump supporters storming the building and fighting police. Mr Nance told talkRADIO host Ian Collins that "ISIS now has a blueprint for attacking the United States Capitol."

Trending

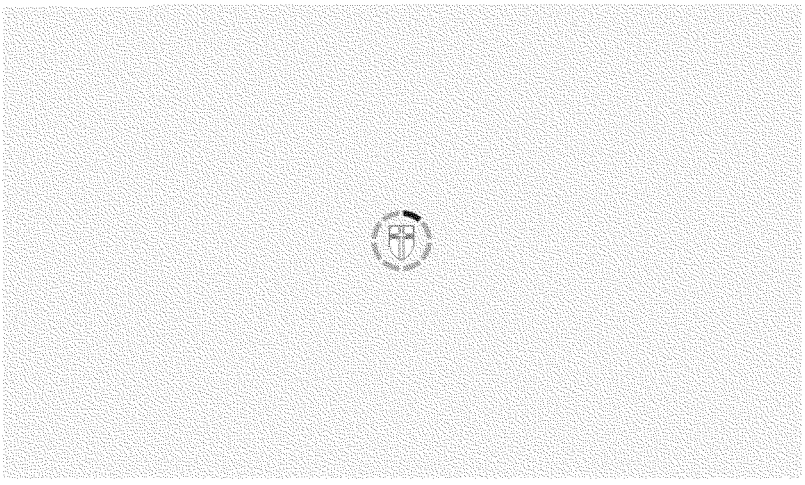
The counterterrorism analyst said: "I monitor right-wing extremist chat, chat rooms, Telegram, Instagram, all of their internal communications and deliberations and we saw this coming.

"I was up at 0230 in the morning just to watch them as they led into Washington DC.

"The only question that was missing was would Donald Trump make a very explicit invitation for them to become violent in some way shape or form.

"When he said, 'we are going to march up to the Capitol, we are going to do this,' and there are some good Republicans and then there are others we are going to show them, that was the go-sign."

JUST IN: Donald Trump faces impeachment TODAY as Democrats strike back after Congress riot



Malcolm Nance: "ISIS now has a blueprint for attacking the United States Capitol." (Image: TalkRADIO)

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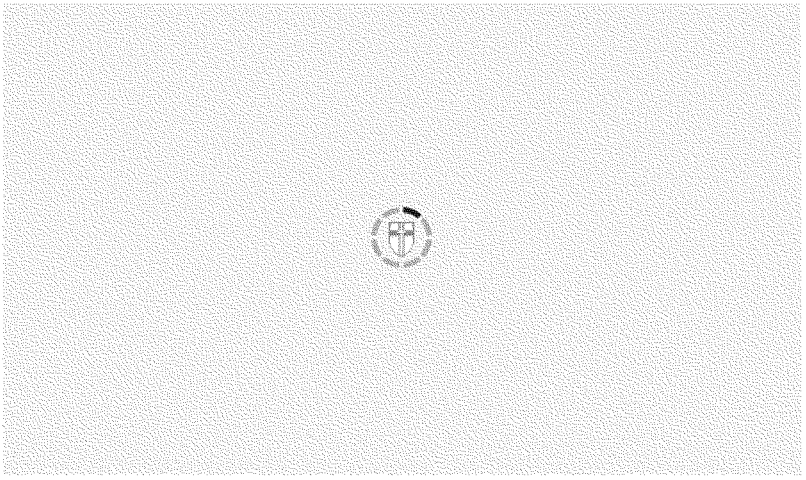


Capitol Hill assault an “absolute disaster security wise.” (Image: GETTY)
He added "One of the other things that we did is we monitored the internal live video streams from the inside of that protest by some of the more violent extremists. They were already on the way to the Capitol before [Trump] had finished his speech.

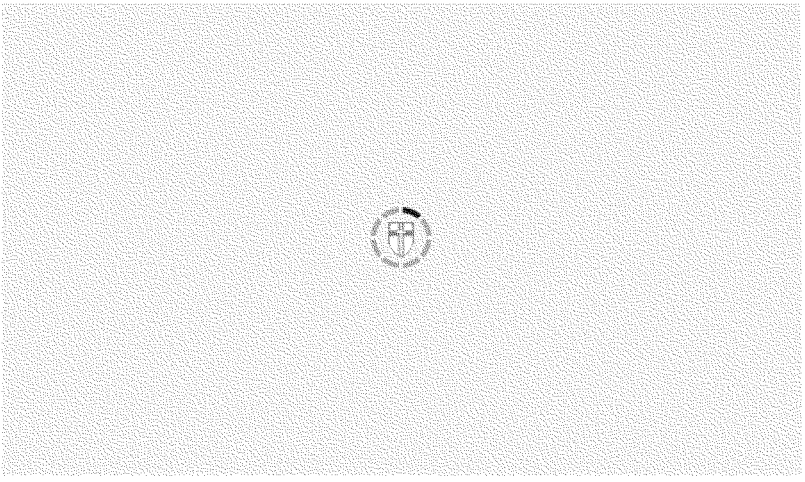
"They came to fight, they were relatively young that was quite surprising and they wanted to take over the building.

"Our problem with this is two months ago the FBI and Michigan State Police broke up a plot in which extremists were going to kidnap and kill the Governor of Michigan.

"Their secondary plot was to take over the Michigan State House lay siege to it and then try and execute all of the liberal democratic members of that party. That is what we were afraid was going to happen in the Capitol yesterday."

READ MORE: Trump Washington riots erupt: Four dead as protesters storm Congress 'Taken the Capitol'

Washington: Trump supporters clash with police in Capitol Building



US Capitol riot slammed by terrorism expert (Image: GETTY)

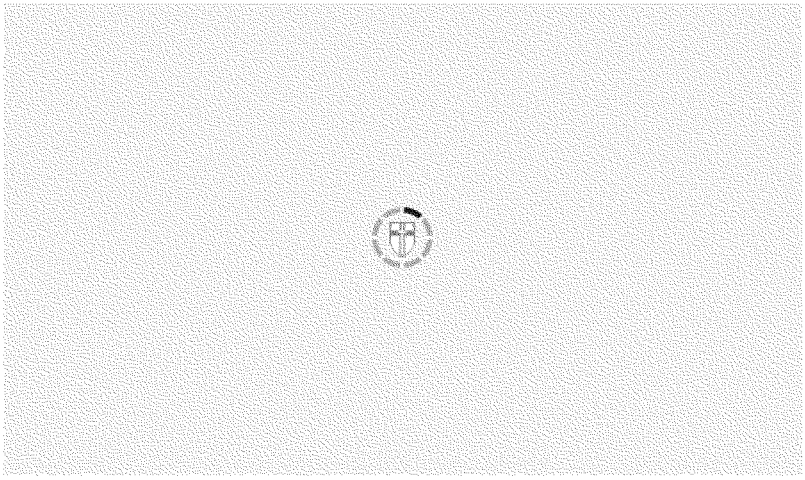
Mr Nance continued: "Turns out somebody rigged a noose on the Capitol grounds on a scaffold. They went in, they were at least five people carrying firearms into the building and they were there to do mob action.

"What we don't know was there a nucleus of people there to conduct terrorism and kill capture or execute members of our government.

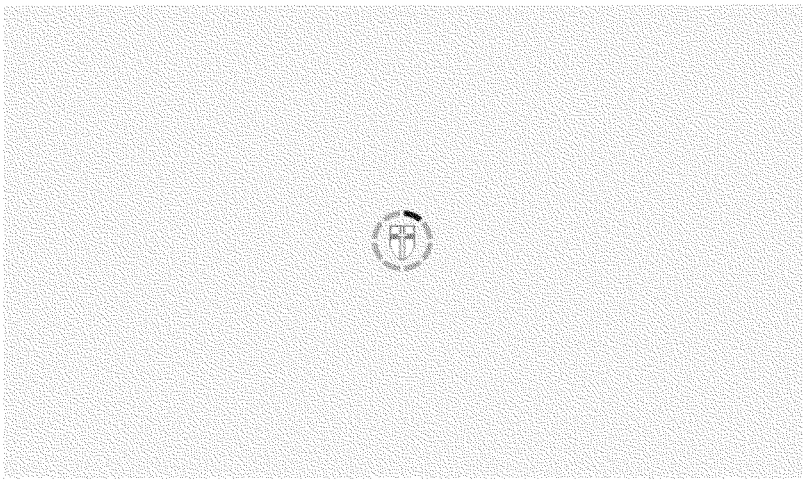
"It is an absolute disaster security-wise.

"I went through SWAT officer school with the members of the Capitol Hill police and many of them were sympathetic to the rioters we saw that. You saw them let them in.

DON'T MISS



Terrorism analyst Malcolm Nance condemns the storming of the US Congress (Image: TalkRADIO)



Donald Trump's family tree (Image: EXPRESS)

"They had virtually no rules of engagement to stop them, in any other circumstance it would have been weapons drawn and then attacked and resolved the issue through the use of lethal force."

Following the push on Congress by Trump supporters and protestors, the Capitol Building was forced to go into a lockdown.

Staff working in the Cannon House Office Building and Madison Building, which houses the Library of Congress, were told to evacuate due to the protests.

Videos posted on social media showed Trump supporters climb over barriers whilst panic and confusion ensued in the Capitol Hill building.

Members of Congress inside the House Chamber were told by police to put gas masks on after tear gas was dispersed in the US Capitol's Rotunda.

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LIVE UPDATES: 2020 ELECTION WEEK

Arizona election chief chides protesters who gathered outside county center

Secretary of State Katie Hobbs said that she hadn't heard of any instances of election workers in Maricopa County being harmed by the protesters, some of them armed.



President Donald Trump supporters rally Wednesday outside the Maricopa County Recorders Office in Phoenix. | Matt York/AP Photo

By **CAITLIN OPRYSKO**
11/05/2020 05:59 PM EST

Arizona's secretary of state on Thursday chided protesters who gathered outside of election offices in the state's largest county, saying the armed demonstrators might be slowing down the vote tally they have been clamoring for.

In an interview with CNN, the Arizona official, Katie Hobbs, said that she hadn't heard of any instances of election workers in Maricopa County being harmed by the protesters. But "their being there actually is causing delay and disruption and preventing employees from doing their jobs," she noted.

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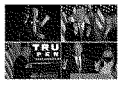
The protesters who gathered outside the Maricopa elections department on Wednesday night appeared to be proponents of a baseless conspiracy theory known as "SharpieGate," which falsely asserted that some voters in the county had been given Sharpie pens to mark their ballots, which were in turn unable to be scanned and counted.

Hobbs' office and Hobbs herself had previously debunked the theory, assuring that ballots filled out with a Sharpie would still be able to be counted.



THE LATEST

All the key moments from Election Day and beyond

But the claim was swiftly adopted by President Donald Trump's allies on social media, many of whom have raged over several outlets' decision to project former Vice President Joe Biden as the winner there late on election night in what would be a major flip for Democrats.

Protesters outside the election office chanted criticism of Fox News, which was first to call Arizona for Biden, and demanded a recount of the state, though it is

not done tallying absentee votes. In a live report on MSNBC on Wednesday night, reporter Gadi Schwartz noted that election workers had to be escorted out of the building and past the group by law enforcement officers.

AD

Hobbs said Thursday that the county was working with local law enforcement to keep those counting ballots safe, but that she was "certainly" worried about their security.

The secretary would not give any concrete estimates for how soon the state could finish counting the rest of its absentee and provisional ballots but predicted "a much more clearer picture of where things stand" by Friday.

The Biden Transition

Joe Biden may be the new president-elect — but with President Donald Trump continuing to challenge the results and Senate control up still up for grabs, the story of the election is far from over.

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- Trump's unplanned gift to Biden is that **clean energy is on the rise.**

TRUMP AND THE GOP

- Sen. Josh Hawley **pledged to challenge Biden's victory in Pennsylvania** on Jan. 6.
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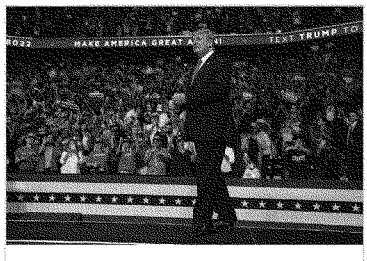

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The Guardian



This article is more than **2 years old**

FBI now classifies far-right Proud Boys as 'extremist group', documents say

Group is now designated 'with ties to white nationalism' according to report produced by Washington law enforcement

Jason Wilson *in Portland, Oregon*

Mon 19 Nov 2018 12.00 EST

The FBI now classifies the far-right Proud Boys as an "extremist group with ties to white nationalism", according to a document produced by Washington state law enforcement.

The FBI's 2018 designation of the self-confessed "western chauvinist group" as extremist has not been previously made public.

The Proud Boys was founded by the Vice Media co-founder Gavin McInnes. McInnes has insisted that his group is not white nationalist or "alt-right" but the Proud Boys have a history of misogyny and glorifying violence. The Southern Poverty Law Center (SPLC) lists them as a hate group.

The document also says: "The FBI has warned local law enforcement agencies that the Proud Boys are actively recruiting in the Pacific north-west", and: "Proud Boys members have contributed to the recent escalation of violence at political rallies held on college campuses, and in cities like Charlottesville, Virginia, Portland, Oregon, and Seattle, Washington."

The report, and the FBI's warning to south-west Washington police agencies about the Proud Boys' role in escalating violence at these events came in August, two months before the group was involved in an infamous weekend of street violence in New York City and Portland, and not long after they participated in street violence in downtown Portland on 30 June.

The document, provided to the Guardian by the government transparency non-profit Property of the People, was part of an internal affairs investigation into a probationary deputy in the Clark county sheriff's department.

The former clark county deputy, Erin Willey, was fired last July after a photo of her wearing a "Proud Boys Girls" sweatshirt was published by the Vancouver, Washington newspaper the Columbian. The Proud Boys Girls is the female auxiliary of the men-only group founded by McInnes in 2016.

The author of the document, headquarters commander Michael McCabe, is in charge of internal affairs, training, background investigation and courthouse security in the Clark county sheriff's department.

After confirming the authenticity of the document, he told the Guardian in a telephone interview that the FBI's classification of the Proud Boys as an extremist group was revealed to him in "a briefing we were given by the FBI" on 2 August, at Clark county's west precinct.

The briefing included agency heads from local law enforcement, and in it the FBI said that they "have been warning [local law enforcement] for a while" about the Proud Boys, "not just in Washington but around the nation".

The briefing including the Proud Boys was delivered by an FBI analyst, according to information forwarded to the Guardian by McCabe.

It touched on topics including "How the FBI tracks hate/extremist groups", "Brief history of these groups in the Pacific NW", "A description of currently active groups with a focus on the Portland/Vancouver area", and "Current trends or concerns over law enforcement officers/employees involvement with these groups".



Street fighting in Portland, Oregon, with men in 'Proud Boys' uniform to the fore on 30 June. Photograph: John Rudoff/Sipa USA/REX/Shutterstock

The document says that Willey was an active Proud Boys Girls member between November 2016 and October 2017, and in February 2017 she "actively participated in the manufacturing, advertising and selling of Proud Boys Girls' merchandise on a website".

The document concludes that membership in the Proud Boys may constitute a violation of the Clark county sheriff's department oath to support and protect the laws of the United States, since Proud Boys "members have been documented as having called for the closure of all prisons, the issuing of firearms to everyone, the legalization of all drugs, the deportation of all illegal immigrants and the shutdown of the government".

Another concern expressed in the document produced by McCabe - which was handed to the sheriff, Chuck E Atkins, so he could make a decision on Willey's future in the department - was the possibility that the deputy's membership in the group would constitute a so-called "Brady violation".

The Brady doctrine requires prosecutors to disclose any potentially exculpatory evidence to defenses in the discovery phase of criminal trials.

Membership in the Proud Boys, the document says, may constitute "evidence that a deputy is biased or has some motive to lie" which could constitute a prosecutorial risk.

According to the report, Willey was placed on administrative leave after the Columbian contacted the sheriff's department on 2 July. She was fired on 17 July, before the report was completed, and just before the Columbian published its story.

The report also states Willey's belief that the photo of her in a Proud Boys sweatshirt was given to the Columbian by her former boyfriend, and "active Proud Boy member", Graham Jorgensen.

Jorgensen has been a regular participant in rallies organized by the Clark county-based Patriot Prayer group, whose events have included Proud Boys, and which have frequently culminated in violence.

Other law enforcement agencies have discovered Proud Boys in their midst and responded in a similar manner. A month after Willey was fired, Brian Green, a patrol deputy in Louisiana, was also let go after social media posts revealed his allegiance to the group.

Willey and Jorgensen could not be reached for comment.

In Clark county, Proud Boys have been integral to the Patriot Prayer movement, which organizes rightwing street marches and rallies in Portland, Seattle, Vancouver and other cities in the Pacific north-west.

Asked about the apparent high level of Proud Boy activity and rightwing organizing in Clark county, McCabe said: "I think both as an agency and me, personally, we worry about that.

"Anybody who has watched the news recently can see that the United States appears divided. Any time you are dealing with groups who are espousing hate, it's certainly a concern for law enforcement," he added.

McCabe pointed to a joint statement by Atkins and the Clark county prosecuting attorney Tony Golik in the wake of reporting on Willey's firing.

In that statement, the men said in part: "We reject hate, bigotry, harassment, violence or the inciting of violence, and all actions intended to harm or intimidate others."

The FBI did not directly address the designation or the briefing in response to specific email questions, but did say that while "the FBI does not and will not police ideology", the agency "regularly assesses intelligence regarding possible threats and works closely to share that information with our federal, state and local law enforcement partners".

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Trump buzzes over supporters gathered along National Mall

BY KAELAN DEESE - 12/12/20 01:17 PM EST

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Trump buzzes over supporters gathered along Na...

President Trump flew over the National Mall on Saturday as supporters gathered below to rally in support of him and to protest the results of the election showing President-elect Joe Biden's win.

The president departed the White House shortly after noon on Saturday en route to the Army-Navy football game at West Point and flew over crowds of his supporters who turned out to demonstrate in Washington, D.C.

Trump had tweeted Saturday morning that he would "be seeing" his supporters, and footage posted to social media showed the presidential helicopter buzzing overhead as pro-Trump marchers took to the streets.

> **Brendan Gutenschwager**
> @BGOnTheScene
>
> President Trump is on the move aboard Marine One, flying above DC to check out the supporters gathering today #MarchForTrump #Trump #MarchFor45 #DC

while discussing Capitol insurrection

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Jeff Mason
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Marine One flew over the National Mall and then appeared to veer back towards the White House, presumably for @realDonaldTrump to get a view of demonstrators supporting his efforts to overturn the election, before heading on to Joint Base Andrews.

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Michael Flynn, Trump's former national security adviser, pointed out the helicopter as he spoke outside the Supreme Court in his first public remarks since Trump pardoned him late last month.

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"That's pretty cool," the retired U.S. Army lieutenant general said, stopping to look overheard as Marine One and two other helicopters circled the National Mall's lawn.

"Imagine being able to jump in a helicopter and go for a joyride around Washington, D.C. I love it. I love the fact that he does that," Flynn added.

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Trump similarly drove his motorcade by supporters who gathered in D.C. last month for the "Million MAGA March" organized to protest Biden's electoral victory.

Demonstrations over the 2020 election results are planned to continue until 4 p.m. on Saturday, with multiple pro-Trump allies slated to speak in support of the president, including conservative radio host Eric Metaxas and Mike Lindell, CEO and founder of MyPillow.

Supporters are turning out one day after the Supreme Court rejected a lawsuit from Texas backed by 17 other states that sought to overturn election results in Michigan, Wisconsin, Pennsylvania and Georgia, all of which went for Biden. The ruling dealt a devastating blow to efforts by Trump and his allies to challenge Biden's win.

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The Washington Post
Democracy Dies in Darkness

Opinion: Trump is a clear and present danger

Opinion by **Jennifer Rubin**

Jan. 12, 2021 at 12:28 p.m. EST

Vice President Pence, a target of those who stormed the Capitol, seems to have made a Faustian bargain with the man who incited sedition, President Trump. Pence is refusing to trigger the 25th Amendment to remove Trump from office despite replete evidence that Trump is incapable of performing his job. In fact, he is incapable of "behaving" himself for 24 hours — let alone for eight more days.

Trump did not merely light the match to fuel the assault on the Capitol. He refused to call for the fire department, watching the fire threaten Congress, the vice president and everyone in the building.

The Post reports that while Trump watched the attempted coup on television at the White House, "a small group of aides — including Ivanka Trump, White House press secretary Kayleigh McEnany and [chief of staff Mark] Meadows — was imploring Trump to speak out against the violence. Meadows's staff had prompted him to go see the president, with one aide telling the chief of staff before he entered the Oval Office, 'They are going to kill people.' " And here is the kicker:

> Press officials had begun discussing a statement from Trump around 2 p.m., when protesters first breached the Capitol, an official familiar with the discussions said. But they were not authorized to speak on behalf of the president and could only take the matter to Chief of Staff Mark Meadows, this person said, adding that "the most infuriating part" of the day was how long it took before Trump finally spoke out.

Aside from the inexcusable refusal of Meadows to step in, what is striking is that the president refused to be diverted from watching television images of the mob he incited. He delayed in trying to protect the Capitol. He then sent two separate and halfhearted messages telling them "to remain peaceful."

Hours after the assault began, he issued a sympathetic message: "This was a fraudulent election, but we can't play into the hands of these people. ... We have to have peace. So go home. We love you. You're very special. You've seen what happens. You see the way others are treated that are so bad and so evil. I know how you feel. But go home, and go home in peace." The message was as much incitement and praise as it was a plea for his supporters to go home. He still was incapable of defending the Capitol.

He still cannot. Pence reportedly talked to Trump on Monday and now appears to be willing to let Trump finish his term. However, Trump is incapable of doing this without further incitement. On his trip to the border Tuesday, he warned Congress not to impeach him: "I think it's causing tremendous anger." What is that but a backhanded way of telling lawmakers that his mob will rise up again if they try to remove him? What's more, he insisted his incendiary

telling lawmakers that his mob will rise up again if they try to remove him. What's more, he insisted his incendiary speech on Jan. 6 was "totally appropriate," an indication that he not only lacks remorse for his behavior but also might be willing to repeat it.

With news reports of more protests being planned in Washington and at state capitols, Trump remains a magnet and a bullhorn, feeding his followers' sense of grievance. Pence and every Republican refusing to immediately remove him will be responsible for what he says and does between now and Jan. 20, and what his mob does in response. They are either placating a wounded animal in the White House, or they are once again too afraid to carry out their duties for fear of raising the ire of Trump's supporters.

House Minority Leader Kevin McCarthy (R-Calif.) and Senate Majority Leader Mitch McConnell (R-Ky.) will have blood on their hands if, as is entirely possible, Trump sets off more violence. One would think they have done enough to injure America by feeding into the Big Lie and, in McCarthy's case, voting to overturn the election results after the mob was pushed back. The GOP already seems comatose; failure to remove a president who remains a clear and present danger to the United States will destroy the party. For once, Republicans should rise to the occasion.

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Aaron Rupar, (@atrupar), Twitter (May 8, 2019, 9:28 PM)

Aaron Rupar, (@atrupar), Twitter (Nov. 29, 2020, 10:30 AM)

Ali Zaslav (@alizaslav), Twitter (Jan. 6, 2021, 11:10 PM)

Ali Zaslav (@alizaslav), Twitter (Jan. 6, 2021, 11:11 PM)

Alyssa Farah (@Alyssafarah), Twitter (Jan. 6, 2021, 2:54 PM)

Anthony Quintano (@AnthonyQuintano), Twitter (Jan. 6, 2021, 6:34 PM)

Borzou Daragahi (@borzoi), Twitter (Nov. 5, 2020, 10:14 AM)

Brendan Gutenschwager (BGOnTheScene), Twitter (Jan. 6, 2021, 3:26 PM)

Bruno Rodriguez P (@BrunoRguezP), Twitter (Jan. 7, 2021, 4:09 PM)

Bryan Bender (@BryanDBender), Twitter (Jan. 28, 2021, 6:31 PM)

Casey (@charlieWork91), Twitter (Jan. 10, 2021, 4:57 PM)

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Cleavon MD (@Cleavon_MD), Twitter (Jan. 10, 2021, 7:38 PM)

CNN Tonight (@CNNTonight), Twitter (Jan. 8, 2021, 11:37 PM)

Cuomo Prime Time (@CuomoPrimeTime), Twitter (Jan. 14, 2021, 9:52 PM)

Dallas (@59dallas), Twitter (Jan. 6, 2021, 6:33 PM)

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Donald J. Trump (@realDonaldTrump), Twitter (May 9, 2020, 3:14 PM)

Donald J. Trump (@realDonaldTrump), Twitter (May 11, 2020, 9:52 AM)

Donald J. Trump (@realDonaldTrump), Twitter (May 24, 2020, 10:08 AM)

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117TH CONGRESS *1st Session* " HOUSE OF REPRESENTATIVES ! REPORT 117–2

PROVIDING FOR CONSIDERATION OF THE RESOLUTION (H. RES. 24) IMPEACHING DONALD JOHN TRUMP, PRESIDENT OF THE UNITED STATES, FOR HIGH CRIMES AND MISDEMEANORS

JANUARY 12, 2021.—Referred to the House Calendar and ordered to be printed

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Mr. MCGOVERN, from the Committee on Rules, submitted the following

REPORT

[To accompany H. Res. 41]

The Committee on Rules, having had under consideration House Resolution 24, by a record vote of 7 to 4, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H. Res. 24, Impeaching Donald John Trump, President of the United States, for high crimes and misdemeanors, under a closed rule. The resolution provides two hours of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designees. The resolution waives all points of order against consideration of H. Res. 24. The resolution provides that until completion of proceedings enabled by the first section of the resolution, (a) the Chair may decline to entertain any intervening motion, resolution, question, or notice; and (b) the Chair may decline to entertain the question of consideration. The resolution provides that upon adoption of H. Res. 24, (a) H. Res. 40 is hereby adopted; and (b) no other resolution incidental to impeachment relating to H. Res. 24 shall be privileged during the remainder of the One Hundred Seventeenth Congress. The resolution provides that H. Res. 8, agreed to January 4, 2021, is amended by striking "January 28' each place that it appears and inserting "February 11".

EXPLANATION OF WAIVERS

Although the rule waives all points of order against consideration of H. Res. 24, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 3

Motion by Mrs. Torres to report the rule. Adopted: 7–4

Majority Members	Vote	Minority Members	Vote
Mr. Hastings		Mr. Cole	Nay
Mrs. Torres	Yea	Mr. Burgess	Nay
Mr. Perlmutter	Yea	Mrs. Lesko	Nay
Mr. Raskin		Mr. Reschenthaler	Nay
Ms. Scanlon	Yea		
Mr. Morelle	Yea		
Mr. DeSaulnier	Yea		
Ms. Ross	Yea		
Mr. McGovern, Chairman	Yea		

ADDENDUM—MATERIALS IN SUPPORT OF H. RES. 24, IMPEACHING DONALD JOHN TRUMP, PRESIDENT OF THE UNITED STATES, FOR HIGH CRIMES AND MISDEMEANORS (REPORT BY THE MAJORITY STAFF OF THE COMMITTEE ON THE JUDICIARY)

MATERIALS IN SUPPORT OF H. RES. 24, IMPEACHING DONALD JOHN TRUMP, PRESIDENT OF THE UNITED STATES, FOR HIGH CRIMES AND MISDEMEANORS

REPORT BY THE MAJORITY STAFF OF THE HOUSE COMMITTEE ON THE JUDICIARY

Prepared for Chairman Jerrold Nadler

UNITED STATES
JANUARY 2021

4

Majority Staff

Amy Rutkin, Chief of Staff
Perry Apelbaum, Staff Director and Chief Counsel
John Doty, Senior Advisor
Aaron Hiller, Deputy Chief Counsel
David Greengrass, Senior Counsel
John Williams, Parliamentarian and Senior Counsel
Shadawn Reddick-Smith, Communications Director
Moh Sharma, Director of Member Services and Outreach & Policy Advisor
Arya Hariharan, Deputy Chief Oversight Counsel
James Park, Chief Counsel of Constitution Subcommittee
Sarah Istel, Counsel
Matthew Morgan, Counsel
Madeline Strasser, Chief Clerk
William S. Emmons, Legislative Aide
Priyanka Mara, Legislative Aide
Anthony Valdez, Legislative Aide
Jessica Presley, Director of Digital Strategy
Kayla Hamedi, Deputy Press Secretary

MATERIALS IN SUPPORT OF H. RES. 24, IMPEACHING DONALD JOHN TRUMP, PRESIDENT OF THE UNITED STATES, FOR HIGH CRIMES AND MISDEMEANORS

HOUSE JUDICIARY COMMITTEE
MAJORITY STAFF REPORT

JANUARY 12, 2021

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INTRODUCTION

The Constitution grants the House of Representatives the "sole Power of Impeachment," not merely as a safeguard for the nation between elections, but also in cases where the removal of the President is urgent and necessary to preserve the security of the constitutional order. The House must invoke this power now to impeach President Trump for inciting an insurrection on January 6, 2021. President Trump engaged in high Crimes and Misdemeanors when he urged his supporters to storm the United States Capitol Building and then failed to stop the ensuing violence. His actions marked the culmination of an extensive and unprecedented effort to overturn the results of the presidential election.

As alleged in the Article of Impeachment and described in this report, President Trump has acted in a manner grossly incompatible with self-governance and the rule of law. His continued hold on the Office of the Presidency, even for only a few more days, represents a clear and present danger to the United States.

President Trump has engaged in a prolonged effort to overturn the results of the 2020 presidential election and maintain his grip on power. He has spent months spreading disinformation about the results—falsely claiming that he "won by a landslide," that the election was being "stolen," and that the reported results are somehow fraudulent. He has stated that it would be illegitimate to accept the results of the election as certified by state officials and upheld by state and federal courts, and he has implied that accepting those results would pose an existential threat to the country, its democracy, and the freedoms of his political supporters. He has directly threatened government officials to "find" lost votes or face criminal penalties, encouraged his own Vice President to unlawfully overturn the election results and, ultimately, incited his supporters to take violent action and prevent the counting of the election results.

President Trump invited his political supporters to Washington, D.C. on January 6, 2021, the day fixed by law for the counting of electoral votes. The crowd that gathered in the Ellipse that morning was large, angry, and widely reported to be preparing for violent action. At that rally, the President delivered an incendiary speech to his supporters. Among other statements, President Trump reiterated false claims that "we won this election, and we won it by a landslide." He stated that "if you don't fight like hell, you're not going to have a country anymore." And then he exhorted his supporters to "walk down Pennsylvania Avenue" to prevent the Congress from confirming the election of "an illegitimate President."

These comments directly incited a violent attack on the Capitol that threatened the safety and lives of the Vice President, the Speaker of the House, and the President pro tempore of the Senate, the first three individuals in the line of succession to the presidency. The rioters attacked law enforcement officers, unleashed chaos and terror among Members and staffers and their families, occupied the Senate Chamber and Speaker Nancy Pelosi's office, ransacked other offices, vandalized government property, and succeeded in interfering with Congress's performance of its

constitutional duty to count the electoral votes. Five people were killed, including a U.S. Capitol police officer, and more than fifty police officers were seriously injured.

It is indisputable that the President encouraged—and that his actions foreseeably resulted in—the terrorist attack that occurred. This alone would constitute grounds for impeachment. There is no place in our government for any officer, much less a President, who incites armed insurrection to overturn the results of our democratic elections.

Even after it became clear that a mob of his supporters had breached the Capitol perimeter and was violently attacking those inside, President Trump failed to take steps to stop the insurrection. While violent insurrectionists occupied parts of the Capitol, President Trump ignored or rejected repeated real-time entreaties from Speaker Nancy Pelosi and Senate Minority Leader Chuck Schumer to appeal to his followers to exit the Capitol. Instead, he continued to encourage his supporters and excoriated the Vice President for not "hav[ing] the courage to do what should have been done." He called at least one Republican Senator, not to check on his safety, but to ask for additional delay to the certification of the election when the Congress reconvened. When he finally issued a public statement addressing the violence hours after it began, President Trump persisted in falsely asserting that "we had an election that was stolen from us," and he told the rioters, "[w]e love you, you're very special." And at the end of the day—when the extent of the insurrection and the damage to our nation was clear—he declared that "[t]hese are the things and events that happen when a sacred landslide election victory is so unceremoniously & viciously stripped away." President Trump concluded: "Remember this day forever!" Most recently, the President publicly denied responsibility for the attack, claiming his words were "totally appropriate."

The threat that manifested in the Capitol on January 6, 2021 is ongoing. The emergency is still with us. Reports suggest that the President's supporters are threatening additional violence in Washington, D.C. and in state capitals across the nation. The Fourteenth Amendment prohibits an officer of the United States who has "engaged in insurrection or rebellion" from "hold[ing] any office . . . under the United States." Yet, despite widespread and bipartisan calls for his immediate resignation, the President has refused to leave office. The Vice President has thus far failed to invoke the Twenty-fifth Amendment to remove the President from office. The House has taken every step short of impeachment to contain the danger. Now it is time to consider this last, grave, necessary step.

Impeachment is not a punishment of prior wrongs, but a protection against future evils. It is true that the President's remaining term is limited—but a President capable of fomenting a violent insurrection in the Capitol is capable of greater dangers still. He must be removed from office as swiftly as the Constitution allows. He must also be disqualified to prevent the recurrence of the extraordinary threat he presents. For these reasons, the House must impeach President Donald J. Trump.

I. Factual Background

The events surrounding the impeachable conduct occurred in plain sight, unfolded in real time, and demonstrate unequivocally that President Trump incited an insurrection that did harm to our national interest. President's Trump conduct on January 6, 2021 was not an isolated event. It spanned months, escalating after it became clear that he lost his bid for re-election, and culminating in the final rallying cry immediately preceding the insurrection that occurred. President Trump continued this course of conduct while the violence was ongoing and has, since that time, shown no remorse.

On the basis of these facts, it is indisputable that President Trump committed "high Crimes and Misdemeanors." The evidentiary record available to date bearing on this conduct is set forth in the Appendix.

A. Conduct Leading Up to January 6, 2021

In the months leading up to January 6, 2021 President Trump engaged in a course of conduct designed to encourage and provoke his supporters to gather in Washington, D.C. and obstruct the process of the electoral votes that would confirm his defeat. That conduct spanned months and included frivolous and harassing lawsuits, direct threats to state and local officials, and false public statements to his supporters, all in an effort to incite his supporters into believing it was their patriotic duty to attack Congress and prevent the peaceful transition of power.

In the aftermath of the 2020 election, President Trump took aggressive steps to overturn its outcome and undermine public confidence in the results. The President and his allies filed sixty-two separate lawsuits across federal and state courts contesting every aspect of the election.[1] Every single lawsuit was dismissed, with the exception of one in Pennsylvania regarding ballot curing, and, even there, the court ruling did not in any way change the outcome of the election results in that state.[2] The President and those associated with him continue to press their increasingly baseless claims long after their factual and legal contentions had been repeatedly dismissed. These frivolous lawsuits were used by President Trump and his allies, not to identify legitimate concerns, but to undermine confidence in the results of the election, spread dangerous disinformation, and stoke false and wild conspiracy theories.

President Trump also asked his own Justice Department and the Federal Bureau of Investigation to investigate allegations of election fraud in an effort to change the outcome. At his direction, Attorney General William P. Barr authorized prosecutors "'to pursue substantial allegations of voting and vote tabulation irregularities prior to the certification of elections in your jurisdictions in certain cases,' particularly where the outcome of an election could be affected."[3]

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[1] William Cummings, et al., *By the numbers: President Donald Trump's failed efforts to overturn the election*, USA Today (Jan. 6, 2021).

[2] *Id.*

[3] Matt Zapotosky & Tom Hamburger, *Federal prosecutors assigned to monitor election malfeasance tell Barr they see no evidence of substantial irregularities*, Wash. Post (Nov. 13, 2020).

That effort, too, failed. On November 13th, 2020, Assistant U.S. Attorneys in fifteen different federal court districts urged the Attorney General to cease investigations into "vote tabulation irregularities," based on a lack of evidence of "any substantial anomalies."[4] These officials further explained that, in the places where they served as district election officers, there was no evidence of the kind of fraud that Attorney General Barr's memo had highlighted and the "policy change was not based in fact."[5] In other words, there was no basis to investigate fraud in the election. Although the Attorney General pursued other investigations into the election results at the President's direction for some time, he ultimately confirmed on December 1, 2020 that "the U.S. Justice Department had uncovered no evidence of widespread voter fraud that could change the outcome of the 2020 election."[6]

Despite the across-the-board failure of the President's attempted lawsuits, and the lack of any meaningful evidence of fraud uncovered after multiple investigations by both DOJ and the FBI, President Trump still continued—without any evidentiary basis—to spread disinformation that he had won the election. This was part of his ongoing attempt to subvert its results, even urging public officials to "find the fraud" and threatening them if they failed to do so.

President Trump was especially fixated on Georgia. After Election Day, the state of Georgia's county canvass results showed that President Trump lost the election in Georgia by approximately 14,000 votes.[7] After an audit, the tally showed that President Trump had lost Georgia by more than 12,000 votes. As permitted by Georgia law, the Trump campaign requested a recount.[8]

Under Georgia law, the Secretary of State was required to certify the results of the election on November 20, 2020, and the governor was then required to promptly certify the appointment of a slate of presidential electors in accordance with the election results. President Trump publicly exhorted both men not to do so. Secretary of State Brad Raffensperger nevertheless proceeded to certify the results on November 20, 2020, and Georgia Governor Brian Kemp duly certified the appointment of a slate of electors that same day.[9] The recount requested by the Trump campaign, which proceeded in parallel, was performed electronically pursuant to state law.[10] After the

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[4] *Id.*

[5] *Id.*

[6] Michael Balsamo, *Disputing Trump, Barr says no widespread election fraud*, AP (Dec. 1, 2020). (Notably, On December 14, moments after counting in the Electoral College confirmed that President-elect Joe Biden had received over the 270 votes needed to secure his presidency, President Trump announced on Twitter that Mr. Barr would be leaving the administration).

[7] Christina A. Cassidy, *EXPLAINER: Is Georgia's upcoming ballot 'audit' a recount?*, AP (Nov. 12, 2020).

