

## Lloyd, Matt (PAO)

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**From:** Lloyd, Matt (PAO)  
**Sent:** Monday, June 8, 2020 8:24 PM  
**To:** Hornbuckle, Wyn (OPA)  
**Subject:** RE: ODAG REQUEST FOR OPA REPORT

Yes I think that is good.

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**From:** Hornbuckle, Wyn (OPA) (b) (6) >  
**Sent:** Monday, June 8, 2020 8:04 PM  
**To:** Lloyd, Matt (PAO) (b) (6) >  
**Subject:** RE: ODAG REQUEST FOR OPA REPORT

Not done yet but some things I was thinking about for May

### May

[Bureau of Prisons COVID-19 response:](#)

[BOP Acting Deputy Director Kathy Hawk Sawyer and Medical Director Dr. Jeffrey Allen interviews with WSJ's Sadie Gurman and SiriusXFM Radio Show](#)  
[BOP Announces Expansion of Testing](#)

Then under Riots and Protests around the country:

- OPA amplified dozens of arrests and charges filed by US Attorneys' offices related to violence and rioting with national releases and social media. Full chart attached (will be updated later today or tomorrow morning)

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**From:** Timmons, Mollie R. (PAO) (b) (6) >  
**Sent:** Monday, June 08, 2020 3:52 PM  
**To:** Lloyd, Matt (PAO) (b) (6) >; Hornbuckle, Wyn (OPA) (b) (6) >; Navas, Nicole (OPA) (b) (6) >; Carr, Peter (OPA) (b) (6) >; Kjergaard, Alison (OPA) (b) (6) >; Vance, Alexa M. (PAO) (b) (6) >; Herlihy, Brianna (PAO) (b) (6) >; Raimondi, Marc (OPA) (b) (6) >; Mastropasqua, Kristina (OPA) (b) (6) >  
**Subject:** ODAG REQUEST FOR OPA REPORT  
**Importance:** High

Good afternoon,

The DAG's office has asked OPA to send a report of the big things we have worked on during **May, through now**. Also, any big events/happenings coming up in the rest of June. I would say pick the top three things you worked on and then provide details of the issue and what OPA did in response please include any interviews, press conferences, statements on the record you did in conjunction to these big events.

I need this by **10 a.m. tomorrow morning** so that I can compile and send.

Quick example of what they are looking for:

[Attorney General](#)

May

- Michael Flynn - 2-3 sentences about the situation
  - TV interview with CBS/Catherine Herridge: [video here](#)
  - Statement from USA Jensen, who reviewed the Flynn case: [here](#)
- National Police Week 2-3 sentences about the week
  - Recorded remarks for law enforcement: [link here](#)
  - Press release honoring law enforcement: [link to release](#)
  - Virtual Vigil
- Updates to the investigation into the Pensacola shooting (with FBI and Nat Sec Division)
  - Press Conference to announce new findings: [video here](#)
  - Press release [here](#)

#### June

- Riots and Protests around the country 2-3 sentences about the situation
  - AG statements [here](#), [here](#), [here](#)
  - Press conference to address the federal/DOJ response to riots and protests: [video here](#)
  - On the record interview with AP/Mike Balsamo: article [here](#)
  - TV interview with CBS' Face the Nation/Margaret Brennan: video [here](#)
  - TV interview with Fox News/Bret Baier: video here

#### Upcoming:

- World Elder Abuse Awareness Day (with ODAG, Civil Division, and OJP)
  - AG press release

Thanks,

**Mollie Timmons**

Office of Public Affairs

U.S. Department of Justice

(b) (6)

(b)(6) Wyn Hornbuckle

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**From:** (b)(6) Wyn Hornbuckle  
**Sent:** Monday, June 8, 2020 8:33 PM  
**To:** Fields, Daryl (USATXW)  
**Cc:** Vance, Alexa M. (PAO); Kjergaard, Alison (OPA); McGowan, Ashley L. (OPA)  
**Subject:** Fwd: I believe this is going to be our final version of press release...  
**Attachments:** 20mj501-AWA.pdf; ATT00001.htm; Lartigue\_complaint\_docx.docx; ATT00002.htm

Daryl this looks good. Copying Alexa Vance and Ali Kjergaard who can also amplify this release after you send it. Let us know when you are ready to send +Ashley who can RT after you tweet  
Sent from my iPhone

Begin forwarded message:

**From:** "Fields, Daryl (USATXW)" (b) (6) >  
**Date:** June 8, 2020 at 8:19:10 PM EDT  
**To:** "Hornbuckle, Wyn (OPA)" (b) (6) >  
**Subject:** I believe this is going to be our final version of press release...

?

Please advise if you have any suggested changes?

Thanks Wyn!

Df

**Daryl Fields**  
**Public Affairs Officer**  
**United States Attorney's Office**  
**Western District of Texas**  
Direc (b) (6)  
Cel (b) (6)  
[www.justice.gov/usao-wdtx](http://www.justice.gov/usao-wdtx)  
Twitter: @usao wdtx

UNITED STATES DISTRICT COURT

for the

Western District of Texas

FILED

6/8/2020

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY: [Signature] DEPUTY

United States of America )  
v. )  
CYRIL LAURENCE LARTIGUE )  
)  
)  
)  
)  
)

Case No.  
1:20-MJ-501-AWA

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 30, 2020 in the county of Travis in the  
Western District of Texas, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
26 U.S.C. Section 5861(d)	Possession of a firearm (destructive device) which is not registered to the defendant in the National Firearms Registration and Transfer Record.

This criminal complaint is based on these facts:

See attached Affidavit.

Continued on the attached sheet.

/s/ Reynaldo Alatorre

Complainant's signature

Reynaldo Alatorre Jr., ATF Special Agent

Printed name and title

Sworn to me by telephone under Rule 4.1 of the Federal Rules of Criminal Procedure.

Date: 06/08/2020

[Signature]  
Judge's signature

City and state: Austin, Texas

Andrew W. Austin, United States Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Reynaldo Alatorre, being duly sworn, depose and state the following:

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), and have been so employed since July 2001. I am a graduate of the Federal Law Enforcement Training Center, where I completed the ATF New Professional Training (NPT) and the Criminal Investigator Training Program (CITP). I have received training and have experience in the enforcement of laws concerning criminal violations of Federal firearms statutes, including the Gun Control Act (Title 18, United States Code) and the National Firearms Act of 1934 (Title 26, United States Code). As a result of my training and experience, I know that it is a violation of:

26 USC 5861(d): It shall be unlawful for any person to receive or possess a firearm (destructive device) which is not registered to him in the National Firearms Registration and Transfer Record.

2. Your Affiant is aware that a destructive device is defined as follows:

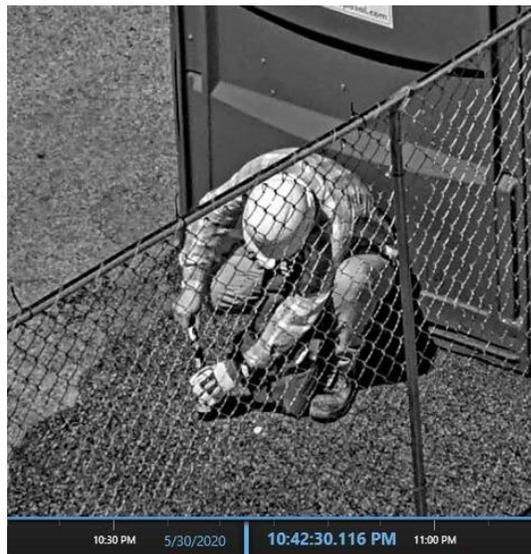
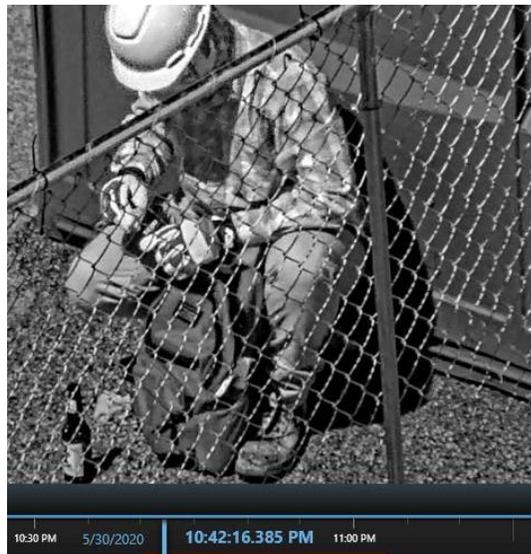
26 USC 5845(f)(3): The term destructive device means any combination of parts either designed or intended for use in converting any device into a destructive device as defined in this statute from which a destructive device may be readily assembled.

3. Your Affiant is familiar with the information contained in this affidavit, either through personal investigation or through discussion with other law enforcement officers, who have participated in and have contributed documentary reports of their investigative efforts in this matter.
4. This investigation began on May 31, 2020, when your Affiant received information concerning allegations of Federal Firearm Violations by Cyril Laurence LARTIGUE.
5. On May 30, 2020, at approximately 2240 hours, during a public protest located directly adjacent to Austin Police Headquarters and the Austin Municipal Court Building, located at 715 E. 8<sup>th</sup> Street, Austin, TX, LARTIGUE was observed by Austin Police Department HALO (High Activity Location Observation) camera operators squatting down behind a Porta-Potty in the parking lot directly adjacent to the Austin Municipal Court entrance.
6. LARTIGUE was observed wearing a blue/white plaid long-sleeve, yellow hardhat helmet, beige/tan pants, brown work boots, and gloves.
7. LARTIGUE opened a glass bottle, emptied out the contents of the bottle, and then removed a small piece of cloth material from his backpack and placed this cloth into the

opening of the glass bottle.



8. LARTIGUE then removed the cloth material from the bottle, obtained a rectangular container from his backpack, and began to pour/squirt the contents of the rectangular container into the opening of the glass bottle. After pouring the contents into the glass bottle, LARTIGUE used the same contents to saturate the cloth material he had previously placed into the mouth of the glass bottle and then returned the cloth material into the mouth/opening of the glass bottle.

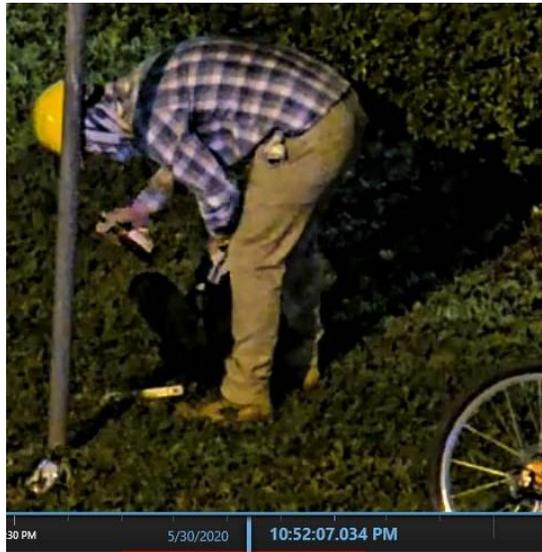




9. While manufacturing this destructive device, LARTIGUE was interrupted by the oncoming presence of Austin Police Department Officers heading in his direction.
10. LARTIGUE fled the area, leaving the manufactured destructive device behind.
11. At approximately 2251 hours, LARTIGUE returned to the same parking lot to retrieve the destructive device he had manufactured.



12. LARTIGUE then walked a short distance towards the south IH-35 frontage road where he placed his backpack onto a grassy area and placed the destructive device within same backpack.



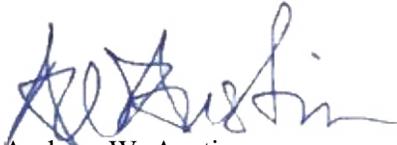
13. LARTIGUE, now being observed by APD HALO cameras and AIR 1, was observed entering one of the porta-potties located near the east frontage of IH-35.
14. APD Officers converged on LARTIGUE's last known location and he was detained without incident. LARTIGUE's backpack was found within the porta-potty. LARTIGUE was found to have changed clothes. Within his backpack, officers located the following items of interest: a yellow safety hard-hat, a Zippo-brand lighter with the name "Cyril" engraved, a bottled labeled "Zippo Lighter Fluid," a blue/white/grey checkered/plaid long-sleeve shirt and several small sections of rags/T-shirt(s)/light fabric/clothing material. The original bottle shown in the video was not found.
15. LARTIGUE was arrested and charged with the State Offense of Possession or Manufacture of a Prohibited Weapon, a Third Degree Felony.
16. On June 7, 2020, your Affiant received from Austin Fire Department Lieutenant Paul De Maio the preliminary results obtained from the Texas Department of Public Safety Laboratory for the liquid found in LARTIGUE's possession. The liquid was found to be positive for a light petroleum distillate.
17. On June 7, 2020, your Affiant consulted with ATF Explosives Enforcement Officer Alex Guerrero who was advised of the items found in LARTIGUE's possession, to wit: Zippo lighter, Zippo Lighter Fluid, small sections of rags. Based on these items and the above video, ATF Explosives Enforcement Officer Guerrero concluded these items meet the definition of a destructive device as it relates to Title 26 USC 5845(f)(3).
18. Your Affiant knows through his training and experience that per the National Firearms Act of 1934, destructive devices are required to be registered with the National Firearms Registration and Transfer Record.
19. On June 8, 2020, your Affiant received the results of a National Firearms Registration

and Transfer Record query re: LARTIGUE. Results revealed that LARTIGUE does not have any items registered to him.

20. Based on the above information, your Affiant believes Cyril Laurence LARTIGUE possessed a combination of parts that meets the definition of a destructive device that is required to be registered in the National Firearms Registration and Transfer Record, in violation of Title 26, United States Code, Section 5861(d).

/s/ Reynaldo Alatorre Jr.  
Reynaldo Alatorre Jr.  
Special Agent, ATF

Sworn to and subscribed to me by telephone under Rule 4.1 of the Federal Rules of Criminal Procedure this **8th** day of **June**, 2020.



Andrew W. Austin  
United States Magistrate Judge

UNITED STATES DISTRICT COURT

for the

Western District of Texas

United States of America
v.
CYRIL LAURENCE LARTIGUE

Case No. 1:20-MJ-501-AWA

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
(name of person to be arrested) CYRIL LAURENCE LARTIGUE,
who is accused of an offense or violation based on the following document filed with the court:

- Indictment, Superseding Indictment, Information, Superseding Information, Complaint, Probation Violation Petition, Supervised Release Violation Petition, Violation Notice, Order of the Court

This offense is briefly described as follows:

Title 26 U.S.C., Section 5861(d) - Possession of a firearm (destructive device) which is not registered to the defendant in the National Firearms Registration and Transfer Record.

Date: 06/08/2020

Issuing officer's signature

City and state: Austin, Texas

Andrew W. Austin, United States Magistrate Judge
Printed name and title

Return

This warrant was received on (date) , and the person was arrested on (date)
at (city and state) .

Date:

Arresting officer's signature

Printed name and title



# Department of Justice

United States Attorney's Office  
Western District of Texas

FOR IMMEDIATE RELEASE  
MONDAY, JUNE 8, 2020

CONTACT: PAO DARYL FIELDS  
(210) 384-7440

## **FEDERAL CRIMINAL COMPLAINT FILED CHARGING CEDAR PARK MAN WITH POSSESSION OF UNREGISTERED DESTRUCTIVE DEVICE DURING PROTEST IN AUSTIN**

Today, the U.S. Attorney's Office for the Western District of Texas filed a federal criminal complaint against 25-year-old Cyril Laurence Lartigue of Cedar Park, TX, for constructing and possessing a Molotov cocktail during a protest last week in Austin, announced U.S. Attorney John F. Bash and Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Special Agent in Charge Fred Milanowski, Houston Division.

The criminal complaint charges Lartigue with one count of possessing an unregistered destructive device. According to the criminal complaint, on the evening of May 30, 2020, video cameras captured the defendant manufacturing a destructive device while in a parking lot directly adjacent to the Austin Municipal Court entrance. While making the device, the defendant was interrupted by the oncoming presence of Austin Police Department officers heading in his direction. Lartigue fled the area, leaving the device behind. Within minutes, Lartigue returned to retrieve the destructive device he had manufactured. Subsequently, APD officers arrested Lartigue located inside a nearby portable toilet where he had changed clothes. Inside his backpack, officers recovered materials used to manufacture an explosive device including a bottle containing lighter fluid, cloth rags, a butane lighter and the clothes he was previously wearing.

Upon conviction, Lartigue faces up to ten years in federal prison. He remains in federal custody at this time.

"The constitutional line is clear. Speech and peaceful assembly are protected; violence is not. If you bring a Molotov cocktail onto the streets of Austin, you can expect to go to federal prison," stated U.S. Attorney Bash.

"Destructive devices are volatile and inherently dangerous; ATF is proud to work with the Austin Police Department to keep our city safe," stated ATF Special Agent in Charge Milanowski.

The ATF, Austin Police Department, Austin Fire Department, and the Texas Department of Public Safety are investigating this matter. Assistant U.S. Attorneys Keith Henneke and Grant Sparks are prosecuting this case on behalf of the government.

A criminal complaint is merely a charge and should not be considered as evidence of guilt. The defendant is presumed innocent until proven guilty in a court of law.

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*The year 2020 marks the 150th anniversary of the Department of Justice. Learn more about the history of our agency at [www.Justice.gov/Celebrating150Years](http://www.Justice.gov/Celebrating150Years).*

**Lloyd, Matt (PAO)**

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**From:** Lloyd, Matt (PAO)  
**Sent:** Monday, June 8, 2020 8:39 PM  
**To:** Hornbuckle, Wyn (OPA)  
**Subject:** FW: Civil unrest messaging  
**Attachments:** Civil Unrest OpEd (DRAFT).docx

Can you take a look at this tomorrow and then we can discuss?

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**From:** Lloyd, Matt (PAO) (b) (6) >  
**Sent:** Saturday, June 6, 2020 3:26 PM  
**To:** Lloyd, Matt (PAO) (b) (6) >  
**Subject:** FW: Civil unrest messaging

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**From:** Price, Kenji (USAHI) (b) (6) >  
**Sent:** Saturday, June 6, 2020 5:34 AM  
**To:** Lloyd, Matt (PAO) (b) (6) >  
**Cc:** Edwards, Ashley (USAHI) (b) (6) >; Hornbuckle, Wyn (OPA) (b) (6) >  
**Subject:** RE: Civil unrest messaging

Matt: I've attached a draft of the message I'd like to publish in local media for your review and thoughts/comments. I hope to get this out to the public early next week.

I hope you have a great weekend and look forward to hearing from you.

KMP

*Kenji M. Price*

United States Attorney  
District of Hawaii  
300 Ala Moana Boulevard  
Room 6-100, PJKK Federal Building  
Honolulu, HI 96850  
Telephon (b) (6)

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**From:** Lloyd, Matt (PAO) (b) (6) >  
**Sent:** Friday, June 5, 2020 11:07 AM  
**To:** Price, Kenji (USAHI) (b) (6) >  
**Subject:** RE: Civil unrest messaging

(b) (6)

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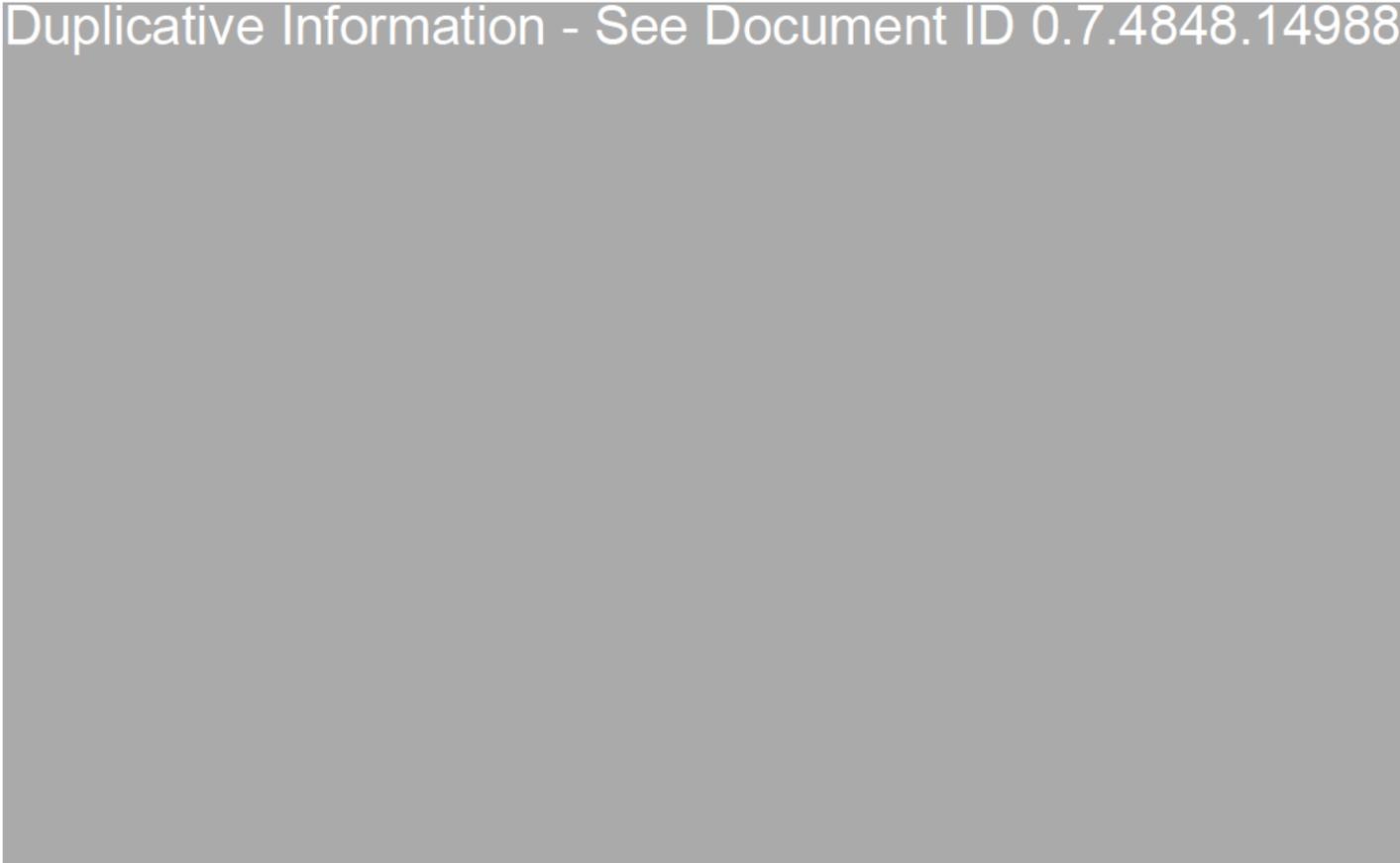
**From:** Price, Kenji (USAHI) (b) (6) >  
**Sent:** Friday, June 5, 2020 3:15 PM  
**To:** Lloyd, Matt (PAO) (b) (6) >; Terwilliger, Zachary (USAVAE) (b) (6) >  
**Subject:** RE: Civil unrest messaging

Matt: Is there a good number I can use to reach you? Thanks

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**From:** Lloyd, Matt (PAO) (b) (6) >  
**Sent:** Thursday, June 4, 2020 4:27 PM  
**To:** Terwilliger, Zachary (USAVAE) (b) (6) >  
**Cc:** Price, Kenji (USAHI) (b) (6) >  
**Subject:** Re: Civil unrest messaging

Duplicative Information - See Document ID 0.7.4848.14988



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**From:** Lloyd, Matt (PAO)  
**Sent:** Monday, June 8, 2020 8:40 PM  
**To:** Price, Kenji (USAHI)  
**Cc:** Edwards, Ashley (USAHI); Hornbuckle, Wyn (OPA); Lloyd, Matt (PAO)  
**Subject:** RE: Civil unrest messaging

Hi Kenji, we are reviewing. We are a bit backed up but hope to be back in touch tomorrow.

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**From:** Price, Kenji (USAHI) (b) (6) >  
**Sent:** Monday, June 8, 2020 1:16 PM  
**To:** Lloyd, Matt (PAO) (b) (6) >  
**Cc:** Edwards, Ashley (USAHI) (b) (6) >; Hornbuckle, Wyn (OPA) (b) (6) >  
**Subject:** Re: Civil unrest messaging

Hi Matt: I hope you had a great weekend. I'm checking in about the piece sent Friday. I know it was sent at a tough time and I completely understand that you're navigating a lot of issues right now. I'm just checking in to see if you have any assessment regarding how long it will take to vet this. Also, it may be something worth considering for a broader audience, but I defer to you.

Have a great week, and thank you again for taking a look at this while juggling so many public affairs issues!

KMP

Sent from my iPhone

On Jun 5, 2020, at 11:34 PM, Price, Kenji (USAHI) (b) (6) > wrote:

Duplicative Information - See Document ID 0.7.4848.5620



**Lloyd, Matt (PAO)**

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**From:** Lloyd, Matt (PAO)  
**Sent:** Monday, June 8, 2020 8:47 PM  
**To:** (b)(6) Chris Stirewalt  
**Subject:** Info  
**Attachments:** FTN6-7-20FullscriptHill.docx

Thanks for chatting.

Attached is full script from Face. Parts that didn't make it on broadcast are highlighted so you can scroll quick.

Here is Harvard study he references that is treasure trove of good info: <https://www.nber.org/papers/w27324.pdf>

Thanks,

Matt

Matt Lloyd  
Principal Deputy Director, Public Affairs  
U.S. Department of Justice  
(b)(6) (cell)

<https://www.cbsnews.com/news/bill-barr-george-floyd-protests-blm-face-the-nation-transcript/>

***Below is a complete transcript of Margaret Brennan's conversation with Attorney General William Barr***

MARGARET BRENNAN: Mr. Attorney General, if you're ready, we'll dive in. Thank you for making time for us.

ATTORNEY GENERAL WILLIAM BARR: Good to be here. Thank you, Margaret.

MARGARET BRENNAN: A senior administration official told our CBS' David Martin, that in a meeting at the White House on Monday morning, the president demanded that 10,000 active duty troops be ordered into American streets. Is that accurate?

BARR: No, that's completely false. That's completely false. Sunday night,--

MARGARET BRENNAN: The president did not demand that?

BARR: No, he did not demand that.

MARGARET BRENNAN: What happened?

BARR: I came over on- on Monday morning for a meeting. The night before had been the most violent, as one of the police officials told us, the D.C. police, it was the most violent day in Washington in 30 years, something that the media has not done a very good job of covering. And there had been a riot right along Lafayette Park. I was called over and asked if I would coordinate federal civil agencies and that the Defense Department would provide whatever support I needed or we needed to protect federal property at the White House, federal personnel. The decision was made to have at the ready and on hand in the vicinity some regular troops. But everyone agreed that the use of regular troops was a last resort and that as long as matters can be controlled with other resources, they should be. I felt, and the Secretary of Defense felt, we had adequate resources and wouldn't need to use federal troops. But in case we did, we wanted them nearby.

MARGARET BRENNAN: So what--

BARR: There was never- the president never asked or suggested that we needed to deploy regular troops at that point. It's been done from time to time in our

history. We try to avoid it. And I'm happy that we were able to avoid it on this occasion.

MARGARET BRENNAN: So there were active duty troops put on standby. They were not deployed. The 82nd Airborne was put on standby,--

BARR: So the--

MARGARET BRENNAN: --but not sent into the streets.

BARR: Some 82nd Airborne military police were brought into the area. But they were not brought into D.C.

MARGARET BRENNAN: Right. So what part- I just want to make sure that we're precise here, what part of that conversation, as it's been relayed to CBS and to other news organizations, is false? Did the president not demand active duty troops? Did--

BARR: Well, your question to me just a moment ago was did he demand them on the streets, did he demand them in D.C.. No, we had them on standby in case they were needed.

MARGARET BRENNAN: Right. Which they were put on standby. They were not deployed.

BARR: Right.

MARGARET BRENNAN: So in our reporting, we were also told that you, the Defense Secretary Mark Esper, and General Milley, all opposed the idea of actually deploying these active duty troops onto the streets. Is that accurate?

BARR: I think our position was common, which was that they should only be deployed if- as a last resort and that we didn't think we would need them. Every- I think everyone was on the same page.

MARGARET BRENNAN: Do you think that the president has the authority to unilaterally send in active duty troops if the governors oppose it?

BARR: Oh, absolutely. The- under the anti- Insurrection Act, the- the president can use regular troops to suppress rioting. The Confederate- the Confederacy in our country opposed the use of federal troops to restore order and suppress an insurrection. So the federal government sometimes doesn't listen to governors in certain circumstances.

MARGARET BRENNAN: The last time that this has happened was the L.A. riots in 1992 when the governor of California asked for active duty troops.

BARR: That's correct.

MARGARET BRENNAN: You're saying your understanding and the law, as you interpret it and would support is that the president has the ability to put active duty troops on American streets, even if governors object?

BARR: It's happened numerous times. And the answer to that is yes.

MARGARET BRENNAN: You would support that?

BARR: Well, it depends on the circumstances. I was involved in the L.A. riots and the Rodney King matter. We tried to use non-military forces. I sent 2,000 federal law enforcement officers out there in one day, but it was overwhelming. And the National Guard couldn't handle it. And Governor Pete Wilson asked for federal troops.

MARGARET BRENNAN: And he asked for them.

BARR: Yes.

MARGARET BRENNAN: That's a key distinction.

BARR: Or he approved the use of federal troops, but those troops were on standby as well.

MARGARET BRENNAN: Because I think a number of people would be surprised to hear and it's been reported that you opposed sending in active duty troops on principle. You're saying you would support it?

BARR: As a last resort.

**MARGARET BRENNAN: What is the last resort?**

**BARR: To restore law and order in- in a situation that is out of control and where life and property is endangered. And that's been done since the earliest days of the republic. General Washington, the president who led the army into the field to suppress rebellion and insurrection in Pennsylvania in the very first term of his administration. So it's been done periodically. When I was AG last time, we did it twice. We did it in the Virgin Islands. The governor opposed us at that point, but there was a complete breakdown of law and order. Lives were in danger, and we sent in 82nd Airborne military police, along with U.S. marshals and FBI agents, and then subsequently we did it in California. I would also point out it was done during the civil rights era in places like Selma, Alabama, and other places to integrate schools. The governors stood in the doorway. The governors did not approve the use of federal troops to enforce civil rights in the South.**

MARGARET BRENNAN: So in this Monday meeting with the president, when the Defense Secretary, who has now publicly said that he opposed using the Insurrection Act, you said what to the president?

BARR: I don't think the Secretary of Defense said he opposed it. I think he said that it was a last resort and he didn't think it was necessary. I think we all agree that it's a last resort, but it's ultimately the president's decision. The- the reporting is completely false on this.

MARGARET BRENNAN: Do you believe there is systemic racism in law enforcement?

BARR: I think there's racism in the United States still but I don't think that the law enforcement system is systemically racist. I understand the- the distrust, however, of the African-American community given the history in this country. I think we have to recognize that for most of our history, our institutions were explicitly racist. They denied equal rights to African-Americans--

MARGARET BRENNAN: Where are they now?

BARR: --first under slavery, then under Jim Crow. I think since the- the abolition of Jim Crow laws, which really didn't get struck down completely until the 1960s, I think since that time- and- and so as a result of that, you know, the civil rights movement was largely going, you know, battling these institutions that were imposing racism. Since the 1960s, I think we've been in a phase of reforming our institutions and making sure that they're in sync with our laws and aren't fighting a rearguard action to impose inequities.

MARGARET BRENNAN: And you think that's working?

BARR: I think- I think the reform is a difficult task, but I think it is working and progress has been made. I think one of the best examples is the military. The military used to be explicitly racist institution. And now I think it's in the vanguard of- of bringing the races together and providing equal opportunity. I think law enforcement has been going through the same process. And while it's a difficult process and while law enforcement is not monolithic in this country, we have 50 states on a lot of local jurisdictions. There's undeniable that progress is being made. We have a generation of police- police leaders in this country, many of whom are now African-American in our major cities, who are firmly committed to equal justice and to fair policing. And we've been working hard on this. And I would say, you know, the president, before any of this happened, was out in front on this issue. Not only did he enact the First Step Act to bring greater justice to the African-American community within the criminal justice system, but he set up the first commission on policing and the administration of the Justice since Lyndon Johnson to look at precisely these issues. And they have

been working on these issues. And in the days and weeks ahead, we're going to be expanding those efforts and coming forward with concrete proposals.

MARGARET BRENNAN: I take your point that it- it's not a monolithic system,

When it comes to the issue of biased policing, the Trump administration's Justice Department has only opened one pattern-or-practice investigation into law enforcement agencies. The past three administrations combined had almost 70. Why hasn't this issue been a bigger priority?

BARR: Well, people- if you're skeptical that progress has been made and you have to wonder what was the results of those 70 consent decrees and pattern and practice investigations. Either progress is being made or it isn't. And from our

said, you know, recently that investigations should be done with police, not to police to have any real effect. And we've been doing that. We- we- we are working with police departments to address use of force policies, personnel policies, standards and practices. And we- and we feel that we can make good progress that way without the collateral effects that some of these consent decrees have. There's been a recent study that's been talked about from Harvard that indicates that some of these- the collateral consequences of these have been to- to make the police pull back and actually lead to more death, more murders, more crime. So we have to be prudent in how we approach this.

MARGARET BRENNAN: But you're saying you don't use this tool that you have because you don't think it's an effective one--

BARR: No, no it's--

MARGARET BRENNAN: --or because you think the problem is being solved on its own?

BARR: I'm just saying that just because we don't use that particular tool in every instance doesn't mean that we're not doing something about it. Actually, I think what's happened in the past is that politicians can check the box by slapping a consent decree on the department. We're not interested in gestures. We're interested in getting real results and working with police chiefs and- and- and public safety directors and mayors who really do want to change the system. But we've never taken this off the table. We- we- we have that power. We will use that power. We just say that, you know, you have to be selective in how you apply it.

MARGARET BRENNAN: Do you think there should be some tweaking of the rules, reduced immunity to go after some of the bad cops?

BARR: I don't think you need to reduce immunity to- to go after the bad cops, because that would result certainly in police pulling back. It's, you know, policing is the toughest job in the country. And I- and I frankly think that we have generally the vast, overwhelming majority of police are good people. They're civic minded people who believe in serving the public. They do so bravely. They do so righteously.

MARGARET BRENNAN: But the bad cops.

BARR: I- I think that there are instances of bad cops. And I think we have to be careful about automatically assuming that the actions of an individual necessarily mean that their organization is rotten. All organizations have people who engage in misconduct, and you sometimes have to be careful as for when you ascribe that to the whole organization and when it really is some errant member who isn't following the rules.

MARGARET BRENNAN: But doesn't the opening the pattern-or-practice investigation into a place like Minneapolis where there are questions about the broader issues with policing, it wasn't just the one officer, wouldn't that answer that question?

BARR: Well, that's exactly the reaction that I think has been a problem in the past, which is it just, again, just reacting to this incident by immediately putting the department under investigation doesn't necessarily result in- in improving the situation. But I would say that in the first instance, the governor has announced an investigation of the police department. The governor, Governor Walz, a Democratic governor, is investigating the police department. The attorney general of- of Minnesota is looking into the police department. We stand ready to act if we think it's necessary. But I don't think necessarily starting a- a pattern-or-practice investigation at this stage is warranted. Another thing is we have to look at some of the evidence. I mean, people, you know, the fact is that the criminal justice system at both the state and the federal level moved instantaneously on this. And we moved quickly with our investigation. But we still have to look into what kinds of use of force policies are used in that department, what the training has been and things like that. That's not something we can do overnight.

