

THE ROLE OF TRUMP'S INCITEMENT IN PROVIDING VIOLENT FOOT SOLDIERS [UPDATED]

As I've covered, in addition to a conspiracy charge tying Zip-Tie Guy's actions to his mother's cheering of violence, the government has thus far charged two sets of defendants from organized gangs in the January 6 insurrection – three members of the Oath Keepers and two of the Proud Boys. While Proud Boy Dominic Pezzola is charged with assault for his efforts to steal the police shield he used to bash open a window, his co-defendant William Pepe and most other defendants identified as Proud Boys were not charged with assault (Robert Gieswein, who was indicted on his own, did allegedly assault cops with a baseball bat; he appears in videos with the Proud Boys that day, though was not identified as such in his charging documents).

Thus far at least, the most violent actions from that day aren't known to have been perpetrated by the right wing militias, members of which appear to have, instead, channeled the violence of others, possibly while pursuing more tactical goals (like locating members of Congress).

That makes the way in which the government describes that other violence important, as it may or may not tie everything together (and tie it back to those who incited the violence).

Take Emanuel Jackson, a 20-year old black guy from DC who was twice caught assaulting cops on video. First, he was caught on film punching a cop, an assault which charging documents describe helped break the police line allowing others to stream in.

The defendant, EMANUEL JACKSON, is observed on U.S. Capitol video

surveillance footage making a fist and repeatedly striking a U.S. Capitol Police officer on his person while attempting to forcefully enter the building. United States Capitol Police officers are designated as officers of the United States under 18 U.S.C. 1114.

At approximately 2:48 p.m., the large crowd that was being restrained by law enforcement overpowered the officers and gained entry. One of the first individuals observed entering the doorway is the defendant.

Then, later that day, he attempted to get back into the Capitol wielding a baseball bat.

At 4:50 p.m., the violent and aggressive crowd continued to confront law enforcement at the West Terrace entrance. The crowd was armed with various weapons and multiple individuals are observed assaulting law enforcement in the entranceway. The defendant is clearly observed in surveillance video of this entrance, wearing the same clothing described above and observed in earlier footage, and armed with a metal baseball bat. The defendant is observed repeatedly striking a group of both U.S. Capitol and Metropolitan Police Department uniformed officers with the baseball bat.

These two alleged assaults happening two hours after each other, the first unarmed, the second armed, attest to the sustained violence of the riot, as well as a possible intensification of it as violence came to incorporate additional weapons. Over those two hours, Rudy Giuliani was calling Senators asking for delay.

While Jackson did have a backpack on him during the riot, there's nothing in Jackson's file that suggests any organizational affiliation with

known extremist groups (nor is there any explanation of why a 20-year old black guy would ruin his life for Donald Trump). According to a government detention motion, in an interview, Jackson described attending Trump's rally and going from there to the Capitol.

During the defendant's post-arrest interview, he clearly articulated that he attended former President Trump's rally earlier that day, and that he joined the thousands of individuals who descended on the U.S. Capitol to protest the election results.

That ties his later actions to the events at the rally.

That's important, because Jackson confessed that his goal in storming the Capitol was to delay the counting of the vote (and he was charged with obstructing an official proceeding as a result, which itself carries a steep sentence if violence is involved).

During the interview, the defendant stated that his purpose in joining the violent mob was to enter the U.S. Capitol and disrupt the vote count of the Electoral College as it met to certify the results of the 2020 Presidential Election. Thus the defendant combined his criminal intention to interfere with the functioning of Congress with multiple violent assaults – one with a dangerous weapon – on the law enforcement officers trying to protect that function.

The detention motion describes how his initial assault made it possible for him and others to storm the building.

The defendant was part of a group that tore out windows, ripped open the blocked entrance, and then physically attacked law enforcement in an effort to

gain entry. The law enforcement officers are in full uniform with the word "police" clearly visible. At approximately 2:48 p.m., the defendant is observed physically striking a law enforcement officer with his fist. The punching continues for several strikes and seconds later, the mob forces their way into the entranceway and overruns the group of law enforcement officers. The defendant's assaultive behavior in part allowed the large mob of individuals to successfully breach the U.S. Capitol, putting additional law enforcement officers and members and staff of Congress at grave risk. The defendant's actions allowed other rioters to commit multiple other criminal acts inside the building.

So at least on this thin record, it appears that Jackson went to the rally, got riled up to disrupt the certification of the vote, and then took repeated violent actions in service of doing just that. As the detention motion describes, Jackson was one spoke in a wheel that together thwarted democracy.

The defendant was a spoke in the wheel that caused the historic events of January 6, 2021,

On January 27, Jackson's attorney asked for a one month continuance, with the government's consent. That generally indicates the defendant is preparing to plead before indictment (which isn't surprising given that, before he got a lawyer, Jackson confessed to his assaults).

That means it's possible that by the time Trump's impeachment trial starts, Emanuel Jackson will have pled guilty to being inspired by Donald Trump to halt the vote certification, walking down Pennsylvania Avenue and then assaulting two cops in an effort to help Trump steal the election.

Update: Hunter Seefried, whose dad was the one caught carrying a Confederate flag through the Capitol, played a key role in cleaning out the window many streamed through. The father and son pair marched over after listening to Trump.

Defendant Kevin Seefried told law enforcement that he had traveled with his family from Delaware to the District of Columbia to hear President Trump speak and that he and Hunter Seefried participated in a march from the White House to the Capitol led by an individual with a bull horn.

Finally, I have reviewed video footage posted to Twitter which shows Hunter Seefried punching out glass in a window in the Capitol complex after people adjacent to him in the crowd broke it with a wooden 2 x 4. Kevin Seefried confirmed to law enforcement agents that Hunter Seefried was asked by an individual unknown to the Seefrieds to assist with clearing the window because Hunter Seefried was wearing gloves. After Hunter Seefried complied, people from the crowd outside, to include the Seefrieds, were able to access the interior of the Capitol Building.

Barton Wade Shively, a former Marine who admitted to assaulting several cops, also came down for the rally and then walked to the Capitol afterwards.

During the interview, SHIVELY admitted to driving to Washington, D.C. with friends to attend the Trump rally on January 6, 2021. SHIVELY further stated that he and his friends walked to the U.S. Capitol grounds and that a significant number of protestors broke through the first set of barricades. After which, SHIVELY explained that he was in the back of the crowd, but once the barricades were broken down by other

rioters, SHIVELY walked over the broken-down police barriers and up the U.S. Capitol steps where law enforcement officers were standing protecting the U.S. Capitol. SHIVELY stated that when he confronted the law enforcement officers, he was pushed back, SHIVELY admitted he became angered at that time. SHIVELY admitted "I got caught up in the moment." and grabbed a police officer by his jacket and began yelling at the officer.

[snip]

During the interview with agents, SHIVELY admitted to a second incident physical and assaultive encounter with law enforcement officers. SHIVELY stated he was walking down a line of officers who were protecting the U.S. Capitol from rioters, when an officer repeatedly pushed SHIVELY with his baton and commanded SHIVELY to move away. SHIVELY admitted to punching the officer on the officer's riot helmet.