SELECT COMMITTEE TO INVESTIGATE THE
JANUARY 6TH ATTACK ON THE U.S. CAPITOL,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, D.C.

DEPOSITION OF: KIMBERLY FLETCHER

Friday, January 14, 2022
Washington, D.C.

The deposition in the above matter was held via Webex, commencing at 10:04 a.m.

Present: Representative Kinzinger.
Appearances:

For the SELECT COMMITTEE TO INVESTIGATE
THE JANUARY 6TH ATTACK ON THE U.S. CAPITOL:

INVESTIGATIVE COUNSEL

SENIOR INVESTIGATIVE COUNSEL

RESEARCHER

STAFF ASSOCIATE

CHIEF CLERK

For THE WITNESS:

VINCENT A. CITRO, ESQ.

CINDY LEADHOLM, PARALEGAL

HORWITZ & CITRO, P.A.

17 E. Pine Street

Orlando, FL 32801
It is 10:04 a.m. on January 14, 2022. We are here for the deposition of Kimberly Fletcher conducted by the House Select Committee to Investigate the January 6th Attack on the United States Capitol pursuant to House Resolution 503. This deposition is being taken remotely via Webex. This will be a staff-led deposition. Members of the committee may choose to ask questions. At this time, I don't see that any members are present, but they may join at some point.

I will ask, if I miss someone, please feel free to prompt me if and when any members pop in, so we don't lose them when they join.

My name is [name]. I'm an investigative counsel with the select committee. With me from the select committee are [name], senior investigative counsel. We also have [name] and [name], both professional staff, and our chief clerk, [name]. And we're joined today by a few different official reporters from the Office of Official Reporters for the House.

Under the House deposition rules, neither committee members nor staff may discuss the substance of the testimony given today until and unless the committee approves its release.

Ms. Fletcher, you and your attorney will have an opportunity to review the transcript, and I will be happy to talk with your attorney about logistics at the appropriate time.

I would note that, under House rules, you may have your attorney present, which I understand you do. I understand you also have one of Mr. Citro's paralegals present, which is fine with us for today's proceeding.

Other individuals and other counsel are not and therefore -- may not be and are not here today, and the same goes with attorneys for other government agencies. So
that's just to say that the only attorneys involved in the deposition today are the
attorneys for the select committee and Ms. Fletcher's legal counsel.

At this time, I'd ask that Ms. Fletcher's counsel identify himself for the record.

Mr. Citro. Vincent Citro, representing Kimberly Fletcher.

And, if you could direct your staff just to check. My paralegal says
that she is muted on your end. She can't hear anything. I don't know if that's just a
tech glitch. But she's checked and our IT guy says her computer speakers are on. If
you can --

Sure, we can check. I'm not sure that we have the ability to
control what she can hear, so there may be a tech issue. But --

Mr. Citro. Okay.

-- we will check up on it.

Mr. Citro. All right. Thank you.

Sorry to interrupt. Go ahead.

Sure. That's fine.

Just so you know, Vince, I've muted her microphone, but, like said, I can't
see that we have the power to mute her ability to hear what we're doing.

Mr. Citro. Okay. Thank you.

We do have an official reporter transcribing the deposition today.

The video feed, as you also may have heard at the very beginning, is being recorded
through the Webex platform. Very similar, as Vince would understand, to in a civil
deposition if we had a camcorder going on the side during the transcription being taken.

But, of course, the reporter's transcription is the official record for the proceeding.

Because of that and also because we're conducting this remotely via video
conference, we'll be especially careful to wait to ask questions until you have finished
your response, and similarly ask, Ms. Fletcher, that you wait to respond until we're done asking our question.

The reporter also can't note any nonverbal responses like shaking or nodding your head. So it's important that you respond to each question with an audible, verbal response.

If we run into any technical snafus along the way where people's microphones cut out, I'll ask that the official reporter just interrupt us and let us know so that we can get it sorted out. Hopefully, we won't run into those issues today.

Ms. Fletcher, as far as substance goes, we'd ask that you give complete answers to the best of your recollection. If a question is unclear, please just ask for clarification. If you don't know the answer, you can just say so.

You may refuse to answer a question only to preserve a privilege that is recognized by the select committee. If you refuse to answer a question based on a privilege, we may proceed with the deposition or seek a ruling from the chairman on the objection. If the chairman overrules the objection, you'll be required to answer the question.

Finally, I'll remind you, as we remind all witnesses, that it's unlawful to deliberately provide false information to Congress and doing so could result in criminal penalties, including under Title 18 of United States Code, section 1001.

As far as logistics go for the deposition today, we're happy to take breaks as you may request them or as we see, you know, at appropriate times to take breaks for comfort. Or if you want to speak with your attorney, we're happy to accommodate that.

And because this deposition is under oath, we'll have you sworn in a moment.

But before we do that, I just want to make sure that we're all set with logistics before we
proceed.

Vince, are you good to go?

Mr. Citro. Yeah. We can hear you. We can see you. We’re fine.

Okay. Great.

Well, then I'd ask that the official reporter swear the witness in, please.

The Reporter. Ma’am, please raise your right hand.

Do you solemnly declare and affirm under the penalty of perjury that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth?

The Witness. Yes.

EXAMINATION

BY

Q Ms. Fletcher, could you please state and spell your name for the record?

A Kimberly Fletcher. K-i-m-b-e-r-1-y, F-l-e-t-c-h-e-r.

Q Thank you.

We’re going to show you a few exhibits during the deposition today, and we'll be doing that using the screen-sharing function.