MARGARET BRENNAN: I want to ask you about some of the events of the week. On Monday, Lafayette Park was cleared of protesters. You've spoken about this. The federal agents who were there report up to you. Did you think it was appropriate for them to use smoke bombs, tear gas, pepper balls, projectiles at what appeared to be peaceful protesters?

BARR: They were not peaceful protesters. And that's one of the big lies that the media is- seems to be perpetuating at this point.

MARGARET BRENNAN: Three of my CBS colleagues were there. We talked to them.

BARR: Yeah.

MARGARET BRENNAN: They did not hear warnings. They did not see protesters--

BARR: There were three warnings.

MARGARET BRENNAN:--throwing anything.

BARR: There were three warnings given. But let's get back to why we took that action. On Friday, Saturday and Sunday, OK, there were violent riots in- at Lafayette Park where the park police were under constant attack at the- behind their bike rack fences. They were battling over the fences. They were trying to get entry. They were throwing bricks and inflammable liquid at the police. One fifth of the- there have been 750 officers hurt in the last week. One fifth of those have been in Washington, D.C.. Most of those have been federal officers at Lafayette Park. On Sunday, things reached a crescendo. The officers were pummeled with bricks. Crowbars were used to pry up the pavers at the park and they were hurled at police. There were fires set in not only St. John's Church, but a historic building at Lafayette was burned down.

MARGARET BRENNAN: These were things that looters did.

BARR: Not looters, these were- these were the- the violent rioters who were- dominated Lafayette Park.

MARGARET BRENNAN: But what I'm asking about--

BARR: They broke into the Treasury Department,

MARGARET BRENNAN: --on Monday when it was a peaceful protest.

BARR: I'm going to- let me get to this, because this has been totally obscured by the media. They broke into the Treasury Department, and they were injuring police. That night,--

MARGARET BRENNAN: Sunday night?

BARR: Sunday night, the park police prepared a plan to clear H Street and put a- a larger perimeter around the White House so they could build a more permanent fence on Lafayette.

MARGARET BRENNAN: This is something you approved on Sunday night?

BARR: No. The park police on their own on- on Sunday night determined this was the proper approach. When I came in Monday, it was clear to me that we did have to increase the perimeter on that side of Lafayette Park and push it out one block. That decision was made by me in the morning. It was communicated to all the police agencies, including the Metropolitan Police at 2:00 p.m. that day. The effort was to move the perimeter one block, and it had to be done when we had enough people in place to achieve that. And that decision, as I say, was communicated to the police at 2:00 p.m.. The operation was run by the park police. The park police was facing what they considered to be a very rowdy and non-compliant crowd. And there were projectiles being hurled at the police. And at that point, it was not to respond--

MARGARET BRENNAN: On Monday, you're saying there were projectiles--

BARR: On Monday, yes there were.

MARGARET BRENNAN: As I'm saying, three of my colleagues were there.

BARR: Yeah.

MARGARET BRENNAN: They did not see projectiles being thrown--

BARR: I was there.

MARGARET BRENNAN: --when that happened.

BARR: I was there. They were thrown. I saw them thrown.

MARGARET BRENNAN: And you believe that what the police did using tear gas and projectiles was appropriate?

BARR: Here's- here's what the media is missing. This was not an operation to respond to that particular crowd. It was an operation to move the perimeter one block.

MARGARET BRENNAN: And the methods they used you think were appropriate, is that what you're saying?

BARR: When they met resistance, yes. They announced three times. They didn't move. By the way, there was no tear gas used. The tear gas was used Sunday when they had to clear H Street to allow the fire department to come in to save St. John's Church. That's when tear gas was used.

MARGARET BRENNAN: There were chemical irritants the park police has said--

BARR: No, there were not chemical irritants. Pepper spray is not a chemical irritant.

It's not chemical.

MARGARET BRENNAN: Pepper spray, you're saying is what was used--

BARR: Pepper balls. Pepper balls.

MARGARET BRENNAN: Right, and you believe that was appropriate. I just I want to play this--

BARR: Well, first the- the attorney- yeah, well, I- I think as I understand it, the Park Police and the Secret Service, they were the ones who carried out the movement of the crowd back one block. And I think they used their standard crowd control protocols.

MARGARET BRENNAN: So if all- if all of that's true, why didn't this happen at another time of day? Why did it have to happen in the middle of the day, just moments before the president gives a press conference and then walks to the area where the protesters had been standing?

BARR: Well--

MARGARET BRENNAN: Why not do it in the middle of the night when the crowd thins? Move the perimeter?

BARR: Well, in the middle- in the middle of the night, the night before, which was Sunday, the law enforcement contingent was spent. They had lost 60 officers. In fact, in order to make the movement the next day, they had to bring in Virginia police departments to supplement units that were there, we had to build up enough people to control the situation and move it out. We were trying to do it as quickly as possible. After two o'clock, I heard that there was a point at which there were 300 protesters and- and the line could be more easily moved. But we didn't have the- the trained crowd control people in place to do it. And officers have to sleep. So on Sunday, it was a period where we were bringing in the required elements to do this and to back it up and to make sure if things got out of hand, we had adequate people there to deal with it. So as soon as the elements were in place, it was done. It was- it was handled by the park police officers, the tactical commander, and as soon as they felt they could.

MARGARET BRENNAN: But what you're describing is just a confluence of events and coincidental timing. I wanted- what I want to show you is what a lot of people at home who were watching this on television saw and their perception of events. So if I can just- guys, I want to play a video here. I want you to see what the public at home saw.

(BEGIN VIDEO CLIP)

MARGARET BRENNAN: As you can see, this is around exactly the same time. So while the president says that he appreciates peaceful protest, around the same time, this crowd--

BARR: Well, six minutes- six minutes difference--

MARGARET BRENNAN: Right, around same time the area is being cleared of what appear to be peaceful protesters using some force. And after the speech is finished, the president walks out of the White House to the same area where the protesters had been and stands for photo op in front of the church where the protesters had been. These events look very connected to people at home.

BARR: Well,--

MARGARET BRENNAN: It is- in an environment--

BARR: Am I going to have to talk over--

MARGARET BRENNAN: Cut the audio, please.

(END VIDEO CLIP)

MARGARET BRENNAN: In an environment where the broader debate is about heavy handed use of force in law enforcement, was that the right message for Americans to be receiving?

BARR: Well, the message is sometimes communicated by the media. I didn't see any video being played on the media of what was happening Friday, Saturday and Sunday--

MARGARET BRENNAN: But- but this confluence of events--

BARR: All I heard- all I heard was comments about how peaceful protesters were. I didn't hear about the fact that there were 150 law enforcement officers injured and many taken to the hospital with concussions. So it wasn't a peaceful protest. We had to get control over Lafayette Park, and we had to do it as soon as we were able to do that.

MARGARET BRENNAN: But you understand how these events appear connected? The timing of this--

BARR: Well, it's the job of the media to tell the truth. They were not connected.

MARGARET BRENNAN: Well this is what I'm asking you. Did you know when you gave the green light for these actions to be taken that the president was going to be going to that very same area for a photo op?

BARR: I gave the green light at two o'clock. Obviously, I didn't know that the president was going to be speaking later that day.

MARGARET BRENNAN: You had no idea?

BARR: No. No, I did not.

MARGARET BRENNAN: Do you see--

BARR: The go ahead was given at two o'clock. And to do it as soon as we were able to do it, to move the perimeter from- from H Street to I Street.

MARGARET BRENNAN: We're both Catholic. I know you're observant. You're a devout Catholic. Archbishop Gregory of Washington condemned what happened by gassing peaceful protesters.

BARR: There- there was no gas.

MARGARET BRENNAN: Is- is doing- is what we saw there doing what you meant when you were on that call with governors and you said to dominate the streets? Is that what law enforcement is supposed to be taking away from this?

BARR: No, on the contrary. My point to the governors and what I was saying was that it's important when you're dealing with civil disturbances to have adequate forces at hand and out and about so you can control events and not be controlled by events. And that it's more dangerous for everybody if you have these wild melees with thinly-manned police lines running after protesters with batons and that and that it's important that adequate forces on the street. And so we're encouraging them where they were stretched thin to call out National Guard, if necessary, to restore order. That's what I was talking about. I would say that- that this particular- police have to move protesters, sometimes peaceful demonstrators, for a short distance in order to accomplish public safety. And that's what was done here.

MARGARET BRENNAN: So there was nothing that you think should have been done differently in hindsight?

BARR: Well, you know, I- I haven't studied the- the events retrospectively in detail, but I think in general, you had the qualified law enforcement officials with shields warning and moving a line slowly. They had mounted officers moving slowly, directing people to move. And most people complied. There was a small group that hung back and wrestled with the police officers trying to tear their shields from them. In one case, struggling to get one of the police officers guns and those people were subdued.

MARGARET BRENNAN: All right, Mr. Attorney General, we have more questions for you, but I'm told we're out of time.

BARR: Thank you.

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**Hornbuckle, Wyn (OPA)**

---

**From:** Hornbuckle, Wyn (OPA)  
**Sent:** Monday, June 8, 2020 8:54 PM  
**To:** Lloyd, Matt (PAO)  
**Subject:** Re: Civil unrest messaging

Sure can

Sent from my iPhone

On Jun 8, 2020, at 8:39 PM, Lloyd, Matt (PAO) (b) (6) > wrote:

Duplicative Information - See Document ID 0.7.4848.5620



**Lloyd, Matt (PAO)**

---

**From:** Lloyd, Matt (PAO)  
**Sent:** Monday, June 8, 2020 10:49 PM  
**To:** Clark, Melissa D. (PAO); Kjergaard, Alison (OPA)  
**Subject:** FW: DOJ considering federal 'color of law' prosecution of officer accused in Floyd death | Just The News

-----Original Message-----

From: Brody, David (b) (6) >  
Sent: Tuesday, June 2, 2020 8:02 PM  
To: Lloyd, Matt (PAO) (b) (6) >  
Cc: Collins, Cassandra (CRT) (b) (6) >  
Subject: Re: DOJ considering federal 'color of law' prosecution of officer accused in Floyd death | Just The News

Oh goodness.  
So sorry

Sent from my iPhone

> On Jun 2, 2020, at 7:55 PM, Lloyd, Matt (PAO) (b) (6) > wrote:

>  
> Thanks for this--one thing can you correct spelling of Eric's last name to Dreiband?

>  
> -----Original Message-----

> From: Brody, David (b) (6) >

> Sent: Tuesday, June 2, 2020 7:15 PM

> To: Lloyd, Matt (PAO) (b) (6) >; Collins, Cassandra (CRT) (b) (6)

>  
> Subject: DOJ considering federal 'color of law' prosecution of officer accused in Floyd death | Just The News

>  
>  
> [https://protect2.fireeye.com/v1/url?k=2cad1533-70d5b699-2caa31d6-ac1f6b017490-35456f93ae0117d7&q=1&e=f1c54495-d11e-4629-a6c7-b933a39b1396&u=https%3A%2F%2Furldefense.com%2Fv3%2F\\_\\_https%3A%2F%2Fprotect2.fireeye.com%2Fv1%2Furl%3Fk%3D76125951-2a659f51-76157db4-ac1f6b017728-d91b4c70db32b7bc%26q%3D1%26e%3Dac1bd8b2-5e00-4778-a733-eb55b5b04e27%26u%3Dhttps%2A3A%2A2F%2A2Fjustthenews.com%2A2Fgovernment%2A2Fcourts-law%2A2Fdoj-considering-federal-color-law-prosecution-officer-accused-floyd-death\\_\\_%3BJSUIJSUI%21%21Cb8Jyg%21qnLp6J0NoMkktsKlyBwvB3gW69O6gUpWbKxjk9qbW\\_sSeis1shfzM-3yJy5ECct!%24](https://protect2.fireeye.com/v1/url?k=2cad1533-70d5b699-2caa31d6-ac1f6b017490-35456f93ae0117d7&q=1&e=f1c54495-d11e-4629-a6c7-b933a39b1396&u=https%3A%2F%2Furldefense.com%2Fv3%2F__https%3A%2F%2Fprotect2.fireeye.com%2Fv1%2Furl%3Fk%3D76125951-2a659f51-76157db4-ac1f6b017728-d91b4c70db32b7bc%26q%3D1%26e%3Dac1bd8b2-5e00-4778-a733-eb55b5b04e27%26u%3Dhttps%2A3A%2A2F%2A2Fjustthenews.com%2A2Fgovernment%2A2Fcourts-law%2A2Fdoj-considering-federal-color-law-prosecution-officer-accused-floyd-death__%3BJSUIJSUI%21%21Cb8Jyg%21qnLp6J0NoMkktsKlyBwvB3gW69O6gUpWbKxjk9qbW_sSeis1shfzM-3yJy5ECct!%24)

>  
>  
> Sent from my iPhone

**Lloyd, Matt (PAO)**

---

**From:** Lloyd, Matt (PAO)  
**Sent:** Monday, June 8, 2020 10:49 PM  
**To:** Clark, Melissa D. (PAO); Kjergaard, Alison (OPA)  
**Subject:** FW: First link

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**From:** Brody, David (b) (6) >  
**Sent:** Monday, June 1, 2020 4:15 PM  
**To:** Collins, Cassandra (CRT) (b) (6) >; Lloyd, Matt (PAO) (b) (6) >  
**Subject:** First link

My podcast:

George Floyd and racism in America

<https://podcasts.apple.com/us/podcast/george-floyd-and-racism-in-america/id1495268229?i=1000476452353>

[The Pod's Honest Truth with David Brody: George Floyd and racism in America on Apple Podcasts](#)

Show The Pod's Honest Truth with David Brody, Ep George Floyd and racism in America - Jun 1, 2020

podcasts.apple.com

More coming in next couple days

Thanks again!

David

**Lloyd, Matt (PAO)**

---

**From:** Lloyd, Matt (PAO)  
**Sent:** Monday, June 8, 2020 10:51 PM  
**To:** Raimondi, Marc (OPA)  
**Cc:** Kjergaard, Alison (OPA)  
**Subject:** RE: KKK / domestic terrorism inquiry

You mean CRT? First I've heard of it

---

**From:** Raimondi, Marc (OPA) (b) (6) >  
**Sent:** Monday, June 8, 2020 10:43 PM  
**To:** Lloyd, Matt (PAO) (b) (6) >  
**Cc:** Kjergaard, Alison (OPA) (b) (6) >  
**Subject:** FW: KKK / domestic terrorism inquiry

Matt, Are you tracking this case through CRD?

**From:** Levy, Rachael (b) (6) >  
**Sent:** Monday, June 08, 2020 10:25 PM  
**To:** Raimondi, Marc (OPA) (b) (6) >  
**Cc:** Viswanatha Aruna - Ws (b)(6) Aruna Viswanatha ) (b)(6) Aruna Viswanatha >; Kjergaard, Alison (OPA) (b) (6) >  
**Subject:** Re: KKK / domestic terrorism inquiry

Aruna is aware, thanks. I cover domestic terrorism so this is on my beat. Fine to get back to me tomorrow morning.

Could you also speak to why federal charges were not brought in this case?

Rachael Levy  
REPORTER



(b) (6) (Mobile, Signal, WhatsApp)  
(b) (6)

Read my stories [here](#).

On Mon, Jun 8, 2020 at 10:20 PM Raimondi, Marc (OPA) (b) (6) > wrote:

Cc'ing Aruna, the WSJ DOJ beat reporter.

Rachel, thanks for the note. On background, I'm not tracking the case you referenced below and likely won't be able to get an answer tonight regardless. W I would suggest you look at the 2001 Patriot Act definition of domestic terrorism how it classifies domestic terrorism. It contains the elements that lead to an incident being labeled domestic terrorism.

Thank you for reaching out.

**Marc Raimondi**

National Security Spokesman

U.S. Department of Justice

[www.justice.gov/nsd](http://www.justice.gov/nsd)

(b) (6)

Direc (b) (6)

Mobi (b) (6)

**From:** Levy, Rachae (b) (6) >  
**Sent:** Monday, June 08, 2020 9:11 PM  
**To:** Raimondi, Marc (OPA) (b) (6) >  
**Subject:** KKK / domestic terrorism inquiry

Hi Marc,

My name is Rachael Levy and I'm a reporter with the WSJ in Washington, DC.

Sorry to seek comment so late in the evening. I'm writing about the KKK president who allegedly drove through a crowd of protesters yesterday in Henrico County. <https://www.cnn.com/2020/06/08/us/virginia-man-car-kkk-trnd/index.html>

The AG has said that violence at protests will be treated as domestic terrorism (though he has focused on "antifa"). Does that domestic terrorism designation apply to this case?

Thank you,  
Rachael

Rachael Levy  
REPORTER



(b) (6) (Mobile, Signal, WhatsApp)

(b) (6)

Read my stories [here](#).

**Lloyd, Matt (PAO)**

---

**From:** Lloyd, Matt (PAO)  
**Sent:** Monday, June 8, 2020 10:51 PM  
**To:** Moosy, Robert (CRT)  
**Cc:** Assefi, Omeed (CRT)  
**Subject:** FW: KKK / domestic terrorism inquiry

Sigh and another

---

**From:** Raimondi, Marc (OPA) (b) (6) >  
**Sent:** Monday, June 8, 2020 10:43 PM  
**To:** Lloyd, Matt (PAO) (b) (6) >  
**Cc:** Kjergaard, Alison (OPA) (b) (6) >  
**Subject:** FW: KKK / domestic terrorism inquiry

Duplicative Information - See Document ID 0.7.4848.17385

Thank you for reaching out.

**Lloyd, Matt (PAO)**

---

**From:** Lloyd, Matt (PAO)  
**Sent:** Monday, June 8, 2020 11:00 PM  
**To:** Raimondi, Marc (OPA)  
**Cc:** Kjergaard, Alison (OPA)  
**Subject:** Re: KKK / domestic terrorism inquiry

So ridiculous. It's been like this for the past 9 days with CRT.  
And I have no idea. I dont make the abbreviations bc I'm not a bureaucrat.

On Jun 8, 2020, at 10:53 PM, Raimondi, Marc (OPA) (b) (6) > wrote:

?

Just watched the coverage from CNN and the locals. Seems like a minor incident where no one was hurt. Driver is arrested and charged locally, which means that Justice is being served. I don't see this as a federal case but this reporter seems intent on showing a disparity in how we treat defendants on the left and right.

You may want to take a look and think about how we respond. Also, why is it CRT? They are a division, they need a D at the end.

**From:** Levy, Rachael (b) (6) >  
**Sent:** Monday, June 08, 2020 10:25 PM  
**To:** Raimondi, Marc (OPA) (b) (6) >  
**Cc:** Viswanatha Aruna - Ws (b)(6) Aruna Viswanatha ) (b)(6) Aruna Viswanatha >; Kjergaard, Alison (OPA) (b) (6) >  
**Subject:** Re: KKK / domestic terrorism inquiry

Duplicative Information - See Document ID 0.7.4848.17385



**Hornbuckle, Wyn (OPA)**

---

**From:** Hornbuckle, Wyn (OPA)  
**Sent:** Tuesday, June 9, 2020 10:14 AM  
**To:** Kjergaard, Alison (OPA)  
**Cc:** Lloyd, Matt (PAO)  
**Subject:** RE: Heads up on federal arrests and charges

Good to go

---

**From:** Kjergaard, Alison (OPA) (b) (6) >  
**Sent:** Tuesday, June 09, 2020 10:09 AM  
**To:** Hornbuckle, Wyn (OPA) (b) (6) >  
**Cc:** Lloyd, Matt (PAO) (b) (6) >  
**Subject:** RE: Heads up on federal arrests and charges

Good to go?



**The United States Department of Justice**

**Richard W. Moore**  
United States Attorney  
Southern District of Alabama

FOR IMMEDIATE RELEASE  
[WWW.JUSTICE.GOV/USAO/SDAL](http://WWW.JUSTICE.GOV/USAO/SDAL)  
CONTACT: JIMMY DAVIS  
PHONE: (251) 415-7134

TUESDAY, JUNE 9, 2020

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**MOBILE WOMAN CHARGED AFTER SMASHING POLICE  
CAR WINDOW DURING MOBILE PROTESTS**

MOBILE, AL — Richard W. Moore, U.S. Attorney for the Southern District of Alabama, announced today that a Mobile woman has been charged by criminal complaint with obstructing, impeding, and interfering with law enforcement during the course of a civil disorder that affected interstate commerce. Tia Deyon Pugh will make her initial appearance in U.S. District Court today at 10:30 a.m. before Magistrate Judge P. Bradley Murray.

According to the criminal complaint filed in U.S. District Court and unsealed today, Pugh attended the May 31, 2020, protest in downtown Mobile following the death of George Floyd while in the custody of the Minneapolis Police Department. The affidavit filed in connection with the complaint alleges that Pugh and her fiancée both brought bats to the protest.

The complaint alleges that during the course of the protest, some individuals, including Pugh, left the main protest route and congregated on the Interstate 10 on-ramp at the intersection of Government Street and Water Street. Mobile Police Department Officers were deployed to the scene to prevent the protesters from walking up the on-ramp and blocking the westbound traffic on I-10. Protesters refused to follow MPD orders to disperse, and the scene became chaotic. During this chaos, according to the complaint, Pugh approached a marked and occupied MPD vehicle and used the bat she brought to the protest to smash in the passenger side window.

As alleged in the complaint, due to the protesters' presence on the Water Street on-ramp, MPD was forced to close the I-10 exits at Water Street westbound and Exit 26B eastbound. These closures led to traffic disruptions on I-10. In particular, commercial vehicles carrying hazardous materials were forced to make a 19.5 mile detour to avoid the George C. Wallace Tunnel.

The charges and allegations contained in the complaint are merely accusations, and the defendant is presumed innocent unless and until proven guilty.

# # #

Do not reply to this message. If you have questions, please use the contacts in the message or call the Office of Public Affairs at 202-514-2007.

---

**From** (b)(6), (b)(7)(C) per EOUSA (USAALS) (b)(6) >  
**Sent:** Tuesday, June 9, 2020 10:05 AM  
**To:** Kjergaard, Alison (OPA) (b)(6) >; Hornbuckle, Wyn (OPA) (b)(6) >  
**Cc:** Lloyd, Matt (PAO) (b)(6) >; Raimondi, Marc (OPA) (b)(6) >; Costello, Sean (USAALS) (b)(6) >  
(b)(6), (b)(7)(C) per EOUSA (USAALS) (b)(6) >  
**Subject:** RE: Heads up on federal arrests and charges

Hi Ali,

That sounds good! Thank you for getting the word out.

---

**From:** Kjergaard, Alison (OPA) (b)(6) >  
**Sent:** Tuesday, June 9, 2020 8:57 AM  
**T** (b)(6), (b)(7)(C) per EOUSA (USAALS) (b)(6) >; Hornbuckle, Wyn (OPA) (b)(6) >  
**Cc:** Lloyd, Matt (PAO) (b)(6) >; Raimondi, Marc (OPA) (b)(6) >; Costello, Sean (USAALS) (b)(6) >  
(b)(6), (b)(7)(C) per EOUSA (USAALS) (b)(6) >  
**Subject:** RE: Heads up on federal arrests and charges

Thank (b)(6), (b)(7)(C) per EOUSA! We will amplify from our end.  
Good for us to send this?

Ali

---

**From** (b)(6), (b)(7)(C) per EOUSA (USAALS) (b)(6) >  
**Sent:** Tuesday, June 9, 2020 9:56 AM  
**To:** Hornbuckle, Wyn (OPA) (b)(6) >  
**Cc:** Lloyd, Matt (PAO) (b)(6) >; Raimondi, Marc (OPA) (b)(6) >; Costello, Sean (USAALS) (b)(6) >  
(b)(6), (b)(7)(C) per EOUSA (USAALS) (b)(6) >; Kjergaard, Alison (OPA) (b)(6) >  
**Subject:** RE: Heads up on federal arrests and charges

Please see attached the final release. Thank you!

---

**From:** Hornbuckle, Wyn (OPA) (b)(6) >  
**Sent:** Tuesday, June 9, 2020 8:36 AM  
**T** (b)(6), (b)(7)(C) per EOUSA (USAALS) (b)(6) >

Cc: Lloyd, Matt (PAO) (b) (6) >; Raimondi, Marc (OPA) (b) (6) >; Costello, Sean (USAALS) (b) (6) >; Davis, James (USAALS) (b) (6) >; Kjergaard, Alison (OPA) (b) (6) >  
Subject: RE: Heads up on federal arrests and charges

+Alexa . Can you please send us the final release?

---

From (b) (6), (b) (7) (C) per EOUSA (USAALS) (b) (6) >  
Sent: Tuesday, June 09, 2020 9:08 AM  
To: Hornbuckle, Wyn (OPA) (b) (6) >  
Cc: Lloyd, Matt (PAO) (b) (6) >; Raimondi, Marc (OPA) (b) (6) >; Costello, Sean (USAALS) (b) (6) >; (b) (6), (b) (7) (C) per EOUSA (USAALS) (b) (6) >; Kjergaard, Alison (OPA) (b) (6) >  
Subject: RE: Heads up on federal arrests and charges

The Court has now unsealed the documents and we are moving forward with publishing our press release. If you need anything further from our office, please let me know. Thank you!

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From: Hornbuckle, Wyn (OPA) (b) (6) >  
Sent: Tuesday, June 9, 2020 7:51 AM  
T (b) (6), (b) (7) (C) per EOUSA (USAALS) (b) (6) >  
Cc: Lloyd, Matt (PAO) (b) (6) >; Raimondi, Marc (OPA) (b) (6) >; Costello, Sean (USAALS) (b) (6) >; (b) (6), (b) (7) (C) per EOUSA (USAALS) (b) (6) >; Kjergaard, Alison (OPA) (b) (6) >  
Subject: RE: Heads up on federal arrests and charges

OK thanks for the heads up

---

From (b) (6), (b) (7) (C) per EOUSA (USAAL (b) (6) >  
Sent: Tuesday, June 09, 2020 8:42 AM  
To: Hornbuckle, Wyn (OP (b) (6) >  
Cc: Lloyd, Matt (PA (b) (6) >; Raimondi, Marc (OPA (b) (6) >; Costello, Sean (USAALS) (b) (6) >; (b) (6), (b) (7) (C) per EOUSA (USAAL (b) (6) >; Kjergaard, Alison (OPA (b) (6) >  
Subject: RE: Heads up on federal arrests and charges

Hi Wyn,

Please see the attached press release. We have asked the Court to unseal the complaint documents, and once we receive confirmation that this has been done, we will move forward this morning with publishing the press release on our website and social channels, along with disseminating it to our local press contacts, ahead of the 10:30 a.m. (CST) hearing.

I'll be in touch to let you know when the documents are unsealed.

Thank you,  
Leanne

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From: Hornbuckle, Wyn (OP (b) (6) >  
Sent: Monday, June 8, 2020 7:14 PM  
T (b) (6), (b) (7) (C) per EOUSA (USAAL (b) (6) >  
Cc: Lloyd, Matt (PAO (b) (6) >; Raimondi, Marc (OPA (b) (6) >; Costello, Sean (USAALS) (b) (6) >; (b) (6), (b) (7) (C) per EOUSA (USAAL (b) (6) >; Kjergaard, Alison (OPA (b) (6) >  
Subject: Re: Heads up on federal arrests and charges

Thanks Leanne  
Keep us posted when this goes public and send us a final press release when you are ready to send it out

Sent from my iPhone

On Jun 8, 2020, at 5:03 P (b) (6), (b) (7) (C) per EOUSA (USAAL (b) (6) > wrote:

?

Dear Wyn,

Good afternoon! I am writing to inform OPA of an arrest, stemming from a civil arrest charge, that was made in the Southern District of Alabama. Our office filed a complaint pertaining to Tia Pugh on Thursday (6/4/2020) afternoon, and FBI Mobile took Ms. Pugh into custody this morning. Her arraignment is scheduled for tomorrow, June 9<sup>th</sup>, at 10:30 a.m. (CST). At this time, all complaint and arrest warrant documents are currently sealed, and will remain sealed until after Ms. Pugh's initial appearance. USAO SDAL and FBI Mobile do not intend to release any statements to the media/public until after the arraignment.

To provide a little background surrounding this arrest, on May 31, 2020, a protest was planned in Mobile, Alabama in response to the May 25<sup>th</sup> death of George Floyd while in police custody in Minneapolis, Minnesota. During the course of the protest, some individuals deviated from the planned route and began to congregate at the base of an on-ramp to Interstate 10. As the Mobile Police Department deployed officers to disperse the crowd and prevent protestors from blocking access to Interstate 10, the scene grew increasingly chaotic. In the midst of this chaos, Pugh smashed the passenger window of a marked and occupied Mobile Police Department vehicle with a bat that she had brought with her to the protest. Pugh's actions were captured on video by a local news outlet, and stills from the footage aided in her identification.

Our office will remain in contact with OPA and forward any press release issued in this matter for national amplification. Please let us know if you need anything further in the meantime.

Kind regards,

(b)(6), (b)(7)(C) per EOUSA

Legal Assistant

United States Attorney's Office

Southern District of Alabama

(b) (6)

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From: Hornbuckle, Wyn (OP (b) (6))

Sent: Tuesday, June 2, 2020 5:24 PM

To: USAEO-PublicInformationOfficers <[USAEO-PublicInformationOfficers@usa.doj.gov](mailto:USAEO-PublicInformationOfficers@usa.doj.gov)>

Cc: Lloyd, Matt (PAO (b) (6)); Raimondi, Marc (OP (b) (6))

Subject: Heads up on federal arrests and charges

Dear Colleagues,

Please give all copied here a heads up on federal arrests and pending charges related to violent activity/federal crimes occurring amidst unrest in many of your areas. We want to make sure and amplify nationally, so please give us as much advance notice as possible so we can coordinate the release of information.

Any questions, call m (b) (6)

Wyn Hornbuckle

Deputy Director, Office of Public Affairs

U.S. Department of Justice

(b) (6)

## Lloyd, Matt (PAO)

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**From:** Lloyd, Matt (PAO)  
**Sent:** Tuesday, June 9, 2020 10:36 AM  
**To:** Kupec, Kerri (OPA); Bissex, Rachel (OAG); Favitta, Jeff (OAG); NealyCox, Erin (USATXN); Herdman, Justin E. (USAOHN); Bash, John (USATXW); Terwilliger, Zachary (USAVAE); Ellis, Corey (USAEO)  
**Subject:** WSJ lead editorial

Making sure you saw....

### **Defund Police, Watch Crime Return**

Wall Street Journal

Editorial Board

June 8, 2020 7:20 PM

<https://www.wsj.com/articles/defund-police-watch-crime-return-11591658454>

*Offenses in some cities were rising before the pandemic.*

One feature of our current politics is how quickly bad events trigger a rush to bad policies. So it is that the response to the killing of George Floyd has sprinted past police reform to “defund the police.” Los Angeles Mayor Eric Garcetti wants to redirect \$150 million from public safety to social programs, and Minneapolis Mayor Jacob Frey was hooted from a protest on the weekend because he admitted he didn’t want to defund the police. City Council members now pledge to dismantle the force whether he wants to or not.

There’s a case for police reforms, in particular more public transparency about offenses by individual officers. Union rules negotiated under collective bargaining make it hard to punish offending officers, much as unions do for bad public school teachers. By all means let’s debate other policies and accountability in using force.

But a political drive to defund police risks a return to the high-crime era of the 1960s and 1970s that damaged so many American cities. Millennials and minorities in big cities have benefited tremendously from the hard work of Democratic mayors and police chiefs 20-30 years ago to reduce crime. Yet the progressives who now run most big cities have pushed relaxed enforcement of “victimless” crimes, and now they want to go further.

Even before the recent riots, crime had been surging this year in many of America’s big cities. In Minneapolis, car-jackings were up 45%, homicides 60%, arson 58% and burglaries 28% from January through May 30 compared to the same period last year. Violent crime overall was 16% higher and property crime 20% higher than recent low points in 2018.

In New York City, shootings had increased 18%, burglaries 31% and car-jackings 64%. There were about 1,279 more burglaries, 1,078 more cars stolen and 57 more shooting victims during the first five months of this year than during the same period last year. Almost all of these were outside of Manhattan’s business district.

In San Francisco, homicides before the riots this year had increased by 19%, burglaries by 23% and arson by 39% over last. Philadelphia reported a 28% increase in commercial burglaries, 51% in shootings, 22% in auto theft and 28% in retail theft from last year. Residential burglaries and larceny have fallen in many places, but that’s no doubt because

people were at home.

Some of the increase in lawlessness may be due to states and counties releasing criminals from jails to stem coronavirus infections, but the surge in most places preceded the pandemic releases. In Minneapolis, property and violent crime had increased by 33% and 29%, respectively, through mid-March when Hennepin County reduced its jail population by 40%.

It's impossible to prove cause and effect, but the line between liberal law enforcement policies and the crime spike is hard to ignore. Take New York City's new bail law that gives nonviolent offenders a get-out-of-jail-free card. In January a man who stuck up six banks in two weeks was repeatedly released after each arrest. "I can't believe they let me out," he told a detective.

An arsonist who set a fire in front of the Columbia University Computer Music Center in March had 39 prior arrests dating to 1987. Democratic lawmakers gave judges more discretion to set cash bail for some offenders who present a public-safety risk. Yet Chief Terence Monahan said last week that, while police made 650 arrests, almost all will be released without bail.

"We had some arrests in Brooklyn where they had guns, [and] hopefully [Brooklyn district attorney] Eric Gonzalez will keep them in, [but] I can't guarantee that'll happen," Mr. Monahan told the New York Post. "But when it comes to a burglary [at] a commercial store, which is looting, they're back out. . . . Because of bail reform, you're back out on the street the next day."

San Francisco's new District Attorney Chesa Boudin this year eliminated cash bail, stopped prosecuting "victimless" crimes and suspended the city's practice of upgrading charges against repeat offenders. Crime in Minneapolis has been climbing since Mayor Frey entered office in 2018 and started pushing more relaxed law enforcement.

As police have eased up, violent crime has increased nearly twice as much in the minority third precinct in Minneapolis as city-wide since 2018. In New York's Harlem neighborhood, which benefitted enormously from anti-crime mayors, murders have soared 160% this year over last while burglaries are up 56% and car-jackings have more than doubled.

Joe Biden said Monday he opposes defunding the police, and good for him. But law enforcement is mainly a state and local obligation, and in many cities now the defunders have power. Poor communities will be the victims if they succeed.

**Matt Lloyd**  
Principal Deputy Director, Public Affairs  
U.S. Department of Justice

(b) (6) (cell)

## Kupec, Kerri (OPA)

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**From:** Kupec, Kerri (OPA)  
**Sent:** Tuesday, June 9, 2020 1:27 PM  
**To:** Lynch, Sarah N. (Reuters)  
**Cc:** Raimondi, Marc (OPA)  
**Subject:** Re: Reuters seeking comment on story analyzing the protest-related cases brought to date

I would refer you to AG's interview with Bret Baier last night where he directly answered your question.

On Jun 9, 2020, at 12:53 PM, Lynch, Sarah N. (Reuters) (b) (6) > wrote:

Hi Kerri,

We are planning a story that analyzes the federal riot cases in connection with the George Floyd protests.

