

# **NO BILL: AS A SUBSTITUTE FOR HIS LOW-ENERGY PARADE, TRUMP'S DC OCCUPATION IS THUS FAR A FOOT-LONG SHORT**

Donald Trump has a plan to occupy America's great majority-minority cities, and by doing so, neutralize his opposition.

The occupation of Washington DC is but his second experiment in that process. He's not hiding the ambition or the scope of the project.

Many poor, unhoused, and brown people will suffer in the course of this experiment, and if the larger project works, the United States is in for a very dark period.

I don't make light of any of that. Nevertheless, it is the case that the effort will only succeed if the optics he is chasing leads his MAGAts and enough Trump supporters to join in the erotic thrill of seeing such violence imposed on brown people.

It's like a military parade. If it makes you look weak, if it doesn't provide racists the vicarious thrill of domination, it actually undercuts your bid for fascism.

And thus far at least, Trump's invasion of DC may not only fall short of that required spectacle, but it may well backfire.

Start with the presence at Union Station or other low-crime areas frequented by tourists.

Sure, the very presence of Humvees in DC's public space could become normalized. It could also become banal, just like Trump's parade

where historical tanks moved at a snails pace with little fanfare. This reminds me of a house I used to cycle by in West Michigan, with big tanks on top of a hill and probably a bunch of military flags to boot. Or of the tanks in front of a VFW club in small abandoned town in the plains where all the kids have moved away. It all looks like an affirmation of lost power.

Then consider how videos of law enforcement crackdowns on brown people – the kind of thing that go on everyday, but also the kind of thing that will now be seen when it might not otherwise have been – will resonate.



Here, a guy filmed cops (mostly, if not all MPD cops), and almost a dozen of them – mostly white – mobbed and tackled him. In the process, they kept bumping into *each other*. They looked like scrambling impotent figures (the language that comes to mind risks eliminationist language; you watch the video and find your own description). And of course, this arrest appears blatantly illegal, and the visibility of it makes it more likely this guy will have good legal representation to make that case.

Which brings me, reluctantly, to Sean Dunn – the white guy who threw a sandwich at some Federal cops after calling them fascists.

There are a number of people in DC who are rightfully furious that this white dude who did something stupid is the hero of the resistance, and they have a good point. But I think we're stuck with him now, and that has the potential to backfire on Trump in fairly epic fashion.

Trump and Pam Bondi and Jeanine Pirro are all adopting the same approach with this guy all Trump's legal flunkies have since the beginning of the term: in revenge for the prosecutions of Trump's violent mob on January 6, they try to apply what their fevered little imaginations claim to be equal treatment to people who resist Trump's crackdown. And so, after charging Dunn in DC Superior Court (and firing him from his DOJ job working on transnational crime), DOJ decided to charge him with 18 USC 111(a)(1) in Federal Court, the same charge used against hundreds of MAGAs who assaulted cops during the insurrection. They've made all sorts of inappropriate out-of-court statements about Dunn, including this dumb meme and this video, sent out by the White House, showing how they sent 20 people to arrest him in his comfortable safe home.



I get why they're doing it. This is meant to be revenge for the self-imagined humiliation that all the MAGAts feel about being subject to rule of law, from Jeffrey Clark in his tighty whities to Peter Navarro to thousands of MAGAts.

But, first of all, it doesn't look tough. Like the MPD officers swarming impotently because a guy was filming them, this looks pathetic, a bunch of men so fearful of a cushy condo building that they have to wear body armor. Like Will Chamberlain, who confessed to be terrified by seeing some brown kids do a wheelie, they risk becoming the butt of mockery.



Will Chamberlain   
@willchamberlain



I brought my family to DC for the Cherry Blossom festival.

The first thing I saw when I exited the L'Enfant Plaza Metro was a gang of youths driving ATVs down the street, one of whom was doing a wheelie

So forgive me if I doubt that crime is down

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And they're making this pathetic show of force in a case where they risk defying the best loved adage about grand juries: that a good prosecutor can indict a ham sandwich.