So, right off the bat, I’d ask that we pull up exhibit 1 to show the witness. Can you see that?

Mr. Citro. Hold on one second. Webex has prompted us to hit some clicks to go through it.

Okay. Now we can see it.

Q This the subpoena issued by the select committee on December 9, 2021. I will note that this exhibit, which is 14 pages, is the entire packet that was provided to
your attorney on or about that date, which includes the subpoena itself; a cover letter, which is page 3 and 4 of the exhibit. It also includes on page 5, 6, and 7 a document schedule, with production instructions following that; and then, finally, a copy of the House rules and regulations regarding the conduct of depositions. That's exhibit 1.

If we could also pull up exhibit 1A. Exhibit 1A is a subpoena issued by the select committee on January 7, 2022, which includes, again, the subpoena. The third page is a one-page cover letter. And then following that are the same instructions, rules, and regulations that were appended to exhibit 1.

I would note for the record that exhibit 1A was issued to compel Ms. Fletcher's testimony remotely after the original deposition compelled by exhibit 1 was delayed due to bad weather.

Ms. Fletcher, I'm just showing these documents first to ask you to confirm that you are the Kimberly Fletcher named in these subpoenas.

A I am.

Q And you understand that you are appearing here today pursuant to these subpoenas?

A Yes.

Q Now, the first subpoena required the production of documents that were described in the document schedule attached to that subpoena. And the deadline for production of documents under exhibit 1 was December 23, 2021. Do you understand that?

A Yes.

Q Your counsel, Mr. Citro, delivered a letter to the select committee on or about December 17th of 2021 that you were declining to produce any documents or answer questions pursuant to several objections, including the Fifth Amendment.
I would note for the record that the chairman responded to Mr. Citro on December 22, 2021, noting that blanket assertions of the Fifth Amendment are not sufficient. And, to that point, the select committee was not aware of any basis for you to decline to produce each and every document that would be called for by the subpoena.

The chairman's letter also noted the need for you to sit for your deposition and assert objections on a question-by-question basis.

In response, your counsel, Mr. Citro, sent a reply the next day, December 23, 2021, making clear that you would decline to produce anything at that time but that you would nonetheless appear for the deposition with the intent to invoke your constitutional rights in response to questions as may be appropriate.

Ms. Fletcher, I’m just putting all of that out there at the front end to say that we understand your attorney has made those objections on your behalf. Our goal today is to ask questions that are relevant to the select committee's investigation with the hope that you will answer.

If you have an objection or a privilege assertion, you can assert that for the record. I will try to clarify the basis for your objections.

And I understand from your counsel that you may intend to assert the Fifth Amendment to many of the questions that I may ask. Be that as it may, I would point out for the record that your counsel or you have not received or reviewed the questions that I intend to ask, and, therefore, it would seem unlikely for you or him to know in advance that the Fifth Amendment would properly be invoked to many, much less most, of my questions.

Even so, where there are objections, our goal is simply to understand the basis for those objections and to fairly evaluate it. And, ultimately, the more detail that you can
provide about the basis for the objection, the easier it will be for the select committee to consider that objection.

Now, because the Fifth Amendment has been raised by your counsel in the letters to the committee, we will say that it has been almost a year, or more than a year at this point, since the events of January 6, 2021. There have been numerous criminal charges that have been filed against hundreds of defendants for actions that they took that day. But in all the information available to the select committee and in the media coverage of those events, we have not identified any suggestion, Ms. Fletcher, that you are the subject of any pending or potential criminal investigation related to January 6th.

So I'll just ask you on the front end, do you understand that the Fifth Amendment protects your right to refuse to answer questions if the truthful answers would be incriminating?

A. Yes.

Q. In other words--

Mr. Citro. Before you continue, our paralegal has called in on the dial-in number that needs to be admitted. It should be a number.

[Redacted]. I see that. Thank you. We just admitted her. Hopefully she can come in.

Mr. Citro. Thank you.

Ms. Leadholm. Thank you.

Q. In other words, Ms. Fletcher, by telling the truth today, you'd only be made a witness against yourself if the truth suggests that previous conduct could reasonably lead you to being prosecuted.

I'll just say that all we want is the truth. And I want to make sure that you
understand it’s not proper to invoke the Fifth Amendment unless you have a good-faith belief that your truthful testimony could expose you to criminal prosecution. Do you understand that?

A Yes.

Q Ms. Fletcher, you reside in Omaha, Nebraska. Is that right?

A No.

Q Where do you reside?

A Papillion, Nebraska.

Q Thank you for that clarification. Is that in that area of Omaha?

A Yes.

Q And is your phone number [redacted]?

A Yes.

Q And you’re the president and founder of an organization called Moms for America, correct?

A Yes.

Q Is that a nonprofit that’s registered with the Internal Revenue Service as a 501(c)(3) tax-exempt organization?

A Yes.

Q And was Moms for America so registered as an active 501(c)(3) organization on January 6, 2021?

A Yes.

Q I’m also aware that there is a Moms for America Action 501(c)(4) organization. Are you affiliated with that organization?

A Yes.

Q What is your position in the 501(c)(4) organization?
A: I'm the president.

Q: And was Moms for America Action active as a 501(c)(4) organization on January 6, 2021?

A: Yes.

Q: Now, because there's the (c)(3) and the (c)(4) organization, I do want to try to do my best to make sure that, if it's appropriate for me to distinguish between the two, that you point out where there may be a difference in terms of which organization may have been doing what actions with respect to my questions.

So I just want to put that out there to say that I'm aware there are different organizations here, but, to the extent we need to distinguish between the two of them, I'd ask that you just help me out in your answers, whether you're referring to Moms for America or Moms for America Action.

