

DOJ REPORTEDLY WILL PAY ASHLI BABBITT'S ESTATE \$5 MILLION; CLAIMS TO HAVE CHARGED LAMONICA MCIVER

One thing even good reporting on Stephen Miller's attempt to deport hundreds of Venezuelans under Miller's nested false claims that *they* are members of Tren de Aragua and that Tren de Aragua is a terrorist group directed by the Venezuelan government to invade the United States misses is that Miller is doing it to aid in false equivalences.

Both Miller and Trump propagandist Mike Davis illustrated this the other day.

Davis falsely claimed that the Supreme Court, in ruling against Trump's attempt to render detainees over Easter weekend, provided habeas in just 24 hours. But, Davis claimed, it took the same court 30,000 hours to "provide relief" to Jan6ers "persecuted by Biden," by which he meant those who were prosecuted under 18 USC 1512(c)(2).



Ultimately SCOTUS narrowed the application of the law to those who corruptly tampered with evidence involved in a proceeding. Almost everyone charged with obstruction premeditated their effort to disrupt the vote certification, to deny Joe Biden his victory and his supporters

their right to have their vote counted.

Miller called these people who attacked democracy, "innocent Americans." He, like Davis, called the Venezuelans "terrorists."

CATO's David Bier released a report yesterday showing that 50 of the men *already* sent to to Nayib Bukele's concentration camp were not only *not* proven to be terrorists, but had been admitted into the United States legally. Most were detained because of their tattoos.

These legal immigrants include a temporary visa holder and four men who were authorized to travel through the US refugee program. The government vetted these refugees abroad and concluded that they would face persecution, letting them resettle in the United States. The other 45 legal immigrants scheduled appointments using the CBP One app, through which they were permitted to seek entry. Among those with appointments, 24 were paroled into the United States, where they could live and work legally for up to two years, while the other 21 were detained at the port of entry.

[snip]

These people came to the United States with advanced US government permission, were vetted and screened before arrival, violated no US immigration law, and the US government turned around and "disappeared" them without due process to a foreign prison. It is paying the Salvadoran government to continue to keep them incarcerated.

[snip]

Most, at least 42, were labeled as gang members primarily based on their tattoos, which Venezuelan gangs do not use to identify members and are not reliable indicators of gang membership.

According to court documents, DHS **created** a checklist to determine that heavily weights “dressing” like a gang member, using “gang signs,” and, most critically, tattoos. No criminal conviction, arrest, or even witness testimony is required.

DHS’s images of “TdA tattoos” include the Jordan logo, an AK-47, a train, a crown, “hijos,” “HJ,” a star, a clock, and a gas mask. But as the American Immigration Council’s Aaron Reichlin Melnick has shown, **all of these supposed TdA tattoos** were not taken from Venezuelan gang members but rather stolen by DHS from social media accounts that have nothing to do with TdA or Venezuela. For instance, DHS obtained its TdA “Jordan” from a Michael Jordan fan account in the United States. It pulled its AK-47 tattoo from a Turkish tattoo artist.

Because these men were denied due process, the public had no opportunity to obtain a real accounting of any evidence against them.

By comparison, those charged with obstructing the vote count for January 6 were arrested on criminal complaints sworn out to a judge, given initial hearings, and convicted via a trial or confession. They got due process.

Stephen Miller called them innocent, even those who admitted to willfully attempting to obstruct the certification of Joe Biden’s win.

Monday, SCOTUS lifted the stay on a Temporary Postponement of Kristi Noem’s efforts to deport Venezuelans from whom Trump withdrew Temporary Protected Status. Those with individual challenges can continue their challenges but Trump can move forward with deportations.

As part of the same effort to decriminalize January 6, DOJ has agreed to pay Ashli Babbitt’s

estate almost \$5 million to settle a wrongful death claim related to Babbitt's invasion of the Speaker's Lobby where Congress was trying to escape an armed mob.

The Trump administration has agreed to pay just under \$5 million to settle a wrongful death lawsuit that Ashli Babbitt's family filed over her shooting by an officer during the U.S. Capitol riot, according to a person with knowledge of the settlement. The person insisted on anonymity to discuss with The Associated Press terms of a settlement that have not been made public.

The settlement would resolve the \$30 million federal lawsuit that Babbitt's estate filed last year in Washington, D.C. On Jan. 6, 2021, a Capitol police officer shot Babbitt as she tried to climb through the broken window of a barricaded door leading to the Speaker's Lobby.

The officer who shot her was cleared of wrongdoing by the U.S. Attorney's office for the District of Columbia, which concluded that he acted in self-defense and in the defense of members of Congress. The Capitol Police also cleared the officer.

