

Seditious conspiracy trial of Proud Boys who led January 6 assault begins

Jacob Crosse
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This week in Washington D.C. five members of the fascist Proud Boys militia group are set to go to trial for actions that culminated in the attack on the Capitol on January 6, 2021.

The Proud Boys were one of several far-right militias, including the Oath Keepers, summoned by then-President Donald Trump and his Republican allies to block congressional certification of Joe Biden's Electoral College victory and keep Trump in power as president-dictator.

Among those facing charges for their role in the failed coup are the former chairman of the group, Henry "Enrique" Tarrío of Miami, Florida, and four of his top lieutenants—Ethan Nordean of Auburn, Washington; Joseph Biggs of Ormond Beach, Florida; Zachary Rehl of Philadelphia, Pennsylvania; and Dominic Pezzola of Rochester, New York.

These five have been charged with seditious conspiracy, i.e., engaging in a premeditated plan to overthrow the government. The defendants have been charged with at least nine felonies in all, including conspiracy to obstruct an official proceeding; destruction of government property; and assaulting, resisting or impeding officers. Pezzola, one of the first fascists to break into the Capitol, using a police riot shield he had stolen, has also been charged with robbery.

After Trump told the militia group to "stand back and stand by" during his September 2020 televised debate with Biden, the Proud Boys began organizing in support of Trump's efforts to stay in office regardless of the election results. The group promoted Trump's lies about mail-in ballots on social media and began sharing memes and selling merchandise with the phrase, "Stand back and stand by."

After Trump lost the election, the Proud Boy leaders communicated publicly through social media and online appearances on far-right programs their intention to violently support Trump's bid to retain power.

They participated in both of Trump's "Million MAGA" marches, held in Washington D.C. in November and December of 2020. The events served as dry runs for the attack on Congress and allowed the Proud Boys to coordinate in person with other militia groups

and with high-level Trump surrogates Roger Stone and retired general Michael Flynn.

The December 12 MAGA March was staged two days prior to the date, December 14, when the slates of presidential electors as certified by state election officials met in their respective state capitals and the official result nationally was finalized, with Biden, who won the popular vote by more than 7 million votes, winning 306 electoral votes to Trump's 232.

On December 19, Trump posted a tweet calling for a "wild protest" in D.C. on January 6, the date of the joint session of Congress tasked with ratifying the Electoral College vote. Within 24 hours of Trump's tweet, Tarrío and other Proud Boy leaders set up a "Ministry of Self Defense" (MOSD) leadership group.

In the weeks leading up to January 6, the MOSD group, comprised of "hand selected members," according to prosecutors, made preparations for the attack on Congress. As outlined in a nine-page document titled "1776 Returns," which was shared within the MOSD group, the Proud Boys planned to occupy "crucial buildings" in Washington D.C. on January 6, including the Capitol, to stop the certification.

Tarrío, who has acknowledged working for years as an FBI informant, was arrested by the D.C. Metropolitan Police on January 4 for having burned a Black Lives Matter banner during the December 12 MAGA March and for possessing two high capacity magazines. The other four Proud Boy leaders currently on trial led the Proud Boys contingent in the attack on the Capitol on January 6.

Despite their well-documented history of violence and public declarations in support of Trump's "stolen election" lie prior to January 6, the Proud Boys were allowed by the US Capitol Police to take pictures in front of the Capitol and mass at the Washington Monument prior to spearheading the assault that left hundreds injured and several dead, and nearly succeeded in overturning the election.

The Proud Boys trial has already been delayed several times. Jury selection took 10 days. Many potential jurors were rejected after they expressed knowledge of and disdain for the far-right group.

Jury selection was completed on Monday, but opening arguments were delayed after a lawyer for Biggs had his license suspended. As a result, the judge postponed opening arguments until at least Thursday.