Now, under exhibit 1, as I pointed out, the original subpoena, you were required to produce certain documents that were in your possession, but you produced no documents. Is that correct?

A: I understand with regard to the production of the items, my counsel has invoked my constitutional rights in a letter to the committee that remains in my possession today.

Q: Well, Ms. Fletcher, you yourself have to be the person to invoke your constitutional rights on the record today. So I'll just rephrase the question.

A: Okay.

Q: You produced zero documents to the select committee. Is that correct?

A: I decline to answer pursuant to the rights afforded to me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q: Now, you've said more than the Fifth Amendment there. You've asserted
now a First and Fourth Amendment objection on the record today. On what basis does
the First Amendment shield you from having to comply with the subpoena issued by the
select committee?

A I decline to answer pursuant to the rights afforded me under the
Constitution, including the First, Fourth, and Fifth Amendments.

Q I'll ask the same question regarding the Fourth Amendment. What basis
does the Fourth Amendment provide for you to decline to comply with the document
requirement from the subpoena?

A I decline to answer pursuant to the rights afforded me under the
Constitution, including the First, Fourth, and Fifth Amendments.

Mr. Citro. So we do have -- a court reporter is trying to take things down.

The Witness. So go slow?

Mr. Citro. Just slow down a little bit.

The Witness. I am sorry.

Mr. Citro. They have to -- it's okay -- they have to catch every word.

The Witness. I'm sorry.

BY

Q Ms. Fletcher, with respect to the Fifth Amendment, is it your position that
even the act of searching for or identifying documents that were called for by the
subpoena would implicate your Fifth Amendment privilege against self-incrimination?

A I decline to answer pursuant to the rights afforded to me under the
Constitution, including the First, Fourth, and Fifth Amendments.

Q Let's pull up exhibit 2.

Ms. Fletcher, exhibit 2 are two emails that appear to be sent from you to a
Nathan, who we understand and know to be Nathan Martin, in November 2020. I'll tell
you that during this period Mr. Martin was affiliated with an organization called Stop the Steal.

In the first email, which is dated November 8, 2020, you wrote to Nathan, "I just looked at the state list. I can definitely help with several of those. On it."

And, in the second email, dated November 13, 2020, you wrote to Nathan, "I am connecting you here with Tim Davis who is the lead and POC for Nebraska Stop the Steal events." And it also attached what appears to be a flyer for an event in Nebraska.

Ms. Fletcher, how long have you known Nathan Martin?

A I decline to answer pursuant to the rights afforded to me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q We know that Mr. Martin and the Stop the Steal organization are also associated with a person who goes by the name Ali Alexander. How long have you known Mr. Alexander?

A I decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q When you were sending these emails to Mr. Martin, were you doing so on your own behalf, on behalf of Moms for America, or some combination?

A I decline to answer pursuant to the rights afforded to me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q Ms. Fletcher, I'll just say for purposes of making the record clear that the select committee would like to ask you questions about your connections to Mr. Martin and Mr. Alexander, in particular regarding their efforts with the Stop the Steal organization, about what the plans and strategies were for these State-wide events, including organizing, promoting, funding, arranging for security in particular. We'd also ask whether you attended any State-wide Stop the Steal events during this time period in
November and December of 2020, what you may have even seen, and also whether there were any talks of violence, issues regarding to relationships with law enforcement, the need for law enforcement to intervene in any of those events.

It's my understanding that for all of those questions you intend to assert the Fifth Amendment to all of the questions that we would ask about your involvement with respect to Stop the Steal events held in various States in November and December of 2020. Is that correct?

Mr. Citro. Hang on one second, please.

[Discussion off the record.]

The Witness. I will decline to answer pursuant to the rights afforded to me under the Constitution, including the First, Fourth, and Fifth Amendments.

BY:

Q. And, to be clear, are you asserting those rights and, in particular, the Fifth Amendment because you think that there's a good-faith belief that the answers to those questions could expose you to criminal prosecution?

A. I decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q. We'll show you exhibit 3 now. And exhibit 3 is an email that appears to be from you to Nathan Martin regarding hotels. The subject line is "Hotels etc." And you write to connect Nathan with Debbie Kraulidis, "who will be our point for Moms for America in D.C.," and advise that you won't be able to attend but others will need a hotel room at the Willard hotel.

Is this email related to the November 14th event that Stop the Steal cosponsored at Freedom Plaza?

A. I decline to answer pursuant to the rights afforded me under the
Constitution, including the First, Fourth, and Fifth Amendments.

Q What was Moms for America's role in the November 14th Stop the Steal Freedom Plaza event?
A I decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q And you did not attend this event, did you?
A I decline to answer pursuant to the rights afforded to me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q If we can pull up exhibit 4. Exhibit 4 is a news release dated December 7, 2020, with the title, "Jericho March and Stop the Steal Announce the December 12th 'Let the Church ROAR!' National Prayer Rally Speakers and March Details."

As you can see, this release advertises a December 12th event where attendees would -- if we can scroll down, you can see here that it describes a march around various locations in Washington, D.C., praying for the "walls of corruption" and election fraud to fall down.

Following the march, it appears that various faith leaders and political leaders are at least the speakers on the second page of this exhibit. Under the heading "Political Leaders, Business Leaders, and Activists," you see names listed that include Ali Alexander, Congressman Paul Gosar, Mike Lindell, Ed Martin. And a little more than halfway down that list, we see "Kimberly Fletcher, Moms for America."

