

January 15, 2018

## Declaration of Cedric O'Bannon

I was present at the Nazi rally and counter protest in Sacramento on June 26, 2106. I was stabbed by Nazi's at the protest and spent two weeks in the hospital recovering. I attended the protest as a concerned citizen and videographer/journalist to document the historic events.

There were many people protesting the Nazi's on that day at the Capital. Children and elderly were present. I did not observe or document protesters on the anti-fascist side using any weapons or holding any knives. Opponents of the Nazi's were chanting, giving speeches, and rallying together.

At a certain point early on, Nazi's began marching onto the grounds of the Capital. I ran to the front with my camera to document the events. I began recording Nazi's attacking people when some of the Nazi's surrounded me. One of them lunged toward me with a spear like weapon. It was a banner pole, but it had a knife taped to the end of it. Before I was able to move away, he lunged toward me and breaking my camera out of my hand. As I bent down to pick it up, he shoved his weapon at me again. It sliced right through my clothes as he stabbed me in my side.

I retrieved my camera, but felt a pressure in my side. My mobility became compromised. I tried to get to my car but felt more and more pain and pressure had serious trouble moving. Ambulances began to arrive, and I got into one of them.

Inside the ambulance, even though I was bleeding and could hardly move, I took out my SIM card from the camera because I knew it contained the video of the man who stabbed me. I knew it would be vital to use to identify him.

I was taken to UC Davis Medical Center where the hospital staff took me to the operating room and conducted invasive surgery. My injury was serious. I remained in the hospital for two weeks.

When I regained consciousness after the surgery, my SIM Card was gone. The police had confiscated it and all my belongings without my permission. They didn't return them until my father went to the California Highway Patrol to find out where my things were. When my SIM card was returned, none of the footage that I had taken from the day was on there. The card had been broken or wiped. My footage taken from me.


It is my belief that the police took the footage which contained vital evidence of the Nazi's who attacked me and who tried to kill me. They took it without my permission and have not given it back to me. The collusion of the police with the Nazi's was evident in how, even though there were lots of police present at the protest, they did nothing to protect people like me who were stabbed that day.

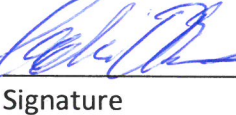
Additionally, in conducting their investigation, the police were more interested in getting information on the counter protesters who were there against fascism than they were in trying to identify and prosecute the Nazi's who attacked us. I talked to the police a few times after my operation. Each time they talked to me they spent more time asking me about other anti-fascist protesters than about the Nazi's.

The police and the District Attorney have placed no priority on finding or prosecute the person who stabbed me. To this day, they have given me no information about the people who attacked me and other protesters. At least 3 of us who were stabbed were Black men, all of us seriously injured. Most of us who were violently attacked and stabbed were Black, Latino, or Asian. It's clear to me that we were their targets. It wasn't until some people were getting arrested a year later that I finally got new information. None of the people arrested was the Nazi who almost killed me, and despite the fact that the Nazi's are the ones who had knives and weapons, only of them has been arrested.

These events have had a huge impact on me. I feel very strongly that the police did nothing to protect us from the Nazi's violent attacks. They stood around and did nothing while we almost got killed by racist thugs.

I declare, under penalty of perjury under the laws of California and the United States, that the foregoing is true and correct.

 CEDRIC O'BANNON  
Cedric O'Bannon

  
Signature

1/15/2018  
Date

# Declaration of June 26, 2016

Sunday, January 28, 2018 12:18

(written 1/28/2018)

I was present at the counter-protest to the white nationalist rally at the capitol in Sacramento on June 26, 2016. I had carpooled from Davis to be part of the counter-demonstration. I had felt it my duty, as a socialist and as an Asian American woman, to resist the vitriol of the Traditional Workers Party and other such groups.

We congregated along the L street side of the capitol facing the parking structure where the white nationalists were expected to come from. About one hundred police on bicycles and horses were across the street facing us.

After about an hour of us facing police, we started marching towards the West entrance of the capitol. I started seeing individuals running towards us with upraised sticks, and I heard screaming. I did not see the police on capitol grounds, and definitely did not see any law enforcement attempt to intervene when these attacks were taking place.

I heard someone scream "Medic!", and I ran towards the screams. Someone was lying on the ground, with at least two stab wounds in his torso. I later found out that he was Vincent White. We applied pressure to his stab wounds. When police came, they pushed us away, even when we explained we were trying to get information such as his name, and if he was with anyone at the rally. They would not let us be around him, and would not tell us where he would be taken.

From what I could see that day, the priority of the police seemed to lie in staring us down. Their line of police was, for the most part, away from the capitol grounds, and was permeable only one way: White nationalists did not seem to have a problem with coming through the line to attack us, nor did they have problems going back as they ran away. Police did nothing to intervene when people were being attacked, and they forced us away from our injured comrades.

That day, my brother was among the injured. He was unarmed, and had ended up with a fractured ulna, a fractured skull, and a subdural hematoma that left him with a changed speech pattern that lasted for months after his injury. He had been beaten with a picket stick on his head, arm and back, and had to spend a night in the neurological ICU, and a few days recovering in the hospital. There have been pictures taken that day, showing my brother surrounded by white nationalists; one of them has a picket stick held overhead, just moments before my brother had been beaten.

To this day, I wonder exactly why the only people who are being persecuted are counter-protesters, and not of the people who actually intended to injure--if not murder--other people. I wonder why the police, despite their stated goal of protecting people and property, had done nothing to break up those attacks. I wonder why the people who had brutalized my brother walk free from justice.

I declare, under penalty of perjury under the laws of California and the United States, that the foregoing is true and correct.

Melody Yee, January 29, 2018



Signature

1/29/2018

Date

January 31, 2018

## Declaration of Brian Lovato

I was present at the Nazi rally and counter protest in Sacramento on June 26, 2106. While not personally engaged in any of the physical altercations, I witnessed the violence and the aftermath of some of the stabbings. I attended the protest as a private individual and scholar of political science, concerned with white supremacists marching at my state Capital.

There were hundreds of people from around the state protesting the Nazis on that day at the Capital. I did not see a single protester on the anti-fascist side using any weapons or holding any knives. Opponents of the Nazis were carrying signs, chanting, and giving and listening to speeches.

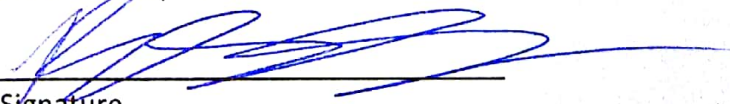
When the Nazis began marching on the grounds, the two sides quickly collided. I am unsure of which side rushed in first, but I do know that the Nazis were the first to attack and they attacked with knives. After that initial rush, I saw multiple counter-protestors on the ground with stab wounds. I also saw several other counter-protestors attempting to help the injured individuals with no assistance from law enforcement or medical professionals.

After this point, I stayed mostly near the steps of the building while smaller skirmishes continued elsewhere on the grounds. Throughout all of this I did not witness any police intervention until they eventually closed in on the crowd of counter-protestors, declared it an unlawful assembly and requested that we leave the premises. At this point I left the Capital.

I continue to think about this day, the rally, and the lack of intervention by the police. I feel very strongly that the police did nothing to protect any of us from the Nazis' violent attacks. They stood by and did nothing while several counter-protestors were almost killed by armed white supremacists.

I declare, under penalty of perjury under the laws of California and the United States, that the foregoing is true and correct.

Brian Lovato, PhD

  
Signature

01/31/2018  
Date

January 31, 2018

Declaration of Gregory Robertson

I downloaded statements and memes off the Traditionalist Workers Party Facebook and Twitter pages in the hours, days and weeks leading up to the June 26, 2016 rally in Sacramento where Nazi's stabbed anti-fascist protesters. The statements and memes are as they appeared on the Facebook page and were not altered or modified in anyway. Shortly after the rally, TWP had their Facebook and Twitter pages pulled down off of those sites.

I declare, under penalty of perjury under the laws of Colorado, California and the United States, that the foregoing is true and correct.

\_\_\_\_\_  
Gregory Robertson

Handwritten signature of Gregory Robertson in cursive script, written over a horizontal line.

Signature

1/31/2018

Date

1 Ronald Cruz, Bar No. 267038  
United for Equality and Affirmative Action Legal Defense Fund (UEAALDF)  
2  
3 Tel: (510) 875-4463  
Fax: (313) 586-0089  
4 Email: ronald.cruz@ueaa.net  
5  
6  
7

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **COUNTY OF SACRAMENTO**

10 People of the State of California,  
11 vs.  
12 Yvonne C. Felarca,  
Porfirio G. Paz,  
13 Michael A. Williams.  
14 Defendants.  
15

Docket No. 17FE012090

**DECLARATION OF MARK AIRGOOD  
IN SUPPORT OF MOTION TO DISMISS  
CHARGES AGAINST DEFENDANT  
YVONNE FELARCA**

16 I, Mark Airgood, hereby declare the following:

- 17 1. I have personal knowledge of the following and if called as a witness can testify thereto.
- 18 2. I am an investigator for United for Equality and Affirmative Action Legal Defense Fund  
19 (UEAALDF).
- 20 3. I have personally reviewed all the Sacramento District Attorney's (DA's) discovery  
21 material in this case.
- 22 4. The first set of the DA's discovery consists of 21 pages, plus a hard drive of 326  
23 gigabytes of data that includes dozens of file directories of written reports, photographs,  
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DECLARATION OF MARK AIRGOOD IN SUPPORT OF MOTION TO DISMISS CHARGES  
AGAINST DEFENDANT YVONNE FELARCA  
DOCKET NO. 17FE012090