[8] *Risk-Limiting Audit Report, Georgia Presidential Contest, November 2020*, Georgia Sec. of State (Nov. 19, 2020) (Available at https://sos.ga.gov/admin/uploads/11.19_.20_Risk_Limiting_Audit_Report_Memo_1.pdf).

[9] Marshall Cohen et al, *Georgia's GOP governor and secretary of state certify Biden win, quashing Trump's longshot attempt to overturn results*, CNN (Nov. 20, 2020).

[10] David Morgan, *Georgia sets timeline for Trump-requested vote recount*, Reuters (Nov. 23, 2020).

recount, the vote count remained materially unchanged; Georgia recertified the election result on December 7, 2020.[11]

The final tally showed that President Trump lost the State of Georgia by 11,779 votes.[12] Georgia's slate of presidential electors then duly cast their votes on December 14, 2020, in accordance with the Electoral Count Act of 1887. During the post-election period, the Trump campaign and supporters of President Trump filed at least seven lawsuits in Georgia courts seeking to overturn the result in Georgia or otherwise challenge the conduct of the election, all of which were dismissed either by the court or voluntarily by the plaintiff.[13]

Throughout this process, President Trump publicly and privately attempted to impede Georgia officials. He disparaged Governor Kemp and Secretary of State Raffensperger for months, at one point calling the latter an "enemy of the people" for refusing to overturn the election.[14] Among other attempts, as reported on December 23, 2020, President Trump called one of Georgia's lead investigators, urging him to "find the fraud" and claiming that the official would be a "national hero" if he did so.[15] In addition, President Trump placed inappropriate pressure on the Office of the U.S. Attorney for the Northern District of Georgia.[16] U.S. Attorney Byung J. Pak abruptly resigned on January 5, 2020. It has since been reported that Mr. Pak was told by White House officials he needed to resign because the President was "furious" that Mr. Pak was not pursuing the President's groundless claims of widespread voter fraud in Georgia.[17]

On January 2, 2021, President Trump called Georgia state officials, including Secretary Raffensperger, in yet another attempt to reverse the outcome in that state. During the call, which was recorded by Mr. Raffensperger's office, President Trump directly urged Mr. Raffensperger to "find" enough votes to overturn the state's results and threatened him with criminal penalties if he failed to do so. Specifically, President Trump stated:

> [The Georgia ballots are totally] illegal — it is more illegal for you than it is for them because, you know, what they did and you're not reporting it. ***That's a criminal, that's a criminal offense. And you can't let that happen. That's a big risk to you and to Ryan, your lawyer.*** And that's a big risk. But they are shredding ballots, in my opinion, based on what I've heard. And they are removing machinery, and they're moving it as fast as they

[11] Richard Fausset & Nick Corasaniti, Georgia Recertifies Election Results, Affirming Biden's Victory, N. Y. Times (Dec. 7, 2020).

[12] Christina A. Cassidy, *EXPLAINER: Is Georgia's upcoming ballot 'audit' a recount?*, AP (Nov. 12, 2020).

[13] Pete Williams & Nicole Via y Rada, *Trump's election fight includes over 50 lawsuits. It's not going well.*, NBC (Nov. 23, 2020).

[14] Richard Fausset, *Georgia Republicans Contort Themselves to Avoid Trump's Fury*, N. Y. Times (Dec. 2, 2020).

[15] Amy Gardner, *'Find the fraud': Trump pressured a Georgia elections investigator in a separate call legal experts say could amount to obstruction*, Wash. Post (Jan. 9, 2021).

[16] Kelly Mena, *Wall Street Journal: White House pressured Georgia federal prosecutor to resign*, CNN (Jan. 9, 2021).

[17] Aruna Viswanatha et al., *White House Forced Georgia U.S. Attorney to Resign*, Wall Street Journal (Jan. 9, 2021).

> can, both of which are criminal finds. And you can't let it happen, and you are letting it happen. You know, I mean, I'm notifying you that you're letting it happen. So look. ***All I want to do is this. I just want to find 11,780 votes,*** which is one more than we have because we won the state.[18]

While waging this pressure campaign against public officials, President Trump also spread inflammatory and inaccurate claims that he won the election on his social media and in his public appearances, all as part of his effort to subvert and obstruct the election outcome. For example, on December 13th, President Trump tweeted false claims that he had won the election "overwhelmingly" and that Democrats had committed "massive" fraud, stating in full:

> The RINOS that run the state voting apparatus have caused us this problem of allowing the Democrats to so blatantly cheat in their attempt to steal the election, ***which we won overwhelmingly.*** How dare they allow this massive and ridiculous Mail-In Voting to occur... [...] ...Tens of millions of haphazardly ballots sent, with some people getting two, three, or four ballots. ***We will never give up!***[19]

These public statements—espousing false theories of election fraud that had already been rejected by his own Justice Department—continued to escalate over the coming weeks. On December 18th, for example, President Trump urged his supporters and Republican Senators to "get tougher," tweeting "[w]e won the Presidential Election, by a lot. FIGHT FOR IT! Don't let them take it away," and adding on December 22nd "[t]he truth is we won the election by a landslide. We won it big."[20] The next week, President Trump falsely tweeted that the "United States had more votes than it had people voting, by a lot. This travesty cannot be allowed to stand. It was a Rigged Election, one not even fit for third world countries!"[21]

President Trump focused specifically on January 6, 2021. His messaging included a specific call to action: "Come to D.C. January 6th to 'StopTheSteal.'" On December 19th, for example, he tweeted: "Statistically impossible to have lost the 2020 Election. Big protest in D.C. on January 6th. ... *Be there, will be wild*!"[22] He maintained this focus in the following weeks, including tweeting on January 1st "The BIG Protest Rally in Washington, D.C. will take place at

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[18] Amy Gardner & Paulina Firozi, *Here's the full transcript and audio of the call between Trump and Raffensperger*, Wash. Post (Jan. 5, 2021) (emphasis added).

[19] Donald J. Trump (@realDonaldTrump), Twitter (Dec. 13, 2020, 5:15 PM) (online and searchable at http://www.trumptwitterarchive.com/archive) (emphasis added).

[20] *Id.* at (Dec. 18, 2020, 9:14 AM) (online and searchable at http://www.trumptwitterarchive.com/archive).; Donald Trump Vlog: *Contesting Election Results - December 22, 2020* (Dec. 22, 2020), Factbase Videos, available at https://www.youtube.com/watch?v=YJ8LfWC1Wks&feature=emb_logo.

[21] Donald J. Trump (@realDonaldTrump), Twitter (Dec. 30, 2020, 2:38 PM) (online and searchable at http://www.trumptwitterarchive.com/archive).

[22] *Id.* at (Dec. 19, 2020, 1:42 AM) (online and searchable at http://www.trumptwitterarchive.com/archive).

11:00 A.M. on January 6th. Locational details to follow. StopTheSteal!"[23]; the President even confirmed his own presence on that date, stating "I will be there! Historic day."[24]

In the days leading up to January 6th, President Trump escalated further, encouraging his supporters not just to show up in D.C., but specifically to obstruct the electoral count and the peaceful transition of power. On January 4th, for example, President Trump told his supporters at a Georgia rally: "Democrats are trying to steal the White House … [y]ou can't let it happen. You can't let it happen," and that "[T]hey're not taking this White House. *We're going to fight like hell*, I'll tell you right now."[25] And the day prior, President Trump further provoked his supporters by tweeting, among other comments, "Washington is being inundated with people who don't want to see an election victory stolen by emboldened Radical Left Democrats. Our Country has had enough, they won't take it anymore![26]

President Trump also began to spread the false claim that Vice President Pence had the unilateral authority to reject the results of the Electoral College, claiming, "If Mike Pence does the right thing we win the election … we become president and you are the happiest people. … Mike Pence is going to have to come through for us and if he doesn't, it's a sad day for our country."[27] To enhance pressure on his Vice President, President Trump repeatedly attacked him publicly and privately as disloyal for failing to take unconstitutional measures to alter the election outcome.[28]

As President Trump ramped up his rhetoric and false claims, his supporters were led to believe that the democratic process posed a threat to the country and required intervention.

B. The January 6, 2021 "Save America Rally"

By January 6th, President Trump had succeeded in creating a tinder box of thousands of supporters, riled up and ready to obstruct the electoral count if Vice President Pence refused to undertake unconstitutional action in his role as Presiding Officer at the Joint Session. In fact, the President tweeted twelve times on the morning of January 6th, continuing to spread false claims

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[23] *Id.* at (Jan. 1, 2021, 2:23 PM) (online and searchable at http://www.trumptwitterarchive.com/archive).

[24] *Id.* at (Jan. 3, 2021, 10:27 AM) (online and searchable at http://www.trumptwitterarchive.com/archive).

[25] *Speech: Donald Trump Holds a Political Rally in Dalton, Georgia - January 4, 2021* (Jan. 4, 2021), Factbase Videos, available at https://www.youtube.com/watch?v=kL_IpqRf8RM;. *see also Speech: Donald Trump Holds a Political Rally in Valdosta, Georgia - December 5, 2020* (Dec. 5, 2020), Factbase Videos, available at https://www.youtube.com/watch?v=hKBZemnS1j4&feature=emb_logo.

[26] Donald J. Trump (@realDonaldTrump), Twitter (Jan. 5, 2021, 5:05 PM) (online and searchable at http://www.trumptwitterarchive.com/archive).

[27] Aaron Glantz, *Read Pence's full letter saying he can't claim 'unilateral authority' to reject electoral votes*, PBS (Jan. 6, 2021).

[28] Donald J. Trump (@realDonaldTrump), Twitter (Jan. 6, 2021, 1:00 AM) (online and searchable at http://www.trumptwitterarchive.com/archive).; *See also Id.* at (Jan. 6, 2021, 8:17 AM).

that the election was "rigged," and encouraging his supporters to "fight" and "be strong."[29] President Trump also urged Vice President Pence to act illegally before the electoral count began, tweeting at 8:17 AM on the morning of January 6, 2021, "States want to correct their votes, which they now know were based on irregularities and fraud, plus corrupt process never received legislative approval. All Mike Pence has to do is send them back to the States, AND WE WIN. Do it Mike, this is a time for extreme courage!"[30]

President Trump had also already scheduled a rally for the day that Congress was assembled to finalize the election results, set up within walking distance of the Capitol, dubbed the "Save America Rally." The title and location of the rally further underscored the President's messaging to his supporters that it was their patriotic duty to stop the electoral count.

The Save America Rally commenced at approximately 9:00 AM.[31] Shortly before the President spoke, his attorney Rudy Giuliani reiterated the President's false claims that the 2020 presidential election was not a "clean election," and ended by urging the crowd to "have trial by combat."[32] The President's son, Donald Trump Jr., also spoke, warning Republican congressmembers who did not support his father that "*we're coming for you*."[33]

At approximately 11:57 AM, the President addressed the crowd for over an hour, concluding at roughly 1:11 PM.[34] The President falsely insisted yet again that Democrats had "stolen" the election, and that his supporters instead should "fight much harder" to "stop the steal" and "take back our country" at the Capitol.[35] Although at one point he suggested that those marching to the Capitol should do so "peacefully," the overall tenor of his speech was menacing—and, as subsequent events showed, was understood by his supporters as such.

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[29] *See, e.g.*, Donald J. Trump (@realDonaldTrump), Twitter (Jan. 6, 2021, 12:08 AM); *Id.* at (Jan. 6, 2021, 12:16:00 AM); *Id.* at (Jan. 6, 2021, 12:16:10 AM); *Id.* at (Jan. 6, 2021, 12:17:43 AM); *Id.* at (Jan. 6, 2021, 12:17:52 AM); *Id.* at (Jan. 6, 2021, 12:43 AM); *Id.* at (Jan. 6, 2021, 12:46 AM); *Id.* at (Jan. 6, 2021, 12:47 AM); *Id.* at (Jan. 6, 2021, 1:00 AM); *Id.* at (Jan. 6, 2021, 8:06 AM); *Id.* at (Jan. 6, 2021, 8:17 AM); *Id.* at (Jan. 6, 2021, 8:22 AM) (online and searchable at http://www.trumptwitterarchive.com/archive).

[30] *Id.* at (Jan. 6, 2021, 8:17 AM) (online and searchable at http://www.trumptwitterarchive.com/archive).

[31] Watch LIVE: Save America March at The Ellipse featuring President @realDonaldTrump, RSBN TV (Jan. 6, 2020) available at https://www.pscp.tv/w/1eaJbnwgERXJX?t=3h32m2s (hereinafter: "Save America March at the Ellipse Live Stream").

[32] Save America March at the Ellipse Live Stream; *see also* Rudy Giuliani Speech Transcript at Trump's Washington, D.C. Rally: Wants 'Trial by Combat, Rev (Jan. 6, 2021) ("If they ran such a clean election, they'd have you come in and look at the paper ballots. Who hides evidence? Criminals hide evidence. Not honest people. Over the next 10 days, we get to see the machines that are crooked, the ballots that are fraudulent, and if we're wrong, we will be made fools of. But if we're right, a lot of them will go to jail. Let's have trial by combat.").

[33] Maggie Haberman, *Trump Told Crowd, "You Will Never Take Back Our Country with Weakness*," N. Y. Times (Jan. 6, 2021).

[34] Domenico Montanaro, *Timeline: How One Of The Darkest Days In American History Unfolded*, NPR (Jan..7, 2021); *see also* Save America March at the Ellipse Live Stream

[35] Maggie Haberman, *Trump Told Crowd, "You Will Never Take Back Our Country with Weakness.* N. Y. Times (Jan. 6, 2021).

The President also continued to insist that Vice President Pence act to overturn the election on his behalf: "All Vice-President Pence has to do is send it back to the States to recertify, and we become president, and you are the happiest people. . . . Mike Pence, I hope you're going to stand up for the good of our Constitution and for the good of our country. And if you're not, I'm going to be very disappointed in you. I will tell you right now. I'm not hearing good stories."[36]

The President even called out specific legislators, warning these elected officials to help in his efforts to overturn the election results or face consequences. Among other comments, he stated: "And we've got to get rid of the weak congresspeople, the ones that aren't any good, the Liz Cheney's of the world, we got to get rid of them."[37] His speech, in full, added additional such warnings, false claims, and encouragement to his supporters to take action, including the following:

> All of us here today do not want to see our election victory ***stolen by [sic] bold and radical left Democrats*** which is what they are doing and stolen by the fake news media. That is what they have done and what they are doing. We will never give up. ***We will never concede.*** It doesn't happen. You don't concede when there's theft involved. ... Our country has had enough. ***We will not take it anymore, and that is what this is all about. ... And to use a favorite term that all of you people really came up with, we will stop the steal.*** ... We will not let them silence your voices. We're not going to let it happen.
>
> But just remember this, you're stronger, you're smarter. You've got more going than anybody and they try and demean everybody having to do with us and you're the real people. You're the people that built this nation. You're not the people that tore down our nation. ... Republicans are constantly fighting like a boxer with his hands tied behind his back. It's like a boxer. And we want to be so nice. We want to be so respectful of everybody, including bad people. We're going to have to fight much harder and Mike Pence is going to have to come through for us. If he doesn't, that will be a sad day for our country because you're sworn to uphold our constitution. Now it is up to Congress to confront this egregious assault on our democracy.
>
> After this, we're going to walk down and I'll be there with you. We're going to walk down. Anyone you want, but I think right here, ***we're going to walk down to the Capitol***--And we're going to cheer on our brave senators and congressmen and women and ***we're probably not going to be cheering so much for some of them. Because you'll never take back our country with weakness. You have to show strength and you have to be strong.***
>
> . . . I said something is wrong here, something is really wrong, can't have happened and we fight, ***we fight like hell, and if you don't fight like hell you're not going to have a country anymore***. ... [W]e are going to try--give our Republicans, the weak ones because the strong ones don't need any of our help, ***we're try--going to try and give them the kind***

[36] Julia Jacobo, *This is what Trump told supporters before many stormed Capitol Hill*, ABC News (Jan. 7, 2021).

[37] *Id.*

of pride and boldness that they need to take back our country. So let's walk down Pennsylvania Avenue.[38]

While President Trump was speaking, Vice President Pence issued a public letter in which he made clear that he would follow the Constitution and the law despite President Trump's urgings to the contrary. "I do not believe," he wrote, "that the Founders of our country intended to invest the vice president with unilateral authority to decide which electoral votes should be counted during the Joint Session of Congress, and no vice president in American history has ever asserted such authority. . . . It is my considered judgment that my oath to support and defend the Constitution constrains me from claiming unilateral authority to determine which electoral votes should be counted and which should not."[39]

As soon as President Trump concluded his speech, thousands of attendees marched down Pennsylvania Avenue toward Capitol Hill—just as President Trump had instructed them.

C. The Attack on the Capitol

On January 6, at 1:00 PM, as the President's rally was drawing to a close, the House and the Senate met in a Joint Session of Congress, with the Vice President presiding, to count the Electoral College's votes for who "shall be the President." as required by the Twelfth Amendment and the Electoral Count Act.[40] By around 2:00 PM, the supporters attending the rally had surged toward the Capitol and were attempting to breach its security barriers, requiring the Capitol Police to issue a number of security orders including one at 2:03 PM ordering an internal relocation of those in the Cannon House Office Building.[41]

At 2:02 PM, less than an hour after the President concluded his speech, reports confirmed that his supporters were attempting to breach the Capitol itself.[42] Within minutes, Members of the House and Senate were told that the Capitol was in lockdown and were alerted to stay away from doors and windows.[43] By 2:07 PM, the mob had breached the steps on the east side of the Capitol

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[38] Julia Jacobo, *This is what Trump told supporters before many stormed Capitol Hill*, ABC News (Jan. 7, 2021) (emphasis added).

[39] Mike Pence (@Mike_Pence), Twitter (Jan. 6, 2021, 1:02 PM).

[40] Domenico Montanaro, *Timeline: How One Of The Darkest Days In American History Unfolded*, NPR (Jan. 7, 2021).

[41] Chris Marquette et al., *Pro-Trump protesters storm Capitol during Electoral College certification, causing lockdown*, Roll Call (Jan. 6, 2021) (At 1:22 PM Capitol Police ordered the evacuation of the Cannon House Office Building and at 1:47 PM the department announced the evacuation was all clear. However, by 2:03 PM Capitol Police issued its relocation order for Cannon House Office Building and by 2:18 PM Capitol Police had issued its lockdown of the Capitol complex); *See also* Zolan Kanno-Youngs et al., *As House Was Breached, a Fear 'We'd Have to Fight' to Get Out*, N. Y. Times (Jan. 6, 2021).

[42] Igor Bobic (@igorbobic), Twitter (Jan. 6, 2021, 2:02PM), https://twitter.com/igorbobic/status/1346895006263631872?s=20.

[43] *Id.* at (Jan. 6, 2021, 2:05 PM), https://twitter.com/igorbobic/status/1346895569277628417.

and, minutes later, were inside the Capitol itself.[44] From that time, the insurrectionists desecrated the Capitol including by, among other acts, ransacking and looting Member offices, stealing and destroying electronics, government property, and sensitive materials, and engaging in violence, which eventually resulted in at least five deaths. The following is a summary of these acts as recounted in criminal complaints, eyewitness experiences, and firsthand photographs and videos of the events.

To enter the Capitol, the insurrectionists overwhelmed Capitol Police, scaled walls, used makeshift ladders, shattered windows, and overran barricades.[45] Although Capitol Police locked the gallery and floor doors and Members and staff barricaded themselves in offices, the mob stormed Member offices, vandalizing and smashing property, overturning furniture, and, in some cases, stealing electronics.[46] The day after the attack, the Justice Department noted that the thefts "could have potential national security equities."[47] The full impact of hundreds of violent rioters with smartphones rampaging unsupervised in the Capitol, with direct access to electronics, computers, and networks, is not yet known.

Insurrectionists also severely damaged the building itself. They left bullet marks in the building walls, looted art, destroyed monuments, including a commemorative display honoring late congressman John Lewis, smeared their feces in several hallways, and fatally injured a Capitol Police officer.[48] Several brandished the Confederate battle flag and extremist paraphernalia.[49]

By approximately 2:45 PM, insurrectionists had breached the House and Senate floors and began posing for photographs, including on the dais where Vice President Mike Pence had been presiding just moments before.[50] Other images showed rioters smoking marijuana in Capitol rooms.[51] The insurrectionists had, among their gear and weaponry, bullet-proof vests, zip ties used for handcuffs, metal knuckles, sticks and poles, knives, and firearms; in total, at least six handguns

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[44] Domenico Montanaro, *Timeline: How One Of The Darkest Days In American History Unfolded*, NPR (Jan. 7, 2021).

[45] Marc Fisher et al., *The four-hour insurrection*, Wash. Post (Jan. 7, 2021).

[46] Jack Brewster & Andrew Solender, *Clyburn's Ipad, Laptop From Pelosi's Office: Items Stolen, Destroyed In Capitol Attack*, Forbes (Jan. 7, 2021); Kel McClanahan, *The MAGA Insurrection in the Capitol Created a Huge New National-Security Threat*, Daily Beast (Jan. 8, 2021); Senator Jeff Merkley (@SenJeffMerkley), Twitter (Jan. 6, 2021 11:36 PM).

[47] Natasha Bertrand, *Justice Department warns of national security fallout from Capitol Hill insurrection*, POLITICO (Jan. 7, 2021).

[48] *See* Chris Sommerfeldt, *Pro-Trump rioters smeared poop in U.S. Capitol hallways during belligerent attack*, NY Daily News (Jan. 7, 2021); Sarah Bahr, *Curators Scour Capitol for Damage to the Building or Its Art*, N. Y. Times (Jan. 7, 2021); Zack Budryk, *Hoyer says rioters destroyed display commemorating John Lewis, The Hill* (Jan. 7, 2021); Chelsea Stahl, *Jan. 7 highlights and analysis of unrest in Washington*, D.C., NBC (Jan. 8, 2021); Lauren Egan, *Capitol reels from damage and destruction left by violent rioters*, NBC (Jan. 7, 2021).

[49] Julia Jacobo, *A visual timeline on how the attack on Capitol Hill unfolded*, ABC News (Jan. 10, 2021).

[50] Igor Bobic (@igorbobic), Twitter (Jan. 6, 2021, 2:47 PM), https://twitter.com/igorbobic/status/1346906369232920576.

[51] Sarah Bahr, *Curators Scour Capitol for Damage to the Building or Its Art*, N. Y. Times (Jan. 7, 2021).

were recovered from subsequent arrests.[52] Videos confirmed that these insurrectionists were openly threatening specific Members of Congress. For example, some of the attackers said, "Tell Pelosi we're coming for that [expletive]."[53]

Members of this mob also made clear that they attacked the Capitol because they believed the President had directed them to. One, individual, Jacob Chansley, who wore a "bearskin headdress" and "carried a spear, approximately 6 feet in length,"[54] later told police that he came as part of a group effort at the request of the President.[55] Another, Derrick Evans, had posted on social media at 12:08 AM on January 6th that he was going to D.C. to "#StopTheSteal," in response to the President's tweet.[56] Similarly, a livestream video from inside the Capitol revealed an insurrectionist explaining, "[o]ur president wants us here. … ***We wait and take orders from our president***."[57]

Outside, the mob erected a gallows, disabled police vehicles, and left threatening messages to Members.[58] Police discovered in a nearby pickup truck—which was later found to belong to one of the President's supporters traveling from Alabama[59]—eleven "mason jars containing an unknown liquid," "cloth rags," and "lighters," which appeared to be "consistent with components for an explosive or incendiary device known as a 'Molotov Cocktail.'"[60] The truck additionally contained a black handgun and an M4 carabine assault rifle with loaded ammunition magazines.[61] The Capitol Police Hazardous Materials Response Team also confirmed two devices that were

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[52] Officer Dallan Haynes Statement of Facts (Jan. 7, 2021) at 2, available at https://www.justice.gov/opa/press-release/file/1351686/download; Officer Christopher Frank Affidavit (Jan. 6, 2021) at 1, available at https://beta.documentcloud.org/documents/20446048-sinclair_affidavit; Officer Alexandria Sims Affidavit (Jan. 7, 2021) at 1, available at https://assets.documentcloud.org/documents/20446053/blair_affidavit.pdf; Special Agent Lawrence Anyaso Affidavit (Jan. 7, 2021) at 1, available at https://www.justice.gov/opa/press-release/file/1351661/download; DC Police Department (@DCPoliceDept), Twitter (Jan. 7, 2021, 1:52 PM), https://twitter.com/DCPoliceDept/status/1347254914993549312.

[53] Matthew S. Schwartz, *As Inauguration Nears, Concern Of More Violence Grows*, NPR (Jan. 9, 2021).

[54] Special Agent James Soltes Affidavit (Jan. 8, 2021) at 1, available at https://www.justice.gov/usao-dc/press-release/file/1351941/download.

[55] *Id.* at 3.

[56] Special Agent David J. Dimarco Affidavit (Jan. 8, 2021) ¶ 13, available at https://www.justice.gov/usao-dc/press-release/file/1351946/download.

[57] Dan Barry et al., *'Our President Wants Us Here': The Mob That Stormed the Capitol*, N. Y. Times (Jan. 9, 2021) (emphasis added).

[58] Azi Paybarah and Brent Lewis, Stunning Images as a Mob Storms the U.S. Capitol, N. Y. Times (Jan. 6, 2021).

[59] Carol Robinson, *Lonnie Coffman, Alabama man arrested at DC riot, had homemade napalm in Mason jars, feds say*, AL (Jan. 8, 2021).

[60] Anyaso Aff. at 1-2.

[61] Anyaso Aff. at 1.

"hazardous and could cause great harm to public safety" near the Capitol, and further reports confirmed a "hooded figure with a pipe bomb."[62]

Over 50 police officers were injured while defending the Capitol. In one instance, President Trump's supporters grabbed a police officer by the helmet and dragged him down the stairs. Others "kicked and punched the officer, and one man even bashed the prone figure repeatedly with a pole flying an American flag."[63] One officer, Brian Sicknick, died the following day from injuries suffered during the attack.[64] As of January 10th, at least 90 had been arrested, with more arrests expected.[65]

In the midst of this violence, the Secret Service evacuated Vice President Pence from the Senate floor, and Capitol Police attempted to evacuate or safely secure Members of Congress and their staff. Members were instructed to remove their identification pins in order to avoid targeted attacks. Gas masks were dispersed, and Members were ordered to shelter in place, instructed to stay under their desks or lie face down on the floor for their protection, or escorted by armed Capitol Police out of the building.[66]

Members have spoken publicly about the harrowing experience.[67] Representative Jamie Raskin asked his chief of staff to "protect [two of his visiting family members] with her life," as she stood guard at the door clutching a fire iron.[68] Representative Jason Crow, said that he had not been in a similar situation since serving in Afghanistan and described the chaos on the House floor: "[T]he police weren't able to get us out so they actually closed and locked the doors and started to take furniture and barricade the doors and the windows with furniture as the mob tried to ram them down and was breaking through the windows."[69] Representative Susan Wild, described hearing gun shots at approximately 3:00 PM and then Capitol Police screaming "Get down! Get down!", as she crawled on her hands and knees through the gallery, witnessing her colleagues making

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[62] *Statement of Steven Sund, Chief of Police, Regarding the Events of January 6, 2021*, United States Capitol Police (Jan. 7, 2021), available at https://www.uscp.gov/media-center/press-releases/statement-steven-sund-chief-police; DC Police Department (@DCPoliceDept), Twitter (Jan. 8, 2021, 10:52 AM), https://twitter.com/DCPoliceDept/status/1347571797429018625.,].

[63] Katie Shepherd, *Video shows Capitol mob dragging police officer down stairs. One rioter beat the officer with a pole flying the U.S. flag*, Wash. Post (Jan. 11, 2021)

[64] *Loss of USCP Officer Brian D. Sicknick*, United States Capitol Police (Jan. 7, 2021). On January 10, the Capitol Police reported the death of a second officer who was present at the insurrection. Per reports, he died by suicide. *See* Allison Klein and Rebecca Tan, *Capitol Police officer who was on duty during the riot has died by suicide, his family says*, Wash. Post (Jan. 11, 2021).

[65] Michael Biesecker, *Records show fervent Trump fans fueled US Capitol takeover*, AP (Jan. 11, 2021).

[66] *See e.g.* Marc Fisher et al., *The four-hour insurrection*, Wash. Post (Jan. 7, 2021); Tasneem Nashrulla, Members Of Congress Described What It Was Like When A Pro-Trump Mob Stormed The Capitol, Buzzfeed (Jan. 6, 2021).

[67] Tasneem Nashrulla, Members Of Congress Described What It Was Like When A Pro-Trump Mob Stormed The Capitol, Buzzfeed (Jan. 6, 2021).

[68] John Hendrickson, *Jamie Raskin Lost His Son. Then He Fled a Mob.*, The Atlantic (Jan. 8, 2021).

[69] *Lawmaker describes moment captured in dramatic photo*, CNN (Jan. 6, 2021), available at https://www.youtube.com/watch?v=cufftGM8040.).

phone calls to loved ones.[70] Representative Dan Kildee described in real-time what was happening, "I am in the House Chambers. We have been instructed to lie down on the floor and put on our gas masks. Chamber security and Capitol Police have their guns drawn as protesters bang on the front door of the chamber."[71]

Other Members also described the confusion and chaos as the siege closed in on the House floor. Representative Pramila Jayapal recounted how "Capitol police with us seemed very confused about who had the key to the doors. They were closed, but we weren't sure if they were locked, and we were yelling, "Lock the doors! Lock the doors!"[72] We heard shots being fired, presumably into the chamber." She noted that took more than an hour and half for Members sitting in the gallery to evacuate: "Before we knew it, everyone on the floor below us had been removed, and … we were still there. And it didn't look like anyone was coming to get us."[73]

Many Members and staff were left traumatized by the experience. Representative Nancy Mace "felt unsafe returning to her hotel. What if rioters, who had just stormed and overtaken the Capitol building, were staying at her hotel? … She'd spent Wednesday huddled in someone's corner office, then stuck in a tunnel, then hunkered in her office with the lights off, her children texting her with worry."[74]

D. President Trump's Response to the Insurrection

Although the insurrection began immediately following the conclusion of his speech, President Trump did not swiftly denounce the violence, or order his supporters to lay down their arms. To the contrary, as he watched the violence unfold on television, President Trump was reportedly "borderline enthusiastic because it meant the certification was being derailed."[75] President Trump's reaction "genuinely freaked people out."[76] Senator Ben Sasse relayed a conversation with senior White House officials that President Trump was "walking around the

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[70] Rose Minutaglio, *Rep. Susan Wild On The 'Sheer Panic' She Felt In That Viral Photo*, Elle (Jan. 7, 2021) ("I need to talk to my kids, I thought to myself, because I may never talk to them again. I FaceTimed my 27-year-old son, Clay, and my 24-year-old daughter, Adrienne, to let them know I was staying as safe as possible and that I would be okay. Clay said, 'We hear gunshots and breaking glass in the background. How can you say you're okay?' Something about that call prompted a panic inside me. My heart began to pound. I felt paralyzed. … The door was still barricaded and it sounded like bullets were ricocheting in the chamber. … Sheer panic.) (emphasis added).

[71] Rep. Dan Killdee (@RepDanKildee), Twitter (Jan. 6, 2021, 2:52 PM) https://twitter.com/RepDanKildee/status/1346907565482004495

[72] Rebecca Traister, 'It Was No Accident' Congresswoman Pramila Jayapal on surviving the siege, The Cut (Jan. 8, 2021).

[73] *Id.* I

[74] Jennifer Berry & Thomas Novelly, Nancy Mace's first 100 hours in Congress: threats, violence and challenging Trump, The Post and Courier (Jan. 7, 2021).

[75] Kaitlan Collins (@kaitlancollins), Twitter (Jan. 6, 2021, 10:34 PM), https://twitter.com/kaitlancollins/status/1347023890959228933.

[76] *Id.*

White House confused about why other people on his team weren't as excited as he was as you had rioters pushing against Capitol Police trying to get into the building."[77] He was "delighted."[78]

And while the Senators were in lockdown, President Trump called Senator Mike Lee—apparently trying to reach Senator Tommy Tuberville instead. The President did so not to check the Senators' well-being or assess the security threats, but instead, like the mob itself, to disrupt the peaceful transition of power.[79] He encouraged Senator Tuberville to object and delay further the counting of electoral votes.[80]

The President's public statements were no better. Rather than defend the Capitol, comfort the American people, or urge his supporters to stand down, at the start of the siege, he retweeted at 1:49 PM a video of the rally, which included his previous statements that: "our country has had enough. We will not take it anymore and that's what this is all about. To use a favorite term that all of you came up with, we will stop the steal. . . You'll never take back our country with weakness. You have to show strength, and you have to be strong."[81]

By 2:20 PM, the nation saw on live television that the armed mob had overrun the Capitol, causing both the House and the Senate to recess prematurely[82] and flee their respective chambers in fear of their lives. Yet, even then, the President continued to affirm the insurrection's mission by attacking Vice President Pence for refusing to obstruct the process, tweeting at 2:24 PM:

> ***Mike Pence didn't have the courage to do what should have been done to protect our Country and our Constitution***, giving States a chance to certify a corrected set of facts, not the fraudulent or inaccurate ones which they were asked to previously certify. USA demands the truth![83]

Later video would emerge of insurrectionists inside the Capitol *chanting "Hang Mike Pence!"*[84]

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[77] Andrew Prokop, *Republican senator: White House aides say Trump was "delighted" as Capitol was stormed*, Vox (Jan. 8, 2021).

[78] *Id.*

[79] Sunlen Serfaty et al., *As riot raged at Capitol, Trump tried to call senators to overturn election*, CNN (Jan. 8, 2021).

[80] *Id.* (Further, later that night, President Trump's lawyer Rudolph Giuliani tried to take advantage of the chaos by following up on President Trump's call. He left a message with Senator Tuberville to continue to object "so that we get ourselves into tomorrow.")

[81] Julia Jacobo, *This is what Trump told supporters before many stormed Capitol Hill*, ABC News (Jan. 7, 2021).

[82] Sonam Sheth, *House and Senate abruptly go into recess after Trump-supporting rioters storm the Capitol building*, Business Insider (Jan. 6, 2021).

[83] Donald J. Trump (@realDonaldTrump), Twitter (Jan. 6, 2021, 2:24 PM) (online and searchable at http://www.trumptwitterarchive.com/archive)

[84] Devlin Barrett et al., *FBI focuses on whether some Capitol rioters intended to harm lawmakers or take hostages*, Wash. Post (Jan.8, 2021).

The insurrectionists also made clear that they intended to harm House Speaker Nancy Pelosi. Some yelled, "Tell Pelosi we're coming for that [expletive]."[85] Others roamed the Capitol halls chanting menacingly, "Where's Nancy? Where's Nancy?"[86]

Around this time, Members of the House and Senate from both parties confirmed that they had privately asked—or were publicly urging—the President to mobilize the National Guard and order his supporters to cease the violence and leave the Capitol.[87] For example, House Minority Leader Kevin McCarthy confirmed that he had "already talked to the President" on the phone and said: "I think we need to make a statement. Make sure that we can calm individuals down."[88] Former New Jersey Governor Chris Christie elaborated, the "[P]resident caused this protest to occur. He's the only one that can make it stop. … [W]hat the president has said is not good enough. The President has to come out and tell his supporters to leave the capitol grounds."[89] Representative Mike Gallagher also tweeted during the Capitol occupation, "Mr. President. You have got to stop this. You are the only person who can call this off."[90] Similarly, Mick Mulvaney, the President's former Acting Chief of Staff, tweeted, "The President's tweet is not enough. He can stop this now and needs to do exactly that. Tell these folks to go home."[91] After reaching out to Ivanka Trump, Senator Graham said the President's aides "were all trying to get him to speak out, to tell everyone to leave."[92] Even the President's Chief of Staff Mark Meadows was prompted to speak to him after aides said, "They are going to kill people."[93]

Not until 4:17 PM—over two hours after the initial breach and well into the siege—did the President release a scripted, pre-recorded video, which included a call for "peace" and "law and order" and finally told his supporters "you have to go home now." That video, though, continued to reiterate his claims of election fraud, stating that the election was "stolen from us." Moreover, the President included a clear message of support and love for these insurrectionists, who were *still* wreaking destruction inside the Capitol building, saying, "we love you, you're very special." President Trump told the insurrectionists:

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[85] Matthew S. Schwartz, *As Inauguration Nears, Concern Of More Violence Grows*, NPR (Jan. 9, 2021).

[86] Karoun Demirjian et al., *Inside the Capitol siege: How barricaded lawmakers and aides sounded urgent pleas for help as police lost control*, Wash. Post (Jan. 10, 2021).

[87] *See e.g.*, Ashley Parker et al., *Six hours of paralysis: Inside Trump's failure to act after a mob stormed the Capitol*, Wash. Post (Jan. 11, 2021).

[88] *Trump doesn't ask backers to disperse after storming Capitol*, PBS (Jan. 6, 2021).

[89] *Chris Christie says Trump should tell protesters to leave Capitol*, ABC NEWS (Jan. 6, 2021) available at https://abcnews.go.com/US/video/chris-christie-trump-protesters-leave-capitol-750938176, 2021.

[90] Editorial, *Mike Gallagher is right: 'Call it off, Mr. President'*, Wisconsin State Journal (Jan. 6, 2021).

[91] Mick Mulvaney (@MickMulvaney), Twitter (Jan. 6, 2021, 3:01 PM), https://twitter.com/MickMulvaney/status/1346909665423196162.

[92] Ashley Parker et al., *Six hours of paralysis: Inside Trump's failure to act after a mob stormed the Capitol*, Wash. Post (Jan. 11, 2021).