Norm Pattis, one of two lawyers for Biggs, had his Connecticut law license suspended for six months after it was revealed that while he was representing the fascist Alex Jones in the Sandy Hook school shooting defamation trial last year, he sent private medical information to other lawyers representing Jones in separate cases in Texas. The information had been turned over to him by relatives of the victims as part of the discovery process.

The Proud Boys trial is the third trial in recent months of defendants facing charges of seditious conspiracy. Last month, Oath Keepers founder Elmer Stewart Rhodes III and Florida Oath Keeper chapter president Kelly Meggs were found guilty. Four other members of the Oath Keepers—Joseph Hackett, Roberto Minuta, David Moerschel and Edward Vallejo—are currently on trial for the same charges.

Former Proud Boys chairman Tarrio is a close associate of Trump political crony Roger Stone, who himself is an honorary member of the group. Tarrio has claimed through his lawyers and in interviews that he was in constant communication with Metropolitan D.C. police officer Shane Lamond leading up to the attack on Congress.

This past December, Tarrio's lawyers attempted to add Lamond to their witness list to prove that the Proud Boys' plans were known in advance to law enforcement. Tarrio's lawyers say that at both Million MAGA marches, in November and December of 2020, Tarrio was in touch with Lamond "in person and by phone."

Sabino Jauregui, a lawyer for Tarrio, argued in court last month that prior to January 6, Tarrio told Lamond where the Proud Boys would be staying, where they would be marching, and that they planned to leave their black and yellow "colors" at home and dress up "incognito" for the attack.

"How can there be sedition if the Proud boys are telling law enforcement their plans?" Jauregui asked at a hearing in December, according to a report in the *New York Times*.

Lamond is under criminal investigation for his longtime association with Tarrio and is currently on leave. However, he is not the only cop to have enjoyed a relationship with the fascist and terrorist. Before leading the Proud Boys, Tarrio worked undercover for the FBI after he was accused of fraud in 2012.

Biggs, a veteran of the Iraq and Afghanistan wars also enjoys close connections with the police. In a March 2021 court filing, a lawyer for Biggs said that his client was an active FBI informant in 2019 and 2020, and that he had been working with local police as early as 2018, reporting locations of alleged "Antifa" activity.

Rehl, who, along with Biggs and Nordean, led the Proud Boys who marched from the Washington Monument to the Capitol on January 6, is the president of the Philadelphia chapter and also has ties to the police. Rehl is the son and grandson of Philadelphia police officers according to the *Philadelphia Inquirer*.

Charles Donohoe, a Proud Boy leader who last year pled guilty to one count of conspiracy and one count of assault, is expected to testify against his former comrades at the trial. Like Tarrio, Biggs and Rehl, Donohoe enjoys close ties with law enforcement.

For his profile picture on his Telegram channel, the former president of the Piedmont, North Carolina chapter of the Proud Boys, used an image of himself shaking hands with a Washington D.C. Metropolitan Police officer whom he knew from his time in the Marine Corps.

Last November, the *New York Times*, citing court papers, reported that the FBI had as many as "eight informants" inside the Proud Boys prior to the attack on Congress.

There is little question that the leadership of the federal and local police agencies in and around Washington D.C. were aware of the violent plans being hatched by the militia group prior to January 6 and decided to do nothing to prevent the attack.

The judge overseeing the trial is US District Judge Timothy Kelly, a Trump appointee. While a majority of those found guilty of committing crimes in relation to Trump's coup have been given a light sentence, Judge Kelly has been especially lenient.

According to a recent analysis conducted by the *Washington Post*, Kelly "has gone below prosecution's recommendation" in every January 6 trial he has overseen. He continued this streak on Tuesday when he sentenced white supremacist Anthim "Baked Alaska" Gionet to 60 days in jail and two years probation. Gionet previously pled guilty to one misdemeanor count of "parading, demonstrating or picketing" on Capitol grounds.

Despite being found guilty and sentenced, Gionet was allowed to go free following the hearing on Tuesday. Talking to reporters outside the courtroom, Gionet said he considered his sentence a "win."



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