Ms. Fletcher, did you speak at the December 12th Jericho March event?
A I decline to answer pursuant to the rights afforded me under the Constitution, including the Fourth, Fifth, and First Amendments.

Q What did you see in Washington, D.C., that day?
A I decline to answer pursuant to the rights afforded to me under the
Constitution, including the First, Fourth, and Fifth Amendments.

Q. As you can see, Ms. Fletcher, the select committee has information that shows that you have personal knowledge of events that were taking place in Washington, D.C., including on November 14th and December 12th.

We would like to ask you questions about your personal knowledge from those events, including what organizers' goals were, how those events were funded, what you saw, what was said, and, of particular importance, whether there were outbreaks of violence, if you encountered counterprotesters or opposing groups or had any notable or memorable interactions with law enforcement, particularly as it relates to their interactions with demonstrators, regardless of ideology.

We also understand that at these events there were various groups such as the Oath Keepers, Proud Boys, Three Percenters, some of whom may have been used as informal security detail for organizers and speakers.

Those are the kinds of questions that we would want to ask you with respect to these topics. Is it your intention to assert your Fifth Amendment privilege to all the questions that we would ask about your knowledge of events that were held in Washington, D.C., on November 14th or December 12th, 2020?

A. Yes, sir, I will continue to decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q. Let's pull up exhibit 5. Ms. Fletcher, exhibit 5 is a four-page exhibit. These are two applications that were submitted by you on behalf of your organization to the United States Capitol Police for events to be held on January 5th and January 6th, 2021.

And, if we can show the bottom of page 2. And then we can go and show the witness page 3 and the bottom of page 4.
Ms. Fletcher, you submitted these two applications to the United States Capitol Police, correct?

A I decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q Do you believe you have a First, Fourth, and Fifth Amendment right to decline to answer questions about information you provided for a constitutional and lawful event, information provided to law enforcement?

A I decline to answer pursuant to the rights afforded to me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q Ms. Fletcher, when did you decide that you would hold these events in Washington, D.C., on January 5th and 6th?

A I decline to answer pursuant to the rights afforded to me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q Let's pull up exhibit 6. Exhibit 6 is a one-page exhibit. It is a screenshot of a text conversation between [redacted], which the witness has already affirmed is her phone number, and the individuals going, Nathan, Ed, and Ali, and another individual, who, if you scroll down, is the blue blurb of text on this, who is identified by another user as Stephen.

Let’s make sure we give the witness a chance to read through this. It’s just one page.

Mr. Citro. Well, [redacted], for the record, I think you said blue. I don’t see any blue on the screen. We see a green one, but not a blue one.

[Redacted] I apologize. That’s correct. It’s green. Yeah, I’m betraying my brand device preference about what color outgoing text messages look like. It is a green blurb for the user Stephen.
As we can see, the text starts with the user Ali -- on this text thread, it's "Ali Alexandra," but the select committee understands that this is just the way that the person, Ali Alexander, was saved in the phone of the person who produced the message.

Mr. Alexander writes: "This is group chat for the January 6 events. Steven is going to double check to make sure that we have Lot 9 and find out what the heck is happening with Lot 8. If we do not have Lot 8, then Kimberly is going to get it. And then we need a lot 11 to be secured by Ed."

"I have got to be able to put out a map tonight ideally. I don't know if the capital police all aren't on the same page or if they denied us one of our permits or both of our permits, but Stephen is going to find that out."

I also note that, according to this, this conversation is happening on the afternoon of December 22, 2021.

Nathan Martin writes: "Capital Police called me to coordinate 'One Nation Under God' rally. I just need information on how to proceed."

Ali responds: "Great. Run it through Stephen. That means we for sure have lot 9."

The user of the device, who, again, is Stephen: "Just finishing a zoom. Talking to Capital Police now."

And the last message on the page is the number identified as Ms. Fletcher's phone number: "I just put permit in for area 8 with area 11 as back up so if you already have 8 we will be set with 11. I also have area 8 on the 5th. All the other areas are reserved almost all day on the 5th. We need have someone set up very early in front of Supreme Court on the 6th."

Ms. Fletcher, when you submitted your applications to Capitol Police on
December 22nd, you were coordinating those efforts with Ali Alexander and his Stop the 
Steal organizers, right?

A I decline to answer pursuant to the rights afforded to me under the 
Constitution, including the First, Fourth, and Fifth Amendments.

Q The Ed who is identified as a participant on the top of this but we don't see 
any text from, that's Ed Martin, right?

A I decline to answer pursuant to the rights afforded me under the 
Constitution, including the First, Fourth, and Fifth Amendments.

Q And why were you coordinating your permit applications with Mr. 
Alexander?

A I decline to answer pursuant to the rights afforded me under the 
Constitution, including the First, Fourth, and Fifth Amendments.

Q If we can show exhibit 7. This is an email from you, Ms. Fletcher, to a 
member of the United States Capitol Police where you write, "I am confirming that we are 
canceling our permit request for the 6th. All the information for the 5th is correct."

That's an email that you sent on December 29, 2020.

Why did you cancel your permit request for the January 6th event that you 
submitted an application for previously?

A I decline to answer pursuant to the rights afforded me under the 
Constitution, including the First, Fourth, and Fifth Amendments.

Q Was that because you could not secure an area next to Mr. Alexander's on 
the 6th?

A I decline to answer pursuant to the rights afforded me under the 
Constitution, including the First, Fourth, and Fifth Amendments.

Q Ms. Fletcher, as you can see from exhibits 5, 6, and 7, the select committee
has information suggesting you have personal knowledge of planning coordination for events to be held on January 5th and 6th on the Capitol Grounds, including communications with Ali Alexander, Nathan Martin, and Ed Martin.

