

Congressional Testimony Document

by **Condemned USA**

1. The Select Committee's Deceptive Practices

a. Legitimacy and Formation Issues

- **Strategic Timeline and Media Manipulation:** From its inception on July 1, 2021, to the release of its final report on December 22, 2022, the Select Committee operated with high media visibility. The timing of its reports and hearings was strategically planned to influence public opinion and ongoing legal cases. The final report included manipulated evidence, such as altered videos of defendants reading Trump's tweets, which shaped public and judicial narratives around January 6th.

b. Evidence Manipulation and Narrative Control

- **Editing and Misrepresentation:** The Select Committee engaged in deliberate editing of exhibits, including video footage, to misrepresent the actions of those involved. Footage of defendants reading Trump's tweets was altered to suggest malicious intent, undermining the fairness of subsequent judicial processes.
- **Altering Time Stamps for Narrative Control:** The Committee altered time stamps on video evidence to distort the timeline of events, fitting their constructed narrative. This deliberate act of deception obscured the truth and had significant implications for justice, as original, unaltered videos available from journalists exposed the discrepancies.
- **Sound and Visual Manipulation:** The Committee's use of sound and visual manipulation—such as adding or amplifying audio—was a calculated effort to heighten the drama and emotional impact of the events. This distortion made actions appear more threatening and violent than they were, furthering the Committee's narrative at the expense of factual accuracy.

c. Impact on Public Perception and Legal Outcomes

- **Aggressive Media Strategy:** The Committee's hearings were aggressively televised, with the clear effect of shaping public perception. The dissemination of heavily edited

and dramatized footage contributed to a skewed narrative against the defendants, ensuring the Committee's version of events dominated public discourse.

- **Public Funds Were Used in Connection with Fraud and Tampering with Evidence:** Public funds were misused by the Select Committee to commission work from ABC producer James Goldston. His official role was surely not to create a dramatized narrative that supported the Committee's version of events, consistently at the expense of factual accuracy. This misuse of funds for political purposes had a direct impact on the fairness of subsequent legal proceedings. The question that should be asked is who authorized or directed Mr. Goldston to manipulate what the Committee members, specifically Bennie Thompson, entered into the congressional record as evidence. Misuse of taxpayer dollars in connection with fraud voids congressional speech and debate immunity claims and attorney client privilege where counsel took part in this glaring crime.

Bennie Thompson's Role: Bennie Thompson, chairman of the Select Committee, played a critical role in shaping the Committee's approach and narrative. His involvement underscores the political nature of the Committee, where the focus appeared to be on targeting political opponents rather than conducting an unbiased investigation into the events of January 6th. Bennie Thompson was a member of the Republic of New Africa (RNA), a Black nationalist and separatist organization that was active in the United States during the 1960s and 1970s. The RNA aimed to create an independent Black nation in the southeastern United States. Thompson's involvement with the RNA – a known violent group for their “guerilla tactics” was on the FBI terror watch list. Thompson supported members and affiliates from the group publicly as late as 2012.

2. Sentencing Disparities and Judicial Overreach

a. Inconsistent Sentencing and Judicial Bias

- **Disproportionate Sentencing:** Sentencing for January 6th defendants has been marked by extreme inconsistency, with some sentences far exceeding what is typical for the charges involved. These sentences appear to have been influenced more by political

pressure than by the specifics of the cases, leading to disproportionate punishments that do not align with established principles of fairness and justice.