We found in general that to date, very few cases allege that the defendants are part of an organization, or a leftist "antifa" movement. Our analysis was based on public records filed in court, reviews of social media accounts and interviews with lawyers and/or prosecutors. **In fact, the term "antifa" does not appear in any of the federal charging documents reviewed by Reuters.**

Based on our review of the complaints, here is a summary of the things we found:

--We reviewed cases against 53 individuals charged federally

--Only one group was called out by name in a federal complaint: the so-called "Boogaloo movement,"

--In 3 complaints, individuals told police about their ideological leanings without claiming affiliation with any particular group. ("anarchist group", "far left" and anti- MAGA instigators.")

---17 individuals espoused violence like threatening to start riots or harm police or organized themselves using encrypted communications, the complaints alleged. Social media profiles reviewed by Reuters showed a range of views, including anarchism, anti racism and anti government messages.

-- Some 40 individuals were accused of some sort of violent acts around the protests, from throwing molotov cocktails to setting fires or looting stores, according to photographs and affidavits included in the criminal complaints.

For about a dozen individuals, there were no allegations of violence committed at protests, Reuters found, with some arrestees only charged with possessing illegal drugs or firearms, for example. Some had long criminal wrap sheets before their arrests but with no apparent political pattern to their behavior, Reuters found.

We have also heard from defense lawyers who they were surprised that the FBI was getting involved

in cases that would usually be handled by state prosecutors.

How is DOJ selecting which cases to pursue? In some cases, they have not involved people crossing state lines....

Can DOJ comment on this as well as our findings?

Where is the evidence that Antifa is involved in the violent acts connected with the George Floyd protests?

If Antifa is involved, why are there virtually no references made to it in the charging documents?

Thanks in advance,

Sarah

Criminal Justice Correspondent

Thomson Reuters

Offic (b) (6)

Cell/Signal/WhatsApp (b) (6)

Justice Department Reuters Desk: 202-898-8396

(b) (6)

Follow me on Twitter @SarahNLynch

Investigative tips welcome

#FollowtheMoney

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<https://www.thomsonreuters.com/en/resources/disclosures.html>

**Lloyd, Matt (PAO)**

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**From:** Lloyd, Matt (PAO)  
**Sent:** Tuesday, June 9, 2020 3:17 PM  
**To:** Boyd, Stephen E. (OLA); Hankey, Mary Blanche (OLA); Escalona, Prim F. (OLA)  
**Subject:** FW: Hearing Memo  
**Attachments:** Hearing Memo.pdf

I'm sure you saw but just in case

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**From:** Mastropasqua, Kristina (OPA) (b) (6) >  
**Sent:** Tuesday, June 9, 2020 11:51 AM  
**To:** Lloyd, Matt (PAO) (b) (6) >; Kupec, Kerri (OPA) (b) (6) >; Hornbuckle, Wyn (OPA) (b) (6) >  
**Cc:** Bissex, Rachel (OAG) (b) (6) >  
**Subject:** Hearing Memo

ICYMI: We should be prepared for questions re tomorrow's hearing, as well.

Kristina Mastropasqua  
Office of Public Affairs  
Department of Justice

(b) (6)

# U.S. House of Representatives

## Committee on the Judiciary

Washington, DC 20515-6216  
One Hundred Sixteenth Congress

### MEMORANDUM

TO: Members of the Committee on the Judiciary  
FROM: The Honorable Jerrold Nadler, Chairman  
DATE: June 9, 2020  
RE: Oversight Hearing on Policing Practices and Law Enforcement  
Accountability

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On Wednesday, June 10, 2020 at 10:00 a.m. in the Congressional Auditorium (CVC-200), the Committee on the Judiciary will hold an “Oversight Hearing on Policing Practices and Law Enforcement Accountability.” The witnesses invited by the Majority are:

- Art Acevedo, Chief of the Houston Police Department and President, Major City Chiefs Association;
- Paul Butler, Albert Brick Professor in Law, Georgetown University Law Center;
- Benjamin Crump, Attorney for the Family of George Floyd;
- Ron Davis, National Organization of Black Law Enforcement Executives;
- Philonise Floyd, Brother of George Floyd;
- Phillip Goff, Franklin A. Thomas Professor of Policing Equality, John Jay College of Criminal Justice and President, Center for Policing Equity;
- Vanita Gupta, President and Chief Executive Officer, Leadership Conference on Civil and Human Rights;
- Sherrilyn Ifill, President and Director-Counsel, NAACP Legal Defense and Educational Fund; and
- Marc Morial, President, National Urban League.

The witnesses invited at the request of the Minority are:

- Daniel Bongino, Political Commentator and Former Secret Service Agent;
- Darrell Scott, Pastor and Co-Founder, New Spirit Revival Center; and
- Angela Underwood Jacobs, Sister of Federal Protective Officer David Underwood.

### **I. PURPOSE OF THE HEARING**

The hearing’s purpose is to give Members the opportunity to examine the use of force policies applied by federal, state, and local law enforcement agencies during

police-citizen interactions, as well as proposed reforms intended to increase public safety, ensure accountability, and repair frayed police-community relations. Many of these reform proposals are embodied in H.R. 7120, the “Justice in Policing Act of 2020,” introduced by Crime Subcommittee Chair Karen Bass and full Committee Chair Jerrold Nadler on June 8, 2020 and which, as of this writing, had 196 cosponsors. Senators Cory Booker and Kamala Harris introduced the Senate companion on the same day. That bill had 36 cosponsors as of this writing.

The United States is currently in the sixth year of an intense national conversation around policing practices that was sparked by several high-profile, fatal applications of force against unarmed civilians. On December 18, 2014, then-President Barack Obama issued Executive Order 13684 authorizing a study on law enforcement practices. The study was called the President’s Task Force on 21<sup>st</sup> Century Policing (President’s Task Force) and its mission was to examine ways of fostering strong, collaborative relationships between local law enforcement and the communities they protect and to make recommendations on ways policing practices can promote effective crime reduction while building public trust.<sup>1</sup> The President’s Task Force conducted seven listening sessions in three cities, solicited oral and written testimony from over 250 different witnesses and experts, and issued its final report in May 2015. In the years that followed, a growing, bi-partisan consensus has emerged on several policing and criminal justice reforms.

While there has been progress, the subject of police-community relations remains controversial. On October 28, 2019, President Donald Trump signed Executive Order 13896, establishing a Commission on Law Enforcement and the Administration of Justice, authorizing Attorney General William Barr to select a commission of experts to study crime, its causal factors, and current law enforcement practices. President Trump authorized the Commission to study criminal justice issues, such as refusals by state and local prosecutors to enforce laws or prosecute categories of crimes, as well as a perceived disrespect for law enforcement. In remarks about the Commission, Attorney General Barr pointedly lamented “a disturbing pattern of cynicism and disrespect shown toward law enforcement.”<sup>2</sup>

Since 2014, the annual rate of fatal police-involved shootings nationwide has remained steady—averaging nearly 1000 per year.<sup>3</sup> Meanwhile, in 2020, three more high profile killings of unarmed African Americans by police have reignited the public outrage that has been steadily building for six years. Recently, protests in Minneapolis, MN and in cities nationwide have morphed into physical expressions of rage and despair.

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<sup>1</sup> OFF. OF CMTY. ORIENTED POLICING SERV., DEP’T OF JUST., THE PRESIDENT’S TASK FORCE ON 21<sup>ST</sup> CENTURY POLICING, FINAL REPORT 5 (2015) [hereinafter THE PRESIDENT’S TASK FORCE].

<sup>2</sup> Dep’t of Justice, *Attorney General William P. Barr Delivers Remarks at the Presidential Commission on Law Enforcement and the Administration of Justice Opening Ceremony*, Jan. 22, 2020, available at <https://www.justice.gov/opa/speech/attorney-general-william-p-barr-delivers-remarks-presidential-commission-law-enforcement>.

<sup>3</sup> Julie Tate, Jennifer Jenkins and Steven Rich, *Fatal Force*, WASH. POST, May 26, 2020.

## II. FACTUAL BACKGROUND

### A. Fatal Applications of Force Ignite a Movement

A series of deaths of unarmed African-American men while in police custody accompanied by public unrest in Ferguson, MO and Baltimore, MD sparked a movement in the United States demanding transparency and accountability when police use force against civilians:

- July 17, 2014: Eric Garner, aged 43, was choked to death by police in New York, NY.
- August 9, 2014: Michael Brown, aged 18, was shot to death by police in Ferguson, MO.
- August 9 – 25, 2014: Residents of Ferguson, MO publicly protested the shooting of Michael Brown and the protests escalated into a series of riots.
- October 20, 2014: LaQuan McDonald, aged 17, was shot to death by police in Chicago, IL.
- November 22, 2014: Tamir Rice, aged 12, was shot to death by police in Cleveland, OH.
- April 5, 2015, Walter Scott, aged 50, was shot to death by police in North Charleston, SC.
- April 18, 2015 Freddie Gray, aged 25, died of a spinal cord injury suffered while he was in police custody in Baltimore, MD.
- April 18 – April 29, 2015: Baltimore residents began non-violent protests; however the protests escalated into violence.

### B. The Burden on Law Enforcement

As the spotlight on high-profile applications of fatal force has intensified, members of law enforcement have felt abused, disrespected, and underappreciated given the personal sacrifices they make to perform a dangerous job that often involves life or death decisions. The job of a patrol officer can be deadly. In 2014, New York Police Department (NYPD) officers Wenjian Liu and Raphael Ramos were shot and killed execution-style while sitting in their patrol car. In 2016, 20 law enforcement officers died in planned assaults carried out by gunmen—the highest number in a least a decade-- including in high-profile attacks against police in Dallas and Baton Rouge that occurred ten days apart.<sup>4</sup> While planned attacks on officers are relatively rare, officers must face the most dangerous encounters as a matter of routine: traffic stops, serving warrants, and responding to domestic violence calls.

The public scrutiny and violent attacks have led some to believe that there is a “war on cops” and that in response, police have begun to pull back in their enforcement

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<sup>4</sup> See Ann Givens, *Ambush Shootings of Police Officers Reach Highest Total in Decades*, THE TRACE, Dec. 6, 2016, <https://www.thetrace.org/2016/12/ambush-shootings-police-officers-reaches-highest-total-decades/>.

duties-- a phenomenon labelled as “the Ferguson effect.”<sup>5</sup> Fewer people are seeking careers in policing, as a majority of police chiefs surveyed said hiring had become more difficult, with two-thirds reporting difficulty finding nonwhite officers.<sup>6</sup>

### C. Violent Police-Citizen Encounters Continue

Amid the ongoing debate around policing practices, violent confrontations between police and civilians continue. On March 18, 2018, Sacramento Police fired 20 shots killing Stephon Clark, a 22-year-old African American who had fled into his own backyard, mistaking the cellphone he was holding for a gun. The shooting was captured on video. The officers were not charged with any criminal offenses, and a federal civil rights investigation remains ongoing.

On June 19, 2018, unarmed African American teenager Antwon Rose II, 17, was shot three times in the back, face, and elbow while fleeing from East Pittsburgh Police Officer Michael Rosefeld after a traffic stop.<sup>7</sup> The shooting was captured on video. On March 22, 2019, Rosefeld was acquitted of criminal homicide for Rose’s death.<sup>8</sup>

On February 24, 2019, Jaylan Butler, a student at Eastern Illinois University, was on a bus with his college swim team when the bus pulled over to the side of the road to allow the students to stretch their legs.<sup>9</sup> Butler stepped off the bus, but as he walked back to the bus, he was accosted by five law enforcement officers pointing firearms at him.<sup>10</sup> The officers forced Butler to the ground and handcuffed his arms behind his back.<sup>11</sup> One of the officers pressed his knee into Butler’s back while another was pressing down on Butler’s neck.<sup>12</sup> One of the officers placed a handgun against Butler’s head and said, “if you keep moving, I’m going to blow your fucking head off.”<sup>13</sup> The officers told Butler he was being arrested for resisting arrest, searched him, and then placed him in the back of a squad car where they left him for several minutes.<sup>14</sup> The officers confirmed Butler’s identity, released him, and refused to provide their identification or badge numbers upon Butler’s request.<sup>15</sup> Butler filed a lawsuit against the officers and the responsible jurisdictions, for depriving him of his constitutional rights.<sup>16</sup>

On November 26, 2019, a Baltimore County police officer fatally shot Eric Sopp during a traffic stop after Sopp refused to obey their commands to remain inside his

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<sup>5</sup> See Mitch Smith, *Policing: What Changed (and Didn’t) Since Michael Brown Died*, N.Y. TIMES, Aug. 7, 2019, <https://www.nytimes.com/2019/08/07/us/racism-ferguson.html>.

<sup>6</sup> *Id.*

<sup>7</sup> Adeel Hassan, *Antwon Rose Shooting: White Police Officer Acquitted in Death of Black Teenager*, N.Y. TIMES, Mar. 22, 2019, <https://www.nytimes.com/2019/03/22/us/antwon-rose-shooting.html>.

<sup>8</sup> *Id.*

<sup>9</sup> Complaint at 3, *Butler v. Staes*, et al., No. 4:20-cv-04007-SLD-JEH (C.D. Ill., Jan. 21, 2020).

<sup>10</sup> *Id.* at 4.

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

<sup>13</sup> *Id.*

<sup>14</sup> *Id.* at 5.

<sup>15</sup> *Id.* at 6.

<sup>16</sup> *See id.*

vehicle. Baltimore County prosecutors determined that the shooting was justified because Sopp's erratic behavior placed the officer in a highly dangerous situation.<sup>17</sup>

On January 27, 2020, Prince George's County Police Corporal Michael Owen fired seven shots, killing William Green while Green was handcuffed and seated in his car. Owen was charged with voluntary and involuntary manslaughter, first-degree assault and use of a firearm in the commission of a crime of violence and awaits trial.<sup>18</sup>

On February 9, 2020, NYPD Officer Paul Stroffolino was ambushed while sitting in his marked unit and shot in the head.<sup>19</sup> Officer Stroffolino was expected to survive. Hours later, Officer Stroffolino's assailant entered the 41<sup>st</sup> Precinct in the Bronx and emptied the entire clip of a 9mm handgun, striking a lieutenant in the upper left arm.<sup>20</sup> The assailant has been charged with several counts of attempted murder and awaits trial.

On February 23, 2020, Travis and Gregory McMichael killed Ahmaud Arbery while he was jogging, purportedly because they suspected him of committing a burglary. Gregory McMichael was a former police officer and investigator with the Glynn County Police Department and Brunswick Judicial Circuit, the entities responsible for investigating the killing. Gregory McMichael's status as a former law enforcement officer, in addition to his relationship with prosecutors responsible for investigating Mr. Arbery's killing, raise questions as to whether some combination of racial bias, conflicts of interest, or gross negligence led to Mr. Arbery's death and compromised the integrity of the subsequent investigation.

In the early morning hours of March 13, 2020, Breonna Taylor was shot eight times and killed by Louisville Metro Police Department Criminal Interdiction Division officers executing a "no-knock" search warrant on her apartment during the early morning hours of March 13, 2020. Upon arrival, the officers, who were in plain clothes, did not knock and did not identify themselves as police.<sup>21</sup> Ms. Taylor's boyfriend, Kenneth Walker, a licensed gun owner, used his firearm to defend the home against what he believed to be an attempted burglary.<sup>22</sup> The officers fired over twenty rounds,

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<sup>17</sup> Tom Jackman, *Baltimore County police officer cleared in killing of unarmed, suicidal man*, WASH. POST, Mar. 2, 2020, <https://www.washingtonpost.com/crime-law/2020/03/02/baltimore-county-police-officer-cleared-killing-unarmed-suicidal-man/>.

<sup>18</sup> Neil Vigdor, Mariel Padilla and Sandra E. Garcia, *Police Officer Charged With Murder in Killing of Handcuffed Suspect in Maryland*, N.Y. TIMES, Jan. 28, 2020, <https://www.nytimes.com/2020/01/28/us/prince-georges-maryland-police-shooting.html>

<sup>19</sup> Luke Funk, *Assassination attempt—NYPD officer shot in Bronx ambush*, FOX 5 N.Y., Feb. 8, 2020, <https://www.fox5ny.com/news/assassination-attempt-nypd-officer-shot-in-bronx-ambush>.

<sup>20</sup> See Stephen Sorace, *Second New York City police officer shot inside precinct following 'ambush' attack on patrol van: cops*, FOX NEWS, Feb. 9, 2020, <https://www.foxnews.com/us/new-york-bronx-police-shooting>.

<sup>21</sup> Complaint at 7, *Palmer v. Hankison*, No. 20-CI-002694 (Jefferson Cnty. Cir. Ct. Apr. 27, 2020).

<sup>22</sup> *Id.* at 3, 10.

striking Ms. Taylor eight times and killing her.<sup>23</sup> The officers were not wearing body cameras.<sup>24</sup>

On May 25, 2020, George Floyd was killed when Minneapolis Police Department (MPD) officers applied a chokehold to his neck while he was handcuffed and pinned to the ground. A nine-minute video appears to show Mr. Floyd stating repeatedly that he could not breathe as the officer continued to press his knee on Mr. Floyd's neck.<sup>25</sup>

### **III. H.R. 7120, THE “JUSTICE IN POLICING ACT OF 2020”**

Members have proposed legislative reforms designed to reduce or eliminate violent interactions between law enforcement and civilians while building trust, accountability and legitimacy. Many of these proposals were incorporated into H.R. 7120, the “Justice in Policing Act of 2020,” introduced by Representatives Karen Bass and Jerrold Nadler and Senators Cory Booker and Kamala Harris on June 8, 2020. Below is a section-by-section description of H.R. 7120's provisions.

#### **TITLE I. POLICE ACCOUNTABILITY**

##### **Section 101 – Revising 18 U.S.C. 242 – Federal Criminal Police Misconduct Statute**

- Changes “willful” to “knowingly or with reckless disregard”
- Defines a “death resulting” as any act that was a “substantial factor contributing to the death”

##### **Section 102 – Qualified Immunity Reform**

- Modifies Section 1983 to enable individuals to recover damages when law enforcement officers violate their constitutional rights

##### **Section 103 – Pattern and Practice Investigations**

- Grants subpoena power to the U.S. Department of Justice, Civil Rights Division, to conduct pattern and practice investigations
- Provides grants to state attorneys' general to conduct pattern and practice investigations

##### **Section 104 – Independent Investigations**

- Creates a grant program for state attorneys' general to create an independent investigation process for law enforcement misconduct or excessive use of force

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<sup>23</sup> *Id.* at 9.

<sup>24</sup> Nick Picht, *LMPD officers serving warrant at Breonna Taylor's home were not wearing body cameras*, WAVE 3 NEWS, May 16, 2020.

<sup>25</sup> *FBI investigating after man dies in Minneapolis Police custody; video shows him saying “I can't breathe,”* KARE11, May 26, 2020.

## **Section 105 – Law Enforcement Trust and Integrity Act**

- Requires the attorney general to create law enforcement accreditation standard recommendations based on President Obama’s Taskforce on 21st Century policing
- Creates law enforcement development programs to develop policing best practices
- Studies the impact of any law, rule or procedure that allows a law enforcement officer to delay for an unreasonable or arbitrary period of time the answer to questions posed by investigators of law enforcement misconduct.
- Enhances funding for pattern and practice discrimination described in section 210401 of the Violent Crime Control and Law Enforcement Act of 1994; and programs managed by the DOJ Community Relations Service.
- Requires the Attorney General to collect data on the following: A) Investigatory actions and detentions by federal law enforcement agencies; B) The racial distribution of drug charges; C) The use of deadly force by and against law enforcement officers; D) Traffic and pedestrian stops and detentions.
- Establishes a DOJ task force to coordinate the investigation, prosecution and enforcement efforts of federal, state and local governments in cases related to law enforcement misconduct.

## **TITLE II: POLICING TRANSPARENCY THROUGH DATA**

### **Subtitle A – Establishment of a National Police Misconduct Registry**

- Creates a federal registry of all federal, state and local law enforcement officers that compiles
  - o Misconduct Complaints (Pending, Sustained and Exonerated)
  - o Discipline records
  - o Termination records
  - o Records of certification
- Mandates that law enforcement agencies ensure that all officers hired are certified within the state

### **Subtitle B – Police Reporting Information Data and Evidence Act**

- Requires States to report to the Justice Department any incident where use of force is used against a civilian or against a law enforcement officer
- The reports must include, for example, the following:
  - o The national origin, sex, race, ethnicity, age, disability, English language proficiency, and housing status of each civilian against whom a law enforcement officer used force
  - o The reason force was used
- Provides technical assistance grants to law enforcement agencies that employ less than 100 people to help comply with the requirements of the bill

## **TITLE III. IMPROVING POLICE TRAINING AND POLICES**

## **Subtitle A – End Racial and Religious Profiling Act**

- Prohibits federal, state, and local law enforcement from racial, religious and discriminatory profiling and create a cause of action for declaratory or injunctive relief
- Mandates law enforcement provide training on racial, religious, and discriminatory profiling
- Requires law enforcement to collect data on all investigatory activities and submit collected data to the Department of Justice using a standardized form
- Conditions federal funding to state and local law enforcement to adopt policies to combat racial, religious, and discriminatory profiling
- Conditions federal funding to state and local law enforcement to establish best practices to discourage profiling
- Requires the Attorney General to provide reports on racial, religious, and discriminatory profiling and ongoing efforts to combat profiling

### **Section 361 – Training on Racial Bias and Duty to Intervene**

- Establishes a training program to cover racial bias, implicit bias, procedural justice, and the duty to intervene
- Mandates training at the federal level
- Conditions federal funding on establishing training at the state and local level

### **Section 362 – Ban on No-Knock Warrants in Drug Cases**

- Bans no-knock warrants in drug cases at the federal level
- Conditions law enforcement funding for state and local law enforcement agencies on prohibiting the use of no-knock warrants in drug cases

### **Section 363 – Ban on Chokeholds and Carotid Holds**

- Bans the use of chokeholds and carotid holds
- Conditions law enforcement funding for state and local law enforcement agencies on establishing a law to prohibit the use of chokeholds and carotid holds

### **Section 364 – Police Exercising Absolute Care with Everyone Act (“PEACE Act”)**

- Changes the use of force standard for federal officers from reasonableness to only when necessary to prevent death or serious bodily injury.
- Requires that deadly force be used only as a last resort, and require officers to employ de-escalation techniques.
- Conditions grants on state and local law enforcement agencies’ establishing the same use of force standard

### **Section 365 – Stop Militarizing Law Enforcement Act**

- Limits the transfer of military-grade equipment to state and local law enforcement

### **Section 366 – Best Practices for Local Law Enforcement Agencies**

- Establishes public safety innovation grants for community-based organizations to create local commissions and task forces to help communities to re-imagine and develop concrete, just, and equitable public safety approaches. These local commissions would operate similarly to President Obama’s Task Force on 21st Century Policing.

### **Subtitle C – Part I – Federal Police Camera and Accountability Act**

- Requires federal uniformed police officers to wear body cameras and marked federal police vehicles to have dashboard cameras. This would also commission a GAO study on federal police officer’s training, vehicle pursuits, and use of force interactions with the public.

### **Subtitle C – Part II – Police Camera Act**

- Requires state and local law enforcement to use existing federal funds to ensure the use of police body cameras.

## **TITLE IV. JUSTICE FOR VICTIMS OF LYNCHING ACT**

- The bill would make it a federal crime to conspire to violate existing hate crimes laws.

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**From:** (b)(6) Wyn Hornbuckle  
**Sent:** Tuesday, June 9, 2020 3:46 PM  
**To:** Crandall, Jennifer (USAPAE) [Contractor]  
**Cc:** Kjergaard, Alison (OPA); Vance, Alexa M. (PAO)  
**Subject:** Re: U.S. Attorney McSwain Announces Charges Against Two Convicted Felons for Illegal Possession of Firearms Amidst Ongoing Protests in Philadelphia

Thanks  
Ali/Alexi can we push this out as a national release Asap? Thanks

Sent from my iPhone

On Jun 9, 2020, at 3:32 PM, Crandall, Jennifer (USAPAE) [Contractor] (b) (6) > wrote:

Per my earlier email today, please see below.

---

**Jennifer Crandall**  
Public Information Officer  
U.S. Attorney's Office - Eastern District of Pennsylvania - Contractor  
Office (b) (6)  
Cell (b) (6)  
[@USAO\\_EDPA](#)

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**From:** Crandall, Jennifer (USAPAE) [Contractor] (b) (6) >  
**Sent:** Tuesday, June 9, 2020 3:31 PM  
**To:** Crandall, Jennifer (USAPAE) [Contractor] (b) (6) >  
**Subject:** U.S. Attorney McSwain Announces Charges Against Two Convicted Felons for Illegal Possession of Firearms Amidst Ongoing Protests in Philadelphia

Department of Justice  
U.S. Attorney's Office  
Eastern District of Pennsylvania

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FOR IMMEDIATE RELEASE  
Tuesday, June 9, 2020

## **U.S. Attorney McSwain Announces Charges Against Two Convicted Felons for Illegal Possession of Firearms Amidst Ongoing Protests in Philadelphia**

## **Philadelphia Police Arrested Both Men While Investigating a Tip About Theft of an ATM During the Mandatory Citywide Curfew**

PHILADELPHIA – United States Attorney William M. McSwain announced that Steven Pennycooke, 34, and Shawn Collins, 27, both of Philadelphia, PA, were each charged by criminal complaint with possession of a firearm by a convicted felon. The criminal complaints and arrest warrants against both men were unsealed this morning prior to their initial appearances in federal court.

Following peaceful protests on the afternoon of May 30th in response to the killing of George Floyd in Minneapolis, MN, civil unrest began to unfold in Philadelphia, resulting in widespread rioting, looting, burglary, arson, destruction of property, and other violent acts.

On the night of June 2nd, while a mandatory curfew was in effect, the Philadelphia Police Department received a call regarding two individuals loading an ATM onto a cart on the 4100 block of Viola Street in the Parkside section of West Philadelphia. Officers responded to the scene and observed what appeared to be a safe in the middle of the street. The officers also observed two individuals fitting the description from the original call—Pennycooke and Collins—standing near a vehicle about halfway down the block from the safe.

According to the complaint, Pennycooke removed an object, later confirmed to be a loaded 9mm Hi-Point C9 handgun, from his waistband and discarded it in the rear passenger seat of the vehicle parked nearby. Collins was also found to have a firearm in his waistband, later confirmed to be a loaded 9mm Taurus PT24/7 G2 C handgun. Both Pennycooke and Collins are convicted felons and cannot legally possess firearms. Also according to the complaint, Collins acknowledged to the arresting officer that he did not have a permit to carry a firearm.

“As I made clear last week, my Office is committed to prosecuting anybody who took advantage of the George Floyd protests to try to commit violent acts or otherwise violate federal law. There will be accountability,” said U.S. Attorney McSwain. “In this case, two previously convicted felons are charged with allegedly possessing firearms, which presents a clear danger to the community. We will continue to enforce the rule of law in Philadelphia and throughout the Eastern District of Pennsylvania during this period of unrest – and always.”

“Amid the recent civil unrest in the city sparked by lawless instigators, these two alleged armed felons were found among the looters,” said Michael J. Driscoll, Special Agent in Charge of the FBI’s Philadelphia Division. “Such criminal acts detract attention from the message of those who choose to peacefully protest. Today’s charges demonstrate that the FBI will work swiftly with our law enforcement partners to take individuals who pose a threat to our community off the streets.”

If convicted, the defendants each face a maximum possible sentence of ten years’ imprisonment, followed by three years of supervised release, and a fine of up to \$250,000.

The case is being investigated by the Federal Bureau of Investigation and the Philadelphia Police Department, and is being prosecuted by Assistant United States Attorney Derek E. Hines.

An indictment, information, or criminal complaint is an accusation. A defendant is presumed innocent unless and until proven guilty.

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**Jennifer Crandall**

Public Information Officer

U.S. Attorney's Office - Eastern District of Pennsylvania - Contractor

Office (b) (6)

Cell (b) (6)

[@USAO\\_EDPA](#)

## Hornbuckle, Wyn (OPA)

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**From:** Hornbuckle, Wyn (OPA)  
**Sent:** Tuesday, June 9, 2020 10:26 AM  
**To:** Kupec, Kerri (OPA)  
**Cc:** Lloyd, Matt (PAO)  
**Subject:** FW: Fwd: CBS Q: Lafayette Park incident

I told BOP to hold on any responses here. Let me know if you'd like me to have them answer any of these questions or provide any other guidance.

---

**From** (b)(6), (b)(7)(C) per BOP  
**Sent:** Tuesday, June 09, 2020 9:47 AM  
**To:** Navas, Nicole (OPA) (b) (6) >; Hornbuckle, Wyn (OPA) (b) (6) >  
**Subject:** Re: Fwd: CBS Q: Lafayette Park incident

(b)(6), (b)(7)(C) per BOP  
Chief, Office of Public Affairs  
Federal Bureau of Prisons  
U.S. Department of Justice

(b)(6), (b)(7)(C) per BOP

>>> BOP-IPP/Public Affairs 6/9/2020 8:42 AM >>>

**From:** "Cook, Sara" (b) (6) >  
**To:** (b)(6), (b)(7)(C) per BOP >  
**Date:** 6/8/2020 7:12 PM  
**Subject:** CBS Q: Lafayette Park incident

H (b)(6), (b)(7)(C) per BOP

The Washington Post has released a detailed timeline of the clearing of Lafayette Park on June 1 using video and police radio communications. The video shows BOP SORT officers with canister launchers, a law enforcement officer with what appears to be an OC shell clipped to his vest, and officers throwing gas canisters and sting-ball grenades into the crowd. (A WUSA9 reporter had found the remnants of a sting-ball grenade as well as used OC and CS canisters.) One video shows yellow smoke pouring out of 2 canisters on H and 17.

Did BOP officers use OC or CS gas canisters or sting-ball grenades as part of their enforcement activities in clearing the Lafayette Park area on June 1? If not, what enforcement tools did they use? Which agencies utilized tools beyond white smoke and pepper balls, and what did they use?

Washington Post timeline: [https://www.washingtonpost.com/investigations/2020/06/08/timeline-trump-church-photo-op/?arc404=true&no\\_nav=true&p9w22b2p=b2p22p9w00098](https://www.washingtonpost.com/investigations/2020/06/08/timeline-trump-church-photo-op/?arc404=true&no_nav=true&p9w22b2p=b2p22p9w00098)

WUSA9 Tweet: <https://www.wusa9.com/article/news/local/dc/tear-gas-washington-dc-protests-st->

[johns-church/65-7e9a67c7-e40b-47a2-8060-3f7d908139dd](https://www.johns-church.com/65-7e9a67c7-e40b-47a2-8060-3f7d908139dd)

Thank you,  
Sara

Sara Cook  
White House Producer  
CBS News

(b) (6)

(b) (6)

**Kupec, Kerri (OPA)**

---

**From:** Kupec, Kerri (OPA)  
**Sent:** Tuesday, June 9, 2020 4:21 PM  
**To:** Mastropasqua, Kristina (OPA)  
**Subject:** Re: Washington Post inquiry

The bottom is wrong. There was a June 7 memo with updated info. Below does not reflect that. I already called him and will put in an email.

On Jun 9, 2020, at 4:17 PM, Mastropasqua, Kristina (OPA) (b) (6) > wrote:

Here's what I found if you call him, this is the most updated one I have... Waiting on Camelia to get back to me to confirm.

**USAO Fed Arrest Data May 30** June 9 - PER THE EMAIL CAMELIA FORWARDED FROM NORM TODAY  
TOTALS: 84 arrests; 98 charged

**DC Fed charges** May 30 - June 4

3

**DC Superior court data** May 30 - June 9 - got this from USAO DDC TODAY

Total arrested 109

Total charged 83

Total no papered 22

Total pending decision 4

**LE injuries** As of June 5 - RE THE WEEKEND CURE REPORT

Including DC: 657 (FBI Field Office Report as of 0300 5 June)

Excluding DC: 510 (FBI Field Office Report as of 0300 5 June)

Kristina Mastropasqua  
Office of Public Affairs  
Department of Justice

(b) (6)

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**From:** Kupec, Kerri (OPA) (b) (6) >  
**Sent:** Tuesday, June 9, 2020 4:15 PM  
**To:** Miroff, Nick (b) (6) >  
**Cc:** Mastropasqua, Kristina (OPA) (b) (6) >  
**Subject:** Re: Washington Post inquiry

This is not the updated info. Ugh. Calling you now.

On Jun 9, 2020, at 4:01 PM, Miroff, Nick (b) (6) > wrote:

Yesterday Kerri said it was more than 700 officers injured May 26-June 6.

Barr told CBS it was "more than 150" injured in DC.

This says 367 nationwide as of June 3 and 114 in DC.

I'm confused.

---

**From:** Mastropasqua, Kristina (OPA) (b) (6) >  
**Sent:** Tuesday, June 09, 2020 3:57 PM  
**To:** Miroff, Nick (b) (6) >  
**Subject:** RE: Washington Post inquiry

Hi Nick,

Sorry for the delay. I'm still waiting on updated DC Fed charges/arrests, but here's what I have so far.

**Total USAO Fed Data May 30 – June 9**

84 arrests; 98 charged

**DC Fed charges** May 30 - June 4

3

**DC Superior court data** May 30 - June 9

Total arrested 109

Total charged 83

Total no papered 22

Total pending decision 4

**DC LE injuries** As of June 4

114 - (7 NG, 86 Fed, 21 MPD)

**Nationwide LE Injuries**

Total Number (includes those killed in the line of duty)

o Including DC: 367 as of June 3

Kristina Mastropasqua  
Office of Public Affairs  
Department of Justice  
(b) (6)

---

**From:** Miroff, Nick (b) (6) >  
**Sent:** Tuesday, June 9, 2020 10:58 AM  
**To:** Mastropasqua, Kristina (OPA) (b) (6) >

**Subject:** Re: Washington Post inquiry

Hi Kristina, 3 pm doable? Thanks

Sent from my iPhone

On Jun 9, 2020, at 10:53 AM, Mastropasqua, Kristina (OPA)

(b) (6) > wrote:

?

Hi Nick,

I'm waiting on a few data points, what's your deadline?

Kristina Mastropasqua

Office of Public Affairs

Department of Justice

(b) (6)

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**From:** Kupec, Kerri (OPA) (b) (6) >

**Sent:** Tuesday, June 9, 2020 10:17 AM

**To:** Miroff, Nick (b) (6) >

**Cc:** Mastropasqua, Kristina (OPA) (b) (6) >

**Subject:** Re: Washington Post inquiry

Kristina will help you

On Jun 9, 2020, at 9:55 AM, Miroff, Nick (b) (6)

wrote:

Hi Kerri, did you find that report with latest breakdown? Thanks

Sent from my iPhone

On Jun 8, 2020, at 3:42 PM, Kupec, Kerri (OPA)

(b) (6) > wrote:

?

**CAUTION: EXTERNAL SENDER**

Hi, Nick yes, approximately over 700 law enforcement officers (federal, state, local) nationwide were injured (May 26-through June 6)

---

**From:** Miroff, Nic (b) (6)

**Sent:** Monday, June 8, 2020 3:10 PM

**To:** Kupec, Kerri (OPA (b) (6) [REDACTED]) >

**Subject:** Washington Post inquiry

Hi Kerri,

I'm Nick Miroff, I cover DHS for The Post.

I'm looking for latest statistics on the number of police officers assaulted and injured during the protests.

During his CBS interview, AG Barr cited 150 in DC, and said many were hospitalized with concussions.

