



Written by [Luis Miguel](#) on May 30, 2022

## Federal Judge Rules ex-Proud Boys Leader to Await Jan. 6 Trial in Prison

A D.C.-based federal judge has [ordered](#) the former national chairman of the Proud Boys to be held in detainment until his trial in relation to his involvement with the events of Jan. 6.

According to U.S. District Judge Timothy Kelly of Washington, D.C., releasing Enrique Tarrio prior to his trial would not reasonably ensure the safety of the community. Tarrio was arrested in Florida in March; Kelly denied the former Proud Boys leader's request for release awaiting trial and ordered him to be held at a federal detention center in Miami.



AP Images  
Enrique Tarrio

Kelly called the charges “very serious” and characterized them as involving an “alleged conspiracy to obstruct the certification of the Electoral College vote and thus to interfere with the peaceful transfer of power, one of our Nation’s crown jewels.”

In his [ruling](#), Kelly said that while Tarrio was “was not physically present near the Capitol” on Jan. 6, his “alleged leadership and organizational role in the conspiracy — as well as his alleged experience using encrypted communications channels to conceal his activity from law enforcement — suggests that he has skill set, resources, and networks to plan similar challenges to the lawful functioning of the United States government in the future.”

Kelly’s ruling upheld the decision of a Florida federal magistrate judge, who ruled back in March that no conditions of release could ensure public safety.

Video footage captured by a documentary crew in a parking garage near the Capitol on the evening of Jan. 5 appears to show Tarrio speaking with Stewart Rhodes, founder of the militia group Oath Keepers. Rhodes and others have been charged with seditious conspiracy in relation to Jan. 6 — a charge to which at least three Oath Keepers have pleaded guilty so far.

Kelly indicated that the “substance” of the meeting was not clear from the tapes. He also noted that “at one point, Tarrio and others motion for the filmmaker to stop.”

Tarrio previously served five months in prison for burning a Black Lives Matter flag during a demonstration in D.C. in December 2020.

Jan. 6 continues to be a strong rhetorical device for the left, one that Democrats are glad to use to try to silence their political opponents. The Democrat-led congressional Jan. 6 committee has weaponized the investigative process to intimidate Donald Trump allies with the threat of prison time.

Steve Bannon, who served in the Trump campaign and administration, was [indicted](#) by a federal grand jury last year on charges of contempt of Congress for refusing to appear before the Jan. 6 panel and for refusing to provide it with requested documents.



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At the time, Attorney General Merrick Garland said: “Since my first day in office, I have promised Justice Department employees that together we would show the American people by word and deed that the department adheres to the rule of law, follows the facts and the law and pursues equal justice under the law.”

“Today’s charges reflect the department’s steadfast commitment to these principles,” Garland added.

The Jan. 6 committee has even set its sights on sitting members of Congress. Republicans who have been issued subpoenas are Reps. Kevin McCarthy (Calif.), the House Minority Leader, along with Jim Jordan (Ohio), Scott Perry (Pa.), Andy Biggs (Ariz.), and Mo Brooks (Ala.).

McCarthy and others have made clear they will defy the subpoenas.

An attorney for McCarthy argued in an 11-page letter to the committee on Friday that the select committee lacks the authority to issue subpoenas to lawmakers under House rules. Furthermore, attorney Elliot Berke requested a list of “topics that the Select Committee would like to discuss with the Leader, and the constitutional and legal rationale justifying the request.”

“I expressly reserve Leader McCarthy’s right to assert any other applicable privilege or objection to the Select Committee’s subpoena,” Berke wrote.

Democrats on the Jan. 6 committee, including chairman Bennie Thompson, have stated that they will [take action](#) against Republican lawmakers who do not comply. This includes the possibility of referring them to the House ethics committee and even of holding them in criminal contempt.

“We have all of the options that would be available to us, or someone like Steve Bannon or Mark Meadows,” he said, “and then additional options because they’re members of Congress,” committee member Jamie Raskin (D-Md.) said of what options are available to force compliance.



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