Att: [redacted]

U.S. Department of Justice

950 Pennsylvania Avenue NW

Washington, D.C. 20530

Date: July 06, 2025

RE: Formal referral and Request for Investigation — Alleged Conspiracy and Civil Rights Violations by Federal Judges Under 18 U.S.C. §§ 241 and 242 Related to January 6, 2021, Defendants / Weaponization of the United States Government Against American Citizens

To whom it may concern within the DOJ and/or White House:

I. JUDICIAL OFFICERS NAMED FOR INVESTIGATION

· Judge James E. Boasberg

· Judge Beryl A. Howell

· Judge Christopher R. Cooper

· Judge Tanya S. Chutkan

· Judge Randolph D. Moss

· Judge Amit P. Mehta

· Judge Timothy J. Kelly

· Judge Trevor N. McFadden

· Judge Dabney L. Friedrich

· Judge Jia M. Cobb

· Judge Ana C. Reyes

· Judge Loren L. AliKhan

· Senior Judge Royce C. Lamberth

· Senior Judge Emmet G. Sullivan

· Senior Judge Reggie B. Walton

· Senior Judge John D. Bates

· Senior Judge Colleen Kollar-Kotelly

· Senior Judge Amy Berman Jackson

II. BASIS FOR INVESTIGATION AND POTENTIAL PROSECUTION

This theory seeks an investigation and, where warranted, criminal prosecution under:

· 18 U.S.C. § 241 (Conspiracy Against Rights)

· 18 U.S.C. § 242 (Deprivation of Rights Under Color of Law)

Alleged Acts:

The above-named judges allegedly coordinated, permitted, or willfully facilitated systemic violations of civil and constitutional rights of defendants charged in relation to the January 6, 2021 Capitol incident. These violations appear to be politically motivated, targeting individuals based on their ideological support for President Donald J. Trump and/or their exercise of First Amendment rights.

III. SUMMARY OF ALLEGED CONDUCT

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1. Arbitrary Denial of Bail
Federal judges in the District of Columbia adopted and applied a framework known as the "Chrestman Six Factors" to justify widespread pretrial detention of January 6 defendants. These six factors were not part of any statute, nor were they introduced by the prosecution or subjected to adversarial testing. Instead, they were developed unilaterally by then–Chief Judge Beryl A. Howell in United States v. Chrestman, 525 F. Supp. 3d 14 (D.D.C. 2021), and subsequently applied throughout the District in a manner that overrode the established presumptions and protections of the Bail Reform Act.

The Chrestman Six were applied in such a way that they enabled the judiciary—not the prosecution—to determine future dangerousness based on political affiliation and perceived intent. In at least one documented case, a magistrate judge in Minnesota granted pretrial release, only for that decision to be reversed on appeal in D.C. by Judge Howell, who declared the defendant to be a "leader"—a claim not made by the prosecution and unsupported by the record. The defense was never given the opportunity to contest this label, as Judge Howell introduced and applied the Chrestman Six sua sponte. In effect, Judge Howell acted as both fact-finder and prosecutor, applying a novel and politically charged framework without notice to the parties.

The Chrestman Six include:
1) Whether the defendant is charged with a felony or misdemeanor;
2) Evidence of prior planning or tactical preparation;
3) Possession or use of a dangerous weapon;
4) Coordination with others;
5) A leadership role in the events of January 6; and
6) Verbal or physical actions encouraging violence or unlawfully entering restricted areas.

These criteria were not only extra-legal, but also incapable of neutral application across the federal justice system. They were tailored specifically to the January 6 context and served as a mechanism to detain defendants indefinitely under the pretext of public safety. These actions reflect a deliberate misuse of judicial discretion to enforce a political narrative and to pressure detainees into plea agreements that could benefit ongoing investigations—particularly those seeking evidence against former President Donald J. Trump.

Studies have consistently shown that individuals held pretrial are more likely to plead guilty and receive harsher sentences than those released on bond. The application of the Chrestman Six was a key tool in producing those outcomes by design.

2. Denial of Speedy Trials

A deliberate and systematic denial of the right to a speedy trial occurred in the prosecution of January 6 defendants. Shortly after the events at the Capitol, then–Acting U.S. Attorney Michael Sherwin stated publicly that the government would pursue a campaign of "shock and awe" in arrests, with the specific aim of charging as many individuals as possible by January 20, 2021. This approach prioritized optics and volume over due process and fundamentally compromised the legal rights of the accused.

Defendants were arrested first, often without finalized charges, and well before the government had completed its investigation or assembled the necessary evidence. Prosecutors began collecting digital footage, phone records, and surveillance data post-arrest, meaning that evidence critical to the defense was unavailable at the time charges were filed.

The government's central repository of case materials—hosted on platforms such as Evidence.com and Relativity—was not made widely accessible to defense counsel until January 2022, more than a year after the first wave of arrests. This delay ensured that no January 6 defendant could reasonably prepare for trial within the statutory period set forth by the Speedy Trial Act. Judges and prosecutors were fully aware of this evidentiary bottleneck and yet continued to deny release and delay proceedings under the pretext of ongoing discovery.

To date, no defendant—nor their legal team—has reviewed the totality of video, digital, and testimonial evidence gathered by the government. This has not only resulted in unlawful pretrial detention but has also denied each defendant the ability to meaningfully assert

their innocence. As such, every January 6 defendant arrested in this operation has had their Sixth Amendment right to a speedy trial violated by design.