Does DOJ have statistics on the number of assaults and injuries nationwide?

Thank you

Nick

**Lloyd, Matt (PAO)**

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**From:** Lloyd, Matt (PAO)  
**Sent:** Tuesday, June 9, 2020 5:50 PM  
**To:** Hornbuckle, Wyn (OPA)  
**Subject:** RE: For Your Approval: Media inquiry - AP (Balsamo) - BOP officers in DC and Miami

GTG

---

**From:** Hornbuckle, Wyn (OPA) (b) (6) >  
**Sent:** Tuesday, June 9, 2020 4:36 PM  
**To:** Lloyd, Matt (PAO) (b) (6) >  
**Subject:** FW: For Your Approval: Media inquiry - AP (Balsamo) - BOP officers in DC and Miami

BOP response to Balsamo on whether and when BOP personnel sent to DC to assist LE were tested for covid. Look ok to you? It show (b) (5)

---

**From:** Susan Alliso (b)(6), (b)(7)(C) per BOP >  
**Sent:** Tuesday, June 09, 2020 4:26 PM  
**To:** Hornbuckle, Wyn (OPA) (b) (6) >  
**C** (b)(6), (b)(7)(C) per BOP  
**Subject:** For Your Approval: Media inquiry - AP (Balsamo) - BOP officers in DC and Miami

Reporter:  
AP - Mike Balsamo

Question:  
Are there any plans to test any of the BOP employees who were sent to protests in Miami or Washington for COVID-19? And were those employees tested prior to being sent to interface with demonstrators? What was the specific guidance given to those officers related to whether or not they should wear masks or other PPE?

Proposed Response:

(b) (5)

[Redacted]

[Redacted]

[Redacted]

>>> Susan Allison 6/9/2020 3:39 PM >>>  
Have not seen. Should go to DOJ. Did Balsamo copy DOJ? Employees have the ability to test right now - in fact (b)(6), (b)(7)(C) per BOP  
[Redacted] Do you guys need me to do something with this?

>>> Justin B. Long 6/9/2020 3:28 PM >>>  
If you've not already seen...

>>> "Balsamo, Mike" (b) (6) > 6/9/2020 3:22 PM >>>

Hi there

Are there any plans to test any of the BOP employees who were sent to protests in Miami or Washington for COVID-19? And were those employees tested prior to being sent to interface with demonstrators? What was the specific guidance given to those officers related to whether or not they should wear masks or other PPE?

Thanks.

**AP**

**Mike Balsamo**

Justice Dept. Reporter

The Associated Press

1100 13<sup>th</sup> St NW, Fifth Floor

Washington, DC 20005

Des (b) (6)

Cel (b) (6)

(b) (6)

Twitter @MikeBalsamo1

The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1500 and delete this email. Thank you.

(b)(6) Wyn Hornbuckle

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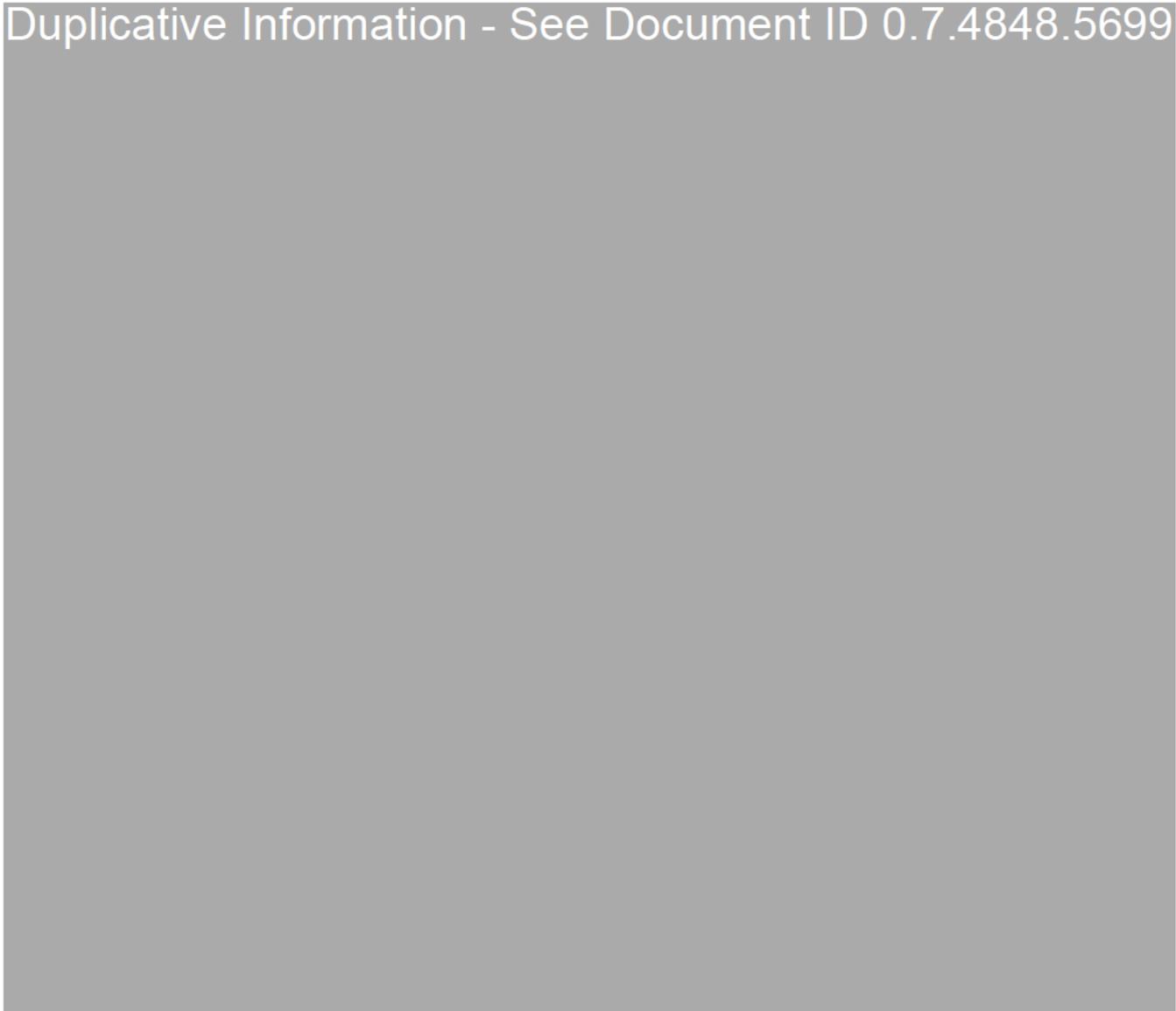
**From:** (b)(6) Wyn Hornbuckle  
**Sent:** Tuesday, June 9, 2020 6:02 PM  
**To:** Susan Allison  
**Cc:** (b)(6), (b)(7)(C) per BOP  
**Subject:** Re: For Your Approval: Media inquiry - AP (Balsamo) - BOP officers in DC and Miami

This response is fine  
Thanks

Sent from my iPhone

On Jun 9, 2020, at 4:26 PM, Susan Alliso (b)(6), (b)(7)(C) per BOP> wrote:

Duplicative Information - See Document ID 0.7.4848.5699



**Hornbuckle, Wyn (OPA)**

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**From:** Hornbuckle, Wyn (OPA)  
**Sent:** Tuesday, June 9, 2020 6:03 PM  
**To:** Lloyd, Matt (PAO)  
**Cc:** Navas, Nicole (OPA); Kupec, Kerri (OPA)  
**Subject:** Re: 2 inquiries: WUSA9 questions about Lafayette Park video showing BOP

Agree. I let BOP know same earlier

Sent from my iPhone

On Jun 9, 2020, at 5:47 PM, Lloyd, Matt (PAO) (b) (6) > wrote:

?

Minus bop

Would advise holding on all these

---

**From:** Navas, Nicole (OP (b) (6))  
**Sent:** Tuesday, June 9, 2020 4:42 PM  
**T** (b)(6), (b)(7)(C) per BOP (b) (6) Hornbuckle, Wyn (OP (b) (6))  
**Cc:** Kupec, Kerri (OPA) (b) (6); Lloyd, Matt (PA (b) (6)) >  
**Subject:** RE: 2 inquiries: WUSA9 questions about Lafayette Park video showing BOP

+Kerri and Matt to advise if we ar (b) (5)  
(b) (6) thanks

---

**Fro** (b)(6), (b)(7)(C) per BOP (b) (6)  
**Sent:** Tuesday, June 09, 2020 3:14 PM  
**To:** Navas, Nicole (OPA (b) (6)); Hornbuckle, Wyn (OPA) (b) (6)  
**Subject:** 2 inquiries: WUSA9 questions about Lafayette Park video showing BOP

Wyn and Nicole,

See inquiry and draft response immediately below.

Also, see other inquiry below from WUSA, we have not responded as it is similar to the CBS inquiry I sent earlier.

>> "Block, Eliana (b) (6) > 6/9/2020 1:03 PM >>>

Hi there,

Hope this finds you well.

My name is Eliana Block with WUSA9, the CBS-affiliate in Washington, D.C.

I'm working on a fact check story about whether 150 law enforcement officers were injured between Friday, May 29 and Saturday, June 6/early morning Sunday, June 7) amid protests in D.C.

Do you know how many Bureau of Prisons personnel, activated to help contain the protests in DC, were injured in that time frame?

**RESPONSE:**

(b) (5)

(b)(6), (b)(7)(C) per BOP

Chief, Office of Public Affairs  
Federal Bureau of Prisons  
U.S. Department of Justice

(b)(6), (b)(7)(C) per BOP

>>> "Baca, Nathan (b) (6) [6/9/2020](#) >>

Regarding the operation to take over H Street in Washington June 1<sup>st</sup>:

At 6:21 in this included video link, the Washington Post shows video of BOP officers appearing to have gas canister launchers. A few seconds later, a similar officer is seen as possessing an OC canister. As USPP has stated that none of its partner agencies deployed any gas canisters in its Monday operation, please explain.

[https://www.washingtonpost.com/investigations/2020/06/08/timeline-trump-church-photo-op/?arc404\\_true&no\\_nav\\_true&p9w22b2p\\_b2p22p9w00098](https://www.washingtonpost.com/investigations/2020/06/08/timeline-trump-church-photo-op/?arc404_true&no_nav_true&p9w22b2p_b2p22p9w00098)

I am airing a story today and want BOP's remarks and if possible, a phone interview on the subject.

**DRAFT RESPONSE:**

(b)(5), (b)(6), (b)(7)(C) per BOP

**Nathan Baca** | Investigative Reporter

Working remotely from Germantown, MD

(b) (6)

[wusa9.com](http://wusa9.com) |

<image001.png>

[WUSA9](#) |

<image002.png>

@nathanbacatv

<image003.png>

**Kupec, Kerri (OPA)**

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**From:** Kupec, Kerri (OPA)  
**Sent:** Tuesday, June 9, 2020 6:19 PM  
**To:** Miroff, Nick  
**Cc:** Mastropasqua, Kristina (OPA)  
**Subject:** Re: Washington Post inquiry

Yes. Decline to comment beyond that.

On Jun 9, 2020, at 4:32 PM, Miroff, Nick (b) (6) > wrote:

How was that incident related to protests? I have seen the SF Chronicle reporting that FBI is looking at the Santa Cruz suspect as potential link to Oak killing. Is that what you're referring to?

---

**From:** Kupec, Kerri (OPA) (b) (6) >  
**Sent:** Tuesday, June 09, 2020 4:23 PM  
**To:** Miroff, Nick (b) (6) >  
**Cc:** Mastropasqua, Kristina (OPA) (b) (6) >  
**Subject:** Re: Washington Post inquiry

The second death was the local police officer in Santa Cruz.

On Jun 9, 2020, at 4:15 PM, Kupec, Kerri (OPA) (b) (6) wrote:

Duplicative Information - See Document ID 0.7.4848.7039

**Hornbuckle, Wyn (OPA)**

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**From:** Hornbuckle, Wyn (OPA)  
**Sent:** Tuesday, June 9, 2020 6:35 PM  
**To:** Kjergaard, Alison (OPA); Vance, Alexa M. (PAO)  
**Cc:** Lloyd, Matt (PAO)  
**Subject:** Fwd: PR Karas Charged - Brehm June 9 FINAL to Mazza.docx  
**Attachments:** PR Karas Charged - Brehm June 9 FINAL to Mazza.docx; ATT00001.htm

Can we push this nationally ?

Sent from my iPhone

Begin forwarded message:

**From:** "Thornton, Kelly (USACAS)" (b) (6) >  
**Date:** June 9, 2020 at 6:08:50 PM EDT  
**To:** "Hornbuckle, Wyn (OPA)" (b) (6) >, "Lloyd, Matt (PAO)" (b) (6) >  
**Subject:** PR Karas Charged - Brehm June 9 FINAL to Mazza.docx

?

Please use this version. Corrects the quote to exclude the defendant's name.

# ***NEWS RELEASE***

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***OFFICE OF THE UNITED STATES ATTORNEY  
SOUTHERN DISTRICT OF CALIFORNIA  
San Diego, California***

***United States Attorney  
Robert S. Brewer Jr.***

**For Further Information, Contact:**

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**Assistant U. S. Attorney Andrew Haden (619) 546-6961**

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*For Immediate Release*

## **Man Charged with Possessing Molotov Cocktails at La Mesa Protest**

### **NEWS RELEASE SUMMARY – June 9, 2020**

SAN DIEGO Zachary Alexander Karas of San Diego was charged with possessing incendiary devices known as Molotov cocktails at a protest that began on May 30th in La Mesa.

According to a complaint, Karas and his girlfriend, Kali Braj Jonkuet, were sitting on the pavement at the corner of Allison Avenue and Spring Street, in front of trolley tracks, blocking traffic as part of the protest in La Mesa.

At the time of the protest in La Mesa, several fires had been set and those fires damaged buildings and property. Officers gave orders to the crowd, including Karas, to disperse for an unlawful assembly. Karas

was arrested after he failed to leave his position. After his arrest, officers discovered that Karas possessed two glass bottles with wicks that contained gasoline, and fireworks.

A special agent with the ATF inspected the Molotov cocktails and found them to be functioning incendiary devices.

“The Constitution strongly protects the First Amendment right of all to speak out and peacefully protest,” said U.S. Attorney Robert Brewer. “My office is committed to protecting that First Amendment right. The violence by a relatively small number of opportunists who have sought to wreak havoc, destroy property, and threaten the safety of peaceful protestors will not be tolerated.”

ATF

FBI

This Karas case is the result of the ongoing efforts of the Violent Crime and Human Trafficking (VCHT) Section. Formed in 2019, by U.S. Attorney Robert S. Brewer, Jr., the VCHT is tasked with leading collaborations between federal and local law enforcement in the investigation and prosecution of cases involving violent crimes, firearms and gang cases; sex trafficking and child exploitation; civil rights, labor trafficking and alien smuggling. The VCHT Section oversees the Southern District of California Coordinators for Project Safe Neighborhoods, Human Trafficking, and Project Safe Childhood.

**DEFENDANT**

**Case Number 20mj2186**

Zachary Alexander Karas

Age: 28

San Diego, CA

**SUMMARY OF CHARGES**

Possession of an Unregistered Destructive Device Title 26, U.S.C., Section 5861  
Maximum penalty: 10 years’ imprisonment and \$250,000 fine

**AGENCIES**

Bureau of Alcohol, Tobacco, Firearms and Explosives  
Federal Bureau of Investigation  
La Mesa Police Department

\*The charges and allegations contained in an indictment or complaint are merely accusations, and the defendants are considered innocent unless and until proven guilty.

**Kupec, Kerri (OPA)**

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**From:** Kupec, Kerri (OPA)  
**Sent:** Tuesday, June 9, 2020 6:40 PM  
**To:** Jake Gibson FOX  
**Subject:** Letter Mayor Bowser and Attorney General Racine - 06.09.20.pdf  
**Attachments:** Letter Mayor Bowser and Attorney General Racine - 06.09.20.pdf; ATT00001.txt



Office of the Attorney General  
Washington, D.C. 20530

June 9, 2020

Muriel Bowser  
Mayor  
The District of Columbia  
1350 Pennsylvania Avenue, NW  
Washington, DC 20004

Karl A. Racine  
Attorney General for the District of Columbia  
441 4th Street, NW  
Washington, DC 20001

Dear Mayor Bowser and Attorney General Racine:

I respond here to your June 4, 2020 letters to President Trump and to me and other senior officials in his Administration. We appreciate your responsibilities to the citizens of the District of Columbia, and we have the greatest respect for the Metropolitan Police Department (“MPD”), with whom we have long worked cooperatively, and continue to work cooperatively, in performing our respective law enforcement responsibilities at the seat of the government of the United States. The District has a long history of hosting peaceful demonstrations, and had the recent demonstrations remained peaceful and within the control of local law enforcement, the President would never have had any need to augment existing resources for the purpose of restoring law and order.

Unfortunately, that was not the case last week. Starting on Friday, May 29, the District experienced days of violent rioting and looting that caused widespread damage, injured dozens of federal and MPD law enforcement officers, breached the Treasury Department annex, and threatened federal operations around the White House complex. This violence culminated Sunday—reportedly the most violent day of civil unrest in the District in 30 years—when rioters unearthed pavers from Lafayette Park to throw as projectiles against federal law enforcement agents, burned down a structure on federal property in Lafayette Park, and caused a fire in the basement of historic St. John’s Church. As the rioters dispersed from the park, the violence continued, with rioters breaking into stores and looting small businesses throughout the city. The television footage of these events—viewed by people across the Nation and around the world—conveyed the impression that the United States was on the brink of losing control of its capital city.

Faced with the prospect of things continuing to get out of hand, the President requested that we immediately expand the resources available to operate in the District—including by

working with the District of Columbia National Guard (“DCNG”) and with State officials to make their National Guard personnel available. This was a temporary response to an escalating security crisis. Our objectives were to ensure that the rioting would end, that federal government functions would continue, and that law and order in the Nation’s capital would be restored. Surely you understand that the President could not stand idly by when unrest at the seat of the federal government threatened the safety of federal law enforcement officers and the operations of the United States government. By the same token, now that federal and local law enforcement personnel—assisted by the citizen soldiers of the National Guard—have successfully stemmed further rioting, the President has made clear that our response should be adjusted accordingly. We are pleased that, thanks to our collective efforts, we have restored law and order for the people of this city, including those law-abiding citizens who have been participating in peaceful demonstrations. As your repeated requests (including as recently as yesterday) for additional support indicate, the mission of securing the District requires continued cooperation among the MPD, the federal government, and the National Guard. We will continue to meet that task together, as the people of this city expect and deserve.

I can assure you that all of the federal and National Guard personnel operating within the District have been doing so consistent with authorities provided under federal law and the law of the District of Columbia. We have deployed personnel from the major law enforcement components of the Department of Justice, including the Federal Bureau of Investigation; the Bureau of Alcohol, Tobacco, Firearms, and Explosives; the Drug Enforcement Administration (“DEA”); the Bureau of Prisons (“BOP”); and the U.S. Marshals Service (“USMS”). Each of those agencies acts within the scope of its federal authorities, and where useful and appropriate, we have assigned additional duties to the agencies to assist in the enforcement of federal law. For instance, we have assigned additional law enforcement responsibility to DEA under 21 U.S.C. § 878(a)(5), and USMS has deputized officers from the Department of Homeland Security and from BOP, including its Special Operations Response Teams, to assist in the enforcement of federal law. *See* 28 U.S.C. §§ 561, 566.

The federal response has also benefited from the assistance of DCNG and National Guard units from other States. The DCNG has been operating pursuant to the request of a number of responsible officials, including a request from the U.S. Park Police and a joint request of the United States Marshal for the Superior Court of the District of Columbia and the Chief Deputy United States Marshal, District of Columbia, as authorized by D.C. Code § 49-103. At the direction of the President, the Secretary of Defense also requested assistance from out-of-state National Guard personnel, pursuant to 32 U.S.C. § 502(f), which authorizes States to send forces to assist the “[s]upport of operations or missions undertaken by the member’s unit at the request of the President or Secretary of Defense.” I understand that the MPD deputized members of the DCNG and National Guard members from other States to act as special police in the District under D.C. Code § 5-129.03, and therefore, the District should have information concerning those National Guard personnel who have been operating in the city. Where necessary, the USMS also employed its authority to deputize National Guard personnel to act as deputy marshals in enforcing federal law.

Consistent with the President’s direction, the Secretary of Defense assigned to out-of-state National Guard personnel the mission of protecting federal functions, persons, and property within the District of Columbia. That mission includes the protection of federal properties from

destruction or defacement (including through crowd control, temporary detention, cursory search, measures to ensure the safety of persons on the property, and establishment of security perimeters, consistent with the peaceful exercise of First Amendment rights); protection of federal officials, employees, and law enforcement personnel from harm or threat of bodily injury; and protection of federal functions, such as federal employees' access to their workplaces, the free and safe movement of federal personnel throughout the city, and the continued operation of the U.S. mails. Each of those units operated under the control of their respective State commanders, who have operated through a coordinated and centralized command center.

Let me assure you that the President shares your interest in returning to a situation where such additional forces are unnecessary to maintain law and order in the District. Indeed, on Sunday, the President directed the National Guard personnel from other States to begin their withdrawal. We support the right of demonstrators to exercise their First Amendment rights peacefully, and we are pleased that, since the deployment of these additional personnel, there has been not been any widespread rioting or looting in the District. We will continue to work closely with the MPD in coordinating our activities in the District, and we look forward to the full return of normal operations within the District.

Sincerely,

A handwritten signature in black ink, appearing to read 'W.P. Barr', written in a cursive style.

William P. Barr  
Attorney General

**Kupec, Kerri (OPA)**

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**From:** Kupec, Kerri (OPA)  
**Sent:** Tuesday, June 9, 2020 6:57 PM  
**To:** (b)(6) Kerri Kupec  
**Cc:** Lloyd, Matt (PAO); Hornbuckle, Wyn (OPA); Mastropasqua, Kristina (OPA); Timmons, Mollie R. (PAO); Navas, Nicole (OPA)  
**Bcc:** Betsy Woodruff; Wilber, Del; Johnson, Kevin; Jeff Mordock; Tessa Berenson; Josh Gerstein; Tucker, Eric; Balsamo, Mike; Ryan Reilly; Lynch, Sarah N. (Reuters); Sullivan, Andy R. (Reuters); Chris Strohm; Barrett, Devlin; Zapotosky, Matt; Viswanatha, Aruna (b)(6) Sadie Gurman; Williams, Pete (NBCUniversal); 'Mallin, Alexander W.'; Shortell, David; 'Gibson, Jake (b)(6) Clare Hymes'; Catherine Herridge; Benner, Katie; Kosnar, Michael; Ryan Lucas; Zoe Tillman; Perez, Evan (Turner)  
**Subject:** Attorney General Barr letter to Mayor Muriel Bowser  
**Attachments:** Letter Mayor Bowser and Attorney General Racine - 06.09.20.pdf

See attached.

**Kerri Kupec**  
Director of Communications & Public Affairs  
U.S. Department of Justice

(b) (6)

(b) (6)

## Hornbuckle, Wyn (OPA)

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**From:** Hornbuckle, Wyn (OPA)  
**Sent:** Tuesday, June 9, 2020 7:25 PM  
**To:** Lloyd, Matt (PAO)  
**Subject:** Civil Unrest OpEd (DRAFT) (002)  
**Attachments:** Civil Unrest OpEd (DRAFT) (002).docx

My edits. Let me know what you think

**Kupec, Kerri (OPA)**

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**From:** Kupec, Kerri (OPA)  
**Sent:** Tuesday, June 9, 2020 7:31 PM  
**To:** Pete Williams  
**Subject:** Fwd: Attorney General Barr letter to Mayor Muriel Bowser  
**Attachments:** Letter Mayor Bowser and Attorney General Racine - 06.09.20.pdf; ATT00001.htm

Begin forwarded message:

**From:** "Kupec, Kerri (OPA)" (b) (6) >  
**Date:** June 9, 2020 at 6:56:47 PM EDT  
**To:** (b)(6) Kerri Kupec " (b)(6) Kerri Kupec >  
**Cc:** "Lloyd, Matt (PAO)" (b) (6) >, "Hornbuckle, Wyn (OPA)"  
(b) (6) >, "Mastropasqua, Kristina (OPA)"  
(b) (6) >, "Timmons, Mollie R. (PAO)" (b) (6) >,  
"Navas, Nicole (OPA)" (b) (6) <>  
**Subject:** Attorney General Barr letter to Mayor Muriel Bowser

See attached.

**Kerri Kupec**  
Director of Communications & Public Affairs  
U.S. Department of Justice  
(b) (6)  
(b) (6)

**Lloyd, Matt (PAO)**

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**From:** Lloyd, Matt (PAO)  
**Sent:** Tuesday, June 9, 2020 8:23 PM  
**To:** Raimondi, Marc (OPA)  
**Cc:** Kjergaard, Alison (OPA)  
**Subject:** RE: KKK / domestic terrorism inquiry

Prolly missed boat on this but I like your response

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**From:** Raimondi, Marc (OPA) (b) (6) >  
**Sent:** Monday, June 8, 2020 11:20 PM  
**To:** Lloyd, Matt (PAO) (b) (6) >  
**Cc:** Kjergaard, Alison (OPA) (b) (6) >  
**Subject:** RE: KKK / domestic terrorism inquiry

I am not lawyer but I believe revving an engine and slowly, but deliberately, driving through a protest crowd blocking your travel lane, where no one was apparently hurt, is not an advisable move for any motorist. I am trying to think about this from a victim's stand point, but apparently there were no victims. The threshold for the DT case is that there are no DT charges so believe we must fall back on the definition set out by the 2001 Patriot act definition, which I sent you earlier.

Reminder: under the 2001 USA Patriot Act, domestic terrorism is defined as "activities that involve acts dangerous to human life that are a violation of the criminal laws of the U.S. or of any state; appear to be intended to intimidate or coerce a civilian population; to influence the policy of a government by intimidation or coercion; or to affect the conduct of a government by mass destruction, assassination, or kidnapping; and occur primarily within the territorial jurisdiction of the U.S."

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**From:** Lloyd, Matt (PAO) (b) (6) >  
**Sent:** Monday, June 08, 2020 11:13 PM  
**To:** Raimondi, Marc (OPA) (b) (6) >  
**Cc:** Kjergaard, Alison (OPA) (b) (6) >  
**Subject:** Re: KKK / domestic terrorism inquiry

What is threshold for DT case?  
You aren't out of the woods yet bc that's what she was asking.

On Jun 8, 2020, at 11:04 PM, Raimondi, Marc (OPA) (b) (6) > wrote:

?

Matt, Sound guidance to help guide CRT(D)'s response to the reporter from a NSD domestic terror expert.

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**Fro** (b)(6) per NSD (NSD) (b) (6) >

Sent: Monday, June 08, 2020 11:01 PM  
To: Raimondi, Marc (OP (b) (6) >  
C (b)(6) per NSD (NS (b) (6)  
Subject: Re: KKK / domestic terrorism inquiry

Marc,

CRT might be looking at this, but I'm not sure.

Obviously I defer to you on whether any kind of comment would be appropriate under these circumstances, you might consider als (b) (5)

That might demonstrate th (b) (5)

(b)(6) per NSD

<https://www.justice.gov/usao-nv/pr/joint-terrorism-task-force-charges-three-men-who-allegedly-sought-exploit-protests-las>

Sent from my iPhone

On Jun 8, 2020, at 10:13 PM, Raimondi, Marc (OPA) (b) (6) > wrote:

AAG and OPA Director Bcc'd for awareness.

Team, I am not tracking this issue and have included Matt Lloyd in case CRD is.

We may want to make it clear th (b) (5)

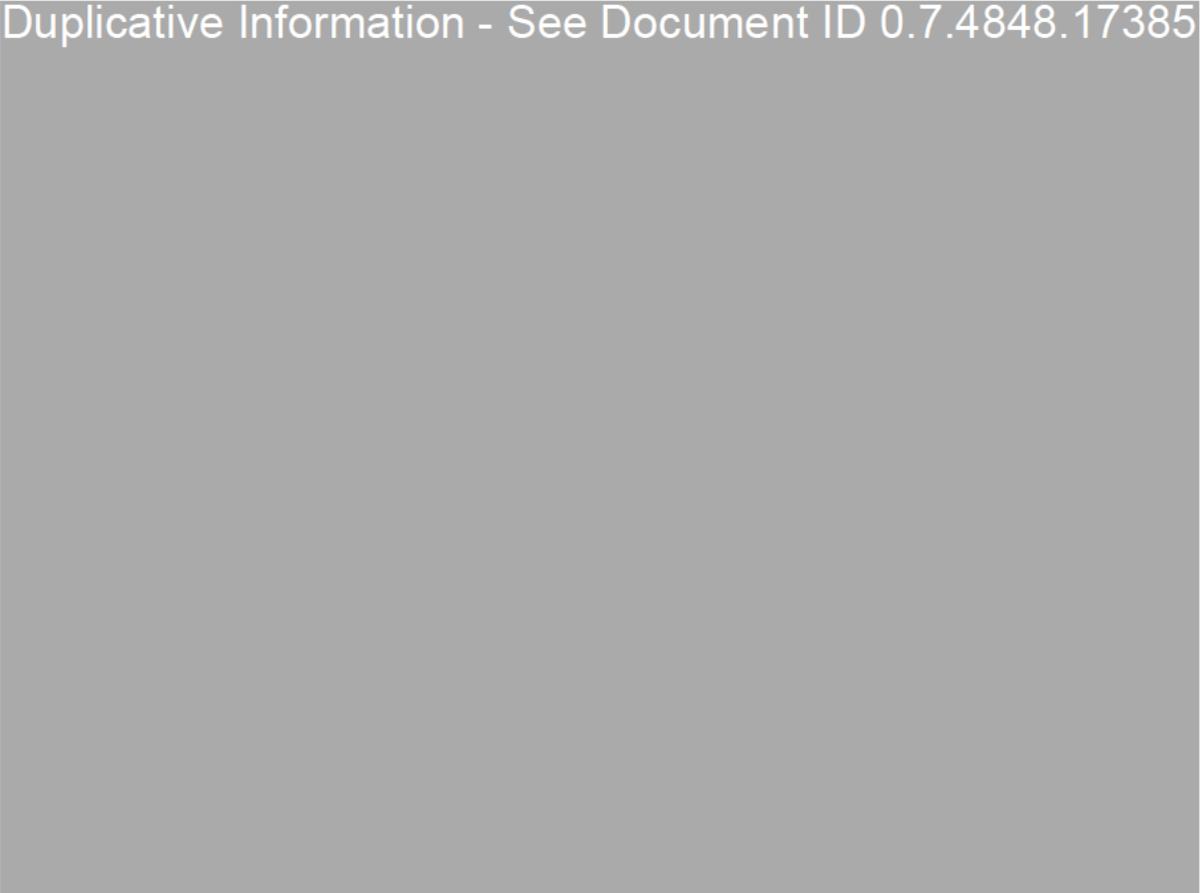
To give a starting place for a response, how about, (b) (5)

Thoughts?

From: Levy, Racha (b) (6)  
Sent: Monday, June 08, 2020 9:11 PM  
To: Raimondi, Marc (OPA (b) (6)  
Subject: KKK / domestic terrorism inquiry

Duplicative Information - See Document ID 0.7.4848.17385

Duplicative Information - See Document ID 0.7.4848.17385



**Lloyd, Matt (PAO)**

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**From:** Lloyd, Matt (PAO)  
**Sent:** Tuesday, June 9, 2020 8:36 PM  
**To:** Hornbuckle, Wyn (OPA)  
**Subject:** FW: George Floyd Statement #5draft .docx  
**Attachments:** George Floyd Statement #5draft .docx

This one seems pretty clean. LMK what you think when you get a chance.

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**From:** Jones, Shane (USALAE) (b) (6) >  
**Sent:** Tuesday, June 9, 2020 5:41 PM  
**To:** Lloyd, Matt (PAO) (b) (6) >  
**Cc:** Hornbuckle, Wyn (OPA) (b) (6) >; Kjergaard, Alison (OPA) (b) (6) >  
**Subject:** FW: George Floyd Statement #5draft .docx

Matt,

I just wanted to let you know that USA Strasser is interested in submitting this as an Op-ed as well.

Thank you



SHANE M. JONES  
COMMUNITY OUTREACH COORDINATOR/PUBLIC INFORMATION OFFICER  
UNITED STATES ATTORNEY'S OFFICE  
EASTERN DISTRICT OF LOUISIANA  
650 POYDRAS STREET, SUITE 1600  
NEW ORLEANS, LA 70130  
(b) (6)  
(O (b) (6) | (F) 504.589.4978

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**From:** Kjergaard, Alison (OPA) (b) (6) >  
**Sent:** Tuesday, June 9, 2020 3:02 PM  
**To:** Jones, Shane (USALAE) (b) (6) >  
**Cc:** Hornbuckle, Wyn (OPA) (b) (6) >; Lloyd, Matt (PAO) (b) (6) >  
**Subject:** RE: George Floyd Statement #5draft .docx

Adding Matt to this as well.

Ali

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**From:** Jones, Shane (USALAE) (b) (6) >  
**Sent:** Tuesday, June 9, 2020 4:00 PM  
**To:** Kjergaard, Alison (OPA) (b) (6) >  
**Cc:** Hornbuckle, Wyn (OPA) (b) (6) >  
**Subject:** George Floyd Statement #5draft .docx

Good Afternoon Alison.

Please find attached a statement on the death of George Floyd and civil unrest from USA Strasser. Please review and let us know if we are on message and this is ok for release. This is following the release of statements from other USA's. Thank you.