Indeed, in his coverage of how Magistrate Judge Michael Harvey expressed skepticism of these charges yesterday when releasing Dunn on his own recognizance, Jordan Fischer also revealed yesterday that prosecutors have already gotten no-billed twice by a grand jury in a different case.

This arrest has already become the butt of stupid jokes about sandwich names. And stupid jokes create a shared community of humor – in this case, in mocking this show of force and, with it, the larger occupation.

They're doing it with a white guy, who in his khaki shorts and pasty skin could well be a Republican. Where's the erotic thrill of seeing *this* guy tackled?

And they're doing it with a guy represented by Sabrina Shroff. Longtime readers will remember that Shroff helped Josh Schulte hang a jury in his first trial, a truly tremendous feat. Complex national security cases have been her *forté* for years. It also happens, though, that Shroff represented a handful of January 6 clients, including, for a time, David Dempsey, who was charged with the same assault charge, albeit with the enhancement for using a pole, a crutch, and pepper spray – as opposed to a hoagie – to attack cops. Even if Shroff *hadn't* been involved in the January 6 cases, and so have firsthand knowledge of the charging standards in those cases, she would make an

unbelievable stink about the political influence here. Even in an average case, Shroff has the propensity to flip things back on prosecutors, and Pam Bondi has handed her one after another tool to do that. But this is a case where the misconduct is so manifest it'll be like slapping mayo on a bun.

Does Bondi have any competent advisors? You don't give Shroff this kind of open face, you just don't.

That's the other thing about this occupation. In LA, invaders were largely claiming to kidnap undocumented aliens. To the extent they succeeded (and in far too many cases, they guessed wrong), they then faced a very permissive detention regime. But when Kristi Noem's goons arrested US citizens in LA who would have to be charged criminally, they routinely faceplanted. Bill Essayli, Trump's US Attorney in Los Angeles, also got no-billed once he charged those cases.

Here's there's far less of a pretext that this is about immigration enforcement, and so Trump's minions will have to meet the higher standards, and more skeptical judges, of the criminal justice system. It's not just Sabrina Shroff who will make lunch meat of such cases. Every case has the potential to embarrass Bondi and Pirro.

Finally, because this is in DC, with a far denser media presence, it will be a lot harder to shift this, as well as faceplants and flying footlongs, to the back burner. Indeed, it risks making the double standard here obvious.

As right wingers promise to crack down on violence, it raises questions about Cory Mills' special treatment.

As Federal forces invent flimsy excuses to do traffic stops, it raises questions why Markwayne Mullin's confession that he violates DC law on wearing seatbelts does not get him a citation (to say nothing of how a dumbass like him got elected).

As Federal officers tell Black people sitting on private porches that they can't drink in public, it recalls the rumors that Pirro, like her colleague Whiskey Pete, drinks on the job.

And if and when something big happens – something these FBI and DEA guys are actually paid to be preventing – it'll make the excess and the theater more of a problem.

All this could change. Trump's mob would love to incite some kind of backlash to give them the opportunity to ratchet up the oppression, as they did in Los Angeles. But even then, it still made Stephen Miller's dragnet far less popular.

And thus far, all they've done is create a shared community of people mocking the impotence of it all. And that's a dangerous spread for an aspiring dictator.

Update: DC has sued (there'll be a hearing before Judge Ana Reyes shortly) and asked for a restraining order. In a declaration, Police Chief Pamela Smith described that muddling the chain of command as Pam Bondi has will create a very dangerous situation.

If effectuated, the Bondi Order would upend the command structure of MPD, endangering the safety of the public and law enforcement officers alike. In my nearly three decades in law enforcement, I have never seen a single government action that would cause a greater threat to law and order than this dangerous directive.

Update: Corrected which Magistrate Judge was skeptical of this case.