- **Disparities in Sentencing:** The disparity between the sentences of January 6th defendants and those involved in more serious criminal behavior is stark. For example, a defendant who assaulted an officer and caused \$34,000 in federal property damage received a more lenient sentence than many January 6th defendants involved in non-violent actions. This inconsistency highlights the judiciary's biased approach.

b. Improper Application of Sentencing Enhancements

- **False Terrorism-Related Enhancements:** Defendants were subjected to terrorism-related sentencing enhancements without legitimate basis. These enhancements were later ruled improper by the Supreme Court's *Erlinger* decision, but not before they had contributed to unnecessarily severe sentences. Judges state they will hold the same sentence for individuals in defiance of reasoning.
- **Misapplication of Enhancements:** Beyond terrorism-related enhancements, other sentencing enhancements were broadly applied without clear legal justification. This overuse of enhancements inflated the severity of defendants' actions and led to unjustly harsh sentences.
- **Impact on Prison Categorization:** The improper use of sentencing enhancements directly affected how defendants were categorized within the Bureau of Prisons (BOP), often resulting in harsher incarceration conditions. This deluded or contrived narrative was based on inflated charges, further perpetuating injustice.

Example a person who would have been in minimum security was placed in medium security while medium went to maximum security.

c. Class B Misdemeanor Mismanagement

- **Departure from Sentencing Norms:** D.C. judges frequently imposed sentences for Class B misdemeanors that exceeded the maximum six-month jail term of petty misdemeanors combining jail time and probation in ways that are inconsistent with the law and handing out a combination sentences of over three years of probation and incarceration. This represents a clear case of judicial overreach and obnoxious abuse of the trust placed in judges.
- **Judiciary's Retaliatory Response:** When defendant James Little won his appeal and judges were forced to correct the improper sentences the D.C. judiciary retaliated by imposing additional jail time instead of reducing sentences. This punitive approach prioritized punishment over justice and again gives rise to the abuse of the D.C. judiciary.

The Federal sentencing commission has for decades recognized the reasons for choosing incarceration or probation and their very different purposes.

d. Overreach with 1512 Obstruction Charges

- **Excessive Application of 1512 Charges:** The broad use of 1512 obstruction charges imposed lengthy sentences on defendants whose actions did not justify such severe punishment. Most judges aligned with the DOJ's stance, contributing to a pattern of excessive sentencing that required Supreme Court review and change releasing dozens but not until after they lived the extremely abusive nature of non-violent protest as a conservative at the hands of an offtrack D.C. judiciary
- **Impact on Incarceration and Categorization:** The application of 1512 charges extended sentences and affected BOP categorization, leading to more restrictive and punitive conditions of confinement based on inflated charges.

e. Beryl Howell's Influence on Judicial Practices

- **Role of Judge Beryl Howell:** Judge Beryl Howell played a central role in setting a precedent for sentencing that aligned more with political narratives than with justice. Her decisions influenced the judiciary's overall approach, leading to widespread judicial overreach.
- **Capitol View and Judicial Bias:** Judge Beryl Howell mentioned her view of the Capitol from her chambers office window during proceedings, a statement that reflects the personal and political lens through which she viewed these cases, further evidencing her compromised view and her blatant lack of impartiality.
- **Appellate Court Criticism:** Howell was criticized by the appellate court for turning over court documents to Congress, an act seen as an overreach of her judicial authority. This is just another reminder of the lack of the duplicitous nature of the District of Columbia and application of the law.

3. Judicial Bias-Venue-Induced Prejudice-Change of Venue

a. Impact of Media and Select Committee Findings on Judicial Decisions

In the echo chamber of D.C. distortion created reality

Judicial notice is a legal doctrine that allows a court to recognize and accept certain facts as true without requiring formal evidence or proof. These facts are typically things that are so well-known or universally accepted that they cannot reasonably be disputed. Judicial notice is governed by rules of evidence, such as Rule 201 of the Federal Rules of Evidence in the United States.