- 1 audio recordings, video recordings, and other documents (“Initial Disclosures”). These  
2 Initial Disclosures were dated August 28, 2017 and were “Report # HPO-16-368.”
- 3 5. The second set of the DA’s discovery consists of 44 pages (“Additional Disclosures”).  
4 These Additional Disclosures were dated December 13, 2017 and also are part of “Report  
5 # HPO-16-368”.
- 6 6. I will also refer to the Initial Disclosures and Additional Disclosures collectively as “the  
7 DA’s Disclosures.”
- 8 7. In the DA’s Disclosures there are no records of any arrests on June 26, 2016 or of any  
9 confiscation of knives from anyone on that day.
- 10 8. In the DA’s Disclosures, there are no medical reports of any injuries sustained by the  
11 stabbing victims who were hospitalized on June 26, 2016 including Cedric O’Bannon,  
12 Vincent White, and Nathan Van Dyke. Nor are there any audio recordings of the police  
13 interviews of the victims in the hospital.
- 14 9. The only taped interview of one of the stabbing victims in the DA’s Disclosures is an  
15 audio recording of a phone call between CHP Officer D. Ayres and Cedric O’Bannon.
- 16 10. In the DA’s Disclosures there is no file on Sean Froech, one of the TWP members  
17 identified by the CHP as having a knife on June 26, 2016.
- 18 11. The DA’s Disclosures include no documents from the Traditionalist Workers Party or  
19 Golden State Skinheads in the Narratives; nor do they include any trace of a police  
20 investigation of the TWP and GSS.
- 21 12. The only witness statements in the DA’s Disclosures are from Officers Postak, Anglesey,  
22 J. Davis, J. Nelson, and Ratha, which were dated January 31, 2017, February 4, 2017,  
23 February 4, 2017, February 4, 2017, and February 8, 2017 respectively. Only one of them  
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1 makes a passing reference to Felarca speaking at the anti-fascist rally. The others do not  
2 mention Felarca or see her at all. None were located in the DA's file on Yvonne Felarca  
3 in their Initial Disclosures, and were in other sections of the Initial Disclosures.

4 13. Officer Ayres signs and dates more than 100 Narratives about June 26, 2016 totaling  
5 more than 2,000 pages. All of his reports are dated June 26, 2016. It is impossible that  
6 Ayres did all of them on June 26, 2016, and so it is unclear when any of these reports  
7 were actually written.

8 14. While the DA's Disclosures contains a boilerplate template report (EXHIBIT T below) to  
9 be used against anti-fascist protesters, there is no equivalent template in all the DA's  
10 discovery for the fascists.

11 15. The DA's Disclosures contain no evidence of a police or DA request for a search warrant  
12 to investigate the TWP or GSS.

13 16. The DA's Disclosures contain no police videos from June 26, 2016. Although videos are  
14 supplied, there is no documentation in the DA's Disclosures authenticating any of the  
15 videos, stating where any of the videos came from, who took them, or documenting a  
16 chain of evidence.

17 17. Officer Ayres' Narratives against Yvonne Felarca, Porfirio Paz, and Michael Williams  
18 were based on the template in EXHIBIT T below, using many passages verbatim.

19 18. The DA's Disclosures do not contain any witness statement from the alleged victim Nigel  
20 Walker, or any medical reports or other evidence documenting that Walker was injured  
21 on June 26, 2016.

22 19. In the DA's Disclosures, there are no witness statements or medical reports documenting  
23 injuries to the fascists.

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- 1 20. EXHIBIT A is a true and accurate copy of the Southern Poverty Law Center's (SPLC's)  
2 profile of the Traditionalist Worker Party, at the following URL:  
3 <https://www.splcenter.org/fighting-hate/extremist-files/group/traditionalist-worker-party>  
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- 5 21. EXHIBIT B is a true and accurate copy of the SPLC's article "Racist Skinhead" from the  
6 SPLC's website, at the following URL: [https://www.splcenter.org/fighting-](https://www.splcenter.org/fighting-hate/extremist-files/ideology/racist-skinhead)  
7 [hate/extremist-files/ideology/racist-skinhead](https://www.splcenter.org/fighting-hate/extremist-files/ideology/racist-skinhead)  
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- 9 22. EXHIBIT C is a true and accurate copy of TWP founder Matthew Heimbach's 2013  
10 article "I Hate Freedom," preserved at the following internet archive:  
11 <http://archive.is/4PKNI>. This page is an archive of the original article posted on the  
12 Traditionalist Youth Network's website at [http://www.tradyouth.org/2013/07/fuck-your-](http://www.tradyouth.org/2013/07/fuck-your-freedom/)  
13 [freedom/](http://www.tradyouth.org/2013/07/fuck-your-freedom/). The Traditionalist Youth Network is a precursor to the TWP;  
14 [www.tradyouth.org](http://www.tradyouth.org) automatically redirects to the TWP's website [www.tradworker.org](http://www.tradworker.org).  
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- 16 23. EXHIBIT D is a true and accurate copy of the April 12, 2016 article "This white  
17 nationalist who shoved a Trump protester may be the next David Duke," from the  
18 *Washington Post*, at the following URL: [https://www.washingtonpost.com/local/this-](https://www.washingtonpost.com/local/this-white-nationalist-who-shoved-a-trump-protester-may-be-the-next-david-duke/2016/04/12/7e71f750-f2cf-11e5-89c3-a647fccc95e0_story.html?utm_term=.96fe22df6934)  
19 [white-nationalist-who-shoved-a-trump-protester-may-be-the-next-david-](https://www.washingtonpost.com/local/this-white-nationalist-who-shoved-a-trump-protester-may-be-the-next-david-duke/2016/04/12/7e71f750-f2cf-11e5-89c3-a647fccc95e0_story.html?utm_term=.96fe22df6934)  
20 [duke/2016/04/12/7e71f750-f2cf-11e5-89c3-](https://www.washingtonpost.com/local/this-white-nationalist-who-shoved-a-trump-protester-may-be-the-next-david-duke/2016/04/12/7e71f750-f2cf-11e5-89c3-a647fccc95e0_story.html?utm_term=.96fe22df6934)  
21 [a647fccc95e0\\_story.html?utm\\_term=.96fe22df6934](https://www.washingtonpost.com/local/this-white-nationalist-who-shoved-a-trump-protester-may-be-the-next-david-duke/2016/04/12/7e71f750-f2cf-11e5-89c3-a647fccc95e0_story.html?utm_term=.96fe22df6934)  
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- 23 24. EXHIBIT E is a true and accurate copy of the June 27, 2016 article "Neo-Nazis didn't  
24 start the violence at state Capitol, police say," from the *Los Angeles Times*, at the  
following URL: [http://www.latimes.com/local/lanow/la-me-ln-neo-nazi-event-stabbings-](http://www.latimes.com/local/lanow/la-me-ln-neo-nazi-event-stabbings-capitol-20160627-snap-story.html)  
[capitol-20160627-snap-story.html](http://www.latimes.com/local/lanow/la-me-ln-neo-nazi-event-stabbings-capitol-20160627-snap-story.html)

- 1 25. EXHIBIT F is a true and accurate copy of an excerpt from a CHP document identifying  
2 individuals at the State Capitol June 26, 2016. This document was provided in the DA's  
3 Initial Disclosures, in the hard drive under the directory "/2. Report Pages and  
4 Drafts/Report Pages/3. Permitted Party/Stabbings/" and had the file name "Capitol Riot  
5 6\_26\_16 ID of Subjects.pdf".
- 6 26. EXHIBIT G is a true and accurate copy of an excerpt from a CHP PowerPoint  
7 presentation identifying individuals at the State Capitol June 26, 2016. This PowerPoint  
8 presentation was provided in the DA's Initial Disclosures, in the hard drive under the  
9 directory "/2. Report Pages and Drafts/Report Pages/3. Permitted Party/Stabbings/Old  
10 Power Point Drafts/" and had the file name "Presentation2.pptx".
- 11 27. EXHIBIT H is a true and accurate copy of an excerpt from the CHP "Property Receipt"  
12 log that was included in the Additional Disclosures.
- 13 28. EXHIBIT I is a true and accurate copy of the June 27, 2016 article "At least 10 injured --  
14 some stabbed -- at California rally, authorities say" from CNN, at the following URL:  
15 <http://www.cnn.com/2016/06/26/us/brawl-at-california-rally/index.html>
- 16 29. EXHIBIT J is a true and accurate copy of excerpts of Ayres' narrative about the stabbings  
17 at the State Capitol on June 26, 2016. This document was provided in the DA's Initial  
18 Disclosures, in the hard drive under the directory "/2. Report Pages and Drafts/Report  
19 Pages/3. Permitted Party/Stabbings/" and had the file name "Stabbing Narrative.docx".
- 20 30. EXHIBIT K is a USB flash drive that contains true and accurate copies of audio  
21 recordings of interviews that the CHP conducted in its investigation.
- 22 a. The CHP's phone interview of Douglas McCormack was provided in the DA's  
23 Initial Disclosures, in the hard drive under the directory "/2. Report Pages and  
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1 Drafts/Report Pages/3. Permitted Party/Douglas McCormack (DVD)/OTHER/”  
2 and had the file name “Mccormack.WMA”.

3 b. EXHIBIT K1 is a verbatim transcription that I made of the audio file  
4 “McCormack.WMA” identified above.

5 c. The CHP’s interview of Derik Punneo was provided in the DA’s Initial  
6 Disclosures, in the hard drive under the directory “/2. Report Pages and  
7 Drafts/Report Pages/3. Permitted Party/Derik Punneo(DVD)/OTHER/” and had  
8 the file name “WS400266.WMA”. I have renamed it “WS400266  
9 (Punneo).WMA” to assist the Court in identifying it.

10 d. EXHIBIT K2 is a verbatim transcription that I made of a portion of the audio file  
11 “WS400266.WMA” identified above.

12 e. The CHP’s October 3, 2016 phone interview of Cedric O’Bannon was provided in  
13 the DA’s Initial Disclosures, in the hard drive under the directory “/2. Report  
14 Pages and Drafts/Report Pages/2. Protestors/Cedric O’Bannon (DVD)/OTHER/”  
15 and had the file name “Cedric O’Bannon.WMA”.

16 f. EXHIBIT K3 is a verbatim transcription that I made of portions of the audio file  
17 “Cedric O’Bannon.WMA” identified above.

18 31. EXHIBIT L is a true and accurate copy of excerpts from the CHP narrative on TWP  
19 member Joseph Simmons. This document was provided in the DA’s Initial Disclosures,  
20 in the hard drive under the directory “/2. Report Pages and Drafts/Report Pages/3.  
21 Permitted Party/Joseph Simmons (DVD)/REPORT/” and had the file name “Simmons  
22 Subject Narrative Draft.docx”.