[93] *Id.*

> ***I know your pain. I know you're hurt. We had an election that was stolen from us. It was a landslide election and everyone knows it, especially the other side.*** But you have to go home now. We have to have peace. We have to have law and order. ... So go home. ***We love you, you're very special. ... I know how you feel.*** But go home and go home in peace.[94]

Despite the President's belatedly released video, the insurrection continued. In fact, the Capitol building was not secured until 5:34 PM, and Congress did not continue counting electoral votes until 8:00 PM.[95]

By the time the Capitol was secured and counting resumed, four of the insurrectionists have died. One was shot by Capitol Police as she tried to climb through a window in order to gain access to the House chamber, and three succumbed to medical emergencies suffered during the attack.[96] In addition, it was widely reported that many Capitol Police Officers had been injured by insurrectionist attacks, one of whom would die the following day.[97] Yet, at 6:01 PM, in the aftermath of this devastation, President Trump's statement to the public was not a condemnation of the violence. Rather, it was a message that justified his supporters' actions and reiterated his lies about the election. He tweeted: "These are the things and events that happen when a sacred landslide election victory is so unceremoniously & viciously stripped away from great patriots who have been badly & unfairly treated for so long,"[98] ending with: "***Remember this day forever!***"[99]

E. The Events of January 6th Were a Result of and Incited by the President's Course of Conduct

The timeline of events demonstrates that President Trump encouraged and incited the violent and seditious acts that occurred. Moreover, the lawlessness that resulted from President Trump's conduct was entirely foreseeable by the President.

President Trump openly acknowledged, in advance of the insurrection, that his statements had incited huge crowds to descend on D.C. On the eve of the event, President Trump publicly tweeted:

> ***Washington is being inundated with people who don't want to see an election victory stolen by emboldened Radical Left Democrats. Our Country has had enough, they won't***

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[94] Donald J. Trump (@realDonaldTrump), Twitter (Jan. 6, 2021, 4:17 PM), (online and searchable at http://www.trumptwitterarchive.com/archive; *See also* Tony Keith, *Twitter 'locks' President Trump for 12 hours Wednesday evening*, KKTV (Jan. 6, 2021) (emphasis added).

[95] Ted Barrett et al., *US Capitol secured, 4 dead after rioters stormed the halls of Congress to block Biden's win*, CNN (Jan. 7, 2021).

[96] *Id.*

[97] *Loss of USCP Officer Brian D. Sicknick*, United States Capitol Police (Jan. 7, 2021).

[98] Donald J. Trump (@realDonaldTrump), Twitter (Jan. 6, 2021, 6:01 PM), (online and searchable at http://www.trumptwitterarchive.com/archive)

[99] *Id.* (emphasis added).

> ***take it anymore!*** We hear you (and love you) from the Oval Office. MAKE AMERICA GREAT AGAIN… I hope the Democrats, and even more importantly, the weak and ineffective RINO section of the Republican Party, ***are looking at the thousands of people pouring into D.C. They won't stand for a landslide election victory to be stolen.*** @senatemajldr @JohnCornyn @SenJohnThune.[100]

In the days prior to the event, President Trump had likewise acknowledged his awareness of the masses gathered as a result of his prior statements. For example, in response to the President's tweet encouraging his supporters to come to D.C. on January 6th, a supporter confirmed, "[t]he calvary [sic] is coming, Mr. President!", to which President Trump responded directly: "A great honor!"[101] And, in response to reports that crowds were "descending" upon D.C., the President wrote: "we hear you (and love you) from the Oval Office."[102]

Moreover, President Trump had every reason to know that, incited by his statements, the thousands of people pouring into D.C. would engage in *actual* violence. As early as December 1st, elected officials warned President Trump of the consequences of his rhetoric. For example, Gabriel Sterling, an elected official in Georgia, cautioned President Trump regarding his public statements spreading false claims about the election: "Mr. President . . . Stop inspiring people to commit potential acts of violence. Someone's going to get hurt, someone's going to get shot, someone's going to get killed."[103]

In the days leading up to the January 6th rally, it was widely reported that militia groups, the Proud Boys—a group the President told to "stand back and stand by" during a presidential debate—and others Trump supporters had posted pictures with weaponry that they planned to bring to the Rally and use to storm and occupy the Capitol.[104]

For example, a member of the Red-State Secession group on Facebook posted on January 5, 2021: "If you are not prepared to use force to defend civilization, then be prepared to accept

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[100] Donald J. Trump (@realDonaldTrump), Twitter (Jan. 5, 2021, 5:05 PM); Id. at (Jan. 5, 2021, 5:12 PM) (online and searchable at http://www.trumptwitterarchive.com/archive) (emphasis added).

[101] Ed Pilkington, *Incitement: a timeline of Trump's inflammatory rhetoric before the Capitol riot*, The Guardian (Jan. 7, 2021).

[102] Donald J. Trump (@realDonaldTrump), Twitter (Jan. 5, 2021, 5:05 PM), (online and searchable at http://www.trumptwitterarchive.com/archive).

[103] *Gabriel Sterling of Sec of State's Office Blasts Those Threatening Election Workers*, GPB (Dec. 1, 2020), available at https://www.youtube.com/watch?v=jLi-Yo6lucQ.1, 2020); *See also* Amy Gardner and Keith Newell, *'Someone's going to get killed': GOP election official in Georgia blames President Trump for fostering violent threats*, Wash. Post (Dec. 1, 2020); Matthew Brown, *Trump campaign lawyer stirs outrage by saying ex-cyber chief should be 'taken out at dawn and shot'*, USA Today (Dec. 1, 2020).

[104] David Smith et al., *Donald Trump refuses to condemn white supremacists at presidential debate*, The Guardian (Sep. 29, 2020); Craig Timberg & Drew Harwell, *Pro-Trump forums erupt with violent threats ahead of Wednesday's rally against the 2020 election*, Wash. Post (Jan. 5, 2021).

barbarism," to which dozens of people posted comments, including pictures of weaponry that they planned to bring to the President's rally on January 6th.[105]

In another thread on thedonald.win, responding to the President's tweets, discussion included how to most effectively sneak guns into Washington, including one individual writing: "Yes, it's illegal, but *this is war* and we're clearly in a post-legal phase of our society."[106]

One supporter wrote out an exact blueprint for the events that unfolded: "But on Jan 6, remember. . .Capital Building/Halls of Congress is ground zero. Jump the lines. Cross the roadblocks. Push past the robo cops. Don't let them usher/kettle us to any other "symbolic" monument. IMPORTANT. They need to hear our roar inside the chambers before the [expletive] begins."[107] Another wrote: "The capitol is our goal. Everything else is a distraction. Every corrupt member of congress locked in one room and surrounded by real Americans is an opportunity that will never present itself again."[108] Supporters even predicted that the President would not deploy the National Guard, allowing them to ambush the Capitol Police: "[Trump] can order the NAT guard to stand down if needed. unfortunately he has no control over the Capitol Police... but there are only around 2k of them and a lot are useless fat asses or girls."[109]

Whether or not President Trump was aware of these specific posts, it was widely reported and understood within the federal government that the crowd planning to attending the Save America Rally included many individuals who were armed, dangerous, and prepared to carry out violence. Indeed, the day before the rally, several people were even arrested, including on weapons-related charges, for assaulting a police officer and simple assault.[110] One such arrest was the leader of the Proud Boys for destroying a church's "Black Lives Matter" banner at an earlier pro-Trump post-election rally.[111] These arrests and reports prompted D.C. Mayor Muriel Bowser to caution residents to avoid the rally, even mobilizing city police.[112]

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[105] Dan Barry and Sheera Frenkel, *'Be There. Will Be Wild!': Trump All but Circled the Date*, Wash. Post (Jan. 6, 2021).

[106] Craig Timberg & Drew Harwell, *Pro-Trump forums erupt with violent threats ahead of Wednesday's rally against the 2020 election*, Wash. Post (Jan. 5, 2021); *see also* Andrew Beaujon, *MAGA Geniuses Plot Takeover of US Capitol*, Washingtonian (Jan. 5, 2021) ("TheDonald.win's posters have discussed ways they might "occupy" or "storm" the US Capitol to make citizens' arrests of lawmakers who hold old-fashioned views like honoring state-certified election results.").

[107] *Are we allowed access to Capitol Hill offices and chambers on Jan. 6?*, THE DONALD,. (last visited Jan. 10, 2021).

[108] *The capitol is our goal. Everything else is a distraction. Every corrupt member of congress locked in one room and surrounded by real Americans is an opportunity that will never present itself again*, THE DONALD, (last visited Jan. 10, 2021).

[109] *This many patriots would storm the capitol if President Trump orders it on January 6th.*, THE DONALD, (last visited Jan. 10, 2021)

[110] Allan Smith, *D.C. Police make several arrests ahead of major pro-Trump election protests*, NBC (Jan. 6, 2021).

[111] *Judge bans Proud Boys leader from Washington, D.C., after arrest*, NBC (Jan. 5, 2021).

[112] Brandy Zadronzyny & Ben Collins, *Violent threats ripple through far-right internet forums ahead of protest*, NBC (Jan. 5, 2020).

In short, this was no ordinary political event and everyone, including the President and his own administration officials, knew it. The insurrectionists responded directly to specific calls to action by the President, repeated and amplified over weeks and weeks. Indeed, the Associated Press reported that "many of the rioters had taken to social media after the November election to retweet and parrot false claims by Trump that the vote had been stolen in a vast international conspiracy. Several had openly threatened violence against Democrats and Republicans they considered insufficiently loyal to the president."[113]

As the President's former Chief of Staff John Kelly explained on January 7th, "You know, the president knows who he's talking to when he tweets or when he makes statements. He knows who he's talking to. He knows what he wants them to do. And the fact that he said the things, he has been saying the things he has been saying since the election, and encouraging people, no surprise, again, at what happened yesterday."[114] Kelly added that, were he a member of the Cabinet, he would invoke the 25th Amendment to make the Vice President Pence the acting president.[115]

II. The Need for the House to Impeach President Trump

For the reasons stated herein, the President's conduct easily meets the standard for committing an impeachable offense. Further, his prior and ongoing conduct confirm his imminent threat to our security and democracy if he remains in or holds any future office and, therefore, the House must impeach President Trump.

A. Standards for Impeachment

President Trump's unprecedented actions in inciting an insurrectionist assault on the United States Capitol on January 6, 2021, necessitate that the House act swiftly to address this impeachable conduct.

His conduct demonstrates and cautions that, if left in office—or if allowed to hold office in the future—he will be a clear and present danger to the very foundation of our constitutional order and the safety and security of our nation. Under these unprecedented and extraordinary circumstances, the House neither needs nor can it afford to resort to a lengthy impeachment proceeding. To the contrary, it is entirely within the power of the House under the Constitution to act quickly.

On December 15, 2019, the Committee on the Judiciary of the House of Representatives issued a report entitled "Impeachment of Donald J. Trump President of the United States."[116] As

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[113] Michael Biesecker, *Records show fervent Trump fans fueled US Capitol takeover*, AP (Jan. 11, 2021).

[114] *John Kelly says he would vote to invoke 25th Amendment*, CNN (Jan. 6, 2021), available at https://www.youtube.com/watch?v=8UzqChhaTP8.

[115] *Id.*

[116] *See* H. Rept. 116-346. at 28-75.

that report explains, the House's authority to structure an impeachment is rooted in two provisions of Article I of the Constitution. *First*, Article I vests the House with the "sole Power of Impeachment."[117] It imposes no other requirements as to how the House must carry out that responsibility. *Second*, Article I further states that the House is empowered to "determine the Rules of its Proceedings."[118] Taken together, these provisions give the House sole discretion to determine the manner in which it will investigate, deliberate, and vote upon grounds for impeachment.

House precedent confirms that the House may proceed directly to consideration of articles of impeachment on the House floor. As *Jefferson's Manual* notes, "[i]n the House various events have been credited with setting an impeachment in motion," including charges made on the floor, resolutions introduced by Members, or "facts developed and reported by an investigating committee of the House."[119] Indeed, any Member can call up a resolution containing articles of impeachment on the floor as a question of the privileges of the House. The House can dispose of the resolution in several ways including by voting on the resolution directly.

In the past, the House has conducted an inquiry to investigate allegations of impeachable misconduct against the President of the United States before voting directly on whether to adopt articles of impeachment. The unprecedented role President Trump played in inciting an insurrectionist assault on the United States Capitol on January 6, 2021, however, has created extraordinary circumstances that both demand the House act swiftly and obviate the need for the House to conduct a lengthy inquiry into his conduct. The urgency of the situation—as well as the fact that the President's actions occurred in public, and many Members directly witnessed and were victim to the consequences of those actions—obviates the need for additional inquiry.[120]

B. Application of Impeachment Standards to President Trump's Conduct

As the Article of Impeachment sets forth, President Trump's conduct easily satisfies the standards for a high Crime and Misdemeanor.

1. The Article of Impeachment Charges an Impeachable Offense

The Committee on the Judiciary's December 15, 2019 report is incorporated herein by reference[121]

As discussed in the Committee's prior report, under that standard, there can be no doubt that President Trump has committed "high Crimes and Misdemeanors." On January 6, 2021, he

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[117] U.S. CONST. art I, § 2, cl. 5.

[118] U.S. CONST. art. I, § 5, cl. 2.

[119] *Constitution, Jefferson's Manual, Rules of the House of Representatives of the United States*, H. Doc. No. 115-177 § 603 (2019 ed.) (hereinafter "*Jefferson's Manual*").

[120] Committees of Congress are continuing to investigate misconduct relating to President Trump's earlier efforts to interfere with the 2016 election and to consider related legislative reforms.

[121] *See* H. Rept. 116-346; H. Doc. 116-95.

incited a mob to violently besiege the Capitol while the House, Senate, and Vice President met in Joint Session to count the electoral votes. The President's conduct undermined our national security, threatened the integrity of our democratic system, interfered with the peaceful transition of power, and imperiled a coequal branch of government. Further, President Trump's acts of incitement on January 6, 2021 followed his prior efforts to subvert and obstruct the certification of the election results. As noted, those efforts include, but are not limited to, a call in which he urged the Georgia's Secretary of State, to "find" enough votes to overturn the Georgia Presidential election results and threatened state officials if they failed to accede to his demands.

As constitutional commentators from across the ideological spectrum have recognized, this conduct is unquestionably impeachable.[122] A President who incites violence against the Congress and three of the highest-level federal officials—and does so while Congress counts the electoral votes in an election that he lost—imperils the constitutional system. This offense is precisely the sort of conduct warranting impeachment and removal from office.

To the Framers, that conclusion would be self-evident. Their worldview was shaped by a study of classical history, as well as a lived experience of resistance and revolution. From that background emerged an exquisite sensitivity to the paired dangers of the mob and the demagogue, which they associated with "the threat of civil disorder and the early assumption of power by a dictator."[123] Shay's Rebellion in 1786 gave that concern heightened salience at the Constitutional Convention, where the Framers—fearful of unruly mobs—sought to restrain excesses of popular passion.[124] James Madison, in particular, worked hard "to avoid the fate of those 'ancient and modern confederacies,' which he believed had succumbed to rule by demagogues and mobs."[125] Several of the *Federalist Papers* similarly warned against demagogues who would aggrandize themselves, and threaten the young Republic, by stirring popular fury and delusion.[126] The generation that came of age in the eighteenth century was familiar with leaders who incited angry mobs and threatened constitutional stability. They would have immediately recognized President

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[122] *See e.g.* Frank O. Bowman, III, *The Constitutional Case for Impeaching Donald Trump (Again)*, Just Security (Jan. 9, 2021); Dorf on Law (@dorfonlaw), Twitter (Jan. 6, 2021, 3:10 PM); Norman Eisen, The riot happened because the Senate acquitted Trump, Wash Post (Jan. 8, 2021); Noah Feldman, *I Testified at Trump's Last Impeachment. Impeach Him Again*, Bloomberg (Jan. 7, 2021); David Landau and Rosalind Dixon, *The 25th Amendment Can Remove Trump, but We Shouldn't Stop There*, N. Y. Times (Jan. 7, 2021); *Stanford Law's Michael McConnell on the 25th Amendment and Trump*, Stanford Law School (Jan. 7, 2021); Michael Stokes Paulsen, *The Constitutional and Moral Imperative of Immediate Impeachment*, The Bulwark (Jan. 8, 2021); David Priess & Jack Goldsmith, Can Trump Be Stopped?, Lawfare (Jan. 7, 2021); John Podhoretz, *Donald Trump Should Be Impeached and Removed from Office Tomorrow*, Commentary Magazine (Jan. 6, 2021); Melissa De Witte and Sharon Driscoll, *Stanford Scholars React to Capitol Hill Takeover*, Stanford News (Jan. 6, 2021); Ilya Somin, *A Qualified Defense of Impeaching Trump Again*, Reason (Jan. 6, 2021); Cass Sunstein, *Does the 25th Amendment Apply to Trump? Quite Possibly*, Bloomberg (Jan. 7, 2021); Laurence H. Tribe & Joshua Matz, *Yes, Congress should impeach Trump before he leaves office*, The Washington Post (Jan. 8, 2021); Keith E. Whittington, The conservative case for impeaching Trump now, Wash. Post (Jan. 7, 2021); ACLU Again Calls for Impeachment of President Trump, ACLU Press Release (Jan. 10, 2021) (https://www.aclunc.org/news/aclu-again-calls-impeachment-president-trump).

[123] *See* Bernard Bailyn, *The Ideological Origins of the American Revolution* 282 (1967).

[124] *See* Jeffrey Rosen, *American is Living James Madison's Nightmare*, The Atlantic (October 2018).

[125] *Id.*

[126] Alexander Hamilton, *The Federalist Papers: No. 1.*

Trump's conduct on January 6, 2021. And they would not hesitate to declare that a President who incites a mob to charge, breach, and desecrate the Capitol had committed an impeachable offense.

That is particularly true when the President engaged in such conduct while Congress met to count. As the House Judiciary Committee explained in its previous impeachment report, the Framers viewed an attack on democracy—and the integrity of the Electoral College process, in particular—as presenting a paradigm case for impeachment:

> The Framers also anticipated impeachment if a President placed his own interest in retaining power above the national interest in free and fair elections. Several delegates were explicit on this point when the topic arose at the Constitutional Convention. By then, the Framers had created the Electoral College. They were "satisfied with it as a tool for picking presidents but feared that individual electors might be intimidated or corrupted." Impeachment was their answer. William Davie led off the discussion, warning that a President who abused his office might seek to escape accountability by interfering with elections, sparing "no efforts or means whatever to get himself re-elected." Rendering the President "impeachable whilst in office" was thus "an essential security for the good behaviour of the Executive." The Constitution thereby ensured that corrupt Presidents could not avoid justice by subverting elections and remaining in office.
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> George Mason built on Davie's position, directing attention to the Electoral College: "One objection agst. Electors was the danger of their being corrupted by the Candidates; & this furnished a peculiar reason in favor of impeachments whilst in office. Shall the man who has practised corruption & by that means procured his appointment in the first instance, be suffered to escape punishment, by repeating his guilt?" Mason's concern was straightforward. He feared that Presidents would win election by improperly influencing members of the Electoral College (e.g., by offering them bribes). If evidence of such wrongdoing came to light, it would be unthinkable to leave the President in office—especially given that he might seek to avoid punishment by corrupting the next election. In that circumstance, Mason concluded, the President should face impeachment and removal under the Constitution. Notably, Mason was not alone in this view. Speaking just a short while later, Gouverneur Morris emphatically agreed that "*the Executive ought therefore to be impeachable for . . . Corrupting his electors*" . . .
>
> When the President concludes that elections threaten his continued grasp on power, and therefore seeks to corrupt or interfere with them, he denies the very premise of our constitutional system. The American people choose their leaders; a President who wields

> power to destroy opponents or manipulate elections is a President who rejects democracy itself.[127]

Given the Framers' paramount concern for the integrity of the democratic process, and their fear that a President might seek to corrupt the Electoral College, there can be no doubt that President Trump committed "high Crimes and Misdemeanors" in unleashing a violent mob on the Capitol while Congress met to count Electoral College votes. Indeed, this timing was no coincidence: President Trump's acts of incitement on January 6, 2021 were inextricably linked to a broader course of conduct aimed at delegitimizing the election results, obstructing and subverting the electoral process, and sowing discord and confusion in the Nation's democratic system.

Yet another aspect of President Trump's conduct confirms that it ranks as impeachable: the existential threat it posed to the separation of powers. The Framers knew that "[t]he accumulation of all powers, legislative, executive, and judiciary, in the same hands, . . . may justly be pronounced the very definition of tyranny."[128] To protect liberty, they wrote a Constitution that creates a system of checks and balances within the federal government. Some of those rules are expressly enumerated in our founding charter; others are implied from its structure or from traditions of inter-branch relations. As our history makes clear, a President may be subject to impeachment for conduct that usurps and destroys core constitutional prerogatives of Congress or the Judiciary.[129] From that premise, it is obvious that the President commits an impeachable offense if he engages in conduct, such as inciting a violent attack upon the Capitol, that places legislators in mortal peril and forces them to hurriedly evacuate the legislative chamber. The separation of powers cannot function if the President incites violence against the Congress—and if the Congress must proceed in fear of a President who has demonstrated his willingness to endanger its very security.

Of course, it was not only Congress whose security President Trump put at risk on January 6, 2021. His own Vice President was presiding over the Joint Session and was endangered. President Trump's acts of incitement also harmed the national security of the United States—both by virtue of the intelligence risks resulting from a physical intrusion of the Capitol and by virtue of the signal it sent to the Nation's adversaries, foreign and domestic. This, too, supports the conclusion that President Trump's misconduct rises to the level of an impeachable offense: "Impeachment for betrayal of the Nation's interest—and especially for betrayal of national security—was hardly exotic to the Framers."[130]

For all these reasons, the conduct charged in the Article of Impeachment constitutes a "high Crime and Misdemeanor" under the Constitution. "There comes a point at which a president can properly be impeached for his statements"[131]—and that point is indisputably reached when the President incites an assault on the legislature amid the constitutional process for the transfer of power. Both as an abusive exercise of presidential power, and as an instance of gross misconduct

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[127] *See* H. Rept. 116-346 at 52-53.

[128] James Madison, *The Federalist Papers: No. 47*.

[129] *See* H. Rept. 116-346 at 45-46; 145-148.

[130] *Id.* at 49.

[131] Laurence H. Tribe & Joshua Matz, *To End A Presidency: The Power of Impeachment* 8565 (2018).

implicating our system of government committed while occupying the office of presidency, it falls within any reasoned interpretation of "high Crimes and Misdemeanors."

2. President Trump Committed the Charged Impeachable Offense

On January 6, 2021, President Trump committed the impeachable offense of incitement of insurrection by willfully making statements that, in context, encouraged and foreseeably resulted in lawless action at the Capitol. As explained above, he set the stage for the Capitol attack in the months leading up to January 6th, and on that date, he exhorted the mob into a frenzy, aimed it like a loaded gun down Pennsylvania Avenue, and pulled the trigger. His statements and actions surrounding this act of incitement confirm the conduct charged in the article of impeachment.

President Trump expressly and impliedly encouraged his supporters to besiege the Capitol and engage in violent, unlawful conduct. The mob did not come together—united in purpose, mission, and plan—by accident. It did not engage in violence, or breach the Capitol's defenses, without encouragement and provocation from President Trump. To the contrary, since Election Day, President Trump has done everything in his power, including taking steps beyond his lawful authority, to convince his supporters that they are victims of the greatest electoral fraud in history. He has blamed this "fraud" on state officials, state courts, federal courts, the media, Congress, and election administrators. He has convinced many of his supporters, falsely, that they actually voted him back into power and that their votes—indeed, their fundamental rights—have fallen victim to an array of nefarious forces working against them. To that end, he has repeatedly called on his supporters to "step up & FIGHT BACK" to resist "the steal."[132] He has personally threatened election officials, including Georgia Secretary of State Raffensperger, if they do not "find" votes or take steps needed to overturn the popular will.[133] Following his lead, President Trump's supporters have engaged in harassment and violent threats—including calls for a senior official who oversaw the United States election infrastructure to be "taken out at dawn and shot."[134] The president's rhetoric led Gabriel Sterling, an election official in Georgia, to issue a prophetic warning in the aftermath of the election: "Mr. President . . . Stop inspiring people to commit potential acts of violence. Someone's going to get hurt, someone's going to get shot, someone's going to get killed."[135]

Having promoted the false belief that his supporters are victims of a historic fraud—one that threatened not only America, but also their very safety and that of their families—President Trump called them to a "Save America Rally." He planned that rally on the very same day that his

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[132]Borzou Daragahi (@borzoi), Twitter (Nov. 5, 2020, 10:14 AM), https://twitter.com/borzou/status/1324369493901123584?s=20.; *see also Speech: Donald Trump Holds a Political Rally in Dalton, Georgia - January 4, 2021* (Jan. 4, 2021), Factbase Videos, available at https://www.youtube.com/watch?v=kL_IpqRf8RM.

[133] Amy Gardner, *'I just want to find 11,780 votes': In extraordinary hour-long call, Trump pressures Georgia secretary of state to recalculate the vote in his favor*, Wash. Post (Jan. 3, 2021).

[134] Matthew Brown, *Trump campaign lawyer stirs outrage by saying ex-cyber chief should be 'taken out at dawn and shot'*, USA Today (Dec. 1, 2020).

[135] *Gabriel Sterling of Sec of State's Office Blasts Those Threatening Election Workers*, GPB (Dec. 1, 2020), available at https://www.youtube.com/watch?v=jLi-Yo6lucQ.

supporters had been led to believe the Congress was assembled with Vice President Pence to carry out the final and most irreversible step of the conspiracy against them. In advance of the Rally, he told his supporters to prepare for a "Historic" and "wild" day: "Statistically impossible to have lost the 2020 Election. Big protest in D.C. on January 6th. Be there, will be wild!"[136] In response to a supporter claiming that "[t]he calvary [sic] is coming, Mr. President!", President Trump responded, "A great honor!"[137] And he made the target of his ire well-known: the Capitol and the officials meeting therein—including the Vice President, who he criticized publicly and privately as disloyal for failing to take unconstitutional measures to alter the election outcome.[138]

At the January 6th rally, the President's private lawyer, Rudy Giuliani took the stage and called for "trial by combat."[139] The President's son, Donald Trump Jr., warned Republican congressmembers who did not support his father that "we're coming for you."[140] When President Trump took the stage, his own address was riddled with statements calculated to toss a match into the powder keg he had created. He enflamed the crowd by repeating his election grievances. He directed their ire towards Congress, including by calling out specific legislators: "And we got to get rid of the weak congresspeople, the ones that aren't any good, the Liz Cheneys of the world, we got to get rid of them." He told them to "fight like Hell and if you don't fight like Hell, you're not going to have a country anymore." And finally, after riling up the crowd and giving them their marching orders, he aimed them at the Capitol: "After this, we're going to walk down and I'll be there with you. We're going to walk down. We're going to walk down any one you want, but I think right here."[141]

As multiple lawmakers have observed, there can be no doubt that President Trump expressly and impliedly inflamed his supporters, pointed them straight at the Capitol, and encouraged them to take extraordinary, violent measures in response to a supposed evil conspiracy against them unfolding at the Capitol. As Senator Susan Collins explained: "The president does bear responsibility for working up the crowd and inciting this mob."[142] Similarly, Senator Sasse has observed: "I think it's obvious that the president's conduct wasn't merely reckless and destructive. It was a flagrant dereliction of his duty to uphold and defend the Constitution."[143] And

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[136] Dan Barry & Sheera Frenkel, *'Be There. Will Be Wild!': Trump All but Circled the Date*, N. Y. Times (Jan. 6, 2021).

[137] Ed Pilkington, Incitement: a timeline of Trump's inflammatory rhetoric before the Capitol riot, The Guardian (Jan. 7, 2021).

[138] Donald J. Trump Tweet(@realDonaldTrump), Twitter (Jan. 6, 2021, 1/6 1:00AM:00 AM) (online and searchable at http://www.trumptwitterarchive.com/archive); *See also Id.* at (Jan. 6, 2021 8:17 AM.).

[139] Natalie Colarossi, *Bar Association Urged to Disqualify Giuliani Over 'Trial by Combat' Speech Before D.C. Riot*, Newsweek (Jan. 9, 2021).

[140] Maggie Haberman, Trump Told Crowd, *"You Will Never Take Back Our Country with Weakness,"* N. Y. Times (Jan. 6, 2021).

[141] *Speech: Donald Trump Holds a Political Rally on The Ellipse - January 6, 2021*, Factbase Videos (Jan. 6, 2021), available at https://www.youtube.com/watch?v=RTK1lm1jk60&feature=emb_logo.

[142] Steve Mistler, *Susan Collins: Trump 'Does Bear Responsibility' For Insurrection*, Maine Public (Jan. 6, 2021).

[143] Steve Inskeep, *Ben Sasse Rips Trump For Stoking Mob, Calls Josh Hawley's Objection 'Really Dumbass'*, NPR (Jan. 8, 2021).

the President's own former Attorney General echoed, "orchestrating a mob to pressure Congress is inexcusable."[144]

In the days leading up to the Save America Rally, President Trump touted the "thousands of people pouring into D.C." who "won't stand for a landslide election victory being stolen."[145] Supporters of President Trump met across Washington, D.C., joined by his close allies, including General Michael Flynn and Roger Stone, and speakers rallied the crowd with calls of "We're not backing down anymore" and "It is time for war."[146] It was entirely foreseeable in this circumstance that the mob—fired up, some armed and armored, some with public plans for doing so—would engage in violence at the Capitol as an imminent result of President Trump's encouragement and incitement at the rally.

It was also widely reported that militia groups and members had posted pictures with weaponry that they planned to bring to the rally, and had posted numerous times about how to storm and occupy the Capitol.[147] Several people had been arrested, including on weapons-related charges, for assaulting a police officer and simple assault.[148] The leader of the Proud Boys, a group the President previously told to "stand back and stand by"[149] on national television, was arrested for destruction of church property.[150] Recognizing the potential for violence, D.C. Mayor Muriel Bowser asked residents to stay away from the downtown area where the Rally would take place on Tuesday and Wednesday, and mobilized every city police officer.[151]

These events also make clear that President Trump acted willfully. He actively encouraged the mob to besiege the Capitol in defense of his supposed electoral victory. In context, it was readily foreseeable that this would result in violence and lawless action. And it did, in fact, have that result. Given all that, there can be no serious doubt that President Trump intended these reasonably foreseeable results encouraged by his own conduct. He may not have anticipated every detail, but any reasonable person would understand that inflaming a mob containing armed, angry supporters, and then directing them towards the Capitol with the goal of "fighting like Hell" and thwarting a supposed massive electoral conspiracy would result in violence and destruction. Indeed, the contrary inference—that the President accidentally incited the mob to violence, and

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[144] Orion Rummler, *Barr condemns Trump: "Orchestrating a mob to pressure Congress is inexcusable"*, Axios (Jan. 7, 2021).

[145] Donald J. Trump Tweet, (@realDonald Trump), Twitter (Jan. 5, 2021, 5:12 pm) (online and searchable at http://www.thetrumparchivetrumptwitterarchive.com/).

[146] Dan Barry et al., *'Our President Wants Us Here': The Mob That Stormed the Capitol*, N. Y. Times (Jan. 9, 2021).

[147] Craig Timberg & Drew Harwell, Pro-Trump forums erupt with violent threats ahead of Wednesday's rally against the 2020 election, Wash. Post (Jan. 5, 2021)

[148] Allan Smith, D.C. Police make several arrests ahead of major pro-Trump election protests, NBC (Jan. 6, 2021).

[149] *'Proud Boys, stand back and stand by': Trump doesn't condemn white supremacists at debate*, Wash. Post (Sep. 29, 2020).

[150] *Judge bans Proud Boys leader from Washington, D.C., after arrest, NBC (Jan. 5, 2021).*

[151] Brandy Zadronzyny & Ben Collins, *Violent threats ripple through far-right internet forums ahead of protest*, NBC (Jan. 5, 2021).

that he was accordingly shocked and dismayed by the mayhem it caused—is squarely inconsistent with the facts.

That is evident, first and foremost, in how President Trump acted after the Capitol came under attack. While his supporters undertook a hostile occupation and ransacking of the Capitol—and after reports of gunshots and violence in the Capitol had become public on national television[152]—the President made no effort to quell the violence and destruction. Just minutes after the Sergeant at Arms announced that the Capitol had been reclaimed from the mob, and much of the destruction had occurred, he tweeted: "These are the things and events that happen when a sacred landslide election victory is so unceremoniously & viciously stripped away from great patriots who have been badly & unfairly treated for so long."[153] There was no denunciation of what had occurred, no urgent plea that his supporters lay down their arms, no national statement.[154] Instead, as Senator Sasse relayed from a conversation with senior White House officials, President Trump was "walking around the White House confused about why other people on his team weren't as excited as he was as you had rioters pushing against Capitol Police trying to get into the building."[155] He was "delighted."[156] And while the Senators were in lockdown, President Trump called one of them, not to check on his wellbeing or assess security risks, rather to encourage the Senator to object to the Electoral College vote.[157]

The President's statements during the assault similarly confirm his intent. He tweeted multiple times, first to criticize the Vice President for not having "the courage to do what should have been done to protect our Country and our Constitution."[158] Next, still not calling for the mob to leave the Capitol, or for a massive deployment of force to retake the building, he issued two vague calls for his supporters to "stay peaceful" and "remain peaceful" despite overwhelming, public evidence that the mob was actively engaging in violence and destruction inside the Capitol.[159] And finally, well into the siege, he released a video in which he again reiterated his claims of election fraud and said that the election that was "stolen from us." While this video included a weak call for "peace" and "law and order," he also told his supporters—a band of whom

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[152] CBS News (@CBSNews), Twitter (Jan. 6, 2021 3:56 PM), https://twitter.com/CBSNews/status/1346923577245896705; Rep. Elaine Luria (@RepElaineLuria), Twitter (Jan. 6, 2021, 1:46 PM), https://twitter.com/RepElaineLuria/status/1346890833266683904.

[153] *Twitter locks Trump's account after he encouraged his supporters to 'remember this day.'*, N. Y. Times (Jan. 8, 2021).

[154] Michael Levenson, *Today's Rampage at the Capitol, as It Happened*, N. Y. Times (Jan. 6, 2021).

[155] Andrew Prokop, Republican senator: White House aides say Trump was "delighted" as Capitol was stormed, Vox (Jan. 8, 2021).

[156] *Id.*

[157] Sunlen Serfaty et al., *As riot raged at Capitol, Trump tried to call senators to overturn election*, CNN (Jan. 8, 2021).

[158] Donald J. Trump (@realDonaldTrump), Twitter (Jan. 6, 2021, 2:24 PM) (online and searchable at http://www.trumptwitterarchive.com/archive).

[159] Donald J. Trump (@realDonaldTrump), Twitter (Jan. 6, 2021, 2:38 PM); *Id.* at (Jan. 6, 2021, 3:13 PM) (online and searchable at http://www.trumptwitterarchive.com/archive).

were wreaking destruction in the Capitol—that "we love you, you're very special."[160] To date, the President has taken no responsibility and shown no personal regret for his role in what occurred. This is clear evidence that the President acted willfully in inciting the mob.

Both members of the mob and Members of Congress recognized that it was the President who had sent the mob to Congress, they reasonably understood what he was saying,[161] and that it was he alone who could pull them back. A man inside the Capitol was captured on video saying: "Our president wants us here . . . We wait and take orders from our president."[162] Members of Congress, in turn, called on the President to call off his mob. As Representative Mike Gallagher tweeted during the Capitol occupation, "Mr. President. You have got to stop this. You are the only person who can call this off."[163] Similarly, Mick Mulvaney, the President's former Chief of Staff, tweeted, "The President's tweet is not enough. He can stop this now and needs to do exactly that. Tell these folks to go home."[164] But these pleas fell on deaf ears until well into the sacking of the Capitol. That further proves willful conduct.

Many others, including current and former members of President Trump's administration, have recognized that the President intended to incite violence aimed at the Capitol. As now former-Secretary of Education Betsy DeVos told the President, "[t]here is no mistaking the impact your rhetoric had on the situation."[165] Lawmakers similarly recognized the President's intent. As Senator Lisa Murkowski remarked, the President "told his supporters to fight. How are they supposed to take that? It's an order from the president. And so that's what they did. They came up and they fought and people were harmed, and injured and died."[166] Senator Mitt Romney echoed these sentiments: "What happened here today was an insurrection, incited by the President of the United States."[167] So did Senator Sasse: "This violence was the inevitable and ugly outcome of the president's addiction to constantly stoking division."[168] As Representative Liz Cheney noted

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[160] Petras, et al. *Timeline: How a Trump mob stormed the US Capitol, forcing Washington into lockdown*, Yahoo News (Jan. 8, 2021).

[161] Michael Phillips and Jennifer Levitz, *One Trump Fan's Descent Into the U.S. Capitol Mob*, Wall Street Journal (Jan. 10, 2021). ("He said, 'Hey, I need my digital soliders to show up on January 6,' Mr. Sweet says of the President. 'And we all did.'").

[162] Dan Barry, et al., *'Our President Wants Us Here': The Mob That Stormed the Capitol*, N. Y. Times (Jan. 9, 2021); *see also* Amanda Seitz, *Mob at U.S. Capitol encouraged by online conspiracy theories*, AP (Jan. 7, 2021); Amy Brittain, et al., *The Capitol mob: A raging collection of grievances and disillusionment*, Wash. Post (Jan. 10, 2021)

[163] Editorial, *Mike Gallagher is right: 'Call it off, Mr. President'*, Wisconsin State Journal (Jan. 6, 2021).

[164] Mick Mulvaney (@MickMulvaney), Twitter (Jan. 6, 2021, 3:01 PM), https://twitter.com/MickMulvaney/status/1346909665423196162.

[165] Betsy Devos Letter of Resignation (Jan. 7, 2021) available at https://int.nyt.com/data/documenttools/devos-resignation/abedee707cb0984a/full.pdf.

[166] James Brooks, *Alaska Sen. Lisa Murkowski calls on President Trump to resign, questions her future as a Republican*, Anchorage Daily News (Jan. 9, 2021).

[167] *Today's Rampage at the Capitol, as It Happened*, N. Y. Times (Jan. 6, 2021).

[168] Michael Levenson, Steve Inskeep, *Ben Sasse Rips Trump For Stoking Mob, Calls Josh Hawley's Objection 'Really Dumbass'*, NPR (Jan. 8, 2021).

after President Trump told his mob to "get rid of" her: "There's no question the president formed the mob, the president incited the mob, the president addressed the mob. He lit the flame."[169] There is thus overwhelming evidence that President Trump committed the "high Crimes and Misdemeanors" charged in the article of impeachment against him.

