

Investigation Report: The Select Committee on January 6th, James Goldston, & Parties

Introduction

Few, if any, abuses in history have had such a profound impact on the citizens of the United States and our political landscape as those committed by the Select Committee on January 6th and its associates. While partisans take advantage of a tragic day for political capital, the degradation of our nation is clearly at stake. This calculated and coordinated attack on the truth, designed to sow division and foster an unprecedented disdain for our legislative body, represents a direct threat to the very foundation of our democracy.

The responsibility to illuminate a path forward from these dark times lies in the hands of those entrusted by their constituents and the American public to stand against those who seek to undermine our nation. It is imperative that they place these individuals and their actions on full display, ensuring transparency and accountability. Moreover, it is essential that clear and decisive legislation be enacted where necessary to prevent any such misgivings in the future. Only through such measures can we hope to preserve the integrity of our democracy and restore public trust in our institutions.

1. Formation and Composition of the Select Committee

1.1. Committee Members and Their Roles

- **Overview of Committee Members:** The Select Committee was established under House Resolution 503, with members predominantly from one political party, raising concerns about its impartiality. The exclusion of key Republican nominees and the inclusion of members with a known bias against former President Trump have been cited as critical issues.
- **Conservative Concerns:** The exclusion of certain Republican members violated the spirit of House Rule X, which governs the selection and appointment of committee members, emphasizing the importance of minority representation in investigative committees.

1.2. Legislative Justification

- **House Resolution 503:** The resolution that established the Select Committee passed along party lines, sparking debate about whether its formation adhered to standard legislative procedures. The composition and operation of the committee may have violated House Rule XI, which outlines the procedures for committee operations, including the rights of minority members to offer views and hold hearings.

Theme Integration: The partisan makeup of the committee and its exclusionary practices reflect a broader pattern of leveraging a national tragedy for political gain. This further eroded public trust in our institutions, making it necessary to address these actions comprehensively.

2. James Goldston and Third-Party Involvement

2.1. Role of James Goldston

- **Goldston's Background:** James Goldston, former president of ABC News, was hired as a consultant to help craft the narrative presented by the Select Committee. His involvement in producing video presentations for the hearings has drawn criticism, particularly regarding the potential manipulation of evidence to create a specific narrative.
- **Involvement with the Committee:** The use of a media executive like Goldston suggests an emphasis on shaping public perception rather than conducting an impartial investigation. This raises concerns about potential violations of House Rule XXIII, which mandates that members of Congress and their staff conduct themselves with integrity and fairness.

2.2. Other Third-Party Involvement

- **Who Was Hired:** The committee also engaged other third-party consultants and experts, many of whom had known biases against former President Trump. The selection of these individuals without adequate transparency may have violated House Rule XI, Section 2, which requires committees to keep a complete record of all proceedings, including the selection of consultants.
- **Impact on Public Perception:** The involvement of biased third parties in crafting the committee's presentations likely influenced the public's perception of the events of January 6th. House Rule XXIII requires that all members conduct themselves in a manner that reflects creditably on the House. The potential manipulation of evidence to fit a narrative may have violated this principle.

Theme Integration: The calculated involvement of biased media consultants like Goldston demonstrates a clear attempt to shape public opinion in a way that deepens division, further undermining trust in the legislative process.

3. Legal and Ethical Concerns

3.1. Witness Tampering

- **Allegations of Witness Tampering:** There have been reports that witnesses called before the committee were pressured to testify in a certain way, with some alleging that they were threatened with legal repercussions if they did not cooperate. This could constitute witness tampering under 18 U.S.C. § 1512, which prohibits intimidating, threatening, or corruptly persuading witnesses.
- **U.S. Code Violations:** If members of the committee or their staff engaged in such conduct, they could be in violation of federal law, specifically 18 U.S.C. § 1512. Furthermore, House Rule XXIII, which requires all members and employees to adhere to the law, would also be implicated.