We would like to ask you, as I've attempted to this morning, about those communications, including why there was an effort to coordinate permit applications, why particular areas on Capitol Grounds were deemed desirable. We note for the record that areas 8, 9, 10, and 11 are contiguous on the east front of the Capitol. So we'd ask why those areas, as opposed to the about two dozen others areas that individuals can secure with permits through the Capitol Police.

And then, finally, you mentioned in this text thread that we just looked at getting up early to secure a place in front of the Supreme Court, and we want to ask you about that and what the desire was to secure a location at the Supreme Court on January 6th.

It's my understanding, and I'll just confirm, that you intend to assert the Fifth Amendment to all the questions that we would ask about -- the permitting discussions you had and the interactions you had with Capitol Police regarding events to be held on January 5th and 6th on the Capitol Grounds. Is that correct?

A Yes, I will decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q Let's take a look at exhibit 8. Exhibit 8 is an article published by ProPublica. The title of the article is "New Details Suggests Senior Trump Aides New Jan. 6 Rally Could Get Chaotic." It was first published on June 25th of last year, 2021.

It is a lengthy article; I won't read the whole thing. Instead, we'll just go to page 5. And if we go to the bottom of page 5, the second-to-last paragraph. You will recall, in the previous exhibit with the text message, that Nathan Martin referred to a One Nation Under God event. Here in this ProPublica article, starting with that
second-to-last paragraph on page 5, they wrote, quote, "However, One Nation Under God was a fake name used to trick the Capitol Police into giving Stop the Steal a permit, according to Stop the Steal organizer Kimberly Fletcher. Fletcher is president of Moms for America, a grassroots organization founded to combat 'radical feminism.'"

The article goes on to quote you, Ms. Fletcher, as saying, "'Everybody was using different names because they didn't want us to be there,' adding that Alexander and his allies experimented with a variety of aliases to secure permits for the east front of the Capitol. Laughing, Fletcher recalled how the police repeatedly called her 'trying to find out who was who.'"

Ms. Fletcher, did you tell reporters that Stop the Steal was using a fake name during the permit application process?

A I decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q Are you accurately quoted in this article?

A I decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q And when you say in this article as quoted, "they didn't want us to be there," who is "they," and why would they not want you to be there?

A I decline to answer pursuant to the rights afforded to me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q Did anyone ever suggest to you that the permit would be denied? And when I say anyone, I should be more specific. Did anyone from Capitol Police say that the permit would be denied if Stop the Steal submitted the application under their own name?

A I decline to answer pursuant to the rights afforded me under the
Constitution, including the First, Fourth, and Fifth Amendments.
Q. Let's pull up exhibit 9. Exhibit 9 is also an article; this is from BuzzFeed News. It was published online first on September 9, 2021, titled, "The Capitol Police Granted Permits For Jan. 6 Protests Despite Signs That Organizers Weren't Who They Said They Were."

Again, we won't read through this entire article. If we go down to page 8, the second-to-last paragraph says, "In a statement to BuzzFeed News, Fletcher," referring to you, Ms. Fletcher, "rejected the suggestion that the group's permit application was in any way deceptive."

And they quote you as saying, "A 'fake name' was not provided for the permit to gather on January 6. Stop the Steal pulled the permit for a group of organizations under 'One Nation Under God.' The false information from Antifa and Biden supporters, and from the left media who do not want to perform necessary and thorough research, is slothful and simply ignorant at best. The truth will prevail."

Is that an accurate quote from you, Ms. Fletcher, in that BuzzFeed piece?

A. I decline to answer pursuant to rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q. I'm trying to understand, because the quote given to ProPublica, as I read it, seems to say exactly what you deny in the quote to BuzzFeed, and I'm hoping you can clarify or help me reconcile those two statements given.

Can you help me understand whether the quote from one piece or another is inaccurate or if there is some way to reconcile the quote given to ProPublica versus the statement given to BuzzFeed?

A. I decline to answer pursuant to the rights afforded me under the
Constitution, including the First, Fourth, and Fifth Amendments.

Q Well, Ms. Fletcher, as you know and as you can see, we are aware of public statements that you gave on the record using your own name to journalists who were obviously writing about the events of January 6th and apparently asking you questions exactly of the same type that the select committee would like to ask you.

Now, with respect to the specific questions I'm asking you now about these two articles, is it your position that the information you shared with the journalists when they wrote these stories opens you to criminal prosecution?

A I decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q Let's take a look at exhibit 10. Ms. Fletcher, I can represent to you that exhibit 10 are screenshots from an archived website. You can see that the URL at the top is web.archive.org, which is a website you can use to go back and review what websites looked like on certain dates.

So these archived screenshots are for a WildProtest.com website advertising events that were going to take place on January 6th, which Ali Alexander since that time has publicly acknowledged was the event that he and his organization had been planning for that day.

We can look through this, but I will also represent to you that this website does not anywhere on it use "One Nation Under God" as an event description or title or coalition name. It only says "Wild Protest" and "Stop the Steal."

Is it still your position that One Nation Under God was the name of a coalition event being put on for the Capitol Grounds on January 6th?

A I decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.
Q. We can scroll down to the second page of this exhibit. You'll see that this portion of the website -- and I'll also just say, for clarification of the record, because it's not necessarily clear looking at a PDF, these screenshots are taken as one would have scrolled down the website. In other words, these are not separate pages from the same domain, but, if you were to be using this website and scrolling from the top to the bottom, you would see these subsequent screenshots.