SHANE M. JONES  
COMMUNITY OUTREACH COORDINATOR/PUBLIC INFORMATION OFFICER  
UNITED STATES ATTORNEY'S OFFICE  
EASTERN DISTRICT OF LOUISIANA  
650 POYDRAS STREET, SUITE 1600  
NEW ORLEANS, LA 70130

(b) (6)  
(O (b) (6) | (F) 504.589.4978

**Lloyd, Matt (PAO)**

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**From:** Lloyd, Matt (PAO)  
**Sent:** Tuesday, June 9, 2020 8:52 PM  
**To:** Price, Kenji (USAHI)  
**Cc:** Edwards, Ashley (USAHI); Hornbuckle, Wyn (OPA)  
**Subject:** RE: Civil unrest messaging  
**Attachments:** Civil Unrest OpEd Hawaii WH = ML (DRAFT) (002) (002).docx

Kenji, Wyn and I reviewed. Edits attached. Please let me know if you have questions or wish to discuss further.  
Matt

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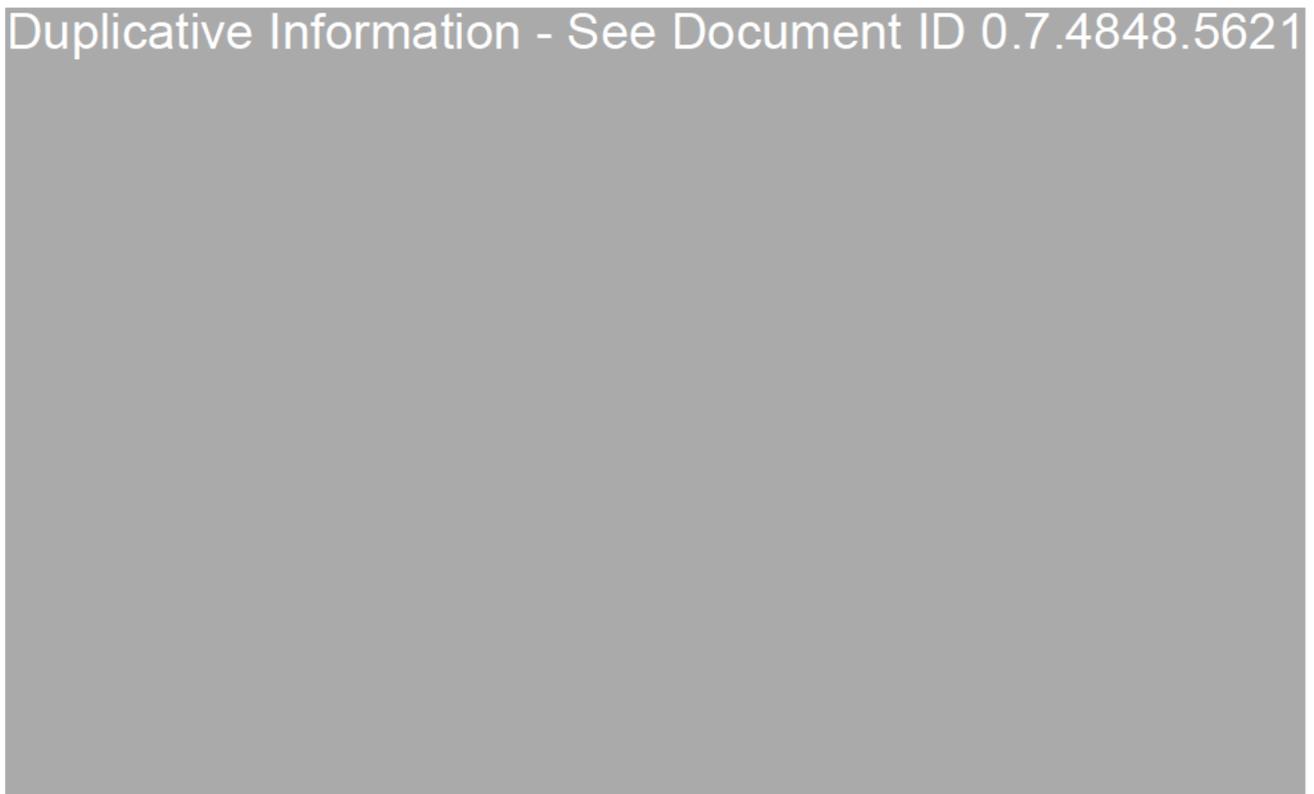
**From:** Price, Kenji (USAHI) (b) (6) >  
**Sent:** Monday, June 8, 2020 9:42 PM  
**To:** Lloyd, Matt (PAO) (b) (6) >  
**Cc:** Edwards, Ashley (USAHI) (b) (6) >; Hornbuckle, Wyn (OPA) (b) (6) >  
**Subject:** Re: Civil unrest messaging

Thanks very much Matt.

Sent from my iPhone

On Jun 8, 2020, at 2:40 PM, Lloyd, Matt (PAO) (b) (6) > wrote:

Duplicative Information - See Document ID 0.7.4848.5621



**Hornbuckle, Wyn (OPA)**

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**From:** Hornbuckle, Wyn (OPA)  
**Sent:** Tuesday, June 9, 2020 9:03 PM  
**To:** Kupec, Kerri (OPA)  
**Cc:** Lloyd, Matt (PAO)  
**Subject:** Re: BuzzFeed (and others) Response

Will do

Sent from my iPhone

On Jun 9, 2020, at 8:42 PM, Kupec, Kerri (OPA) (b) (6) > wrote:

?

Yes, but can you repaste in new email to me Will and Rachel?

On Jun 9, 2020, at 8:40 PM, Hornbuckle, Wyn (OPA) (b) (6) > wrote:

I think this is fine if you agree ?

Sent from my iPhone

Begin forwarded message:

**From** (b)(6), (b)(7)(C), (b)(7)(F) per DEA  
**Date:** June 9, 2020 at 8:25:55 PM EDT  
**To:** "Dearden, Dawn N (DEA) (b)(6), (b)(7)(C) per DEA  
**Cc:** "Hornbuckle, Wyn (OPA)" (b) (6) >, "Kupec, Kerri (OPA)" (b) (6) >, "Navas, Nicole (OPA)" (b) (6) >, (b)(6), (b)(7)(C), (b)(7)(F) per DEA  
**Subject:** Re: BuzzFeed (and others) Response

? Wyn,

Would OPA support DEA issuing/posting as a statement from the Acting Administrator? We've had numerous questions on this over the past wee (b)(5) per DEA

Welcome your thoughts.

Thanks,

(b)(6), (b)(7)(C), (b)(7)(F)

(b)(6), (b)(7)(C), (b)(7)(F) per DEA • Acting Chief • National Media Affairs • Office of  
Congressional and Public Affairs • Drug Enforcement Administration

(b)(6), (b)(7)(C) per DEA (b)(6), (b)(7)(C), (b)(7)(F) per DEA

On Jun 9, 2020, at 8:02 PM, Dearden, Dawn N

(b)(6), (b)(7)(C) per DEA > wrote:

? Ok, thanks much!

Dawn Dearden  
Chief  
Congressional and Public Affairs  
Drug Enforcement Administration

(b)(6), (b)(7)(C) per DEA

(b)(6), (b)(7)(C) per DEA

On Jun 9, 2020, at 7:47 PM, Hornbuckle, Wyn  
(OPA) (JMD) (b)(6) >

wrote:

? Dawn

Kerri and I discussed and your statement is  
good. It is also ok to confirm the DEA team has  
been demobilized/sent back to duty stations.

Sent from my iPhone

On Jun 9, 2020, at 11:14 AM,  
Dearden, Dawn N

(b)(6), (b)(7)(C) per DEA

wrote:

?

Hi Kerri,

(b)(5) per DEA

[REDACTED]

(b)(5) per DEA [Redacted]

[Redacted] Below is a statement that we would like to issue in response to ongoing inquiries. Please let me know your thoughts/concerns.

Thanks,  
Dawn

(b)(5) per DEA [Redacted]

[Redacted]

[Redacted]

(b)(5) per DEA  
[Redacted]

[Redacted]

[Redacted]

Dawn Dearden  
Chief  
Congressional and Public Affairs  
Drug Enforcement Administration

(b)(6), (b)(7)(C) per DEA  
(b)(6), (b)(7)(C) per DEA

**Lloyd, Matt (PAO)**

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**From:** Lloyd, Matt (PAO)  
**Sent:** Tuesday, June 9, 2020 9:04 PM  
**To:** NealyCox, Erin (USATXN)  
**Subject:** CBS script  
**Attachments:** FTN6-7-20FullscriptHill.docx

Highlighted parts that CBS left off broadcast

Matt Lloyd  
Principal Deputy Director, Public Affairs  
U.S. Department of Justice  
(b) (6) (cell)

**Hornbuckle, Wyn (OPA)**

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**From:** Hornbuckle, Wyn (OPA)  
**Sent:** Tuesday, June 9, 2020 9:07 PM  
**To:** Kupec, Kerri (OPA); Bissex, Rachel (OAG); Levi, William (OAG)  
**Subject:** DEA Statement Re Protests

DEA Administrator would like to put out the following statement in response to several media inquiries into its role in the law enforcement response to DC riots/protests. OPA is supportive but seeking your approval:

(b)(5) per DEA  
[Redacted text block]

[Redacted text block]

[Redacted text block]

(b)(5) per DEA  
[Redacted text block]

[Redacted text block]

Sent from my iPhone

**Hornbuckle, Wyn (OPA)**

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**From:** Hornbuckle, Wyn (OPA)  
**Sent:** Tuesday, June 9, 2020 9:09 PM  
**To:** Lloyd, Matt (PAO)  
**Subject:** Re: George Floyd Statement #5draft .docx

I agree. Looks good

Sent from my iPhone

On Jun 9, 2020, at 8:35 PM, Lloyd, Matt (PAO) (b) (6) > wrote:

Duplicative Information - See Document ID 0.7.4848.5727



**Lloyd, Matt (PAO)**

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**From:** Lloyd, Matt (PAO)  
**Sent:** Tuesday, June 9, 2020 9:16 PM  
**To:** Jones, Shane (USALAE)  
**Cc:** Hornbuckle, Wyn (OPA); Kjergaard, Alison (OPA)  
**Subject:** RE: George Floyd Statement #5draft .docx

You have green light from OPA  
Let us know where it runs

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**From:** Jones, Shane (USALA ) (b) (6) >  
**Sent:** Tuesday, June 9, 2020 5:41 PM  
**To:** Lloyd, Matt (PAO) (b) (6) >  
**Cc:** Hornbuckle, Wyn (OPA) (b) (6) >; Kjergaard, Alison (OPA) (b) (6) >  
**Subject:** FW: George Floyd Statement #5draft .docx

Duplicative Information - See Document ID 0.7.4848.5727



Good Afternoon Alison

## Lloyd, Matt (PAO)

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**From:** Lloyd, Matt (PAO)  
**Sent:** Tuesday, June 9, 2020 10:18 PM  
**To:** Raimondi, Marc (OPA)  
**Subject:** Fwd: special report 1

Begin forwarded message:

**From:** "Lloyd, Matt (PAO)" (b) (6) >  
**Date:** June 9, 2020 at 9:15:00 PM EDT  
**To:** "NealyCox, Erin (USATXN)" (b) (6) >  
**Subject:** special report 1

?

### Special Report (FNC) – Attorney General William Barr Interview

[https://mms.tveyes.com/transcript.asp?](https://mms.tveyes.com/transcript.asp?StationID_130&DateTime_6/8/2020%206:06:05%20PM&playclip_true&pbcc_search%3a%2b(the)

[StationID\\_130&DateTime\\_6/8/2020%206:06:05%20PM&playclip\\_true&pbcc\\_search%3a%2b\(the\)](https://mms.tveyes.com/transcript.asp?StationID_130&DateTime_6/8/2020%206:06:05%20PM&playclip_true&pbcc_search%3a%2b(the)

BRET BAIER: joining us now the attorney general of the united states bill barr. thank you for being here.

ATTORNEY GENERAL WILLIAM BARR: thank you, bret.

BAIER: the effort across the country, there is this movement to defund the police departments departments. minneapolis city council with a veto approved vote saying they will essentially dismantle that police department. what do you make of that effort and what it means for the country?

AG BARR: i think it is the exact opposite of the way should go. and i understand the history of rasul to racial justice in the country and why the african-american or at least some of it would view the events as manifest to it -- manifestations of the police departments. but i think in fact the past 50 or 60 years we had a lot of reform from the police department. i was attorney general and i can tell you there is a world of difference, today the police chief understand the need for change and there has been great change and i think defunding the police, holding the entire police structure responsible for the actions of certain officers is wrong. and i think it is dangerous to demonize police.

BAIER: so how do these bad cops come if you want to call them that get through in the systems? do you blame police unions? do you blame the systems themselves for not waiting them out? how do you address what is frustration and anger?

AG BARR: not referring to any particular case but you have to remember it is a nonmonolithic system. there are 900,000 police officers in the united states. and right now, there is a crisis in policing because it is a tough job. what we had before covid, full covid economy. and we've had trouble attracting people and retaining people as police officers. we want the best, most responsible people we can get. we have

to attract them into the profession. we have to train them. and we have to continue to professionalize the police forces. we have generally speaking excellent police forces in the united states. none of us as individuals want to be lumped together. we want to be judged by what we do as individuals. we don't want misconduct of others attributed to us. that is in every walk of life. one of the legitimate grievances of the african-american community, they are treated with suspicion and embraced as african-americans. that does happen. by the same token, peaceful women's trader should not be treated as violent extremist because simply out on the streets. that is the same with police officers. every organization has individuals engaging in this conduct, and we have to be careful before we say all organizations.

BAIER: what would happen if a major american city, chicago, d.c. disband its police department? what would that look like? with the federal government have to step down?

AG BARR: what it would look like is ventilated -- ventilated in shiism and chaos in the city. and that is why doing things that prevent us from having a strong effect of police force are counterproductive. you have more killings. that's been shown time and time again.

BAIER: a major american city doing that would be dangerous.

AG BARR: absolutely, we have to put things in perspective, obviously. when police use excessive force they have to be held accountable. the state and federal government zoomed in and immediately took up the matter. there is no question it is an issue and has to be dealt with patent terms of sheer numbers, the police officers who are pressing african-american communities. there are a lot more damage from a lot more killing come a lot more fear in general on the streets from criminal elements. for chicago, for example 50 people shot. if you pulled back the police from these communities, they will be more harm done to the communities. the president, you know has been attempting to address the criminal justice reform issue. he took the first step act and set up the police since lyndon johnson and looking for sites with these issues and coming out shortly but the proposals on this. and he's also advanced opportunity zones in the inner-city. he's pushing for school choice for inner-city parents that to me as a civil rights issue of the era is giving the parents the wherewithal to educate their children in the best schools possible. he is addressing that. pulling the police back from these communities would make it far more difficult for these communities to have the equal opportunity and full participation in the american dream they deserve.

BAIER: as you know, there is a house bill and effort for police report form from congress which includes a few things. i would like to get your thoughts on that. and national misconduct registry for the police.

AG BARR: i haven't looked at the proposal, so i'm not exactly sure. on the issues of those but issue by issue, there is a prudent balance to be struck between making sure, accountable. police is not like sitting in an office. we put these individuals into a highly charged, dangerous situations where their own life is at stake. they drill in adrenaline is pumping and so forth. we have to make sure we treat them fairly in those times of circumstances.

BAIER: panning choke hold?

AG BARR: i think we should ban lateral choke holds except when necessary to meet lethal -- and list police are confronted with potential lethal force. i think there is a general agreement among police agencies we need clearer standards. we have to make sure those standards are claimed to we have to make sure they were systems in place to hold officers accountable. i think there is universal agreement on that.

BAIER: is that a federal effort? a federal training efforts?

AG BARR: i think we need a federal, strong participation in the effort to set standards.

BAIER: a lot of talk about monday reliving the moment at lafayette park. if you had to do monday over again, would you do something different?

AG BARR: based on what i know now, no. monday, we were reacting to three days of extremely violent demonstrations. right across from a lot of injuries to the police officers, arson. things were so bad the secret service secret service recommended down in the bunker and we can't have that in our punker so the decision was made. we had to move the perimeter one block and that is what we are doing.

BAIER: did the president tell you he was planning on walking over to the church?

AG BARR: he didn't tell me. i found out later in the afternoon he might go outside of the white house. but like i said the decision to move outside of the perimeter was made sunday night by the park police in the early morning hours. on monday when i arrived, i agreed with the general of conception to move the parameters to fortify a sense of a stronger fencing and so forth, lafayette park, and also give some breathing space. in that decision was setting and execution at 2:00 with all the police tactical chiefs.

BAIER: but i mean seeing what has come from it in the image that has at least been perceived, you wouldn't do it different?

AG BARR: the image has somewhat been created and miscreated in a sense that i haven't seen any videos on tv of all the violence that was happening preceding that.

BAIER: you were hit or something was thrown at you?

AG BARR: i did go to the park before the actual operation to move out the perimeter. i personally saw projectiles thrown and two were thrown at me. the police officers there in my security detail made me move back because they said the projectiles had been landing, things like rocks, bottles.

BAIER: you said you wouldn't do anything differently, but the perception of clearing out the park, understanding you made the decision earlier and the president walking over, even the visual of the group all white, mostly male, it sent an image a lot of people jumped on. and said it wasn't a good thing for the president in retrospect. i asked you, would you do anything differently? would you do anything differently even the walk over to the church? you were there in the defense secretary and so was the chairman of the joint chiefs.

AG BARR: you know, it's not -- that was a decision for the white house and the president to make. my decision that you asked me about earlier was moving the perimeter one block to provide greater security for the white house. i would do the same. i don't say this as a critic of these kinds of leadership decisions made at the white house, but as i have said, the president of the united states should be able to walk one block from the white house out to the church. he should be able to do that. and this canard that this exercise was done to make that possible is totally false. i don't see anything wrong with the president walking over to the church.

BAIER: the perception is the president was calling for i don't know how many, 10,000, but let's just say thousands of active military troops on the ground. did you push back on the use of the insurrection act?

AG BARR: there was no need to push back. i think everyone was on the same page. what we were discussing is what would be necessary around the country and d.c. specifically. and i think everyone agreed that if it became necessary, we could resort to federal troops as a last resort.

BAIER: there's a lot of people charged with crimes evolved into riots and looting. to my knowledge, none of the criminal complaints mentioned antifa. why is that?

AG BARR: we have some investigations underway and very unfocused investigations on individuals that lead to anti-pit. the initial phase of identifying people and arresting them, they were arrested for crimes that don't require us to identify a particular group.

BAIER: does antifa have leaders?

AG BARR: it is a loosely organized group and have an elite or unusual system of communication and organization. there are people that can be characterized as leaders in any given situation.

BAIER: are there people finding this effort, and organized effort that goes beyond date specific, funding the effort broadly, and are you going after those people?

AG BARR: there appear to be sources of funding and we are looking into the sources of funding. and clearly, a high degree of organization involved at some of these events and coordinated tactics and we are looking into that as well. some of that relates to antifa. some relates to groups that act very much like antifa. as i said, there is a witches brew of extremist group to exploit the situation on all sides.

BAIER: when you look back at covid-19 and what has happened, do you think we will conclude that elected officials went too far to shut down society to the point of trampling americans fundamental constitutional rights?

AG BARR: i think given the uncertainty involved in a very fast pace especially in certain areas, the original 30 day or so and even with extensions measures were appropriate, but i think that as time has gone by, the debris of impingement on fundamental liberties has never been anything like this in the united states. nationally preventing people from engaging in their livelihood, telling them to stay home is sort of a form of house arrest in many places.

BAIER: have these protests and demonstrations and what was seen across the country change that dynamic?

AG BARR: i think it should because it raises a fundamental question which is, why should some people enjoying their first amendment rights by going out and protesting have broader rights than other people who may want to exercise, for example their religious first amendment rights and go to church. as long as social distancing rules are complied with.

BAIER: there was a report the u.s. demand written handover prince andrew to be question at length about the jeffrey epstein. is that true?

AG BARR: i don't think it is a question of handing him over but just have him provide some evidence. but beyond that, i will not comment.

BAIER: so extradition?

AG BARR: no.

BAIER: just asking for evidence. that case is still in process. you commented on the death of epstein and york convinced he committed suicide. is there more to come from that investigation?

AG BARR: there might be more to come but i don't think anything will change that conclusion.

BAIER: what is your definition of law and order.

AG BARR: the real test to frame the government is to have a government that is capable of governing, strong enough to govern, but not so strong that it abridges the rights of the people. and so you have to have power, but you also have to have control on the power. in the case of the government, for example, excessive police force, law and order means the government is bound by law and people have to be accountable for abusing their power.

BAIER: this is unprecedented to have a pandemic with lockdowns and then this, that with protests across the country. we've never seen anything like it.

AG BARR: that is right. the last time i was ag, i was a deputy before that and someone showed me a list of all the crises we handled at that time. while matt, it was an eventful period but nothing like we are seeing today.

BAIER: mr. attorney general, thank you very much.

AG BARR: think you can appreciated.

Matt Lloyd  
Principal Deputy Director, Public Affairs  
U.S. Department of Justice  
(b) (6) (cell)

**Lloyd, Matt (PAO)**

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**From:** Lloyd, Matt (PAO)  
**Sent:** Wednesday, June 10, 2020 9:47 AM  
**To:** Teller, Paul S. EOP/OVP  
**Subject:** Re: DOJ FLAG: Barr tells DC mayor federal law enforcement was necessary because of unrest

<https://twitter.com/kerrickpecdoj/status/1270487263324049410?s=21>

I'll check o (b) (5)

Also we may have something big tonight that you will want to blast out. Will be in touch.

On Jun 10, 2020, at 9:06 AM, Teller, Paul S. EOP/OVP (b) (6) > wrote:

?

Hey bro is this letter available online somewhere? Also while I've gotcha, any good word on launching (b) (5)? Thanks again---

**Paul Teller**

*Deputy Assistant to the President and Director of Strategic Initiatives for the Vice President*  
The White House

(b) (6)

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**From:** News Alerts <NewsAlerts@WHO.eop.gov>  
**Sent:** Wednesday, June 10, 2020 7:12 AM  
**Subject:** DOJ FLAG: Barr tells DC mayor federal law enforcement was necessary because of unrest

**Barr tells DC mayor federal law enforcement was necessary because of unrest**

CNN

David Shortell and Caroline Kelly

June 10, 2020

<https://www.cnn.com/2020/06/09/politics/barr-bowser-letter-federal-law-enforcement-necessary-washington/index.html>

Attorney General [William Barr](#) jabbed back at Washington Mayor Muriel Bowser in a letter on Tuesday, saying federal law enforcement and National Guard troops were necessary in the city because the unrest had hit unprecedented and dangerous levels in the [nation's capital](#).

"The television footage of these events viewed by people across the Nation and around the world conveyed the impression that the United States was on the brink of losing control of its capital city," Barr wrote of the protests in DC that followed the police killing of George Floyd late last month in Minneapolis.

The missive was a response to a [letter Bowser](#) had sent on Friday to President Donald Trump and other

administration officials [requesting the withdrawal of federal law enforcement](#) and military personnel from the city. And on Monday, Bowser told CNN's Anderson Cooper on "AC360" that the White House ["has a lot to answer for"](#) following the week of increased military presence and tension in Washington.

CNN has reached out to Bowser's office for comment on Barr's letter.

Bowser's chief of staff, John Falcicchio, slammed the letter as "revisionist" in a [tweet](#) later Tuesday, asserting that it "fails to mention examples of incitement" by the Trump administration and that "deployment of federal assets was not coordinated with nor requested by DC."

Last week, Trump declared himself "your President of law and order" and vowed to return order to American streets using the military if widespread unrest weren't otherwise quelled. Roughly [5,000 National Guard troops](#) had been called to patrol Washington as protesters flooded the streets to demonstrate [against racial injustice and police brutality](#).

Trump said Sunday that he had [ordered the National Guard to begin withdrawing](#) from the city after days of peaceful protests.

Barr said in his letter Tuesday that certain federal law enforcement agencies -- including the Drug Enforcement Administration, the Bureau of Prisons and some officials from the Department of Homeland Security -- had been granted additional policing powers amid the protests, and he defended the move to deploy the federal and military forces in DC as a "temporary response to an escalating security crisis."

"Surely you understand that the President could not stand idly by when unrest at the seat of the federal government threatened the safety of federal law enforcement officers and the operations of the United States government," Barr wrote.

"Let me assure you that the President shares your interest in returning to a situation where such additional forces are unnecessary to maintain law and order in the District," he added.

Barr has repeatedly defended the actions of federal law enforcement officers during the protests. He said [during an interview Sunday](#) that the officers who forcefully cleared peaceful protesters in Washington last week did so because the Park Police wanted a larger security perimeter around the White House -- not to aid the White House in staging Trump's subsequent photo opportunity with a Bible at the nearby St. John's Episcopal Church.

Barr's comments Tuesday coincided with the DC Council unanimously passing an emergency bill to overhaul policing in the district, including measures that ban the use of tear gas and rubber bullets and prohibit the hiring of officers who were fired from other police departments.

The legislation passed on Tuesday prohibits DC police from using chemicals such as tear gas and pepper spray on protesters, as well as "less-lethal projectiles" like rubber bullets and stun grenades. The bill also prevents the Metropolitan Police Department from hiring law enforcement officers who were fired from policing jobs in other jurisdictions or who resigned ahead of pending disciplinary action or termination.

**Hornbuckle, Wyn (OPA)**

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**From:** Hornbuckle, Wyn (OPA)  
**Sent:** Wednesday, June 10, 2020 9:57 AM  
**To:** Lloyd, Matt (PAO)  
**Subject:** RE: Civil unrest messaging

Looks like this incorporates some but not all - of the changes I sent to you last night. Basically, I'm fine with this version if you are. This is obviously a very personal statement of conscience for him.

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**From:** Price, Kenji (USAHI) (b) (6) >  
**Sent:** Wednesday, June 10, 2020 4:52 AM  
**To:** Lloyd, Matt (PAO) (b) (6) >  
**Cc:** Edwards, Ashley (USAHI) (b) (6) >; Hornbuckle, Wyn (OPA) (b) (6) >  
**Subject:** RE: Civil unrest messaging

Matt:

Thank you for your thoughtful comments. I greatly appreciate your assistance. I've attached: (a) a document comparing the 6/5/20 draft to the current draft (labeled "Draft 6.9.20 Redline KMP"), which incorporates some of your feedback and my additional edits, and a "clean" copy of the current draft (labeled "Draft 6.9.20").

I'd like to send the current draft out to local media tomorrow (specifically, the local publication entitled "Civil Beat"). Do you have any final recommendations before I send? Thanks!

KMP

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**From:** Price, Kenji (USAHI)  
**Sent:** Friday, June 5, 2020 11:34 PM  
**To:** Lloyd, Matt (PAO) (b) (6) >  
**Cc:** Edwards, Ashley (USAHI) (b) (6) >; Hornbuckle, Wyn (OPA) (b) (6) >  
**Subject:** RE: Civil unrest messaging

Duplicative Information - See Document ID 0.7.4848.5620

**Kupec, Kerri (OPA)**

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**From:** Kupec, Kerri (OPA)  
**Sent:** Wednesday, June 10, 2020 10:26 AM  
**To:** (b)(6) Paul Teller  
**Subject:** Fwd: Attorney General Barr letter to Mayor Muriel Bowser  
**Attachments:** Letter Mayor Bowser and Attorney General Racine - 06.09.20.pdf; ATT00001.htm

See attached.

**Kerri Kupec**  
Director of Communications & Public Affairs  
U.S. Department of Justice

(b) (6)

(b) (6)

**Hornbuckle, Wyn (OPA)**

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**From:** Hornbuckle, Wyn (OPA)  
**Sent:** Wednesday, June 10, 2020 10:53 AM  
**To:** (b)(6), (b)(7)(C), (b)(7)(F) per DEA (DEA)  
**Cc:** Dearden, Dawn N (DEA); Kupec, Kerri (OPA); Navas, Nicole (OPA) (b)(6), (b)(7)(C), (b)(7)(F) per DEA (DEA)  
**Subject:** RE: BuzzFeed (and others) Response

Looks good. Thanks

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**From:** (b)(6), (b)(7)(C), (b)(7)(F) per DEA  
**Sent:** Wednesday, June 10, 2020 9:34 AM  
**To:** Hornbuckle, Wyn (OPA) (b)(6) >  
**Cc:** Dearden, Dawn N (DEA) (b)(6), (b)(7)(C) per DEA >; Kupec, Kerri (OPA) (b)(6) >; Navas, Nicole (OPA) (b)(6) (b)(6), (b)(7)(C), (b)(7)(F) per DEA  
**Subject:** RE: BuzzFeed (and others) Response

Good morning, Wyn.

Please let me know if OPA has any concerns about formatting/characterizing of our attached statement. We plan to issue broadly to our press list this morning.

Thanks very much.

(b)(6), (b)(7)(C), (b)(7)(F)

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**From:** Hornbuckle, Wyn (OPA) (JMD) (b)(6) >  
**Sent:** Tuesday, June 9, 2020 9:35 PM  
**To:** (b)(6), (b)(7)(C), (b)(7)(F) per DEA >  
**Cc:** Dearden, Dawn (b)(6), (b)(7)(C) per DEA >; Kupec, Kerri (OPA) (JMD) (b)(6) >; Navas, Nicole (OPA) (JMD) (b)(6) (b)(6), (b)(7)(C), (b)(7)(F) per DEA  
**Subject:** Re: BuzzFeed (and others) Response

You are good to go. Maybe deploy this tomorrow

Sent from my iPhone

On Jun 9, 2020, at 8:25 P (b)(6), (b)(7)(C), (b)(7)(F) per DEA > wrote:

Duplicative Information - See Document ID 0.7.4848.7096

**Lloyd, Matt (PAO)**

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**From:** Lloyd, Matt (PAO)  
**Sent:** Wednesday, June 10, 2020 12:51 PM  
**To:** Lloyd, Matt (PAO)  
**Subject:** FW: Civil unrest messaging  
**Attachments:** Civil Unrest OpEd (DRAFT 6.9.20 Redline KMP).docx; Civil Unrest OpEd (DRAFT 6.9.20).docx

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**From:** Price, Kenji (USAHI) (b) (6) >  
**Sent:** Wednesday, June 10, 2020 4:52 AM  
**To:** Lloyd, Matt (PAO) (b) (6) >  
**Cc:** Edwards, Ashley (USAHI) (b) (6) >; Hornbuckle, Wyn (OPA) (b) (6) >  
**Subject:** RE: Civil unrest messaging

Duplicative Information - See Document ID 0.7.4848.18435

**Hornbuckle, Wyn (OPA)**

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**From:** Hornbuckle, Wyn (OPA)  
**Sent:** Wednesday, June 10, 2020 1:03 PM  
**To:** Mastropasqua, Kristina (OPA)  
**Cc:** Lloyd, Matt (PAO)  
**Subject:** Re: DHS Listening Session

I agree. I have confidence that Lausch can handle this well and it may be a good model for others, good way to transition from protests to candid conversation and dialogue

Sent from my iPhone

On Jun 10, 2020, at 12:55 PM, Mastropasqua, Kristina (OPA) (b) (6) > wrote:

?

I think it's a great idea. The Boston USAO actually participates in/hosts similar events regularly (in non pandemic times). We need diverse communities to trust us and be willing to work with us (think faith based community relationships in aftermath of marathon bombing) so these round tables actually pay dividends. Always closed press, btw. People need to feel comfortable to speak candidly.

Kristina Mastropasqua  
Office of Public Affairs  
Department of Justice  
(b) (6)

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**From:** Lloyd, Matt (PAO) (b) (6) >  
**Sent:** Wednesday, June 10, 2020 12:48 PM  
**To:** Hornbuckle, Wyn (OPA) (b) (6) >; Mastropasqua, Kristina (OPA) (b) (6) >  
**Subject:** FW: DHS Listening Session

Thoughts on this?

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**From:** Kjergaard, Alison (OPA) (b) (6)  
**Sent:** Wednesday, June 10, 2020 10:26 AM  
**To:** Bernstein, Bobbi (CR (b) (6) >); Lloyd, Matt (PAO) (b) (6) >  
**Cc:** Felte, James (CR (b) (6) >); Moosy, Robert (CRT) (b) (6) >  
**Subject:** RE: DHS Listening Session

Hi Bobbi,

Thanks for this. At first read this sounds okay, and (b) (5)

Adding Matt for his opinion as well.

Ali

---

**From:** Bernstein, Bobbi (CR (b) (6))  
**Sent:** Wednesday, June 10, 2020 10:20 AM  
**To:** Kjergaard, Alison (OP (b) (6))  
**Cc:** Felte, James (CR (b) (6)) (b)(6), (b)(7)(C) per EOUSA (USAILN)  
(b) (6) Moosy, Robert (CR (b) (6))  
**Subject:** FW: DHS Listening Session

Hi, Ali,

I got the attached email from our civil rights POC in the Chicago USAO. She is asking a question that is out of my lane, so I thought I would forward it to you, in case you had thoughts.

Thanks,  
Bobbi

Bobbi Bernstein  
Deputy Chief, Criminal Section  
Civil Rights Division  
U.S. Department of Justice  
(b) (6)

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**From:** (b)(6), (b)(7)(C) per EOUSA (USAILN)  
**Sent:** Wednesday, June 10, 2020 7:16 AM  
**To:** Bernstein, Bobbi (CR (b) (6)) <>  
**Subject:** DHS Listening Session

Hey Bobbi,

Reaching out to make sure Civil Rights is OK with USAO NDIL participating in the following event:

DHS, Office of Civil Rights & Civil Liberties, is interested in (b) (5). The proposal is for (b) (5).  
[Redacted]

My office leadership is interested in participating in the event, but wanted to make

sure the Civil Rights Division doesn't have any concerns. Some of your colleagues may already be aware of this effort. In earlier email traffic that I've seen from DHS, I see references to conversations DHS has had with Eric Treene and possibly with the Assistant AG for Civil Rights as well.

Hope you're doing well. I really enjoyed the training session you did last week on hate crimes – the intermittent multiple choice questions was a great way to keep everyone engaged, especially in a virtual setting.

ga

(b)(6), (b)(7)(C) per EOUSA

Assistant United States Attorney  
U.S. Attorney's Office, Northern District of Illinois  
219 S. Dearborn, Suite 500  
Chicago, Illinois 60604

(b) (6) (office)

(b) (6) (cell)

(b) (6)

(b)(6) Wyn Hornbuckle

**From:** (b)(6) Wyn Hornbuckle  
**Sent:** Wednesday, June 10, 2020 1:10 PM  
**To:** Kjergaard, Alison (OPA)  
**Cc:** Vance, Alexa M. (PAO)  
**Subject:** Re: Potential press release

Sorry yes this looks great

Sent from my iPhone

On Jun 10, 2020, at 12:05 PM, Kjergaard, Alison (OPA) (b) (6) > wrote:

?  
Good to go?

[<image001.png>](#)

## The United States Department of Justice

**Brian T. Moran**

United States Attorney  
Western District of Washington

FOR IMMEDIATE RELEASE  
WWW.JUSTICE.GOV/USAO/WDDA  
CONTACT: EMILY LANGLEIE  
PHONE: (206) 553-4110

WEDNESDAY, JUNE 10, 2020

### **FORMER NORTH CAROLINA MAN CHARGED WITH POSSESSING DESTRUCTIVE DEVICE FOR BRINGING IMPROVISED FIREARM TO PROTEST**

#### ***Defendant Assaulted Seattle Police Officer, Threatened to Shoot Law Enforcement***

SEATTLE - A former North Carolina man who struck a Seattle Police Officer with a large can and threatened to kill all police is now charged federally with possession of a destructive device for the improvised gun he brought to a Seattle protest, announced U.S. Attorney Brian T. Moran. Devinare Antwan Parker, 25, was arrested Sunday evening, May 31, 2020, after he threw a 16 ounce can of beer through the window of a Seattle Police car, striking an officer in the face. When placed under arrest, Parker possessed an improvised firearm capable of firing shotgun shells.

“This defendant came to a protest armed with a device that could have proved fatal not only to police, but to peaceful protestors in the area,” said U.S. Attorney Moran. “We will use our federal authority where appropriate to remove such threats from our community, so that people can safely exercise their constitutional right to peacefully protest and honor the memory of George Floyd.”

Parker is in state custody, and will be scheduled for his first appearance in federal court when the state charges are resolved.

According to the criminal complaint, at about 11:30 PM on Sunday evening May 31, 2020, two Seattle Police Officers were driving their marked patrol car north on Third Avenue near Benaroya Hall when Parker threw a 16 ounce can of Bud Light Ice through the passenger window striking one of the officers in the face. Parker was placed under arrest for third degree assault. When Parker was searched, officers found an improvised firearm constructed of two pieces of pipe and a firing pin with a laser pointer/ flashlight attached to the side. Parker carried several shotgun shells that fit the device.

As he was being arrested Parker allegedly shouted at the officers that he brought the weapon to the protest to shoot and kill police officers.

The charges contained in the complaint are only allegations. A person is presumed innocent unless and until he or she is proven guilty beyond a reasonable doubt in a court of law.