3. President Trump's Conduct Harmed Core National Interests

President Trump's impeachable conduct, exacerbated by his further acts and omissions after he incited the crowd to attack the Capitol, grievously injured the national interests of the United States. It threatened democratic self-governance by interfering with the peaceful transition of power, imperiled a coequal branch of government, endangered our national security, and betrayed his oath of office and the trust of the American people.

a. Attack on Democratic Processes and the Peaceful Transition of Power

The insurrection incited by President Trump had a clear goal: attack, menace, obstruct, and ultimately prevent Congress in any way from carrying out its solemn constitutional duty to count the Electoral College vote. In fact, the rioters managed to delay the democratic processes for at least six hours. And, although the Joint Session reconvened and fulfilled its duty that same day, the lasting injury to our nation cannot be overstated.

At the heart of our Constitution is a commitment to popular sovereignty. At the core of that framework is the election of representatives to the United States Congress and the establishment of the Electoral College as the method of selection for the President and Vice President of the United States. The democratically elected Members of the Congress are charged with legislating and carrying important constitutional duties on behalf of the American people.

Under the Twelfth Amendment and the Electoral Count Act of 1887, the Congress is responsible for counting and the Electoral College votes, while the Vice President, as president of the Senate, plays a ministerial role in the proceedings.[170] In this way, the will of the American people is formally implemented, and the legitimacy to exercise the authorities of the national government bestowed on our elected federal officials. Another purpose of this process is to facilitate the orderly and peaceful transfer of power between elected officials.

The course of conduct President Trump pursued leading up to January 6, 2021 directly sought to undermine that very foundation of our Constitution. His conduct, contrary to our democracy, encouraged and foreseeably resulted in violent chaos aimed to subvert and obstruct the peaceful transfer of power. President Trump for weeks promoted not only false allegations of voter fraud, but the fringe constitutional theory that the Vice President is the sole arbiter of the Electoral College vote. The President then used the rage he had incited to encourage a physical assault on our the Capitol, in the very moments that the peaceful transfer of power administered by our elected officials was underway. In sum, the President's conduct in inciting an insurrection

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[169] Justine Coleman, *Liz Cheney blames Trump for riots: 'He lit the flame'*, The Hill (Jan. 6, 2021).

[170] U.S. CONST. amend. XII.; Electoral Count Act of 1887, Pub. L. 49-90, 24 Stat. 373.

against our government, designed to subvert and obstruct the results of our free and fair elections, caused serious harm to our nation's fundamental interest in orderly democratic self-governance.

The Framers included the power of impeachment to thwart exactly such attempts at eroding our nation's commitment to popular sovereignty. As explained in the Judiciary Committee's previous impeachment report from the 116th Congress: ***"[T]he true nature of this threat is its rejection of government by 'We the People,'*** who would 'ordain and establish' the Constitution ... When the President concludes that elections threaten his continued grasp on power, and therefore seeks to corrupt or interfere with them, he denies the very premise of our constitutional system. The American people choose their leaders; ***a President who wields power to destroy opponents or manipulate elections is a President who rejects democracy itself.***" [171]

b. Imperiling a Coordinate Branch

By engaging in this course of conduct President Trump willfully incited violence against the United States Congress, a coequal branch of the United States government, and the Vice President of the United States. Indeed, the violence that ensued jeopardized the safety of nearly the entire Legislative Branch, their staff, the many non-partisan workers employed by Congress, and the law enforcement officers serving to protect the Capitol. The insurrection incited by the President also threatened the safety of the three most senior officials in the presidential line of succession: Vice President Mike Pence, Speaker of the House Nancy Pelosi, and President pro tempore of the Senate Senator Chuck Grassley.

As described in detail in this report, many Members of Congress and their staff were forced to hide under tables or in offices while they awaited evacuation by law enforcement, while others were trapped on the House and Senate floor. Many feared for their lives, as armed attackers banged on the doors, and Capitol Police drew weapons.[172] Indeed, as set forth, at least five deaths occurred as a result of the violent mob's ambush on our government.

In short, the insurrectionists incited by President Trump threatened the lives of everyone who works at the U.S. Capitol, including officials in the presidential line of succession, as well as the continued existence of a functioning Legislative Branch. As Representative Sean Maloney, who was present in the Capitol when the mob violence occurred, cautioned: "[f]or those pretending it's something less than a violent insurrection, please watch and wake up. This is what [President Trump] and his enablers incited. He must be removed and held accountable."[173]

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[171] See H. Rept. 116-346 at 53. (emphasis added).

[172] *See e.g.* Tasneem Nashrulla, Members Of Congress Described What It Was Like When A Pro-Trump Mob Stormed The Capitol, Buzzfeed (Jan. 6, 2021).

[173] Jon Swaine, Dalton Bennett, Joyce Sohyun Lee & Meg Kelly, Video shows fatal shooting of Ashli Babbitt in the Capitol, WashPo (Jan. 8, 2021); Sean Patrick Maloney (@RepSeanMaloney), Twitter (Jan. 8, 2021 2:28 PM), https://twitter.com/repseanmaloney/status/1347626297367941121?s=27.

c. Harm to Our Nation's National Security

President Trump's conduct directly harmed the national security of the United States. In the most immediate sense, the President's incitement of the mob assault on the Capitol may have exposed sensitive materials and locations to the public creating immediate national security risks. In the long term, the insurrection caused lasting damage to the nation's international reputation as a bastion of democratic order, undermining American "soft power" and emboldening our adversaries abroad.

Although there is not yet a complete account of the immediate consequences of the insurrection to our national security, the insurrectionists had access to, and stole, sensitive materials and electronics. As Michael Sherwin, acting United States attorney for the District of Columbia explained, "electronic items, were stolen from senators' offices. Documents, materials, were stolen, and we have to identify what was done, mitigate that, and it could have potential national security equities. If there was damage, we don't know the extent of that yet."[174] Further, insurrectionists posted photos of areas in the Capitol generally off limits to the public, and some even livestreamed the attack on the internet. Both the Senate and the House, in coordination with federal law enforcement officials, will have to conduct an arduous top-to-bottom review to determine what devices have been stolen, whether documents have been taken or copied, and even if listening devices have been left behind by rioters.[175]

In addition to this immediate damage, the insurrection incited by President Trump has likely done incalculable damage to the United States' reputation abroad as an exemplar of democratic self-governance. This event was broadcast live, in real time. Accordingly, it threatens to undermine the U.S.'s moral authority and hamper our ability to persuade other countries to take actions beneficial to U.S. national interests in the future. It will take substantial public diplomacy work by future Presidents to overcome the international damage done to the prestige of the United States. As reported in the news, for America's adversaries, "there was no greater proof of the fallibility of Western democracy than the sight of the U.S. Capitol shrouded in smoke and besieged by a mob whipped up by their unwillingly outgoing president."[176]

Already the insurrection incited by President Trump has been a propaganda boon to many authoritarian regimes. The Supreme Leader Ayatollah Khamenei of Iran said in a live televised speech that "[y]ou are now seeing the situation in the U.S. . . . This is their democracy and human rights, this is their election scandal, these are their values. These values are being mocked by the whole world. Even their friends are laughing at them."[177] The foreign ministry of the People's Republic of China made public statements justifying that government's violent crackdown on

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[174] Brian Fung, *Capitol riots raise urgent concerns about Congress's information security*, CNN (Jan. 8, 2021).

[175] Natasha Bertrand, *Justice Department warns of national security fallout from Capitol Hill insurrection*, POLITICO (Jan. 7, 2021).

[176] Alexander Smith & Saphora Smith, *U.S. foes like China and Iran see opportunity in the chaos of Trump-stoked riot at Capitol*, NBC News, (Jan. 8, 2021).

[177] *Id.*

Hong Kong pro-democracy protestors through comparisons to the rioters that attacked the U.S. Capitol.[178] And the President of Zimbabwe tweeted a call for the U.S. to end economic sanctions against that country's authoritarian regime stating that "President Trump extended painful economic sanctions placed on Zimbabwe, citing concerns about Zimbabwe's democracy" but that the mob attack on the U.S. Capitol "showed that the U.S. has no moral right to punish another nation under the guise of upholding democracy."[179]

d. Betrayal of Oath of Office and of the American People's Trust

President Trump's incitement of the attack on the Capitol served only his interests. The President lost the election and—when he could not convince the courts or other elected officials to override—he engaged in disinformation and demagoguery to incite a mob in a last-ditch effort to retain power.

In other words, President Trump compromised our national security, the foundation of our democratic system, and our nation's elected leaders, all in pursuit of his own personal and political advantage and self-interest. Through this conduct President Trump abdicated his Constitutional oath to faithfully execute our laws and his duty to place our nation's interest, above his own. As President Trump's former National Security Advisor H.R. McMaster characterized it: "It was, in every sense of the phrase, a dereliction of duty."[180] Following the conduct that led to his impeachment in December 2019, President Trump, for all the country and all the world to see, has once again demonstrated that he is unfit for office and will use any official means at his disposal—regardless of the harm caused to our nation—to hold onto political power.

C. The Irrelevance of the Criminal Code and the *Brandenburg* Test

It may well be the case that President Trump's conduct on January 6, 2021—and other actions that he took in seeking to overturn and subvert the certification of the election results—violated the federal criminal code. Ultimately, that is a judgment for prosecutors and courts to make. The only question here is whether President Trump's conduct warrants impeachment. As the House Judiciary Committee has previously explained, "[o]ffenses against the Constitution are different in kind than offenses against the criminal code . . . Impeachment and criminality must therefore be assessed separately."[181] Accordingly, though it may indeed have done so, President

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[178] *Id.*; *What Are Asian Governments Saying About the Storming of the US Capitol?*, The Diplomat (Jan. 8, 2021); Foreign Ministry Spokesperson Hua Chunying's Regular Press Conference on January 7, 2021, Ministry of Foreign Affairs of the People's Republic of China (Jan. 7, 2021)

[179] President of Zimbabwe (@edmnangagwa), Twitter (Jan. 7, 2021, 8:42 AM), https://twitter.com/edmnangagwa/status/1347176848694931457.

[180] H.R. McMaster (@LTGHRMcMaster), Twitter (Jan. 7, 2021, 3:05 PM), https://twitter.com/LTGHRMcMaster/status/1347273185641734144 ("The reasons for yesterday's criminal assault on our Congress and election process are many. But foremost among them is the sad reality that President Trump and other officials have repeatedly compromised our principles in pursuit of partisan advantage and personal gain. Those who engaged in disinformation and demagoguery in pursuit of self-interest abdicated their responsibility to the American people. It was, in every sense of the phrase, a dereliction of duty").

[181] *See* H. Rept. 116-346 at 56.

Trump's conduct need not have violated any federal criminal statutes in order for them to constitute "high Crimes and Misdemeanors" under the Constitution.

Nor is the Supreme Court's decision in *Brandenburg v. Ohio* relevant to the question of impeachment.[182] In *Brandenburg*, the Court clarified that the First Amendment allows the criminal punishment of incitement. It then limited such liability to cases where "advocacy is directed to inciting or producing imminent lawless action and is likely to incite or produce such action."[183]

To apply *Brandenburg* here—and to insist that President Trump cannot be impeached unless the *Brandenburg* test is met—would be to commit two fatal category errors.[184]

The first error involves a misstatement of First Amendment law. The Free Speech Clause guarantees that private citizens can engage in certain forms of expression without government regulation or prohibition. But it applies very differently to speech by government officials and public employees. By virtue of his high office, President Trump is no ordinary citizen. He occupies a position of public trust and directs the operations of the Executive Branch. As a high-level public official, the President is subject to different rules than private citizens and can be held accountable for his expression (including all expression relating to his office) in ways that they cannot be. That is a basic and well-established precept of First Amendment law. In fact, as Professor Ilya Somin observed, "Donald Trump himself has fired numerous cabinet officials and other subordinates because they expressed views he didn't like."[185]

The second and more fundamental error involves a misunderstanding of the Impeachment Clause. For many of the same reasons that impeachment does not necessarily turn on criminality, it is not governed by a standard that defines when a person can be held responsible civilly or criminally for their speech. Impeachment is about preserving the Nation from a threat to the constitutional order, not imposing punishment. Nowhere did the Framers suggest that a President must be allowed to remain in office if his abuses involved speech that would otherwise be shielded from criminal regulation by the First Amendment. This would be a strange and irrational limitation: Presidents would be free to openly advocate the overthrow of the United States government, or the adoption of fascism, and Congress would be powerless to remove them on that basis. Moreover, given that many prior impeachable offenses have involved at least some conduct that might rank as protected speech, applying a rigid First Amendment rule in this field would risk obfuscating Presidential conduct—whether involving speech or not—that menaces the American democratic system.[186]

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[182] 395 U.S. 444 (1969).

[183] *Id.* at 447.

[184] Constitutional scholars have recently elaborated on these category errors. *See, e.g.*, Jonathan H. Adler, *Yes, Congress May Impeach and Remove President Trump for Inciting Lawless Behavior at the Capitol*, The Volokh Conspiracy (January 8, 2021); Ilya Somin, *The First Amendment Doesn't Protect Trump Against Impeachment for his Role in Inciting the Assault on the Capitol*, The Volokh Conspiracy (January 8, 2021).

[185] *See id.*

[186] H. Mis. Doc. No. 42, 40th Cong. (1868); H.Res.755, 116th Cong. (2019).

Simply put, President Trump has no free speech defense. President Trump is not a private citizen, free to say whatever he wants without accepting the consequences or recognizing the effects it might have on our system of government. As the head of the Executive Branch, his words can shake the nation—and so he is held to a higher standard than private citizens. Moreover, when it comes to the impeachment power, the question is not whether the President was free to say what he said. It is whether he has engaged in conduct that threatens the constitutional order. President Nixon engaged in speech when he ordered the cover-up of his crimes. President Trump engaged in speech when he sought to extort President Zelensky of Ukraine. Federal judges have engaged in speech when they abused their position. Yet neither the House nor the Senate have ever suggested that just because an impeachable offense involved speech, it cannot support impeachment unless some First Amendment standard is met.

Accordingly, the judgment for Congress to make is not whether President Trump had a free speech right to say what he said on January 6, 2021. It is whether that conduct qualified as a high Crime and Misdemeanor under the applicable constitutional standard. For the reasons set forth above, there can be no doubt that it did: inciting a mob to assault the Capitol while Congress meets in Joint Session to count the electoral votes in the presidential election results is plainly an impeachable offense.

III. The Need for Immediate Consideration of Impeachment

President Trump's behavior requires immediate congressional action.

First, President Trump poses an imminent threat to the safety and security of the United States. His continued presence in office is a clear and present danger to the United States. He has interfered with the peaceful transition of power and his actions show that he will continue to do so unless removed. He incited a mob to violence in order to try to overturn an election he lost and to disrupt the Joint Session of Congress that would confirm the result. President Trump not only failed to stop his supporters from invading the Capitol, he encouraged and supported their efforts. As Congress came under threat, his responsibility was to turn the mob away. But did not instruct supporters to call off their attack. Instead, as a sworn federal law officer lay injured and dying, and government officials raced to protect themselves from the armed mob, President Trump continued his attacks on Vice President Pence for failing to overturn the election results, spread false claims that he had won the election, called Members of Congress to lobby them to continue to object to the counting of electors in States won by President-elect Biden, and reassured the insurrectionists that they were "loved."

Since then, instead of expressing remorse about his conduct, he continues to deny responsibility for the consequences of his actions, justifying the mob's behavior through his false claims of election fraud. Recent events may well have emboldened President Trump's supporters to continue their efforts to disrupt the transfer of power before or on January 20, 2021. The risk that President Trump will once again support this disruption to the peril of our security and democracy is too great to leave him in office for the remaining days of his term.

Second, it is equally important that Congress send a clear message and establish a precedent that the President's conduct subjects him to impeachment and removal from office. That message

may not be well received by President Trump and his supporters, but Congress has an obligation to warn future presidents that conduct of this nature is incompatible with the Office of the Presidency. This message must be sent even on the President's last day in office. There is no merit to the startling and dangerous idea that a president may engage in high Crimes and Misdemeanors in their final weeks in office and escape the operation of the Impeachment Clause. President Trump incited an insurrection to try to break the Constitutional order, overturn an election, and prevent the ratification of a new President elected by the people in a free and fair election. In these circumstances, he has left the House of Representatives no choice.

A. Imminent Threat to the United States

President Trump's impeachable offense of incitement—as well as his conduct leading up to and his subsequent acts and omissions during the mob's unlawful entry into the Capitol—demonstrate why he cannot be permitted to remain in office. President Trump failed to defend the Capitol. His conduct on January 6th and afterwards gives no reason to hope that he will adequately oversee the necessary preparations and security for the inauguration of President-elect Biden on January 20, 2021, and instead suggests the opposite. Moreover, his actions on January 6th are consistent with a long pattern of behavior where President Trump has tried to stir up lawless extremism, overturn the results of the election, and obstruct the lawful certification of electors.

1. President Trump Failed to Protect the Capitol, the Vice President, and Members of Congress During the Joint Session of Congress

Although President Trump did not literally march to the Capitol with his supporters after his speech on January 6th as he said he would, his instructions and intentions guided the crowd that day as surely as if he were at the head of the mob he orchestrated. His supporters thought they were doing President Trump's bidding by seeking to disrupt the Joint Session of Congress that would declare that President-elect Biden won the election. In fact, they directly said so on social media, in live videos, and when interviewed by the police following arrests.

As President Trump's supporters attacked the Capitol, the President did nothing. At 1:00 PM on January 6th, as required by the 12th Amendment and the Electoral Count Act, Congress met in Joint Session to count the electoral votes.[187] By 1:22 PM, Capitol Police had already begun issuing emergency evacuation orders.[188] The crowd that had gathered to watch President Trump's speech walked to the Capitol, and had begun to breach the security barriers surrounding the

[187] Domenico Montanaro, *Timeline: How One Of The Darkest Days In American History Unfolded*, NPR (Jan. 7, 2021)

[188] Chris Marquette et al., *Pro-Trump protesters storm Capitol during Electoral College certification, causing lockdown*, Roll Call (Jan. 6, 2021) (At 1:22 PM Capitol Police ordered the evacuation of the Cannon House Office Building and at 1:47 PM the department announced the evacuation was all clear. However, by 2:03 PM Capitol Police issued its relocation order for Cannon House Office Building and by 2:18 PM Capitol Police had issued its lockdown of the Capitol complex)

Capitol. President Trump watched the mob of his supporters attack the Capitol on television as they occurred.[189]

Instead of acting to stop the riot, however, President Trump continued to criticize those officials he viewed as not sufficiently supportive. He disparaged Vice President Pence, who refused to overturn the election, rightly recognizing that he did not have the authority to do so under the Constitution.[190] At 1:49 PM—while the Capitol was under siege—President Trump tweeted a video of the rally.[191] In the speech that he retweeted, he told the same crowd that was now storming the Capitol that "our country has had enough. We will not take it anymore and that's what this is all about. And to use a favorite term that all of you people really came up with, we will stop the steal. . . . you'll never take back our country with weakness. You have to show strength, and you have to be strong."[192] In other words, just as his supporters were beginning to act, President Trump tweeted the very speech encouraging them to "be strong" and repeating the debunked lies about the election.

By 2:20 PM, the entire country saw on live television that the mob had caused both the House and the Senate to adjourn.[193] Yet at 2:24 p.m., President Trump tweeted his anger about Vice President Pence: "Mike Pence didn't have the courage to do what should have been done to protect our Country and our Constitution, giving States a chance to certify a corrected set of facts, not the fraudulent or inaccurate ones which they were asked to previously certify. USA demands the truth!"[194] These statements occurred while the Capitol was under siege, insurrectionists roamed its halls, and Members of Congress huddled to protect themselves from the intruders.

President Trump—watching the violence unfold on television and his mob of supporters disrupt the proceedings—was "borderline enthusiastic because it meant the certification was being derailed."[195] His reaction "genuinely freaked people out"[196] and he "repeatedly refused requests to get him to say something clearly rejecting the violence."[197] Although he tweeted twice in the mid-afternoon asking the crowd to be "peaceful," these statements were not sufficient and were overshadowed by his other words. He told them to "stay" peaceful although he could clearly see

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[189] Maggie Haberman, *Trump Told Crowd, "You Will Never Take Back Our Country with Weakness.* N. Y. Times (Jan. 6, 2021).

[190] *Id.*

[191] Donald J. Trump (@realDonaldTrump), Twitter (Jan. 6, 2021, 1:49 PM) (online and searchable at http://www.trumptwitterarchive.com/archive).

[192] Julia Jacobo, *This is what Trump told supporters before many stormed Capitol Hill*, ABC News (Jan. 7, 2021).

[193] Shelly Tan et al., *How one of America's ugliest days unraveled inside and outside the Capitol*, Wash. Post (Jan. 9, 2021).

[194] Donald J. Trump (@realDonaldTrump), Twitter (Jan. 6, 2021, 2:24 PM) (online and searchable at http://www.trumptwitterarchive.com/archive).

[195] Kaitlan Collins (@kaitlancollins), Twitter (Jan. 6, 2021, 10:34 PM), https://twitter.com/kaitlancollins/status/1347023890959228933.

[196] *Id.*

[197] Maggie Haberman (@maggieNYT), Twitter (Jan. 6, 2021, 11:19 PM), https://twitter.com/mknz/status/1347036422360813571.

they were anything but peaceful. Indeed, in a video issued at 4:17 PM, President Trump opened by telling the mob, "I know your pain. I know you're hurt. We had an election that was stolen from us," and then told them, "We love you, you're very special."[198] And at 6:01 PM, President Trump appeared to justify and celebrate the day's events: "These are the things and events that happen when a sacred landslide election victory is so unceremoniously & viciously stripped away from great patriots who have been badly & unfairly treated for so long."[199] He concluded, "***Remember this day forever!***"[200]

During the attack, Vice President Pence, Members of Congress, and staff were sheltering in secure locations. Spurred by the false claims of fraud, some of the attackers said, "Tell Pelosi we're coming for that [expletive]," and "Hang Mike Pence."[201] Some attackers carried zip ties intended to be used as handcuffs.[202] A noose was hung outside the Capitol.[203] Multiple members of the Capitol Police were severely injured or killed.[204]

President Trump, however, was not focused on the security or well-being of those under siege. Instead, he was continuing to try to overturn the election and calling Senators to object to Biden electors. Immediately after the Senators had been evacuated from the Senate floor, President Trump called Senator Mike Lee—apparently trying to reach Senator Tommy Tuberville.[205] Senator Lee handed his phone to Senator Tuberville and the President asked him to make more objections to the Electoral College vote.[206] And later that night, President Trump's lawyer Rudy Giuliani tried to take advantage of the chaos by following up on President Trump's call. He left a message with Senator Tuberville to continue to object "so that we get ourselves into tomorrow."[207] In short, President Trump's focus during and after the attack that day was not on trying to protect the safety or security of the Capitol. Instead, he was trying illegitimately to derail the Joint Session that would officially count the Electoral College votes confirming President-elect Biden's victory.

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[198] Petras et al., *Timeline: How a Trump mob stormed the US Capitol, forcing Washington into lockdown*, Yahoo News (Jan. 8, 2021).

[199] Donald J. Trump (@realDonaldTrump), Twitter (Jan. 6, 2021, 6:01 PM) (online and searchable at http://www.trumptwitterarchive.com/archive).

[200] *Id.* (emphasis added).

[201] Matthew S. Schwartz, *As Inauguration Nears, Concern Of More Violence Grows*, NPR (Jan. 9, 2021).

[202] Devlin Barrett et al., *FBI focuses on whether some Capitol rioters intended to harm lawmakers or take hostages*, Wash. Post (Jan.8, 2021).

[203] Rebecca Shabad, *Noose appears near Capitol; protesters seen carrying Confederate flags*, NBC News (Jan. 6, 2021).

[204] Peter Hermann & Julia Zauzmer, *Beaten, sprayed with mace and hit with stun guns: police describe injuries to dozens of officers during assault on U.S. Capitol*, Wash. Post (Jan. 11, 2021); Evan Hill et al., 'They Got a Officer!': How a Mob Dragged and Beat Police at the Capitol (N. Y. Times Jan. 11, 2021); *Loss of USCP Officer Brian D. Sicknick*, United States Capitol Police Press Release (Jan. 7, 2021).

[205] Sunlen Serfaty et al., *As riot raged at Capitol, Trump tried to call senators to overturn election*, CNN (Jan. 8, 2021).

[206] *Id.*

[207] *Id.*

Finally, the threat of violence has not subsided. Some of President Trump's supporters have said they will return to Washington, D.C. prior to the Inauguration to foment violence: "Many of Us will return on January 19, 2021, carrying Our weapons, in support of Our nation's resolve, to which [sic] the world will never forget!!!"[208] Other reports suggest a proposed second attack on January 17th, along with attacks on state capitols.[209] Federal law enforcement has warned that armed protests are being planned in state capitols in the days leading up to and on Inauguration Day, with groups planning to "storm" government offices.[210] Additionally, Capitol Police have been reported to have briefed lawmakers of three more potential protests at the Capitol in coming days, including one which would involve "insurrectionists forming a perimeter around the Capitol, the White House and the Supreme Court, and then blocking Democrats from entering the Capitol — perhaps even killing them — so that Republicans could take control of the government."[211]

President Trump has demonstrated that he is unfit to lead and is a danger to the Nation. Instead of trying to stop these attacks, he incited them. Instead of defending the Capitol, he encouraged the breach of its barricades. Instead of condemning the insurrectionists, he praised them. Accordingly, our country can take no chances in the remaining days of President Trump's Presidency.

2. President Trump Has Demonstrated No Remorse Since January 6th

Since the attack on the Capitol, the President has shown no remorse for his role in inciting the violence. President Trump has failed to make any public statement that unambiguously condemns the actions of his supporters in attacking the Capitol—and he has utterly refused to acknowledge his own role in fomenting the insurrection. Instead, insisting to reporters that his speech prior to the insurrection was "totally appropriate."[212]

Far from it. President Trump's statements since the events of January 6th have only fanned the flames. That night, after law enforcement had succeeded in clearing many of the attackers, the President excused and even *celebrated* their criminal actions, declaring them "great patriots" who had "been badly & unfairly treated for so long," and urging them to "Remember this day forever!"[213] Because this incendiary statement violated Twitter's standards, the President's tweet was first flagged and later removed by Twitter, and the President was initially suspended from

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[208] Matthew S. Schwartz, *As Inauguration Nears, Concern Of More Violence Grows*, NPR (Jan. 9, 2021).

[209] Devlin Barrett et al., FBI focuses on whether some Capitol rioters intended to harm lawmakers or take hostages, Wash. Post (Jan.8, 2021).

[210] Aaron Katersky & Celia Darrough, *Armed protests being planned at all 50 state capitols, FBI bulletin says*, ABC News (Jan. 11, 2021).

[211] Matt Fuller, House Democrats Briefed On 3 Terrifying Plots To Overthrow Government, Huff Post (Jan. 12, 2021).

[212] Kevin Liptak & Betsy Klein, *Defiant Trump denounces violence but takes no responsibility for inciting deadly riot*, CNN (Jan. 12, 2021).

[213] Donald J. Trump (@realDonaldTrump), Twitter (Jan. 6, 2021, 6:01 PM) (online and searchable at http://www.trumptwitterarchive.com/archive).

using his Twitter account for 12 hours,[214] "due to the risk of further incitement of violence."[215] Similarly, YouTube, Instagram, and Facebook, within 24 hours, removed from their platforms a similarly inflammatory video the President had released earlier that day. Facebook justified its removal of the video because of its conclusion that the President's words on balance "contribute[d] to rather than diminishe[d] the risk of ongoing violence"[216]

On January 7, despite pleas from advisers and allies to address the horrified nation, President Trump remained publicly silent throughout the day—failing to take responsibility for his actions or to take any step to salve the wounds suffered by the nation and government that he had sworn an oath to serve.[217] That evening, the President finally addressed the nation in a prerecorded, scripted video. Although the President's recorded remarks belatedly acknowledged that "demonstrators who infiltrated the Capitol" had "defiled the seat of American democracy," he failed to rebuke his supporters for attacking the halls of Congress in his name.[218] Most importantly, the President expressed no remorse for—and did not even acknowledge—his own central role in inciting the attackers to desecrate the seat of American government and endanger the lives of thousands of men and women, including Capitol Police and other law enforcement, Members of Congress, Capitol and congressional staff, and many others working in service of the American government on January 6, 2021.[219]

In the ensuing days, the President's absence of remorse became even more stark. Instead of working to repair the damage he had caused, he added yet more fuel to the anti-democratic fire his past conduct had ignited. On January 8th, the President tweeted: "The 75,000,000 great American Patriots who voted for me, AMERICA FIRST, and MAKE AMERICA GREAT AGAIN, will have a GIANT VOICE long into the future. They will not be disrespected or treated unfairly in any way, shape or form!!!"[220] That same day, the President announced by tweet that he would "not be going to the Inauguration on January 20th" to observe the sacred American tradition of the peaceful transfer of power from one President to the next.[221]

Later that day, the President used the White House's official @POTUS account to tweet yet more inflammatory material, falsely asserting that "Twitter employees have coordinated with

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[214] Mike Snider, *President Trump deletes tweets after Twitter, Facebook and Instagram lock down accounts for 'violations'*, USA Today (Jan. 6, 2021).

[215] Twitter Safety (@TwitterSafety), Twitter (Jan. 8, 2021, 6:21PM), https://twitter.com/TwitterSafety/status/1347684877634838528.

[216] *Our Response to the Violence in Washington*, Facebook (Jan. 6, 2021).

[217] *See* Philip Rucker et al, *After inciting mob attack, Trump retreats in rage. Then, grudgingly, he admits his loss*, Wash. Post (Jan. 7, 2021).

[218] Donald J. Trump (@realDonaldTrump), Twitter (Jan. 7, 2021, 7:10 PM) (online and searchable at http://www.trumptwitterarchive.com/archive).

[219] To the contrary, the President told yet more lies, falsely stating that he had "immediately deployed the National Guard and federal law enforcement to secure the building and expel the intruders"—when in fact President Trump took *no action* to protect the Capitol or those inside it.

[220] Donald J. Trump (@realDonaldTrump), Twitter, (Jan. 8, 2021, 9:46 AM) (online and searchable at http://www.trumptwitterarchive.com/archive)

[221] *Id.* at (Jan. 8, 2021, 10:44 AM).

the Democrats and the Radical Left in removing my account from their platform, to silence me—and YOU, the 75,000,000 great . . . patriots who voted for me" and threatening: "We will not be SILENCED!"[222] To this day, the President refuses to acknowledge or express any hint of personal remorse for his role in the January 6th insurrection, instead publicly claiming no responsibility[223].

In stark contrast to the President, Republican Members of Congress and those in the Administration have widely recognized and expressed horror at the attack on the Capitol and the President's role in inciting it. Immediately upon returning to their respective chambers after the attackers had been forcibly removed, members of the President's own party in the House and Senate recognized that "what happened here today was an insurrection, incited by the President of the United States."[224] In public statements on the floor of Congress and elsewhere, the President's fellow Republicans made clear: "There's no question the president formed the mob. The President incited the mob. The President addressed the mob. He lit the flame."[225] They declared that the attack on the Capitol was "the inevitable and ugly outcome of the President's addiction to constantly stoking division," and the President's conduct "was a flagrant dereliction of his duty to uphold and defend the Constitution."[226]

Beginning the next day, a series of members of the President's Administration resigned in protest of his role in the attack. Secretary of Education DeVos resigned her Cabinet post due to the "unconscionable" attack, and observed in her resignation letter to President Trump: "There is no mistaking the impact your rhetoric had on the situation."[227] Secretary of Transportation Elaine Chao likewise resigned from the Cabinet,[228] and Special Envoy Mulvaney, previously President Trump's Acting Chief of Staff, resigned as well, declaring "I can't do it. I can't stay."[229] Numerous

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[222] *Id; See also Salvador Rodriguez, Trump tweets from POTUS handle account, says looking 'at the possibilities of building out our own platform', CNBC (Jan. 8, 2021).*

[223] Kevin Liptak & Betsy Klein, *Defiant Trump denounces violence but takes no responsibility for inciting deadly riot,* CNN (Jan. 12, 2021).

[224] *Romney Condemns Insurrection at U.S. Capitol*, Senator Mitt Romney: Press Releases (Jan. 6, 2021). *see also, e.g.*, Oma Seddiq, *Sen. Lindsey Graham blames Trump for Capitol riots and says the president needs to 'understand that his actions were the problem'*, Business Insider (Jan. 7, 2021) ("When it comes to accountability, the president needs to understand that his actions were the problem, not the solution."); Malachi Barrett, *Michigan representatives denounce attack on U.S. Capitol by pro-Trump mob*, MLive (Jan. 6, 2021). (decrying "attempt to overthrow the workings of the U.S. government, the legislative branch," and urging President Trump "to not just strongly condemn the violence, not just tell people go home, but also recognize and acknowledge Biden as president-elect").

[225] Statement of Rep. Cheney, available at https://www.nytimes.com/2021/01/06/us/politics/trump-speech-capitol.html.

[226] Statement of Sen. Sasse, available at https://www.npr.org/sections/congress-electoral-college-tally-live-updates/2021/01/08/954854250/gop-sen-sasse-rips-trump-for-stoking-mob-calls-hawleys-objection-really-dumbass.

[227] Betsy Devos Letter of Resignation (Jan. 7, 2021) (Available at https://www.washingtonpost.com/context/betsy-devos-resignation-letter/cfd93504-2353-4ac3-8e71-155446242dda/.).

[228] Kevin Liptak et al., *Some Trump administration officials resign while others stay to prevent chaos*, CNN (Jan. 7, 2021).

[229] Erin Schumaker, *Trump officials who have resigned in the wake of attack on Capitol*, ABC News (Jan. 9, 2021).

other White House officials, too, tendered their resignations.[230] Additionally, former Acting Secretary of the Department of Homeland Security Chad Wolf "implore[d] the President" to "strongly condemn the violence that took place."[231]

Former Trump Administration officials have likewise rebuked the President and expressed horror at what his conduct has wrought. Attorney General Barr, accused the President of a "betrayal of his office," and declared that "orchestrating a mob to pressure Congress is inexcusable."[232] The President's former Secretary of Defense James Mattis declared that "[t]oday's violent assault on our Capitol, an effort to subjugate American democracy by mob rule, was fomented by Mr. Trump."[233] Former White House Chief of Staff John Kelly stated that "[w]hat happened on Capitol Hill … is a direct result of [President Trump's] poisoning the minds of people with the lies and the fraud."[234] And former Speaker of the House John Boehner declared that "[t]he invasion of our Capitol by a mob, incited by lies from some entrusted with power, is a disgrace to all who sacrificed to build our Republic."[235]

Despite repeated entreaties, it took until January 10th for President Trump to order the flag of the United States to be flown at half-staff to commemorate the January 7th death of the Capitol Police officer who was murdered by the insurrectionists.[236] In contrast, the flag over the U.S. Capitol was lowered shortly after his death was confirmed.

The President's fellow Republicans recognize what he will not: his words incited a violent attack on the Capitol and the Congress. He "incited the mob" and "lit the flame," in the words of Congresswoman Cheney. Because the President has not repudiated the violent and unlawful actions of his followers or guided them to refrain from future antidemocratic attacks, he cannot be trusted to deter future violence or to remain in office.

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[230] As of January 9, 2021, the list of individuals resigning from the White House includes John Costello, deputy assistant secretary for intelligence and security in the Commerce Department; Matthew Pottinger, White House deputy national security adviser; Sarah Matthews, White House deputy press secretary; Rickie Niceta, White House social secretary; and Stephanie Grisham, chief of staff to First Lady Melania Trump. *Id.*

[231] *Acting Secretary Wolf Condemns Violence at The U.S. Capitol, Dept. of Homeland Security* (Jan. 7, 2021). Former Acting Secretary Wolf resigned on Jan. 11, 2021, citing "court rulings regarding the validity of [his] authority as Acting Secretary" as the reason. *See* Priscilla Alvarez & Geneva Sands, *Acting Secretary of Homeland Security Chad Wolf resigns; FEMA Administrator Pete Gaynor to take over*, CNN (Jan. 11, 2021).

[232] Quint Forgey, *Barr: Trump committed 'betrayal of his office'*, Politico (Jan. 7, 2021).

[233] Amanda Macias, *Mattis blames Trump for violence at Capitol, says his actions 'poison our respect for fellow citizens'*, CNBC (Jan. 6, 2021).

[234] Christine Mui, *Ex-Trump Chief of Staff John Kelly supports 25th Amendment to remove president*, Boston Globe (Jan. 7, 2021).

[235] Scott Wartman, *Boehner: 'The GOP must awaken.' Former Speaker of the House slams the Republican Party over 'nightmare.'*, Cincinnati Enquirer (Jan. 7, 2021).

[236] David Choi, *Trump lowers the White House flag after pressure from both Republicans and Democrats*, Business Insider, (Jan. 11, 2021).

3. President Trump's Actions Are Consistent with His Past Pattern of Undermining the Public Peace and the Orderly Operation of Democracy

The Article of Impeachment charges President Trump for conduct connected to the events of January 6, 2021. The conduct that gives rise to that Article is, however, consistent with previous related conduct by President Trump that demonstrates an indifference to the public peace and to the lawful and orderly operation of our democratic government. That conduct encompasses his encouragement of lawless mob violence by his political supporters, and his urging of official actors to take ultra vires action to advance his falsehoods that he won the election and that it was stolen from him. The latter conduct includes a telephone call on January 2, 2021 in which he sought to induce the Secretary of State of Georgia to change the certified outcome of the 2020 presidential election in his favor. That President Trump has used the weight of his office to engage in such conduct in the past, and the recent escalation of that conduct which resulted in the January 6, 2021 insurrection, gives rise to a significant concern that, if not removed from office, President Trump will continue to engage in similar efforts to incite mass, violent lawless action during the remainder of his term.

President Trump has previously expressed both tacit and explicit support for mob violence perpetrated by his sympathizers. On August 12, 2017 multiple violent clashes broke out during the Unite the Right rally in Charlottesville, Virginia, including an incident in which one protester, a self-identified white supremacist, intentionally drove his car into a crowd of counter-protesters, killing one and injuring 19 others.[237] The violence perpetrated by the protesters, who celebrated white supremacy and included separatists who espouse civil war, drew nearly universal and immediate condemnation. Uniquely among prominent public officials, President Trump's statements condemned the hatred and violence "on many sides, on many sides" while also praising "very fine people on both sides."[238] In a context in which the values of human equality are enshrined in our Constitution and are universally agreed to be fundamental American values, all those who hold a position of trust under the Constitutional are expected to, and most regularly and loudly do, denounce white supremacy in clear and unambiguous terms. Against that backdrop, President Trump drew an equivalence between those who stood for white supremacy and those who stood against it. That public approach appears to convey a lack of disapprobation for the ideals and militant aspirations of the white supremacist movement, and was broadly so understood, including by prominent members of that movement.