- 1 32. EXHIBIT M is a true and accurate copy of excerpts from the CHP narrative on TWP  
2 member Derik Punneo. This document was provided in the DA's Initial Disclosures, in  
3 the hard drive under the directory "/2. Report Pages and Drafts/Report Pages/3. Permitted  
4 Party/Derik Punneo(DVD)/REPORT/" and had the file name "Punneo Subject Narrative  
5 Draft.docx".
- 6 33. EXHIBIT N is a true and accurate copy of excerpts from the CHP narrative on Defendant  
7 Yvonne Felarca. This document was provided in the DA's Initial Disclosures, in the hard  
8 drive under the directory "/2. Report Pages and Drafts/Report Pages/2. Protestors/Yvette  
9 Felarca (DVD)/REPORT/" and had the file name "Felarca Subject Narrative.docx".
- 10 34. EXHIBIT O, but for a redaction to protect Cedric O'Bannon's personal identifying  
11 information, is a true and accurate copy of a photograph of O'Bannon from June 26,  
12 2016. This photograph was provided in the DA's Initial Disclosures, in the hard drive  
13 under the directory "/2. Report Pages and Drafts/Report Pages/2. Protestors/Cedric  
14 O'Bannon (DVD)/OTHER/" and had the file name "IMG\_5758.JPG".
- 15 35. EXHIBIT P is a true and accurate copy of excerpts from the CHP narrative on anti-fascist  
16 protester Vincent White. This document was provided in the DA's Initial Disclosures, in  
17 the hard drive under the directory "/2. Report Pages and Drafts/Report Pages/2.  
18 Protestors/Vincent White (DVD)/REPORT/" and had the file name "White Subject  
19 Narrative.docx".
- 20 36. EXHIBIT Q contains true and accurate copies of stickers and leaflets from the TWP  
21 website's "Propaganda" page, at URL <https://www.tradworker.org/propaganda/>. The  
22 direct links to these pictures are:  
23 [https://www.tradworker.org/wp-content/uploads/2016/11/sticker\\_4x4\\_national-socialism-](https://www.tradworker.org/wp-content/uploads/2016/11/sticker_4x4_national-socialism-)  
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now-300x300.jpg  
[https://www.tradworker.org/wp-content/uploads/2016/11/sticker\\_4x4\\_fighting-for-white-working-families-300x300.jpg](https://www.tradworker.org/wp-content/uploads/2016/11/sticker_4x4_fighting-for-white-working-families-300x300.jpg)  
[https://www.tradworker.org/wp-content/uploads/2016/11/leaflet\\_5x7\\_national-socialism-now-216x300.jpg](https://www.tradworker.org/wp-content/uploads/2016/11/leaflet_5x7_national-socialism-now-216x300.jpg)  
[https://www.tradworker.org/wp-content/uploads/2016/11/leaflet\\_5x7\\_balkanize-216x300.jpg](https://www.tradworker.org/wp-content/uploads/2016/11/leaflet_5x7_balkanize-216x300.jpg)

37. EXHIBIT R includes true and accurate copies of images of TWP’s Facebook and Twitter postings that I received from Declarant Gregory Robertson, which are authenticated in his Declaration.

38. EXHIBIT S is a true and accurate copy of excerpts from the CHP narrative on anti-fascist protester Nathan Van Dyke. This document was provided in the DA’s Initial Disclosures, in the hard drive under the directory “/2. Report Pages and Drafts/Report Pages/2. Protestors/Nathan Van Dyke (DVD)/” and had the file name “Van Dyke Narrative 12\_26\_2016.docx”.

39. EXHIBIT T is a true and accurate copy of the boilerplate template used for all the narratives of anti-fascist protesters. This document was provided in the DA’s Initial Disclosures, in the hard drive under the directory “/2. Report Pages and Drafts/Report Pages/3. Permitted Party/Stabbings/Old Power Point Drafts /” and had the file name “Subject Narrative Draft\_1\_6\_2017.docx”.

40. EXHIBIT U is a true and accurate copy of the search warrant and affidavit in support of request for search warrant that were included in the Additional Disclosures.

1 41. EXHIBIT V is a true and accurate copy of the document "Agencies Involved" that was  
2 provided in the DA's Initial Disclosures, in the hard drive under the directory "/2. Report  
3 Pages and Drafts/Report Pages/1. Main Pages/" and had the file name "Agencies  
4 Involvedv2.docx". This is the final draft of this document in the Initial Disclosures. The  
5 document does not list Officer Ayres as being at the incident scene on June 26, 2016.

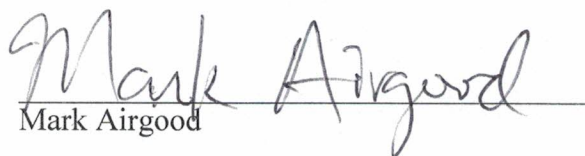
6 42. EXHIBIT W is a true and accurate copy of the document containing the cover page of the  
7 CHP's report of the June 26, 2016 incident. This document was provided in the DA's  
8 Initial Disclosures, in the hard drive under the directory "/2. Report Pages and  
9 Drafts/Report Pages/1. Main Pages/" and had the file name "Cover Sheet and Table of  
10 Contentsv5.docx". This is the final draft of this document in the Initial Disclosures. The  
11 document identifies Officer Ayres, ID 18111 as "Investigation Coordinator."

12 43. EXHIBIT X is a true and accurate copy of TWP member Douglas McCormack's event  
13 permit for the TWP rally at the State Capitol on June 26, 2016, included as part of the  
14 Additional Disclosures.

15 44. EXHIBIT Y has true and accurate copies of photographs taken of Yvonne Felarca in the  
16 hospital on June 26, 2016 and after stitches were applied on her injuries.

17 45. EXHIBIT Z is a true and accurate copy of the article August 14, 2017 article "James  
18 Fields, accused driver in Charlottesville attack, appears in court," from *The Guardian*, at  
19 the following URL: [https://www.theguardian.com/us-news/2017/aug/14/james-fields-  
20 charlottesville-driver-murder-charge](https://www.theguardian.com/us-news/2017/aug/14/james-fields-charlottesville-driver-murder-charge)

21  
22 Date: February 1, 2018

  
Mark Airgood

# EXHIBIT A



## TRADITIONALIST WORKER PARTY

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The Traditionalist Worker Party is a white nationalist group that advocates for racially pure nations and communities and blames Jews for many of the world's problems. Even as it claims to oppose racism, saying every race deserves its own lands and culture, the group is intimately allied with neo-Nazi and other hardline racist organizations that espouse unvarnished white supremacist views.



### EXTREMIST GROUP INFO:

**Date Founded:** 2015

**Location:** Cincinnati, Ohio

**Ideology:** [White Nationalist](#)

SPLC DESIGNATED HATE GROUP

### In Its Own Words

“Now is *not* the time for unity. It’s not the time for love. It’s a time for disunity and for hate. It’s time to hate the migrant communities harboring this lethal threat. It’s time to hate the (((oligarchs))) who create those communities. And if there’s any hate in your heart remaining, invest it in the fools who are smiling and clapping along with the need for more ‘unity,’ ‘inclusion,’ and ‘love’ in the face of this existential threat to our nations, our peoples, and our future generations.”

—Matthew Parrott on Traditional Youth Network, 2016, using the triple parentheses or “echoes” favored by anti-Semites to indicate Jews



“When critical thinkers are shown what to look for, they become anti-semites in due time despite themselves, as Jewish subversion of the West is too pervasive and consistently hostile and destructive to remain objective about for long.”

—Matthew Parrott, Traditionalist Youth Network, 2016

“The plan of mass purging citizens would be insane to implement but perhaps one that might cross the mind of an economist or elite politician looking at the balance books and realizing that multicultural America is headed down the path of the Roman Empire.”

—Matthew Heimbach, Traditionalist Youth Network, 2016

“Statistically speaking, the myth of Blacks being targeted by law enforcement is untenable. In fact, if there’s a reckless disregard for human life and culture of violence to be found, it’s to be found in America’s Black community.”

—Matthew Heimbach, Traditionalist Youth Network, 2016

“Homosexuality is universally taboo because it’s dangerous, dysfunctional, and degenerate. It’s not a healthy part of a balanced civilization. Homosexuality’s like shingles, always lingering in the background but only flaring up into a real problem when a civilization’s somehow weakened or decrepit.”

—Matthew Parrott, Traditionalist Youth Network, 2016

## Background

In 2013, [Matthew Heimbach](#) — a young rising star in the white supremacist world who had led the White Student Union at Towson University in Maryland — joined with Matthew Parrott to found a white nationalist group they dubbed the Traditionalist Youth Network (TYN). Featuring a blog and a podcast, the group’s mission was “to provide resources and support to independent groups of high school and college students throughout North America who are learning about the Traditionalist School of thought” — a reference to an ideology that calls for a return to “traditional” values, including the central claim that nations should be racially and culturally homogenous. Heimbach and Parrot went on, in 2015, to create the Traditionalist Worker Party (TWP) as the political wing of the TYN.

The TWP’s goal, according to a platform statement on its website, is this: “While we have candidates for political office and will run campaigns, that work is secondary to our first priority, which is local organizing and advocacy for real-life working families who share our identitarian and traditionalist vision.”

(Identitarianism is a closely related ideology that emerged in recent years in Europe.) The group uses the slogan “Local solutions to the globalist problem,” a reference to the idea that globalization, the knitting together of nations and national economies throughout the developed world, is destroying racially homogenous communities and nations.

The TWP/TYN is part and parcel of the American “[Alternative Right](#),” an umbrella term for a racist ideology that scorns mainstream conservatism and argues that white people and white culture in America are under threat from the forces of political correctness and multiculturalism. It is also “traditionalist” and “identitarian.”

