

12/27/24 Former D.C. police Lt. Shane Lamond was convicted at a bench trial of obstructing justice by secretly sharing sensitive police information with Proud Boys chairman Enrique Tarrio. Lamond, who headed a police intelligence unit, reportedly tipped Tarrio, among (many) other things, that an arrest warrant was issued for his role in burning a Black Lives Matter banner that had been stolen from a church in December 2020, shortly before the January 6th. Capitol assault. Tarrio, who testified for the defense, denied getting information from Lamond. But the judge thought that both were liars. (See 5/22/23 update)

11/25/24 Thanks to a Supreme Court decision limiting the applicability of “obstructing an official proceeding,” imprisoned Capitol rioter Marc Bru’s sentence was reduced from six years to...five. It might have been more, but his continued defiant posture led the judge to question Bru’s chances to “make a positive contribution” once he’s released. (See 7/1/24 and 1/26/24 updates)

Eighteen months in prison. That’s what Justin Lee just drew for hurling “rocklike objects and a smoke bomb” at the Capitol’s defenders. That sentence would have been far stiffer, the judge implied, but for what happened one and one-half years later. That’s when Mr. Lee, as a rookie Montgomery County, MD cop, fatally shot a knife-wielding man. Alas, when his employer found out about the Capitol affair, Mr. Lee was let go.

11/11/24 Remember the Capitol assault? It’s still generating Federal cases. Most recently, against suburban Chicagoans Emil Kozeluh, 41, and Michael Mollo Jr., 44. Both are charged, among other things, with felony disorderly conduct on Capitol grounds. Kozeluh (he recently served prison time for burglary) and Mollo, a retired heavyweight boxer, were caught on video inside the Capitol, yelling and pushing their way around. Mollo bumped one officer “and grabbed another officer’s baton.” Kozeluh is out on bond; Mollo’s status is presently unknown.

11/5/24 Many “Proud Boys” were imprisoned for their violent roles in the Capitol assault. Their leader, Enrique Tarrio, was convicted of seditious conspiracy and is serving a 22-year sentence. But online messaging reveals that many Proud Boys chapters have regrouped and formulated plans in case the “Reds” lose the Presidential election. Its North Phoenix chapter posted a photo of a gun stockpile accompanied by “Proud Boys stocking up getting ready for Nov...It’s going to be biggley!!”

10/31/24 So far “more than 1,532” persons have been charged with participating in the January 6th. 2021 Capitol assault. And new indictments keep rolling in. Two days ago the New Jersey father-and-son duo of Richard and Keith Andrews appeared before a U.S. District Judge in Newark. Richard, the 72-year old dad, faces felony charges for

throwing a chair through a Capitol window, striking an officer. His 49-year old boy is accused of misdemeanor disorderly conduct. They were released on \$100,000 bonds.

8/29/24 He wasn't the most unruly or aggressive. But he *was* a pioneer. Capitol rioter Michael Sparks holds the distinction of being the first to physically enter the Capitol. Hoisted in by his mates, the factory worker repeatedly screamed "This is our America!" as a police officer who confronted the initial set of intruders nervously fingered his gun. Found guilty of two felonies earlier this year, the 47-year old Kentucky resident just drew four and one-third years in prison.

8/21/24 A small-town North Carolina police officer was just arrested for his role in the Capitol affair. According to a recent indictment, John Carl, now 41, helped storm the building, and video footage depicts him grabbing an officer's baton. Carl could draw up to five years on a combination of misdemeanor and felony charges. He wasn't then a cop; Carl graduated from a community college law enforcement program two years later, then joined the Pinetops Police Department. And yes, he's been suspended.

8/12/24 Twenty years. This sentence - the second-longest term handed out so far - was imposed on Capitol rioter David N. Dempsey, who assaulted police with poles and bear spray. He applied the latter inside one officer's mask, causing the cop to think he would die, and smashed another in the head, giving him a concussion. Dempsey, who pled guilty earlier this year, has a criminal record in California for burglary, drug dealing, and - yes - using bear spray on anti-Trumpists at political events.

7/1/24 In a new decision, the Supreme Court ruled that 18 USC 1512(c)(2), which prohibits obstructing official proceedings, is constrained by the language of section (c)(1), which applies only to someone who "alters, destroys, mutilates, or conceals a record, document, or other object, or attempts to do so." Merely crashing the Capitol isn't enough. While no Jan. 6 rioters were reportedly charged with *only* (c)(2), it's a felony, and more than two dozen are serving prison time for its violation. It also accounts for two of the four Jan. 6-related charges against ex-president Trump. Split 6-3, the decision aligned with the Court's ideological divide, with conservatives in the majority. [Fischer v. U.S.](#)

4/10/24 The Supreme Court will soon decide whether the D.C. Court of Appeals was correct when it upheld the prosecution of January 6th. Capitol rioters for obstructing or impeding an official proceeding, a felony. Challengers argue that the statute only applies to the destruction of evidence in Government custody. In anticipation, some judges have granted a number of early releases. While a majority of serious Jan. 6th. sentences were based on other, violent felonies, more than 100 cases could be affected.

1/26/24 “You can give me 100 years and I’d do it all over again”. Those are only a few of the sarcastic, biting remarks made by Proud Boy Marc Bru as he was being sentenced for his role in the Capitol assault. Bru, who shoved a barricade at police and helped storm the building, had proudly voiced his intention to repeat the assault, but in Portland. He was released pre-trial, then failed to appear and threatened authorities to come get him. So they did. And once tried, he presented no defense. Bru got six years. (See 11/25/24 update)

1/8/24 According to an *AP* review, Capitol defendants who are tried and convicted get sentences twice as long as those who plead guilty. Average sentence length for the 157 who pled guilty to a “serious felony” was two years and five months, and for the 68 who were convicted at trial it was four years and three months. The 83 rioters who pled guilty to assault received an average of three years and five months, while the 28 who were found guilty at trial got an average of six years and one month.

12/11/23 A retired cop and former small-town police chief was sentenced to eleven years for his role in the Capitol assault. [Alan Hostetter had been convicted at his July bench trial](#) of “conspiracy to obstruct an official proceeding and entering a restricted area with a deadly or dangerous weapon.” His closing argument insisted that the election *was* stolen, that the FBI stage-produced the “riot”, and that what happened was basically a “hissy fit.” Hostetter, who never entered the Capitol building, was one of a group of six “fighters” who promised to bring weapons to D.C. on January 6. (See 6/11/21 update)

10/18/23 Justice Dept. attorneys are appealing what they consider a series of unreasonably short sentences handed out to participants in the Capitol assault. Stewart Rhodes, leader of the Oath Keepers, drew 18 years instead of the 25-year term the Government sought. Proud Boys leader Enrique Tarrío’s sentence is at 22 years the longest handed out. But prosecutors had asked for 33 years, and that’s what they insist the guidelines call for. Similar arguments are being advanced for Tarrío’s lieutenants as well.

9/5/23 Two more “Proud Boys” drew substantial prison terms for their roles in the Capitol assault. Ethan Nordeau, who led “the boots on the ground”, got eighteen years for seditious conspiracy. Underling Dominic Pezzola, who busted a window to let in the troops, drew ten years. Nordeau’s sentence matches that of Oath Keepers founder Stewart Rhodes; their terms are the lengthiest thus far.

9/1/23 Four Proud Boys leaders - Joseph Biggs, Zachary Rehl, Enrique Tarrío and

Ethan Nordean - were convicted of seditious conspiracy. Biggs just drew a 17-year term, second in length only to the 18 years recently imposed on Oath Keepers founder Stewart Rhodes. Rehl got 15 years. Prosecutors, who asked that Biggs get 33 years, are disappointed. But Biggs insists that he didn't intend to harm anyone. And defense lawyers complain that their clients are being blamed for violence perpetrated by others.