You can see that page 2 shows a portion of that web page advising -- or showing a map that says "come here," with a star, and that star corresponds with the area that was discussed by Mr. Alexander in the text messages with you, or with your phone number.

Were you aware of Stop the Steal's intent to have people gather on the northeast portion of the lawn outside the Capitol Building on January 6th?

A. I decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q. If we go down to the third page of exhibit 10, you can see that this portion of the website starts to list invited speakers and featured guests. You can scroll down a little bit more, and you can see here that some of these top-line people include Representative Paul Gosar, Ali Alexander, Roger Stone, Representative-elect Marjorie Greene.

If we scroll to the next page, more speakers and photographs are listed, including Representative-elect Lauren Boebert, State Representative Vernon Jones, State Representative Mark Finchem, State Senator Doug Mastriano, Ed Martin.

And if we go to the next page, which, again, would be as you were scrolling down this website, we see a photograph of you and your name, Kimberly Fletcher.

So I'd ask, Ms. Fletcher, who asked you to be a speaker for the Wild Protest event?

A. I decline to answer pursuant to the rights afforded me under the
Constitution, including the First, Fourth, and Fifth Amendments.

Q And when were you asked to be a speaker for that event?
A I decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q If we go back up to the very top of exhibit 10 and show the three photographs next to each other here in this event, you can see here, it says, "Trump wants to see you in DC." And an advertisement appears to show three events all in one way, including a January 5th 1:00 p.m. gathering at Freedom Plaza, a January 6th 9:00 a.m. gathering at the Ellipse, and January 6th at 1:00 p.m., Capitol Building, northeast door.

What were the discussions about how people would be encouraged or advised to move from one location to another?

A I decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q Did Mr. Alexander or anyone else who was planning the Wild Protest event tell you that the President was going to encourage folks who gathered at the Ellipse to go to the Capitol?
A I decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q Were there any discussions about the need to have event security at the Wild Protest event?
A I decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q Well, Ms. Fletcher, as you can see, your name appears on this website that advertised a series of events that are squarely within the scope of what the select
committee is investigating and trying to understand.

As I've tried to today, we would like to ask you questions about when you were asked to participate in this event, what the plans were for the event, and your understanding of the relationship between these three events advertised across the top of the Wild Protest website.

And, in particular, we'd really like to know what you knew or understood about security precautions that were being taken, the use of private or voluntary or even paid security forces, and, also, as I mentioned before, the use or interactions with folks from groups like the Oath Keepers or the Proud Boys or the Three Percenters.

Is it your intention for any of those questions related to plans for this Wild Protest event on January 6, 2021, that you intend to assert your Fifth Amendment privilege not to answer those questions?

A Yes, I will decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q Now, is that because you have a good-faith belief that your answer to those questions might expose you to possible criminal prosecution?

A I decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q Let's pull up exhibit 11. Now, momsforamerica.us, that's the website for your organization, correct?

A Yes.

Q And so are you familiar with what's being shown to you here on exhibit 11?

Mr. Citro. It is really small, so I --

The Witness. Yeah, it's hard to see.
Q I can tell you, this is a screenshot from this Moms for America URL that's listed at the top of the page, if that helps.

Are you familiar with this website post?

Mr. Citro. Hang on one second.

Go ahead. I'm sorry.

The question, Ms. Fletcher, is whether you're familiar with this website post.

A I decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q Will you scroll down to the second page of this exhibit? And you can see at the top another URL listed as the momsforamerica.us website. And this caption on the second page of this exhibit is "Kimberly's Speech at Freedom Plaza."

I should note that both of these website screenshots note the date January 5th, 2021.

On page 1, there's a reference to "Save the Republic Rally Highlights." With respect to the "Save the Republic Rally Highlights" post, this is regarding a permitted event on the Capitol Grounds, correct?

A I decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q And the second page, referring to this January 5th event at Freedom Plaza, this was an event being organized by Cindy Chafian, correct?

A I decline to answer pursuant to the rights afforded to me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q I'll tell you that Ms. Chafian has publicly identified herself, I believe on her LinkedIn profile but potentially other locations as well, as the director of coalitions and
engagement for Moms for America as of February 2021. Is that true?

A I decline to answer pursuant to the rights afforded to me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q Well, as you can see from exhibit 11, Ms. Fletcher, we know that you and your organization were involved in demonstration events on January 5, 2021, including at the Capitol and at Freedom Plaza.

And we'd like to ask you questions about that, in particular whether there were security concerns, whether you had any kind of run-ins or heard about run-ins with counterprotesters, what the interactions were like with law enforcement, and also what you may have seen among rally-goers about what the tenor was and potentially what people were talking about might happen on January 6th. Those are the questions that we would want to ask you about those events.

We also want to know, in the course of organizing the Moms for America Save the Republic Rally on the Capitol Grounds, if you had any attempts to recruit Members of Congress to attend and what conversations may have been had about messaging, in particular with respect to what you expected or what was hoped to happen the following day, on January 6th.

Now, I mentioned Ms. Chafian, who we understand was the permit holder for the Freedom Plaza event on January 5, 2021, and we want to understand more about your relationship with her, what you may have spoken about with her regarding what she had hoped her January 5th event would accomplish, in particular how that relates to the events of January 6th at that moment in time.

And as I've mentioned before, any presence or interactions or knowledge about members of the Oath Keepers, Proud Boys, the Three Percenters. Another organization I didn't mention previously but should have is a group called the 1st Amendment
Praetorians.