The group’s version of “traditionalism” has its roots in the “radical traditionalism” espoused by mid-20<sup>th</sup> century Italian “philosopher” Julius Evola, a fascist thinker who believed that Jews were to blame for the modern materialism and democracy that he thought subverted the natural order of the world. The TWP website includes the group’s definition of traditionalism: “Traditionalism, properly applied, makes us as autonomous and self-governing as possible in relation to the modernist societies that we live in.” It defines

traditions as “positive cultural interactions that have existed over a long period of time” and says “those traditions have existed for a long time, because they work. They have formed European-American mores.” The traditionalist ideology sees adherence to those “mores” as the best way to organize society, and argues that a traditionalist lifestyle can successfully supplant the state, since “the family is the natural enemy of the state.”

“[Identitarianism](#)” refers to a movement that emerged in recent years in France that advocates for culturally and ethnically homogenous communities and blames liberals for selling out their country. Generation Identitaire, the youth wing of the anti-immigrant Bloc Identitaire movement in France, is known for its racist and xenophobic anti-Muslim stunts, like serving soups containing pork in Muslim neighborhoods. The ideology has its roots in the European New Right, or Nouvelle Droite, founded by French academic Alain de Benoist, who advocated against melting-pot societies and immigration while claiming to oppose biological racism.

The TWP positions itself as being in favor of diversity – what it terms “ethnopluralism.” But what it means by that word is a diversity of nations around the globe that are each racially and culturally homogenous. In a section on its website defining the term, it says that “ethnopluralists argue that the liberal multiculturalism is false, as it promotes a melting pot which leads to the disappearance of ethnicities, cultures or races through miscegenation and therefore is in fact monoculturalism.” TWP is against racial intermarriage, no surprise given its platform statements.

The “Folk” section of the TWP platform puts the group’s white nationalist views, and associated anti-immigrant vitriol, clearly on display. It says that communities should be able to determine their own “religious and ethnic character” without government interference, that American 14<sup>th</sup> Amendment birthright citizenship should be revoked, and that the borders should be secured with National Guard troops. One platform plank, “Stop Discrimination Against Whites,” claims that “our government is stacking the deck against White families,” and says that TWP “opposes all racial quotas in education, hiring, and government contracts.”

Heimbach himself is an Orthodox Christian, and the TWP has a clear Christian bent (it claims to want to end “anti-Christian degeneracy”). This is a departure from European Identitarian ideology, which is less focused on Christianity. In the “Faith” section of its platform, the TWP calls for “religious freedom,” but this translates to advocating for discrimination in the name of religion: “If a business owner’s conscience compels him to serve one customer instead of another or refuse to sell a particular product, then the state should not interfere.” The “Family” section of the TWP’s platform also promotes a definition of marriage that is molded by “clergy and local tradition,” takes a strict anti-abortion stance, and advocates for “traditional” gender roles, with women staying home to care for children if possible. The TWP’s anti-gay stance has at times has led to conflict with others on the alt-right who want to include white gay people in the movement. When Heimbach wasn’t invited to the white nationalist National Policy Institute’s fall 2015 conference, it was rumored that it was because of his anti-gay views. (National Policy Institute leader [Richard Spencer](#) has waffled on the issue of LGBT inclusion to avoid alienating potential supporters on either side of that issue.)

The TWP is blatantly anti-Semitic. In part of its “Folk” section, subtitled “Regulate Foreign Lobbies,” it airs the ancient “dual loyalty” claim about Jews: “The State of Israel has a large and powerful Jewish population in America, many of whom are more loyal to Israel than they are to America.” The theory that Jews are not fully loyal to the U.S. is a common anti-Semitic trope and is also demonstrably false. In an April 2012 poll by the Public Religion Research Institute, just 4% of Jews said a candidate’s stance on Israel determined their vote. By contrast, a 2015 poll by Bloomberg Politics found that 58% of born-again Christians said they would support Israel even when it went against American interests. So-called “Christian Zionists” support Israel because they believe it is a key player in the biblical End Times.

Similarly, in a 2015 blog post, Heimbach writes: “All nationalists, regardless of ethnicity, should stand united against our common foes, the rootless international clique of globalists and bankers that wish to dominate all

free peoples on the Earth.” The reference is a classic anti-Semitic phrase that actually reference to Jews.

While the TWP is unquestionably part of the radical right, it also departs from the views of many such groups with its criticism of capitalism and its endorsement of environmentalism. It supports government assistance and social programs, albeit for white people. It is staunchly anti-abortion, for example, but simultaneously calls for “expanded adoption assistance, expanded welfare and social service assistance for unwed mothers, and even more assistance for wed mothers and their husbands.” It opposes trade deals, saying they benefit giant corporations instead of families. And in a December 2015 blog post — titled “Learning from Europe: How Our Nationalist Movement Can Enter the 21<sup>st</sup> Century” — Heimbach endorses economic “third positionism.” That refers to a rejection of both capitalism and communism, a position espoused by Nazi leader Gregor Strasser (later assassinated by fellow Nazis who didn’t agree), who Heimbach quotes: “We must take from the right nationalism without capitalism and from the left socialism without internationalism.”

Heimbach goes on to at least nominally reject “white supremacy,” calling it a “neo-colonialist fixation on ‘greater’ and ‘lesser’ evil people.” In this regard, Heimbach diverges from the academic racists who spend their time trying to prove the intellectual superiority of white people. “A nationalist movement historically and today is based on love of ones [sic] culture, Identity, traditions, and ethnic extended family, not hatred of other groups simply because they are different,” he writes. He even sharply criticizes the seminal neo-Nazi novel *The Turner Diaries*, which gleefully describes a race war and the extermination of non-whites, Jews, gay people and “race-mixers,” and attempts to frame white nationalism as an anti-colonial struggle aligned with oppressed peoples around the world. Immigrants should leave the U.S., Heimbach says, not because they’re inferior, but because they “just don’t belong here.” When someone commented on the post, saying that Heimbach ought to acknowledge the superiority of whites to other races, Parrott replied and challenged him, arguing that “there’s no objective metric of societal value.”

But none of this has kept the TWP from close alliances with white supremacists.

In fact, Heimbach has been associating with neo-Nazis and Klansmen for years, even before the formation of the TWP. In 2013, he praised neo-Nazi [David Duke](#) and joined a cross and swastika lighting hosted by the Aryan Terror Brigade, the Imperial Klans of America and the National Socialist Movement. That led to his brief expulsion from the [League of the South](#), a neo-Confederate white supremacist group trying to appear more moderate, though he was reinstated shortly after.

The fraternization with neo-Nazis and their ilk has continued under the banner of the TWP. In June 2016, [The Barnes Review](#), a journal specializing in Holocaust denial, [announced a partnership with TWP and TYN](#), giving their members a discounted subscription rate and several free books with their order, including *Russia and the Jews* and *A Straight Look at the Second World War*. In a website posting, the TYN praised *The Barnes Review* as an “esteemed revisionist publication which has been cutting through the bias and distortions to get to the historical truth for decades.”

Shortly afterwards, in July 2016, the neo-Nazi [National Socialist Movement](#) (NSM) announced that the TWP had joined its [Aryan Nationalist Alliance](#) (ANA), a coalition of white nationalist organizations. The ANA was first unveiled by NSM leader Jeff Schoep in April 2016, and its list of member organizations includes neo-Nazi, Klan, and racist skinhead groups. The mission statement of the ANA uses many of the same talking points as the TWP: it claims that the ANA is a “legal and non-violent anti-colonialist movement” whose members “reject racial supremacy and racial hatred.” But that is plainly nonsense — the NSM says on its FAQ page that “[c]ommon sense tells us that there are obvious real physical differences and history shows us there are fundamental differences between the races that drive the White Race to be the most advanced and progress producing race on earth.” Likewise, the ANA mission statement quotes Nazi collaborator Leon Degrelle as saying, “National Socialist racialism was not against the other races, it was for its own race.” Anyone with a passing knowledge of history knows that claim is entirely false.

Why does the TWP make alliances like these? In a 2013 essay, Matthew Parrott says that while he finds “much to admire and respect in contemporary Black American, Latin American, and Jewish culture,” his work “doesn’t exist in a vacuum, devoid of historical context. I’m opposed to usurious Jewish bankers, just like Hitler. I’m fed up with negro criminality, just like the first Klan. I’m proud of my racial identity, just like Dr. [William Pierce](#) [the late leader of the neo-Nazi [National Alliance](#)]. I share Anders Breivik’s commitment to push the Muslim invaders out of our Western homelands.” In 2011, Breivik murdered 77 of his countrymen in Norway, many of them children, because he thought they were enabling Muslim immigration.

In fall 2015, the TWP named the first candidates to represent the party: [Tony Hovater](#), a candidate for city council in New Carlisle, Ohio, and Tom Pierce, a candidate for county commissioner in Knox County, Tennessee. Hovater didn’t win a seat. By 2016, Pierce was advertising himself as an “independent” candidate, though he’s still espousing white nationalist views on his Facebook page: “There is no country allowed solely for the White, Christian. I say the Appalachian Bible Belt is our country and if we do not act to secure it then we will not survive.”

In summer 2016, the TWP announced its first endorsement, for [Rick Tyler](#), a candidate for congressman in Tennessee. Tyler is known for putting up billboards that say “Make America White Again,” which prompted outcry among locals and calls for boycott of the restaurant Tyler owned. The TWP pledged to help Tyler with his campaign, with Parrott writing that Tyler’s campaign was “an unexpected opportunity to achieve a national impact in our party’s first election cycle.”

However, as the group’s website says, running and endorsing candidates is just part of what it does. Heimbach has mentioned that the TWP aims to have regional meetings in addition to monthly local meetings, to distribute a quarterly publication to members, and to hold community events and demonstrations. By summer 2016, it had at least seven chapters around the nation, including in Ohio, Kentucky, Tennessee, Georgia, the mid-Atlantic, Indiana, and Texas. During the first half of 2016, the TWP warmly praised GOP presidential nominee Donald Trump.

“Donald Trump is blowing the dog whistle for White racial interests harder than any other candidate, and louder than the Republic elites would ever dream a candidate would do in our politically correct age,” Heimbach wrote in a blog post in fall 2015. He said he would be campaigning for Trump because, “While Donald Trump is neither a Traditionalist nor a White nationalist, he is a threat to the economic and social powers of the international Jew.” Elsewhere — in a March 2016 speech to members of the white nationalist Council of Conservative Citizens — Heimbach called Trump a “gateway drug” for white nationalism. “We can then move [Trump supporters] from civic nationalism and populism to nationalism for us,” he said.