7/31/23 Brushing aside his apologies, D.C. Judge Amy Jackson sentenced Capitol rioter Thomas Sibick to four years and two months imprisonment. Sibick, who took Michael Fanone's radio and badge as the badly beaten D.C. police officer "was dragged down the [Capitol] steps", attributed his behavior to prescribed psychiatric medications. But the judge disparaged his excuses and called his actions "deliberate". As did his victim, whose severe injuries had forced him to retire. (See 10/28/22 update)

7/13/23 Oath Keepers leader Stewart Rhodes drew the stiffest sentence for the Capitol assault: eighteen years for seditious conspiracy. But the Government is displeased. After all, it's well under the 25 years that prosecutors demanded, and below Federal guidelines as well. So in an unusual move, prosecutors are appealing. Ditto the 12-year sentence for Florida chapter leader Kelly Meggs. After all, U.S. District Judge Amit Mehta had agreed that their acts could be interpreted as "terrorism," right?

7/7/23 Washington State man Taylor Taranto, 39, has been in D.C., living in his van and consorting with fellow January 6th. Capitol rioters. But they find him worrisome and "incoherent". Last week he posted a video threatening to blow up his van at a Federal site. That caused the Feds to get misdemeanor warrants for his arrest in the Capitol affair. Taranto was grabbed after live-streaming from the vicinity of former President Obama's house. Agents found two 9mm pistols, 400 rounds of ammunition and a machete in his vehicle. But a Federal judge warned that without more his prompt release is likely.

6/22/23 "There will be blood. Welcome to the revolution." That's what Fontana, Calif. man Daniel "D.J." Rodriguez posted a few days before he smashed his way into the Capitol and violently assaulted a police officer, causing injuries that sent his victim to the hospital and drove him from the force. Rodriguez pled guilty to multiple felonies, and a judge just sentenced him to 12 1/2 years. But although Rodriguez apologized for his behavior, he couldn't keep himself from yelling "Trump won!" as he was led away.

5/30/23 Citing her role as "more aggressive, more assaultive, more purposeful than perhaps others," a judge imposed the third-longest prison so far - 8 1/2 years - on Jessica Watkins, who led an Oath Keepers chapter in Ohio and recruited participants for the Capitol assault. Co-defendant Kenneth Harrelson, a resident of Florida, drew four

years. Jurors had acquitted both of seditious conspiracy but convicted them, among other things, of obstructing Congress. Click [here](#) for a dramatic photo.

[Casting themselves as “political prisoners,”](#) many indicted Capitol rioters have raised thousands of dollars - some tens of thousands - from online appeals. Perhaps the most prolific, Nevada man Nathaniel DeGrave, raked in \$120,000 thru the favored [GiveSendGo](#) website. Most pleas for money cite lawyers’ fees and such, but even those using public defenders have raked it in. Judges have returned the favor by imposing fines; in DeGrave’s case, for \$25,000.

5/26/23 “Today’s sentences reflect the grave threat the actions of these defendants posed to our democratic institutions.” That’s how A.G. Merrick Garland characterized the record-setting 18-year term handed down to Oath Keepers founder and leader Stewart Rhodes, and the stiff twelve-year sentence given to Florida Oath Keepers leader Kelly Meggs, for their roles in the Capitol assault. Both had been convicted of seditious conspiracy and other crimes at a jury trial in November (see 11/30/22 update).

5/25/23 “The traumas we suffered that day were endless.” So said D.C. police officer Christopher Owens during a sentencing hearing for Oath Keepers founder Stewart Rhodes and Florida chapter leader Kelly Meggs. Both were convicted of seditious conspiracy over their roles in the Capitol assault. Prosecutors have asked that Rhodes draw twenty-five years, which would be by far the longest term yet imposed.

5/24/23 A middle-aged Capitol rioter whose actions reportedly helped set the stage for fellow rioter Ashli Babbitt’s fatal shooting by police was sentenced to nearly seven years’ imprisonment. Christopher Griner, who runs a Texas winery, had once served in the Air Force military police. Opting for a trial by a judge, he was convicted on seven charges, including obstructing Congress.

5/22/23 Days before the January 6th. assault on the Capitol, Proud Boys leader Enrique Tarrío stole a BlackLives Matter flag from a church during a MAGA rally. Suspended D.C. cop Shane Lamond, then head of intelligence, was just indicted for warning Tarrío that an arrest warrant had been issued. And, as well, for allegedly keeping Tarrío informed about what police were doing to counter the Proud Boys. Tarrío testified during his trial that he shared information with Lamond which benefited the authorities. (See 12/27/24 update)

5/6/23 Fourteen years. That’s the longest prison term yet handed down to a Capitol rioter. And it was earned by Peter Schwartz, a 49-year old Pennsylvania man who violently fought with and repeatedly pepper-sprayed officers. One of his victims, a

Capitol police sergeant, was forced to retire. What really sealed Schwartz's fate was his criminal history. He was on probation for domestic abuse and had 38 prior convictions, many for violence and threats. His wife, who also participated, drew two years.

5/5/23 Proud Boys leader Enrique Tarrio and three underlings - Ethan Nordean, Joseph Biggs and Zachary Rehl - were convicted of [seditious conspiracy](#) in the Capitol assault. It's punishable by up to twenty years imprisonment. Jurors acquitted the fifth defendant, Dominic Pezzola, of sedition, but as the ostensibly most violent of the five - he used a police riot shield [to smash a Capitol window](#) and gain entry - Pezzola was convicted on lesser charges. Sentencing is set for later this month. [DOJ release](#)

5/4/23 According to the *Washington Post*, "at least twenty" current or former law enforcement officers have been charged thus far with participating in the Capitol assault. Among them is ex-NYPD cop Thomas Webster, who drew ten years - the longest term yet imposed on anyone. And bodycam footage and other evidence has just led to the arrest of former FBI agent and supervisor Jared Wise, who served between 2004-2017, on four misdemeanors including illegal entry.

4/26/23 Countering the prosecution's assertion that all it takes to prove a seditious conspiracy is a "wink and a nod", defense lawyers emphasized that there was no evidence that the Proud Boys instigated the January 6th. assault on the Capitol. Instead, the true protagonist was the man who provoked a White House crowd to "fight like hell." That, of course, was then-President Trump. Jurors now have the case.

4/25/23 In their closing arguments, prosecutors in the Proud Boys trial emphasized that the sect had planned the assault, calling it an effort by "Donald Trump's army...to keep their preferred leader in power no matter what..." But the defense argued that there was no conspiracy. As the accused testified, there was "no objective". Instead, they merely got "caught up in the craziness".

4/21/23 One of the Proud Boy defendants took the stand. And the outcome wasn't all good. On cross-examination, accused Zachary Rehl had to explain a video that purportedly showed him dousing officers with pepper spray. But Zehl said all he carried during the assault was a camera. "It's a really grainy video. I did not assault anyone." As for a Black woman getting punched during an earlier Proud Boy protest that descended into chaos, that was indeed "horrible." But "we were defending ourselves."

4/18/23 Tying for the second lengthiest prison term handed down so far to a Capitol rioter, Patrick McCaughey III was sentenced to seven and one-half years for, among other things, using a stolen riot shield to crush a police officer against a doorframe.

Another rioter then struck MPD officer Daniel Hodges in the face with his own baton. According to his lawyers, McCaughey, a carpenter, had been fooled by Trump's assertion that the election was stolen.

[3/30/23](#) As the Proud Boy defense began, its first witness was "Aaron," a Proud Boy and FBI informant who was present during the Capitol assault. "Aaron" testified that the group did not plan the assault but merely participated in the spontaneous act. Aaron, who communicated with his FBI handler during the intrusion, said that he was surprised when the mob stormed police lines and went inside.

[3/27/23](#) Lawmakers from both parties visited the D.C. jail to check on conditions for detainees awaiting trial for the Capitol assault. Rep. Marjorie Taylor Greene (R-Ga.) and her "Red" colleagues reportedly "high fived" and shook hands with the prisoners. They in turn chanted "Let's go, Brandon!" as the visitors left. Rep. Greene later accused authorities of treating the Jan. 6 defendants "as political prisoners." [She also reiterated her belief](#) that Biden's electoral college votes had been wrongfully awarded.