3.2. Evidence Tampering

- **Evidence Handling:** The committee's handling of evidence, particularly video footage and witness testimonies, has been controversial. Allegations that the committee selectively edited video clips or withheld exculpatory evidence could constitute evidence tampering under 18 U.S.C. § 1519, which makes it illegal to alter, destroy, or conceal evidence with the intent to impede an investigation.
- **Legal Implications:** Such actions not only violate federal law but also breach House Rule XI, Section 2, which mandates that committees maintain a complete and truthful record of all proceedings. If evidence was indeed tampered with, it undermines the integrity of the entire investigation.

3.3. Misuse of Public Funds

- **Funding of the Committee:** The committee's funding, provided by taxpayer dollars, was intended to support an impartial and thorough investigation. However, the hiring of expensive consultants like James Goldston and the use of funds for what some have called partisan purposes raise questions about whether these funds were used appropriately.

- **House Rules and U.S. Code:** Misuse of public funds for partisan purposes could violate House Rule XXIV, which governs the use of official funds. Additionally, it could constitute a violation of 18 U.S.C. § 641, which prohibits the misuse of federal funds.

3.4. Collusion and Conspiracy

- **Internal Communications:** There is a need to scrutinize the communications between committee members, staff, and third parties like James Goldston. If these communications reveal coordination to produce a biased narrative or to engage in illegal activities such as witness or evidence tampering, it could amount to conspiracy under 18 U.S.C. § 371.
- **Legal Framework:** Collusion to manipulate the investigation would violate federal conspiracy laws and could also be seen as a breach of the public trust, as outlined in House Rule XXIII. Such actions would undermine the credibility of the legislative process and warrant further investigation by appropriate oversight bodies.

Theme Integration: The legal and ethical concerns surrounding the Select Committee's actions underscore the broader theme of how partisan manipulation of a national tragedy can degrade public trust and further polarize the nation.

4. Congressional and Legal Accountability

4.1. Congressional Oversight and Investigations

- **House Ethics Committee:** Governed by House Rule X, Section 4, this committee is responsible for investigating allegations of misconduct by members of Congress, including potential interference in the judicial process. It would be the primary committee to investigate any potential ethical violations by members of the Select Committee.
- **House Judiciary Committee:** Under House Rule X, Section 1, the Judiciary Committee has jurisdiction over matters related to the administration of justice, including judicial misconduct and actions by members of Congress that interfere with the judicial process.
- **House Appropriations Committee:** This committee oversees the allocation and use of federal funds, including those used by congressional committees. If the Select Committee misused public funds, this committee would be responsible for investigating and ensuring that such funds were used appropriately.
- **House Oversight and Accountability Committee:** Under House Rule X, Section 3, this committee has broad oversight authority over the operations of the federal government. It would be responsible for investigating the overall conduct of the Select Committee,

particularly any instances of collusion or conspiracy with third parties like James Goldston.

4.2. Criminal and Civil Liability

- **Obstruction of Justice (18 U.S.C. § 1503):** This statute makes it a crime to corruptly influence, obstruct, or impede the due administration of justice. Any congressional member or their agent who attempts to influence a judge, jury, or witness could be charged under this statute.
- **Tampering with a Witness, Victim, or Informant (18 U.S.C. § 1512):** This statute specifically addresses the tampering with witnesses, including attempts to alter or prevent testimony. Congressional members or agents involved in such actions can be held criminally liable.
- **Conspiracy (18 U.S.C. § 371):** If multiple individuals conspired to interfere with the judicial process, they could be charged with conspiracy to commit an offense against the United States. This would apply to any coordinated efforts between congressional members, their staff, and third parties.
- **Bivens Actions:** Under the *Bivens v. Six Unknown Named Agents* (1971) decision, individuals whose constitutional rights have been violated by federal officials can sue for damages. If government interference in a criminal trial resulted in the violation of a defendant's due process rights, the involved officials could face civil lawsuits.

4.3. Constitutional Violations

- **Violation of the Due Process Clause:** The Fifth Amendment guarantees the right to due process of law. Any government interference that undermines a fair trial could be challenged as a violation of this constitutional right.
- **Violation of U.S.C. Title 18, Section 242:** This statute makes it a crime for any person acting under color of law to willfully deprive someone of their constitutional rights. If the Select Committee's actions, or those of their agents, resulted in such deprivation, they could be held criminally liable.