That’s the universe of the questions that we would want to ask you about within the scope of what the select committee is investigating on January 5, 2021. Am I correct to understand that you’ll decline to answer any of those questions based on your Fifth Amendment privilege?

A I will decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q Ms. Fletcher, at what point did you learn that there would be an event on January 6th at the Ellipse?

A I decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q Were you ever invited speak at the Ellipse on January 6th?

A I decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q Who did you understand was organizing the event at the Ellipse?

A I decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q Let’s take a look at exhibit 12.

Mr. Citro One more time, just remember to slow down your answer.

The Witness Okay.

Mr. Citro Thank you.

Q If we go down to where page 1 bridges to page 2, this is an email from you, Ms. Fletcher, to Deb Kraulidis, who on this signature block above the email is identified as the vice president for Moms for America. I apologize; it’s an email that’s from you to
Nathan Martin and Ali Alexander, with Ms. Kraulidis copied.

And the subject line is "MFA VIP list for White House." And it lists a number of folks who should be on -- you say, "This is our list for White House Event."

This is in reference to the January 6th event at the Ellipse, correct?

I decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

I will pause for a moment and note that Mr. Kinzinger has joined us.

Thank you for being here, sir.

Mr. Kinzinger. Thank you.

BY: 

Q What was the significance of being on a VIP list for this White House event?

A I decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q Let's take a look at exhibit 13. This is an Associated Press news story that was originally published on or about January 17, 2021. The title is "Records: Trump Allies Behind Rally That Ignited Capitol Riot."

If you go to the bottom of the first page, the, sort of, third paragraph from the bottom describes an individual known as -- or called Caroline Wren, identified as a GOP fundraiser, and is also identified as the VIP advisor regarding the permit, and this is with respect to the January 6th Ellipse event.

The second-to-last paragraph on this AP news story here, exhibit 13, says, "Wren was involved in at least one call before the pro-Trump rally with members of several groups listed as rally participants to organize credentials for VIP attendees, according to Kimberly Fletcher, the president of one of those groups, Moms for America."

Can you tell us about the phone call that you mentioned in this statement to the
Associated Press, Ms. Fletcher?

A I decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q Well, let's go down to the third page of this article. And you can see, the fourth full paragraph starts with your name. It says, "Kimberly Fletcher, the Moms for America president, said she wasn't aware the Trump campaign had a role in the rally at the Ellipse until around New Year's Day. While she didn't work directly with the campaign, Fletcher did notice a shift in who was involved in the rally and who would be speaking."

And then there's quotes from you. They write, "When I got there and I saw the size of the stage and everything, I'm like, 'Wow, we couldn't have possibly afforded that,' she said. It was a big stage. It was a very professional stage. I don't know who was in the background or who put it together or anything."

So, Ms. Fletcher, who did you believe was in charge of the January 6th rally before New Year's Day?

A I decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q Well, how did you become aware around New Year's Day that the Trump campaign was involved?

A I decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q Are you accurately quoted in this article?

A I decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q Further down here, there's a paragraph that starts, "Moms for America held
a more modest 'Save the Republic' rally on Jan. 5 near the U.S. Capitol, an event that
drew about 500 people and cost between $13,000 and $14,000, according to Fletcher."

Is that an accurate summary of information you gave to the Associated Press?

A  I decline to answer pursuant to the rights afforded me under the
Constitution, including the First, Fourth, and Fifth Amendments.

Mr. Kinzinger.  Hey, [__]?

Yes.

Mr. Kinzinger.  If you don't mind if I interrupt --

Oh, yes.  I'm sorry.  Yes, go ahead, Mr. Kinzinger.

Mr. Kinzinger.  No, just very quickly.

I know you're an Air Force spouse.  Thank you.  As an Air Force member myself,
I know we take our constitutional oath very seriously.  And since I came in kind of late in
this deposition, I just want to confirm, you are taking the Fifth Amendment on these
questions because you are under the assumption that your answer will lead to
self-incrimination?  Is that correct?

The Witness.  I decline to answer pursuant to the rights afforded me under the
Constitution, including the First, Fourth, and Fifth Amendments.

Mr. Kinzinger.  Okay.  Thank you.

Thank you, sir.

BY [__]

Q  Ms. Fletcher, the article sort of juxtaposes what you, your organization, paid
for your event on January 5th against what you saw as being a sophisticated professional
setup.

Do you know where the money for the January 6th event came from?

A  I decline to answer pursuant to the rights afforded me under the
Constitution, including the First, Fourth, and Fifth Amendments.
Q Did you attend the January 6th rally at the Ellipse?
A I decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q Well, do you think that the mere attendance at a permitted First Amendment demonstration is grounds for criminal prosecution?
A I decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q Were you able to secure VIP area seating, as the email we looked at previously indicated you were seeking?
A I decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q Were you present when the President of the United States said that people were going to march to the Capitol?
A I decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q Well, Ms. Fletcher, as you can see from this series of exhibits we've looked at, you appear to have personal knowledge from having been in touch with event organizers for events that were going to take place on January 6th, including contacts about VIP status, entry into the Ellipse area.

You also appear, based on quotes given to the Associated Press, to have opinions or impressions on the production quality and the organizing that would go into putting on an event like the one that happened at the Ellipse.
You also are quoted as having participated in some kind of organizing phone call ahead of the event and at some point became aware of the Trump campaign’s involvement in planning this specific event on January 6th.

Those are areas that we would like to ask you questions about to understand your personal knowledge and perspective on events that are within the scope of the select committee's investigation. It's my understanding that you are declining to answer those questions based on the First, Fourth, and Fifth Amendment. Is that correct?