[3/21/23](#) Jurors hearing the third (and presumably, final) Oath Keepers trial convicted all six accused. Four were found guilty of conspiring to obstruct Congress, and two of the lesser charge of illegal entry. Six Oath Keepers, including national leader Stewart Rhodes, had been convicted of seditious conspiracy in the first two trials. But none of these accused was charged with that most serious offense. None were high-profile members. Two were elderly, and one is reportedly autistic.

[3/20/23](#) With the prosecution case done, the trial of the five Proud Boys, including leader Enrique Tarrío, seems at an uncertain place. Evidence that the defendants created and led a conspiracy to massively storm the Capitol was lacking. Not even cooperating witnesses went that far. Instead, prosecutors used videos of the event to argue that the accused used the group as "tools" to stop the transfer of power. It's expected that the defense will try to capitalize on that weakness.

[2/23/23](#) Jeremy Bertino, a Proud Boy who pled guilty, testified at the trial of leader Enrique Tarrío and his codefendants. Tarrío, who like Bertino was not at the Capitol, had through messaging conveyed that the Proud Boys would be "the tip of the spear." While Bertino agreed that no specific plan had been devised to storm the Capitol, there was an explicit, pre-riot understanding that the Proud Boys would act, and lead others to act, so as to aggressively prevent the President's confirmation.

[2/16/23](#) During the ongoing trial of five Proud Boys, including leader Enrique Tarrío, prosecutors introduced evidence that D.C. Police Lt. Shane Lamond repeatedly

messaging with Tarrío before the Capitol assault. In one exchange, Lt. Lamond warned Tarrío that his agency's detectives might be seeking a warrant for his arrest. Lt. Lamond was placed on "administrative leave" last February. His lawyer insists that his exchanges with Tarrío were part of his job.

2/10/23 Appearing for sentencing, Kevin Seefried, 53, one of the first rioters inside the Capitol, apologized for his actions but rejected the notion that chasing a Black police officer with a Confederate flagpole conveyed "a message of hate." Seefried, whom authorities did not link to a radical group, was sentenced to three years; his son Hunter, who accompanied him, had already drawn two.

1/13/23 During opening arguments, prosecutors charged that five Proud Boys leaders on trial for seditious conspiracy had "joined together and agreed to use any means necessary including force to stop Congress from certifying the election." But defense lawyers blasted prosecutors for using the defendants as "scapegoats" and ignoring the *real* instigator. "President Trump told these people that the election was stolen...He's the one who unleashed that mob at the Capitol on Jan. 6." There was no "plot." Their clients were unarmed and there only to support Trump.

1/6/23 At the second Oath Keepers trial, former member Caleb Berry, 21, testified that defendants Joseph B. Hackett, Roberto Minuta, David Moerschel and Edward Vallejo knowingly participated in a plan to storm the Capitol and prevent the certification. Berry, who joined in the assault, has pled guilty and awaits sentencing. He admits having lied to investigators in the past. Defense lawyers mentioned "inconsistencies" in his prior statements and insisted there was no plan, just a spontaneous assault. **Update:** On January 23 each of the four accused was found guilty of seditious conspiracy and of conspiring to obstruct Congress.

1/2/23 Steven Sund, who resigned as Capitol Police Chief one day after the assault (Speaker Pelosi had called on him to quit), has released a book that blasts the FBI, DHS and his own intelligence squad for failing to act on plentiful advance intelligence that extremists were readying an attack. He reserves his most stinging criticism for military leaders who resisted sending in the National Guard until Capitol police had already been overrun.

12/23/22 In its final report (pp. 103-112, click [here](#)) the House Select Committee to Investigate the January 6th Attack on the United States Capitol recommended that former President Trump and former Chapman University law professor John Eastman II be charged with Obstruction of an Official Proceeding (18 U.S.C. § 1512(c)). It also recommended that Trump be charged with Conspiracy to Defraud the United States (18

U.S.C. § 371), Conspiracy to Make a False Statement (18 U.S.C. §§ 371, 1001), and for inciting/assisting/aiding an Insurrection (18 U.S.C. § 2383).

12/19/22 Edward Kelley, a 33-year old Tennessee man, was facing charges of assaulting a police officer during the January 6th. Capitol melee. He and an accomplice, Austin Carter, 26, are now being held without bail for plotting to kill the agents who investigated Kelley's original misdeed. A third man who was recruited to help turned into a stoolie and recorded the plans, which included attacking an FBI office.

12/13/22 A second group of Oath Keepers is on trial for the Capitol Assault. Four men, ages 37 to 64, are accused of seditiously conspiring to impede Congress, causing physical damage to the Capitol, and deleting their messages so they could not be used as evidence. Three entered the building; one, the eldest did not. Instead he podcast from his hotel, warning of "guerrilla war" should Trump's opponents prevail.

12/12/22 Hawaii Proud Boys leader Nicholas Ochs and a companion, Nicholas DeCarlo, a Texas man, drew prison sentences of four years each for throwing smoke grenades at police during the Capitol assault. DeCarlo also stole plastic handcuffs from an officer's bag. Proud Boys' former national chairman, Enrique Tarrio, and several other leaders will go on trial this month for seditious conspiracy.

11/30/22 Jurors convicted Stewart Rhodes, the Oath Keeper's founder and leader, and Kelly Meggs, the leader of its Florida chapter, of seditiously conspiring to keep Trump in power. Rhodes, who never entered the Capitol, was acquitted of conspiring to disrupt the certification, and of conspiring to prevent Members of Congress from doing their jobs. Co-defendants Kenneth Harrelson, Thomas Caldwell and Jessica Watkins were acquitted of seditious conspiracy. All five were convicted of obstructing an official proceeding. Seditious conspiracy and obstruction can each draw up to 20 years. Rhodes, Meggs and two others were also convicted of document tampering (i.e., erasing messages from their phones). (See 5/26/23 update)

11/22/22 Closing arguments in the Oath Keepers trial revolved around a key issue: were the five accused leading a "seditious conspiracy" to storm the Capitol and stop the "transfer of power?" Stewart Rhodes, the group's leader, was in a motel room during the "storming." He and two co-defendants had taken the stand and insisted, as did an Oath Keeper who testified for the Government, that the breach wasn't pre-planned: it happened spontaneously. But the Government pointed to the group's "quick reaction force" that had weapons in a Virginia motel room. What was *its* purpose?

11/18/22 Illinois resident Shane Jason Woods, 44, was back home awaiting sentencing

after pleading guilty to assaulting a police officer during the Capitol riot. He was facing 33 to 41 months in Federal prison. He now faces murder charges for purposely crashing his car in an alleged suicide attempt that caused the death of a motorist who got trapped in her burning car.

11/8/22 Testifying in his defense at the Capitol trial, Oath Keepers leader Stewart Rhodes, who never went in, said that those who did acted against orders. He denied any connection with an “armed, quick reaction force” that kept weapons in a Virginia motel room, ready for use. Rhodes said the Oath Keepers were there to protect celebrities who backed Trump and didn’t intend to disrupt the election. In their testimony, “several” prosecution witness have reportedly conceded the Oath Keepers had “no explicit plan” to storm the Capitol and disrupt the election certification.

11/5/22 Taking the stand at the Capitol riot trial on his own behalf, Oath Keepers leader Stewart Rhodes, who is charged with sedition, portrayed himself as a patriotic American who had dispatched members of his group over the years to help keep the peace during episodes of civil unrest. He told jurors about his fears that leftist extremists might storm the White House and drag out then-President Trump, and that his group came with weapons in case that the President invoked the Insurrection Act.

11/3/22 Actually, the break-in at House Speaker Nancy Pelosi’s home *was* caught - by one of the 1,800 fixed cameras that transmit images 24/7 from many points in the Capitol and beyond to the police control room. When an official going through their morning routine noticed that local cops were swarming the Speaker’s home, they rewound the images, and there was the intrusion - caught on video. Problem is, camera outputs aren’t monitored 24/7 - given staffing, they can’t be.