Possession of a destructive device is punishable by up to ten years in prison.

The case is being investigated by the Bureau of Alcohol, Tobacco, Firearms & Explosives.

The case is being prosecuted by Assistant United States Attorney Erin H. Becker.

# # #

Do not reply to this message. If you have questions, please use the contacts in the message or call the Office of Public Affairs at 202-514-2007.

---

**From:** Langlie, Emily (USAWAW) (b) (6) >  
**Sent:** Wednesday, June 10, 2020 11:58 AM  
**To:** Kjergaard, Alison (OPA) (b) (6) >  
**Cc:** Hornbuckle, Wyn (OPA) (b) (6) >; Vance, Alexa M. (PAO) (b) (6) >  
**Subject:** Re: Potential press release

So if no need for further review there, I'll send it out here in a few minutes no need to wait till 10

Sent from my iPhone

On Jun 10, 2020, at 8:49 AM, Kjergaard, Alison (OPA) (b) (6) > wrote:

?  
Thank Emily,  
Let us know when it's about to go out and we can amplify from our end.

Ali

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**From:** Langlie, Emily (USAWAW) (b) (6) >  
**Sent:** Wednesday, June 10, 2020 11:14 AM  
**To:** Hornbuckle, Wyn (OPA) (b) (6) >  
**Cc:** Kjergaard, Alison (OPA) (b) (6) >; Vance, Alexa M. (PAO) (b) (6) >  
**Subject:** RE: Potential press release

I plan to send out the attached release (after final proof) with the attached complaint at about 10:00 AM pacific

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**From:** Hornbuckle, Wyn (OPA) (b) (6) >  
**Sent:** Monday, June 8, 2020 6:27 PM  
**To:** Langlie, Emily (USAWAW) (b) (6) >  
**Cc:** Kjergaard, Alison (OPA) (b) (6) >; Vance, Alexa M. (PAO) (b) (6) >  
**Subject:** Re: Potential press release

Thanks Emily

Once unsealed please send us the final for possible national distribution

Sent from my iPhone

On Jun 8, 2020, at 7:48 PM, Langlie, Emily (USAWA) (b) (6) > wrote:

?

WDWA has filed the sealed complaint I have attached to this email. When it becomes unsealed is in our control, as the defendant is currently in state custody. It is possible we will ask it to be unsealed tomorrow. If that occurs I likely would issue a press release on the case tomorrow or Wednesday depending on timing. Please advise if OPA wants to be involved or if I should just handle this as a local release. Thanks.

Emily Langlie  
Communications Director  
U.S. Attorney's Office  
Western District of Washington  
(b) (6)

<1Parker complaint.pdf>

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**From:** Kupec, Kerri (OPA)  
**Sent:** Wednesday, June 10, 2020 2:03 PM  
**To:** Watson, Theresa (OAG)  
**Subject:** FW: As aired transcript of Baier intv with AG Barr Part 1

AS AIRED VERSION

BRET Joining us now, the attorney general of United States, Bill Barr. Mr. Attorney General, thanks for being here.

BARR: Thank you, Bret.

BRET: The effort across the country there is this movement to defund police departments, the Minneapolis City Council, with a veto proof vote, saying they're going to essentially dismantle that police department. What do you make of that effort and what it means for the country?

BARR Well, I think it's the exact opposite of the way we should go. You know, I understand, given the history of racial injustice in this country, why the African-American American community, or at least some of it, would view the ghastly events in Minneapolis as manifestations of institutional racism in police departments. But I think, in fact, over the past 50 or 60 years, we've had a lot of reform of police departments. I was attorney general thirty years ago. And I can tell you there's a world of difference. Today, the police chiefs, the rank and file officers, understand the need for change. And there has been great change. And I think defunding the police, holding the entire police structure responsible for the actions of certain officers is wrong.

BARR And I think it's dangerous to demonize police.

BRET But so how did these bad cops. If you want to call them that, get through in these systems? Do you blame police unions? Do you blame the systems themselves for not weeding them out? How do you address what obviously is this frustration and anger?

BARR Well, not referring to any particular case. I think you have to remember, this is not a monolithic system. There are thousands of different police forces. There are approximately 900000 police officers in the United States. And we were right now, there's a crisis in policing because it's a very tough job.

BARR We have or we had before it a full employment economy. And if anything, we've had trouble attracting people and retaining people. As police officers, we want the best, most responsible people we can get. And we have to attract them into the profession. We have to retain them. We have to train them. And we have to continue to professionalize our police forces. We have, generally speaking, excellent police forces in the United States. None of us as individuals want to be lumped together with others. We want to be judged by what we do as individuals. We don't want the misconduct of others attributed to us. And that's in every walk of life. You know, one of the one of the legitimate grievances of the African-American community is that they're treated with suspicion and braced simply because they're African-Americans. And that does happen.

BARR By the same token, demonstrators, peaceful demonstrators shouldn't be treated as violent extremists simply because they're out on the streets. It's the same with police officers. Every organization has individuals who engage in misconduct. And we have to be very careful before we say the whole organization is rotten.

BRET What would happen if a major American city, Chicago, D.C., disbanded its police department? What would that look like? Would the federal government have to step in.

BARR Well, what it would look like is you would have it increases in vigilantism and you would have increasing chaos in the city. And that's why doing things that prevent us from having a strong, effective police force are counterproductive. You end up having more killings. And that's been shown time and time again.

BRET But if a major American city was doing that, you're saying would be dangerous?

BARR: Absolutely. You know, I think we have to put things in perspective. Obviously, when police use excessive force, they have to be held accountable. And right here, both the state and federal governments zoomed in and immediately took up the matter. There's no question it's an issue and has to be dealt with. But in terms of sheer numbers, is it is it these police officers who are oppressing African-American communities?

They're a lot more damage, a lot more killing, a lot more fear engendered on the streets from criminal elements. In Chicago, for example, in one week, one weekend, you know, 60, 70 people shot. If you pull back the police for these communities, they'll be there'll be more harm done to these communities. The president, you know, has been attempting to address the criminal justice reform issue. He did the first step back.

He set up the first police commission since Lyndon Johnson. We've been looking precisely at these issues and we'll be coming out very shortly with our proposals on this. And he's also advanced opportunity zones in the inner city and he's pushing for school choice for inner city parents. So that's to me, the civil rights issue of our era is giving these parents the wherewithal to educate their children in the best schools possible. And so he is addressing that. I think pulling the police back from these communities would make it far more difficult for these communities to have the equal opportunity and the full participation in the American dream that they deserve.

BRET As you know, there's a House bill, an effort for police reform from Congress. It includes a few things. I'd like to get your thoughts on it. A national misconduct register for police.

BARR Well, I haven't looked at the proposal, so I'm not exactly an issue of those. But, you know, an issue by issue, I think we have to be there's a prudent balance to be struck between making sure we can hold wrongdoers accountable, but also by not deterring effective policing. Remember, we put police. The police is not like sitting in an office, you know, checking boxes. We put these individuals into highly charged, dangerous situations where their own life is at stake. They're adrenalin's pumping and so forth. And we have to make sure we treat them fairly and those kinds of circumstance.

BRET Banning chokeholds...

BARR I think we should ban chokeholds, lateral chokeholds, except when it's necessary, unless police officers confronted with potentially lethal force. But I think there's a general agreement among police agencies that we need clearer standards. We have to make sure those standards are trained to. And we have to make sure that there are systems in place that hold officers accountable. I think there's universal agreement on that.

BRET: So is that a federal effort? Does that suddenly come of federal training effort?

BARR: I think we're going to need strong federal participation in this effort in helping to set standards.

BRET A lot of talk about Monday kind of reliving the moment there in Lafayette Park. If you had to do Monday over again, would you do something different based on what I know now?

BARR Based on what I know now, no. You know, on Monday, we were reacting to three days of extremely violent demonstrations right across from the White House. A lot of injuries to police officers, arson. Things were so bad that the Secret Service recommended the president go down to the bunker. We can't have that in our country. And so the decision was made.

BARR We had to move the perimeter one block and that is what we were doing.

BRET Did the president tell you that he was planning on walking over to the church?

BARR No, he didn't tell me. I found out later that afternoon that he might go outside the White House. But as I've said, the decision to actually move out the perimeter was initially made Sunday night by the park police in the early morning hours on Monday when I arrived. I agreed with the general conception of moving out the perimeter so we could fortify in the sense of a stronger fencing and so forth. Lafayette Park and also gives it some breathing space. And that decision was set in execution at two o'clock with all the police tactical chiefs.

BRET But I mean, seeing what has come from it and the image that has at least been perceived, you wouldn't do it differently.

BARR What? What? Well, the images has somewhat been created and miscreated in the sense that I haven't seen any videos on TV of all the violence that was happening preceding

and were hit or something or thrown,.

BRET Something was thrown at you?

BARR I did go to the park before the actual operation to move out the perimeter, and I personally saw projectiles thrown and two were thrown at me and the police officers there. And my security detail made me move back because they said that projectiles had been landing in a certain area, rock things like rocks, bottles thrown at me.

BRET You said you wouldn't do anything differently, but the perception of clearing out the park, understanding you made the decision earlier and then the president walking over even the visual of kind of the group, all white, mostly male, it send an image that a lot of people jumped on and said that it wasn't a good thing for the president. In retrospect, asked you, would you do anything differently? Would you do anything differently on the even the walk over to the church, you were there. So as the defense secretary. So was the chairman, the Joint Chiefs?

BARR Well, you know, it's not that was a decision for the White House and the president to make.

BARR My decision that you asked me about earlier was moving the perimeter one block to provide greater security for the White House. And I would do the same. And I don't sit as a critic of, you know, of these kinds of leadership decisions made at the White House. But as I've said, the president, the United States should be able to walk one block from the White House out to the Church of presidents. He should be able to do that. And I do. And, you know, this canard that this exercise was done to make that possible is totally false. I don't see anything wrong with the president walking over to the church.

BRET [00:12:13] . Did you push back on the use of the Insurrection Act?

BARR [00:12:28] There was no need to push back. I think everyone was on the same page. I think what we were discussing is what would be necessary around the country and in D.C. specifically. And I think everyone agreed that if it became necessary, we could resort to federal troops as a last resort.

BRET There's a lot of people that have been charged with crimes related to the protests that devolved into riots and looting. To my knowledge, none of the criminal complaints have mentioned antifa, Why is that?

BARR We have some investigations underway and very focused investigations on certain individuals that relate to ANTIFA. But in the in the initial phase of identifying people and arresting them, they were arrested for crimes that don't require us to identify a particular group or don't necessitate that.

BRET: Does Antifa have leaders?

BARR: It's a very loosely organized group. And they and they have sort of a unique or unusual system of communication and organization.

BARR And, you know, there are people who can be characterized as leaders in any given situation.

BRET Are there people funding this effort, an organized effort that goes beyond state specific funding, the effort broadly? And are you going off after those people?

BARR There appear to be sources of funding and we are looking into the sources of funding. And, you know, there is clearly some high degree of organization involved at some of these events and and coordinated tactics that we're seeing. And we're looking into that as well. And some of it relates to an Antifa. Some of it relates to groups that act very much like an Antifa there. As I said, there's a witch's brew of extremist groups that are trying to exploit this situation on all sides.

BRET When you look back at Covid 19 and what has happened, do you think we will conclude that elected officials went too far in shutting down society to the point of trampling Americans fundamental constitutional rights?

BARR I think given the uncertainty involved and the very fast pace of the infection, especially in certain areas, the original 30 day or so, and even maybe with some extension's measures were appropriate. But I think that as time has gone by, the degree of impingement on fundamental liberties has never been anything like this in the United States nationally, forbidding people from engaging in their livelihood, telling them to stay home. It's just sort of a form of house arrest in many places.

BRET Have these protests and demonstrations and what we've seen across the country changed that dynamic?

BARR Well, I think it should, because it raises a fundamental question, which is why, you know, why? Why should some people who are enjoying their First Amendment rights by going out and protesting have broader rights than other people who may want to exercise their, for example, religious First Amendment rights and go to church as long as social distancing rules and things like that are complied with.

BRET There's a report that the U.S. has officially demanded Britain hand over Prince Andrew to be quizzed about his links to the billionaire pedophile, Jeffrey Epstein. Is that true?

BARR Well, I don't think it's a question of handing him over. I think it's just a question of having him provide some evidence. But beyond that, I'm not going to comment.

BRET So extradition? No. Just asking for evidence.

BARR Evidence. That case is still in process. You've commented on the death of [Jeffrey] Epstein, you're convinced that he committed suicide. Is there more to come from that investigation into that?

BARR There might be more to come, but I don't think anything that would change that conclusion.

Bret- what is law and order mean to you? What's your definition of law and order?

BARR The real the real task in framing a government is to have a government that is capable of governing strong enough to govern, but not so strong that it abridging abridges the rights of the people. And so you have to have power, but you also have to have controls on that power. In the case of the governments, for example, excessive police force, law and order means that the government is bound by law and people have to be accountable for abusing their power. But it also means that we must have law and order in the body politic.

BRET That is just this is unprecedented to have a pandemic with lockdowns. And then this event with protests across the country. We've never really seen anything like it.

BARR That's right. I last time I was A.G., which it was not for that long a period I'd been deputy. Before that, someone showed me a list of all the crises we handled at that time. And I thought, wow, it was a very eventful period. But nothing like we're seeing today.

BRET Mr. Attorney General, thank you very much for the time. Thank you. I appreciate it.

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**Lloyd, Matt (PAO)**

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**From:** Lloyd, Matt (PAO)  
**Sent:** Wednesday, June 10, 2020 3:04 PM  
**To:** Kjergaard, Alison (OPA)  
**Cc:** Bernstein, Bobbi (CRT); Felte, James (CRT (b)(6), (b)(7)(C) per EOUSA (USAILN)); Moossy, Robert (CRT); Mastropasqua, Kristina (OPA)  
**Subject:** Re: DHS Listening Session

+ Kristina

Pls have them contact her and she can walk them through how to handle

On Jun 10, 2020, at 10:26 AM, Kjergaard, Alison (OPA) (b) (6) > wrote:

Duplicative Information - See Document ID 0.7.4848.18520

**Hornbuckle, Wyn (OPA)**

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**From:** Hornbuckle, Wyn (OPA)  
**Sent:** Wednesday, June 10, 2020 4:21 PM  
**To:** Lloyd, Matt (PAO); Mastropasqua, Kristina (OPA)  
**Subject:** RE: DHS Listening Session

Thrilled!

---

**From:** Lloyd, Matt (PAO) (b) (6) >  
**Sent:** Wednesday, June 10, 2020 4:18 PM  
**To:** Mastropasqua, Kristina (OPA) (b) (6) >  
**Cc:** Hornbuckle, Wyn (OPA) (b) (6) >  
**Subject:** RE: DHS Listening Session

Really glad she's on the team, aren't you Wyn?

---

**From:** Mastropasqua, Kristina (OPA) (b) (6) >  
**Sent:** Wednesday, June 10, 2020 4:13 PM  
**To:** Lloyd, Matt (PAO) (b) (6) >  
**Cc:** Hornbuckle, Wyn (OPA) (b) (6) >  
**Subject:** Re: DHS Listening Session

Aww shucks. Thanks :)

Kristina Mastropasqua  
Office of Public Affairs  
Department of Justice

Sent from my iPhone

On Jun 10, 2020, at 4:06 PM, Lloyd, Matt (PAO) (b) (6) > wrote:

Totally agree

---

**From:** Hornbuckle, Wyn (OPA) (b) (6) >  
**Sent:** Wednesday, June 10, 2020 3:59 PM  
**To:** Lloyd, Matt (PAO) (b) (6) >; Mastropasqua, Kristina (OPA) (b) (6) >  
**Subject:** RE: DHS Listening Session

If anyone can give both sage and safe advice, it is Kristina

---

**From:** Lloyd, Matt (PAO) (b) (6) >  
**Sent:** Wednesday, June 10, 2020 3:03 PM  
**To:** Mastropasqua, Kristina (OPA) (b) (6) >  
**Cc:** Hornbuckle, Wyn (OPA) (b) (6) >  
**Subject:** Re: DHS Listening Session

Sage

On Jun 10, 2020, at 2:47 PM, Mastropasqua, Kristina (OPA)

(b) (6) > wrote:

? Absolutely

Kristina Mastropasqua  
Office of Public Affairs  
Department of Justice

Sent from my iPhone

On Jun 10, 2020, at 1:59 PM, Lloyd, Matt (PAO) (b) (6) > wrote:

Kristina can I put them in touch w/ you and you can provide your safe advice?

On Jun 10, 2020, at 1:23 PM, Mastropasqua, Kristina (OPA)

(b) (6) > wrote:

?

Agree! Def need a very good moderator... maybe if they have a good community outreach person, the USAO's Civ Rights Unit chief, or the USA himself.

Kristina Mastropasqua  
Office of Public Affairs  
Department of Justice

(b) (6)

---

**From:** Hornbuckle, Wyn (OPA) (b) (6) >

**Sent:** Wednesday, June 10, 2020 1:05 PM

**To:** Mastropasqua, Kristina (OPA)

(b) (6) >

**Cc:** Lloyd, Matt (PAO) (b) (6) >

**Subject:** Re: DHS Listening Session

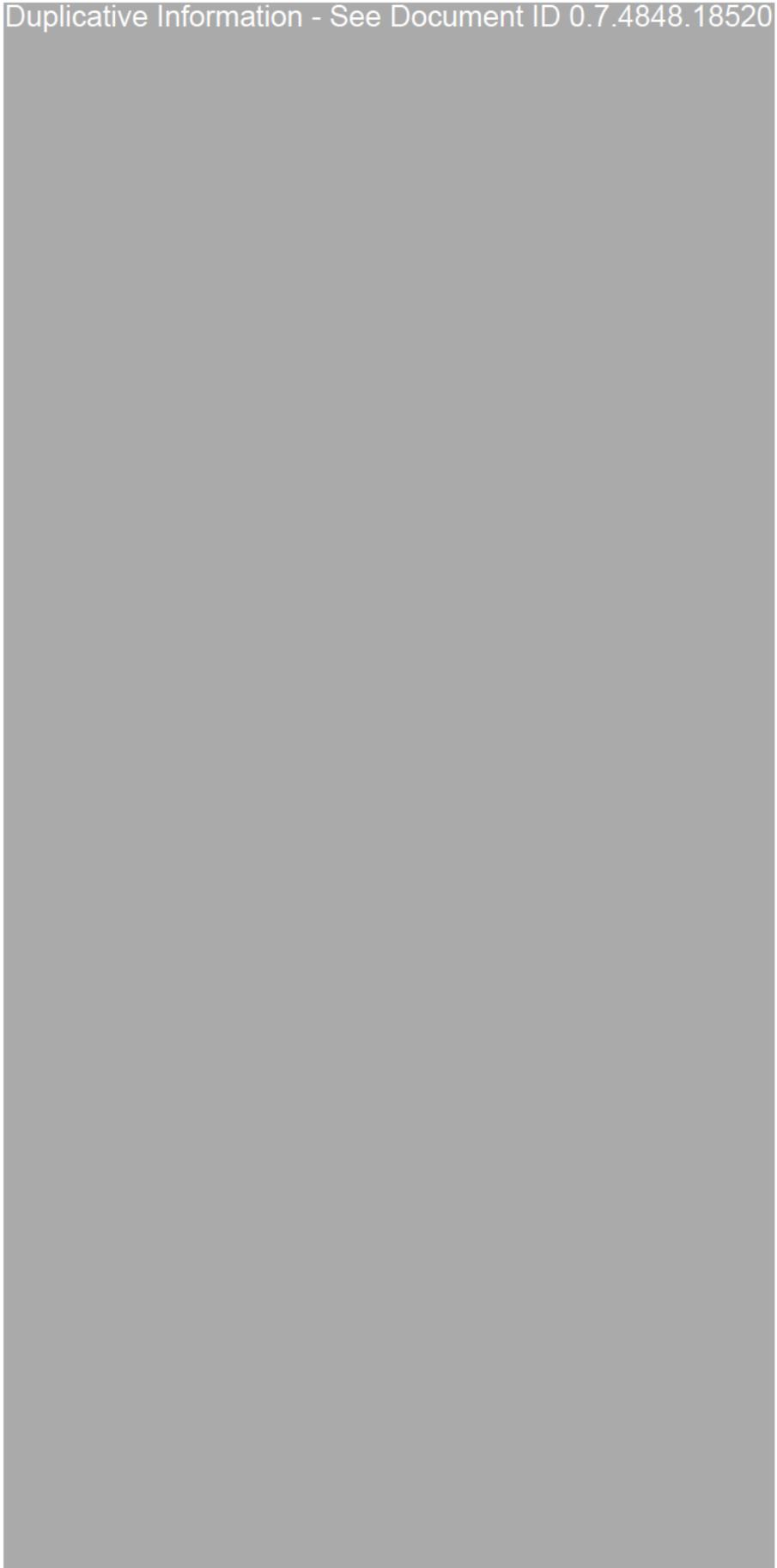
And one more thought. Format is really important in these things. It should be a round table or town hall type of thing rather than a hearing/firing squad type of thing.

Sent from my iPhone

On Jun 10, 2020, at 12:55 PM, Mastropasqua,  
Kristina (OPA) (b) (6) >

**wrote:**

Duplicative Information - See Document ID 0.7.4848.18520



**Lloyd, Matt (PAO)**

---

**From:** Lloyd, Matt (PAO)  
**Sent:** Wednesday, June 10, 2020 5:17 PM  
**To:** Kjergaard, Alison (OPA); Fitzgerald, Paige (CRT); Clark, Melissa D. (PAO)  
**Subject:** RE: sharing contact info

This is true

---

**From:** Kjergaard, Alison (OPA) (b) (6) >  
**Sent:** Wednesday, June 10, 2020 5:15 PM  
**To:** Fitzgerald, Paige (CRT) (b) (6) >; Lloyd, Matt (PAO) (b) (6) >; Clark, Melissa D. (PAO) (b) (6) >  
**Subject:** RE: sharing contact info

Matt and I can be too pessimistic sometimes, we're accustomed to always preparing for things to go awry haha

Ali

---

**From:** Fitzgerald, Paige (CRT) (b) (6) >  
**Sent:** Wednesday, June 10, 2020 5:10 PM  
**To:** Lloyd, Matt (PAO) (b) (6) >; Kjergaard, Alison (OPA) (b) (6) >; Clark, Melissa D. (PAO) (b) (6) >  
**Subject:** RE: sharing contact info

Fingers crossed. Depends on our partners, but at least we've got good reason to believe that AFME won't leak it.

---

**From:** Lloyd, Matt (PAO)  
**Sent:** Wednesday, June 10, 2020 5:08 PM  
**To:** Fitzgerald, Paige (CRT) (b) (6) >; Kjergaard, Alison (OPA) (b) (6) >; Clark, Melissa D. (PAO) (b) (6) >  
**Subject:** RE: sharing contact info

That's really good news. Sorry for my cynicism.

---

**From:** Fitzgerald, Paige (CRT) (b) (6) >  
**Sent:** Wednesday, June 10, 2020 5:01 PM  
**To:** Lloyd, Matt (PAO) (b) (6) >; Kjergaard, Alison (OPA) (b) (6) >; Clark, Melissa D. (PAO) (b) (6) >  
**Subject:** RE: sharing contact info

Fwiw, they di (b) (5) in early August, 2014 and their report didn't get out until early December, 2014 (after the state had issued their opinion and pursuant to Missouri's Sunshine Law). We also used them i (b) (5) and the report didn't get out until the public disciplinary proceedings last year.

---

**From:** Lloyd, Matt (PAO)  
**Sent:** Wednesday, June 10, 2020 4:42 PM  
**To:** Kjergaard, Alison (OPA) (b) (6) >; Fitzgerald, Paige (CRT) (b) (6) >;

Clark, Melissa D. (PAO) (b) (6) >  
Subject: RE: sharing contact info

Thanks. No way that doesn't leak.

---

From: Kjergaard, Alison (OPA) (b) (6) >  
Sent: Wednesday, June 10, 2020 4:40 PM  
To: Fitzgerald, Paige (CRT) (b) (6) >; Clark, Melissa D. (PAO) (b) (6) >  
Cc: Lloyd, Matt (PAO) (b) (6) >  
Subject: RE: sharing contact info

Yes, and please give them Matt Lloyd's info as well.

Ali

---

From: Fitzgerald, Paige (CRT) (b) (6) >  
Sent: Wednesday, June 10, 2020 4:39 PM  
To: Kjergaard, Alison (OPA) (b) (6) >; Clark, Melissa D. (PAO) (b) (6) >  
Subject: sharing contact info

Hi, Ali and Melissa

We aske (b) (5) [REDACTED]  
[REDACTED]. We do not pla (b) (5) [REDACTED]  
[REDACTED]  
[REDACTED] I just wanted to check with you to make sure that's okay. Please let me know.

Thanks,  
Paige

---

**From:** Lloyd, Matt (PAO)  
**Sent:** Wednesday, June 10, 2020 5:20 PM  
**To:** Raimondi, Marc (OPA); Kupec, Kerri (OPA)  
**Subject:** RE: Social media story

Dagger quote. Can we get that into story somehow?

---

**From:** Raimondi, Marc (OPA) (b) (6) >  
**Sent:** Wednesday, June 10, 2020 5:19 PM  
**To:** Lloyd, Matt (PAO) (b) (6) >; Kupec, Kerri (OPA) (b) (6) >  
**Subject:** RE: Social media story

That's what I told her. Ridiculous. What's next, we cannot look at Craig's list or in pawn shop glass counters for stolen goods?

---

**From:** Lloyd, Matt (PAO) (b) (6) >  
**Sent:** Wednesday, June 10, 2020 5:16 PM  
**To:** Raimondi, Marc (OPA) (b) (6) >; Kupec, Kerri (OPA) (b) (6) >  
**Subject:** FW: Social media story

This sounds like a loser narrative for civil liberty crowd. I'm happy to reach out and get more info to see if we need to add a background quote from someone unless one of you already talked to her...

---

**From:** Betsy Woodruff (b) (6) >  
**Sent:** Wednesday, June 10, 2020 3:48 PM  
**To:** Raimondi, Marc (OPA) (b) (6) >  
**Cc:** Kupec, Kerri (OPA) (b) (6) >; Lloyd, Matt (PAO) (b) (6) >; NPO <[NPO@FBI.GOV](mailto:NPO@FBI.GOV)>  
**Subject:** Social media story

Hey there,

I wanted to let you all know that I'm doing a story about recent protest-related prosecutions that cite social media postings. The story goes through cases where people put their looting on FB Live and posted about directing people to loot in specific areas. It will also note that civil libertarians don't like the idea of law enforcement monitoring people's posts, even when they're on public pages. Feel free to let me know if you have any thoughts. I think the story will run in the AM.

Best,

Betsy Woodruff Swan  
Politico National Correspondent  
Mobile, Signal, and Whatsapp (b) (6)

**Kupec, Kerri (OPA)**

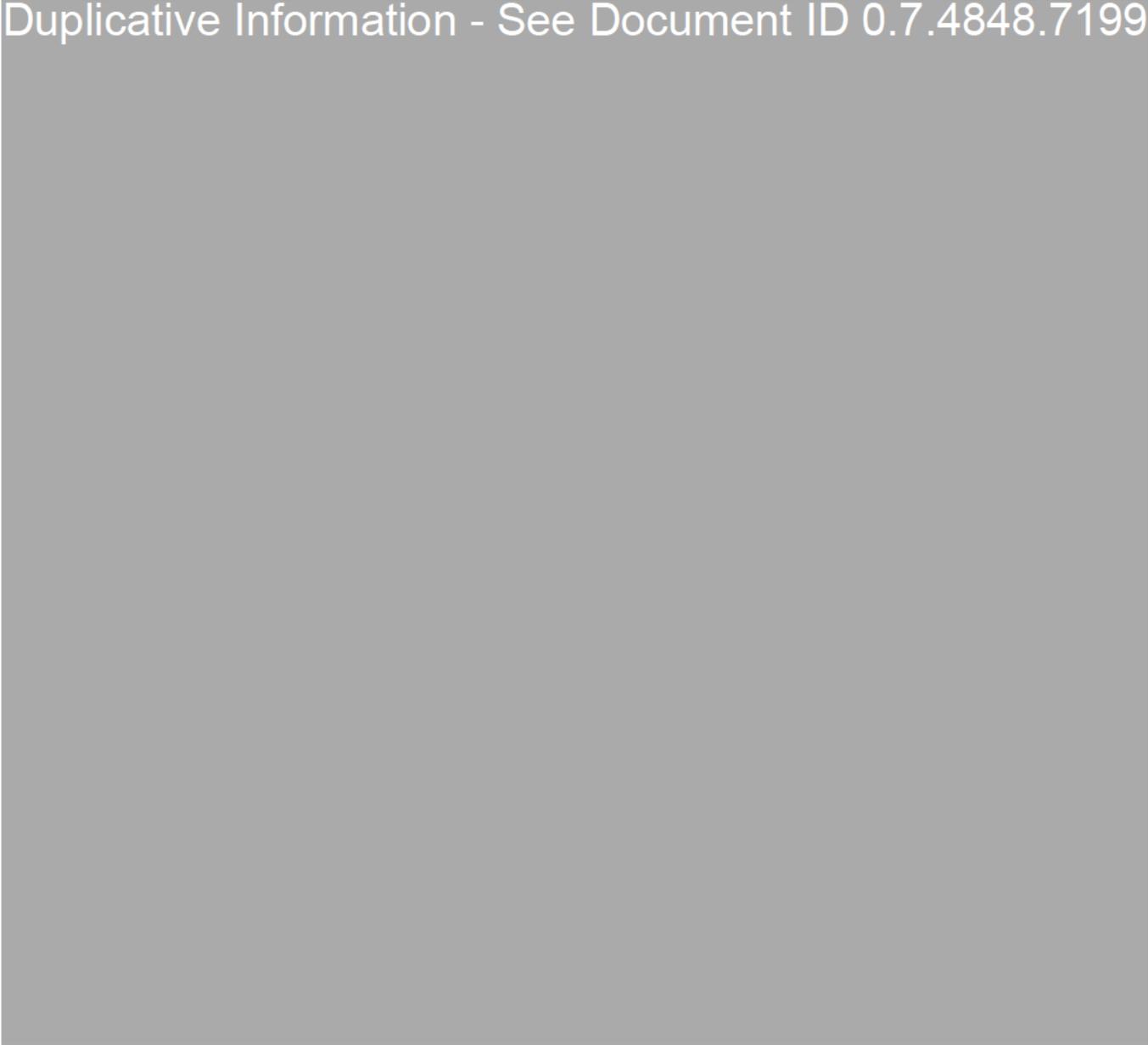
---

**From:** Kupec, Kerri (OPA)  
**Sent:** Wednesday, June 10, 2020 5:33 PM  
**To:** Raimondi, Marc (OPA)  
**Cc:** Lloyd, Matt (PAO)  
**Subject:** Re: Social media story

Lol. Yep.

On Jun 10, 2020, at 5:18 PM, Raimondi, Marc (OPA) (b) (6) > wrote:

Duplicative Information - See Document ID 0.7.4848.7199



**Hornbuckle, Wyn (OPA)**

---

**From:** Hornbuckle, Wyn (OPA)  
**Sent:** Wednesday, June 10, 2020 6:16 PM  
**To:** Price, Kenji (USAHI)  
**Cc:** Lloyd, Matt (PAO)  
**Subject:** Re: OpEd

Kenji,  
Matt and I spoke. You are good to go for local placement of this Oped. Thanks for working with us on it.

Sent from my iPhone

On Jun 10, 2020, at 4:54 PM, Price, Kenji (USAHI) (b) (6) > wrote:

?

Wyn: See attached draft, which incorporates edits we discussed this morning. I've attached both a redline, which compares yesterday's draft to the most recent, and a "clean" copy of the current draft.

KMP

<Compare Result 1.docx>

<Civil Unrest OpEd (DRAFT 6.10.20).docx>

## Hornbuckle, Wyn (OPA)

---

**From:** Hornbuckle, Wyn (OPA)  
**Sent:** Wednesday, June 10, 2020 6:17 PM  
**To:** Lloyd, Matt (PAO)  
**Subject:** Re: OpEd

For the record: MLK:

*In a sense we have come to our nation's capital to cash a check. When the architects of our republic wrote the magnificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir. This note was a promise that all men, yes, black men as well as white men, would be guaranteed the unalienable rights of life, liberty, and the pursuit of happiness.*

*It is obvious today that America has defaulted on this promissory note insofar as her citizens of color are concerned. Instead of honoring this sacred obligation, America has given the Negro people a bad check, a check which has come back marked "insufficient funds." But we refuse to believe that the bank of justice is bankrupt. We refuse to believe that there are insufficient funds in the great vaults of opportunity of this nation. So we have come to cash this check a check that will give us upon demand the riches of freedom and the security of justice.*

Sent from my iPhone

On Jun 10, 2020, at 4:54 PM, Price, Kenji (USAHI) (b) (6) > wrote:

?

Wyn: See attached draft, which incorporates edits we discussed this morning. I've attached both a redline, which compares yesterday's draft to the most recent, and a "clean" copy of the current draft.

KMP

<Compare Result 1.docx>

<Civil Unrest OpEd (DRAFT 6.10.20).docx>

**Hornbuckle, Wyn (OPA)**

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**From:** Hornbuckle, Wyn (OPA)  
**Sent:** Wednesday, June 10, 2020 6:56 PM  
**To:** Lloyd, Matt (PAO); Kjergaard, Alison (OPA); Vance, Alexa M. (PAO)  
**Subject:** RE: PR Laser - Parmley edits.docx

Agree mayb (b) (5)

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**From:** Lloyd, Matt (PAO) (b) (6) >  
**Sent:** Wednesday, June 10, 2020 6:49 PM  
**To:** Kjergaard, Alison (OPA) (b) (6) >; Vance, Alexa M. (PAO) (b) (6) >  
**Cc:** Hornbuckle, Wyn (OPA) (b) (6) >  
**Subject:** RE: PR Laser - Parmley edits.docx

I think so  
What a moron

---

**From:** Kjergaard, Alison (OPA) (b) (6) >  
**Sent:** Wednesday, June 10, 2020 6:38 PM  
**To:** Vance, Alexa M. (PAO) (b) (6) >; Lloyd, Matt (PAO) (b) (6) >  
**Cc:** Hornbuckle, Wyn (OPA) (b) (6) >  
**Subject:** RE: PR Laser - Parmley edits.docx

Good to go?



## The United States Department of Justice

**Robert S. Brewer Jr.**

United States Attorney  
Southern District of California

FOR IMMEDIATE RELEASE  
[WWW.JUSTICE.GOV/USAO/SDCA](http://WWW.JUSTICE.GOV/USAO/SDCA)  
CONTACT: KELLY THORNTON  
PHONE: (619) 546-7957

WEDNESDAY, JUNE 10, 2020

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### MAN CHARGED WITH POINTING LASER AT POLICE HELICOPTER

SAN DIEGO – Rudy Alvarez, 24, of Lemon Grove was charged in federal court today with knowingly aiming the beam of a laser pointer at a San Diego Police helicopter as the aircraft flew over protests in the wake of George Floyd's death in Minneapolis.

According to a federal complaint, the incident occurred at a large demonstration that passed through the area of 500 University Avenue in Hillcrest on June 6 at 8:30 p.m. Two officers from the San Diego Police Department's Air Support Unit were monitoring the crowd in a marked San Diego Police Department helicopter. The officers reported that one of the demonstrators in the crowd was shining a laser at their aircraft that impeded their ability to safely operate the helicopter.