A  Yes, I will decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q  Ms. Fletcher, did you participate in the movement from the Ellipse to the Capitol Grounds?

A  I decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q  Where did you go after the Ellipse event ended?

A  I decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q  Let's take a look at exhibit 14, and we can zoom in on that.

Ms. Fletcher, these are text messages produced by Ali Alexander to the select committee. And the production indicates conversation with you, Kimberly Fletcher. And you can see text messages are incoming to Mr. Alexander and outgoing from him to you. And this is all on January 6, 2021.

It says 13:49, so it’s about, you know, 10 minutes before 2:00 p.m., the first message that comes in from you to Mr. Alexander: "Are we set up at the Capitol?"

At about 2:00 p.m.: "Ali this is a madhouse. Makes us all and President look very bad."
And then the response back from Mr. Alexander: "I told them to tear down after
I learned of the chaos."

Incoming from you to Mr. Alexander: "The Capitol is a mess. Any chance we
had of winning is gone. I am literally heartbroken."

And then Mr. Alexander responds, "POTUS is not ignorant of what his words
would do."

Your response: "He wanted this to happen???

And the response back: "I dunno but the anger of the people was never gonna
go away without a legitimate result - Wish it didn't happen but understand the people
and I won't denounce them."

What is your reaction to Mr. Alexander's statement, "POTUS is not ignorant of
what his words would do"?

A I decline to answer pursuant to the rights afforded me under the
Constitution, including the First, Fourth, and Fifth Amendments.

I need to use the restroom.

Mr. Citro. If we're going to go much longer, we're going to need a quick comfort
break for Ms. Fletcher.

I suspect, based on our trajectory, Vince, that we'll be done in the
next 5 minutes.

The Witness. I can wait 5 minutes.

Mr. Citro. All right. Thank you, I appreciate that.

Q Ms. Fletcher, I don't want to presume emotion or feeling that I can't see
because it's written on the page here, but when I see your response to Mr. Alexander,
"He wanted this to happen???," with three question marks, I read into that shock from
you that this, being what was happening on the Capitol Grounds between 2:00 and 3:00
p.m. on January 6th -- shocked that that was something that was happening.
Am I right that you were shocked that that was happening on the Capitol
Grounds?
A I decline to answer pursuant to the rights afforded me under the
Constitution, including the First, Fourth, and Fifth Amendments.
Q Let's take a look at exhibit 15, which is our last exhibit.
Exhibit 15 is two pages. You can see in the middle of the first page it says,
forwarded message from Ali A. And the subject line is "Statement from Ali Alexander on
Impeachment and January 6th."
And we won't read through this, but this is a statement released by Mr. Alexander
about the events of January 6th. And you can see from the date line on the email that's
forwarding it, he's sending this on February 6th, so about a month later.
And, at a high level, he's saying things like Stop the Steal, his organization,
understands that President Trump did not incite an insurrection. He goes on to talk
about Women for America First, which was the permit holder for January 6th, sort of
makes comments about their responsibility for disorganization.
If you go up above this, on February 6th, you respond, having been forwarded this
email, to Mr. Alexander, "Are you going to release the videos and photos? You need
to."
What are you referring to regarding photos and videos?
A I decline to answer pursuant to the rights afforded me under the
Constitution, including the First, Fourth, and Fifth Amendments.
Q Have you seen photos and videos that support Mr. Alexander's
statements about what happened on January 6th?
A I decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q Ms. Fletcher, as you can see, we can see that you are in direct contact with Ali Alexander on January 6th as events are unfolding and also that you're in touch with him afterwards, discussing how best to react to the publicity around January 6th. These are areas that the select committee want to ask you questions about, including what you understood was going to happen, whether you were surprised at the organization or disorganization of people going to the Capitol, and whether you even expected people to make it to the Wild Protest event on the northeast side of the Capitol or to gather at the Capitol the way that they ultimately did.

Is my understanding correct that you intend to assert the First, Fourth, and Fifth Amendment to any questions we would ask you about the events that unfolded on the ground on January 6, 2021?

A Yes, I will decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q I just have a couple of questions left.

Have you been interviewed by law enforcement regarding your knowledge of events in Washington, D.C., on January 6, 2021?

A I decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q Have you been contacted by the FBI regarding January 6th?

A I decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q Have you been contacted by any attorneys representing individuals who have been charged with criminal conduct from that day?
A I decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

Q Is it your intention to assert the Fifth, Fourth, and First Amendment to all questions we would ask about contacts from law enforcement or attorneys investigating the events of January 6, 2021?

A Yes, I will decline to answer pursuant to the rights afforded me under the Constitution, including the First, Fourth, and Fifth Amendments.

At this point, I do not have any further questions.

Ms. Fletcher has asserted the First, Fourth, and Fifth Amendment as a basis to refuse to answer the vast majority of the select committee’s questions today. Under these circumstances, given the objections that have been raised, we will not close the record on the deposition as the select committee determines the appropriate course of action to move forward. And, therefore, when we stand in recess, it will be subject to the call of the chair.

But before we go off the record, I will pause to see if any members or any other members of the investigative staff have anything else to ask the witness.

All right. Hearing none, the time is 11:13 a.m., and we will stand in recess subject to the call of the chair.

[Whereupon, at 11:13 a.m., the deposition was recessed, subject to the call of the chair.]
Certificate of Deponent/Interviewee

I have read the foregoing _____ pages, which contain the correct transcript of the answers made by me to the questions therein recorded.

________________________
Witness Name

________________________
Date