3. Violation of the First Amendment

Judicial findings routinely treated lawful political speech, protest attendance, and expressions of support for President Trump as evidence of criminal intent. In many instances, social media posts, campaign paraphernalia, attendance at rallies, and ideological affiliations were cited as aggravating factors in bail hearings and sentencing. This practice equated First Amendment activity with criminality and had a chilling effect on free expression and political association.

The improper elevation of constitutionally protected speech into prosecutorial evidence marked a significant departure from established First Amendment jurisprudence. It signaled to defendants—and the public—that speech and beliefs critical of the prevailing political narrative could subject them to punitive state action.

4. Coordinated Judicial Bias and Rhetoric

Numerous judges made public or on-the-record statements referring to January 6 defendants as "insurrectionists," "traitors," or "domestic terrorists" prior to any finding of guilt. These statements were issued absent evidentiary support and suggest a systemic presumption of guilt based on political identity. In sentencing proceedings, such rhetoric was often repeated to justify upward departures from sentencing guidelines, despite the absence of aggravating conduct beyond nonviolent protest.

This public and coordinated bias undermined the appearance of impartiality and effectively pre-judged defendants based on ideology rather than conduct or intent. It eroded confidence in the judiciary's neutrality and violated the foundational requirement of due process.

5. Improper Ex Parte Communications

Credible whistleblower testimony and circumstantial evidence suggest that certain judges engaged in improper communication with DOJ officials outside of formal proceedings. These communications may have influenced sentencing recommendations, plea negotiations, suppression of exculpatory evidence, and overall case strategy.

If substantiated, such practices constitute serious violations of judicial ethics and the adversarial process. They would represent a breach of both the Fifth Amendment's guarantee of due process and fundamental canons of judicial conduct, warranting immediate investigation and corrective action.

6. Pre-January 6 Institutional Coordination to Suppress Rights

Evidence and testimony indicate that weeks before January 6, 2021, D.C. jail officials were ordered to clear and prepare designated areas (notably C2A and C2B) in anticipation of mass arrests and prolonged incarceration. Jail personnel confirmed that these directives were issued approximately two weeks prior to the Capitol events, suggesting advance coordination with the Department of Justice and potentially other federal actors.

This foreknowledge aligns with additional reporting, including a comprehensive Washington Post timeline published in 2021, which documented that Washington, D.C.–area hospitals were instructed to staff up, stock blood supplies, and prepare for potential mass casualties. These precautionary measures reveal a coordinated interagency posture not aimed solely at prevention, but at managing the consequences of anticipated unrest.

Furthermore, subsequent collaboration between the D.C. jail and federal authorities—including actions to suppress access to legal counsel, obstruct discovery, and facilitate harsh detention conditions—reflects an institutional design to deprive detainees of their rights. This environment ensured that those arrested would be isolated, intimidated, and unable to mount a meaningful legal defense.

These pre-event preparations and intra-governmental communications strongly suggest that the January 6 prosecutions were supported by a premeditated infrastructure of legal and extrajudicial suppression, rather than impartial application of justice.

IV.
LEGAL STANDARD FOR PROSECUTION

A.
18 U.S.C. § 241 – Conspiracy Against Rights
Requires:

- Two or more persons;
- Conspiring to injure, oppress, threaten, or intimidate;
- In the free exercise or enjoyment of any constitutional or legal right.

This may include coordinated bail denials, suppression of defenses, and sentencing based on political speech.

B.
18 U.S.C. § 242 – Deprivation of Rights Under Color of Law
Requires:

- Action under color of federal authority;
- Willful deprivation of a right secured by the Constitution or laws;
- Motivated by discriminatory intent or bad faith.

Under United States v. Lanier, 520 U.S. 259 (1997), judicial officers can be criminally liable for such deprivations where intent and knowledge are present.

V.
SUPPORTING CIRCUMSTANCES AND PRESIDENTIAL ACTIONS
1. Full Pardons Issued (January 20, 2025):

President Trump formally pardoned all January 6 defendants, declaring them "political hostages."

2. Official Declaration:

The President has publicly stated that it was the federal government, not the defendants, who "assaulted" January 6 participants.

3. Administrative Action:

The Trump Administration has terminated DOJ and FBI officials involved in the prior prosecutions.

4. Oversight Appointment:

President Trump has appointed Ed Martin to lead the Weaponization of Government Task Force, of which this theory forms a part.

VI.
RELIEF REQUESTED

We respectfully request the following:

1. Initiation of a formal investigation by the Office of Special Counsel into the pattern of conduct by the listed judges;
2. Issuance of subpoenas for court transcripts, sentencing records, internal memoranda regarding pretrial procedures, and judicial communications with DOJ or FBI;
3. Coordination with the Inspector General of the DOJ and the House Subcommittee on the Weaponization of the Federal Government;
4. Theory for prosecution if sufficient evidence is found of violations under §§ 241 and 242.

VII.
CONCLUSION

If substantiated, the allegations constitute a direct attack on the core liberties of American citizens, perpetrated not by foreign adversaries, but by officers of the United States judiciary. The administration of justice must not become a weapon of political persecution. The power to deprive liberty must remain constrained by law and impartiality—not ideology.

We urge the Office of Special Counsel to treat this matter with the urgency, gravity, and independence it demands.

Respectfully submitted,

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