During the 2020 Presidential campaign, President Trump was asked in the first Presidential Debate on September 29, 2020 to condemn white supremacists, but he would not. Asked by the debate moderator to condemn white supremacists and militia groups, and specifically prompted by the opposing candidate to denounce the group known as the Proud Boys, President Trump declined to denounce the group and instead issued a directive to them, stating, "Proud Boys, stand

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[237] Jason Hanna et al., *Virginia governor to white nationalists: 'Go home ... shame on you'*, CNN (Aug. 13, 2017).

[238] Glenn Thrush and Maggie Haberman, *Trump Gives White Supremacists an Unequivocal Boost*, N. Y. Times (Aug. 15, 2017).

back and stand by." On December 12, 2020—less than a month before the attack on the Capitol—a leader of the Proud Boys visited the White House.[239]

His disregard for lawful process and the orderly operation of government continued in the aftermath of the election, including during President Trump's January 2, 2021 call with Georgia state officials.[240] After Election Day, the state of Georgia's county canvass results showed that President Trump lost the election in Georgia by approximately 14,000 votes.[241] Much of the tally was conducted by automated tallying machines. Secretary Raffensperger then ordered a Risk Limiting Audit of the results, and directed that every county conduct a manual recount of the ballots to check the accuracy of the electronic tallying results. The audit resulted in a variance of 0.0099% in the vote differential between the candidates, which did not change the outcome. In the course of the audit, the state also discovered a number of ballots in two counties that had not been included in the original canvass.[242] After the audit and the inclusion of the missing ballots, the tally showed that President Trump had lost Georgia by more than 12,000 votes. As permitted by Georgia law, the Trump campaign requested a recount.[243]

Under Georgia law, the Secretary of State was required to certify the results of the election on November 20, 2020, and the Governor of the state was then required to promptly certify the appointment of a slate of presidential electors in accordance with the election results. President Trump publicly exhorted both men not to do so. Secretary Raffensperger nevertheless proceeded to certify the results on November 20, 2020, and Georgia Governor Kemp duly certified the appointment of a slate of electors that same day.[244] The Trump campaign's recount request, which proceeded in parallel, was performed electronically pursuant to state law.[245] After the recount, the vote count remained materially unchanged; Georgia recertified the election result on December 7, 2020.[246]

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[239] David Smith et al., *Donald Trump refuses to condemn white supremacists at presidential debate*, The Guardian (Sep. 29, 2020); Craig Timberg & Drew Harwell, *Pro-Trump forums erupt with violent threats ahead of Wednesday's rally against the 2020 election*, Wash. Post (Jan. 5, 2021).

[240] Amy Gardner & Paulina Firozi, *Here's the full transcript and audio of the call between Trump and Raffensperger*, Wash. Post (Jan. 5, 2021).

[241] Christina A. Cassidy, *EXPLAINER: Is Georgia's upcoming ballot 'audit' a recount?*, AP (Nov. 12, 2020).

[242] *Risk-Limiting Audit Report, Georgia Presidential Contest, November 2020*, Georgia Sec. of State (Nov. 19, 2020) (Available at https://sos.ga.gov/admin/uploads/11.19_.20_Risk_Limiting_Audit_Report_Memo_1.pdf); Christina A. Cassidy, *EXPLAINER: Is Georgia's upcoming ballot 'audit' a recount?*, AP (Nov. 12, 2020).

[243] Kevin Bohn, *Trump campaign requests Georgia recount that's unlikely to change his loss in the state*, CNN (Nov. 22, 2020).

[244] Marshall Cohen et al, *Georgia's GOP governor and secretary of state certify Biden win, quashing Trump's longshot attempt to overturn results*, CNN (Nov. 20, 2020).

[245] David Morgan, *Georgia sets timeline for Trump-requested vote recount*, Reuters (Nov. 23, 2020).

[246] Richard Fausset & Nick Corasaniti, *Georgia Recertifies Election Results, Affirming Biden's Victory*, N. Y. Times (Dec. 7, 2020).

The final tally showed that President Trump lost the State of Georgia by 11,779 votes.[247] Georgia's slate of presidential electors then duly cast their votes on December 14, 2020 in accordance with the Electoral Count Act of 1887. During the post-election period, the Trump campaign and supporters of President Trump filed at least seven lawsuits in Georgia courts seeking to overturn the result in Georgia or otherwise challenge the conduct of the election, all of which were dismissed either by the court or voluntarily by the plaintiff.[248]

Against that background, on the afternoon of January 2, 2021, President Trump convened the call with Secretary Raffensperger. On the call he repeatedly urged the Secretary to accept or investigate claims of voting irregularities. The President insisted, "I think it's pretty clear that we won. We won very substantially in Georgia." The Secretary responded, "We don't agree that you have won," and explained that "the challenge that you have is the data you have is wrong." With respect to a claim made by President Trump that 5,000 votes were cast in Georgia by people recorded as having died, the Secretary explained that the state had investigated the matter and identified only two such votes. The President asserted that certain ballots were scanned three times. The Secretary responded, "We did an audit of that, and we proved conclusively that they were not scanned three times." The President and one of his attorneys also asserted that 4,500 voters had cast Georgia ballots after moving out of the state. The Secretary and a Georgia official explained in response that the state had been "going through each of those as well," and that "[e]very one we've been through are people that lived in Georgia, moved to a different state, but then moved back to Georgia legitimately."[249]

President Trump refused to accept Secretary Raffenberger's conclusion that he had not won the election. He told the Secretary that "the ballots are corrupt," that this was "totally illegal" and in fact "more illegal for you than it is for them" because "you're not reporting it." "That's a criminal, that's a criminal offense," he said, and "a big risk to you." He said that the state was "shredding ballots" and "removing machinery," and said, "I'm notifying you that you're letting it happen." And he told the Secretary, "So look. All I want to do is this. I just want to find 11,780 votes, which is one more than we have because we won the state."[250]

President Trump cared only that a state official certify that he won Georgia. He asked the Secretary to belatedly "find" new votes for him—just enough for him to win the state. He did not care about the actual results. He was indifferent to the truth or falsity of the unsupported claims of voting impropriety that he asserted. And to back up his demands, he threatened the Secretary, alluding to the possibility that his government would pursue criminal charges against him if he failed to "find" those votes.

This exchange comes on the heels of a call in late December in which President Trump was reported to have pressured a top Georgia election official, saying the investigator would be a

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[247] Christina A. Cassidy, *EXPLAINER: Is Georgia's upcoming ballot 'audit' a recount?*, AP (Nov. 12, 2020).

[248] Pete Williams & Nicole Via y Rada, *Trump's election fight includes over 50 lawsuits. It's not going well.*, NBC (Nov. 23, 2020).

[249] Amy Gardner & Paulina Firozi, Here's the full transcript and audio of the call between Trump and Raffensperger, Wash. Post (Jan. 5, 2021).

[250] *Id.*

"'national hero' for finding evidence of fraud" and again claimed there were problems with the signature-matching system used by the state[251] This call was made as the state of Georgia conducted an audit of ballots in Cobb County. President Trump's exchanges with state officials also occurred in the context of reported White House pressure on the U.S. for the Northern District of Georgia Byung J. Pak, who abruptly resigned on January 5, 2020.[252] Pak was reported to have been forced to resign because he was not investigating the President's claims of widespread voter fraud in Georgia strongly enough.[253]

In sum, the President pressured the Secretary to conclude that he had won Georgia without regard to whether that was factually so. This conversation echoes other reported instances in which the President pressured officials and legislators in Georgia and other states,[254] and in the federal government, to alter the election outcome in his favor. Most recently, he urged the Vice-President of the United States to usurp an authority not granted to him by the Constitution to reject the votes of a state's duly appointed electors, and to cause President Trump to be wrongfully appointed as President; and when Mr. Pence refused to do so, he incited the armed mob of his followers to go to the Capitol to disrupt the proceedings.

President Trump's incitement of mob violence against the Capitol is clearly part of a broader pattern of encouraging lawless behavior and official action where it serves to aggrandize his own power. Especially in light of the accelerating pace of these events as the end of President Trump's term comes to a close, the risk that that pattern will continue and repeat itself even in the final days of his administration is great.

B. The Need to Establish Precedent That Such Conduct by a President Is Unconstitutional and Contrary to Our Democratic Values

The House must impeach President Trump to make clear for all future officeholders that our Constitution rejects President Trump's behavior. Since President Washington willingly relinquished his office at the end of his second term in 1797, this country has seen an unbroken chain of peaceful transitions. Some have argued that given the little remaining time left in President Trump's term, there is no need to impeach him now. This ignores the precedent this country would set if we refuse to impeach and the remedy of disqualification that the Senate may impose. Even wrongly assuming that President Trump poses no ongoing threat, impeachment sends the strongest

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[251] Richard Fausset & Katie Benner, *Georgia Officials Reveal Third Trump Call Seeking to Influence Election Results*, N. Y. Times (Jan. 9, 2021).

[252] Kelly Mena, *Wall Street Journal: White House pressured Georgia federal prosecutor to resign*, CNN (Jan. 9, 2021).

[253] Aruna Viswanatha et al., *White House Forced Georgia U.S. Attorney to Resign*, Wall Street Journal (Jan. 9, 2021).

[254] See e.g., Carol D. Leonnig & Tom Hamburger, *Michigan attorney general ponders criminal probes of state and local officials who bend to Trump's will on overturning election results*, Wash. Post (Nov. 21, 2020); Alison Durkee, *Pennsylvania GOP lawmakers make clear they won't overturn the election as Trump wants*, Forbes (Dec. 3, 2020).

possible message that, as John Adams said, we are a "government of laws, and not of men."[255] Impeachment is a necessary measure to make sure that no President ever again attempts to incite his supporters to take unlawful action and overturn the will of the people. Indeed, the Constitution prohibits certain government officials who have "engaged in insurrection or rebellion" against the United States from holding "any office . . . under the United States."[256]

Impeachment is appropriate in the wake of this attack on the Capitol. The House has a solemn obligation to issue the appropriate charges and passing this article of impeachment preserves the ability of the Senate to take up the charges as it sees fit. This impeachment does not seek to undo an election. Rather, it seeks to vindicate the most recent election, protect it from a President who defies it, and protect future elections from presidents who may try to do the same. This impeachment is an essential statement about our Constitution and our democracy.

Courts across the country have rejected his false claims of fraud—and not just on procedural grounds. In Arizona, for example, the court found no fraud, no misconduct, no illegal votes, and confirmed that President-elect Biden won.[257] Likewise, in Wisconsin, the court heard President Trump's claims on the merits and rejected them.[258] Moreover, hand counts and hand audits in multiple states confirmed the accuracy of the vote. Other courts have ruled that the alleged claims of rigged voting machines pushed by President Trump and others are "implausible."[259] Those outcomes are part of the over 60 post-election cases decided adversely to President Trump and his allies. Yet he falsely and repeatedly screamed fraud, culminating in an appeal to his supporters to travel to Washington, D.C. on January 6th—where he told them to march to the Capitol and repeated his baseless claim that "we won in a landslide."

President Trump did not just falsely assert that he won the Presidency. He went much further. He pressured state officials to change the results and "find" more votes. He encouraged state officers not to exercise their ministerial duties. He told his supporters to assemble in Washington, D.C. on January 6th—the day of the Joint Session. He promised that it would be "wild." President Trump's goal was to disrupt the Joint Session of Congress that was meeting to formally count the electoral votes in an election that his opponent won.

President Trump also encouraged his Vice President to violate his own oath and claim unilateral authority to reject the votes of the Electoral College in an unconstitutional effort to declare President Trump the victor. Vice President Pence rightly rejected this view in his January 6, 2021 letter: "When disputes concerning a presidential election arise, under Federal law, it is the

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[255] Papers of John Adams vol. 2 p. 314, Massachusetts Historical Society, available at http://www.masshist.org/publications/adams-papers/index.php/view/PJA02p314 .

[256] U.S. CONST. amend. XIV § 3.

[257] Bob Christie & Jacques Billeaud, *Arizona Supreme Court upholds election challenge dismissal*, AP (Jan. 5, 2021); Laura Gomez, Judge: No fraud, misconduct, illegal votes in Maricopa County's 2020 election, Arizona Mirror (Dec. 4, 2020).

[258] Adam Brewster, *Wisconsin Supreme Court rejects Trump campaign effort to toss ballots just before electors meet*, CBS News (Dec. 14, 2020).

[259] Jeremy Duda, *Attorney for Sec of State: 'Kraken' lawsuit alleges 'utterly implausible fraud'*, Arizona Mirror (Dec. 8, 2020).

people's representatives who review the evidence and resolve disputes through a democratic process."[260] As Vice President Pence concluded, "[v]esting the Vice President with unilateral authority to decide presidential contests would be entirely antithetical" to the Constitutional design.[261] Not only did President Trump encourage Vice President Pence to take that unconstitutional step, he pressured Vice President Pence and told his supporters that "if Mike Pence does the right thing, we win the election." And if he didn't do as Trump commanded, "Mike Pence . . . I'm going to be very disappointed in you."[262] Little wonder that when President Trump's supporters stormed the Capitol, some went looking for Vice President Pence.

[260] *Available at* Aaron Glantz, *Read Pence's full letter saying he can't claim 'unilateral authority' to reject electoral votes*, PBS (Jan. 6, 2021).

[261] *Id.*

[262] Julia Jacobo, *This is what Trump told supporters before many stormed Capitol Hill*, ABC News (Jan. 7, 2021)

CONCLUSION

In the words of Vice President Pence, the "Presidency belongs to the American people, and to them alone."[263] President Trump has falsely asserted he won the 2020 presidential election and repeatedly sought to overturn the results of the election. As his efforts failed again and again, President Trump continued a parallel course of conduct that foreseeably resulted in the imminent lawless actions of his supporters, who attacked the Capitol and the Congress. This course of conduct, viewed within the context of his past actions and other attempts to subvert the presidential election, demonstrate that President Trump remains a clear and present danger to the Constitution and our democracy. The House must reject this outrageous attempt to overturn the election and this incitement of violence by a sitting president against his own government. President Trump committed a high Crime and Misdemeanor against the Nation by inciting an insurrection at the Capitol in an attempt to overturn the results of the 2020 Presidential Election. The facts establish that he is unfit to remain in office a single day longer, and warrant the immediate impeachment of President Trump.

[263] *Available at* Aaron Glantz, *Read Pence's full letter saying he can't claim 'unilateral authority' to reject electoral votes*, PBS (Jan. 6, 2021).

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116th Congress
1st Session

CONSTITUTIONAL GROUNDS FOR PRESIDENTIAL IMPEACHMENT

REPORT BY THE MAJORITY STAFF OF THE HOUSE COMMITTEE ON THE JUDICIARY

COMMITTEE ON THE JUDICIARY
HOUSE OF REPRESENTATIVES
ONE HUNDRED AND SIXTEENTH CONGRESS
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Foreword by Mr. Nadler

I am pleased to make available a report prepared by the majority staff addressing constitutional grounds for presidential impeachment. The staff of the Committee on the Judiciary first produced a report addressing this topic in 1974, during the impeachment inquiry into President Richard M. Nixon, and that report was updated by the majority and minority staff in 1998, during the impeachment inquiry into President William Jefferson Clinton. Over the past several decades, however, legal scholars and historians have undertaken a substantial study of the subject. The earlier reports remain useful points of reference, but no longer reflect the best available learning on questions relating to presidential impeachment. Further, they do not address several issues of constitutional law with particular relevance to the ongoing impeachment inquiry respecting President Donald J. Trump. For that reason, the majority staff of the Committee have prepared this report for the use of the Committee on the Judiciary.

The views and conclusions contained in the report are staff views and do not necessarily reflect those of the Committee on the Judiciary or any of its members.

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Constitutional Grounds for Presidential Impeachment

Report by the Staff of the Committee on the Judiciary

I. Introduction

Our President holds the ultimate public trust. He is vested with powers so great that they frightened the Framers of our Constitution; in exchange, he swears an oath to faithfully execute the laws that hold those powers in check. This oath is no formality. The Framers foresaw that a faithless President could destroy their experiment in democracy. As George Mason warned at the Constitutional Convention, held in Philadelphia in 1787, "if we do not provide against corruption, our government will soon be at an end."[1] Mason evoked a well-known historical truth: when corrupt motives take root, they drive an endless thirst for power and contempt for checks and balances. It is then only the smallest of steps toward acts of oppression and assaults on free and fair elections. A President faithful only to himself—who will sell out democracy and national security for his own personal advantage—is a danger to every American. Indeed, he threatens America itself.

Impeachment is the Constitution's final answer to a President who mistakes himself for a monarch. Aware that power corrupts, our Framers built other guardrails against that error. The Constitution thus separates governmental powers, imposes an oath of faithful execution, prohibits profiting from office, and guarantees accountability through regular elections. But the Framers were not naïve. They knew, and feared, that someday a corrupt executive might claim he could do anything he wanted as President. Determined to protect our democracy, the Framers built a safety valve into the Constitution: A President can be removed from office if the House of Representatives approves articles of impeachment charging him with "Treason, Bribery, or other high Crimes and Misdemeanors," and if two-thirds of the Senate votes to find the President guilty of such misconduct after a trial.[2]

As Justice Joseph Story recognized, "the power of impeachment is not one expected in any government to be in constant or frequent exercise."[3] When faced with credible evidence of extraordinary wrongdoing, however, it is incumbent on the House to investigate and determine whether impeachment is warranted. On October 31, 2019, the House approved H. Res. 660, which, among other things, confirmed the preexisting inquiry "into whether sufficient grounds exist for the House of Representatives to exercise its Constitutional power to impeach Donald John Trump, President of the United States of America."[4]

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[1] 1 Max Farrand, ed., *The Records of the Federal Convention of 1787,* 392 (1911) (hereinafter, "Records of the Federal Convention").

[2] U.S. CONST. Art. II, § 4; *id.* Art. I, § 5, cl. 5; *id.* Art. I, § 3, cl. 6.

[3] 2 Joseph Story, *Commentaries on the Constitution of the United States,* 221 (1833).

[4] H.Res. 660, 116th Cong. (2019).

The Judiciary Committee now faces questions of extraordinary importance. In prior impeachment inquiries addressing allegations of Presidential misconduct, the staff of the Judiciary Committee has prepared reports addressing relevant principles of constitutional law.[5] Consistent with that practice, and to assist the Committee and the House in working toward a resolution of the questions before them, this staff report explores the meaning of the words in the Constitution's Impeachment Clause: "Treason, Bribery, or other high Crimes and Misdemeanors." It also describes the impeachment process and addresses several mistaken claims about impeachment that have recently drawn public notice.

II. Summary of Principal Conclusions

Our principal conclusions are as follows.

The purpose of impeachment. As the Framers deliberated in Philadelphia, Mason posed a profound question: "Shall any man be above justice?"[6] By authorizing Congress to remove Presidents for egregious misconduct, the Framers offered a resounding answer. As Mason elaborated, "some mode of displacing an unfit magistrate is rendered indispensable by the fallibility of those who choose, as well as by the corruptibility of the man chosen."[7] Unlike Britain's monarch, the President would answer personally—to Congress and thus to the Nation—if he engaged in serious wrongdoing. Alexander Hamilton explained that the President would have no more resemblance to the British king than to "the Grand Seignior, to the khan of Tartary, [or] to the Man of the Seven Mountains."[8] Whereas "the person of the king of Great Britain is sacred and inviolable," the President of the United States could be "impeached, tried, and upon conviction . . . removed from office."[9] Critically, though, impeachment goes no further. It results only in loss of political power. This speaks to the nature of impeachment: it exists not to inflict punishment for past wrongdoing, but rather to save the Nation from misconduct that endangers democracy and the rule of law. Thus, the ultimate question in an impeachment is whether leaving the President in our highest office imperils the Constitution.[10]

Impeachable offenses. The Framers were careful students of history and knew that threats to democracy can take many forms. They feared would-be monarchs, but also warned against fake populists, charismatic demagogues, and corrupt kleptocrats. The Framers thus intended impeachment to reach the full spectrum of Presidential misconduct

[5] STAFF OF H. COMM. ON THE JUDICIARY, 93D CONG., CONSTITUTIONAL GROUNDS FOR PRESIDENTIAL IMPEACHMENT 4 (Comm. Print 1974) (hereinafter "Constitutional Grounds for Presidential Impeachment (1974)"); STAFF OF H. COMM. ON THE JUDICIARY, 105TH CONG., CONSTITUTIONAL GROUNDS FOR PRESIDENTIAL IMPEACHMENT: MODERN PRECEDENTS (Comm. Print 1998) (hereinafter "Constitutional Grounds for Presidential Impeachment: Modern Precedents (1998)").

[6] 2 Farrand, *Records of the Federal Convention,* at 65.

[7] 1 Farrand, *Records of the Federal Convention,* at 86.

[8] Alexander Hamilton, *Federalist No. 69*, 444 (Benjamin Fletcher Wright ed., 2004).

[9] *Id.*

[10] *See* Laurence H. Tribe, *American Constitutional Law* 155 (3d ed. 2000).

that menaced the Constitution. Because they could not anticipate and prohibit every threat a President might someday pose, the Framers adopted a standard sufficiently general and flexible to meet unknown future circumstances: "Treason, Bribery, or other high Crimes and Misdemeanors." This standard was proposed by Mason and was meant, in his words, to capture all manner of "great and dangerous offenses" against the Constitution.[11]

Treason and bribery. Applying traditional tools of interpretation puts a sharper point on this definition of "high Crimes and Misdemeanors." For starters, it is useful to consider the two impeachable offenses that the Framers identified for us. "Treason" is an unforgiveable betrayal of the Nation and its security. A President who levies war against the government, or lends aid and comfort to our enemies, cannot persist in office; a President who betrays the Nation once will most certainly do so again. "Bribery," in turn, sounds in abuse of power. Impeachable bribery occurs when the President offers, solicits, or accepts something of personal value to influence his own official actions. By rendering such bribery impeachable, the Framers sought to ensure that the Nation could expel a leader who would sell out the interests of "We the People" for his own personal gain.

In identifying "other high Crimes and Misdemeanors," we are guided by the text and structure of the Constitution, the records of the Constitutional Convention and state ratifying debates, and the history of impeachment practice. These sources demonstrate that the Framers principally intended impeachment for three overlapping forms of Presidential wrongdoing: (1) abuse of power, (2) betrayal of the nation through foreign entanglements, and (3) corruption of office and elections. Any one of these violations of the public trust justifies impeachment; when combined in a single course of conduct, they state the strongest possible case for impeachment and removal from office.

Abuse of power. There are at least as many ways to abuse power as there are powers vested in the President. It would thus be an exercise in futility to attempt a list of every abuse of power constituting "high Crimes and Misdemeanors." That said, impeachable abuse of power can be roughly divided into two categories: engaging in official acts forbidden by law and engaging in official action with motives forbidden by law. As James Iredell explained, "the president would be liable to impeachments [if] he had ... acted from some corrupt motive or other."[12] This warning echoed Edmund Randolph's teaching that impeachment must be allowed because "the Executive will have great opportunitys of abusing his power."[13] President Richard Nixon's conduct has come to exemplify impeachable abuse of power: he acted with corrupt motives in obstructing justice and using official power to target his political opponents, and his decision to unlawfully defy subpoenas issued by the House impeachment inquiry was unconstitutional on its face.

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[11] 2 Farrand, *Records of the Federal Convention,* at 550.

[12] Quoted in *Background and History of Impeachment: Hearing before the Subcomm. On the Constitution of the H. Comm on the Judiciary*, 105th Cong. 49 (1999) (hereinafter "1998 Background and History of Impeachment Hearing").

[13] 2 Farrand, *Records of the Federal Convention* at 67.

Betrayal involving foreign powers. As much as the Framers feared abuse, they feared betrayal still more. That anxiety is shot through their discussion of impeachment—and explains why "Treason" heads the Constitution's list of impeachable offenses. James Madison put it simply: the President "might betray his trust to foreign powers."[14] Although the Framers did not intend impeachment for good faith disagreements on matters of diplomacy, they were explicit that betrayal of the Nation through schemes with foreign powers justified that remedy. Indeed, foreign interference in the American political system was among the gravest dangers feared by the Founders of our Nation and the Framers of our Constitution. In his farewell address, George Washington thus warned Americans "to be constantly awake, since history and experience prove that foreign influence is one of the most baneful foes of republican government."[15] And in a letter to Thomas Jefferson, John Adams wrote: "You are apprehensive of foreign Interference, Intrigue, Influence. So am I.—But, as often as Elections happen, the danger of foreign Influence recurs."[16]

Corruption. Lurking beneath the Framers' discussion of impeachment was the most ancient and implacable foe of democracy: corruption. The Framers saw no shortage of threats to the Republic, and sought to guard against them, "but the big fear underlying all the small fears was whether they'd be able to control corruption."[17] As Madison put it, corruption "might be fatal to the Republic."[18] This was not just a matter of thwarting bribes; it was a far more expansive challenge. The Framers celebrated civic virtue and love of country; they wrote rules to ensure officials would not use public power for private gain.

Impeachment was seen as especially necessary for Presidential conduct corrupting our system of political self-government. That concern arose in multiple contexts as the Framers debated the Constitution. The most important was the risk that Presidents would place their personal interest in re-election above our bedrock national commitment to democracy. The Framers knew that corrupt leaders concentrate power by manipulating elections and undercutting adversaries. They despised King George III, who "resorted to influencing the electoral process and the representatives in Parliament in order to gain [his] treacherous ends."[19] That is why the Framers deemed electoral treachery a central ground for impeachment. The very premise of the Constitution is that the American people govern themselves, and choose their leaders, through free and fair elections. When the President concludes that elections might threaten his grasp on power and abuses his office to sabotage opponents or invite inference, he rejects democracy itself and must be removed.

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[14] *Id.*, at 65-66.

[15] George Washington Farewell Address (1796), *George Washington Papers, Series 2, Letterbooks 1754-1799: Letterbook 24, April 3, 1793 - March 3, 1797,* Library of Congress.

[16] *To Thomas Jefferson from John Adams, 6 December 1787*, National Archives, Founders Online.

[17] Zephyr Teachout, *Corruption in America: From Benjamin Franklin's Snuff Box to Citizens United* 57 (2014).

[18] 2 Farrand, *Records of the Federal Convention*, at 66.

[19] Gordon S. Wood, *The Creation of the American Republic, 1776-1787* 33 (1998).

Conclusions regarding the nature of impeachable offenses. In sum, history teaches that "high Crimes and Misdemeanors" referred mainly to acts committed by public officials, using their power or privileges, that inflicted grave harm on our political order. Such great and dangerous offenses included treason, bribery, serious abuse of power, betrayal of the national interest through foreign entanglements, and corruption of office and elections. They were unified by a clear theme: officials who abused, abandoned, or sought personal benefit from their public trust—and who threatened the rule of law if left in power—faced impeachment. Each of these acts, moreover, should be plainly wrong to reasonable officials and persons of honor. When a political official uses political power in ways that substantially harm our political system, Congress can strip them of that power.

Within these parameters, and guided by fidelity to the Constitution, the House must judge whether the President's misconduct is grave enough to require impeachment. That step must never be taken lightly. It is a momentous act, justified only when the President's full course of conduct, assessed without favor or prejudice, is "seriously incompatible with either the constitutional form and principles of our government or the proper performance of constitutional duties of the presidential office."[20] But when that high standard is met, the Constitution calls the House to action—and the House, in turn, must rise to the occasion. In such cases, a decision *not* to impeach can harm democracy and set an ominous precedent.

The criminality issue. It is occasionally suggested that Presidents can be impeached only if they have committed crimes. That position was rejected in President Nixon's case, and then rejected again in President Clinton's, and should be rejected once more. Offenses against the Constitution are different than offenses against the criminal code. Some crimes, like jaywalking, are not impeachable. And some forms of misconduct may offend both the Constitution and the criminal law. Impeachment and criminality must therefore be assessed separately—even though the President's commission of indictable crimes may further support a case for impeachment and removal. Ultimately, the House must judge whether a President's conduct offends and endangers the Constitution itself.

Fallacies about impeachment. In the final section of this Report, we briefly address six falsehoods about impeachment that have recently drawn public notice.

First, contrary to mistaken claims otherwise, we demonstrate that the current impeachment inquiry has complied in every respect with the Constitution, the Rules of the House, and historic practice and precedent of the House.

Second, we address several evidentiary matters. The House impeachment inquiry has compiled substantial direct and circumstantial evidence bearing on the issues at hand. Nonetheless, President Trump has objected that some of the evidence gathered by the House comes from witnesses lacking first-hand knowledge of his conduct. But in the same breath, he has unlawfully ordered many witnesses with first-hand knowledge to defy House

[20] REPORT OF THE COMMITTEE ON THE JUDICIARY, IMPEACHMENT OF RICHARD M. NIXON, PRESIDENT OF THE UNITED STATES, H.R. REP. NO. 93-1305 8 (1974) (hereinafter "Committee Report on Nixon Articles of Impeachment (1974)").

subpoenas. As we show, President Trump's assertions regarding the evidence before the House are misplaced as a matter of constitutional law and common sense.

Third, we consider President Trump's claim that his actions are protected because of his right under Article II of the Constitution "to do whatever I want as president."[21] This claim is wrong, and profoundly so, because our Constitution rejects pretensions to monarchy and binds Presidents with law. That is true even of powers vested exclusively in the chief executive. If those powers are invoked for corrupt reasons, or wielded in an abusive manner harming the constitutional system, the President is subject to impeachment for "high Crimes and Misdemeanors." This is a core premise of the impeachment power.

Fourth, we address whether the House must accept at face value President Trump's claim that his motives were not corrupt. In short, no. When the House probes a President's state of mind, its mandate is to find the facts. That means evaluating the President's account of his motives to see if it rings true. The question is not whether the President's conduct *could have* resulted from permissible motives. It is whether the President's *real reasons*, the ones in his mind at the time, were legitimate. Where the House discovers persuasive evidence of corrupt wrongdoing, it is entitled to rely upon that evidence to impeach.

Fifth, we explain that attempted Presidential wrongdoing is impeachable. Mason himself said so at the Constitutional Convention, where he described "*attempts* to subvert the Constitution" as a core example of "great and dangerous offenses."[22] Moreover, the Judiciary Committee reached the same conclusion in President Nixon's case. Historical precedent thus confirms that ineptitude and insubordination do not afford the President a defense to impeachment. A President cannot escape impeachment just because his scheme to abuse power, betray the nation, or corrupt elections was discovered and abandoned.

Finally, we consider whether impeachment "nullifies" the last election or denies voters their voice in the next one. The Framers themselves weighed this question. They considered relying solely on elections—rather than impeachment—to remove wayward Presidents. That position was firmly rejected. No President is entitled to persist in office after committing "high Crimes and Misdemeanors," and no one who voted for him in the last election is entitled to expect he will do so. Where the President's misconduct is aimed at corrupting elections, relying on elections to solve the problem is no safeguard at all.

III. The Purpose of Impeachment

Freedom must not be taken for granted. It demands constant protection from leaders whose taste of power sparks a voracious need for more. Time and again, republics have fallen to officials who care little for the law and use the public trust for private gain.

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[21] *Remarks by President Trump at Turning Point USA's Teen Student Action Summit 2019*, July 23, 2019, THE WHITE HOUSE.

[22] Cass R. Sunstein, *Impeachment: A Citizen's Guide* 47 (2017).

The Framers of the Constitution knew this well. They saw corruption erode the British constitution from within. They heard kings boast of their own excellence while conspiring with foreign powers and consorting with shady figures. As talk of revolution spread, they objected as King George III used favors and party politics to control Parliament, aided by men who sold their souls and welcomed oppression.

The Framers risked their freedom, and their lives, to escape that monarchy. So did their families and many of their friends. Together, they resolved to build a nation committed to democracy and the rule of law—a beacon to the world in an age of aristocracy. In the United States of America, "We the People" would be sovereign. We would choose our own leaders and hold them accountable for how they exercised power.

As they designed our government at the Constitutional Convention, however, the Framers faced a dilemma. On the one hand, many of them embraced the need for a powerful chief executive. This had been cast into stark relief by the failure of the Nation's very first constitution, the Articles of Confederation, which put Congress in charge at the federal level. The ensuing discord led James Madison to warn, "it is not possible that a government can last long under these circumstances."[23] The Framers therefore created the Presidency. A single official could lead the Nation with integrity, energy, and dispatch—and would be held personally responsible for honoring that immense public trust.

Power, though, is a double-edged sword. "The power to do good meant also the power to do harm, the power to serve the republic also meant the power to demean and defile it."[24] The President would be vested with breathtaking authority. If corrupt motives took root in his mind, displacing civic virtue and love of country, he could sabotage the Constitution. That was clear to the Framers, who saw corruption as "the great force that had undermined republics throughout history."[25] Obsessed with the fall of Rome, they knew that corruption marked a leader's path to abuse and betrayal. Mason thus emphasized, "if we do not provide against corruption, our government will soon be at an end." This warning against corruption—echoed no fewer than 54 times by 15 delegates at the Convention—extended far beyond bribes and presents. To the Framers, corruption was fundamentally about the misuse of a position of public trust for any improper private benefit. It thus went to the heart of their conception of public service. As a leading historian recounts, "a corrupt political actor would either purposely ignore or forget the public good as he used the reins of power."[26] Because men and women are not angels, corruption could not be fully eradicated, even in virtuous officials, but "its power can be subdued with the right combination of culture and political rules."[27]

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[23] Quoted in *id.*, at 27.

[24] Arthur M. Schlesinger, Jr., *The Imperial Presidency* 415 (1973).

[25] Elizabeth B. Wydra & Brianne J. Gorod, *The First Magistrate in Foreign Pay*, THE NEW REPUBLIC, Nov. 11 2019.

[26] Teachout, *Corruption in America,* at 48.

[27] *Id.*, at 47.

The Framers therefore erected safeguards against Presidential abuse. Most famously, they divided power among three branches of government that had the means and motive to balance each other. "Ambition," Madison reasoned, "must be made to counteract ambition."[28] In addition, the Framers subjected the President to election every four years and established the Electoral College (which, they hoped, would select virtuous, capable leaders and refuse to re-elect corrupt or unpopular ones). Finally, the Framers imposed on the President a duty to faithfully execute the laws—and required him to accept that duty in a solemn oath.[29] To the Framers, the concept of faithful execution was profoundly important. It prohibited the President from taking official acts in bad faith or with corrupt intent, as well as acts beyond what the law authorized.[30]

A few Framers would have stopped there. This minority feared vesting any branch of government with the power to end a Presidency; as they saw it, even extreme Presidential wrongdoing could be managed in the normal course (mainly by periodic elections).

That view was decisively rejected. As Professor Raoul Berger writes, "the Framers were steeped in English history; the shades of despotic kings and conniving ministers marched before them."[31] Haunted by those lessons, and convening in the shadow of revolution, the Framers would not deny the Nation an escape from Presidents who deemed themselves above the law. So they turned to a mighty constitutional power, one that offered a peaceful and politically accountable method for ending an oppressive Presidency.

This was impeachment, a legal relic from the British past that over the preceding century had found a new lease on life in the North American colonies. First deployed in 1376—and wielded in fits and starts over the following 400 years—impeachment allowed Parliament to charge royal ministers with abuse, remove them from office, and imprison them. Over time, impeachment helped Parliament shift power away from royal absolutism and encouraged more politically accountable administration. In 1679, it was thus proclaimed in the House of Commons that impeachment was "the chief institution for the preservation of government."[32] That sentiment was echoed in the New World. Even as Parliamentary impeachment fell into disuse by the early 1700s, colonists in Maryland, Pennsylvania, and Massachusetts laid claim to this prerogative as part of their English birthright. During the revolution, ten states ratified constitutions allowing the impeachment of executive officials—and put that power to use in cases of corruption and abuse of

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[28] James Madison, *Federalist No. 51*, at 356.

[29] U.S. CONST. Art. II, § 1, cl. 8.

[30] *See* Andrew Kent, Ethan J. Leib & Jed Handelsman Shugerman, *Faithful Execution and Article II*, 132 HARV. L. REV. 2111- 2121 (2019).

[31] Raoul Berger, *Impeachment: The Constitutional Problems* 4 (1974).

[32] *Id.*, at 1 n.2.

power.[33] Unlike in Britain, though, American impeachment did not result in fines or jailtime. It simply removed officials from political power when their conduct required it.

Familiar with the use of impeachment to address lawless officials, the Framers offered a clear answer to Mason's question at the Constitutional Convention, "Shall any man be above justice"?[34] As Mason himself explained, "some mode of displacing an unfit magistrate is rendered indispensable by the fallibility of those who choose, as well as by the corruptibility of the man chosen."[35] Future Vice President Elbridge Gerry agreed, adding that impeachment repudiates the fallacy that our "chief magistrate could do no wrong."[36] Benjamin Franklin, in turn, made the case that impeachment is "the best way" to assess claims of serious wrongdoing by a President; without it, those accusations would fester unresolved and invite enduring conflict over Presidential malfeasance.[37]

Unlike in Britain, the President would answer personally—to Congress and thus to the Nation—for any serious wrongdoing. For that reason, as Hamilton later explained, the President would have no more resemblance to the British king than to "the Grand Seignior, to the khan of Tartary, [or] to the Man of the Seven Mountains."[38] Whereas "the person of the king of Great Britain is sacred and inviolable," the President could be "impeached, tried, and upon conviction ... removed from office."[39]

Of course, the decision to subject the President to impeachment was not the end of the story. The Framers also had to specify how this would work in practice. After long and searching debate they made three crucial decisions, each of which sheds light on their understanding of impeachment's proper role in our constitutional system.

First, they limited the consequences of impeachment to "removal from Office" and "disqualification" from future officeholding.[40] To the extent the President's wrongful conduct also breaks the law, the Constitution expressly reserves criminal punishment for the ordinary processes of criminal law. In that respect, "the consequences of impeachment and conviction go just far enough, and no further than, to remove the threat posed to the Republic by an unfit official."[41] This speaks to the very nature of impeachment: it exists

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[33] Frank O. Bowman, III, *High Crimes and Misdemeanors: A History of Impeachment for the Age of Trump* 72 (2019).