Despite the TWP’s talk of nonviolence, Heimbach attended a Trump rally in Louisville, Ky., where he was seen [repeatedly shoving a black woman](#), 21-year-old Kashiya Nwanguma. In April 2016, Nwanguma joined two others in suing Trump for inciting violence at his rallies; Heimbach was also named as a defendant. In July, the authorities charged Heimbach with misdemeanor harassment in the incident.

In June 2016, the TWP held a rally for “Faith, Family, and Folk” in Sacramento, Calif., with the Golden State Skinheads and Blood & Honour America Division, both racist [hate groups](#). [Violence erupted between the racists and counter-protesters](#) almost immediately, leaving nine people hospitalized, only one of them a white nationalist. (Neither Parrott nor Heimbach were present at the rally). Police officials said later that the counter-protesters had started the violence.

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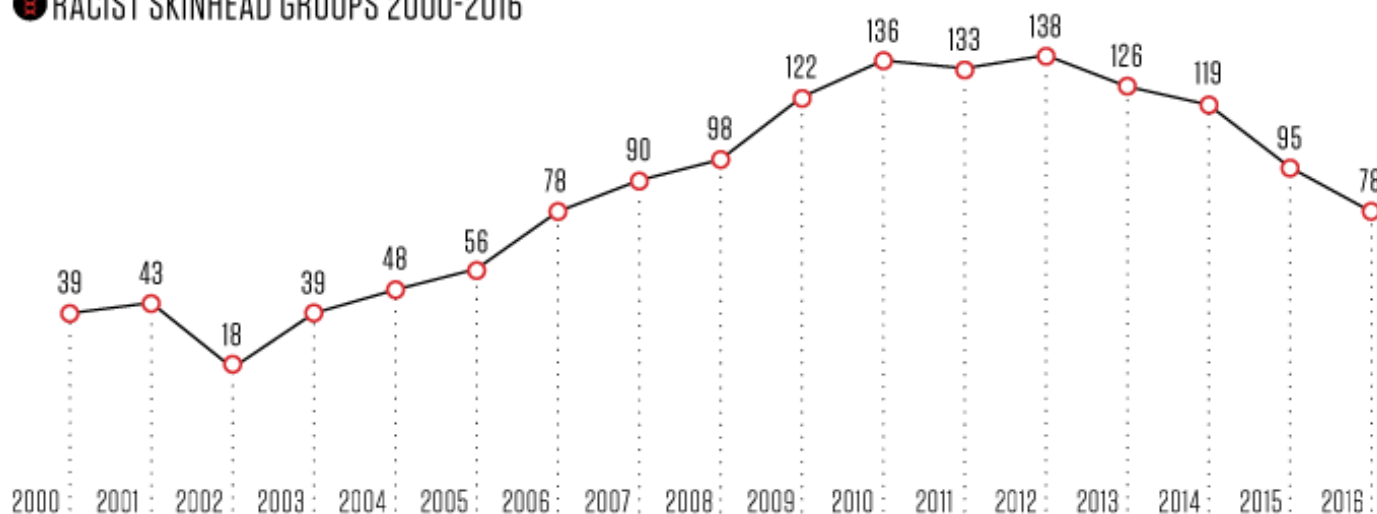
## RACIST SKINHEAD

Racist Skinheads form a particularly violent element of the white supremacist movement, and have often been referred to as the “shock troops” of the hoped-for revolution. The classic Skinhead look is a shaved head, black Doc Martens boots, jeans with suspenders and an array of typically racist tattoos.



At first, the skinheads seemed like just another rebellious youth subculture. But since the 1980s, each decade has brought eruptions of racist skinhead violence splashed across the evening news. Criminal attacks by shaved-head, boot-wearing white youths ranging from vandalism to murder have served to remind minority populations that maybe we haven’t made that much progress in [social relations](#). The skinhead “fad” shows no sign of fading. In November 1988, three skinheads in Portland, Ore., beat an Ethiopian student named Mulugeta Seraw to death with baseball bats. In April 1999, a Mexican immigrant named Irineo Soto Aguilar was murdered in Lakeside, Calif., by three skinheads who crushed his skull with chunks of concrete. In October 2007, a skinhead strangled a 62-year-old gay man in Oklahoma City as a rite of passage in his gang.

## 6 RACIST SKINHEAD GROUPS 2000-2016



These stories are now such a consistent part of the American criminal landscape that most large police departments have bias-crime detectives, and many focus on skinheads as part of their gang enforcement strategies. Racist skinheads have also become a regular element in prisons and juvenile corrections facilities. The threat of a skinhead rally can lead whole communities to mobilize in opposition. The U.S. military has had to contend with racist skinheads in its ranks. Hate rock from racist skinhead bands has bled into the flow of rebellious teen music. And skinheads have taken their "boot parties" from the street to the Internet, targeting young people for recruitment into their supposed movement.

## Racist Skinhead Terms

**14/88:** Common white supremacist code. 14 stands for the "14 words" slogan coined by David Lane, who died in prison while serving a 190-year sentence for his part in the assassination of a Jewish talk show host: "We must secure the existence of our people and a future for white children." 88 means "Heil Hitler," as H is the eighth letter of the alphabet.

**28:** Shorthand for Blood and Honour, a skinhead group

**38:** Confederate Hammerskins, the southern faction of Hammerskin Nation

**Boot Party:** Beating a victim to the ground then stomping and kicking him or her with steel-toed boots.

**Braces:** suspenders

**Crew:** Skinhead gang or faction

**Colors:** Marks identifying affiliation; can be tattoos, patches, etc.

**Curbing or curb job:** Breaking a victim's jaw or neck by forcing his or her face against a street curb and kicking the back of the victim's head; popularized by the 1998 movie "American History X"

**Dr. Martens (aka Doc Martens):** Brand of durable boots popular with skinheads. Racist skinheads often lace the boots differently and wear either white or red laces to distinguish themselves from other wearers of the popular footwear.

**Homey Sock:** Pool ball in a sock wrapped in tape so it doesn't split open when used as a weapon.



*Featherwood*: Female skinhead

*Five words*: "I have nothing to say." Skinheads are exhorted to give this standard response to law enforcement and media inquiries.

*Fred Perry*: Brand of sport shirts often favored by skinheads. The brand's logo features laurels.

*Fresh cut*: A newly indoctrinated skinhead whose head has recently been shaved for the first time.

*Hammerskins*: A nationwide skinhead syndicate, also known as Hammerskin Nation, with regional factions and chapters that once dominated the racist skinhead movement in the United States.

*HSN*: Hammerskin Nation

*HFFH*: Hammerskin Forever, Forever Hammerskin

*Hang-around*: A young person who associates with a skinhead group, but is not yet a probate.

*Probate*: A "member in waiting" who is on probation with a group before he or she can become a full-fledged member.

*RAHOWA*: Short for "racial holy war," a slogan that originated with the neo-Nazi Church of the Creator; also the name of a defunct racist band.

*Red laces*: Bootlace color indicated the wearer has shed blood for the racist skinhead movement. Racist skinheads will often randomly attack non-whites to "earn" their red laces.

*Spider web tattoo*: Racist skinhead "badge of honor," often worn on the elbow, indicating wearer has committed murder for the skinhead movement.

*SHARP*: Short for Skinheads Against Racial Prejudice, commonly known as SHARP skins, who often battle racist skins.

*Skinbyrd*: Female skinhead.

*Straight-laced*: A complex boot-lacing system favored by racist skins who lace their boots in horizontal, straight lines rather than X or cross patterns.

*White laces*: Bootlace color identifying a skinhead as being "white power," as opposed to non-racist ("traditional") or anti-racist skin.

*ZOG*: Shorthand for Zionist Occupation (or Occupied) Government," reflecting the neo-Nazi conspiracy theory that the American government is secretly controlled by a powerful Jewish cabal.

## Active Racist Skinhead Groups in 2016

### **AC Skins**

Atlantic City, NJ

### **American Front**

Oregon

Washington

**American Vikings**

Indianapolis, IN

**Aryan Strikeforce,**

Phillipsburg, NJ\*

Arkansas

Colorado

Kentucky

Massachusetts

Missouri

New York

Ohio

Pennsylvania

Tennessee

Virginia

West Virginia

**Be Active Front USA**

Maryland

Pennsylvania

**Blood and Honour  
America Division**

Washington

**Blood and Honour  
Social Club**

Greensboro, NC\*

Georgia

Indiana

New York

Ohio

Pennsylvania

**California Skinheads**

California

**Confederate Hammerskins**

Florida

Georgia

North Carolina

Nashville, TN

Virginia

**Crew 38**

California

Florida

Georgia

Idaho

Chicago, IL

Kentucky

Wichita, KS

Maine

Maryland

New Hampshire

North Carolina

Tennessee

Virginia

Washington

**Eastern Hammerskins**

New Hampshire

**Firm 22**

Florida

racist skinhead cont'd

Indiana

New York

Washington

**Golden State Skinheads**

**Northern California**

**Southern California**

**Keystone State Skinheads**

Harrisburg, PA\*

Philadelphia, PA

**Maryland State Skinheads**

Baltimore, MD

**Midland Hammerskins**

Wichita, KS

South Dakota

**Northern Hammerskins**

Chicago, IL

Detroit, MI

**Northwestern Hammerskins**

Idaho

Oregon

Washington

**Sacto Skins**

Sacramento, CA

**Supreme White Alliance**

Ohio\*

Florida

Kentucky

Missouri

Pennsylvania

Virginia

**Vinland Clothing**

Oildale, CA

**Vinlanders Social Club**

Indiana\*

Arizona

California

Florida

Minnesota

North Carolina

Texas

**Western Hammerskins**

California

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\* \* \*

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\* \* \*

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**Brien James**

Indianapolis, Ind.

\* \* \*



**Eric "The Butcher" Fairburn**

South Central Correctional Center, Licking, Mo.