As the case against Oath Keepers leader Stewart Rhodes wraps up, a well-connected prosecution witness testified that days after the Capitol assault Rhodes bemoaned “we should have brought rifles.” He also asked Jason Alpers to convey a message to Trump promising that if he invoked the Insurrection Act, “all us veterans will support you.” Alpers never passed anything on. Instead, he eventually took a secret recording of the chat to the FBI.

11/1/22 Testifying for the prosecution, an Oath Keeper who has pled guilty said that the Capitol assault “was a ‘Bastille-type’ moment in history, like in the French Revolution.” Although Graydon Young agreed with the defense that there was no “specific plan” to storm the premises - indeed, the principal defendant, Stewart Rhodes, never went in - he insisted that Rhodes and the Oath Keepers intended to violently oppose a transition of power. “We were going to disrupt Congress, wherever they were

meeting.

10/31/22 After the attack on the husband of House Speaker Nancy Pelosi, members of Congress are demanding more protection. It's up to the Capitol Police to protect the country's elected representatives, and while each gets a security detail, the agency lacks the staffing and funding to protect homes and family members when legislators are away. But they can hire and pay for private security if they wish.

10/29/22 One day after the Capitol assault, 25-year Capitol Police veteran Michael Riley texted a message to one of the rioters, saying he "agrees with your political stance" but cautioning him to delete his online brags about being present. A Federal jury just convicted then-officer Riley (he's since resigned) of one count of felony obstructing the grand jury investigation for deleting other conversations with his radical chum. Capitol police report that, in all, six officers were disciplined for unbecoming conduct.

10/28/22 Mercilessly choked and beaten by the Capitol mob, repeatedly shocked with his own Taser, D.C. police officer Michael Fanone suffered a heart attack and a brain injury and was forced to retire. His initial assailant, Albuquerque C. Head, who "slung his arm around Fanone's neck and dragged him into the roiling crowd" just drew 7 1/2 years. That's the second-stiffest sentence yet handed out to a rioter. (See 7/31/23 update)

10/22/22 Indiana man Mark A. Mazza, whose violent tangle with police during the Capitol assault led one of his two loaded pistols to fall from his pockets, was sentenced to a five-year prison term. But Mazza avoided being immediately arrested. Then, while back home, he assaulted a 12-year old who mocked his Trump flag. That drew a misdemeanor conviction and a fine. Mazza's other gun, a stolen Capitol police baton, and a large quantity of ammunition were seized from his home.

10/19/22 The Oath Keepers weren't at the Capitol just in case President Trump called on them. Appearing on behalf of the prosecution, former member Jason Dolan, who pled guilty in the affair, testified that he and his colleagues intended to stop the certification of Biden's election "by any means necessary." That's why they brought guns. He's reportedly the first Government witness to say so at the trial.

10/8/22 At the trial of the Oath Keepers for storming the Capitol, prosecutors introduced evidence that leader Stewart Rhodes' journey to D.C. included stops to acquire a \$20,000 "arsenal" that included three assault rifles, a semi-auto shotgun, ammunition and scopes. These and other weapons brought by his colleagues were left in motel rooms in Virginia, to be ready to bring in should the "quick reaction force" be

called on to keep Trump in power.

10/15/22 Shawn Price, 28, a New Jersey-based Proud Boys leader who recorded himself as he guided his colleagues in storming the Capitol building - “It’s go time, guys...Let’s go ... let’s go” - pled guilty to interfering with Federal officers. Price will be sentenced next year.

10/13/22 “I had not seen that many weapons in one location since I was in the military.” Testifying for the prosecution, Oath Keeper Terry Cummings described the massive cache of firearms and ammunition - including an AR-15 he contributed - that he and his colleagues secreted in a Virginia hotel room. These armaments, which never left the room, were brought in case the group’s “quick reaction teams” were deployed in “a show of force” to help Trump retain power. A *real* battle wasn’t supposedly in the cards.

10/8/22 Prosecutors at the Oath Keepers trial are using Stewart Rhodes’ words to prove that he and his confederates conspired to overthrow the Government. Shortly after the Electoral College voted in 2020, he posted a public letter to then-President Trump, imploring him to call up the National Guard and militias to counter an obvious, illegal effort by “Communist China” and its “willing American agents” to replace him. Rhodes wrote that he would be otherwise forced “to fight a bloody war against these two illegitimate Chinese puppets,” meaning the newly-elected President and Vice-President.

10/7/22 Testifying for the prosecution, three former members of the Oath Keepers said they became disillusioned by Stewart Rhodes’ “extreme rhetoric” and his championing of violence. Rhodes, they claimed, was obsessed with “Antifa” and wanted to provoke an “attack” so as to justify a violent response. Meanwhile Jeremy Bertino, a member of the Proud Boys, [pled guilty to seditious conspiracy](#). He is expected to testify in the forthcoming trial of five leaders, including Chairman Henry “Enrique” Tarrío.

10/5/22 In a conference call two months before the Capitol assault, Oath Keepers leader Stewart Rhodes implored his followers to go to D.C. and assure Trump that “the people are behind him.” Rhodes said he would have squads “bolstered up” awaiting leftists to act up. And when they did, it would give Trump cause to invoke the Insurrection Act, thus furnish “legal cover” for stepping in. That call - a tape was played by the prosecution’s lead witness, an FBI agent - is being characterized by the defense as proof that Oath Keepers were simply making themselves available should the President ask for help.

10/4/22 Objecting to the prosecutor’s assertions during opening arguments that his clients were armed rebels who intended to stop the Presidential transition “by whatever

means necessary,” the lawyer for Oath Keepers leader Stewart Rhodes and four associates insisted they were “peacekeepers,” only there in case Trump invoked the Insurrection Act and asked them to help. Only problem is, nine Oath Keepers have already pled guilty, and several are expected to testify against the accused.

10/3/22 Opening arguments are underway in the most prominent trial of the January 6th. saga. Five Oath Keepers, including founder and leader Stewart Rhodes, face charges of seditious conspiracy. Although Rhodes spent large amounts on rifles and tactical gear, he said that the group’s mission in D.C. was to provide security for Roger Stone and other Trump allies. His group’s primary purpose, he insists, was to take on the role of a militia once Trump invoked the Insurrection Act, as they expected he would.

9/8/22 An Oath Keepers membership list leaked to the [ADL](#) names 373 current law enforcement officers “including at least ten chiefs of police and eleven sheriffs.” Some promised to use their position to help the organization. For example, a high-ranking Yuma County, Arizona deputy wrote “I’ve already introduced your web site to dozens of my Deputies.” An Anaheim, Calif. police sergeant bragged about being “a member of the executive board for my police labor association.” Both were contacted and said they became dissatisfied and left the organization.

9/2/22 Retired NYPD officer Thomas Webster drew the stiffest term yet - ten years imprisonment - on his conviction for assaulting Capitol police. Jurors had rejected his claim of self-defense and convicted him on six counts (see 5/3/22 update.). Mr. Webster apologized and was released pending a reporting date.

[Pennsylvania man Julian Pkhater pled guilty](#) to assaulting Capitol police with pepper-spray. One of the officers he doused, Brian D. Sicknick, died the next day.

President Trump [has pledged to pardon and apologize](#) to the Capitol rioters should he be reelected.

8/30/22 Joshua Pruitt, 40, a “Proud Boy” who tried to approach the Senate Majority Leader during the breach of the Capitol but assaulted no one was sentenced to fifty-five months imprisonment on his plea of disrupting an official proceeding. Pruitt’s sentence reflects his prior criminal record, which includes arrests for assaulting police and possessing cocaine.

8/12/22 Former Virginia cop Thomas Robertson got 87 months on his conviction for violently storming the Capitol. That term, the longest yet imposed, matches the sentence recently given to “Three-percenter” Guy Reffitt. Robertson is one of the two stormers depicted in the lead graphic to [“Cop? Terrorist? Both?”](#) He’s on the right; his

companion, Jacob Fracker, pled guilty and testified against him.