[34] 2 Farrand, *Records of the Federal Convention,* at 65-67.

[35] 1 Farrand, *Records of the Federal Convention,* at 66.

[36] 2 Farrand, *Records of the Federal Convention,* at 66.

[37] James Madison, *Notes on Debates in the Federal Convention of 1787* 332 (1987).

[38] Alexander Hamilton, *Federalist No. 69*, at 444.

[39] *Id.*

[40] U.S. CONST. Art. I, § 43, cl. 7.

[41] John O. McGinnis, *Impeachment: The Structural Understanding*, 67 GEO. WASH. L. REV. 650, 650 (1999).

not to inflict personal punishment for past wrongdoing, but rather to protect against future Presidential misconduct that would endanger democracy and the rule of law.[42]

Second, the Framers vested the House with "the sole Power of Impeachment."[43] The House thus serves in a role analogous to a grand jury and prosecutor: it investigates the President's misconduct and decides whether to formally accuse him of impeachable acts. As James Iredell explained during debates over whether to ratify the Constitution, "this power is lodged in those who represent the great body of the people, because the occasion for its exercise will arise from acts of great injury to the community."[44] The Senate, in turn, holds "the sole Power to try all Impeachments."[45] When the Senate sits as a court of impeachment for the President, each Senator must swear a special oath, the Chief Justice of the United States presides, and conviction requires "the concurrence of two thirds of the Members present."[46] By designating Congress to accuse the President and conduct his trial, the Framers confirmed—in Hamilton's words—that impeachment concerns an "abuse or violation of some public trust" with "injuries done immediately to the society itself."[47] Impeachment is reserved for offenses against our political system. It is therefore prosecuted and judged by Congress, speaking for the Nation.

Last, but not least, the Framers imposed a rule of wrongdoing. The President cannot be removed based on poor management, general incompetence, or unpopular policies. Instead, the question in any impeachment inquiry is whether the President has engaged in misconduct justifying an early end to his term in office: "Treason, Bribery, or other high Crimes and Misdemeanors."[48] This phrase had a particular legal meaning to the Framers. It is to that understanding, and to its application in prior Presidential impeachments, that we now turn.

IV. Impeachable Offenses

As careful students of history, the Framers knew that threats to democracy can take many forms. They feared would-be monarchs, but also warned against fake populists, charismatic demagogues, and corrupt kleptocrats. In describing the kind of leader who might menace the Nation, Hamilton offered an especially striking portrait:

> When a man unprincipled in private life[,] desperate in his fortune, bold in his temper . . . known to have scoffed in private at the principles of liberty

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[42] *See* Tribe, *American Constitutional Law,* at 155.

[43] U.S. CONST. Art. I, § 2, cl. 5.

[44] 4 Jonathan Elliot, ed., *The Debates in the Several State Conventions on the Adoption of the Federal Constitution* 113 (1861) (hereinafter "Debates in the Several State Conventions").

[45] U.S. CONST. Art. I, § 3, cl. 6.

[46] *Id.*

[47] Alexander Hamilton, *Federalist No. 65*, at 426.

[48] U.S. CONST. Art. II, § 4.

> — when such a man is seen to mount the hobby horse of popularity — to join in the cry of danger to liberty — to take every opportunity of embarrassing the General Government & bringing it under suspicion — to flatter and fall in with all the non sense [sic] of the zealots of the day — It may justly be suspected that his object is to throw things into confusion that he may ride the storm and direct the whirlwind.[49]

This prophesy echoed Hamilton's warning, in *Federalist No. 1*, that "of those men who have overturned the liberties of republics, the greatest number have begun their career by paying an obsequious court to the people; commencing demagogues, and ending tyrants."[50]

The Framers thus intended impeachment to reach the full spectrum of Presidential misconduct that threatened the Constitution. They also intended our Constitution to endure for the ages. Because they could not anticipate and specifically prohibit every threat a President might someday pose, the Framers adopted a standard sufficiently general and flexible to meet unknown future circumstances. This standard was meant—as Mason put it—to capture all manner of "great and dangerous offenses" incompatible with the Constitution. When the President uses the powers of his high office to benefit himself, while injuring or ignoring the American people he is oath-bound to serve, he has committed an impeachable offense.

Applying the tools of legal interpretation, as we do below, puts a sharper point on this definition of "high Crimes and Misdemeanors." It also confirms that the Framers principally aimed the impeachment power at a few core evils, each grounded in a unifying fear that a President might abandon his duty to faithfully execute the laws. Where the President engages in serious abuse of power, betrays the national interest through foreign entanglements, or corrupts his office or elections, he has undoubtedly committed "high Crimes and Misdemeanors" as understood by the Framers. Any one of these violations of the public trust is impeachable. When combined in a scheme to advance the President's personal interests while ignoring or injuring the Constitution, they state the strongest possible case for impeachment and removal from office.

A. Lessons from British and Early American History

As Hamilton recounted, Britain afforded "[t]he model from which the idea of [impeachment] has been borrowed."[51] That was manifestly true of the phrase "high Crimes and Misdemeanors." The Framers could have authorized impeachment for "crimes" or "serious crimes." Or they could have followed the practice of many American state

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[49] Alexander Hamilton, "*Objections and Answers respecting the Administration of the Government*," Founders Online, National Archives.

[50] Alexander Hamilton, *Federalist No. 1*, at 91.

[51] Alexander Hamilton, *Federalist No. 65*, at 427.

constitutions and permitted impeachment for "maladministration" or "malpractice."[52] But they instead selected a "unique phrase used for centuries in English parliamentary impeachments."[53] To understand their choice requires a quick tour through history.

That tour offers two lessons. The first is that the phrase "high Crimes and Misdemeanors" was used *only* for parliamentary impeachments; it was never used in the ordinary criminal law.[54] Moreover, in the 400-year history of British impeachments, the House of Commons impeached many officials on grounds that did not involve any discernibly criminal conduct. Indeed, the House of Commons did so yet again just as the Framers gathered in Philadelphia. That same month, Edmund Burke—the celebrated champion of American liberty—brought twenty-two articles of impeachment against Warren Hastings, the Governor General of India. Burke charged Hastings with offenses including abuse of power, corruption, disregarding treaty obligations, and misconduct of local wars. Historians have confirmed that "none of the charges could fairly be classed as criminal conduct in any technical sense."[55] Aware of that fact, Burke accused Hastings of "[c]rimes, not against forms, but against those eternal laws of justice, which are our rule and our birthright: his offenses are not in formal, technical language, but in reality, in substance and effect, High Crimes and High Misdemeanors."[56]

Burke's denunciation of Hastings points to the second lesson from British history: "high Crimes and Misdemeanors" were understood as offenses against the constitutional system itself. This is confirmed by use of the word "high," as well as Parliamentary practice. From 1376 to 1787, the House of Commons impeached officials on seven general grounds: (1) abuse of power; (2) betrayal of the nation's security and foreign policy; (3) corruption; (4) armed rebellion [a.k.a. treason]; (5) bribery; (6) neglect of duty; and (7) violating Parliament's constitutional prerogatives.[57] To the Framers and their contemporaries learned in the law, the phrase "high Crimes and Misdemeanors" would have called to mind these offenses against the body politic.

The same understanding prevailed on this side of the Atlantic. In the colonial period and under newly-ratified state constitutions, most impeachments targeted abuse of power, betrayal of the revolutionary cause, corruption, treason, and bribery.[58] Many Framers at the Constitutional Convention had participated in drafting their state constitutions, or in colonial and state removal proceedings, and were steeped in this outlook on impeachment. Further, the Framers knew well the Declaration of Independence, "whose bill of particulars

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[52] Bowman, *High Crimes and Misdemeanors*, at 65-72.

[53] Constitutional Grounds for Presidential Impeachment (1974), at 4.

[54] *See id.*

[55] Bowman, *High Crimes and Misdemeanors*, at 41.

[56] *Id.*

[57] *Id.*, at 46; Berger, *Impeachment*, at 70.

[58] *See* Peter Charles Hoffer & N. E. H. Hull, *Impeachment in America, 1635-1805* 1-106 (1984).

against King George III modeled what [we would] now view as articles of impeachment."[59] That bill of particulars did not dwell on technicalities of criminal law, but rather charged the king with a "long train of abuses and usurpations," including misuse of power, efforts to obstruct and undermine elections, and violating individual rights.[60]

History thus teaches that "high Crimes and Misdemeanors" referred mainly to acts committed by public officials, using their power or privileges, that inflicted grave harm on society itself. Such great and dangerous offenses included treason, bribery, abuse of power, betrayal of the nation, and corruption of office. They were unified by a clear theme: officials who abused, abandoned, or sought personal benefit from their public trust—and who threatened the rule of law if left in power—faced impeachment and removal.

B. Treason and Bribery

For the briefest of moments at the Constitutional Convention, it appeared as though Presidential impeachment might be restricted to "treason, or bribery."[61] But when this suggestion reached the floor, Mason revolted. With undisguised alarm, he warned that such limited grounds for impeachment would miss "attempts to subvert the Constitution," as well as "many great and dangerous offenses."[62] Here he invoked the charges pending in Parliament against Hastings as a case warranting impeachment for reasons other than treason. To "extend the power of impeachments," Mason initially suggested adding "or maladministration" after "treason, or bribery."[63] Madison, however, objected that "so vague a term will be equivalent to a tenure during the pleasure of the Senate."[64] In response, Mason substituted "other high Crimes and Misdemeanors."[65] Apparently pleased with Mason's compromise, the Convention accepted his proposal and moved on.

This discussion confirms that Presidential impeachment is warranted for all manner of great and dangerous offenses that subvert the Constitution. It also sheds helpful light on the nature of impeachable offenses: in identifying "*other* high Crimes and Misdemeanors," we can start with two that the Framers identified for us, "Treason" and "Bribery."

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[59] Laurence H. Tribe & Joshua Matz, *To End a Presidency: The Power of Impeachment* 7 (2018).

[60] The Declaration of Independence, *Thomas Jefferson, et al, July 4, 1776, Copy of Declaration of Independence*, Library of Congress.

[61] 2 Farrand, *Records of the Federal Convention*, at 550.

[62] Id.

[63] Id.

[64] Id.

[65] Id.

1. Impeachable Treason

Under Article III of the Constitution, "treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort."[66] In other words, a person commits treason if he uses armed force in an attempt to overthrow the government, or if he knowingly gives aid and comfort to nations (or organizations) with which the United States is in a state of declared or open war. At the very heart of "Treason" is deliberate betrayal of the nation and its security. Such betrayal would not only be unforgivable, but would also confirm that the President remains a threat if allowed to remain in office. A President who has knowingly betrayed national security is a President who will do so again. He endangers our lives and those of our allies.

2. Impeachable Bribery

The essence of impeachable bribery is a government official's exploitation of his or her public duties for personal gain. To the Framers, it was received wisdom that nothing can be "a greater Temptation to Officers [than] to abuse their Power by Bribery and Extortion."[67] To guard against that risk, the Framers authorized the impeachment of a President who offers, solicits, or accepts something of personal value to influence his own official actions. By rendering such "Bribery" impeachable, the Framers sought to ensure that the Nation could expel a leader who would sell out the interests of "We the People" to achieve his own personal gain.

Unlike "Treason," which is defined in Article III, "Bribery" is not given an express definition in the Constitution. But as Justice Joseph Story explained, a "proper exposition of the nature and limits of this offense" can be found in the Anglo-American common law tradition known well to our Framers.[68] That understanding, in turn, can be refined by reference to the Constitution's text and the records of the Constitutional Convention.[69]

To start with common law: At the time of the Constitutional Convention, bribery was well understood in Anglo-American law to encompass *offering*, *soliciting*, or *accepting* bribes. In 1716, for example, William Hawkins defined bribery in an influential treatise as "the receiving or offering of any undue reward, by or to any person whatsoever ... in order to incline him to do a thing against the known rules of honesty and integrity."[70]

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[66] U.S. CONST. Art. III, § 3, cl. 1.

[67] William Hawkins, *A Treatise of Pleas to the Crown, ch.* 67, § 3 (1716).

[68] 2 Story, *Commentaries*, at 263; *see also* H.R. REP. NO. 946, at 19 (1912).

[69] For example, while the English common law tradition principally addressed itself to *judicial* bribery, the Framers repeatedly made clear at the Constitutional Convention that they intended to subject the President to impeachment for bribery. They confirmed this intention in the Impeachment Clause, which authorizes the impeachment of "[t]he President, Vice President and all civil Officers of the United States" for "Treason, Bribery, or other high Crimes and Misdemeanors." U.S. CONST., Art. 2, § 4. It is therefore proper to draw upon common law principles and to apply them to the office of the Presidency.

[70] Hawkins, *A Treatise of Pleas to the Crown, ch.* 67, § 2 (1716).

This description of the offense was echoed many times over the following decades. In a renowned bribery case involving the alleged solicitation of bribes, Lord Mansfield agreed that "[w]herever it is a crime to take, it is a crime to give: they are reciprocal."[71] Two years later, William Blackstone confirmed that "taking bribes is punished," just as bribery is punishable for "those who offer a bribe, though not taken."[72] Soliciting a bribe—even if it is not accepted—thus qualified as bribery at common law. Indeed, it was clear under the common law that "the *attempt* is a crime; it is complete on *his* side who *offers* it."[73]

The Framers adopted that principle into the Constitution. As Judge John Noonan explains, the drafting history of the Impeachment Clause demonstrates that "'Bribery' was read both actively and passively, including the chief magistrate bribing someone and being bribed."[74] Many scholars of Presidential impeachment have reached the same conclusion.[75] Impeachable "Bribery" thus covers—inter alia—the *offer*, *solicitation*, or *acceptance* of something of personal value by the President to influence his own official actions.

This conclusion draws still more support from a closely related part of the common law. In the late-17th century, "bribery" was a relatively new offense, and was understood as overlapping with the more ancient common law crime of "extortion."[76] "Extortion," in turn, was defined as the "abuse of public justice, which consists in any officer's unlawfully taking, by colour of his office, from any man, any money or thing of value, that is not due to him, or more than is due, or before it is due."[77] Under this definition, both bribery *and*

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[71] *Rex v. Vaughan*, 98 Eng. Rep. 308, 311 (K.B. 1769).

[72] William Blackstone, *Commentaries on the Laws of England, Vol. 2, Book 4, Ch. 10, § 17* (1771).

[73] *Rex v. Vaughan*, 98 Eng. Rep. 308, 311 (K.B. 1769). American courts have subsequently repeated this precise formulation. *See, e.g.*, *State v. Ellis*, 33 N.J.L. 102, 104 (N.J. Sup. Ct. 1868) ("The offence is complete when an offer or reward is made to influence the vote or action of the official."); *see also* William O. Russell, *A Treatise on Crimes and Misdemeanors* 239-240 (1st American Ed) (1824) ("The law abhors the least tendency to corruption; and up on the principle which has been already mentioned, of an attempt to commit even a misdemeanor, being itself a misdemeanor, (f) attempts to bribe, though unsuccessful, have in several cases been held to be criminal.").

[74] John T. Noonan, Jr., *Bribes: The Intellectual History of a Moral Idea*, 430 (1984).

[75] As Professor Bowman writes, bribery was "a common law crime that developed from a narrow beginning" to reach "giving, and offering to give, [any] improper rewards." Bowman, *High Crimes & Misdemeanors*, at 243; *see also, e.g.*, Tribe & Matz, *To End A Presidency*, at 33 ("The corrupt exercise of power in exchange for a personal benefit defines impeachable bribery. That's self-evidently true whenever the president receives bribes to act a certain way. But it's also true when the president offers bribes to other officials—for example, to a federal judge, a legislator, or a member of the Electoral College … In either case, the president is fully complicit in a grave degradation of power, and he can never again be trusted to act as a faithful public servant.").

[76] *See* James Lindgren, *The Elusive Distinction Between Bribery and Extortion: From the Common Law to the Hobbs Act*, 35 UCLA L. REV. 815, 839 (1988).

[77] Blackstone, *Commentaries*, Vol. 2, Book 4, Ch. 10, § 22 (1771) (citing 1 Hawk. P. C. 170); *accord* Giles Jacob, A New Law-Dictionary 102 (1782) (defining "Extortion" as "an unlawful taking by an officer, &c. by colour of his office, of any money, or valuable thing, from a person where none at all is due, or not so much is due, or before it is due").

extortion occurred when an official used his public position to obtain private benefits to which he was not entitled. Conduct which qualified as bribery was therefore "routinely punished as common law extortion."[78] To the Framers, who would have seen bribery and extortion as virtually coextensive, when a President acted in his official capacity to offer, solicit, or accept an improper personal benefit, he committed "Bribery."[79]

Turning to the nature of the improper personal benefit: because officials can be corrupted in many ways, the benefit at issue in a bribe can be anything of subjective personal value to the President. This is not limited to money. Indeed, given their purposes, it would have made no sense for the Framers to confine "Bribery" to the offer, solicitation, or acceptance of money, and they expressed no desire to impose that restriction. To the contrary, in guarding against foreign efforts to subvert American officials, they confirmed their broad view of benefits that might cause corruption: a person who holds "any Office of Profit or Trust," such as the President, is forbidden from accepting "any present, Office or Tile, of any kind whatever, from ... a foreign State."[80] An equally pragmatic (and capacious) view applies to the impeachable offense of "Bribery." This view is further anchored in the very same 17th and 18th century common law treatises that were well known to the Framers. Those authorities used broad language in defining what qualifies as a "thing of value" in the context of bribery: "any undue reward" or any "valuable consideration."[81]

To summarize, impeachable "Bribery" occurs when a President offers, solicits, or accepts something of personal value to influence his own official actions. Bribery is thus an especially egregious and specific example of a President abusing his power for private gain. As Blackstone explained, bribery is "the genius of despotic countries where the true principles of government are never understood"—and where "it is imagined that there is no obligation from the superior to the inferior, no relative duty owing from the governor to the governed."[82] In our democracy, the Framers understood that there is no place for Presidents who would abuse their power and betray the public trust through bribery.

Like "Treason," the offense of "Bribery" is thus aimed at a President who is a continuing threat to the Constitution. Someone who would willingly assist our enemies, or trade public power for personal favors, is the kind of person likely to break the rules again if they remain in office. But there is more: both "Treason" and "Bribery" are serious offenses with the capacity to corrupt constitutional governance and harm the Nation itself; both involve wrongdoing that reveals the President as a continuing threat if left in power; and both offenses are "plainly wrong in themselves to a person of honor, or to a good

[78] Lindgren, *The Elusive Distinction*, 35 UCLA L. REV. at 839.

[79] For all the reasons given below in our discussion of the criminality issue, impeachable "Bribery" does not refer to the meaning of bribery under modern federal criminal statutes. *See also* Bowman, *High Crimes & Misdemeanors*, at 243-44; Tribe & Matz, *To End A Presidency*, at 31-33.

[80] U.S. CONST, art. I, § 9, cl.8.

[81] Hawkins, *A Treatise of Pleas to the Crown*, ch. 67, § 2 (1716).

[82] Blackstone, *Commentaries on the Laws of England*, Book 4, Ch. 10 "Of Offenses Against Public Justice" (1765-1770).

citizen, regardless of words on the statute books."[83] Looking to the Constitution's text and history—including the British, colonial, and early American traditions discussed earlier—these characteristics also define "other high Crimes and Misdemeanors."

C. Abuse, Betrayal & Corruption

With that understanding in place, the records of the Constitutional Convention offer even greater clarity. They demonstrate that the Framers principally intended impeachment for three forms of Presidential wrongdoing: serious abuse of power, betrayal of the national interest through foreign entanglements, and corruption of office and elections. When the President engages in such misconduct, and does so in ways that are recognizably wrong and injurious to our political system, impeachment is warranted. That is proven not only by debates surrounding adoption of the Constitution, but also by the historical practice of the House in exercising the impeachment power.

1. Abuse of Power

As Justice Robert Jackson wisely observed, "the purpose of the Constitution was not only to grant power, but to keep it from getting out of hand."[84] Nowhere is that truer than in the Presidency. As the Framers created a formidable chief executive, they made clear that impeachment is justified for serious abuse of power. Edmund Randolph was explicit on this point. In explaining why the Constitution must authorize Presidential impeachment, he warned that "the Executive will have great opportunitys of abusing his power."[85] Madison, too, stated that impeachment is necessary because the President "might pervert his administration into a scheme of ... oppression."[86] This theme echoed through the state ratifying conventions. Advocating that New York ratify the Constitution, Hamilton set the standard for impeachment at an "abuse or violation of some public trust."[87] In South Carolina, Charles Pinckney agreed that Presidents must be removed who "behave amiss or betray their public trust."[88] In Massachusetts, Reverend Samuel Stillman asked, "With such a prospect [of impeachment], who will dare to abuse the powers vested in him by the people."[89] Time and again, Americans who wrote and ratified the Constitution confirmed that Presidents may be impeached for abusing the power entrusted to them.

There are at least as many ways to abuse power as there are powers vested in the President. It would thus be an exercise in futility to attempt a list of every conceivable

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[83] Charles L. Black Jr. & Philip Bobbitt, *Impeachment: A Handbook, New Edition* 34 (2018).

[84] *Youngstown Sheet & Tube Co. v. Sawyer*, 343 U.S. 579, 640 (Jackson, J., concurring).

[85] 2 Farrand, *Records of the Federal Convention*, at 67.

[86] *Id.*, at 65-66.

[87] Alexander Hamilton, *Federalist No. 65*, at 426.

[88] Berger, *Impeachment*, at 94.

[89] 2 Elliot, *Debates in the Several State Conventions*, at 169.

abuse constituting "high Crimes and Misdemeanors." That said, abuse of power was no vague notion to the Framers and their contemporaries. It had a very particular meaning to them. Impeachable abuse of power can take two basic forms: (1) the exercise of official power in a way that, on its very face, grossly exceeds the President's constitutional authority or violates legal limits on that authority; and (2) the exercise of official power to obtain an improper personal benefit, while ignoring or injuring the national interest. In other words, the President may commit an impeachable abuse of power in two different ways: by engaging in forbidden acts, or by engaging in potentially permissible acts but for forbidden reasons (*e.g.*, with the corrupt motive of obtaining a personal political benefit).

The first category involves conduct that is inherently and sharply inconsistent with the law—and that amounts to claims of monarchical prerogative. The generation that rebelled against King George III knew what absolute power looked like. The Framers had other ideas when they organized our government, and so they placed the chief executive within the bounds of law. That means the President may exercise only the powers expressly or impliedly vested in him by the Constitution, and he must also respect legal limits on the exercise of those powers (including the rights of Americans citizens). A President who refuses to abide these restrictions, thereby causing injury to society itself and engaging in recognizably wrongful conduct, may be subjected to impeachment for abuse of power.

That principle also covers conduct grossly inconsistent with and subversive of the separation of powers. The Framers knew that "[t]he accumulation of all powers, legislative, executive, and judiciary, in the same hands, ... may justly be pronounced the very definition of tyranny."[90] To protect liberty, they wrote a Constitution that creates a system of checks and balances within the federal government. Some of those rules are expressly enumerated in our founding charter; others are implied from its structure or from the history of inter-branch relations.[91] When a President wields executive power in ways that usurp and destroy the prerogatives of Congress or the Judiciary, he exceeds the scope of his constitutional authority and violates limits on permissible conduct. Such abuses of power are therefore impeachable. That conclusion is further supported by the British origins of the phrase "high Crimes and Misdemeanors": Parliament repeatedly impeached ministers for "subvert[ing] its conception of proper constitutional order in favor of the 'arbitrary and tyrannical' government of ambitious monarchs and their grasping minions."[92]

The Supreme Court advanced similar logic in *Ex Parte Grossman*, which held the President can pardon officials who defy judicial orders and are held in criminal contempt of court.[93] This holding raised an obvious concern: what if the President used "successive pardons" to "deprive a court of power to enforce its orders"?[94] That could fatally weaken

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[90] James Madison, *Federalist No. 47*, at 336.

[91] *See generally National Labor Relations Board v. Noel Canning, et al.*, 573 U.S. 513 (2014).

[92] Bowman, *High Crimes and Misdemeanors*, at 109.

[93] *Ex Parte Grossman*, 267 U.S. 87 (1925).

[94] *Id.*, at 121.

the Judiciary's role under Article III of the Constitution. On behalf of a unanimous Court, Chief Justice William Howard Taft—who had previously served as President—explained that "exceptional cases like this ... would suggest a resort to impeachment."[95]

Two impeachment inquiries have involved claims that a President grossly violated the Constitution's separation of powers. The first was in 1868, when the House impeached President Andrew Johnson, who had succeeded President Abraham Lincoln following his assassination at Ford's Theatre. There, the articles approved by the House charged President Johnson with conduct forbidden by law: in firing the Secretary of War, he had allegedly violated the Tenure of Office Act, which restricted the President's power to remove cabinet members during the term of the President who had appointed them.[96] President Johnson was thus accused of a facial abuse of power. In the Senate, though, he was acquitted by a single vote—largely because the Tenure of Office Act was viewed by many Senators as likely unconstitutional (a conclusion later adopted by the Supreme Court in an opinion by Chief Justice Taft, who described the Act as "invalid"[97]).

Just over 100 years later, this Committee accused a second chief executive of abusing his power. In a departure from prior Presidential practice—and in contravention of Article I of the Constitution—President Nixon had invoked specious claims of executive privilege to defy Congressional subpoenas served as part of an impeachment inquiry. His obstruction centered on tape recordings, papers, and memoranda relating to the Watergate break-in and its aftermath. As the House Judiciary Committee found, he had interposed "the powers of the presidency against the lawful subpoenas of the House of Representatives, thereby assuming to himself functions and judgments necessary to exercise the sole power of impeachment vested by the Constitution in the House of Representatives."[98] Put simply, President Nixon purported to control the exercise of powers that belonged solely to the House and not to him—including the power of inquiry that is vital to any Congressional judgments about impeachment. In so doing, President Nixon injured the constitutional plan: "Unless the defiance of the Committee's subpoenas under these circumstances is considered grounds for impeachment, it is difficult to conceive of any President acknowledging that he obligated to supply the relevant evidence necessary for Congress to exercise its constitutional responsibility in an impeachment proceeding."[99] The House Judiciary Committee therefore approved an article of impeachment against President Nixon for abuse of power in obstructing the House impeachment inquiry.

But that was only part of President Nixon's impeachable wrongdoing. The House Judiciary Committee also approved two additional articles of impeachment against him for

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[95] *Id.*

[96] *Articles of Impeachment Exhibited By The House Of Representatives Against Andrew Johnson, President of the United States*, 40th Cong. (1868).

[97] *Myers v. United States*, 272 U.S. 52, 108 (1926).

[98] *Committee Report on Nixon Articles of Impeachment (1974)*, at 188.

[99] *Id.*, at 213.

abuse of power, one for obstruction of justice and the other for using Presidential power to target, harass, and surveil his political opponents. These articles demonstrate the second way in which a President can abuse power: by acting with improper motives.

This understanding of impeachable abuse of power is rooted in the Constitution's text, which commands the President to "faithfully execute" the law. At minimum, that duty requires Presidents "to exercise their power only when it is motivated in the public interest rather than in their private self-interest."[100] A President can thus be removed for exercising power with a corrupt purpose, even if his action would otherwise be permissible. As Iredell explained at the North Carolina ratifying convention, "the president would be liable to impeachments [if] he had ... acted from some corrupt motive or other," or if he was "willfully abusing his trust."[101] Madison made a similar point at Virginia's ratifying convention. There, he observed that the President could be impeached for abuse of the pardon power if there are "grounds to believe" he has used it to "shelter" persons with whom he is connected "in any suspicious manner."[102] Such a pardon would technically be within the President's authority under Article II of the Constitution, but it would rank as an impeachable abuse of power because it arose from the forbidden purpose of obstructing justice. To the Framers, it was dangerous for officials to exceed their constitutional power, or to transgress legal limits, but it was equally dangerous (perhaps more so) for officials to conceal corrupt or illegitimate objectives behind superficially valid acts.

Again, President Nixon's case is instructive. After individuals associated with his campaign committee committed crimes to promote his reelection, he used the full powers of his office as part of a scheme to obstruct justice. Among many other wrongful acts, President Nixon dangled pardons to influence key witnesses, told a senior aide to have the CIA stop an FBI investigation into Watergate, meddled with Justice Department immunity decisions, and conveyed secret law enforcement information to suspects. Even if some of this conduct was formally within the scope of President Nixon's authority as head of the Executive Branch, it was undertaken with illegitimate motives. The House Judiciary Committee therefore included it within an article of impeachment charging him with obstruction of justice. Indeed, following President Nixon's resignation and the discovery of additional evidence concerning obstruction, all eleven members of the Committee who had originally voted against that article joined a statement affirming that "we were prepared to vote for his impeachment on proposed Article I had he not resigned his office."[103] Of course, several decades later, obstruction of justice was also the basis for an article of impeachment against President Clinton, though his conduct did not involve official acts.[104]

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[100] Kent et al., *Faithful Execution*, at 2120, 2179.

[101] 1998 Background and History of Impeachment Hearing, at 49.

[102] 3 Elliott, *Debates in the Several State Conventions,* at 497-98.

[103] Committee Report on Nixon Articles of Impeachment (1974), at 361.

[104] In President Clinton's case, the House approved the article of impeachment for obstruction of justice. There was virtually no disagreement in those proceedings over whether obstructing justice can be impeachable; scholars, lawyers, and legislators on all sides of the dispute recognized that it can be. *See* Daniel J. Hemel & Eric A. Posner, *Presidential Obstruction of Justice*, 106 CAL. L. REV 1277, 1305-1307 (2018).

Yet obstruction of justice did not exhaust President Nixon's corrupt abuse of power. He was also accused of manipulating federal agencies to injure his opponents, aid his friends, gain personal political benefits, and violate the constitutional rights of American citizens. For instance, President Nixon improperly attempted to cause income tax audits of his perceived political adversaries; directed the FBI and Secret Service to engage in targeted (and unlawful) surveillance; and formed a secret investigative unit within the White House—financed with campaign contributions—that utilized CIA resources in its illegal covert activities. In explaining this additional article of impeachment, the House Judiciary Committee stated that President Nixon's conduct was "undertaken for his personal political advantage and not in furtherance of any valid national policy objective."[105] His abuses of executive power were thus "seriously incompatible with our system of constitutional government" and warranted removal from office.[106]

With the benefit of hindsight, the House's decision to impeach President Johnson is best understood in a similar frame. Scholars now largely agree that President Johnson's impeachment was motivated not by violations of the Tenure of Office Act, but on his illegitimate use of power to undermine Reconstruction and subordinate African-Americans following the Civil War.[107] In that period, fundamental questions about the nature and future of the Union stood unanswered. Congress therefore passed a series of laws to "reconstruct the former Confederate states into political entities in which black Americans enjoyed constitutional protections."[108] This program, however, faced an unyielding enemy in President Johnson, who declared that "white men alone must manage the south."[109] Convinced that political control by African-Americans would cause a "relapse into barbarism," President Johnson vetoed civil rights laws; when Congress overrode him, he refused to enforce those laws.[110] The results were disastrous. As Annette Gordon-Reed writes, "it would be impossible to exaggerate how devastating it was to have a man who affirmatively hated black people in charge of the program that was designed to settle the terms of their existence in post-Civil War America."[111] Congress tried to compromise with

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Publicly available evidence does not suggest that the Senate's acquittal of President Clinton was based on the view that obstruction of justice is not impeachable. Rather, Senators who voted for acquittal appear to have concluded that some of the factual charges were not supported and that, even if Presidential perjury and obstruction of justice might in some cases justify removal, the nature and circumstances of the conduct at issue (including its predominantly private character) rendered it insufficiently grave to warrant that remedy.

[105] Committee Report on Nixon Articles of Impeachment (1974), at 139.

[106] *Id.*

[107] *See generally* Michael Les Benedict, *The Impeachment and Trial of Andrew Johnson* (1999).

[108] Jeffrey A. Engel, Jon Meacham, Timothy Naftali, & Peter Baker, *Impeachment: An American History* 48 (2018).

[109] *Id.* at 49.

[110] *Id.*

[111] *See* Annette Gordon-Reed, *Andrew Johnson: The American Presidents Series: the 17th President, 1865-1869* 12 (2011).

the President, but to no avail. A majority of the House finally determined that President Johnson posed a clear and present danger to the Nation if allowed to remain in office.

Rather than directly target President Johnson's faithless execution of the laws, and his illegitimate motives in wielding power, the House resorted to charges based on the Tenure of Office Act. But in reality, "the shaky claims prosecuted by [the House] obscured a far more compelling basis for removal: that Johnson's virulent use of executive power to sabotage Reconstruction posed a mortal threat to the nation—and to civil and political rights—as reconstituted after the Civil War ... [T]he country was in the throes of a second founding. Yet Johnson abused the powers of his office and violated the Constitution to preserve institutions and practices that had nearly killed the Union. He could not be allowed to salt the earth as the Republic made itself anew."[112] Viewed from that perspective, the case for impeaching President Johnson rested on his use of power with illegitimate motives.

Pulling this all together, the Framers repeatedly confirmed that Presidents can be impeached for grave abuse of power. Where the President engages in acts forbidden by law, or acts with an improper motive, he has committed an abuse of power under the Constitution. Where those abuses inflict substantial harm on our political system and are recognizably wrong, they warrant his impeachment and removal.[113]

2. Betrayal of the National Interest Through Foreign Entanglements

It is not a coincidence that the Framers started with "Treason" in defining impeachable offenses. Betrayal was no abstraction to them. They had recently waged a war for independence in which some of their fellow citizens remained loyal to the enemy. The infamous traitor, Benedict Arnold, had defected to Britain less than a decade earlier. As they looked outward, the Framers saw kings scheming for power, promising fabulous wealth to spies and deserters. The United States could be enmeshed in such conspiracies: "Foreign powers," warned Elbridge Gerry, "will intermeddle in our affairs, and spare no expense to influence them."[114] The young Republic might not survive a President who schemed with other nations, entangling himself in secret deals that harmed our democracy.

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[112] Tribe & Matz, *To End a Presidency*, at 55.

[113] In President Clinton's case, it was debated whether Presidents can be impeached for acts that do not involve their official powers. *See Constitutional Grounds for Presidential Impeachment: Modern Precedents (1998)*, at 6-7; MINORITY STAFF OF H. COMM. ON THE JUDICIARY, 105TH CONG., CONSTITUTIONAL GROUNDS FOR PRESIDENTIAL IMPEACHMENT: MODERN PRECEDENTS MINORITY VIEWS 3-4, 8-9, 13-16 (Comm. Print 1998. Many scholars have taken the view that such private conduct may be impeachable in extraordinary circumstances, such as where it renders the President unviable as the leader of a democratic nation committed to the rule of law. *See, e.g.*, Tribe & Matz, *To End A Presidency*, at 10, 51; Black & Bobbitt, *Impeachment*, at 35. It also bears mention that some authority supports the view that Presidents might be subject to impeachment not for *abusing* their official powers, but by *failing* to use them and thus engaging in gross dereliction of official duty. *See, e.g.*, Tribe & Matz, *To End A Presidency*, at 50; Akhil Reed Amar, *America's Constitution: A Biography* 200 (2006); Black & Bobbitt, *Impeachment*, at 34.

[114] Wydra & Gorod, *The First Magistrate in Foreign Pay*.

That reality loomed over the impeachment debate in Philadelphia. Explaining why the Constitution required an impeachment option, Madison argued that a President "might betray his trust to foreign powers."[115] Gouverneur Morris, who had initially opposed allowing impeachment, was convinced: "no one would say that we ought to expose ourselves to the danger of seeing the first Magistrate in foreign pay, without being able to guard against it by displacing him."[116] In the same vein, Franklin noted "the case of the Prince of Orange during the late war," in which a Dutch prince reneged on a military treaty with France.[117] Because there was no impeachment power or other method of inquiry, the prince's motives were secret and untested, drastically destabilizing Dutch politics and giving "birth to the most violent animosities and contentions."[118]

Impeachment for betrayal of the Nation's interest—and especially for betrayal of national security and foreign policy—was hardly exotic to the Framers. "The history of impeachment over the centuries shows an abiding awareness of how vulnerable the practice of foreign policy is to the misconduct of its makers."[119] Indeed, "impeachments on this ground were a constant of parliamentary practice," and "a string of British ministers and royal advisors were impeached for using their official powers contrary to the country's vital foreign interests."[120] Although the Framers did not intend impeachment for genuine, good faith disagreements between the President and Congress over matters of diplomacy, they were explicit that betrayal of the Nation through plots with foreign powers justified removal.

In particular, foreign interference in the American political system was among the gravest dangers feared by the Founders of our Nation and the Framers of our Constitution. For example, in a letter to Thomas Jefferson, John Adams wrote: "You are apprehensive of foreign Interference, Intrigue, Influence. So am I.—But, as often as Elections happen, the danger of foreign Influence recurs."[121] And in *Federalist No. 68*, Hamilton cautioned that the "most deadly adversaries of republican government" may come "chiefly from the desire in foreign powers to gain an improper ascendant in our councils.[122]

The President's important role in foreign affairs does not disable the House from evaluating whether he committed impeachable offenses in that field. This conclusion follows from the Impeachment Clause itself but is also supported by the Constitution's

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[115] 2 Farrand, *Records of the Federal Convention*, at 65.

[116] *Id.*, at 68.

[117] *Id.*, at 67-68.

[118] *Id.*

[119] Frank O. Bowman, III, *Foreign Policy Has Always Been at the Heart of Impeachment*, FOREIGN AFFAIRS (Nov 2019).

[120] Bowman, *High Crimes & Misdemeanors*, at 48, 106.

[121] *To Thomas Jefferson from John Adams, 6 December 1787*, National Archives, Founders Online.