"Aiming a laser pointer at or near an aircraft could cause distraction or blindness to a pilot and the consequences could be devastating," said U.S. Attorney Robert Brewer. "We support the Constitutional rights of free speech and assembly, but it is our duty to protect the public and law enforcement from danger."

"The use of laser pointers upon law enforcement aircraft threatened the safety of the police officers protecting lawful protestors and created a potentially dangerous incident," said FBI San Diego Acting Special Agent in Charge Omer Meisel. "The FBI is focused on identifying and investigating individuals who commit crimes that threaten the safety of our community and will continue to work with our local partners to pursue federal prosecutions."

Alvarez was arraigned in federal court today. U.S. Magistrate Judge Daniel E. Butcher set bond at \$5,000. The next hearing is scheduled for June 23 at 9 a.m. before Judge Butcher.

The San Diego police officers were able to locate the man who pointed the laser at the helicopter multiple times over the course of an hour as he marched with the protestors in downtown San Diego.

Based on a description of the man pointing the laser, San Diego police detectives located and later identified Rudy Alvarez in the crowd of demonstrators in the vicinity of 600 G Street at approximately 9:45 p.m. One detective noted that Alvarez was wearing the same clothing as described by the officers in the helicopter. Alvarez was arrested without incident.

After his arrest, detectives found a high-powered gray metal laser pointer in Alvarez's front left pant pocket.

The charges and allegations contained in an indictment or complaint are merely accusations, and the defendants are considered innocent unless and until proven guilty.

# # #

Do not reply to this message. If you have questions, please use the contacts in the message or call the Office of Public Affairs at 202-514-2007.

---

**From:** Thornton, Kelly (USACAS) (b) (6) >  
**Sent:** Wednesday, June 10, 2020 6:31 PM  
**To:** Kjergaard, Alison (OPA) (b) (6) >; Vance, Alexa M. (PAO) (b) (6) >; Lloyd, Matt (PAO) (b) (6) >  
**Cc:** Hornbuckle, Wyn (OPA) (b) (6) >  
**Subject:** RE: PR Laser - Parmley edits.docx

Sending in about five minutes. Thanks for your patience

Alvarez was arraigned in federal court today. U.S. Magistrate Judge Daniel E. Butcher set bond at \$5,000. The next hearing is scheduled for June 23 at 9 a.m. before Judge Butcher.

---

**From:** Kjergaard, Alison (OPA) (b) (6) >  
**Sent:** Wednesday, June 10, 2020 2:53 PM  
**To:** Thornton, Kelly (USACAS) (b) (6) >; Vance, Alexa M. (PAO) (b) (6) >; Lloyd, Matt (PAO) (b) (6) >

Cc: Hornbuckle, Wyn (OPA) (b) (6) >  
Subject: RE: PR Laser - Parmley edits.docx

Do you have the bond and hearing information? We are amplifying from our end.

Ali

---

From: Thornton, Kelly (USACAS) (b) (6) >  
Sent: Wednesday, June 10, 2020 5:47 PM  
To: Kjergaard, Alison (OPA) (b) (6) >; Vance, Alexa M. (PAO) (b) (6) >; Lloyd, Matt (PAO) (b) (6) >  
Cc: Hornbuckle, Wyn (OPA) (b) (6) >  
Subject: RE: PR Laser - Parmley edits.docx

Excellent thank you very much.

---

From: Kjergaard, Alison (OPA) (b) (6) >  
Sent: Wednesday, June 10, 2020 2:46 PM  
To: Thornton, Kelly (USACAS) (b) (6) >; Vance, Alexa M. (PAO) (b) (6) >; Lloyd, Matt (PAO) (b) (6) >  
Cc: Hornbuckle, Wyn (OPA) (b) (6) >  
Subject: RE: PR Laser - Parmley edits.docx

Hi Kelly,  
Good to go.

Ali

---

From: Thornton, Kelly (USACAS) (b) (6) >  
Sent: Wednesday, June 10, 2020 3:53 PM  
To: Kjergaard, Alison (OPA) (b) (6) >; Vance, Alexa M. (PAO) (b) (6) >; Lloyd, Matt (PAO) (b) (6) >  
Cc: Hornbuckle, Wyn (OPA) (b) (6) >  
Subject: RE: PR Laser - Parmley edits.docx

OK here is our final. After the hearing we will plug in the bond and next hearing date.  
Please advise ASAP if we are good to go.

Thanks!

Kelly

Thornton, Kelly (USACAS)  
Sent: Wednesday, June 10, 2020 9:12 AM  
To: Kjergaard, Alison (OPA) (b) (6) >; Vance, Alexa M. (PAO) (b) (6) >; Lloyd, Matt (PAO) (b) (6) >  
Cc: Hornbuckle, Wyn (OPA) (b) (6) >  
Subject: PR Laser - Parmley edits.docx

Good Morning All,

Just a heads up this will be coming your way today. Still awaiting final approval on my end. I'll send you the final version when it's ready.

Thanks,

Kelly

Kelly Thornton  
Director of Media Relations

U.S. Attorney's Office  
Southern District of California

(b) (6)

**Lloyd, Matt (PAO)**

---

**From:** Lloyd, Matt (PAO)  
**Sent:** Wednesday, June 10, 2020 7:14 PM  
**To:** Hornbuckle, Wyn (OPA)  
**Subject:** FW: George Floyd statement\_PS #6 draft rev.docx  
**Attachments:** George Floyd statement\_PS #6 draft rev.docx

I don't know anything about (b) (5) but it sounds like enough of a local issue that it wouldn't affect this and something they feel like they need to include for various local reasons. Thoughts?

---

**From:** Jones, Shane (USALAE) (b) (6) >  
**Sent:** Wednesday, June 10, 2020 1:25 PM  
**To:** Lloyd, Matt (PAO) (b) (6) >  
**Cc:** Hornbuckle, Wyn (OPA) (b) (6) >  
**Subject:** George Floyd statement\_PS #6 draft rev.docx

Good afternoon Mr. Lloyd.

USA Strasser made some edits the op-ed to refle (b) (5). We wanted to kick this back up to OPA for review and approval. Thank you.

 SHANE M. JONES  
COMMUNITY OUTREACH COORDINATOR/PUBLIC INFORMATION OFFICER  
UNITED STATES ATTORNEY'S OFFICE  
EASTERN DISTRICT OF LOUISIANA  
650 POYDRAS STREET, SUITE 1600  
NEW ORLEANS, LA 70130  
(b) (6)  
(O (b) (6) | (F) 504.589.4978

**Lloyd, Matt (PAO)**

---

**From:** Lloyd, Matt (PAO)  
**Sent:** Wednesday, June 10, 2020 8:54 PM  
**To:** Assefi, Omeed (CRT)  
**Subject:** RE: DEPARTMENT OF JUSTICE FILES FRIEND-OF-THE-COURT BRIEF IN SUPPORT OF FREE SPEECH CHALLENGE TO CALIFORNIA'S COVID-19 BAN ON IN-PERSON POLITICAL PROTEST: TEST

I'm working on a release now

---

**From:** Assefi, Omeed (CRT) (b) (6) >  
**Sent:** Wednesday, June 10, 2020 8:53 PM  
**To:** Lloyd, Matt (PAO) (b) (6) >  
**Subject:** Re: DEPARTMENT OF JUSTICE FILES FRIEND-OF-THE-COURT BRIEF IN SUPPORT OF FREE SPEECH CHALLENGE TO CALIFORNIA'S COVID-19 BAN ON IN-PERSON POLITICAL PROTEST: TEST

Thx man! What do you think abt the Maryland letter?

Sent from my iPhone

On Jun 10, 2020, at 8:43 PM, Lloyd, Matt (PAO) (b) (6) > wrote:

?  
Agree. Done.

On Jun 10, 2020, at 8:31 PM, Assefi, Omeed (CRT) (b) (6) > wrote:

? Feel like we file (around 9), Kerri breaks on Hannity, then press release issues

Sent from my iPhone

On Jun 10, 2020, at 8:12 PM, Maugeri, Alexander (CRT)

(b) (6) > wrote:

? Matt,

I defer to OPA on timing of the release. I'll send the brief when it's filed, which will be right around 9 p.m. Not sure if Matt/Kerri want to wait until she's off the air to issue the press release or if it's fine to issue the release when brief is filed.

Alexander V. Maugeri  
Deputy Assistant Attorney General  
Civil Rights Division  
U.S. Department of Justice

(b) (6)

(b) (6)

On Jun 10, 2020, at 8:07 PM, Clark, Melissa D. (PAO)

(b) (6) > wrote:

?

Reflects quote change. Please send me the brief when we have it filed and what time we want to release at.

-Melissa

---

**From:** USDOJ-Office of Public Affairs <USDOJ-OfficeofPublicAffairs@public.govdelivery.com>

**Sent:** Wednesday, June 10, 2020 8:05 PM

**To:** Clark, Melissa D. (PAO) (b) (6) >

**Subject:** DEPARTMENT OF JUSTICE FILES FRIEND-OF-THE-COURT BRIEF IN SUPPORT OF FREE SPEECH CHALLENGE TO CALIFORNIA'S COVID-19 BAN ON IN-PERSON POLITICAL PROTEST: TEST

---

## The United States Department of Justice

FOR IMMEDIATE RELEASE

WEDNESDAY, JUNE 10, 2020

[WWW.JUSTICE.GOV/NEWS](http://WWW.JUSTICE.GOV/NEWS)

---

### **DEPARTMENT OF JUSTICE FILES FRIEND-OF-THE-COURT BRIEF IN SUPPORT OF FREE SPEECH CHALLENGE TO CALIFORNIA'S COVID-19 BAN ON IN-PERSON POLITICAL PROTEST**

#### ***Recent Nationwide Protests Show the Importance of Allowing Peaceful Public Assembly***

WASHINGTON - The Department of Justice today filed a friend-of-the-court brief in the U.S. Court of Appeals for the Ninth Circuit in support of a lawsuit by plaintiffs Ron Givens and Christine Bish, two individuals seeking to hold peaceful in-person protests of 500 to 1,000 people with social distancing on the grounds of the California State Capitol Building.

In its friend-of-the-court brief in the Ninth Circuit, the United States explains that the district court wrongly denied plaintiffs' request for injunctive relief against California's total ban on peaceful protests. While States have broad authority to protect the public during the COVID-19 pandemic, the First Amendment does not give them *carte blanche* to ban peaceful public protests and rallies. The brief also explains that the real and legitimate national outcry over George Floyd's tragic killing has shown the importance of peaceful public protests to maintaining our civic fabric and has highlighted the extreme nature of a blanket protest ban in California. Going forward, it could raise First Amendment concerns if California were to hold other protests, such as those proposed by the plaintiffs in this lawsuit, to a different standard.

"Political speech in traditional public gathering spaces is at the core of the First Amendment's protection of speech and assembly," said Assistant Attorney General Eric Dreiband of the Civil Rights Division. "Moments of national trial reinforce the importance of the right of the people peaceably to speak and assemble. For more than two centuries, the First Amendment has endured, and it has helped preserve the United States of America as a beacon of hope and liberty for our people and for oppressed people all over the world. The right to protest government peacefully is at the heart of who we are as a people. Today's filing by the Justice Department makes clear that the First Amendment right to freedom of speech and the rest of the Bill of Rights' protections remain in full force and effect at all times."

"Now more than ever, Americans are exercising their First Amendment right to peacefully protest, and this fundamental right must be upheld even during times of national emergency," said Matthew Schneider, U.S. Attorney for the Eastern District of Michigan, who, with Assistant Attorney General Dreiband, is overseeing the Justice Department's effort to monitor state and local policies relating to the COVID-19 pandemic.

The friend-of-the-court brief is part of [Attorney General William P. Barr's April 27, 2020 initiative](#) directing Assistant Attorney General Eric Dreiband for the Civil Rights Division and the U.S. Attorney for the Eastern District of Michigan, Matthew Schneider, to review state and local policies to ensure that civil liberties are protected during the COVID-19 pandemic.

Givens is a firearms instructor and the director of training at the Sacramento Gun Club. He has been seeking to hold a protest on the California State Capitol Building grounds objecting to the State's delay, purportedly due to the COVID-19 outbreak, in conducting background checks for gun purchasers. Bish is a resident of Sacramento County and is a candidate for the U.S. House of Representatives in the November 2020 general election who also wishes to organize a protest relating to the State's response to the outbreak on the California State Capitol grounds.

On March 19, 2020, in response to the COVID-19 pandemic, California Governor Gavin Newsom issued an executive order, which requires "all individuals living in the State of California to stay at home or at their place of residence except as needed to maintain continuity of operations" in various "critical infrastructure sectors." The executive order further requires Californians to "heed the State public health directives from the Department of Public Health." At the time plaintiffs filed their complaint, those directives banned "until further notice" all public gatherings of any size in any "indoor or outdoor" space, and applied to "all non-essential professional, social, and community gatherings regardless of their sponsor." Violations of the executive order are subject to criminal penalties. Neither the executive order nor the directives in place when plaintiffs filed their complaint made any exceptions for First Amendment activities, such as peaceful

protest. Thus in California, all gatherings of any size protesting government action were banned.

Following the executive order, the California Highway Patrol denied Givens' and Bish's applications for a permit to protest, even though they planned to practice social distancing and to require protesters to wear masks. In their lawsuit, plaintiffs argued that the grounds of the California State Capitol Building "are the most important and widely used public forum in California" and have been the site of "[c]ountless watershed protests." They claimed that California's actions "amount[ed] to a total ban on public gatherings for the purpose of engaging in First Amendment [conduct] by means of demonstrations, rallies, or protests, regardless of the measures taken to reduce or eliminate the risk of the [COVID-19] virus spreading."

Plaintiffs sought injunctive relief, which the district court denied on the ground that California's "total ban on public demonstrations" is consistent with the First Amendment. On May 17, 2020, plaintiffs appealed the district court's order to the Ninth Circuit.

Since the filing of plaintiffs' appeal, California has announced new guidelines for political protest that, in relevant part, allow socially distant protests of a maximum of 100 attendees or 25% of the relevant area's maximum occupancy, whichever is lower. According to California, "[t]his limitation on attendance will be reviewed at least once every 21 days, beginning May 25, 2020," to "assess the impacts of these imposed limits on public health and provide further direction as part of a phased-in restoration of gatherings that implicate the First Amendment." Plaintiffs, who are seeking to hold protests of 500 to 1,000 attendees, are continuing to challenge California's revised orders.

The federal case on appeal is *Givens, et al. v. Newsom, et al.*, No. 20-15949 (9th Cir.).

The year 2020 marks the 150th anniversary of the Department of Justice. Learn more about the history of our agency at [www.Justice.gov/Celebrating150Years](http://www.Justice.gov/Celebrating150Years).

###

CRT

20-5

Do not reply to this message. If you have questions, please use the contacts in the message or call the Office of Public Affairs at 202-514-2007.

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**Hornbuckle, Wyn (OPA)**

---

**From:** Hornbuckle, Wyn (OPA)  
**Sent:** Wednesday, June 10, 2020 9:30 PM  
**To:** Lloyd, Matt (PAO)  
**Subject:** Re: George Floyd statement\_PS #6 draft rev.docx

I agree

Sent from my iPhone

On Jun 10, 2020, at 7:13 PM, Lloyd, Matt (PAO) (b) (6) > wrote:

Duplicative Information - See Document ID 0.7.4848.5830



**Lloyd, Matt (PAO)**

---

**From:** Lloyd, Matt (PAO)  
**Sent:** Wednesday, June 10, 2020 10:23 PM  
**To:** Jones, Shane (USALAE)  
**Cc:** Hornbuckle, Wyn (OPA)  
**Subject:** RE: George Floyd statement\_PS #6 draft rev.docx

Green light thanks

---

**From:** Jones, Shane (USALAE) (b) (6) >  
**Sent:** Wednesday, June 10, 2020 1:25 PM  
**To:** Lloyd, Matt (PAO) (b) (6) >  
**Cc:** Hornbuckle, Wyn (OPA) (b) (6) >  
**Subject:** George Floyd statement\_PS #6 draft rev.docx

Duplicative Information - See Document ID 0.7.4848.5830

**Hornbuckle, Wyn (OPA)**

---

**From:** Hornbuckle, Wyn (OPA)  
**Sent:** Thursday, June 11, 2020 10:12 AM  
**To:** Vance, Alexa M. (PAO); Lloyd, Matt (PAO)  
**Cc:** Reeves, Kimberlynn (USADE); Raimondi, Marc (OPA); Kjergaard, Alison (OPA); McGowan, Ashley L. (OPA)  
**Subject:** RE: RELEASE: Washington State Man Charged With Smashing Police Car Window

Good call

---

**From:** Vance, Alexa M. (PAO) (b) (6) >  
**Sent:** Thursday, June 11, 2020 10:04 AM  
**To:** Lloyd, Matt (PAO) (b) (6) >  
**Cc:** Reeves, Kimberlynn (USADE) (b) (6) >; Hornbuckle, Wyn (OPA) (b) (6) >; Raimondi, Marc (OPA) (b) (6) >; Kjergaard, Alison (OPA) (b) (6) >; McGowan, Ashley L. (OPA) (b) (6) >  
**Subject:** Re: RELEASE: Washington State Man Charged With Smashing Police Car Window

Sounds good!

--

**Alexa Vance**  
Office of Public Affairs  
U.S. Department of Justice  
Offic (b) (6) | Cel (b) (6)

On Jun 11, 2020, at 10:02 AM, Lloyd, Matt (PAO) (b) (6) > wrote:

?

Let's hold until AG press event is over

On Jun 11, 2020, at 9:58 AM, Reeves, Kimberlynn (USADE) (b) (6) > wrote:

?

Works for me.

---

**From:** Vance, Alexa M. (PAO) (b) (6) >  
**Sent:** Thursday, June 11, 2020 9:57 AM  
**To:** Reeves, Kimberlynn (USADE) (b) (6) >  
**Cc:** Hornbuckle, Wyn (OPA) (b) (6) >; Lloyd, Matt (PAO) (b) (6) >; Raimondi, Marc (OPA) (b) (6) >; Kjergaard, Alison (OPA) (b) (6) >; McGowan, Ashley L. (OPA) (b) (6) >  
**Subject:** Re: RELEASE: Washington State Man Charged With Smashing Police Car Window

Great! Let's issue at 10:15?

--

**Alexa Vance**

Office of Public Affairs

U.S. Department of Justice

Offic (b) (6) | Cel (b) (6)

On Jun 11, 2020, at 9:56 AM, Reeves, Kimberlynn (USADE)

(b) (6) > wrote:

?

Yes, ready to issue.

---

**From:** Hornbuckle, Wyn (OPA) (b) (6) >

**Sent:** Thursday, June 11, 2020 9:50 AM

**To:** Reeves, Kimberlynn (USADE) (b) (6) >

**Cc:** Lloyd, Matt (PAO) (b) (6) >; Raimondi, Marc (OPA)

(b) (6) >; Kjergaard, Alison (OPA)

(b) (6) >; McGowan, Ashley L. (OPA)

(b) (6) >; Vance, Alexa M. (PAO)

(b) (6) >

**Subject:** Re: RELEASE: Washington State Man Charged With Smashing Police Car Window

Good with me. +Alexa in case she can help get this one out since Ali is busy w  
NSD

Kim is this ready to go?

Sent from my iPhone

On Jun 11, 2020, at 9:04 AM, Reeves, Kimberlynn (USADE)

(b) (6) > wrote:

?

+Lloyd, Raimondi, Kjergard and McGowan.

---

**From:** Reeves, Kimberlynn (USADE)

**Sent:** Thursday, June 11, 2020 8:38 AM

**To:** Hornbuckle, Wyn (OPA) (JMD)

(b) (6) >

**Subject:** RELEASE: Washington State Man Charged With Smashing Police Car Window

Hi Wyn Hoping to get a national push on the below release.

Thanks, Kim

NOTE: Criminal Complaint attached as a PDF.  
<image001.gif>

**United States Attorney David C. Weiss  
District of Delaware**

FOR IMMEDIATE RELEASE  
CONTACT: KIM REEVES  
JUNE 11, 2020  
PHONE: (302) 573-6287  
[WWW.USDOJ.GOV/USAO/DE](http://WWW.USDOJ.GOV/USAO/DE)

**WASHINGTON STATE MAN CHARGED AFTER  
SMASHING  
POLICE CAR WINDOW DURING DELAWARE  
PROTEST**

Wilmington, Del. David C. Weiss, United States Attorney for the District of Delaware announced today that a criminal complaint was issued on Saturday, June 6, 2020, charging Adrian Wood, 21, of Washington State, with engaging in a civil disorder that obstructed, impeded, or interfered with a law enforcement officer's lawful duties. If convicted, Wood faces a statutory maximum punishment of up to five years in prison.

The criminal complaint alleges that, beginning in the afternoon of May 30, 2020, protesters gathered in downtown Wilmington in recognition of George Floyd's death in Minneapolis, Minnesota. Protest participants marched in and around Wilmington, including onto Interstate Highway I-95 where they blocked traffic moving in both directions. Later in the evening, a number of persons damaged and looted commercial businesses on Market Street, including restaurants, bars, retail stores, and at least one sporting goods store. Defendant Wood was observed throwing a brick through the back window of a Wilmington Police Department (WPD) marked police car that was being operated by a WPD officer at the time of the incident. Woods ultimately surrendered to police.

U.S. Attorney Weiss commented on the issuance of the criminal complaint, "In recent days, protestors throughout Delaware have lawfully exercised their First Amendment rights in sympathy with those seeking criminal justice reform. But peaceful protest does not extend to the lawless destruction of private or public property. Thankfully, the defendant's violent actions did not result in physical harm to the WPD officer driving the police car attacked by the defendant. I commend WPD's collaboration with the FBI

and their efforts to quickly identify and bring the defendant to justice.

“We appreciate the continued partnership and support of the United States Attorney’s Office and the Federal Bureau of Investigation,” said Wilmington Police Chief Robert J. Tracy. “I am glad that none of our officers were injured, and that our collaborative, investigative efforts have been successful in holding this individual responsible for his actions.”

"The cornerstone of America is built on the rights of its citizens to peacefully assemble and have their voices heard," said FBI Special Agent in Charge Jennifer Boone. "But we cannot allow violence committed by those who try to take advantage of peaceful demonstrations to pursue their own agendas to stand. Together with our partners, we will not let anyone use violence to silence a community and we encourage anyone with information or evidence of violence to submit a tip at [fbi.gov/violence](https://www.fbi.gov/violence)."

A criminal complaint is merely an accusation. The defendant is presumed innocent until proven guilty in a court of law.

###

Kim Reeves, Ed.D.  
Public Affairs  
U.S. Attorney’s Office DE  
Des (b) (6)  
Cell (b) (6)

<Complaint - Wood.pdf>

**Lloyd, Matt (PAO)**

---

**From:** Lloyd, Matt (PAO)  
**Sent:** Thursday, June 11, 2020 11:48 AM  
**To:** Vance, Alexa M. (PAO)  
**Cc:** Reeves, Kimberlynn (USADE); Hornbuckle, Wyn (OPA); Raimondi, Marc (OPA); Kjergaard, Alison (OPA); McGowan, Ashley L. (OPA)  
**Subject:** Re: RELEASE: Washington State Man Charged With Smashing Police Car Window

You can send

On Jun 11, 2020, at 10:03 AM, Vance, Alexa M. (PAO) (b) (6) > wrote:

Duplicative Information - See Document ID 0.7.4848.19116



**Kupec, Kerri (OPA)**

---

**From:** Kupec, Kerri (OPA)  
**Sent:** Thursday, June 11, 2020 12:30 PM  
**To:** Levi, William (OAG)  
**Subject:** Fwd: Newsham quotes

Begin forwarded message:

**From:** "Barrett, Devlin" (b) (6) >  
**Date:** June 11, 2020 at 12:21:38 PM EDT  
**To:** "Kupec, Kerri (OPA)" (b) (6) >  
**Subject:** Newsham quotes

[What did you know about the timing of the perimeter clearing]

They told us they were moving the perimeter over to I Street from Monday night going into Tuesday.

We questioned that. When we voiced concern about that, they eventually stepped back [on Wednesday].

[When did federal officers actually expand the perimeter?]

Sometimes after the president's movement, probably late Monday.

When they extended the perimeter it was overnight.

The perimeter plan -- that didn't actually happen til overnight.

As we went into Monday they had come up to the southside of Lafayette park.

By Tuesday, they were on the south side of I street.

We had multiple discussions [on Tuesday] about them expanding onto whole areas that were city property. By Wednesday, they shrunk back [to federal property].

[when did you learn about presidential movement to church?]

Roughly thirty minutes before it actually happened [at 7:02] we heard that there was going to be an unscheduled presidential movement. So around 6:30, probably a little bit before that.

Just a few minutes later, our teams on the ground learned munitions were going to be used. The munitions were deployed minutes later. The notification of munitions is important because it alerts officers they need to don masks or be prepared for crowd surge.

They [protesters] are going to scatter and its very dangerous. Your No. 1 concern is that people are going to get hurt. You want to provide areas they can escape to.

[Were you told beforehand that all these forces amassing at Lafayette Square were there to extend the perimeter? Were your teams on the ground told this?]\*

**The two were completely separate events.**

**There was the presidential movement, which came first.**

**Then there was the perimeter extension.**

**If they had plans to move the perimeter beyond their property [past Lafayette Square] I didn't hear about that before the clearing on Monday.**

**Hornbuckle, Wyn (OPA)**

---

**From:** Hornbuckle, Wyn (OPA)  
**Sent:** Thursday, June 11, 2020 2:42 PM  
**To:** Lloyd, Matt (PAO); Mastropasqua, Kristina (OPA)  
**Subject:** RE: Riot cases

We could say something like (b) (5)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] (b) (6)

---

**From:** Lloyd, Matt (PAO) (b) (6) >  
**Sent:** Thursday, June 11, 2020 2:35 PM  
**To:** Mastropasqua, Kristina (OPA) (b) (6) >  
**Cc:** Hornbuckle, Wyn (OPA) (b) (6) >  
**Subject:** RE: Riot cases

That's a good idea but we should touch base with them first. Do you have time this pm to contact since Raimondi is apparently indisposed?

---

**From:** Mastropasqua, Kristina (OPA) (b) (6) >  
**Sent:** Thursday, June 11, 2020 2:14 PM  
**To:** Lloyd, Matt (PAO) (b) (6) >  
**Cc:** Hornbuckle, Wyn (OPA) (b) (6) >  
**Subject:** Re: Riot cases

Can we flick this to the districts that charged the cases?

Kristina Mastropasqua  
Office of Public Affairs  
Department of Justice

Sent from my iPhone

On Jun 11, 2020, at 2:12 PM, Lloyd, Matt (PAO) (b) (6) > wrote:

---

**From:** Raimondi, Marc (OPA) (b) (6) >  
**Sent:** Thursday, June 11, 2020 2:04 PM  
**To:** Lloyd, Matt (PAO) (b) (6) >  
**Subject:** FW: Riot cases

YOURS

---

**From:** (b)(6) Josh Gerstein (b)(6) Josh Gerstein >  
**Sent:** Thursday, June 11, 2020 1:51 PM  
**To:** Raimondi, Marc (OPA) (b) (6) >

**Subject:** Riot cases

Hi Marc:

Hope you're doing OK.

Appreciate your sending out the tally of riot cases.

We got second one today that involves someone breaking a police car window.

Wanted to see if you can address or offer a general comment on why breaking a window should be a federal case? Put another way, why does that qualify under the principles of federal prosecution as a good use of the time of FBI agents, prosecutors and the federal courts?

Also regarding some of other case are you concerned that the federal jurisdiction may be a bit tenuous, like the use of a Patron bottle imported from Mexico making it a federally prosecutable Molotov cocktail>

Thanks

--Josh

Josh Gerstein  
Senior Legal Affairs Contributor  
POLITICO

(b) (6)

(b) (6)

## Hornbuckle, Wyn (OPA)

---

**From:** Hornbuckle, Wyn (OPA)  
**Sent:** Thursday, June 11, 2020 3:30 PM  
**To:** Page, Robert (USAGAN)  
**Cc:** Lloyd, Matt (PAO)  
**Subject:** RE: Heads-up

Bob,  
Thanks for the heads up

---

**From:** Page, Robert (USAGAN) (b) (6) >  
**Sent:** Thursday, June 11, 2020 3:22 PM  
**To:** Hornbuckle, Wyn (OPA) (b) (6) >  
**Cc:** Lloyd, Matt (PAO) (b) (6) >  
**Subject:** Heads-up

Wyn,

Quick note for your heads-up file. We are going to GJ on Tuesday for a case where protesters burned a police vehicle in Gainesville, Georgia. We should have a true-bill on Tuesday afternoon. If so, I'll alert the media on Wednesday morning that we plan to have a press conference that afternoon in Gainesville (no mention of the subject until we announce it.) We will conduct it outside the PD. I'll get you a copy of the release as soon as I have it. This is an interesting case because the three involved are from three rival gangs. More to follow.

Very Respectfully,

Bob Page  
Public Affairs Officer  
United States Attorney's Office  
Northern District of Georgia  
600 US Courthouse  
75 Ted Turner Dr (old Spring Street) S.W.  
Atlanta, GA. 30303

(b) (6) c

(b) (6) o

(b) (6)

Facebook: USAttorneyNorthernDistrictofGeorgia

Twitter: @NDGAnews

---

**From:** Kupec, Kerri (OPA)  
**Sent:** Thursday, June 11, 2020 5:00 PM  
**To:** Slack, Donovan  
**Cc:** Timmons, Mollie R. (PAO); Mastropasqua, Kristina (OPA)  
**Subject:** Re: ack!

+Kristina

On Jun 11, 2020, at 3:44 PM, Slack, Donovan (b) (6) > wrote:

Sorry to be a pain. Is someone else helping with the injured officers tally?

Thanks,  
Donovan

-----  
**Donovan Slack**  
National Correspondent

<image002.jpg>

Mobile (b) (6)

(b) (6)

[usatoday.com](http://usatoday.com)

---

**From:** Timmons, Mollie R. (PAO) (b) (6) >  
**Sent:** Thursday, June 11, 2020 2:30 PM  
**To:** Slack, Donovan (b) (6) >  
**Cc:** Kupec, Kerri (OPA) (b) (6) >  
**Subject:** RE: ack!

Donovan,

I can help you with the Bureau of Justice Statistics portion. What exactly are you looking for?

Thanks,  
Mollie

---

**From:** Slack, Donovan (b) (6) >  
**Sent:** Thursday, June 11, 2020 2:24 PM  
**To:** Kupec, Kerri (OPA) (b) (6) >; Timmons, Mollie R. (PAO) (b) (6) >  
**Subject:** ack!

Hi Kerry (and Mollie),

I sent a form in with an inquiry on the DOJ web site a couple hours ago and haven't heard back so I thought I'd try you directly. I am working on a story about the public protests of recent weeks, and saw that WaPo included a DOJ tally of officers injured -- 749 including 150 in DC,

including 22 who required hospitalization. ([https://www.washingtonpost.com/national/protests-police-anger/2020/06/10/726b6f70-aa83-11ea-9063-e69bd6520940\\_story.html](https://www.washingtonpost.com/national/protests-police-anger/2020/06/10/726b6f70-aa83-11ea-9063-e69bd6520940_story.html))

Can you provide us with the tally?

Separately, I am trying to figure out more about these stats kept by the Bureau of Justice Statistics ([https://www.bjs.gov/index.cfm?ty\\_pbdetail&iid\\_5321](https://www.bjs.gov/index.cfm?ty_pbdetail&iid_5321)) and don't know who to ask. Can you direct me to someone?

I am on deadline today.

Would appreciate your help!

Thanks,

Donovan

---

**Donovan Slack**

National Correspondent

<image003.jpg>

Mobile (b) (6)

(b) (6)

[usatoday.com](http://usatoday.com)

**Lloyd, Matt (PAO)**

---

**From:** Lloyd, Matt (PAO)  
**Sent:** Thursday, June 11, 2020 7:47 PM  
**To:** Hornbuckle, Wyn (OPA)  
**Subject:** FW: Media Inquiry from Donovan Slack - USA TODAY

I'm not responding

-----Original Message-----

**From:** Press <Press@jmd.usdoj.gov>  
**Sent:** Thursday, June 11, 2020 11:48 AM  
**To:** Lloyd, Matt (PAO) (b) (6) >  
**Cc:** Clark, Melissa D. (PAO) (b) (6) >; Press <Press@jmd.usdoj.gov>  
**Subject:** FW: Media Inquiry from Donovan Slack - USA TODAY

Duplicative Information - See Document ID 0.7.4848.19474

**Hornbuckle, Wyn (OPA)**

---

**From:** Hornbuckle, Wyn (OPA)  
**Sent:** Thursday, June 11, 2020 7:55 PM  
**To:** Lloyd, Matt (PAO)  
**Subject:** Re: Media Inquiry from Donovan Slack - USA TODAY

Mollie has OJP. NIJ is an independent research arm. Not sure how useful they will be here, but maybe we could have a conversation with someone over there tomorrow am?

Sent from my iPhone

> On Jun 11, 2020, at 7:49 PM, Lloyd, Matt (PAO) (b) (6) > wrote:

>  
> If these are outdated we probably need to figure something out here. Who has NIJ in portfolio?  
>  
> -----Original Message-----  
> From: Hornbuckle, Wyn (OPA) (b) (6) >  
> Sent: Thursday, June 11, 2020 1:53 PM  
> To: Lloyd, Matt (PAO) (b) (6) >  
> Subject: RE: Media Inquiry from Donovan Slack - USA TODAY  
>  
> The second probably is the same as the NYT query re NIJ previous work and BJS reports. Not sure it would be helpful at this stage to provide anything more  
>  
> NIJ has not done any work in this area for years and their overview page - <https://nij.ojp.gov/topics/article/s/overview-less-lethal-technologies>  
>  
> - has an archival notice - that means some links may no longer work - However, all of the links that I checked were live.  
>  
> Table 1 of the BJS report Local Police Departments, 2013: Equipment and Technology (2015) looks at authorization of non-lethal weapons in local police departments by size (found at: <https://www.bjs.gov/content/pub/pdf/lpd13et.pdf> > ). BJS does not ask specifically about protest/riot situations.  
>  
> Data for the 2016 LEMAS report is currently being analyzed and prepared.  
>  
> -----Original Message-----  
> From: Lloyd, Matt (PAO) (b) (6) >  
> Sent: Thursday, June 11, 2020 1:48 PM  
> To: Hornbuckle, Wyn (OP) (b) (6) >  
> Subject: FW: Media Inquiry from Donovan Slack - USA TODAY  
>  
> I'm not sure we need to answer the first. Do you know about the second?  
>  
> -----Original Message-----  
> From: Press <Press@jmd.usdoj.gov>

> Sent: Thursday, June 11, 2020 11:48 AM  
> To: Lloyd, Matt (PAO (b) (6))  
> Cc: Clark, Melissa D. (PAO (b) (6)) Press <Press@jmd.usdoj.gov>  
> Subject: FW: Media Inquiry from Donovan Slack - USA TODAY

>  
>  
>

> -----Original Message-----

> From: no-reply@usdoj.gov <no-reply@usdoj.gov>  
> Sent: Thursday, June 11, 2020 11:43 AM  
> To: Press <Press@jmd.usdoj.gov>  
> Subject: Media Inquiry from Donovan Slack - USA TODAY

>  
> Date Thursday, June 11, 2020 - 11:43am EDT  
>

> Name: Donovan Slack

>

> Email Address (b) (6)

>

> Topic: Other (please specify at the top of your message)

>

> Media Outlet: USA TODAY

>

> Deadline: TODAY

>

> Inquiry:

> I have some questions on police officer injury statistics during the Floyd protests (WaPo said DOJ tally showed 749 injured, 150 in DC, of which 22 were hospitalized).