\* \* \*

## ASSOCIATED EXTREMIST GROUPS



**Keystone United**

SPLC DESIGNATED HATE GROUP



**Blood & Honour**

SPLC DESIGNATED HATE GROUP

\* \* \*



**Vinlanders Social Club**

SPLC DESIGNATED HATE GROUP

\* \* \*

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# I Hate Freedom

Mark Twain famously wrote in his biography, “Under certain circumstances, urgent circumstances, desperate circumstances, profanity provides a relief denied even to prayer.”



Under those qualifications I say this and I mean it with every beat of my heart.

Fuck your freedom.

There are some words in the American vocabulary that everybody seems to agree on, and perhaps the most popular is one simple seven letter word: freedom. What is freedom exactly? Well, nobody really has a solid definition, but just like pornography, we know it when we see it. At backyard barbecues the sound of Toby Keith singing about freedom wafts over the grill master as he cooks up hamburgers and serves out some freedom fries to his guests who sport American flag hats, t-shirts, and the whole nine yards. In the minds of conservative America, this is freedom. On the other hand you can hear the words freedom being touted by the likes of Barack Obama and Joe Biden when it comes to homosexuals getting married, women murdering their children, or supporting Islamist rebels. Truly, freedom is a word and a concept that everyone loves and enjoys because of the license that it gives us as a society; that is why freedom failed and that is why freedom must die.

Now hold on, everybody. Lower your pitchforks and douse your torches. I know I just stepped on one of the hallmarks of the American Right, but think for a second: do you truly like freedom? The answer is probably not. Freedom is an insidious little word that destroys every tradition, folk tie, and culture it comes across. Freedom means that there is no correct answer, only varying differences of opinion. One culture cannot be superior to the other, only different. One set of values cannot trump another, it is just the cultural freedom of one group to choose how they want to live.

This is the fundamental reason why the American brand of Conservative, Inc. and the Libertarian movement will fail; it by its own logical extreme cannot stand for anything.

Freedom is not the ability to pursue your individual rights. It is the purposeful denial of any sort of responsibility to anything greater than your own primitive and hedonistic principles.



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Freedom means that there is no right or wrong, only varying shades of gray. According to the media or even conservative talk radio, this is how we must be understanding of "cultural differences" because of the freedom of a group to engage in whatever behaviors they so desire. There are no standards to live up to, no heroic set of principles passed down from generation to generation. There is only hedonism and shallowness, a perfect mindset for the Modernists.

Watching libertarians try to explain why we must accept the Islamic buggery of young boys in our own military camps or refusing women fundamental human rights is almost laughable. The terms "cultural bias" and "Western imperialism" often get tossed around to explain to an American audience why we shouldn't think that our "allies" in Afghanistan having widespread child rape as "a widely-accepted practice in southern Afghanistan, where 'boys are given to older men for the sexual gratification of the elder and the sexual education of the child,' say many returning U.S. troops" as being a problem. The Afghani culture should be "free" to pursue their own morals and their own customs, even if that involves raping children or stoning female rape victims. Muslims should have the "freedom" to do as they see best, lest Western Christian values poison the Bronze Age barbarian culture of the Islamic Middle East.

Freedom in this country also means that you have no responsibility to anything greater than yourself. Within what was once a Western and Christian culture, now we are simply a multiracial and multicultural mess that is united by the worship of the Almighty Dollar. It doesn't matter, say the pundits, if you want to murder the child that is in your womb, you have the freedom to decide what happens within your own body. Love is love and love should be free, so if you want to marry your sodomite boyfriend, then everyone should applaud you for your bravery. No one should tell anyone that marrying outside their race and diluting the bloodline of your ancestors is something to be avoided; you have the freedom to sleep with whoever you want to. Homosexuality, sexual perversion, race mixing, abortion, and all other sorts of "tolerance" all land at the feet of freedom. That doesn't sound like a very good thing for the survival of our folk, but maybe that's just me.

Freedom works when it is within a homogenous population, bound together with an indestructible faith, and united on ethnic and cultural lines. Naturally and organically people in this situation want what is best for their community and therefore they fight to maintain it. This is why freedom in America originally worked, but only briefly. As any environment becomes more multiracial, more varied in its belief systems, and increasingly "diverse" freedom must come into the picture in order to maintain order.

Americans are far too squeamish to admit that sometimes there are some things that just need a good ol' fashioned government boot heel to stomp out. While we tolerate homeschoolers and organic farmers being arrested and harassed by the Federal authorities, people run in fear at the idea of breaking up a homosexual marriage ceremony, torching an abortion clinic, or doing any action that benefits the overall health and culture of their people.

The phrases "If it isn't hurting anyone else" is total poppycock. Tolerating decadent behaviors does not just impact the individual, like a cancer it begins to rot the entire society. If you allow your young people to engage in sex outside of marriage, pornography, and other sexually degenerative behaviors, of course the institution and importance of

marriage will be whittled away. If you do not allow the government or at the very least communities the ability to stop their sons and daughters from dishonoring their race through miscegenation then how can we be surprised when that behavior is growing increasingly rampant?

Tolerating the murder of children in the womb and the killing of the elderly and sick out of convenience devalues human life in all forms, so why should we be surprised that increasingly more and more young people care about nothing other than themselves? As conservative columnist Ashley Herzog recently wrote about the “bro-choice” movement, or men who support abortion because they don’t want to have responsibilities of fatherhood, she quoted writer Ben Sherman who argued that “For those of us guys who like girls — you know, like them like them — and want to have relationships with them that may last anywhere from a few minutes to many years, we need to think about how this...hurts us, too. Can you think of anything that kills the vibe faster than a woman fearing a back-alley abortion?...And don’t be surprised if casual sex outside of relationships becomes far more difficult to come by.” To previous generations the idea of supporting infanticide to get “a few minutes” (apparently Leftists aren’t built for stamina) of pleasure would be insanity, but in modern secular and “free” America, it is our reality.

The Founding Fathers of this nation would not have put up with protesters for Trayvon Martin or gay rights rallies. Our Founding Fathers believed in freedom and prosperity for white men and women, not the entire Third World. Our Founding Fathers believed in a system of beliefs that mirrored Europe at her height and the faith of the Church, even those who were themselves not Christians. They would look at our modern society and shake with anger. Through gritted teeth I would bet my life’s savings that our Founding Fathers if given one look at what their invention would become, would tear up the Constitution and proclaim to us

“Fuck your freedom.”

Rabid dogs are put down, not allowed around the family kids. Our enemies are sick animals and we need to treat them as such.

I do not care if you are a man who “loves” another man, you do not have the right, privilege, or ability to marry him and carry on in a degenerate relationship. In any healthy society you would be dragged off to therapy to help you cope with your mental illness, not given glitter and assless chaps to parade down the street. A society helps the mentally ill; it doesn’t parade them around as normal.

I do not care if you want to murder your child, you do not have the right to do that. If you murder your child, a group of citizens should lynch you. You murdered a defenseless human being that was of your own flesh and blood for your own selfishness. Women who murder their children are murderers, depraved and sickening.

Communists, anarchist, and all other sorts of Left wing scum, you do not have the right to voice your opinions. Your ideas are a sickness that spreads throughout a society to rot it from the inside. Only a suicidal or stupid culture would allow you to spread your filth that has only the purpose of uprooting and dismantling the society that was foolish enough to let you organize within it. “Freedom” of assembly and “freedom” of speech need not apply to Leftists, you are the enemy, pure and simple.

Non-whites do not have the rights or freedom to move into white nations.

This is our home and our kith and kin. Borders matter, identity matters, blood matters, libertarians and their capitalism can move to Somalia if they want to live without rules, in the West we must have standards and enforce them. The “freedom” for other races to move freely into white nations is nonexistent. Stay in your own nations, we don’t want you here.

Jewish pornographers will no longer have the freedom to abuse and manipulate our women into selling their purity on camera. No one has a right to abuse women or devalue them as simple sex objects. Pornography and smut shops will be shuttered, for the betterment of the folk and our nation.

Those who promote miscegenation, usury, or any other forms of racial suicide should be sent to re-education centers, not tolerated.

In conclusion, American democracy and freedom is the enemy of anyone who wants to promote our Faith, our Folk, and our Fatherland. Throw freedom out the window and turn towards your people. Voting, democracy, capitalism, communism, “freedom”, are nothing but globalist and Jewish tools in the modern era to deny your children of their inheritance. I say stop playing the enemy’s game, time for something new.

Whether you are a Christian authoritarian like myself, a Constitutionalist, a fascist, a National Socialist, or whatever stripe of white Traditionalist, just acknowledge that it is time to throw off the shackles of the poisoned American mindset, time for a new unity within our folk and new ideas for a new age.

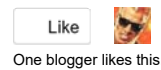
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# EXHIBIT D

Local

# This white nationalist who shoved a Trump protester may be the next David Duke

By **Joe Heim** April 12, 2016

“Get out! Leftist scum! Get out!”

In the video, the bearded white man wears a black shirt and a red baseball cap with the words “Make America Great Again.” He is yelling at a young black woman. He shoves her once, then again, screaming at her to leave. The crowd around him is agitated. Others push the woman as well. Many are yelling.

There had been clashes between supporters and protesters at Donald Trump rallies before, but this one in Louisville last month stood out. The racial imagery was jarring, the violence only barely contained. When video of the encounter went viral, most who saw it had no idea who the man was. But his followers knew. And so did his family. And so did the people who track hate groups and white-supremacist organizations, who consider him one of the country’s leading young proponents of racial acrimony.

The day after the rally, Matthew Heimbach, a 25-year-old white nationalist who grew up in an affluent Maryland community and now lives in rural Indiana, acknowledged online that he was the one in the video pushing the woman. The object of his fury, Kashiya Nwanguma, 21, a public health major at the University of Louisville, has joined two others in suing Trump in Jefferson County Circuit Court for allegedly inciting a riot. The suit also accuses Heimbach of assaulting Nwanguma.

In his post online, Heimbach described her as a member of the Black Lives Matter movement who had been disrupting the event for the better part of an hour. “White Americans are getting fed up and they’re learning that they must either push back or be pushed down,” he wrote.

In an interview, Nwanguma said she is not affiliated with any organization and attended the rally to peacefully protest Trump's policies.

"It's hard for me to think about that day," she said. And it's hard for her to forget Heimbach. What stays with her, Nwanguma said, is "the blind rage and hatefulness and aggression" that she was met with as she was being shoved.