[8/2/22](#) “Three-percenter” Guy Reffitt, the first Capitol stormer to be convicted at trial, drew the stiffest prison term yet - 87 months. He had brought an assault-type rifle and .40 cal. pistol to D.C., and on returning home threatened his kids to keep quiet. (See [3/1/22](#) and [3/5/22](#) updates.)

[7/27/22](#) So far the longest prison term for a Capitol rioter has been 63 months, handed out to Robert S. Palmer last December (see [12/18/21](#) update). There’s now a second 63-month recipient. According to the judge, Mark K. Ponder was aggressively “leading the charge,” striking at officers with poles. He reportedly destroyed a defender’s riot shield. And even after being expelled, he repeatedly returned to the fray. One of his victims, who left the force because of his injuries, testified that Ponder “changed my life.”

[7/25/22](#) According to the *Washington Post*, Secret Service agents protecting Vice-President Mike Pence exchanged “frantic” radio traffic as they came perilously close to a mob that was angrily seeking him out over his refusal to overturn the election. Some agents reportedly messaged good-by’s to their families. “We came very close to...having to use lethal options” (meaning, guns) said an unnamed official.

[6/11/22](#) At the initial session of a public Congressional hearing on the January 6th. assault, graphic video depicts rioters viciously assaulting Capitol police with flagpoles, trashcans and bike racks. Officer Caroline Edwards graphically recounted her struggle to survive. “There were officers on the ground. They were bleeding. I was slipping in people’s blood. It was carnage. It was chaos.” She saw Officer Brian Sicknick, who suffered a fatal stroke the next day, turn “ghostly pale.” Officer Edwards was struck by a bike rack, blacked out, then suffered fainting spells for months.

[6/8/22](#) “More than 810” persons” have been charged in cases related to the storming of the Capitol. “More than 700” were charged with illegal entry, including 255 who are accused of assaulting officers or employees. Of these, “over 85” allegedly used a weapon or caused injury. Fifty persons face conspiracy charges. “More than” fifty are charged with destroying property, and ten of assaulting the media. So far about 232 defendants have pled guilty to misdemeanors and 48 to felonies. Five were also found guilty at trial; four, of felonies. So far 165 have been sentenced. Of these, about 65 received prison terms, with the seven who assaulted officers getting “up to 63 months.” About 50 have received home detention. [In the most serious ongoing case](#), former national “Proud Boys” leader Henry “Enrique” Tarrío and four disciples, Ethan Nordean, Joseph Biggs, Zachary Rehl, and Dominic Pezzola, who were already in custody, are accused in a superseding indictment of seditious conspiracy and other serious crimes. All will remain locked up until trial.

6/4/22 A 29-year old Pennsylvania man who burst into the Capitol questioned his (now-ex)girlfriend's intelligence for doubting that the Presidential election was rigged. So she told the authorities. Photos gave Richard Michetti away, and he pled guilty to a felony. He faces 15-21 months.

5/30/22 National "Proud Boys" leader Henry "Enrique" Tarrío has been ordered held without bail pending his trial for conspiring to violently prevent the certification of the election. According to the judge, the evidence of his wrongdoing is "very strong" and the risk he poses cannot be mitigated by lesser measures such as home detention (see 3/9/22 update).

5/6/22 Iowa resident Kyle Young, 38, pled guilty to assaulting Capitol police officer Michael Fanone. Officer Fanone was swarmed by numerous protesters, dragged on the ground, severely beaten and repeatedly shocked with a Taser. He suffered a heart attack and brain injuries. Officer Fanone testified before Congress and, although a Republican, vented against the Party. He reportedly became isolated from his peers and resigned from the force. Young faces a likely five-year sentence. Three others are also charged in Fanone's assault; one is soon expected to plead guilty.

5/5/22 William Todd Wilson, 45, became the third Oath Keeper to plead guilty to the Capitol assault. A North Carolina regional leader, he had stocked his Virginia hotel room with an AR-15 type rifle, a pistol, ammunition, body armor, and other items "and was prepared to retrieve the weapons if called upon to do so." Along with Alabama's Joshua James and Georgia's Brian Ulrich, Wilson faces a 20-year sentence (see 3/3 and 4/30 updates.) Eight other Oath Keepers are still pending trial.

5/3/22 Thomas Webster, a retired NYPD officer, was convicted of using a metal flagpole to assault a Capitol police officer who was defending a barricade, grabbing his gas mask and "[trying to gouge out his eye.](#)" An old friend noticed that Webster was embittered by the Presidential campaign. He became "quite animated, quite hyped about the current state of affairs and liberal bias." According to prosecutors, Webster had body armor and a handgun, which he left in his motel room. It was the fourth trial, and fourth conviction, of a Capitol defendant. Webster faces up to twenty years. [Federal case details](#)

4/30/22 Georgia chapter Oath Keeper Brian Ulrich, 44, pled guilty to seditious conspiracy and obstruction over his role in the Capitol assault. Using encrypted chat, he and his colleagues engaged in extensive pre-planning and came equipped with weapons, radios and tactical gear. They drove up to the building in golf carts and entered in military formation. But they were driven out by chemical spray. Fellow Oath Keeper Joshua James already pled guilty; nine others await trial (see 3/3/22 update).

[4/12/22](#) Federal jurors convicted former Rocky Mount (VA) police sergeant Thomas Robertson of five felonies, including obstructing Congress, for participating in the Capitol assault. Videos depicted Robertson wearing a gas mask, flaunting a stick and failing to move aside for police. He could draw up to twenty years. Jacob Fracker, a former Rocky Mount cop, pled guilty and testified against his once-colleague (see 4/6/22 entry.)

[4/9/22](#) North Carolina “Proud Boy” Charles Donohoe, 34, pled guilty to felony conspiracy and assault/impeding charges in the Capitol intrusion. Most importantly, he also “agreed to cooperate with the government’s ongoing investigation.” That would make the leader of the organization’s “Ministry of Self-Defense” a key witness against five colleagues, including National Chairman Enrique Tarrío and Capitol window-smasher Dominic Pezzola, who are presently headed for trial.

[4/8/22](#) In the first acquittal of a Capitol defendant, a judge found New Mexico engineer Matthew Martin not guilty of all charges (four misdemeanors). Martin argued that he didn’t surmount barricades, engage in violence or commit vandalism. He denied knowing that the premises had been declared off-limits and said that he was part of a crowd that peacefully streamed through an open doorway manned by police.

[4/6/22](#) Pictured at the top of “[Cop? Terrorist? Both?](#)” former Rocky Mount (VA) police sergeant Thomas Robertson and his onetime colleague, former officer Jacob Fracker, stormed the Capitol together. But they won’t be tried together. Robertson’s trial for obstructing Congress and other charges is about to begin. And Fracker, who recently pled guilty to conspiracy to obstruct, will be testifying against him.

[4/2/22](#) Capitol Hill’s “most heavily-armed” intruder, Lonnie Leroy Coffman, 72, drew forty-six months prison to be followed by three years of supervised release on his plea to local and Federal gun and explosive charges. Coffman, who had walked around the Capitol while armed with two loaded, unlicensed handguns, had a wide assortment of edged weapons, firearms and bomb-making ingredients in his truck, which he drove from his Alabama home. More guns and explosives were later found in his residence (see 1/12/21 and 11/13/21 updates.)

[3/31/22](#) There are about 1,850 Capitol police officers. That, says Chief Thomas Manger, is about 300 short of what’s needed to fully reopen the premises to visitors and staff new posts added after the assault. While his budget has been recommended for a 17 percent hike, attrition, which typically claimed as many as 80 officers each year, increased sharply. Retention bonuses are being paid to keep officers from leaving, but the chief conceded that “we’ve got a ways to go before we get up to where we need to be.”

[3/9/22](#) Although he never entered the Capitol itself, Texas “Three-Percenter” Guy Reffitt, the first defendant to actually go on trial, [was convicted by a jury on all charges](#),

including “storming the Capitol” while armed, interfering with its defenders, and later threatening his kids to keep quiet - or else (see 3/1 and 3/5.) Meanwhile another top militiaman who didn’t go in, Henry “Enrique” Tarrío, former leader of the “Proud Boys,” [was indicted for conspiring](#) with Oath Keepers founder Elmer “Stewart” Rhodes to stage the attack (see 1/14 and 1/26).