- **Improperly formed judicial Notice of Select Committee Findings:** Judicial decisions in these cases were heavily influenced by media portrayals and the Select Committee's findings, often based on manipulated evidence. This reliance on biased sources compromised the fairness of legal proceedings.
- **Selective Use of Committee Findings:** The Committee's findings were treated as authoritative, despite being based on manipulated evidence. This reliance led to biased decisions that undermined the integrity of the legal process.

b. Bias in Washington, D.C. Courts

- **Venue-Induced Bias:** Holding trials in Washington, D.C., created an environment where defendants simply did not receive a fair trial. The local jury pool, influenced by pervasive media coverage and the Select Committee's narrative, was predisposed to view defendants negatively.
- **Impact of D.C. Attorney General's Civil Suit:** The civil suit filed by D.C. Attorney General Karl Racine reinforced this mindset of bias by portraying residents as victims of January 6th, compromising juror impartiality.
- **Jury Pool Bias Revealed by Google Trends Data:** Google Trends data shows that the D.C. jury pool consumed overwhelmingly biased information against January 6th defendants, inconsistent with the rest of the nation. This intrigue and immersion ensured a predisposition to convict based on the incredible amount of bias that was provided in the unparalleled amount of media.
- **DEI & January 6th the government fails to apply implicit & inherent bias:** The government willfully accepts bias for diversity equity and inclusion that has been institutionalized throughout all parts of our government. Somehow the only party they believe to be immune from this is a jury pool in D.C. When presented with undisputed

evidence the government then turns its back on the core of the scientific evidence it has used until it is inconvenient.

- **Condemned USA sponsored research and writing of Change of Venue:** The A.J. Fischer case has a comprehensive change of venue motion that cannot be ignored as the facts and scientifically sound, however the judge chose to rule against the incredible body of work with no opinion. This was highly unusual considering numerous expert witnesses and numerous delays by the government while trying to find experts to deny the data science and psychology of the motion. However, in classic D.C. fashion the facts were never to be considered while the disturbing impropriety known as the partisan abuse of the justice system continues.

c. **False Narrative and Characterization of Defendants**

- **Portrayal of Defendants as Extremists:** The narrative that January 6th defendants were all violent extremists and domestic terrorists was false and damaging. This portrayal ignored the diversity of those involved and exaggerated their actions, justifying harsh legal actions disproportionate to the offenses.

4. Federal Government's Role in Politicized Prosecutions

a. **Coordination Between Federal Agencies and the Select Committee**

- **Collaboration Between FBI, DOJ, and Select Committee:** The coordination between these agencies led to prosecutions influenced by political considerations. Charges and sentences were pursued as part of a broader effort to suppress dissent rather than based on evidence.
- **Misallocation of Resources:** The government prioritized January 6th cases over significant threats like human trafficking, leading to the criminalization of those who acted against trafficking rather than recognizing their efforts. This skewed prioritization highlights the selective and politically motivated actions of the DOJ.

b. **Inconsistent and Extreme Arrest Tactics**

- **Use of Domestic Terror Label:** The use of the domestic terror label to justify SWAT team raids and other extreme measures contrasts sharply with more lenient treatments of

other protesters. The inconsistent approach to arrests illustrates the DOJ's selective and politicized handling of these cases.

- **Domestic Violent Extremism Pays Well:** FBI agents received bonuses and funding for fitting defendants into this category, see Republican Report on the House Judiciary
- **Extreme Force in Arrests:** SWAT team raids on January 6th defendants regularly involved unnecessary and extreme force, including the use of flashbang grenades, battering rams, armored vehicles and heavy-handed tactics typically reserved for dangerous criminals. These raids were carried out on individuals who had not engaged in any violent actions, leading to traumatizing experiences for them and their families.
- **Additionally Social Terrorism Sets In:** Defendants lost jobs, were debanked, publicly persecuted, ridiculed and terrorized by the private sector because of false labels.

c. Misuse of Authority

- **Judicial Complicity and Erosion of Trust:** The judiciary's role in supporting this misuse of authority, particularly by ignoring defendants' attempts to testify or act as whistleblowers, has eroded public trust in the legal system and set a dangerous precedent for handling politically charged cases.