> Can you provide the tally for us?

> Separately I have some questions about less-than-lethal statistics kept by the Bureau of Justice Statistics and don't know who to ask. Can you direct me to someone?

> Thanks much,

> Donovan Slack

> National Correspondent

> USA TODAY

(b) (6)

>

>



(USA) (b)(6) per DOD [REDACTED], "Anaya, Sergio Lt Col SD"

(b)(6) per DOD [REDACTED] (b)(6) per DOD [REDACTED]

Cc (b)(6) per DOD [REDACTED]

**Subject:** FYSA: "After photo op debacle, Pentagon leaders try to regroup" (Politico)

After photo op debacle, Pentagon leaders try to regroup

The Joint Chiefs chairman said his presence and the photographs compromised his commitment to a military divorced from politics.

Politico | Lara Seligman

The Pentagon's top two leaders, after stumbling last week in their response to racial unrest across the country, are now actively pushing back against their commander in chief in their renewed quest to keep politics out of the military.

But in distancing themselves from their boss, both are risking their jobs as the Pentagon faces a crisis in public confidence not seen in decades.

Joint Chiefs Chairman Gen. Mark Milley on Thursday broke his silence on the murder of George Floyd and military leadership's handling of peaceful demonstrations over racial injustice and police violence that swept the nation in past weeks. He expressed his regret for walking with President Donald Trump across Lafayette Square for a photo op on June 1 after authorities forcefully cleared the area of protesters.

In a prerecorded video commencement address to National Defense University, Milley called the appearance a "mistake."

"I should not have been there," said Milley. "As a commissioned uniformed officer, it was a mistake that I have learned from, and I sincerely hope we all can learn from it."

The images of Milley walking the streets of D.C. in his combat uniform — and of Defense Secretary Mark Esper appearing in a group photo with the president after law enforcement fired tear gas and rubber bullets at peaceful protesters — prompted outrage from current and retired officials. Many accused Pentagon leaders of allowing Trump to inappropriately politicize the military.

Two days after that incident, Esper addressed reporters at the Pentagon, distanced himself from the photo op and said he was against deploying active-duty troops to handle civic unrest, something Trump had threatened to do.

This account of the days following the photo op and the tension with the White House that followed is drawn from interviews with nine officials in the Pentagon and the White House, along with four people close to the discussions over the past two weeks, many of whom have been critical of Milley and Esper's actions.

Since Trump's walk to St. John's Episcopal Church and all the criticism that came after it, Milley and Esper now find themselves with the unenviable task of not only trying to restore America's confidence in its armed forces, but of also managing the Pentagon's frayed relationship with the White House.

It's an awkward spot to be in. Rifts between the White House and the Pentagon are normal, but it's rare for them to play out publicly. In this administration, it's becoming common for a Pentagon leader to make a statement, only to be undercut by a surprise Trump tweet.

"With both Milley and Esper coming out and distancing themselves from the photo op that the president decided on and executed, I cannot imagine that the White House is happy," said Nora Bensahel, a visiting professor of strategic studies at the Johns Hopkins School of Advanced International Studies.

The frustration cuts both ways. Trump "has zero support from current and former senior military, civilian and uniform," said one former administration official close to the Pentagon who requested anonymity to relay sensitive discussions.

Pentagon spokesperson Christopher Sherwood, when asked about the working relationship between the three, said: "The Secretary and Chairman continue to be focused on supporting the men and women in uniform and implementing the National Defense Strategy at the President's direction."

The relationship between Milley and Esper is the subject of intense scrutiny, both inside and outside the Pentagon. Milley, in particular, has been a controversial figure since Trump picked him for the job in December 2018, ignoring the recommendation of then-Defense Secretary Jim Mattis. Milley's often brash and outspoken manner, as well as his close relationship with Trump, prompted concerns that the four-star general would overshadow Esper, a former junior Army officer turned-Pentagon bureaucrat and industry executive, tipping the balance of civil-military power toward those in uniform.

Milley's unique role in the Trump administration has been thrust into the spotlight this month as the military was forced to respond to protests across the country over racial injustice and police brutality. The chairman holds an advisory position and has no legal authority over military forces, yet Trump proclaimed he would put Milley "in charge" of the administration's response to the unrest.

"Milley's bumbling decision [last week] week kind of rendered him damaged goods," said Mara Karlin, director of strategic studies at the Johns Hopkins School of Advanced International Studies and a former Pentagon official. "He has gained some credibility back with his letter to the force, but it is tenuous. [Milley's] actions will be watched with a very, very careful eye across the Pentagon and across the force."

Over the past week, Milley, Esper and other service leaders have released letters to the force calling on service members to remember their oaths to defend Americans' constitutionally given rights to free speech and peaceful protest.

Behind the scenes, the two have spent the past two weeks working to shield the military from Trump, with limited success. During discussions about deploying active-duty troops on the streets, Milley and Esper argued strongly with Trump that managing the protests should be left to the National Guard and local law enforcement, according to two defense officials who, like others interviewed for this story, declined to be named in order to discuss a sensitive issue.

Esper spent hours making phone calls to governors asking them to send National Guardsmen in order to avoid deploying active-duty troops on the streets of the nation's capital. And both men have called and met with lawmakers to discuss the situation, according to the officials.

During the discussions over using the Insurrection Act to deploy the active-duty military, Milley and Esper went head-to-head with Attorney General William Barr and acting Secretary of Homeland Security Chad Wolf, who argued in favor of that course, said one administration official. After the photo op, Milley considered resigning, according to NBC News.

In the immediate aftermath, Milley deliberately kept a low profile, according to three defense officials. The general focused on playing the "good soldier" and "battle buddy," filling in Esper on his private conversations with the president — Trump is known to dial Milley directly instead of calling Esper — said another source close to the Pentagon.

Meanwhile, Esper bore the brunt of the ire from the White House. His public opposition to using active-duty troops angered the president, according to people inside and near the White House. Staffers even began drawing up a list of names of possible replacements. The Wall Street Journal reported that Trump was on the brink of firing Esper, and the defense secretary was preparing to draft a resignation letter.

But the photo op hasn't been Esper's only problem. He took heavy fire for calling domestic protest areas a "battle space" and was faulted for taking too long to address the death of George Floyd. The actions drew swift rebukes from retired military leaders, most notably Mattis, who had previously pledged to avoid criticizing members of this administration.

This week, both leaders are in the hot seat. Trump shocked senior officials on Wednesday with a series of tweets opposing the renaming of Army installations named after Confederate generals, just two days after Esper and Army Secretary Ryan McCarthy opened the door to doing so. Milley had also said publicly that he "fully supports the discussion" of renaming bases.

Milley did not help his relationship with the White House with his comments on Thursday, in which he acknowledged that his presence in Lafayette Square last week inappropriately politicized the military, said one of the defense officials.

"That sparked a national debate about the role of the military in civil society," said Milley in his address. "My presence in that moment and in that environment

created a perception of the military involved in domestic politics.

"We who wear the cloth of our nation come from the people of our nation, and we must hold dear the principle of an apolitical military that is so deeply rooted in the very essence of our republic," he said.

Milley made the remarks to an audience of National Defense University graduates, a symbolic move reflecting efforts to set the right tone for future national security leaders.

Retired Army Col. Joseph Collins, who taught at NDU from 2004 to 2019, said Milley had a "captive audience" for his mea culpa.

"This is the educational bridge to the level where decision-making and civil-military relations comes to the forefront — the domestic context," he said. "You are not just managing the brigade. You may be advising the chairman. Some of them will literally go to the Joint Staff and be writing papers for the secretary of defense."

Collins, who now teaches at Georgetown University's Center for Security Studies, said he has not seen the civilian-military relationship so out of balance since the Vietnam War.

"When they see the chairman of the Joint Chiefs sucked into what was effectively a political demonstration, people are concerned about the politicization of the military as much as they are concerned about the militarization of police forces."

Milley's entire speech has been published on Facebook, first privately and then later opened up for the world to read.

For now, it seems that both men will keep their jobs. There is little appetite in Congress to confirm a new defense secretary just five months before an election, and in the midst of a pandemic and massive civil unrest. And Milley is known for his ability to speak candidly and forcefully to Trump.

"He has a trusted relationship with the president, but when it comes down to it, Gen. Milley is always going to offer what he believes to be true," a defense official said. "He has got a very powerful, strong personality. I think that sometimes that intimidates people. It doesn't intimidate the president."

--Meridith McGraw and Bryan Bender contributed to this report

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(b)(6) per DOD

Office of the Assistant to the Secretary of Defense for Public Affairs

Media Analysis (b)(6) per DOD

[REDACTED]

[REDACTED]



# Department of Justice

**United States Attorney G. Zachary Terwilliger  
Eastern District of Virginia**

FOR IMMEDIATE RELEASE  
June 12, 2020  
[EDVA.gov](http://EDVA.gov) | [@EDVAnews](https://twitter.com/EDVAnews)

Contact: Joshua Stueve  
Director of Public Affairs  
[joshua.stueve@usdoj.gov](mailto:joshua.stueve@usdoj.gov)

## **Man Arrested for Threatening to Burn Down African American Church**

NORFOLK, Va. A North Carolina man was arrested today on charges related to his alleged threat to burn down an African American church in Virginia Beach.

According to court documents, John Malcolm Bareswill, 63, who lives in Catawba, North Carolina, and also in Virginia Beach, allegedly called a Virginia Beach church with a predominantly African American congregation, made racially derogatory remarks, and threatened to set the church on fire. The threatening call was placed on June 7, several days after one of the church's leaders took part in a public prayer vigil and peaceful demonstration for George Floyd.

According to the affidavit in support of the criminal complaint, on June 7, a church member informed the Virginia Beach Police Department that between approximately 10:00 AM and 11:30 AM, an unknown male (UM) caller had called the church's land line telephone. The telephone call was answered by Witness 1, a member of the church, who placed the call on speakerphone, which allowed Witness 2, also a church member, to overhear the conversation. Three young children were also present. The UM caller stated words to the effect of "you [racial slur] need to shut up", and threatened to set fire to the church.

Bareswill is charged with making a telephonic threat to kill, injure, or intimidate any individual, or unlawfully to damage or destroy a building by fire. If convicted, Bareswill faces a maximum penalty of 10 years in prison.

G. Zachary Terwilliger, U.S. Attorney for the Eastern District of Virginia, Martin Culbreth, Special Agent in Charge of the FBI's Norfolk Division, Tony Zucaro, Jr., Acting Chief of the Virginia Beach Police Department, and David Hutcheson, Chief of the Virginia Beach Fire Department, made the announcement. Assistant U.S. Attorney Andrew Bosse is prosecuting the case.

A copy of this press release is located on the website of the [U.S. Attorney's Office](#) for the Eastern District of Virginia. Related court documents and information are located on the website of the [District Court](#) for the Eastern District of Virginia or on [PACER](#) by searching for Case No. 2:20-mj-230.

*A criminal complaint is merely an accusation. The defendant is presumed innocent until proven guilty.*

###

**AFFIDAVIT IN SUPPORT OF  
AN APPLICATION FOR A CRIMINAL COMPLAINT AND ARREST WARRANT**

I, Alex L. Cava, being duly sworn, do hereby state the following is true to the best of my knowledge and belief:

**INTRODUCTION AND AGENT BACKGROUND**

1. I am a “federal law enforcement officer” within the meaning of Federal Rule of Criminal Procedure 41(a)(2)(C), that is, a government agent engaged in enforcing the criminal laws of the United States and duly authorized by the Attorney General to request an arrest warrant. I am an investigative or law enforcement officer of the United States within the meaning of Section 2510(7) of Title 18 of the United States Code. I have been employed as a Special Agent with the FBI since July 2017. I am currently assigned to investigate violations of Civil Rights statutes, including Hate Crimes, within the Norfolk Division of the FBI.
2. As a Special Agent, I have participated in all the normal methods of investigation, including electronic surveillance, physical surveillance, interviews of witnesses, execution of search and arrest warrants, and the use of confidential informants and cooperating witnesses. I have received specialized training in, and have participated in, criminal investigations involving violations of federal health care laws, civil rights violations, and associated crimes.
3. As part of a joint investigation with the City of Virginia Beach Police Department (VBPD) and the City of Virginia Beach Fire Department, your Affiant has been investigating John Malcolm BARESWILL for a violation of 18 U.S.C. § 844(e). Section 844(e) states that it is a felony crime to, “through the use of the mail, telephone ... or other instrument of interstate or foreign commerce, or in or affecting interstate or foreign commerce, willfully

*AC*

make[] any threat ... concerning an attempt or alleged attempt being made, or to be made, to kill, injure, or intimidate any individual or unlawfully to damage or destroy any building ... or other real or personal property by means of fire or an explosive.”

4. The facts in this affidavit come from my personal observations, my discussions with other investigating agents, officers, and analysts, my training and experience, my review of documents, and information obtained from witnesses. This affidavit is intended to show merely that there is probable cause for the requested criminal complaint and arrest warrant, and does not set forth all of my knowledge about this matter.

#### **CASE INITIATION AND PROBABLE CAUSE**

5. The investigation of BARESWILL was initiated on June 8, 2020, after the FBI was contacted by the VBPD and informed of a threat made against a Baptist church in the City of Virginia Beach (“the church”), which is in the Eastern District of Virginia. The church serves a predominantly African American congregation. On June 2, 2020, a leader of the church was one of several ministers who took part in a prayer vigil and peaceful demonstration, which included a moment of silence for George Floyd, in the Mount Trashmore area of Virginia Beach.
6. On June 7, 2020, a church member informed VBPD that on the morning of June 7, 2020, between approximately 10:00 AM and 11:30 AM, an unknown male (UM) caller had called the church’s land line telephone. The telephone call was answered by Witness 1, a member of the church, who placed the call on speakerphone, which allowed Witness 2, also a church member, to overhear the conversation. Three young children were also present. The UM stated words to the effect of “you [racial slur] need to shut up” and threatened to set fire to the church. Witness 1 and Witness 2 were both disturbed by the call and concerned for

their own safety and that of the church.

7. On June 7, 2020, VBPD obtained toll records for the church's land line telephone number. Only one number called the church's line between 10:00 AM and 11:30 AM on June 7, 2020. The incoming call to the church came from telephone number 757.705 [REDACTED]. A records search showed that telephone number 757.705 [REDACTED] had been used by John Malcolm BARESWILL of Catawba, North Carolina. Investigators determined that BARESWILL owned a local package delivery service in the City of Virginia Beach.
8. On June 9, 2020, investigators from the VBPD and the FBI made contact with BARESWILL outside his place of employment and conducted a consensual interview. BARESWILL confirmed that 757.705 [REDACTED] was his personal mobile telephone number. BARESWILL acknowledged he had possession of his mobile telephone during the morning of June 7, 2020. BARESWILL showed investigators his mobile telephone and pointed out that unlocking it required entry of a four-digit code.
9. BARESWILL told investigators that he did not call any religious institution on June 7, 2020. He claimed that he was asleep during the time frame when the call was placed.
10. BARESWILL provided investigators written consent to search his mobile telephone. An FBI forensic examiner made a digital image of the phone. Upon review of the phone's contents, investigators discovered that BARESWILL recently had used his mobile telephone to search the internet for several phrases, including: "Who said all whites are racist," "Black Lives Matter protest held in Virginia," and "Who organized the protests from mount trashmore to town center." Furthermore, the review of the phone revealed that its user recently had searched for information about at least three predominantly African American religious institutions in the area, including the church that received the

threatening telephone call.

11. Records obtained from BARESWILL's mobile telephone service provider showed that an outgoing call was placed by that phone on June 7, 2020, at 10:44 AM, to the church's phone number. Telephone records of the church showed a corresponding incoming call from BARESWILL's mobile telephone number on June 7, 2020, at 10:44 AM. Furthermore, BARESWILL's mobile telephone records indicated that the prefix "\*67" was used when the call was placed. The use of the \*67 prefix code blocks the originating caller's telephone number from being identified by the receiving party's "Caller ID" function.

#### CONCLUSION

12. Based on the foregoing, I submit there is probable cause to believe that BARESWILL used a telephone, an instrument of interstate or foreign commerce, to willfully make a threat concerning an attempt or alleged attempt being made, or to be made, to kill, injure, or intimidate any individual, or unlawfully to damage or destroy any building, by means of fire.

Respectfully submitted,

  
\_\_\_\_\_  
Special Agent Alex L. Cava  
Federal Bureau of Investigation

Sworn and subscribed to before me on  
June 11, 2020.

\_\_\_\_\_  
United States Magistrate Judge

**Hornbuckle, Wyn (OPA)**

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**From:** Hornbuckle, Wyn (OPA)  
**Sent:** Friday, June 12, 2020 10:54 AM  
**To:** Lloyd, Matt (PAO)  
**Subject:** FW: protest arrest  
**Importance:** High

I think we're getting to the stage th (b) (5)

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**From:** Dodge, Angela (USATXS) (b) (6) >  
**Sent:** Friday, June 12, 2020 10:33 AM  
**To:** Hornbuckle, Wyn (OPA) (b) (6) >  
**Subject:** FW: protest arrest  
**Importance:** High

**From:** Dodge, Angela (USATXS)  
**Sent:** Friday, June 12, 2020 9:30 AM  
**To:** Hornbuckle, Wyn (OPA) (b) (6) >  
**Subject:** RE: protest arrest  
**Importance:** High

Sorry...now attached.

**Texas man charged in relation to protests**

HOUSTON – A 32-year-old resident of Austin has been taken into custody on charges of civil disorder, announced U.S. Attorney Ryan K. Patrick.

Travis Glendon Martin III is set to make his initial appearance [via video teleconference?] today at **TIME** before U.S. Magistrate Judge **WHO**. Martin is charged in a criminal complaint filed June 5.

According to the charges, authorities had been engaged in the lawful performance of their duties May 29 during a protest in Houston related to the death of George Floyd. The protest allegedly involved multiple acts of violence at the hands of many which resulted in damage to property and injury to peaceful protesters and others.

Some law enforcement personnel were assigned to control pedestrian traffic and prevent their entrance to Interstate-45, according to the charges. During this time, Martin allegedly lowered his shoulder and rammed one of the officers in an attempt to break through the police line and enter the interstate.

Officers attempted to gain control of Martin who had been exhibiting passive

resistance by placing his arms underneath his body as he lay on the ground, according to the complaint. Martin's actions allegedly impeded law enforcement as another individual was able to remove a traffic cone and throw it at the officers while they attempted to take Martin into custody.

The complaint further alleges that Martin's actions emboldened others to commit similar acts. During his arrest, yet another person then threw traffic cones at the officers which further obstructed, delayed and adversely affected commerce up the ramp and onto the interstate, according to the charges.

Civil disorder involves the commission of any act or attempt to obstruct, impede or interfere with a fireman or law enforcement officer lawfully engaged in the performance of official duties which adversely affects commerce.

If convicted, Martin faces up to five years in federal prison and a possible \$250,000 fine.

The FBI conducted the investigation. Assistant U.S. Attorney Steven Schammel is prosecuting the case.

***A criminal complaint is a formal accusation of criminal conduct, not evidence.***

***A defendant is presumed innocent unless convicted through due process of law.***

---

**From:** Dodge, Angela (USATXS)  
**Sent:** Friday, June 12, 2020 9:29 AM  
**To:** Hornbuckle, Wyn (OPA) (b) (6) >  
**Subject:** protest arrest  
**Importance:** High

This is going out as soon as I confirm details.

I just heard, so sorry about the short turnaround. Do I need to send to anyone else up there?

***Angela Dodge***

***Public Affairs Officer***

U.S. Attorney's Office-Southern District of Texas  
1000 Louisiana, Suite 2300  
Houston, TX 77002

(b) (6)

(b) (6) (fax)

<https://www.justice.gov/usao-sdtx>



**Lloyd, Matt (PAO)**

---

**From:** Lloyd, Matt (PAO)  
**Sent:** Friday, June 12, 2020 11:58 AM  
**To:** Singman, Brooke  
**Cc:** Maugeri, Alexander (CRT)  
**Subject:** quote

Per DOJ official: "The First Amendment does not allow California to selectively enforce its protest rules by allowing large gatherings of over 100-often without permits-in response to the Floyd tragedy and at the same time apply tougher rules to other protests, such as those Givens and Bish."

Matt Lloyd  
Principal Deputy Director, Public Affairs  
U.S. Department of Justice

(b) (6) (cell)

**Lloyd, Matt (PAO)**

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**From:** Lloyd, Matt (PAO)  
**Sent:** Friday, June 12, 2020 12:12 PM  
**To:** Lloyd, Matt (PAO)  
**Subject:** FW: Media Inquiry from Janell Ross - NBC News Digital (national network)

-----Original Message-----

From: Press <Press@jmd.usdoj.gov>  
Sent: Friday, June 12, 2020 10:20 AM  
To: Lloyd, Matt (PAO) (b) (6) >  
Cc: Clark, Melissa D. (PAO) (b) (6) >; Press <Press@jmd.usdoj.gov>  
Subject: FW: Media Inquiry from Janell Ross - NBC News Digital (national network)

-----Original Message-----

From: no-reply@usdoj.gov <no-reply@usdoj.gov>  
Sent: Friday, June 12, 2020 10:17 AM  
To: Press <Press@jmd.usdoj.gov>  
Subject: Media Inquiry from Janell Ross - NBC News Digital (national network)

Date Friday, June 12, 2020 - 10:17am EDT

Name: Janell Ross

Email Address (b) (6)

Topic: Criminal Law

Media Outlet: NBC News Digital (national network)

Deadline: 1 pm EST

Inquiry:

Janell Ross here. I'm a reporter at NBC News Digital who writes for the network's national news website. I'm working on a story about claims made by protesters in Minneapolis and many other cities that the recent protests and in some places uprisings or riots were infiltrated by white nationalists who were there to stoke violence, encourage others to engage in illegal activity (looting, property damage, arson, etc.) and undermine the purpose of the protests. I am writing to request comment on a few specific questions. Please respond by 1 pm EST today.

1) Is there any evidence that people associated with white nationalists groups or ideology infiltrated the recent wave of protests against unchecked police misconduct and brutality?

2) The Attorney General and President have said that protests were infiltrated by ANTI-Fa or far left activists intent on sewing violence and discord. What is the evidence of this? Please describe so that I may explain the proof of these claims in my story.

Please give me a call if you have any questions or concerns.

Sincerely,

Janell Ross

(b) (6) cell

---

**From:** Kupec, Kerri (OPA)  
**Sent:** Friday, June 12, 2020 12:25 PM  
**To:** Hornbuckle, Wyn (OPA)  
**Cc:** Lloyd, Matt (PAO)  
**Subject:** Re: Riot cases

I'm somewhat ambivalent because to your point, threat charge. But it's fine to go nationally.

On Jun 12, 2020, at 9:52 AM, Hornbuckle, Wyn (OPA) (b) (6) > wrote:

Recommending a national push on this EDVA arrest this morning on charges related to an alleged threat to burn down an African American church in Virginia Beach..The pastor was a leader in peaceful protests. In spite of the "no notoriety" concerns we normally apply to threat cases, I think this shows the Department even handedly applying the law to all those threatening or causing violence associated with Floyd protests. This is a threatening communications case, so no civil rights charges as of yet.

Summary: According to court documents, John Malcolm Bareswill, 63, who lives in Catawba, North Carolina, and also in Virginia Beach, allegedly called a Virginia Beach church with a predominantly African American congregation, made racially derogatory remarks, and threatened to set the church on fire. The threatening call was placed on June 7, several days after one of the church's leaders took part in a public prayer vigil and peaceful demonstration for George Floyd.

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**From:** Stueve, Joshua (USAVAE) (b) (6) >  
**Sent:** Friday, June 12, 2020 9:38 AM  
**To:** Hornbuckle, Wyn (OPA) (b) (6) >  
**Subject:** RE: Riot cases  
**Importance:** High

Hi Wyn,

Attached is the draft release we just discussed. The defendant was arrested this morning, and the court docs are now public information, so we would want to get this out as soon as possible. Apologies for the short fuse. Thank you, Sir!

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**From:** Hornbuckle, Wyn (OPA) (b) (6) >  
**Sent:** Friday, June 12, 2020 9:04 AM  
**To:** Stueve, Joshua (USAVAE) (b) (6) >  
**Subject:** Re: Riot cases

Ok I'll call you shortly

Sent from my iPhone

On Jun 12, 2020, at 8:54 AM, Stueve, Joshua (USAVAE) (b) (6) > wrote:

Hey Wyn. Have a time-sensitive case percolating here that I want to give you a quick heads up on. Have a sec for a call (b) (6)

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**From:** Hornbuckle, Wyn (OPA) (b) (6) >  
**Sent:** Thursday, June 11, 2020 5:44 PM  
**To:** Stueve, Joshua (USAVAE) (b) (6) >  
**Subject:** RE: Riot cases

Thanks Josh. Appreciate the insight. I know (b) (6)

---

**From:** Stueve, Joshua (USAVAE) (b) (6) >  
**Sent:** Thursday, June 11, 2020 4:20 PM  
**To:** Hornbuckle, Wyn (OPA) (b) (6) >  
**Subject:** RE: Riot cases

Oh wow! Of course, would be totally happy to help (b) (6)

(b) (6)

(b) (6)

(b) (6)

(b) (6)

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**From:** Hornbuckle, Wyn (OPA) (b) (6) >  
**Sent:** Thursday, June 11, 2020 4:15 PM  
**To:** Stueve, Joshua (USAVAE) (b) (6) >  
**Subject:** Re: Riot cases

Mostly yes. On another note entirely I've been meaning to ask your opinion (b) (6)

(b) (6)

(b) (6)

(b) (6)

Sent from my iPhone

On Jun 11, 2020, at 3:56 PM, Stueve, Joshua (USAVAE)  
(b) (6) > wrote:

Yeah, we talked quite a bit while he was in the AG's office. Incredible effort he put in during a very difficult time. You must have been right in the middle of it as well.

Hanging in there, otherwise. Mostly working remotely but in the office today for the significant guilty plea we had. You still mostly working remotely?

---

**From:** Hornbuckle, Wyn (OPA) (b) (6) >  
**Sent:** Thursday, June 11, 2020 3:53 PM  
**To:** Stueve, Joshua (USAVAE) (b) (6) >  
**Subject:** RE: Riot cases

Doing pretty well, comparatively speaking, I must say. Last week was tough. Zach did a marvelous job.  
How are you?

---

**From:** Stueve, Joshua (USAVAE) (b) (6) >  
**Sent:** Thursday, June 11, 2020 3:42 PM  
**To:** Hornbuckle, Wyn (OPA) (b) (6) >  
**Subject:** RE: Riot cases

Good ol' Gerstein ... Gotta give it to him, he asks some tough questions!

How have things been with you?

---

**From:** Hornbuckle, Wyn (OPA) (b) (6) >  
**Sent:** Thursday, June 11, 2020 3:10 PM  
**To:** USAEO-PublicInformationOfficers <[USAEO-PublicInformationOfficers@usa.doj.gov](mailto:USAEO-PublicInformationOfficers@usa.doj.gov)>  
**Subject:** FW: Riot cases

Colleagues,

Heads up that you may get contacted by Josh Gerstein at Politico about a story related to federal charges brought in rioting cases. Below is the statement I provided. I recommend you simply provide public information from charging docs, etc as you normally would, since all these charges remain pending prosecution. If you feel an additional response/guidance is warranted, please coordinate with me.  
Thanks, Wyn

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**From:** Hornbuckle, Wyn (OPA)  
**Sent:** Thursday, June 11, 2020 3:02 PM  
**To:** (b)(6) Josh Gerstein  
**Cc:** Mastropasqua, Kristina (OPA) (b) (6) >  
**Subject:** RE: Riot cases

Hi Josh,

Attributable to a DOJ spox: U.S. Attorneys are vested with the clear discretion and authority to bring federal charges where they are warranted by facts and the law. They are also the chief law enforcement officers in their districts and have worked together with federal, state, and local law enforcement to hold those accountable who have exploited a legitimate protest movement to seed chaos and commit crimes.

If you have specific questions about the cases, you will need to contact the U.S. Attorney's Offices that are handling them.

---

**From:** (b)(6) Josh Gerstein (b)(6) Josh Gerstein >  
**Sent:** Thursday, June 11, 2020 1:51 PM

**To:** Raimondi, Marc (OPA) (b) (6) >  
**Subject:** Riot cases

Hi Marc:

Hope you're doing OK.

Appreciate your sending out the tally of riot cases.

We got second one today that involves someone breaking a police car window.

Wanted to see if you can address or offer a general comment on why breaking a window should be a federal case? Put another way, why does that qualify under the principles of federal prosecution as a good use of the time of FBI agents, prosecutors and the federal courts?

Also regarding some of other case are you concerned that the federal jurisdiction may be a bit tenuous, like the use of a Patron bottle imported from Mexico making it a federally prosecutable Molotov cocktail>

Thanks

--Josh

Josh Gerstein  
Senior Legal Affairs Contributor  
POLITICO

(b) (6)

(b) (6)

<12JUNE2020 Bareswill arrest PR-NOR.docx>

<8. Bareswill Complaint Affidavit - redacted.pdf>

**Lloyd, Matt (PAO)**

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**From:** Lloyd, Matt (PAO)  
**Sent:** Wednesday, June 3, 2020 1:05 PM  
**To:** Hornbuckle, Wyn (OPA); Raimondi, Marc (OPA)  
**Subject:** RE: NDFL/Request for USA Keefe to appear on radio talk show tomorrow night

I join your opinion

-----Original Message-----

**From:** Hornbuckle, Wyn (OPA) (b) (6)  
**Sent:** Wednesday, June 3, 2020 1:03 PM  
**To:** Lloyd, Matt (PAO) (b) (6); Raimondi, Marc (OP (b) (6)  
**Subject:** Re: NDFL/Request for USA Keefe to appear on radio talk show tomorrow night

I see no reason for him not to do this  
Sounds like good outreach and messaging and it's local radio. Agree?

Sent from my iPhone

>> On Jun 3, 2020, at 12:53 PM, Keefe, Lawrence (USAFLN (b) (6) wrote:  
> Marc,  
>  
> I continue to stand by awaiting word from you and OPA on whether I may participate in the radio show  
this afternoon, after the 2 p.m. eastern meeting between the Reverend, FBI SAC Rojas and me.  
>  
> Please advise when able. My cell i (b) (6)  
>  
> Thank you.  
>  
> Larry Keefe  
> United States Attorney  
> Northern District of Florida  
>  
>  
>  
>> On Jun 2, 2020, at 10:04 PM, Raimondi, Marc (OP (b) (6) > wrote:  
>>  
>> Larry, we have an event happening tomorrow that I think will give us a better idea of your engagement  
would make sense at this time or not. Can we get through that event at 1PM and then Matt, Wyn and I can  
discuss and advise you and perhaps push some materials to you.  
>>  
>> Does this make sense to everyone?  
>>  
>> Marc Raimondi  
>> U.S. Department of Justice  
> (b) (6)

>>

>>

>> On Jun 2, 2020, at 8:44 PM, Keefe, Lawrence (USAFLN) (b) (6) > wrote:

>>

>> Wyn, Matt and Marc,

>>

>> I seek OPA authorization to appear on a small, local radio talk show tomorrow night that is hosted by a very-prominent, local, African-American church reverend.

>>

>> The background is as follows:

>>

>> Since I have been in this Office, I have worked to develop working relationships and personal friendships with leading members of the African-American community here in Florida's capital city, Tallahassee, which is the USAOFLN's headquarters. Initially, the focus was on gun violence initiatives to stem the periodic surges of gun violence which primarily plagued the African-American community here. I hosted a heavily-attended, African-American History Week event in this USAOFLN's offices and created a USAOFLN internship for Florida A&M University students (a HBCU) that was dedicated to and named for one of the first African-American sheriff's deputies that was hired by the local sheriff's office back in the 1950s.

>>

>> When the recent civil unrest began approximately one week ago, Tallahassee had the greatest risk of civil unrest of any locale in the NDFL. Several nights of large protest marches confirmed that the greatest risk of unrest in the NDFL was right here in Tallahassee. My wife and I attended a church service this past Sunday morning at the largest, most civically-involved African American church here in Tallahassee, the Bethel Missionary Baptist Church. Reverend R.B. Holmes was a very gracious host and specifically addressed me and my wife several time in his sermon which related to the protests and the George Floyd situation. Other African-American leaders who I have come to know who are not member of this particular church came to this service to sit near my wife and me.

>>

>> Later Sunday afternoon, Rev. Holmes contacted me and requested that I meet with him in his church office with several other leaders in the African-American community on Monday afternoon. I met with them. They expressed concern about "outside agitators" who are impacting the relatively-peaceful protests by mostly local citizens. They want to help federal law enforcement identify these "outside agitators" who seek to incite riots and violence.

>>

>> I informed FBI SAC JAX Rachel Rojas about this opportunity. She and I had a telephone conference with Rev. Holmes last night, and she and I are scheduled to meet with Rev. Holmes tomorrow afternoon at 2 p.m. EASTERN on how we can work together to deter riots and violence, identify the "outside agitators" who are inciting riots and violence and present a combined front of federal law enforcement and the African-American leadership regarding the civil unrest in Tallahassee.

>>

>> Earlier this evening, Rev. Holmes' assistant called me and asked me whether I would appear with Rev. Holmes on his "radio show" immediately after our 2 p.m. meeting tomorrow afternoon. I said that I would. I want to because I want to maintain the progress and momentum that I feel we have with this relationship. I was requested to pass along the radio show invitation to SAC Rojas. I spoke with SAC Rojas this evening. She said that she would contact OPA in the Bureau, but she predicted that the Bureau will not want her to appear on the radio show.

>>

>> Please advise on whether I may appear on Rev. Holmes' radio show after our meeting with him tomorrow afternoon. I would like to let him know ASAP if an am not authorized to be on the show.

>>

>> Thank you.

>>

>> Respectfully,

>>

>> Larry Keefe

>> United States Attorney

>> Northern District of Florida



U. S. Department of Justice

Office of the Deputy Attorney General

The Deputy Attorney General

Washington, D.C. 20530

ORDER NO.

AUTHORIZING THE DIRECTOR, UNITED STATES MARSHALS SERVICE  
TO DEPLOY UNITED STATES MARSHALS IN RESPONSE TO  
NATIONWIDE VIOLENT UNREST

By virtue of the powers vested in me as Deputy Attorney General, including the authorities and powers described in *In re Neagle*, 135 U.S. 1, 65 (1890), I hereby authorize the Director of the United States Marshals Service to take all reasonable and necessary actions, in response to nationwide violent unrest, to enforce federal criminal statutes and protect federal property and personnel. The Director shall, as appropriate, coordinate enforcement actions with federal, state, and local law enforcement authorities charged with enforcing any related offenses, or, with respect to assistance in the enforcement of federal statutes, to deputize federal, state, and local law enforcement officials as necessary and appropriate.

5-31-2020

Date

Jeffrey A. Rosen  
Deputy Attorney General