3/8/22 According to a GAO study, Capitol police reported 293 uses of force during the January 6 attack. All were considered justified. A majority involved hands (91) and batons (83). Chemical sprays were used 34 times; guns were pointed 17 times and fired once. Officers had “mixed views” about their preparedness. A majority of respondents said that guidance provided before and during the assault was unclear. Many officers complained that their training proved insufficient, criticized their leadership as inadequate, and said that they had hesitated to use force because they feared being disciplined.

3/5/22 Former “three-percenter” Rocky Hardie testified against fellow militiaman Guy Reffitt, the first Capitol defendant to go on trial. Hardie said they drove together from Texas to help stop the certification of the election. Each brought a handgun and they also packed two rifles in case left-wingers came at them. Hardie said that both walked to the Capitol; he carried his pistol and assumed that Refitt did likewise. Hardie, though, didn’t go inside. Refitt did, and later said he was hit with pepper balls (see 3/1 update).

3/3/22 Joshua James became the first of the eleven indicted Oath Keepers to plead guilty to seditious conspiracy over his role in the Capitol assault. James, who led the group’s Alabama chapter, also pled guilty to obstructing an official proceeding. James brought a pistol and “multiple firearms” to a Virginia hotel. He and his associates were decked out in tactical gear and used golf carts to move around the Capitol. Once inside, James assaulted a Capitol officer, and was finally expelled with chemical spray.

3/1/22 “Traitors get shot.” That’s what “Three-Percenter” Guy Reffitt supposedly told his son after returning from the Capitol assault. He’s been locked up in D.C. jail since his arrest on multiple charges including obstruction of a proceeding, packing a gun in the Capitol, interstate transport of an AR-15 and a pistol to use in a riot, and threatening witnesses – his own teenagers – to keep quiet. His trial, the first in the assault, began yesterday. As many as 375 other accused await their turn (see 3/5 update).

[Today’s State of the Union address](#) is taking place in a fully fenced-in Capitol. With convoys of anti-vaxx protesters and truckers reportedly heading towards D.C., the perimeter is patrolled by police and National Guard, and area roads are closed or controlled by law enforcement and military vehicles.

2/18/22 Michael Bolton, Inspector General of the Capitol Police, criticized its failure to act on most of his recommendations to prevent its force from again being overrun. Most

importantly, it remains wedded to a policing approach and has yet to adopt the posture of a protective service. That, he says, would require a great deal more training and a focus on intelligence. Still, it's acknowledged that Congress' Sergeant-at-Arms rejected a request for National Guard troops two days before the assault.

1/26/22 Oath Keeper founder Elmer "Stewart" Rhodes and ten disciples pled not guilty to seditious conspiracy and other charges. Rhodes, 56, an Army vet and Yale law grad remains in custody. He denies entering the Capitol but said he kept in touch with those who did so they wouldn't get in trouble.

1/14/22 D.C. authorities filed Federal "seditious conspiracy" charges against Elmer "Stewart" Rhodes III, who founded and leads the "Oath Keepers," and member Edward Vallejo. Neither was previously arrested over the Capitol assault. Nine other Oath Keepers who were already facing prosecution were also named. Authorities claim that the accused had organized a forceful takeover of the Capitol so as to prevent the Presidential transition, and to that end brought guns, other weapons and tactical gear. [Seditious conspiracy](#) carries a maximum penalty of twenty years imprisonment.

1/12/22 In recent years, persons driven by "a mix of ideologies and personal grievances" have been involved in a series of domestic terrorism incidents, including mass shootings at a shopping center in El Paso and a house of worship in Pittsburgh, and in the Capitol attack. This elevated threat has led DOJ to create a "Domestic Terrorism Unit" staffed with lawyers who will specialize in such cases.

1/10/22 Two of the better-known Capitol intruders are getting a very personal comeuppance. [In the Associated Press](#), a deeply unflattering portrait of Ashley Babbitt, whom a Capitol police lieutenant [shot dead during the assault](#), begins with her agitated, expletive-laced reaction to the revelation of an extramarital affair. And [in the Los Angeles Times](#), an account about Olympic gold-medal swimmer Klete Keller sets out his mental health struggles and failures in family life in merciless fashion.

1/8/22 Capitol police officer Briana Kirkland, 29, recently returned to work after recovering from injuries suffered during the Capitol attack. A five-year veteran, she alleges that Donald Trump's "words and conduct" caused the violence, [and is suing him for \\$75,000](#). Another lawsuit for physical injuries [was filed by Marcus J. Moore](#). A Capitol police officer for a decade, he alleges that Trump's words "inflamed, encouraged, incited, directed, and aided and abetted" the mob. These actions follow [an earlier lawsuit filed by seven officers](#) who claim that Trump purposely provoked and incited the attack.

1/6/22 In extensive remarks delivered on the eve of the one-year anniversary of the assault on the Capitol, Attorney General Merrick Garland paid tribute to the five police officers who lost their lives because of the episode. Addressing the nation's polarized

political climate, he criticized obstructions “that make it harder for millions of eligible voters to vote and to elect representatives of their own choosing,” and singled out “unfounded claims of material vote fraud in the 2020 election...which have corroded people’s faith in the legitimacy of our elections.”

[In separate remarks](#), the Capitol’s new police chief, Thomas Manger, pressed for expanding the force beyond its present 2,000 officers. He conceded there had been information lapses and said they were being addressed by hiring specialists and centralizing intelligence. According to a recent report, the department has formed “civil disturbance” platoons and improved communication with other agencies.

[1/5/22](#) In the *New York Times*, a lengthy article examines the residual traumatic effects of the Capitol assault on its police force. Many officers suffered long-term physical injuries, and more than a few have been deeply affected psychologically as well. Equally troubling, decision-makers had been informed about the likelihood and potential severity of the assault, yet the call for protective measures went unheeded.

[1/3/22](#) District of Columbia authorities report that “approximately 640” defendants were charged with illegal entry in the Capitol assault. Of these, “more than 225” were accused of assaulting officers or employees, and “over 75” of using a weapon or causing serious injury. “At least 275” were charged with obstructing Congress, and “approximately 40” with conspiracy. So far “approximately 145” have pled guilty to misdemeanors and twenty to felonies. About seventy have been sentenced. Thirty-one got jail terms, eighteen home detention, and the rest received probation. Six others face serious prison terms.

[12/18/21](#) “Your honor. I’m really really ashamed of what I did.” Alas, Robert Palmer’s tearful comments didn’t help. On December 17 Federal Judge Tanya Chutkan sentenced the 54-year old Floridian to the stiffest prison term to date: 63 months for aggressively attacking police with a fire extinguisher and other objects during the Capitol assault. [DOJ case tracker](#)

[12/15/21](#) In the first such action taken by a Government agency, the District of Columbia is suing the Proud Boys, the Oath Keepers, and dozens of named members for planning, instigating and helping to carry out the January 6th. assault. [Damages include](#) “costs to dispatch hundreds of MPD officers to defend the Capitol and its surroundings against the Defendants’ attack, including transportation, coordination, and overtime...costs for emergency and other medical treatment for injured MPD officers; and costs for paid leave for MPD officers who could not work as a result of their injuries” (p. 79).

[11/13/21](#) Former Trump advisor and White House official Stephen K. Bannon, who predicted on January 5th. that “all hell is going to break loose tomorrow,” [was indicted](#)

[for refusing to testify](#) before a Congressional panel investigating the storming of the Capitol. Meanwhile, January 6th.'s "most heavily armed man," Alabama septuagenarian Lonnie Coffman, [pled guilty to Federal charges](#) of bringing eleven molotov cocktails and five loaded guns in his truck to Capitol Hill. Improvised explosives were also found in his home.