5. Adverse Effects—Incarceration - Judicial Mismanagement

a. Punitive Pretrial Detention

- **Harsh Conditions in D.C. Jail:** Pretrial detention in D.C. was marked by harsh, punitive conditions designed to break the spirit of defendants rather than to ensure justice. Defendants were denied basic rights, such as access to medical care and communication with legal counsel.
- **Rights Denial and Weakened Defense:** The systematic denial of defendants' rights during pretrial detention weakened their defense, reflecting broader issues of mistreatment and abuse in the justice system.

b. Post-Sentencing Punitive Measures

- **Diesel Therapy and Coercive Reeducation:** Post-sentencing, defendants were subjected to frequent transfers (diesel therapy) and reeducation efforts aimed at forcing them to conform to a government-approved narrative. These practices prioritized coercion over justice and rehabilitation.

- **Politically Biased Reeducation Materials:** Defendants were provided with reeducation materials that were politically biased, pushing a government narrative rather than promoting rehabilitation.
 - **Long-term Psychological and Physical Impact:** The long-term effects of these practices have been severe, affecting defendants' mental and physical health, reputations, and ability to reintegrate into society.
 - **Defendants were considered a danger to public safety** if they believed there were issues with the 2020 elections and continued to state those issues publicly
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6. Treniss Evans' Personal Experience

a. Peaceful Actions on January 6th

- **Protest Intent:** I admittedly entered the Capitol illegally, but my intent, like that of most people present, was simply to protest the stolen 2020 elections. I provided video evidence of my peaceful actions, including my efforts to assist Capitol Police and urge demonstrators to refrain from violence. Despite this, the DOJ deliberately withheld favorable information from the court, raising serious concerns about fairness and justice.

b. Mischaracterization and Incarceration

- **1512 Obstruction Charge:** Being charged with the 1512 obstruction of Congress weighed heavily on me. Fighting against what can be seen as a corrupt and biased federal government in D.C. has been an overwhelming and daunting experience. The odds were stacked against me from the start, and the psychological toll of this battle is something I carry with me to this day.
- **Government's Mischaracterization:** The government's narrative painted me as a villain, ignoring the truth of my actions and my intentions on January 6th. Despite my efforts to support law enforcement and de-escalate situations, I was portrayed as a dangerous extremist.
- **Impact on Family:** The video of my child, Tristen, standing at gunpoint during a SWAT team raid at our home, still haunts me. This raid, carried out months after I had cooperated fully with the FBI, is just one example of the extreme and unjust measures the government has taken against peaceful individuals.

c. Capture of a Human Trafficking Fugitive

- **Critical Role in Fugitive Capture:** While on pretrial release, I played a critical role in capturing a human trafficking fugitive who had escaped from prison. I devised and shared the plan with U.S. Marshals, leading to the successful capture of the fugitive.
- **DOJ's Response and Withheld Evidence:** The government initially accused me of lying about the event in court, only to admit the truth after I provided irrefutable evidence. Even then, they labeled me a vigilante. The DOJ withheld this crucial information for 15 months, revealing it only in an email the day before my second sentencing—a clear attempt to undermine my defense.

d. FBI Coercion and Court-Ordered Probation Violation

- **FBI Coercion:** After I was convicted and awaiting the unjust time behind bars—even though all that transpired certainly did not warrant any term of incarceration by equitable comparison—the FBI tried to bribe, coerce, and threaten me into working for them.
- **Violation of Court Order:** The FBI clearly and consciously violated a court order and attempted to manipulate me by offering substantial payments and future protections in exchange for my cooperation. I exposed these actions by providing the information to the court, my probation officer, and my attorney Steven Metcalf. The DOJ's claimed investigation into this misconduct remains unresolved to this day, with the "under investigation" label preventing further review—a tactic the FBI and DOJ have perfected to avoid accountability.
- **Commitment to Truth and Justice:** Despite everything, I stand by the truth of my actions and the principles I upheld on January 6th. I did everything in my power to support law enforcement, prevent violence, and protect others. Yet, the system I believed in has turned its back on me, painting me as a villain rather than recognizing the reality of my intentions and actions.
- **Unfortunately, I know** this experience to be the same for hundreds of American citizens.

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