

Washington Post reveals

Biden Justice Department sought to avoid investigation of Trump over January 6 coup

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In a devastating report of more than 7,000 words, published online Sunday and in its print edition Monday, the *Washington Post* recounts the decisions and actions at the Department of Justice through the first two years of the Biden administration that blocked an investigation into the actions of Donald Trump in seeking to overturn the 2020 elections, culminating in the violent coup attempt of January 6, 2021.

On that day, thousands of supporters, summoned to Washington by Trump, rallied outside the White House and were told by Trump to march on the Capitol and “fight” against the congressional certification of his election defeat. They marched on Congress, broke through police lines—an action spearheaded by organized fascist groups—and stormed into the Capitol building. They chanted for the death of Vice President Mike Pence and House Speaker Nancy Pelosi, the two leading officials involved in the ceremonial counting of electoral votes that would certify the results of the November presidential contest.

After the House of Representatives voted to impeach Trump and the Senate voted to acquit him, further action was left to the Department of Justice, since as an ex-president and now private citizen, he could be held fully liable under well-established criminal laws.

Instead, the DOJ, under the newly installed Attorney General Merrick Garland, took the most circuitous route possible, focusing on the arrest and prosecution of those identified as actual participants in the assault on Congress—the foot soldiers—rather than on those who organized, mobilized and instigated the failed coup, including Trump and his co-conspirators in the Republican Party and sections of the military-intelligence apparatus.

According to the *Post* account, Garland gave this direction to his aides on his very first day in office, in March 2021. There was no mention of Trump or his top aides on the initial presentation of the case to Garland, and this was because, as one official told the newspaper, there was

already an effective ban on using “the T-word” in their internal discussions on how to proceed with the massive investigation, which became the largest in the DOJ’s history.

The result was no pursuit of obvious lines of investigation, with the newspaper reporting:

A *Washington Post* investigation found that more than a year would pass before prosecutors and FBI agents jointly embarked on a formal probe of actions directed from the White House to try to steal the election. Even then, the FBI stopped short of identifying the former president as a focus of that investigation.

The *Post* quotes Garland’s initial statement on the coup attempt: “In circumstances like those of January 6th, a full accounting does not suddenly materialize. ... We follow the facts, not an agenda or an assumption. The facts tell us where to go next.”

But the official investigation deliberately excluded gathering the most critical facts, according to the *Post*: “For many months after the attack, prosecutors did not interview White House aides or other key witnesses, according to authorities and attorneys for some of those who have since been contacted by the special counsel.”

The *Post* reporters interviewed “more than two dozen current and former prosecutors, investigators, and others with knowledge of the probe.” They paint a picture of decision-making that promoted inaction and made a serious pursuit of the coup plotters nearly impossible.

The investigation was kept deliberately focused on the lowest-level actors. As one former official told the *Post*, “It had become clear that the odds were very low that ‘bottom-up’ was ever going to get very high. ... At some point, there

was no ladder from here to there.”

Among the aspects of the January 6 coup that top Justice Department and FBI officials declined to investigate throughout 2021 were:

- Connections between Trump crony Roger Stone and various militia groups that participated in the storming of the Capitol, including the Oath Keepers and Proud Boys.

- Communications between Ali Alexander, Alex Jones and other organizers of Stop the Steal rallies in Washington, militia leaders and White House aides.

- Communications and documents involving the recruiting and mobilization of fraudulent pro-Trump “electors” in key battleground states, where Republican congressmen planned to object to the certification of the Biden electors who had actually been chosen by the voters.

- The headquarters of the coup plotting at the Willard Hotel in Washington, where Rudy Giuliani, Stone, Alexander and the militia leaders met regularly. The FBI assistant director even rejected a proposal to subpoena the hotel’s registration logs to learn who had been staying there.

Both top Justice Department officials and top FBI officials were involved in blocking or slow-walking the investigation. According to the *Post*, FBI Director Christopher Wray was clearly uninterested:

In fact, when it came to the Jan. 6 investigation, agents noticed that Wray did not travel the five blocks from FBI headquarters to the bureau’s Washington field office running the investigation for more than 21 months after the attack. In that time, people familiar with the investigation said, he had never received a detailed briefing on the topic directly from the assistant director in charge of the office, Steven D’Antuono.

One critical element of the delay was the vacancy in the position of US attorney for the District of Columbia, who would be the point man in January 6 prosecutions. The Trump appointee, Michael Sherwin, resigned his post in April, but Biden waited until July to nominate a replacement. He chose Matthew Graves, a lawyer with experience in fraud investigations, who was not confirmed until October and did not take office until November 5, 2021, 10 months after the attack on the Capitol.

In most transitions where one capitalist party replaces the other in the White House, all US attorneys submit their resignations on Inauguration Day to give the new president a free hand. But Biden chose to leave this post, one of the most important of its kind, effectively vacant for nearly a

year.

There has been virtual silence in the rest of the corporate media about the analysis presented by the *Post*. It raises too many uncomfortable questions about the deliberate sabotage of the investigation into Trump and other central players in the January 6 coup.

Here the central obfuscation of the *Post* account is also revealed. There is virtually no mention of Biden or the role of the politics of the new administration in the failure of the DOJ and FBI to conduct a serious investigation into January 6. It is all put down to the vacillations of Garland and Wray and their desire to avoid being seen as “partisan” in their approach to the most serious attack on American democracy since the Civil War.

Biden and the Democratic Party are committed to protecting the key institutions of the capitalist state, including the Pentagon, the Department of Homeland Security and sections of the FBI and Justice Department themselves that are implicated in assisting the coup or blocking efforts to suppress the attack on the Capitol for many hours on January 6.

The Republican Party is itself one of these key institutions. From his first days in office, Biden declared his goal was to maintain a “strong Republican Party” and develop a bipartisan policy in which the Republicans—who had tried to block his election through unconstitutional and violent methods—would be his partners.

It was these political imperatives that drove the actions of Garland, the DOJ and the FBI in slow-walking the investigation into January 6.

The emphasis on bipartisanship was not naïveté on Biden’s part about the drastic shift to the right in the Republican Party. He would acknowledge this on occasion in speeches about the mounting threat to American democracy. But a central focus of the new administration was the preparation for war with Russia, and ultimately with China, and for this Biden required the political support of both corporate parties.

It was not until the war with Russia had been successfully provoked, with the reactionary invasion of Ukraine in February 2022, that even baby steps towards a prosecution of Trump were taken by the DOJ. And if Trump had come out forcefully for the war, instead of equivocating and blaming Biden for it, it is doubtful that even the limited actions taken over the past year would have occurred.



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