[11/12/21](#) Capitol intruder Scott Fairlamb, a New Jersey bar bouncer, got the stiffest-yet sentence, 41 months, for "pushing" and "punching" a police officer as he strong-armed his way over a scaffold and into the building. Fairlamb, 44, a trained MMA fighter, had two prior convictions for assault.

[11/1/21](#) Federal offices located in D.C. have been besieged by bomb threats since the Capitol intrusion, with seventy recorded so far this year. Suspicious packages are also commonplace. Evacuations and road closures are so frequent as to seem the new normal. All government functions are affected. A "health official" reported that his workplace "has been under assault all year. The building feels like a fortress."

[10/29/21](#) "Let me make my view clear: The rioters were not mere protesters." That's how D.C.'s Chief U.S. District Judge Beryl A. Howell expressed her irritation about the minor legal consequences that befell most of the rioters who were arrested for storming the Capitol. Her comments were sparked by the example of yet another defendant whom prosecutors let plead guilty to misdemeanor "parading."

[10/16/21](#) One day after the Capitol assault, veteran Capitol police officer Michael Riley messaged a rioter who had posted video and text about his role: "im a capitol police officer who agrees with your political stance. Take down the part about being in the building they are currently investigating and everyone who was in the building is going to be charged. Just looking out!" Riley later advised the rioter to get off social media. On Oct. 14 Officer Riley was indicted on two counts of obstructing justice, a felony.

[10/12/21](#) In a letter to Congress, a former top-ranking officer of the Capitol police accused the agency's leaders of withholding information from subordinates and from Congress that online chats between radicals indicated they had maps of the Capitol complex and were preparing for an armed confrontation with legislators. A prior Congressional inquiry concluded that Capitol police had been alerted to the possibility of an armed assault two weeks in advance but thought it "remote and improbable."

[10/2/21](#) An "anonymous hacker" released an online membership list for the Oath Keepers that includes "several New York law enforcement officers and public officials - including at least two active members of the NYPD." When approached by journalists, three of the named "public officials" reportedly confirmed that they were past members. But the two NYPD officers - one is a Sergeant - refused to comment.

9/19/21 Deterred by warnings that they were being “set up” for arrest, few demonstrators showed up at the September 18th. “Justice for J6” rally at the Capitol, held to protest authorities’ treatment of the January 6th. rioters. Those who came encountered re-installed fencing and a large police presence. Stung by arrests and prosecutions, most far-right groups including the “Proud Boys” declined to participate in the D.C. event. Protests in other areas were also few and muted.

9/12/21 Capitol police announced that the January 6th. intrusion led to 38 internal investigations for alleged misconduct. None of the 26 officers identified were deemed by prosecutors to have committed a crime. But the agency “sustained” internal charges and recommended discipline against six: “Three for conduct unbecoming, one for failure to comply with directives, one for improper remarks, [and] one for improper dissemination of information.” Action involving a seventh officer is pending.

9/9/21 More than two-hundred Capitol rioters were charged with “obstruction of an official proceeding,” a serious felony punishable by up to twenty years imprisonment ([18 USC 1512\[c\]\[2\]](#)). But some judges are questioning whether their behavior substantially differed from other rioters who were charged with misdemeanors, such as entering a restricted area or being disorderly ([18 USC 1752](#)). Bottom line: is the felony charge unconstitutionally vague?

9/4/21 QAnon’s “Shaman,” [Jacob Anthony Chansley](#), the horned, fur-wrapped devil who has been in custody on multiple charges since his January 9th. arrest for the Capitol breach, pled guilty to “Obstruction of an Official Proceeding.” He reportedly faces three years imprisonment.

9/3/21 Charging that the arrests on January 6th. were politically motivated, “Look Ahead America,” a group founded by former Trumpist Matt Braynard, is planning a September 18th. protest at the Capitol. Police are gearing up, and there are signs the fence may be reinstalled. Whether other groups might show up is unknown, but the Proud Boys have supposedly declined, calling it a setup to justify more arrests.

8/24/21 Capitol police cleared the police lieutenant who shot and killed Ms. Ashli Babbitt as she tried to climb into an area that officers had secured to allow legislators to flee. According to the agency, “The actions of the officer in this case potentially saved members and staff from serious injury and possible death from a large crowd of rioters.” [DOJ lawyers ruled in April](#) that the lieutenant’s actions had been justified and that he would not be charged.

8/15/21 D.C. officer Jeffrey Smith’s survivors filed a wrongful death lawsuit against two persons whom private researchers identified as his attackers. According to the plaintiffs, officer Smith suffered a severe blow that caused a traumatic brain injury, left him constantly weepy and unable to sleep, and led him to commit suicide.

8/7/21 A 44-year old New Jersey gym owner, Scott Fairlamb, and a 22-year old Seattle man, Devlyn D. Thompson, are the first to plead guilty to assaulting officers during the Capitol breach. Fairlamb admitted he “shoved and punched” an officer, while Thompson said he struck an officer with a collapsible baton. Both were placed in custody and face prison time. (Click [here](#) and [here](#) for the official case details.)

8/4/21 Four law enforcement officers who defended the Capitol on January 6 have committed suicide. Three: Gunther Hashida (EOW: 7/29), Kyle DeFreytag (EOW: 7/10) and Jeffrey Smith (EOW: 1/15) were D.C police officers; one, Howard Liebengood (EOW: 1/9) was with the Capitol police. [Officer Smith’s widow](#) recounted her husband’s troubled text message during the assault: “London has fallen”, and his painful convalescence from injuries suffered when struck by a rioter with a metal pole.

7/27/21 Four Capitol officers testified as House Democrats [opened their probe](#) of the January 6th. assault. They recounted “near-death” experiences in graphic detail. One said that rioters tried “to gouge out his eye”; another that he “was beaten unconscious” and Tasered. According to a police sergeant, multiple rioters announced that “Trump sent us.” Republicans have boycotted the inquiry.

7/21/21 Mark Sami Ibrahim, 33, a military veteran and rookie DEA agent, was charged with unlawfully entering the Capitol grounds while armed, then lying about it when questioned. Ibrahim, a fervent right-winger, carried a “Liberty or Death” flag, had his DEA-issued pistol, and wore his badge on his belt. He had already given DEA notice that he would soon resign. For the complaint with pictures, click [here](#).

7/20/21 The first felony sentence in the Capitol assault was handed out to Paul Hodgkins, 38. A resident of Tampa, his claim to fame was carrying a Trump 2020 flag onto the Senate floor. Hodgkins pled guilty to obstructing a legislative gathering and soulfully apologized. He got eight months.

7/1/21 The House created a thirteen-member select committee to “investigate the facts, circumstances and causes” of the Capitol riot and issue a report with “findings, conclusions, and recommendations for corrective measures.” It will be controlled by Democrats. Click [here](#) for the document.

6/26/21 Washington D.C. police officer Michael Fanone remains on leave, recuperating from a heart attack and brain injuries sustained from being beaten and Tasered by the mob that stormed the Capitol. He recently asked House minority leader Kevin McCarthy, apparently unsuccessfully, to denounce the storming, which reportedly injured “nearly 140 officers” and led to seven deaths. McCarthy has opposed forming an independent commission to examine the assault, so [House Speaker Nancy Pelosi announced](#) she will form a House committee for that purpose.

6/25/21 According to the Department of Justice, more than five-hundred persons have been arrested thus far for participating in the Capitol attack, including one-hundred for assaulting an officer. For a detailed list of Federal defendants, including names and charges, click [here](#).

6/16/21 In a major policy address, A.G. Merrick Garland identified “racially or ethnically motivated violent extremists, and militia violent extremists” as America’s major domestic terrorism threats. Their access to social media, encrypted communications and firearms poses significant challenges. But DOJ’s enforcement focus will remain on violence, not ideology. “In America, espousing a hateful ideology is not unlawful. We do not investigate individuals for their First Amendment-protected activities.”

6/12/21 Karol Chwiesiuk, a twenty-nine year old Chicago cop proudly shared a photo of himself wearing a CPD hoodie inside the Capitol office of an Oregon senator. According to a Federal indictment, Chwiesiuk broke in during the assault, then bragged about it to his buds. His texts cautioned, “don’t snitch.”

