First round of trials begin for 194 charged in anti-Trump inauguration day protests

E.P. Milligan
20 November 2017

Opening statements are expected to be heard today in the first round of trials for the 194 protesters who face state reprisal for their participation in an alleged riot that took place on January 20 during demonstrations to protest the inauguration of President Donald Trump.

The incident which sparked the police crackdown occurred when a small group of individuals smashed a series of windows and set a limousine on fire. Prosecutors allege a group called Disrupt J20 organized the protest and carried out the vandalism, describing rioters who used "black bloc" tactics such as wearing all black and masking their faces.

Soon after the disruption, the police surrounded and "kettled" a group of hundreds of protesters in the area, eventually arresting 230 people.

A report from the Washington, D.C. Office of Police Complaints detailed indiscriminate mass arrests and the use of nonlethal weapons without proper warning. Police fired upon the crowd with chemical agents, pepper spray, rubber bullets and stinger grenades. Protesters also claim the police sexually assaulted multiple detainees.

Prosecutors initially charged 214 people with "felony rioting," a charge which carries a maximum sentence of 10 years in prison. In April, a grand jury issued additional charges. So far, 20 have pleaded guilty. The remaining 194 awaiting trial face as much as up to 70 years in prison.

Assistant US Attorney Jennifer Kerkhoff is pressuring the court to issue the maximum sentence to all 194 defendants—even ones who were simply in the wrong place at the wrong time. "A person can be convicted of rioting without breaking a window," Kerkhoff claimed at a hearing in July. "It is the group who is the danger, the group who is providing the elements."

The prosecution has already begun looking into a Facebook page used to discuss plans for the protest and profiles associated with Disrupt J20, potentially revealing information to the federal government about thousands of people who expressed anti-Trump sentiments.

The character of the trials so far and the severity of the charges make clear that the entire case is a frame-up aimed at intimidating protesters and silencing dissent.

The court is doing all it can to stack the jury against the accused. During jury selection last week for the first six trials DC Superior Court Judge Lynn Leibovitz explicitly asked prospective jurors about their views on the president.

Multiple potential jurors were immediately removed from the selection pool when they voiced sympathy for the protesters, as was a woman who claimed she did not intend to "give greater weight" to police testimony. At the same time, a contractor who designs websites for one of the vandalized banks remained under consideration for inclusion. Astonishingly, a man whose brother was involved in coordinating the Coast Guard's participation in President Trump's inauguration day proceedings and had spent a decade as a DC police officer was also not excused.

The first round of trials will involve six defendants who have been charged with felony rioting though in many cases there is no real connection between the individuals charged and those that actually carried out acts of vandalism. Trials are scheduled to take place in small groups through all of 2018.

The first six to be tried are Jennifer Armento, 38, of Philadelphia; Michelle Macchio, 26, of Asheville, North Carolina; Oliver Harris, 28, of Philadelphia, Pennsylvania; Brittne Lawson, 27, of Aspinwall, Pennsylvania; Christina Simmons, 20, of Cockeysville,

© World Socialist Web Site

Maryland; and Alexei Wood, 27, of San Antonio, Texas.

The viciousness with which that state is pursuing Alexei Wood, a photojournalist and videographer, underscores the contempt with which the ruling class views the freedom of the press and the anti-democratic character of the trials. Wood faces up to 61 years in prison on charges of felony rioting and the destruction of property.

Wood had posted a video of the demonstration to social media. Despite the fact that the video was clearly shot from the point of view of an onlooker and not an active participant in any of the acts of vandalism, DC Superior Court Judge Lynn Lebovitz has decided that Wood's commentary on the video is tantamount to "statements of conspiracy."

According to NPR, Wood's offending statements occurred when he made a series of enthusiastic but nevertheless vague exclamations such as "Woo!" at various intervals throughout the video.

The fact that Leibovitz has been selected to preside over the trials is itself politically significant. She has been routinely hailed in the mainstream press as "DC's toughest judge," having been described by one defense attorney as "smart and relentless." The former prosecutor was tapped by President George W. Bush in 2001 to preside over the DC Superior Court.

In 2005, Leibovitz sentenced an 18-year-old to one month in prison for graffiti tagging. She denied his lawyer's requests to send him to a halfway house, replying, "I want him to see what the inside of the DC jail looks like."

Leibovitz also sentenced a 78-year-old antiwar activist to 25 days in prison in 2010 after the woman had disrupted a Senate Foreign Relations subcommittee hearing in protest over the criminal imperialist wars in Iraq and Afghanistan. Adding insult to cruelty, she said the woman's activities "demeaned the action of protest."

It is no coincidence that the vandalism which resulted in the mass arrest of protesters was associated with the petty bourgeois anarchist "Black Bloc." The group is known to be rife with agent-provocateurs notorious for disrupting demonstrations by engaging in acts of vandalism and confrontations with police. This amalgamation of demoralized and politically confused middle class radicals has been shown time and again to have been infiltrated by the police in order to justify violent repression.

In January of last year, evidence came to light that connected the Canadian section of the "Black Bloc" to the Montreal Police Department which used *agent-provocateurs* to break up a demonstration against police violence and the austerity policies of the Quebec Liberal government.

During the night in question, a university student recognized a "Black Bloc" member as a police officer when he briefly removed his mask. The officer had arrested her at a previous protest.

When confronted, the police agent and his partners beat up the protesters and arrested one, while the agent in question pulled a gun on the protesters. The Quebec government vehemently defended the officers' violent actions, with police spokesman Ian Lafrenière claiming the officers had feared for their lives.

Documents released in 2011 revealed that 12 undercover police agents had spied on and infiltrated protest groups planning to participate in demonstrations against world leaders at the June 2010 G-20 summit meeting in Toronto.

In 2014, an undercover police officer pulled a gun on protesters in Berkeley, California in the wake of the police murders of Michael Brown and Eric Garner. Protesters claimed undercover police officers were attempting to instigate looting and had been "banging on windows."

To contact the WSWS and the Socialist Equality Party visit:

wsws.org/contact

© World Socialist Web Site