4.4. Public Misrepresentation and Government Misconduct

- **Creation of Public Misconception:** The Select Committee, through its public hearings and presentations, played a significant role in shaping public perception of the events of January 6th. The use of selective evidence, media consultants like James Goldston, and a narrative-driven approach may have created a public misconception of the events, potentially misleading the American public.
- **Legal and Ethical Violations:** The creation of such misconceptions could be in violation of House Rule XXIII, which mandates that members of Congress conduct themselves with integrity and fairness. Additionally, if these actions are found to be part of a broader conspiracy to influence public opinion and judicial outcomes, they could constitute a violation of 18 U.S.C. § 371.

4.5. Congressional Immunity and Its Limits

- **Overview of Congressional Immunity:** The Speech or Debate Clause (Article I, Section 6 of the U.S. Constitution) provides members of Congress with immunity for their legislative actions. However, this immunity does not extend to criminal actions. If committee members engaged in illegal activities, such as witness tampering or evidence manipulation, they could lose this immunity and face legal consequences.
- **Criminal Actions and Loss of Immunity:** Case law, such as *Gravel v. United States* (1972), has established that the Speech or Debate Clause does not protect illegal actions. If members of the Select Committee participated in criminal activities, they could be held personally liable, and their communications with legal counsel could lose attorney-client privilege under the crime-fraud exception.

Theme Integration: The broad scope of potential legal violations and the need for comprehensive oversight highlight the critical importance of restoring public trust in our institutions. Legislative and judicial accountability are essential to addressing these wrongs and preventing future abuses of power.

5. Building an Ironclad Case

5.1. Gathering Evidence

- **Subpoenas and Document Requests:** Congressional committees can issue subpoenas to obtain documents, emails, and other records that demonstrate interference in the judicial process. This could include communications between members of Congress and third parties like James Goldston.
- **Testimony from Witnesses:** Key witnesses, including defendants, legal counsel, and insiders with knowledge of the interference, can be called to testify before congressional committees or in court.
- **Analysis of Public Statements:** Reviewing public statements made by members of Congress, their agents, and the media for inconsistencies, inaccuracies, or deliberate attempts to mislead the public and influence judicial outcomes.

5.2. Legal Arguments

- **Due Process Violations:** Legal teams representing defendants who were affected by interference should argue that their clients' rights to a fair trial were violated. This could form the basis for appeals or civil lawsuits.
- **Criminal Intent:** Proving that the interference was not merely negligent but intentional, designed to subvert the judicial process. Evidence of coordination, explicit instructions, or patterns of behavior can be crucial in establishing criminal intent.

5.3. Public and Political Pressure

- **Media Campaigns:** Raising awareness of the interference through media campaigns can help build public support for investigations and accountability. Highlighting the impact on individual defendants and the broader implications for justice can generate political pressure for action.
- **Legislative Reforms:** Advocating for reforms in Congress to prevent future interference, such as stricter rules on the separation of powers, enhanced oversight of congressional committees, and clearer definitions of ethical conduct.

Theme Integration: Building a strong case against those responsible for these abuses is not only about addressing past wrongs but also about creating a path forward that ensures the integrity of our democratic institutions.

Conclusion

Few, if any, abuses in history have had such a profound impact on the citizens of the United States and our political situation as the actions of the Select Committee on January 6th, James Goldston, and others involved in this calculated manipulation of public perception. While partisans take advantage of a tragic day for political capital, the degradation of our nation is clearly at stake.

The responsibility to illuminate a path forward from these dark times lies in the hands of those entrusted by their constituents and the American public to stand against those who seek to undermine our nation. It is imperative that these individuals and their actions are brought to light, ensuring transparency and accountability. Furthermore, clear and decisive legislation must be enacted to prevent any such misgivings in the future.

This calculated and coordinated attack on the truth, designed to sow division and foster unprecedented disdain for our legislative body, represents a direct threat to the very foundation of our democracy. Addressing these actions comprehensively is essential to restoring public trust and faith in our institutions, safeguarding the principles upon which our country was founded, and ensuring that such abuses of power are never repeated.