[122] Alexander Hamilton, *Federalist No. 68*, at 441.

many grants of power to Congress addressing foreign affairs. Congress is empowered to "declare War," "regulate Commerce with foreign Nations," "establish an uniform Rule of Naturalization," "define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations," "grant Letters of Marque and Reprisal," and "make Rules for the Government and Regulation of the land and naval Forces."[123] Congress also has the power to set policy, define law, undertake oversight and investigations, create executive departments, and authorize government funding for a slew of national security matters.[124] In addition, the President cannot make a treaty or appoint an ambassador without the approval of the Senate.[125] In those respects and many others, constitutional authority over the "conduct of the foreign relations of our Government" is shared between "the Executive and Legislative [branches]."[126] Stated simply, "the Executive is not free from the ordinary controls and checks of Congress merely because foreign affairs are at issue."[127] In these realms, as in many others, the Constitution "enjoins upon its branches separateness but interdependence, autonomy but reciprocity."[128]

Accordingly, where the President uses his foreign affairs power in ways that betray the national interest for his own benefit, or harm national security for equally corrupt reasons, he is subject to impeachment by the House. Any claims to the contrary would horrify the Framers. A President who perverts his role as chief diplomat to serve private rather than public ends has unquestionably engaged in "high Crimes and Misdemeanors"—especially if he invited, rather than opposed, foreign interference in our politics.

3. Corruption of Office or Elections

As should now be clear, the Framers feared corruption most of all, in its many and shifting manifestations. It was corruption that led to abuse of power and betrayal of the Nation. It was corruption that ruined empires, debased Britain, and menaced American freedom. The Framers saw no shortage of threats to the Republic, and fought valiantly to guard against them, "but the big fear underlying all the small fears was whether they'd be able to control corruption."[129] This was not just a matter of thwarting bribes and extortion; it was a far greater challenge. The Framers aimed to build a country in which officials would not use public power for personal benefits, disregarding the public good in pursuit of their own advancement. This virtuous principle applied with special force to the

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[123] U.S. CONST., Art. I, § 8.

[124] *See* Lawrence Friedman & Victor Hansen, *There Is No Constitutional Impediment to an Impeachment Inquiry that Concerns National Security*, JUST SECURITY, Oct. 1, 2019.

[125] U.S. CONST., Art. II, §2, cl. 2.

[126] *Medellin v. Texas*, 552 U.S. 491, 511 (2008).

[127] *Zivotofsky v. Kerry*, 135 S. Ct. 2076 (2015).

[128] *Youngstown Sheet & Tube Co. v. Sawyer*, 343 U.S. 579, 635 (1952) (Jackson, J., concurring).

[129] Teachout, *Corruption in America*, at 57.

Presidency. As Madison emphasized, because the Presidency "was to be administered by a single man," his corruption "might be fatal to the Republic."[130]

The Framers therefore sought to ensure that "corruption was more effectually guarded against, in the manner this government was constituted, than in any other that had ever been formed."[131] Impeachment was central to that plan. At one point the Convention even provisionally adopted "treason, bribery, or corruption" as the standard for impeaching a President. And no fewer than four delegates—Morris, Madison, Mason, and Randolph—listed corruption as a reason why Presidents must be subject to removal. That understanding followed from history: "One invariable theme in [centuries] of Anglo-American impeachment practice has been corruption."[132] Treason posed a threat of swift national extinction, but the steady rot of corruption could destroy us from within. Presidents who succumbed to that instinct, serving themselves at the Nation's expense, forfeited the public trust.

Impeachment was seen as especially necessary for Presidential conduct corrupting our system of political self-government. That concern arose in two contexts: the risk that Presidents would be swayed to prioritize foreign over domestic interests, and the risk that they would place their personal interest in re-election above our abiding commitment to democracy. The need for impeachment peaks where both threats converge at once.

First was the risk that foreign royals would use wealth, power, and titles to seduce American officials. This was not a hypothetical problem. Just a few years earlier, and consistent with European custom, King Louis XVI of France had bestowed on Benjamin Franklin (in his capacity as American emissary) a snuff box decorated with 408 diamonds "of a beautiful water."[133] Magnificent gifts like this one could unconsciously shape how American officials carried out their duties. To guard against that peril, the Framers adopted the Foreign Emoluments Clause, which prohibits Presidents—among other federal officials—from accepting "any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State" unless Congress affirmatively consents.[134]

The theory of the Foreign Emoluments Clause, based in history and the Framers' lived experience, "is that a federal officeholder who receives something of value from a foreign power can be imperceptibly induced to compromise what the Constitution insists be his exclusive loyalty: the best interest of the United States of America."[135] Rather than

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[130] Jonathan Elliot ed., *Debates on the Adoption of the Federal Constitution in the Convention Held at Philadelphia, in 1787* 341 (1861) (hereinafter "Debates on the Adoption of the Federal Constitution").

[131] 4 Elliot, *Debates in the Several State Conventions*, at 302.

[132] Bowman, *High Crimes & Misdemeanors*, at 277.

[133] Teachout, *Corruption in America*, at 1.

[134] U.S. CONST., Art. I, § 9, cl. 8.

[135] Norman L. Eisen, Richard Painter & Laurence H. Tribe, *The Emoluments Clause: Its Text, Meaning, And Application To Donald J. Trump*, BROOKINGS, Dec. 16, 2016.

scrutinize every exchange for potential bribery, the Framers simply banned officials from receiving anything of value from foreign powers. Although this rule sweeps broadly, the Framers deemed it central to American self-governance. Speaking in Philadelphia, Charles Pinckney "urged the necessity of preserving foreign ministers, and other officers of the United States, independent of external influence."[136] At Virginia's convention, Randolph elaborated that "[i]t was thought proper, in order to exclude corruption and foreign influence, to prohibit any one in office from receiving or holding any *emoluments* from foreign states."[137] Randolph added that if the President violated the Clause, "he may be impeached."[138]

The Framers also anticipated impeachment if a President placed his own interest in retaining power above the national interest in free and fair elections. Several delegates were explicit on this point when the topic arose at the Constitutional Convention. By then, the Framers had created the Electoral College. They were "satisfied with it as a tool for picking presidents but feared that individual electors might be intimidated or corrupted."[139] Impeachment was their answer. William Davie led off the discussion, warning that a President who abused his office might seek to escape accountability by interfering with elections, sparing "no efforts or means whatever to get himself re-elected."[140] Rendering the President "impeachable whilst in office" was thus "an essential security for the good behaviour of the Executive."[141] The Constitution thereby ensured that corrupt Presidents could not avoid justice by subverting elections and remaining in office.

George Mason built on Davie's position, directing attention to the Electoral College: "One objection agst. Electors was the danger of their being corrupted by the Candidates; & this furnished a peculiar reason in favor of impeachments whilst in office. Shall the man who has practised corruption & by that means procured his appointment in the first instance, be suffered to escape punishment, by repeating his guilt?"[142] Mason's concern was straightforward. He feared that Presidents would win election by improperly influencing members of the Electoral College (*e.g.*, by offering them bribes). If evidence of such wrongdoing came to light, it would be unthinkable to leave the President in office—especially given that he might seek to avoid punishment by corrupting the next election. In that circumstance, Mason concluded, the President should face impeachment and removal under the Constitution. Notably, Mason was not alone in this view. Speaking just a short while later, Gouverneur Morris emphatically agreed that "the Executive ought therefore to

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[136] Elliot, *Debates on the Adoption of the Federal Constitution* at 467.

[137] 3 Elliot, *Debates in the Several State Conventions*, at 465.

[138] *Id.*, at 201.

[139] Tribe & Matz, *To End A Presidency*, at 4.

[140] 2 Farrand, *Records of the Federal Convention*, at 64.

[141] *Id.*

[142] *Id.*, at 65.

be impeachable for ... Corrupting his electors."[143] Although not articulated expressly, it is reasonable to infer that the concerns raised by Davie, Mason, and Morris were especially salient because the Constitution—until ratification of the Twenty-Second Amendment in 1951—did not limit the number of terms a President could serve in office.[144] A President who twisted or sabotaged the electoral process could rule for life, much like a king.

This commitment to impeaching Presidents who corruptly interfered with elections was anchored in lessons from British rule. As historian Gordon Wood writes, "[t]hroughout the eighteenth century the Crown had slyly avoided the blunt and clumsy instrument of prerogative, and instead had resorted to influencing the electoral process and the representatives in Parliament in order to gain its treacherous ends."[145] In his influential *Second Treatise on Civil Government*, John Locke blasted such manipulation, warning that it serves to "cut up the government by the roots, and poison the very fountain of public security."[146] Channeling Locke, American revolutionaries vehemently objected to King George III's electoral shenanigans; ultimately, they listed several election-related charges in the Declaration of Independence. Those who wrote our Constitution knew, and feared, that the chief executive could threaten their plan of government by corrupting elections.

The true nature of this threat is its rejection of government by "We the People," who would "ordain and establish" the Constitution.[147] The beating heart of the Framers' project was a commitment to popular sovereignty. At a time when "democratic self-government existed almost nowhere on earth,"[148] the Framers imagined a society "where the true principles of representation are understood and practised, and where all authority flows from, and returns at stated periods to, the people."[149] That would be possible only if "those entrusted with [power] should be kept in dependence on the people."[150] This is why the President, and Members of Congress, must stand before the public for re-election on fixed terms. It is through free and fair elections that the American people protect their right to self-government, a right unforgivably denied to many as the Constitution was ratified in 1788 but now extended to all American citizens over the age of 18. When the President concludes that elections threaten his continued grasp on power, and therefore seeks to corrupt or interfere with them, he denies the very premise of our constitutional system. The American people choose their leaders; a President who wields power to destroy opponents or manipulate elections is a President who rejects democracy itself.

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[143] *Id.*, at 69.

[144] U.S. CONST. Amend. XXII.

[145] Wood, *The Creation of the American Republic,* at 33.

[146] John Locke, *Second Treatise of Government* 112 (C.B. Macpherson ed. 1980).

[147] U.S. CONST. Pmbl.

[148] Amar, *America's Constitution,* at 8.

[149] 4 Elliot, *Debates in the Several State Conventions*, at 331; *see also* James Madison, *Federalist No. 14.*

[150] James Madison, *Federalist No. 37*, at 268.

In sum, the Framers discussed the risk that Presidents would improperly conspire with foreign nations; they also discussed the risk that Presidents would place their interest in retaining power above the integrity of our elections. Both offenses, in their view, called for impeachment. That is doubly true where a President conspires with a foreign power to manipulate elections to his benefit—conduct that betrays American self-governance and joins the Framers' worst nightmares into a single impeachable offense.[151]

D. Conclusion

Writing in 1833, Justice Joseph Story remarked that impeachable offenses "are of so various and complex a character" that it would be "almost absurd" to attempt a comprehensive list.[152] Consistent with Justice Story's wisdom, "the House has never, in any impeachment inquiry or proceeding, adopted either a comprehensive definition of 'high Crimes and Misdemeanors' or a catalog of offenses that are impeachable."[153] Rather than engage in abstract, advisory or hypothetical debates about the precise nature of conduct that calls for the exercise of its constitutional powers, the House has awaited a "full development of the facts."[154] Only then has it weighed articles of impeachment.

In making such judgments, however, each Member of the House has sworn an oath to follow the Constitution, which sets forth a legal standard governing when Presidential conduct warrants impeachment. That standard has three main parts.

First, as Mason explained just before proposing "high Crimes and Misdemeanors" as the basis for impeachment, the President's conduct must constitute a "great and dangerous offense" against the Nation. The Constitution itself offers us two examples: "Treason" and "Bribery." In identifying "other" offenses of the same kind, we are guided by Parliamentary and early American practice, records from the Constitutional Convention and state ratifying conventions, and insights from the Constitution's text and structure. These sources prove that "high Crimes and Misdemeanors" involve misconduct that subverts and injures constitutional governance. Core instances of such misconduct by the President are serious abuse of power, betrayal of the national interest through foreign entanglements, and corruption of office and elections. The Framers included an

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[151] In fact, the Framers were so concerned about improper foreign influence in the Presidency that they restricted that position to natural born citizens. U.S. CONST. Art. II, § 1. As one commentator observed, "Considering the greatness of the trust, and that this department is the ultimately efficient power in government, these restrictions will not appear altogether useless or unimportant. As the President is required to be a native citizen of the United States, ambitious foreigners cannot intrigue for the office, and the qualification of birth cuts off all those inducements from abroad to corruption, negotiation, and war, which have frequently and fatally harassed the elective monarchies of Germany and Poland, as well as the pontificate at Rome." 1 James Kent, *Commentaries on American Law* 255 (1826).

[152] 2 Story, *Commentaries*, at 264.

[153] 1998 Background and History of Impeachment Hearing, at 2.

[154] Constitutional Grounds for Presidential Impeachment (1974), at 2.

impeachment power in the Constitution specifically to protect the Nation against these forms of wrongdoing.

Past practice of the House further illuminates the idea of a "great and dangerous offense." President Nixon's case is most helpful. There, as explained above, the House Judiciary Committee approved articles of impeachment on three grounds: (1) obstruction of an ongoing law enforcement investigation into unlawful acts by his presidential re-election campaign; (2) abuse of power in targeting his perceived political opponents; and (3) improper obstruction of a Congressional impeachment inquiry into his obstruction of justice and abuse of power. These articles of impeachment, moreover, were not confined to discrete acts. Each of them accused President Nixon of undertaking a course of conduct or scheme, and each of them supported that accusation with a list of discrete acts alleged to comprise and demonstrate the overarching impeachable offense.[155] Thus, where a President engages in a course of conduct involving serious abuse of power, betrayal of the national interest through foreign entanglements, or corruption of office and elections, impeachment is justified.

Second, impeachable offenses involve wrongdoing that reveal the President as a continuing threat to the constitutional system if he is allowed to remain in a position of political power. As Iredell remarked, impeachment does not exist for a "mistake."[156] That is why the Framers rejected "maladministration" as a basis for impeachment, and it is why "high Crimes and Misdemeanors" are not simply unwise, unpopular, or unconsidered acts. Like "Treason" and "Bribery," they reflect decisions by the President to embark on a course of conduct—or to act with motives—inconsistent with our plan of government. Where the President makes such a decision, Congress may remove him to protect the Constitution, especially if there is reason to think that he will commit additional offenses if left in office (*e.g.*, statements by the President that he did nothing wrong and would do it all again). This forward-looking perspective follows from the limited consequences of impeachment. The question is not whether to punish the President; that decision is left to the criminal justice system. Instead, the ultimate question is whether to bring an early end to his four-year electoral term. In his analysis of the Constitution, Alexis de Tocqueville thus saw impeachment as "a preventive measure" which exists "to deprive the ill-disposed citizen of an authority which he has used amiss, and to prevent him from ever acquiring it again."[157] That is particularly true when the President injures the Nation's interests as part of a scheme to obtain personal benefits; someone so corrupt will again act corruptly.

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[155] Consistent with that understanding, one scholar remarks that it is the "repetition, pattern, [and] coherence" of official misconduct that "tend to establish the requisite degree of seriousness warranting the removal of a president from office." John Labovitz, *Presidential Impeachment* 129-130 (1978); *see also, e.g.*, McGinnis, *Impeachment*, at 659 ("[I]t has been well understood that the official's course of conduct as a whole should be the subject of judgment."); *Debate On Articles Of Impeachment: Hearing before the H. Comm. On the Judiciary*, 93rd Cong. (1974) (hereinafter "Debate on Nixon Articles of Impeachment (1974)") (addressing the issue repeatedly from July 24, 1974 to July 30, 1974).

[156] Sunstein, *Impeachment,* at 59.

[157] Alexis de Tocqueville, *Democracy in America and Two Essays on America* 124-30 (Gerald E. Bevan, tr., 2003).

Finally, "high Crimes and Misdemeanors" involve conduct that is recognizably wrong to a reasonable person. This principle resolves a potential tension in the Constitution. On the one hand, the Framers adopted a standard for impeachment that could stand the test of time. On the other hand, the structure of the Constitution—including its prohibition on bills of attainder and the *Ex Post Facto* Clause—implies that impeachable offenses should not come as a surprise.[158] Impeachment is aimed at Presidents who believe they are above the law, and who believe their own interests transcend those of the country and Constitution. Of course, as President Nixon proved, Presidents who have committed impeachable offenses may seek to confuse the public through manufactured ambiguity and crafty pretexts. That does not shield their misconduct from impeachment. The principle of a plainly wrong act is not about academic technicalities; it simply focuses impeachment on conduct that any person of honor would recognize as wrong under the Constitution.

To summarize: Like "Treason" and "Bribery," and consistent with the offenses historically considered by Parliament to warrant impeachment, "high Crimes and Misdemeanors" are great and dangerous offenses that injure the constitutional system. Such offenses are defined mainly by abuse of power, betrayal of the national interest through foreign entanglements, and corruption of office and elections. In addition, impeachable offenses arise from wrongdoing that reveals the President as a continuing threat to the constitutional system if allowed to remain in a position of power. Finally, they involve conduct that reasonable officials would consider to be wrong in our democracy.

Within these parameters, and guided by fidelity to the Constitution, the House must judge whether the President's misconduct is grave enough to require impeachment. That step must never be taken lightly. It is a momentous act, justified only when the President's full course of conduct, assessed without favor or prejudice, is "seriously incompatible with either the constitutional form and principles of our government or the proper performance of constitutional duties of the presidential office."[159] When that standard is met, however, the Constitution calls the House to action. In such cases, a decision *not* to impeach has grave consequences and sets an ominous precedent. As Representative William Cohen remarked in President Nixon's case, "It also has been said to me that even if Mr. Nixon did commit these offenses, every other President ... has engaged in some of the same conduct, at least to some degree, but the answer I think is that democracy, that solid rock of our system, may be eroded away by degree and its survival will be determined by the degree to which we will tolerate those silent and subtle subversions that absorb it slowly into the rule of a few."[160]

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[158] *See* Black & Bobbitt, *Impeachment,* at 29-30.

[159] Constitutional Grounds for Presidential Impeachment (1974), at 27.

[160] Debate on Nixon Articles of Impeachment (1974), at 79.

V. The Criminality Issue

It is occasionally suggested that Presidents can be impeached only if they have committed crimes. That position was rejected in President Nixon's case, and then rejected again in President Clinton's, and should be rejected once more.[161]

Offenses against the Constitution are different in kind than offenses against the criminal code. Some crimes, like jaywalking, are not impeachable. Some impeachable offenses, like abuse of power, are not crimes. Some misconduct may offend both the Constitution and the criminal law. Impeachment and criminality must therefore be assessed separately—even though the commission of crimes may strengthen a case for removal.

A "great preponderance of authority" confirms that impeachable offenses are "not confined to criminal conduct."[162] This authority includes nearly every legal scholar to have studied the issue, as well as multiple Supreme Court justices who addressed it in public remarks.[163] More important, the House itself has long treated "high Crimes and Misdemeanors" as distinct from crimes subject to indictment. That understanding follows from the Constitution's history, text, and structure, and reflects the absurdities and practical difficulties that would result were the impeachment power confined to indictable crimes.

A. History

"If there is one point established by ... Anglo-American impeachment practice, it is that the phrase 'high Crimes and Misdemeanors' is not limited to indictable crimes."[164] As recounted above, impeachment was conceived in Parliament as a method for controlling abusive royal ministers. Consistent with that purpose, it was not confined to accusations of criminal wrongdoing. Instead, it was applied to "many offenses, not easily definable by law," such as abuse of power, betrayal of national security, corruption, neglect of duty, and

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[161] REPORT OF THE COMMITTEE ON THE JUDICIARY, HOUSE OF REPRESENTATIVES, TOGETHER WITH ADDITIONAL, MINORITY, AND DISSENTING VIEWS TO ACCOMPANY H. RES. 611, IMPEACHMENT OF WILLIAM JEFFERSON CLINTON, PRESIDENT OF THE UNITED STATES, H.R. REP. NO. 105-830 (1998) (hereinafter "Committee Report on Clinton Articles of Impeachment (1998)"), at 64 ("Although, the actions of President Clinton do not have to rise to the level of violating the federal statute regarding obstruction of justice in order to justify impeachment."). Constitutional Grounds for Presidential Impeachment (1974), at 22-26.

[162] Berger, *Impeachment*, at 58.

[163] *See, e.g.*, Black & Bobbitt, *Impeachment*, at 33-37, 559-565; Bowman, *High Crimes and Misdemeanors*, at 244-252; Tribe & Matz, *To End A Presidency*, at 43-53; Sunstein, *Impeachment*, at 117-134; Amar, *America's Constitution*, at 200-20; Charles J. Cooper, *A Perjurer in the White House?: The Constitutional Case for Perjury and Obstruction of Justice as High Crimes and Misdemeanors*, 22 HARV. J. L. & PUB. POL'Y 619, 620 (1998-1999); Michael J. Gerhardt, *The Federal Impeachment Process: A Constitutional and Historical Analysis* 105-113 (3rd ed. 2019); Berger, *Impeachment*, at 58 (collecting sources); Merrill Otis, *A Proposed Tribunal: Is It Constitutional?*, 7 KAN. CITY. L. REV. 3, 22 (1938) (quoting Chief Justice Taft); Charles E. Hughes, *The Supreme Court of the United States* 19 (1928) (Chief Justice Hughes); 2 Henry Adams, *History of the United States of America* 223 (1962).

[164] Bowman, *High Crimes and Misdemeanors*, at 44.

violating Parliament's constitutional prerogatives.[165] Many officials were impeached for non-criminal wrongs against the British system of government; notable examples include the Duke of Buckingham (1626), the Earl of Strafford (1640), the Lord Mayor of London (1642), the Earl of Orford and others (1701), and Governor General Warren Hastings (1787).[166] Across centuries of use, the phrase "high Crimes and Misdemeanors" thus assumed a "special historical meaning different from the ordinary meaning of the terms 'crimes' and 'misdemeanors.'"[167] It became a term of art confined to impeachments, without "relation to whether an indictment would lie in the particular circumstances."[168]

That understanding extended to North America. Here, the impeachment process was used to address diverse misconduct by public officials, ranging from abuse of power and corruption to bribery and betrayal of the revolutionary cause.[169] As one scholar reports, "American colonists before the Revolution, and American states after the Revolution but before 1787, all impeached officials for non-criminal conduct."[170]

At the Constitutional Convention itself, no delegate linked impeachment to the technicalities of criminal law. On the contrary, the Framers invoked an array of broad, adaptable terms as grounds for removal—and when the standard was temporarily narrowed to "treason, or bribery," Mason objected that it must reach "great and dangerous" offenses against the Constitution. Here he cited Burke's call to impeach Hastings, whose acts were not crimes, but instead violated "those eternal laws of justice, which are our rule and our birthright."[171] To the Framers, impeachment was about abuse of power, betrayal of nation, and corruption of office and elections. It was meant to guard against these threats in every manifestation—known and unknown—that might someday afflict the Republic.

That view appeared repeatedly in the state ratifying debates. Delegates opined that the President could be impeached if he "deviates from his duty" or "dare[s] to abuse the power vested in him by the people."[172] In North Carolina, Iredell noted that "the person convicted [in an impeachment proceeding] is further liable to a trial at common law, and may receive such common-law punishment … *if it be punishable by that law*" (emphasis added).[173] Similarly, in Virginia, George Nicholas declared that the President "will be absolutely disqualified [by impeachment] to hold any place of profit, honor, or trust, and liable to further punishment *if he has committed such high crimes as are punishable at*

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[165] 2 Story, *Commentaries*, at 268.

[166] *See* Bowman, *High Crimes and Misdemeanors,* at 44-47.

[167] Constitutional Grounds for Presidential Impeachment (1974), at 22.

[168] Berger, *Impeachment*, at 62.

[169] Hoffer & Hull, *Impeachment in America*, at 1-95.

[170] Bowman, *High Crimes and Misdemeanors,* at 244.

[171] Edmund Burke, *Reflections on the Revolution in France and Other Writings* 409 (2015).

[172] Quoted in Michael J. Gerhardt, *Impeachment: What Everyone Needs to Know* 60 (2018).

[173] Constitutional Grounds for Presidential Impeachment (1974), at 23.

common law" (emphasis added).[174] The premise underlying this statement—and Iredell's—is that some Presidential "high Crimes and Misdemeanors" were *not* punishable by common law.

Leading minds echoed that position through the Nation's early years. In *Federalist No. 65*, Hamilton argued that impeachable offenses are defined by "the abuse or violation of some public trust."[175] In that sense, he reasoned, "they are of a nature which may with peculiar propriety be denominated POLITICAL, as they relate chiefly to injuries done immediately to the society itself."[176] A few years later, Constitutional Convention delegate James Wilson reiterated Hamilton's point: "Impeachments, and offences and offenders impeachable, come not ... within the sphere of ordinary jurisprudence. They are founded on different principles, are governed by different maxims, and are directed to different objects."[177] Writing in 1829, William Rawle described impeachment as reserved for "men whose treachery to their country might be productive of the most serious disasters."[178] Four years later, Justice Story emphasized that impeachable offenses ordinarily "must be examined upon very broad and comprehensive principles of public policy and duty."[179]

The American experience with impeachment confirms that lesson. A strong majority of the impeachments voted by the House since 1789 have included "one or more allegations that did not charge a violation of criminal law."[180] Several officials, moreover, have subsequently been convicted on non-criminal articles of impeachment. For example, Judge Robert Archbald was removed in 1912 for non-criminal speculation in coal properties, and Judge Halsted Ritter was removed in 1936 for the non-criminal offense of bringing his court "into scandal and disrepute."[181] As House Judiciary Committee Chairman Hatton Sumners stated explicitly during Judge Ritter's case, "We do not assume the responsibility ... of proving that the respondent is guilty of a crime as that term is known to criminal jurisprudence."[182] The House has also applied that principle in Presidential impeachments. Although President Nixon resigned before the House could consider the articles of impeachment against him, the Judiciary Committee's allegations encompassed many non-criminal acts.[183] And in President Clinton's case, the Judiciary Committee report accompanying articles of impeachment to the House floor stated that

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[174] *Id.*

[175] Alexander Hamilton, *Federalist No. 65*, at 426.

[176] *Id.*

[177] James Wilson, *Collected Works of James Wilson* 736 (Kermit L. Hall and Mark David Hall ed. 2007).

[178] William Rawle, *A View of the Constitution of the United States of America* 218 (1829).

[179] 2 Story, *Commentaries*, at 234.

[180] Constitutional Grounds for Presidential Impeachment (1974), at 24.

[181] REPORT OF THE COMMITTEE ON THE JUDICIARY, ROBERT W. ARCHBALD, JUDGE OF THE UNITED STATES COMMERCE COURT, H.R. REP. NO. 62-946 (1912); H. Res. 422, 74th Cong. (1936) (enacted).

[182] Berger, *Impeachment*, at 60.

[183] *See generally* Committee Report on Nixon Articles of Impeachment (1974).

"the actions of President Clinton do not have to rise to the level of violating the federal statute regarding obstruction of justice in order to justify impeachment."[184]

History thus affords exceptionally clear and consistent evidence that impeachable "high Crimes and Misdemeanors" are not limited to violations of the criminal code.

B. Constitutional Text and Structure

That historical conclusion is bolstered by the text and structure of the Constitution. Starting with the text, we must assign weight to use of the word "high." That is true not only because "high Crimes and Misdemeanors" was a term of art with its own history, but also because "high" connotes an offense against the State itself. Thus, "high" treason in Britain was an offense against the Crown, whereas "petit" treason was the betrayal of a superior by a subordinate. The Framers were aware of this when they incorporated "high" as a limitation on impeachable offenses, signifying only constitutional wrongs.

That choice is particularly noteworthy because the Framers elsewhere referred to "crimes," "offenses," and "punishment" without using this modifier—and so we know "the Framers knew how to denote ordinary crimes when they wanted to do so."[185] For example, the Fifth Amendment requires a grand jury indictment in cases of a "capital, or otherwise infamous crime."[186] The Currency Clause, in turn, empowers Congress to "provide for the Punishment of counterfeiting the Securities and current Coin of the United States."[187] The Law of Nations Clause authorizes Congress to "define and punish Piracies and Felonies committed on the high Seas, and Offenses against the Law of Nations."[188] And the Interstate Extradition Clause provides that "[a] Person charged in any State with Treason, Felony, or other Crime" who flees from one state to another shall be returned upon request.[189] Only in the Impeachment Clause did the Framers refer to "high" crimes. By adding "high" in this one provision, while excluding it everywhere else, the Framers plainly sought to capture a distinct category of offenses against the state.[190]

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[184] Committee Report on Clinton Articles of Impeachment (1998), at 66.

[185] Tribe & Matz, *To End a Presidency,* at 40.

[186] U.S. CONST. Amend. V, § 1.

[187] U.S. CONST. Art. I, § 8, cl. 6.

[188] U.S. CONST. Art. I, § 8, cl. 10.

[189] U.S. CONST. Art. IV, § 2, cl. 2.

[190] One might object that since "Treason" and "Bribery" are indictable crimes, the same must be true of "other high Crimes and Misdemeanors." But this argument would fail. Although it is true that "other high Crimes and Misdemeanors" share certain characteristics with "Treason" and "Bribery," the key question is *which* characteristics unify them. And for all the reasons given here, it is wrong to conclude that criminality is the unifying principle of impeachable offenses. Moreover, if the Framers' goal was to limit impeachment to violations of the criminal law, it is passing strange that the Impeachment Clause uses a term of art—"high Crimes and Misdemeanors"—that appears neither in the criminal law itself nor anywhere else in the Constitution (which *does* elsewhere refer both to "crimes" and "offenses"). It would have been easy to write a provision limiting the impeachment power to serious crimes, and yet the Framers pointedly did not do so.

That interpretation is also most consistent with the structure of the Constitution. This is true in three respects.

First, as explained above, the Impeachment Clause restricts the consequences of impeachment to removal from office and disqualification from future federal officeholding. That speaks to the fundamental character of impeachment. In Justice Story's words, it is "a proceeding purely of a political nature. It is not so much designed to punish an offender, as to secure the state against gross official misdemeanors. It touches neither his person, nor his property; but simply divests him of his political capacity."[191] Given that impeachment exists to address threats to the political system, applies only to political officials, and responds only by stripping political power, it makes sense to infer that "high Crimes and Misdemeanors" are offenses against the political system rather than indictable crimes.

Second, if impeachment were restricted to crimes, impeachment proceedings would be restricted to deciding whether the President had committed a specific crime. Such a view would create tension between the Impeachment Clause and other provisions of the Constitution. For example, the Double Jeopardy Clause protects against being tried twice for the same crime. Yet the Impeachment Clause contemplates that an official, once removed, can still face "Indictment, Trial, Judgment and Punishment, according to Law." It would be strange if the Framers forbade double jeopardy, yet allowed the President to be tried in court for crimes after Congress convicted him in a proceeding that necessarily (and exclusively) decided whether he was guilty of those very same crimes.[192] That oddity is avoided only if impeachment proceedings are seen "in noncriminal terms," which occurs if impeachable offenses are understood as distinct from indictable crimes.[193]

Finally, the Constitution was originally understood as limiting Congress's power to create a federal law of crimes. It would therefore be strange if the Framers restricted impeachment to criminal offenses, while denying Congress the ability to criminalize many forms of Presidential wrongdoing that they repeatedly described as requiring impeachment.

To set this point in context, the Constitution expressly authorizes Congress to criminalize only a handful of wrongful acts: "counterfeiting, piracy, 'offenses against the law of nations,' and crimes that occur within the military."[194] Early Congresses did not tread far beyond that core category of crimes, and the Supreme Court took a narrow view of federal power to pass criminal statutes. It was not until much later—in the twentieth century—that the Supreme Court came to recognize that Congress could enact a broader criminal code. As a result, early federal criminal statutes "covered relatively few categories

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[191] 2 Story, *Commentaries*, at 272.

[192] *See* Berger, *Impeachment*, at 80.

[193] *Id.*

[194] William J. Stuntz, *The Collapse of American Criminal Justice* 99 (2011).

of offenses."[195] Many federal offenses were punishable only when committed "in special places, and within peculiar jurisdictions, as, for instance, on the high seas, or in forts, navy-yards, and arsenals ceded to the United States."[196]

The Framers were not fools. They authorized impeachment for a reason, and that reason would have been gutted if impeachment were limited to crimes. It is possible, of course, that the Framers thought the common law, rather than federal statutes, would define criminal offenses. That is undeniably true of "Bribery": the Framers saw this impeachable offense as defined by the common law of bribery as it was understood at the time. But it is hard to believe that the Framers saw common law as the sole measure of impeachment. For one thing, the common law did not address itself to many wrongs that could be committed uniquely by the President in our republican system. The common law would thus have been an extremely ineffective tool for achieving the Framers' stated purposes in authorizing impeachment. Moreover, the Supreme Court held in 1812 that there is no federal common law of crimes.[197] If the Framers thought only crimes could be impeachable offenses, and hoped common law would describe the relevant crimes, then they made a tragic mistake—and the Supreme Court's 1812 decision ruined their plans for the impeachment power.[198]

Rather than assume the Framers wrote a Constitution full of empty words and internal contradictions, it makes far more sense to agree with Hamilton that impeachment is not about crimes. The better view, which the House itself has long embraced, confirms that impeachment targets offenses against the Constitution that threaten democracy.[199]

C. The Purpose of Impeachment

The distinction between impeachable offenses and crimes also follows from the fundamentally different purposes that impeachment and the criminal law serve. At bottom, the impeachment power is "the first step in a remedial process—removal from office and possible disqualification from holding future office."[200] It exists "primarily to maintain constitutional government" and is addressed exclusively to abuses perpetrated by federal

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[195] Tribe & Matz, *To End a Presidency,* at 48.

[196] 2 Story, *Commentaries*, at 264.

[197] *United States v. Hudson and Goodwin*, 11 U.S. 32 (1812).

[198] In the alternative, one might say that "high Crimes and Misdemeanors" occur when the president violates *state* criminal law. But that turns federalism upside down: invoking state criminal codes to supply the content of the federal Impeachment Clause would grant states a bizarre and incongruous primacy in the constitutional system. Especially given that impeachment is crucial to checks and balances *within* the federal government, it would be nonsensical for states to effectively control when this power may be wielded by Congress.

[199] Article III of the Constitution provides that "the Trial of all Crimes, except in Cases of Impeachment, shall be by Jury." Article III, §2. This provision recognizes that impeachable conduct *may* entail criminal conduct—and clarifies that in such cases, the trial of an impeachment still occurs in the Senate, not by jury.

[200] Constitutional Grounds for Presidential Impeachment (1974), at 24.

officeholders.[201] It is through impeachment proceedings that "a President is called to account for abusing powers that only a President possesses."[202] The criminal law, in contrast, "sets a general standard of conduct that all must follow."[203] It applies to all persons within its compass and ordinarily defines acts forbidden to everyone; in our legal tradition, the criminal code "does not address itself [expressly] to the abuses of presidential power."[204]

Indeed, "the early Congresses—filled with Framers—didn't even *try* to create a body of criminal law addressing many of the specific abuses that motivated adoption of the Impeachment Clause in the first place."[205] This partly reflects "a tacit judgment that it [did] not deem such a code necessary."[206] But that is not the only explanation. The Constitution vests "the sole Power of Impeachment" in the House; it is therefore doubtful that a statute enacted by one Congress (and signed by the President) could bind the House at a later date.[207] Moreover, any such effort to define and criminalize all impeachable offenses would quickly run aground. As Justice Story cautioned, impeachable offenses "are of so various and complex a character, so utterly incapable of being defined, or classified, that the task of positive legislation would be impracticable, if it were not almost absurd to attempt it."[208]

There are also general characteristics of the criminal law that make criminality inappropriate as an essential element of impeachable conduct. For example, criminal law traditionally forbids acts, rather than failures to act, yet impeachable conduct "may include the serious failure to discharge the affirmative duties imposed on the President by the Constitution."[209] In addition, unlike a criminal case focused on very specific conduct and nothing else, a Congressional impeachment proceeding may properly consider a broader course of conduct or scheme that tends to subvert constitutional government.[210] Finally, the application of general criminal statutes to the President may raise constitutional issues that have no bearing on an impeachment proceeding, the whole point of which is to assess whether the President has abused power in ways requiring his removal from office.[211]

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[201] *Id.*

[202] *Id.*

[203] *Id.*

[204] *Id.*

[205] Tribe & Matz, *To End a Presidency,* at 48-49.

[206] Berger, *Impeachment*, at 78.

[207] Committee Report on Nixon Articles of Impeachment (1974), at 25.

[208] 2 Story, *Commentaries*, at 264.

[209] Constitutional Grounds for Presidential Impeachment (1974), at 24

[210] *Id.*, at 24-25.

[211] Robert S. Mueller, III, *Report On The Investigation Into Russian Interference In The 2016 Presidential Election,* Vol. II at 170-181 (March 2019).

For all these reasons, "[a] requirement of criminality would be incompatible with the intent of the framers to provide a mechanism broad enough to maintain the integrity of constitutional government. Impeachment is a constitutional safety valve; to fulfill this function, it must be flexible enough to cope with exigencies not now foreseeable."[212]

D. The Limited Relevance of Criminality

As demonstrated, the President can commit "high Crimes and Misdemeanors" without violating federal criminal law. "To conclude otherwise would be to ignore the original meaning, purpose and history of the impeachment power; to subvert the constitutional design of a system of checks and balances; and to leave the nation unnecessarily vulnerable to abusive government officials."[213] Yet the criminal law is not irrelevant. "Our criminal codes identify many terrible acts that would surely warrant removal if committed by the chief executive."[214] Moreover, the President is sworn to uphold the law. If he violates it while grossly abusing power, betraying the national interest through foreign entanglements, or corrupting his office or elections, that weighs in favor of impeaching him.

VI. Addressing Fallacies About Impeachment

Since the House began its impeachment inquiry, a number of inaccurate claims have circulated about how impeachment works under the Constitution. To assist the Committee in its deliberations, we address six issues of potential relevance: (1) the law that governs House procedures for impeachment; (2) the law that governs the evaluation of evidence, including where the President orders defiance of House subpoenas; (3) whether the President can be impeached for the abuse of his executive powers; (4) whether the President's claims regarding his motives must be accepted at face value; (5) whether the President is immune from impeachment if he attempts an impeachable offense but is caught before he completes it; and (6) whether it is preferable to await the next election when a President has sought to corrupt that very same election.

A. The Impeachment Process

It has been argued that the House has not followed proper procedure in its ongoing impeachment inquiry. We have considered those arguments and find that they lack merit.

To start with first principles, the Constitution vests the House with the "sole Power of Impeachment."[215] It also vests the House with the sole power to "determine the Rules

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[212] Constitutional Grounds for Presidential Impeachment (1974), at 25.

[213] Keith E. Whittington, *Must Impeachable Offenses Be Violations of the Criminal Code?*, LAWFARE, Nov. 19, 2019.