"It was a new side of humanity that I hadn't quite seen before," she said. "I know it looks like I'm smiling, but I was really in disbelief. I was like: 'What is going on and why is this happening? There's no way that people are acting like this.'"

Heimbach's supporters cheered his actions, praising him for standing up to the protesters. But for those who have been tracking his rise, the video raised new worries about Heimbach. Some compare him to David Duke, a former Ku Klux Klan grand wizard and the country's best-known white nationalist.

"I think Heimbach should be taken as seriously as David Duke," said Ryan Lenz, the editor of the Southern Poverty Law Center's Hatewatch blog. He describes Heimbach as a media-savvy millennial who has forged relationships with Stormfront, the League of the South, the Aryan Terror Brigade, the National Socialist Movement and other white-supremacist organizations.

"He's the affable, youthful face of hate in America," Lenz said, "and in many ways, he's the grand connector between all of these groups."

Heimbach doesn't hide his extremism. He has had his picture taken at the U.S. Holocaust Memorial Museum in Washington holding a sign that said: "6 million? More like 271,301." In another photo, in front of the Rev. Martin Luther King Jr.'s grave site in Atlanta, he unfurled the first flag of the Confederacy. After terrorist attacks in Brussels last month, he tweeted, "Hey Brussels, how's that multiculturalism working out for you?"

His racial worldview has cost him jobs and led to his excommunication from his Orthodox Christian church. It has created a rift between him and his parents and confounded those who knew him in Maryland: his classmates at Poolesville High School and his teachers and many fellow students at Montgomery College and Towson University, from which he graduated with a history degree in 2013.

Why, they ask, would someone as smart and educated as Heimbach choose to assert that the Holocaust never happened, that lynchings in the South were mostly deserved, that apartheid in South Africa was not as bad as people have suggested and that if white Americans don't set off a homeland for themselves, then the future of white America is in jeopardy?

## **'We're under attack'**

On a weekday afternoon, members of Heimbach's Traditionalist Worker Party are gathered in the back of a tattoo parlor tucked behind a tanning salon and an auto detailer in Madisonville, Ky.

Heimbach has driven three hours to this western Kentucky coal region from his home in Paoli, Ind., a quaint town of 3,600 founded in the early 1800s by Quakers seeking to establish a slave-free territory. There he works as a landscaper and lives with

his wife, Brooke, and their 8-month-old son, Nicholas, who is named for the last czar of Russia.

Heimbach, wearing a black T-shirt with the words “Refugees NOT Welcome,” meets with Colton Williams, 23, a dishwasher, and Chappy, 37, a tattoo artist who didn’t want to use his full name because he has received threats for his involvement in pro-white activities. In Madisonville and neighboring small towns struggling with high unemployment rates, the three men and other party members have been going door to door distributing literature and encouraging people to join their movement supporting “faith, family and folk.”

“We don’t consider ourselves a hate group at all,” Chappy said. “We don’t hate anybody.”

Heimbach concurred. “We advocate for our people, but I don’t wish pain or death or suffering for anyone else.”

What they want, they say, is to make sure that elected officials are addressing the needs of poor and blue-collar whites. They want to run candidates in local elections. They want to siphon votes from mainstream Republicans. They want an end to illegal immigration; an end to outsourcing; an end to same-sex marriage; an end to abortion; an end to foreign aid, except disaster relief; and an end to attacks on European American identity. That’s the short-term plan.

The long-term plan is grander. Heimbach foresees the United States being divided into autonomous racial states, with white Christians free to live apart and outside the control of any federal authority. Other racial groups would have their own lands, and an area would be set aside for people who wanted to continue living in a multicultural society. The goal would be for each race to protect its identity, and for Heimbach, that means protecting whites.

“The system, which is a multiethnic empire, doesn’t care about us,” he said. “We’re under attack. White people need an advocate.”

### **‘Infected with this hatred’**

Marilyn Mayo has been tracking Heimbach’s doings for five years. A director of the Anti-Defamation League’s Center on Extremism, Mayo keeps a watchful eye on individuals and organizations that support racist and anti-Semitic ideologies. Heimbach elicits more worry than most, she says.

“We’ve been concerned about him because he goes beyond just talking,” she said. “He’s created groups. He’s building ties. He’s obviously someone who can write about topics intellectually, and he’s college-educated. But he also wants to have very strong ties with hard-core groups like neo-Nazis and racist skinheads.”

Heimbach insists that his movement doesn’t promote violence. For him, inclusion on lists of avowed racists and extremists is more a badge of honor than a sign that he has crossed any line.

His party is still nascent. There are maybe a few hundred followers and a dozen or so chapters nationwide. But it will grow, Heimbach says, because whites are being ignored in favor of minorities. And no one has pointed that out more clearly to the rest of the nation, he says, than Trump, who has emerged as the front-runner for the Republican presidential nomination, in part by

promising to bar Muslims from entering the country and to build a wall to keep Mexicans out.

“Hopefully this [election] will really damage the Republican Party as a whole and awaken white working-class and middle-class people that the Republicans don’t represent them,” Heimbach said. “So I really like Trump for that. But he’s not one of us. He’s not a white nationalist.”

Whether Trump becomes president doesn’t matter. Either way, Heimbach predicts, his movement will win.

“Our movement is on the rise,” he told a gathering of the Council of Conservative Citizens in St. Louis last month. “And Donald Trump is just the first glimmer of the dawn that is about to rise. What he has shown us is that our people will not go quietly into the night. They want to fight.”

Heimbach sees a model for what his political party can accomplish in Europe, where far-right parties have gained strength in recent years in response to economic uncertainty, terrorist attacks and the migrant crisis. He has traveled to Greece to meet with leaders of that country’s fascist Golden Dawn party, and in Germany he addressed the National Democratic Party, the country’s ultranationalist political party. Britain has banned him from traveling there.

Last summer, [Heimbach spoke](#) in California at Camp Comradery, a gathering of far-right nationalists, skinheads and white supremacists.

“The next time we have this conference, I want to see twice the amount of people here,” he said. “In 10 years, I want a Nuremberg rally.”

## **‘He’s wasted his life’**

“Self-radicalized.”

That’s how Heimbach describes his racial awakening. Growing up in Poolesville, a once-rural, increasingly diverse Montgomery County community with a median household income of \$150,000 a year, Heimbach had no personal encounters that led to his racist ideology. It certainly wasn’t something he learned from his parents: Karl and Margaret Heimbach, schoolteachers who divorced when he was in his early teens.

“His family does not share his beliefs in terms of race or religion,” Margaret Heimbach said in a brief telephone interview. His father declined to comment.

The genesis of Heimbach’s worldview came from two books he read in high school: “[Who Are We? The Challenges to America’s National Identity](#),” by Samuel P. Huntington, and Patrick J. Buchanan’s “[The Death of the West](#).” And everything else, he says, he discovered online.

At Poolesville High, Heimbach tried to start a white student union after a similar group was formed for African American students. He says more than 100 students signed his petition. Deena Levine, the school’s principal, declined to discuss Heim-



bach.

But Christine Simmons, a former classmate who is white, says he made other students feel very uncomfortable.

“He wouldn’t use the n-word or any slurs, but he would say this is a white community and those people don’t belong here,” Simmons said. “He was always very rude to anyone who wasn’t like him or didn’t think like him.”

At Montgomery College, Heimbach went out of his way to be offensive in a number of Joe Thompson’s history classes, his former teacher says. He once wore a shirt that said “All I need to know about Islam I learned on 9/11,” and on his laptop he displayed a bumper sticker with a Confederate flag and the words “If I had known all the trouble they would cause, I would have picked the cotton myself.”

Thompson says that Heimbach was smart but sifted history to fit his needs. “When he debates history, he leaves out those inconvenient facts that hurt his argument.” What Thompson also thought he saw in Heimbach was someone who was looking for a father figure.

“It makes me sad. It seems to me like he’s wasted his life,” Thompson said. “I did see some goodness in him. But I also did see that he was infected with this hatred.”

Heimbach acknowledges that some of his tactics at Montgomery College were over the top. He says, for instance, that his understanding of Islam and respect for the religion have grown. But he has always employed attention-grabbing stunts.

In 2012, as a student at Towson University, north of Baltimore, he founded a white student union to “celebrate European heritage.” The university refused to sanction the group, but Heimbach and his small band of followers weren’t deterred. They would later post on their website that they were there to protect white students from “black predators” and that “White Southern men have long been called to defend their communities when law enforcement and the State seem unwilling to protect our people.”

He knows that provocation generates publicity and that publicity works, even if it comes with costs.

“I guarantee you that I’m going to recruit members out of this article, no matter how badly you slant it,” he said. “Thousands of people will look us up online, and maybe a dozen will join the party.”

But the costs do cut. His father has not met Heimbach’s son, and Heimbach can’t foresee a way for them to reconcile. His brother and sister haven’t spoken to him in years, he says. Last year, the Orthodox Christian church Heimbach joined in Indiana shunned him for his beliefs.

His work life, too, has been affected. Earlier this year, Heimbach was training to be a family case manager for the Indiana Department of Child Services until, he says, his bosses learned about his views. The department said in a statement that Heimbach was dismissed because his “behavior in training was disruptive of the workplace and incompatible with public service.”

Heimbach says he hasn't ignored the rebukes or the calls for him to rethink his beliefs. He simply doesn't agree with them. It is everyone else who needs to open their eyes.

"They don't realize how bad the problems are," he said. "They don't realize what's out there. You can't just wait out the storm and hope everything is going to be okay."