This is Trump's goal, Stephen Miller's goal; it is how Miller got Trump elected. Trump has always claimed investigations into himself and his mob were unjust, but his own investigations into Joe Biden's kid and before that Hillary Clinton was a hunt for corruption.

Trump's power rests on claiming up is down, attacks on the US are noble and the defense of rule of law is a crime, accountability for anyone on *his* team is unjust.

Finally, today, Alina Habba announced on Xitter

(nothing appears to be filed yet) that she is *dismissing* the petty trespassing case against Newark Mayor Ras Baraka “for the sake of moving forward” – or, more likely, because video evidence shows that when he was asked to leave Delaney Hall, he did so, and only after that was he arrested. But in the same statement, Habba announced she has charged Congresswoman LaMonica McIver, who was shoved while she was objecting to the arrest of Newark’s mayor, which right wingers describe as an attempt to body slam the cops arresting Baraka. McIver is being charged with the same assault charge used against hundreds of Jan6ers who have since been pardoned for their crimes.



US Attorney Habba
@USAttyHabba



🚩 Today my office has charged Congresswoman McIver with violation of Title 18, United States Code, Section 111(a)(1) for assaulting, impeding and interfering with law enforcement.



*United States Attorney
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FOR IMMEDIATE RELEASE
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OFFICIAL STATEMENT FROM U.S. ATTORNEY ALINA HABBA

I take my obligations as U.S. Attorney seriously. I understand the responsibility that comes with my position, and I will work diligently to uphold the law and deliver justice to the people of New Jersey.

After extensive consideration, we have agreed to dismiss Mayor Baraka’s misdemeanor charge of trespass for the sake of moving forward.

In the spirit of public interest, I have invited the mayor to tour Delaney Hall. The government has nothing to hide at this facility, and I will personally accompany the mayor so he can see that firsthand.

The citizens of New Jersey deserve unified leadership so we can get to work to keep our state safe.

The dismissal against the mayor is not the end of this matter.

Congressional oversight is an important constitutional function and one that I fully support. However, that is not at issue in this case.

Representative LaMonica McIver assaulted, impeded, and interfered with law enforcement in violation of Title 18, United States Code, Section 111(a)(1). That conduct cannot be overlooked by the chief federal law enforcement official in the State of New Jersey, and it is my Constitutional obligation to ensure that our federal law enforcement is protected when executing their duties.

I have persistently made efforts to address these issues without bringing criminal charges and have given Representative McIver every opportunity to come to a resolution, but she has unfortunately declined.

No one is above the law — politicians or otherwise. It is the job of this office to uphold justice impartially, regardless of who you are. Now we will let the justice system work.

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McIver every opportunity to come to a resolution, but she has unfortunately declined.

Uh huh. McIver probably declined to do what CBS is about to, to falsely admit guilt when there is none. In a statement, McIver called the charges political.

McIver, D-10th Dist., called the charges filed by Habba, an appointee and former lawyer for President Donald Trump “purely political.”

“Earlier this month, I joined my colleagues to inspect the treatment of ICE detainees at Delaney Hall in my district,” McIver said in a statement. “We were fulfilling our lawful oversight responsibilities, as members of Congress have done many times before, and our visit should have been peaceful and short.

“Instead, ICE agents created an unnecessary and unsafe confrontation when they chose to arrest Mayor Baraka. The charges against me are purely political—they mischaracterize and distort my actions, and are meant to criminalize and deter legislative oversight.”

The charge comes amid a WaPo report that Pam Bondi is (was?) considering eliminating the requirement that investigations into Members of Congress and other public officials involve DOJ’s Public Integrity Division. The Division would have, in this case, warned DOJ officials that in past cases (most notably with people like Scott Perry and Jim Jordan) DOJ determined charges for such actions might violate separation of powers.

Trump not only doesn’t care about things like that, infringing on Congress’ powers *is the point*.

As I said to Nicole Sandler Friday, Trump was *always* going to find a way to charge a Member of Congress, just like he found a way to charge a judge. Habba has done so here where McIver has a clear immunity claim, and has done so as someone who clearly has conflicts. Habba's statement lacks DOJ's boilerplate comment asserting that charges are just allegations. And the siren in her tweet will add to any claim McIver makes that this violates due process.

Sure, Habba claims she tried to avoid this. But the entire scene at Delaney Hall was designed to elicit such confrontation, to create nesting legal attacks out of which Stephen Miller can spin his lies.

These developments are all of a piece. They are all an effort – one Trump has been pursuing for a decade – to replace rule of law with rule of mob.