

EXHIBIT K:

U.S. CAPITOL RIOTS AGAINST BRENT KAVANAUGH

SEPTEMBER 2018

1. In September 2018, thousands of opponents of Donald Trump obstructed the official proceeding of the U.S. Senate Judiciary Committee considering the nomination to the U.S. Supreme Court of Brett Kavanaugh, took over the U.S. Capitol Senate Hart Office Building, massively occupied the central atrium of the Hart building, and openly admitted publicly their coordination ahead of time constituting a conspiracy to obstruct an official proceeding in violation of 18 U.S.C. § 1512(c)(2). *See*, <https://twitter.com/womensmarch/status/1047935356673437697> (listen to the extreme noise of the alarms and crowd disrupting the Hart Building in the video).

2. We need go back only until September 2018 to find its parallel when insurrectionists rioted at the Hart Senate Office Building and in the U.S. Senate Judiciary Committee to prevent the nomination and confirmation of a Judge to fill a vacancy on the U.S. Supreme Court. This was openly reported as inspired by the leadership of Senator Elizabeth Warren.

3. During that riot, Sen. Schumer led a crowd at the closed doors of the U.S. Supreme Court at which rioters banged on the doors of the U.S. Supreme Court. Sen. Chuck Schumer openly threatened Justices of the U.S. Supreme Court,

“I want to tell you Gorsuch, I want to tell you Kavanaugh - you have released the whirlwind, and you will pay the price. You won’t know what hit you if you go forward with these awful decisions,”

4. Schumer told the cheering crowd. This drew a rare public rebuke from U.S. Supreme Court Chief Justice John Roberts.”¹ Both sides can play the “Oops, I shouldn’t have said that” game. But funny Sen. Chuck Schumer has not been arrested for seditious conspiracy or attempting to obstruct the official proceedings of the U.S. Supreme Court.

¹ <https://www.reuters.com/article/us-usa-court-abortion-scene/u-s-chief-justice-slams-schumer-for-dangerous-comment-on-justices-in-abortion-case-idUSKBN20R2KX>



Erin Franczak and Katherine Tully-McManus, “**I See You, Senators’: Kavanaugh Protesters Pour Into the Capitol: Supporters of Christine Blasey Ford sing, raise fists, invoke regression analysis,**” *Roll Call*, September 27, 2018, accessible at: <https://rollcall.com/2018/09/27/i-see-you-senators-kavanaugh-protesters-pour-into-the-capitol/>

And: Sophie Tatum, “**More than 300 protesters arrested as Kavanaugh demonstrations pack Capitol Hill,**” October 5, 2018, accessible at: <https://www.cnn.com/2018/10/04/politics/kavanaugh-protests-us-capitol>

<https://www.facebook.com/watch/?v=2314502548791821>

5. “**We were planning to shut down the Capitol Building.**” The public admission that they shut down the Senate Office Building is an actual violation of 18 USC 1512(c)(2). See also: <https://twitter.com/womensmarch/status/1047937143937675264>





6. Also: <https://twitter.com/ktullymcmanus/status/1045337084599431168/photo/2>



7. The 2018 demonstrators proudly admitted their conspiracy to obstruct congressional

proceedings:²

“It’s sort of a coordinated dance, **but the performers are an organized group of protesters** and a dozen or so uniformed Capitol Police officers. And the stage is this week’s Senate confirmation hearings for Supreme Court nominee Brett Kavanaugh.” One by one, the protesters, many wearing T-shirts reading ‘I am what’s at stake,’ interrupt the proceedings by shouting slogans like ‘You’re making a mockery of democracy!’ or ‘Senators: Do your jobs and stop this hearing!’ The police then warn that further disruption will result in arrests. Minutes later, the person shouts again and is hustled out a side door...**the protesters are part of a nationwide campaign to disrupt the confirmation process.**”

Id. (Emphasis added).

8. That is, the anti-Kavanaugh protestors openly admitted in advance that they were engaged in a coordinated conspiracy to obstruct an official proceeding in violation of 18 U.S.C. § 1512(c)(2).

9. Yet nearly all of them were charged only with trespassing under Federal law.

10. The few of those Left-wing insurrectionists arrested³ were released on a \$35 to \$50 bail after 5 hours which became their sole punishment in most cases after their cases were dropped.⁴

11. This is what impresses the public and influences attitudes toward the law.

² Note that the statute of limitations has not expired, and the USAO could prosecute.

³ Emily Birnbaum, "Over 200 protesters arrested during Kavanaugh hearings," The Hill, September 6, 2018, accessible at: <https://thehill.com/homenews/senate/405500-212-protesters-total-arrested-during-kavanaugh-hearings>;

⁴ Ashraf Khalil, "Protesters continue to interrupt Kavanaugh hearings," Associated Press, 09/06/2018, accessible at: <https://apnews.com/article/3f4ddaec0ee946fe817329b065af3408>; **accessed Nov 6, 2021**; *emphasis added*.