6/11/21 Six Southern California men and a Texas resident were indicted on Federal conspiracy and other charges for entering restricted areas of the Capitol and encouraging others. Three claimed on social media posts to be members of the Three Percenters. Two others, Alan Hostetter, a former police chief in La Habra, Calif. who became a yoga instructor, and Russell Taylor founded the “[American Phoenix](#)” project, which claims the recent Presidential election was stolen and promotes conspiracy theories. (See 12/11/23 update)

5/29/21 A Democratic-led move to create a “January 6” commission of inquiry on the Capitol riot passed the House but failed by six votes to gather a filibuster-proof sixty votes in the Senate. Only six Republican senators voted “yea”; five of them had also supported impeaching ex-President Trump. Senate Republican leader Mitch McConnell (R-Ky) called a special commission “extraneous” because DOJ and congressional committees are already looking into the siege.

4/26/21 Should all Capitol defendants be treated alike? Slapping down a lower court’s blanket denial of bail, an appeals panel distinguished between two types of accused: “In our view, those who actually assaulted police officers and broke through windows, doors, and barricades, and those who aided, conspired with, planned, or coordinated such actions, are in a different category of dangerousness than those who cheered on the violence or entered the Capitol after others cleared the way.” [NY Times](#)

4/20/21 According to DOJ, more than 400 residents of forty-five states have been arrested in connection with the breach on the Capitol. Of these, more than 350 face charges of trespass, and more than one-hundred are being prosecuted for assaulting

Federal officers. Thirty-five face weapons charges. Click [here](#) for a list of defendants, with links to each case.

4/4/21 [A mentally ill man](#) “slipped” his car through a Capitol gate and rammed it into a barrier, striking two Capitol police officers. Noah Green, 25 stepped out with a knife and one of the officers shot him dead. But the officer’s partner, William “Billy” Evans, an 18-year veteran, succumbed from his injuries. While legislators are anxious to bring down the unsightly security fencing installed after the assault and once again allow citizens to approach the Capitol’s exterior, [this tragedy has caused a reassessment](#).

3/16/21 Federal agents arrested two men, one from West Virginia, the other from Pennsylvania, for spraying a toxic substance into the face of three officers during the intrusion. One of their victims was Capitol police officer Brian D. Sicknick, who later succumbed to unspecified injuries. [DOJ release](#)

3/4/21 [Maj. Gen. William J. Walker](#), commander of the D.C. National Guard, testified that he was “stunned” that the Defense Department refused to immediately authorize sending in troops to help besieged Capitol police. Gen. Walker said he had received a “frantic” call from former Capitol police chief Steven Sund advising that his officers had been overrun, but that more than three hours would pass before superiors authorized his request to mobilize the Guard.

[Capitol police reported](#) that members of a militia, possibly the “Three Percenters,” had planned a repeat assault on the Capitol for March 4. That’s reportedly the day when adherents of QAnon apparently believe that former President Trump, whom they admire, will return to power.

3/3/21 In the *New York Times*, the powerful, first-person account of a Black Capitol police officer who exchanged words with rioters - and endured their slurs - as he fought with them inside the building.

3/2/21 Lynda Williams, president of [NOBLE](#) (Nat’l Org. of Black Law Enf. Execs.) told *The Crime Report* that White racism has been embedded in police work since the very start. That, she and present and former Black cops said, can make it impossible for Black officers to progress unless they keep quiet and go along. It’s even worse for Black female cops, who are vastly underrepresented in the ranks. Click [here](#) for the 2006 FBI report on White extremists in policing.

2/24/21 Three former officials in charge of Capitol security testified that none of the intelligence they received informed them that an invasion was planned. According to former Capitol police chief Steven Sund, “We properly planned for a mass demonstration with possible violence. What we got was a military-style, coordinated assault on my officers and a violent takeover of the Capitol building.”

[2/16/21](#) Chris West, Oklahoma’s 2019 “Sheriff of the Year” proudly acknowledges he flaunted a Trump flag during the march on the Capitol. “I went as a citizen, as Chris West, the individual” he announced at a news conference on his return. But he insists he didn’t breach the walls. His actions have split the citizens he serves. “Several thousand” have petitioned for his removal, but even more insist that he stay.

[2/13/21](#) Described by one officer as “scarier than two tours as a soldier in Iraq,” the assault on the Capitol severely tested the mental health of its police. “Several” officers reportedly contemplated suicide in subsequent days, and one turned in their weapon. Mental health has now become a priority. But a move to classify the two officer suicides that took place as “line of duty” deaths lacks official support.

[2/3/21](#) Two Capitol police officers who were present during the assault have committed suicide. [On January 9](#) Capitol police officer Howard Liebengood, 51, who had been on the job fifteen years, killed himself while off duty. He is the son of a former Senate Sergeant-at-Arms. [On January 15](#) officer Jeffrey Smith, 35, a 12-year veteran, killed himself while on his way to work. Officer Smith had been injured during the attack. [Assault on the Capitol special topic](#)

[1/26/21](#) [Yogananda Pittman, the Capitol’s acting police chief](#), told a House committee that preventing an incursion into the Capitol would have foreclosed having an “open campus” that allowed protesting. She testified that the agency knew “that militia groups and white supremacists organizations would descend on Washington, D.C.” and that “there was a strong potential for violence” and apologized for a failure to adequately prepare. Two days before the attack the then-police chief had asked his board to declare an emergency and immediately bring in the National Guard but was turned down. In his testimony, the Guard’s commanding general said that [the Pentagon had taken away his original authority](#) to order in troops, leading to an hour-long delay to send them in once the assault took place.

[1/25/21](#) Participation of off-duty cops in the storming is reportedly leading police managers across the U.S. to reassess and implement measures, such as FBI screenings, to keep applicants with extremist leanings from being hired, and to help usher out those presently in the ranks. But such changes face liberty and legal obstacles, and officer unions will certainly become involved.

[1/23/21](#) Ms. Ashli Babbitt was shot dead by a Capitol police lieutenant who had taken up a “strategic choke point” to allow legislators to flee. His official account, as related by a third party, emphasized the chaos and violence. Radio traffic was replete with accounts of force, requests for backup, and, he thought, a mention of shots being fired. He couldn’t tell whether Ms. Babbitt and her companions were armed. He didn’t know that officers were in the hallway she occupied, nor that a tactical team was coming.

1/14/21 “Dozens” of individuals on an official FBI terrorism watch list ([TSDB, Terrorist Screening Database](#), with “hundreds of thousands” of entries) reportedly attended pro-Trump rallies in D.C. on the day of the attack. Most were white supremacists. FBI agents had supposedly visited many in advance to discourage them from attending.

One day before the assault on the Capitol [a leaked FBI memo](#) warned about online exchanges between extremists who were preparing for “war,” designating places to meet and form groups, and circulating plans of the facility’s tunnels. But the memo’s author was also concerned about encroaching on free speech. [A earlier FBI memo](#) warns that members of the Boogaloo movement plan to hold rallies across the U.S. and stage armed marches on State Capitols on Inauguration Day, January 20.

1/12/21 A Federal “sedition and conspiracy task force” with anti-terrorism and intelligence components has taken over the Capitol investigation. So far 170 suspects have been identified and seventy have been charged. In addition to illegal entry their crimes include theft and damage, possessing weapons, stealing security information, assaulting officers and felony murder. One accused, Lonnie L. Coffman, had a wide assortment of loaded firearms as well as “a crossbow, several machetes, a stun gun and [incendiary] devices.” Another, Aaron Mostofsky (he wore fur pelts) grabbed a Capitol police shield and a vest. He had posted a video claiming that Trump was cheated out of ten million votes.

1/11/21 Three days after helping defend the institution he served for fifteen years, Capitol police officer Howard Liebengood, son of a former Senate Sergeant-at-Arms, apparently took his own life. He was off-duty (see 2/3/21 update.)