[214] Tribe & Matz, *To End a Presidency*, at 51.

[215] U.S. CONST. Art. I, § 2, cl. 5.

of its Proceedings."[216] These provisions authorize the House to investigate potential "high Crimes and Misdemeanors," to draft and debate articles of impeachment, and to establish whatever rules and procedures it deems proper for those proceedings.[217]

When the House wields its constitutional impeachment power, it functions like a grand jury or prosecutor: its job is to figure out what the President did and why he did it, and then to decide whether the President should be charged with impeachable offenses. If the House approves any articles of impeachment, the President is entitled to present a full defense at trial in the Senate. It is thus in the Senate, and *not* in the House, where the President might properly raise certain protections associated with trials.[218]

Starting in May 2019, the Judiciary Committee undertook an inquiry to determine whether to recommend articles of impeachment against President Trump. The Committee subsequently confirmed, many times, that it was engaged in an impeachment investigation. On June 11, 2019, the full House approved a resolution confirming that the Judiciary Committee possessed "any and all necessary authority under Article I of the Constitution" to continue its investigation; an accompanying Rules Committee Report emphasized that the "purposes" of the inquiry included "whether to approve 'articles of impeachment with respect to the President.'"[219] As the Judiciary Committee continued with its investigation, evidence came to light that President Trump may have grossly abused the power of his office in dealings with Ukraine. At that point, the House Permanent Select Committee on Intelligence, and the House Oversight and Foreign Affairs Committees, began investigating potential offenses relating to Ukraine. On September 24, 2019, House Speaker Nancy Pelosi directed these committees, as well as the House Judiciary, Financial Services and Ways and Means Committees, to "proceed with their investigations under that umbrella of [an] impeachment inquiry."[220] Finally, on October 31, 2019, the full House approved H. Res. 660, which directed the six committees "to continue their ongoing investigations as part of the existing House of Representatives inquiry into whether sufficient grounds exist for the House of Representatives to exercise its Constitutional power to impeach Donald John Trump, President of the United States of America."[221]

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[216] U.S. CONST. Art. I, § 5, cl. 2.

[217] *See* David Pozen, *Risk-Risk Tradeoffs in Presidential Impeachment*, TAKE CARE, Jun. 6, 2018 ("Both chambers of Congress enjoy vast discretion in how they run impeachment proceedings.").

[218] *Contra* Letter from Pat A. Cipollone, Counsel to the President, to Hon. Nancy Pelosi, Speaker of the House, Hon. Adam B. Schiff, Chairman, H. Perm. Select Comm. on Intelligence, Hon. Eliot L. Engel, Chairman, H. Foreign Affairs Comm., and Hon. Elijah E. Cummings, Chairman, H. Comm. on Oversight and Reform (Oct. 8, 2019); *Leader McCarthy Speech Against the Sham Impeachment Vote*, Kevin McCarthy, Republican Leader, Oct. 31, 2019.

[219] H. Res. 430, 116th Cong. (2019); AUTHORIZING THE COMMITTEE ON THE JUDICIARY TO INITIATE OR INTERVENE IN JUDICIAL PROCEEDINGS TO ENFORCE CERTAIN SUBPOENAS AND FOR OTHER PURPOSES TO ACCOMPANY H. RES. 430, H.R. REP. 116-108, at 21 (2019).

[220] *Pelosi Remarks Announcing Impeachment Inquiry*, Sep. 24 2019, NANCY PELOSI, SPEAKER OF THE HOUSE.

[221] H. Res. 660, 116th Cong. (2019).

This approach to investigating potential impeachable offenses adheres to the Constitution, the Rules of the House, and historical practice.[222] House Committees have frequently initiated and made substantial progress in impeachment inquiries before the full House considered a resolution formalizing their efforts. That is what happened in the cases of Presidents Johnson and Nixon, as well as in many judicial impeachments (which are subject to the same constitutional provisions).[223] Indeed, numerous judges have been impeached without any prior vote of the full House authorizing a formal inquiry.[224] It is both customary and sensible for committees—particularly the Judiciary Committee—to investigate evidence of serious wrongdoing before decisions are made by the full House.

In such investigations, the House's initial task is to gather evidence. As is true of virtually any competent investigation, whether governmental or private, the House has historically conducted substantial parts of the initial fact-finding process out of public view to ensure more accurate and complete testimony.[225] In President Nixon's case, for instance, only the Judiciary Committee Chairman, Ranking Member, and Committee staff had access to material gathered by the impeachment inquiry in its first several months.[226] There was no need for similar secrecy in President Clinton's case, but only because the House did not engage in a substantial investigation of its own; it largely adopted the facts set forth in a report by Independent Counsel Kenneth Starr, who had spent years investigating behind closed doors.[227]

When grand juries and prosecutors investigate wrongdoing by private citizens and public officials, the person under investigation has no right to participate in the examination of witnesses and evidence that precedes a decision on whether to file charges. That is black letter law under the Constitution, even in serious criminal cases that threaten loss of life or liberty. The same is true in impeachment proceedings, which threaten only loss of public office. Accordingly, even if the full panoply of rights held by criminal defendants hypothetically were to apply in the non-criminal setting of impeachment, the President has no "due process right" to interfere with, or inject himself into, the House's fact-finding efforts. If the House ultimately approves articles of impeachment, any rights that the President might hold are properly secured at trial in the Senate, where he may be afforded an opportunity to present an evidentiary defense and test the strength of the House's case.

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[222] *See generally* H.R. REP. NO. 116-108.

[223] *See* 3 Hinds Ch. 75 § 2400 (President Johnson); 3 Deschler Ch. 14, § 15 (President Nixon); H.R. REP. NO. 101-36, at 13–16 (1988) (Judge Walter Nixon); H. R. Res. 320, 100th Cong. (Judge Alcee Hastings); H.R. REP. NO. 99-688, at 3–7 (1986) (Judge Harry Claiborne); 3 Deschler Ch. 14 § 5 (Justice William O. Douglas).

[224] *See* H. Res. 87, 101st Cong. (1989) (impeaching Judge Nixon); H. Res. 499, 100th Cong. (1988) (impeaching Judge Hastings); H. Res. 461, 99th Cong. (1986) (impeaching Judge Claiborne).

[225] *See* Tribe & Matz, *To End A Presidency*, at 92 ("Historically, the House and Senate have investigated through their committees … Critically, although they may involve occasional public hearings, most investigatory activities must be kept secret until they have nearly reached an end.").

[226] Debate on Nixon Articles of Impeachment (1974), at 86.

[227] Committee Report on Clinton Articles of Impeachment (1998), at 300.

Although under no constitutional or other legal obligation to do so, but consistent with historical practice, the full House approved a resolution—H. Res. 660—that ensures transparency, allows effective public hearings, and provides the President with opportunities to participate. The privileges afforded under H. Res. 660 are even greater than those provided to Presidents Nixon and Clinton. They allow the President or his counsel to participate in House Judiciary Committee proceedings by presenting their case, responding to evidence, submitting requests for additional evidence, attending hearings (including non-public hearings), objecting to testimony, and cross-examining witnesses. In addition, H. Res. 660 gave the minority the same rights to question witnesses that the majority has, as has been true at every step of this impeachment proceeding.

The impeachment inquiry concerning President Trump has thus complied in every respect with the Constitution, the Rules of the House, and historic practice of the House.

B. Evidentiary Considerations and Presidential Obstruction

The House impeachment inquiry has compiled substantial direct and circumstantial evidence bearing on the question whether President Trump may have committed impeachable offenses. President Trump has objected that some of this evidence comes from witnesses lacking first-hand knowledge of his conduct. In the same breath, though, he has ordered witnesses with first-hand knowledge to defy House subpoenas for testimony and documents—and has done so in a categorical, unqualified manner. President Trump's evidentiary challenges are misplaced as a matter of constitutional law and common sense.

The Constitution does not prescribe rules of evidence for impeachment proceedings in the House or Senate. Consistent with its sole powers to impeach and to determine the rules of its proceedings, the House is constitutionally authorized to consider any evidence that it believes may illuminate the issues before it. At this fact-finding stage, "no technical 'rules of evidence' apply," and "[e]vidence may come from investigations by committee staff, from grand jury matter made available to the committee, or from any other source."[228] The House may thus "subpoena documents, call witnesses, hold hearings, make legal determinations, and undertake any other activities necessary to fulfill [its] mandate."[229] When deciding whether to bring charges against the President, the House is not restricted by the Constitution in deciding which evidence to consider or how much weight to afford it.

Indeed, were rules of evidence to apply anywhere, it would be in the Senate, where impeachments are tried. Yet the Senate does not treat the law of evidence as controlling at such trials.[230] As one scholar explains, "rules of evidence were elaborated primarily to hold

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[228] Black & Bobbitt, *Impeachment*, at 9.

[229] Tribe & Matz, *To End a Presidency*, at 129.

[230] Gerhardt, *The Federal Impeachment Process*, at 42 ("[E]ven if the Senate could agree on such rules for impeachment trials, they would not be enforceable against or binding on individual senators, each of whom traditionally has had the discretion in an impeachment trial to follow any evidentiary standards he or she sees fit.").

juries within narrow limits. They have no place in the impeachment process. Both the House and the Senate ought to hear and consider *all* evidence which seems relevant, without regard to technical rules. Senators are in any case continually exposed to 'hearsay' evidence; they cannot be sequestered and kept away from newspapers, like a jury."[231]

Instead of adopting abstract or inflexible rules, the House and Senate have long relied on their common sense and good judgment to assess evidence in impeachments. When evidence is relevant but there is reason to question its reliability, those considerations affect how much weight the evidence is given, not whether it can be considered at all.

Here, the factual record is formidable and includes many forms of highly reliable evidence. It goes without saying, however, that the record might be more expansive if the House had full access to the documents and testimony it has lawfully subpoenaed from government officials. The reason the House lacks such access is an unprecedented decision by President Trump to order a total blockade of the House impeachment inquiry.

In contrast, the conduct of prior chief executives illustrates the lengths to which they complied with impeachment inquiries. As President James Polk conceded, the "power of the House" in cases of impeachment "would penetrate into the most secret recesses of the Executive Departments," and "could command the attendance of any and every agent of the Government, and compel them to produce all papers, public or private, official or unofficial, and to testify on oath to all facts within their knowledge."[232] Decades later, when the House conducted an impeachment inquiry into President Johnson, it interviewed cabinet officials and Presidential aides, obtained extensive records, and heard testimony about conversations with Presidential advisors.[233] Presidents Grover Cleveland, Ulysses S. Grant, and Theodore Roosevelt each confirmed that Congress could obtain otherwise-shielded executive branch documents in an impeachment inquiry.[234] And in President Nixon's case—where the President's refusal to turn over tapes led to an article of impeachment—the House Judiciary Committee still heard testimony from his chief of staff (H.R. Haldeman), special counsel (Charles Colson), personal attorney (Herbert Kalmbach), and deputy assistant (Alexander Butterfield). Indeed, with respect to the Senate Watergate investigation, President Nixon stated: "All members of the White House Staff will appear voluntarily when requested by the committee. They will testify under oath, and they will

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[231] Black & Bobbitt, *Impeachment*, at 18. *see also* Gerhardt, *The Federal Impeachment Process*, at 117 ("Both state and federal courts require special rules of evidence to make trials more efficient and fair or to keep certain evidence away from a jury, whose members might not understand or appreciate its reliability, credibility, or potentially prejudicial effect.").

[232] H.R. Jour., 29th Cong., 1st Sess., 693 (1846); 4 James D. Richardson ed., *Messages and Papers of Presidents* 434-35 (1896).

[233] *See generally* Reports of Committees, Impeachment Investigation, 40th Cong., 1st Sess. 183-578 (1867).

[234] *See* Jonathan David Shaub, *The Executive's Privilege: Rethinking the President's Power to Withhold Information*, LAWFARE (Oct. 31, 2019).

answer fully all proper questions."[235] President Trump's categorical blockade of the House impeachment inquiry has no analogue in the history of the Republic.[236]

As a matter of constitutional law, the House may properly conclude that a President's obstruction of Congress is relevant to assessing the evidentiary record in an impeachment inquiry. For centuries, courts have recognized that "when a party has relevant evidence within his control which he fails to produce, that failure gives rise to an inference that the evidence is unfavorable to him."[237] Moreover, it is routine for courts to draw adverse inferences where a party acts in bad faith to conceal or destroy evidence or preclude witnesses from testifying.[238] Although those judicial rules do not control here, they are instructive in confirming that parties who interfere with fact-finding processes can suffer an evidentiary sanction. Consistent with that commonsense principle, the House has informed the administration that defiance of subpoenas at the direction or behest of the President or the White House could justify an adverse inference against the President. In light of President Trump's unlawful and unqualified direction that governmental officials violate their legal responsibilities to Congress, as well as his pattern of witness intimidation, the House may reasonably infer that their testimony would be harmful to the President—or at least not exculpatory. If this evidence were helpful to the President, he would not break the law to keep it hidden, nor would he engage in public acts of harassment to scare other witnesses who might consider coming forward.[239]

One noteworthy result of President Trump's obstruction is that the House has been improperly denied testimony by certain government officials who could have offered first-hand accounts of relevant events. That does not leave the House at sea: there is still robust evidence, both documentary and testimonial, bearing directly on his conduct and motives.

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[235] *The President's Remarks Announcing Developments and Procedures to be Followed in Connection with the Investigation,* THE WHITE HOUSE Apr. 17, 1973. President Nixon initially stated that members of his "personal staff" would "decline a request for a formal appearance before a committee of the Congress," but reversed course approximately one month later., *Statement by the President, Executive Privilege* THE WHITE HOUSE Mar. 12, 1973.

[236] *See* Tribe & Matz, *To End A Presidency*, at 129 ("Congress's investigatory powers are at their zenith in the realm of impeachment. They should ordinarily overcome almost any claim of executive privilege asserted by the president.").

[237] *Int'l Union, United Auto., Aerospace & Agr. Implement Workers of Am. (UAW) v. N. L. R. B.*, 459 F.2d 1329, 1336 (D.C. Cir. 1972); *see also Interstate Circuit v. United States*, 306 U.S. 208, 225–26 (1939); *Rossi v. United States*, 289 U.S. 89, 91–92 (1933); *Mammoth Oil Co. v. United States*, 275 U.S. 13, 51–53 (1927); *Burdine v. Johnson*, 262 F.3d 336, 366 (5th Cir. 2001) (collecting cases); *United States v. Pitts*, 918 F.2d 197, 199 (D.C. Cir. 1990) (holding that, where a missing witness has "so much to offer that one would expect [him] to take the stand," and where "one of the parties had some special ability to produce him," the law allows an inference "that the missing witness would have given testimony damaging to that party").

[238] *See, e.g., Bracey v. Grondin*, 712 F.3d 1012, 1018 (7th Cir. 2013); *Residential Funding Corp. v. DeGeorge Fin. Corp.*, 306 F.3d 99, 107 (2d Cir. 2002); *Nation-Wide Check Corp. v. Forest Hills Distributors, Inc.*, 692 F.2d 214, 217 (1st Cir. 1982); *see also* 2 *Jones on Evidence* § 13:12 & § 13:15 (7th ed. 2019 update).

[239] If the President could order all Executive Branch agencies and officials to defy House impeachment inquiries, and if the House were unable to draw any inferences from that order with respect to the President's alleged misconduct, the impeachment power would be a nullity in many cases where it plainly should apply.

But especially given the President's obstruction of Congress, the House is free under the Constitution to consider reliable testimony from officials who overheard—or later learned about—statements by the President to witnesses whose testimony he has blocked.[240]

To summarize: just like grand jurors and prosecutors, the House is not subject to rigid evidentiary rules in deciding whether to approve articles. Members of the House are trusted to fairly weigh evidence in an impeachment inquiry. Where the President illegally seeks to obstruct such an inquiry, the House is free to infer that evidence blocked from its view is harmful to the President's position. It is also free to rely on other relevant, reliable evidence that illuminates the ultimate factual issues. The President has no right to defy an impeachment inquiry and then demand that the House turn back because it lacks the very evidence he unlawfully concealed. If anything, such conduct confirms that the President sees himself as above the law and may therefore bear on the question of impeachment.[241]

C. Abuse of Presidential Power is Impeachable

The powers of the President are immense, but they are not absolute. That principle applies to the current President just as it applied to his predecessors. President Nixon erred in asserting that "when the President does it, that means it is not illegal."[242] And President Trump was equally mistaken when he declared he had "the right to do whatever I want as president."[243] The Constitution always matches power with constraint. That is true even of powers vested exclusively in the chief executive. If those powers are invoked for corrupt

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[240] Under the Federal Rules of Evidence—which, again, are not applicable in Congressional impeachment proceedings—judges sometimes limit witnesses from offering testimony about someone else's out-of-court statements. They do so for reasons respecting reliability and with an eye to the unique risks presented by unsophisticated juries that may not properly evaluate evidence. But because hearsay evidence can in fact be highly reliable, and because it is "often relevant," *Tome v. United States*, 513 U.S. 150, 163 (1995), there are many circumstances in which such testimony is admissible in federal judicial proceedings. Those circumstances include, but are by no means limited to, recorded recollections, records of regularly conducted activity, records of a public office, excited utterances, and statements against penal or other interest. Moreover, where hearsay evidence bears indicia of reliability, it is regularly used in many other profoundly important contexts, including federal sentencing and immigration proceedings. *See, e.g.*, *Arrazabal v. Barr*, 929 F.3d 451, 462 (7th Cir. 2019); *United States v. Mitrovic*, 890 F.3d 1217, 1222 (11th Cir. 2018); *United States v. Woods*, 596 F.3d 445, 448 (8th Cir. 2010). Ironically, although some have complained that hearings related to the Ukraine affair initially occurred out of public sight, one reason for that measure was to ensure the integrity of witness testimony. Where multiple witnesses testified to the same point in separate, confidential hearings, that factual conclusion may be seen as corroborated and more highly reliable.

[241] The President has advanced numerous arguments to justify his across-the-board defiance of the House impeachment inquiry. These arguments lack merit. As this Committee recognized when it impeached President Nixon for obstruction of Congress, the impeachment power includes a corresponding power of inquiry that allows the House to investigate the Executive Branch and compel compliance with its subpoenas.

[242] *Document: Transcript of David Frost's Interview with Richard Nixon, 1977*, TEACHING AMERICAN HISTORY.

[243] Michael Brice-Saddler, *While Bemoaning Mueller Probe, Trump Falsely Says the Constitution Gives Him 'The Right To Do Whatever I Want"*, THE WASHINGTON POST, July 23, 2019.

reasons, or in an abusive manner that threatens harm to constitutional governance, the President is subject to impeachment for "high Crimes and Misdemeanors."

This conclusion follows from the Constitution's history and structure. As explained above, the Framers created a formidable Presidency, which they entrusted with "the executive Power" and a host of additional authorities. For example, the President alone can confer pardons, sign or veto legislation, recognize foreign nations, serve as Commander in Chief of the armed forces, and appoint or remove principal officers. The President also plays a significant (though not exclusive) role in conducting diplomacy, supervising law enforcement, and protecting national security. These are daunting powers for any one person to wield. If put to nefarious ends, they could wreak havoc on our democracy.

The Framers knew this. Fearful of tyranny in all its forms, they saw impeachment as a necessary guarantee that Presidents could be held accountable for how they exercised executive power. Many delegates at the Constitutional Convention and state ratifying conventions made this point, including Madison, Randolph, Pinckney, Stillman, and Iredell. Their view was widely shared. As James Wilson observed in Pennsylvania, "we have a responsibility in the person of our President"—who is "possessed of power"—since "far from being above the laws," he is "amenable to them ... by impeachment."[244] Hamilton struck the same note. In *Federalist No. 70*, he remarked that the Constitution affords Americans the "greatest securities they can have for the faithful exercise of any delegated power," including the power to discover "with facility and clearness" any misconduct requiring "removal from office."[245] Impeachment and executive power were thus closely intertwined in the Framers' constitutional plan: the President could be vested with awesome power, but only because he faced removal from office for grave abuses.

The architects of checks and balances meant no exceptions to this rule. There is no power in the Constitution that a President can exercise immune from legal consequence. The existence of any such unchecked and uncheckable authority in the federal government would offend the bedrock principle that nobody is above the law. It would also upend the reasons why our Framers wrote impeachment into the Constitution: the *exact* forms of Presidential wrongdoing that they discussed in Philadelphia could be committed through use of executive powers, and it is unthinkable that the Framers left the Nation defenseless in such cases. In fact, when questioned by Mason in Virginia, Madison expressly stated that the President could be impeached for abuse of his exclusive pardon power—a view that the Supreme Court later echoed in *Ex Parte Grossman*.[246] By the same token, a President could surely be impeached for treason if he fired the Attorney General to thwart

[244] 2 Elliot, *Debates in the Several State Conventions,* at 480.

[245] Alexander Hamilton, *Federalist No. 70,* at 456.

[246] 3 Elliot, *Debates in the Several State Conventions,* 497-98; *Ex Parte Grossman*, 267 U.S. at 121. Madison adhered to this understanding after the Constitution was ratified. In 1789, he explained to his colleagues in the House that the President would be subject to impeachment for abuse of the removal power—which is held by the President alone—"if he suffers [his appointees] to perpetrate with impunity High crimes or misdemeanors against the United States, or neglects to superintend their conduct, so as to check their excesses." 1 *Annals of Congress* 387 (1789).

the unmasking of an enemy spy in wartime; he could impeached for bribery if he offered to divulge state secrets to a foreign nation, conditioned on regulatory exemptions for his family business.[247] Simply put, "the fact that a power is exclusive to the executive—that is, the president alone may exercise it—does not mean the power cannot be exercised in clear bad faith, and that Congress cannot look into or act upon knowledge of that abuse."[248]

The rule that abuse of power can lead to removal encompasses all three branches. The Impeachment Clause applies to "The President, Vice President and all civil Officers of the United States," including Article III judges.[249] There is no exception to impeachment for misconduct by federal judges involving the exercise of their official powers. In fact, the opposite is true: "If in the exercise of the powers with which they are clothed as ministers of justice, [judges] act with partiality, or maliciously, or corruptly, or arbitrarily, or oppressively, they may be called to an account by impeachment."[250] Similarly, if Members of Congress exercise legislative power abusively or with corrupt purposes, they may be removed pursuant to the Expulsion Clause, which permits each house of Congress to expel a member "with the Concurrence of two thirds."[251] *Nobody* is entitled to wield power under the Constitution if they ignore or betray the Nation's interests to advance their own.

This is confirmed by past practice of the House. President Nixon's case directly illustrates the point. As head of the Executive Branch, he had the power to appoint and remove law enforcement officials, to issue pardons, and to oversee the White House, IRS, CIA, and FBI. But he did not have any warrant to exercise these Presidential powers abusively or corruptly. When he did so, the House Judiciary Committee properly approved multiple articles of impeachment against him. Several decades later, the House impeached President Clinton. There, the House witnessed substantial disagreement over whether the President could be impeached for obstruction of justice that did *not* involve using the powers of his office. But it was universally presumed—and never seriously questioned—that the President could be impeached for obstruction of justice that *did* involve abuse of those powers.[252] That view rested firmly on a correct understanding of the Constitution.

Our Constitution rejects pretensions to monarchy and binds Presidents with law. A President who sees no limit on his power manifestly threatens the Republic.

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[247] Scholars have offered many examples and hypotheticals that they see as illustrative of this point. *See* Bowman, *High Crimes and Misdemeanors*, at 258; Black & Bobbitt, *Impeachment*, 115; Hemel & Posner, *Presidential Obstruction of Justice*, at 1297; Tribe & Matz, *To End a Presidency*, at 61.

[248] Jane Chong, *Impeachment-Proof? The President's Unconstitutional Abuse of His Constitutional Powers*, LAWFARE, Jan. 2 2018.

[249] U.S. CONST. Art. II, § 4.

[250] *Bradley v. Fisher* 80 U.S. 335, 350 (1871).

[251] U.S. CONST. Art. I, § 5, cl. 2.

[252] *See generally* 1998 Background and History of Impeachment Hearing.

D. Presidential Pretexts Need Not Be Accepted at Face Value

Impeachable offenses are often defined by corrupt intent. To repeat Iredell, "the president would be liable to impeachments [if] he had ... acted from some corrupt motive or other," or if he was "willfully abusing his trust."[253] Consistent with that teaching, both "Treason" and "Bribery" require proof that the President acted with an improper state of mind, as would many other offenses described as impeachable at the Constitutional Convention. Contrary to occasional suggestions that the House may not examine the President's intent, an impeachment inquiry may therefore require the House to determine *why* the President acted the way he did. Understanding the President's motives may clarify whether he used power in forbidden ways, whether he was faithless in executing the laws, and whether he poses a continuing danger to the Nation if allowed to remain in office.

When the House probes a President's state of mind, its mandate is to find the facts. There is no room for legal fictions or lawyerly tricks that distort a clear assessment of the President's thinking. That means evaluating the President's explanations to see if they ring true. The question is not whether the President's conduct *could have* resulted from innocent motives. It is whether the President's *real reasons*—the ones actually in his mind as he exercised power—were legitimate. The Framers designed impeachment to root out abuse and corruption, even when a President masks improper intent with cover stories.

Accordingly, where the President's explanation of his motives defies common sense, or is otherwise unbelievable, the House is free to reject the pretextual explanation and to conclude that the President's false account of his thinking is itself evidence that he acted with corrupt motives. The President's honesty in an impeachment inquiry, or his lack thereof, can thus shed light on the underlying issue.[254]

President Nixon's case highlights the point. In its discussion of an article of impeachment for abuse of power, the House Judiciary Committee concluded that he had "falsely used a national security pretext" to direct executive agencies to engage in unlawful electronic surveillance investigations, thus violating "the constitutional rights of citizens."[255] In its discussion of the same article, the Committee also found that President Nixon had interfered with the Justice Department by ordering it to cease investigating a crime "on the pretext that it involved national security."[256] President Nixon's repeated claim that he had acted to protect national security could not be squared with the facts, and so the Committee rejected it in approving articles of impeachment against him for targeting political opponents.

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[253] *Id.*, at 49.

[254] *See* Tribe & Matz, *To End A Presidency*, at 92 ("Does the president admit error, apologize, and clean house? Does he prove his innocence, or at least his reasonable good faith? Or does he lie and obstruct until the bitter end? Maybe he fires investigators and stonewalls prosecutors? ... These data points are invaluable when Congress asks whether leaving the president in office would pose a continuing threat to the nation.").

[255] Committee Report on Nixon Articles of Impeachment (1974), at 146.

[256] *Id.*, at 179.

Testing whether someone has falsely characterized their motives requires careful attention to the facts. In rare cases, "some implausible, fantastic, and silly explanations could be found to be pretextual without any further evidence."[257] Sifting truth from fiction, though, usually demands a thorough review of the record—and a healthy dose of common sense. The question is whether "the evidence tells a story that does not match the explanation."[258]

Because courts assess motive all the time, they have identified warning signs that an explanation may be untrustworthy. Those red flags include the following:

First, *lack of fit between conduct and explanation.* This exists when someone claims they were trying to achieve a specific goal but then engaged in conduct poorly tailored to achieving it.[259] For instance, imagine the President claims that he wants to solve a particular problem—but then he ignores many clear examples of that problem, weakens rules meant to stop it from occurring, acts in ways unlikely to address it, and seeks to punish only two alleged violators (both of whom happen to be his competitors). The lack of fit between his punitive conduct and his explanation for it strongly suggests that the explanation is false, and that he invented it as a pretext for corruptly targeting his competitors.

Second, *arbitrary discrimination.* When someone claims they were acting for a particular reason, look to see if they treated similarly-situated individuals the same.[260] For example, if a President says that people doing business abroad should not engage in specific practices, does he punish everyone who breaks that rule, or does he pick and choose? If he picks and chooses, is there a good reason why he targets some people and not others, or does he appear to be targeting people for reasons unrelated to his stated motive? Where similarly-situated people are treated differently, the President should be able to explain why; if no such explanation exists, it follows that hidden motives are in play.

Third, *shifting explanations.* When someone repeatedly changes their story, it makes sense to infer that they began with a lie and may still be lying.[261] That is true in daily life and it is true in impeachments. The House may therefore doubt the President's account of his motives when he first denies that something occurred; then admits that it occurred but denies key facts; then admits those facts and tries to explain them away; and then

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[257] *Purkett v. Elem*, 514 U.S. 765, 776–77 (1995) (Stevens, J., dissenting).

[258] *Dep't of Commerce v. N.Y.*, No. 18-966, at 27 (U.S. Jun. 27, 2019).

[259] *See Romer v. Evans*, 517 U.S. 620, 632 (1996); *Albemarle Paper Co. v. Moody*, 422 U.S. 405, 425 (1975); *Miller-El v. Dretke*, 545 U.S. 231, 260 (2005).

[260] *Flowers v. Mississippi*, 139 S. Ct. 2228, 2249 (2019); *Miller-El v. Cockrell*, 537 U.S. 322, 345 (2003).

[261] *See Foster v. Chatman*, 136 S. Ct. 1737, 1754 (2016); *Evans v. Sebelius*, 716 F.3d 617, 620–21 (D.C. Cir. 2013); *Geleta v. Gray*, 645 F.3d 408, 413–14 (D.C. Cir. 2011); *EEOC v. Sears Roebuck & Co.*, 243 F.3d 846, 853 (4th Cir.2001); *Domínguez–Cruz v. Suttle Caribe, Inc.*, 202 F.3d 424, 432 (1st Cir. 2000); *Thurman v. Yellow Freight Sys., Inc.*, 90 F.3d 1160, 1167 (6th Cir. 1996).

changes his explanation as more evidence comes to light. Simply stated, the House is "not required to exhibit a naiveté from which ordinary citizens are free."[262]

Fourth, *irregular decisionmaking*. When someone breaks from the normal method of making decisions, and instead acts covertly or strangely, there is cause for suspicion. As the Supreme Court has reasoned, "[t]he specific sequence of events leading up the challenged decision" may "shed some light on the decisionmaker's purposes"—and "[d]epartures from the normal procedural sequence" might "afford evidence that improper purposes are playing a role."[263] There are many personnel and procedures in place to ensure sound decisionmaking in the Executive Branch. When they are ignored, or replaced by secretive irregular channels, the House must closely scrutinize Presidential conduct.

Finally, *explanations based on falsehoods*. Where someone explains why they acted a certain way, but the explanation depends on demonstrably false facts, then their explanation is suspect.[264] For example, if a President publicly states that he withheld funds from a foreign nation due to its failure to meet certain conditions, but the federal agencies responsible for monitoring those conditions certify that they were satisfied, the House may conclude that the President's explanation is only a distraction from the truth.

When one or more of these red flags is present, there is reason to doubt that the President's account of his motives is accurate. When they are all present simultaneously, that conclusion is virtually unavoidable. Thus, in examining the President's motives as part of an impeachment inquiry, the House must test his story against the evidence to see if it holds water. If it does not, the House may find that he acted with corrupt motives—and that he has made false statements as part of an effort to stymie the impeachment inquiry.

E. Attempted Presidential Misconduct Is Impeachable

As a matter of settled constitutional law, and contrary to recent suggestions otherwise, attempted Presidential wrongdoing can be impeachable. This is clear from the records of the Constitutional Convention. In the momentous exchange that led to adoption of the "high Crimes and Misdemeanors" standard, Mason championed impeaching Presidents for any "great and dangerous offenses." It was therefore necessary, he argued, to avoid a narrow standard that would prevent impeachment for "*attempts* to subvert the Constitution" (emphasis added). Then, only minutes later, it was Mason himself who suggested "high Crimes and Misdemeanors" as the test for Presidential impeachment. The very author of the relevant constitutional text thus made clear it must cover "attempts."

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[262] *United States v. Stanchich*, 550 F.2d 1294, 1300 (2nd Cir. 1977) (Friendly, J.) (making a similar point about federal judges).

[263] *See Vill. of Arlington Heights v. Metro. Hous. Dev. Corp.*, 429 U.S. 252, 267 (1977).

[264] *See, e.g.*, *Reeves v. Sanderson Plumbing Products*, 530 U.S. 133, 147 (2000); *Geleta v. Gray*, 645 F.3d 408, 414 (D.C. Cir. 2011); *Czekalski v. Peters*, 475 F.3d 360, 366 (D.C. Cir. 2007); *Murray v. Gilmore*, 406 F.3d 708, 716 (D.C. Cir. 2005); *Salazar v. Wash. Metro. Transit Auth.*, 401 F.3d 504, 511–12 (D.C. Cir. 2005); *Anderson v. Zubieta*, 180 F.3d 329, 348 (D.C. Cir. 1999).

The House Judiciary Committee reached this conclusion in President Nixon's case. Its analysis is compelling and consistent with Mason's reasoning:

> In some of the instances in which Richard M. Nixon abused the powers of his office, his unlawful or improper objective was not achieved. But this does not make the abuse of power any less serious, nor diminish the applicability of the impeachment remedy. The principle was stated by Supreme Court Justice William Johnson in 1808: "If an officer attempt[s] an act inconsistent with the duties of his station, it is presumed that the failure of the attempt would not exempt him from liability to impeachment. Should a President head a conspiracy for the usurpation of absolute power, it is hoped that no one will contend that defeating his machinations would restore him to innocence." *Gilchrist v. Collector of Charleston, 10 F.* Cas. 355, 365 (No. 5, 420) (C.C.D.S.C. 1808).

Adhering to this legal analysis, the Committee approved articles of impeachment against President Nixon that encompassed acts of attempted wrongdoing that went nowhere or were thwarted. That includes President Nixon's attempt to block an investigation by the Patman Committee into the Watergate break-ins,[265] his attempt to block testimony by former aides,[266] his attempt to "narrow and divert" the Senate Select Committee's investigation,[267] and his attempt to have the IRS open tax audits of 575 members of George McGovern's staff and contributors to his campaign, at a time when McGovern was President Nixon's political opponent in the upcoming 1972 presidential election.[268] Moreover, the article of impeachment against President Nixon for abuse of power charged that he "attempted to prejudice the constitutional right of an accused to a fair trial."[269]

History thus confirms that defiance by his own aides do not afford the President a defense to impeachment. The Nation is not required to cross its fingers and hope White House staff will persist in ignoring or sidelining a President who orders them to execute "high Crimes and Misdemeanors." Nor can a President escape impeachment just because his corrupt plan to abuse power or manipulate elections was discovered and abandoned. It is inconceivable that our Framers authorized the removal of Presidents who engage in treason or bribery, but disallowed the removal of Presidents who attempt such offenses and are caught before they succeed. Moreover, a President who takes concrete steps toward engaging in impeachable conduct is not entitled to any benefit of the doubt. As one scholar remarks in the context of attempts to manipulate elections, "when a substantial attempt is made by a candidate to procure the presidency by corrupt means, we may presume that he

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[265] Committee Report on Nixon Articles of Impeachment (1974), at 64.

[266] *Id.*, at 120.

[267] *Id.*

[268] *Id.*, at 143.

[269] *Id.*, at 3.

at least thought this would make a difference in the outcome, and thus we should resolve any doubts as to the effects of his efforts against him."[270]

Common sense confirms what the law provides: a President may be impeached where he attempts a grave abuse of power, is caught along the way, abandons his plan, and subsequently seeks to conceal his wrongdoing. A President who attempts impeachable offenses will surely attempt them again. The impeachment power exists so that the Nation can remove such Presidents from power before their attempts finally succeed.

F. Impeachment is Part of Democratic Governance

As House Judiciary Committee Chairman Peter Rodino emphasized in 1974, "it is under our Constitution, the supreme law of our land, that we proceed through the sole power of impeachment."[271] Impeachment is part of democratic constitutional governance, not an exception to it. It results in the President's removal from office only when a majority of the House, and then a super-majority of the Senate, conclude that he has engaged in sufficiently grave misconduct that his term in office must be brought to an early end. This process does not "nullify" the last election. No President is entitled to persist in office after committing "high Crimes and Misdemeanors," and no voter is entitled to expect that their preferred candidate will do so. Under the Constitution, when a President engages in great and dangerous offenses against the Nation—thus betraying their Oath of Office—impeachment and removal by Congress may be necessary to protect our democracy.

The Framers considered relying solely on elections, rather than impeachment, to remove wayward Presidents. But they overwhelmingly rejected that position. As Madison warned, waiting so long "might be fatal to the Republic."[272] Particularly where the President's misconduct is aimed at corrupting our democracy, relying on elections to solve the problem is insufficient: it makes no sense to wait for the ballot box when a President stands accused of interfering with elections and is poised to do so again. Numerous Framers spoke directly to this point at the Constitutional Convention. Impeachment is the remedy for a President who will do anything, legal or not, to remain in office. Allowing the President a free pass is thus the wrong move when he is caught trying to corrupt elections in the final year of his first four-year term—just as he prepares to face the voters.

Holding the President accountable for "high Crimes and Misdemeanors" not only upholds democracy, but also vindicates the separation of powers. Representative Robert Kastenmeier explained this well in 1974: "The power of impeachment is not intended to obstruct or weaken the office of the Presidency. It is intended as a final remedy against executive excess ... [a]nd it is the obligation of the Congress to defend a democratic society

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[270] Black & Bobbitt, *Impeachment*, at 93.

[271] Debate on Nixon Articles of Impeachment (1974), at 2.

[272] Elliot, *Debates on the Adoption of the Federal Constitution*, at 341.

against a Chief Executive who might be corrupt."[273] The impeachment power thus restores balance and order when Presidential misconduct threatens constitutional governance.

VII. Conclusion

As Madison recognized, "In framing a government which is to be administered by men over men, the great difficulty lies in this: You must first enable the government to control the governed; and in the next place oblige it control itself."[274] Impeachment is the House's last and most extraordinary resort when faced with a President who threatens our constitutional system. It is a terrible power, but only "because it was forged to counter a terrible power: the despot who deems himself to be above the law."[275] The consideration of articles of impeachment is always a sad and solemn undertaking. In the end, it is the House—speaking for the Nation as a whole—that must decide whether the President's conduct rises to the level of "high Crimes and Misdemeanors" warranting impeachment.

[273] Debate on Nixon Articles of Impeachment (1974), at 16.

[274] James Madison, *Federalist No. 51,* at 356.

[275] Jill Lepore, *The Invention - And Reinvention – Of Impeachment,* THE NEW YORKER, Oct. 21 2019.