*Jennifer Jenkins contributed to this report.*


### **Read more:**

[He once plotted to bomb an abortion clinic. Now he's out of jail and still protesting.](#)

[A Marine fights to prove he's innocent of sexual misconduct. Then a lost cellphone is found.](#)

[A WWII vet's body lay unclaimed at the morgue. But his neighbors didn't forget him.](#)

 **2008 Comments**

Joe Heim joined The Post in 1999. He is currently a staff writer for the Metro section. He also writes Just Asking, a weekly Q&A column in the Sunday magazine.  Follow @JoeHeim

# EXHIBIT E

TOPICS

SEARCH

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L.A. NOW

# Neo-Nazis didn't start the violence at state Capitol, police say

By JOSEPH SERNA JUN 27, 2016 | 12:30 PM



Feedback

ADVERTISEMENT



A victim is attended to after he was stabbed during a violent confrontation between members of a neo-Nazi rally and counter-protesters at the state Capitol in Sacramento last summer. (Renee C. Byer / Associated Press)



A series of violent clashes this weekend involving neo-Nazis permitted to rally at the state Capitol was initiated not by the white nationalist group but by counter-protesters, a law enforcement official said Monday.

"If I had to say who started it and who didn't, I'd say the permitted group didn't start it," said California Highway Patrol officer George Granada, a spokesman for its Protective Services division. "They came onto the grounds and were met almost instantly with a group of protesters there not to talk."

The Traditionalist Worker Party had a permit to hold a rally on the Capitol grounds at noon, Granada said.

Waiting for them were counter-protesters, including members of the anti-fascist organization Antifa Sacramento, which had promoted a "Shut Down Nazi Rally" event on its website leading up to Sunday.

Feedback

#### LATEST L.A. NOW

L.A. NOW

Woman shot in head in Panorama City in possible gang-related shooting

52m

L.A. NOW

School bus, ambulance involved in 405 Freeway collision, leaving 4 with minor injuries

JAN 31, 2018

# EXHIBIT F

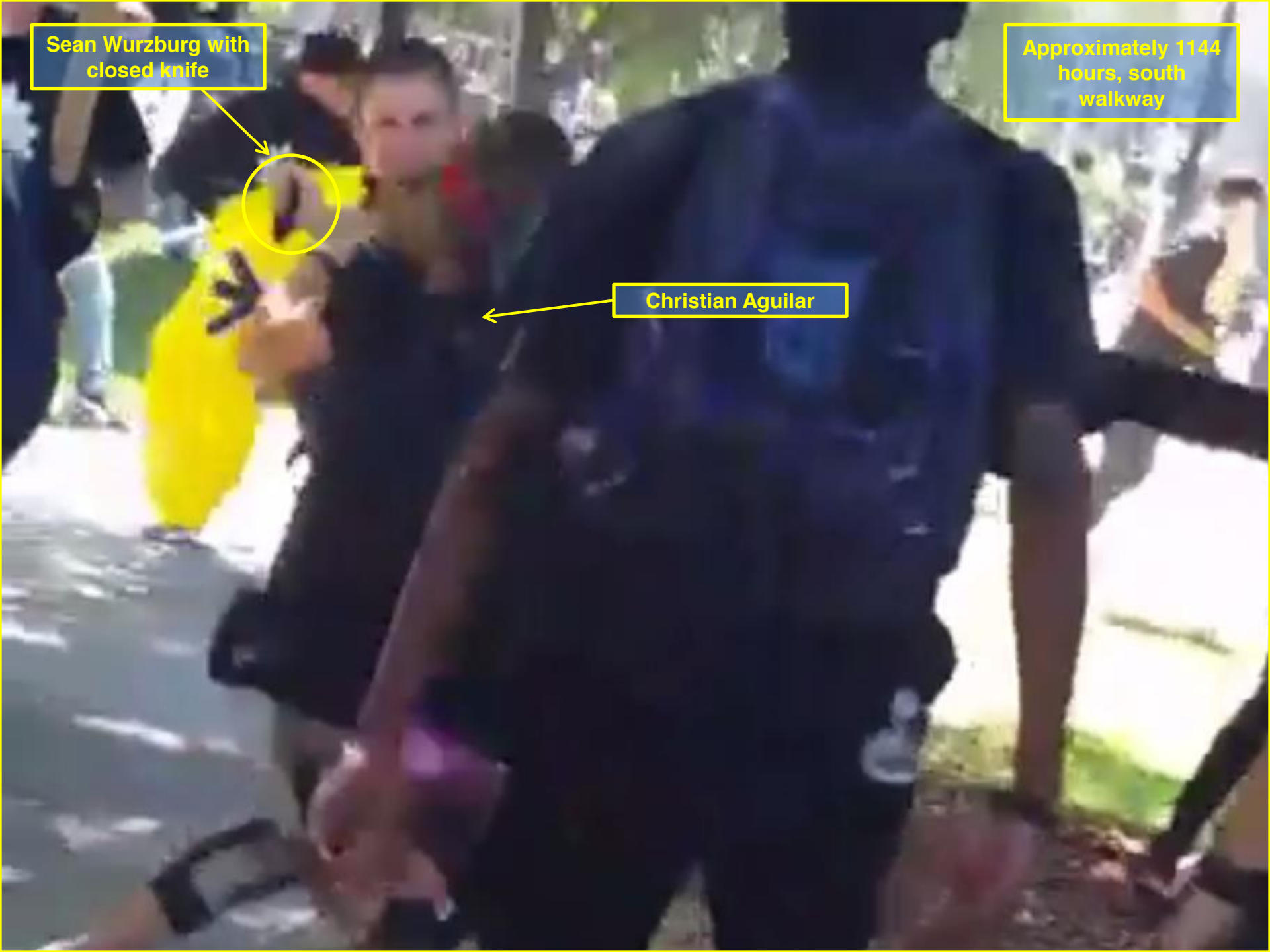
TWP with knives

Sean Wurzburg with closed knife



Approximately 1144 hours, south walkway

Christian Aguilar





Approximately 1144  
hours, south  
walkway

Lust

Durnay

Montano

Doug McCormack  
with closed knife





James Pate

Neil Zajic

William Planer

Derik Punneo

Approximately 1144 hours at South Walkway

Approximately 1144  
hours, south  
walkway

Gore

Joseph Simmons  
with fixed blade



Approximately 1145  
hours, Bollard 9

Matthew Gore

Folding blade in pocket

Joseph Simmons

Fixed blade in sheath



Approximately 1145  
hours, Bollard 9

Montano

Matthew Arriola with  
closed knife





Judd

Pate

Durnay

Lowry

Matthew Gore



# EXHIBIT G

Jesse McGill James Pate

Doug McCormack

Joshua James  
O'Leary

Nathan Lowry

Sean Froech

"Josef Sigmundr"



Jason Kale

Michael Myers

**Also present at rally (possibly pictured)**

- Christian Avanessian II
- Jonathan Andrew Jordan
- Duncan McKenzie



Golden State Skinheads taken at same location of Traditionalist Worker's Party

Nick Gibbs

?

Brian Mohler

Michael McCoy

Luk Maxwell

Nick Scheel



Neil Zajic

Michael Myers

Jeffrey Hines


Doug McCormack

Nathan Lowry

# EXHIBIT H

PROPERTY RECEIPT

CHP 36 (Rev. 4-15) OPI 031

PROPERTY CONTROL NUMBER **E**  **5**  
CHARGES \*E20160209\*  
 Misdemeanor/Infraction

\*E20160209\*

EVIDENCE (If applicable, select all sub-class that applies)  
 FOUND (Refer finder to Section D, File a finder claim box)  
 ADMINISTRATIVE  
 SAFE KEEPING  
 CONTRABAND (No charges for destruction only)  
 Domestic Violence

VIOLATION(S) **245 P.C., 664 187 P.C.**  
SEARCH WARRANT NUMBER  
CHP CASE NUMBER

BOOKING DATE **06/26/2016** BOOKING LOCATION CODE **025** INCIDENT LOCATION **1315 10TH STREET (CALIFORNIA STATE CAPITOL)**

B INDICATE IF INDIVIDUAL IS: S-Suspect O-Owner F-Finder  Check if additional CHP 36 used for additional names

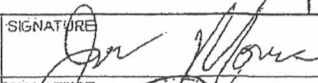
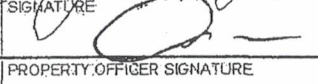
NAME (LAST, FIRST, MIDDLE)	DATE OF BIRTH	AGE	DRIVER LICENSE NUMBER	STATE	GENDER
RESIDENCE ADDRESS (CITY, STATE, ZIP CODE)	PHONE NUMBER				
NAME (LAST, FIRST, MIDDLE)	DATE OF BIRTH	AGE	DRIVER LICENSE NUMBER	STATE	GENDER
RESIDENCE ADDRESS (CITY, STATE, ZIP CODE)	PHONE NUMBER				
NAME (LAST, FIRST, MIDDLE)	DATE OF BIRTH	AGE	DRIVER LICENSE NUMBER	STATE	GENDER
RESIDENCE ADDRESS (CITY, STATE, ZIP CODE)	PHONE NUMBER				

CHARGES  
 Felony  
 Misdemeanor/Infraction

C ITEM NUMBER	QUANTITY AMOUNT	DESCRIPTION (Serial number, Size, Color, Marking, etc. Refer to HPM 70.1, Chapter 6, indicate owner, if applicable). Found Property-Requires a complete synopsis. Use Remarks section found on card stock or attach a CHP 556. Money (not Asset Forfeiture)-Complete financial tally on the back of page 1. Only note total amount on page 1 as an item.	PROPERTY OFFICER USE ONLY
26	1	9" SMITH WESSON "BORDER GUARD" KNIFE. FOUND IN OPENED BLADE POSITION WITH BLOOD ON KNIFE BLADE. FOUND <del>EAST</del> EAST OF CAPITOL WALKWAY TO SOUTH DOOR / NORTH OF BOLLARD 9	
27	1	9" SHARPER USA FOLDING KNIFE FOUND IN OPENED POSITION BY SACRAMENTO POLICE DEPARTMENT. FOUND NEAR BOLLARD 9.	
28	1	25" ALUMINUM BASEBALL BAT W/DUCT TAPE. (FOUND 15TH AT N STREET)	

D I have read the reverse of this receipt and elect to:  
 Exercise my claim to items:  
 Waive my claim to items:  
 File a finder claim to items (excluding items illegal to possess):  
 - Value of Found Property:  \$250 or more  Less than \$250

E A/C CASE NUMBER  
OTHER CASE/CITATION NUMBERS  
COURT(S)

F BOOKING EMPLOYEE PRINT NAME (LAST, FIRST) **MORRIS JON P** SIGNATURE  I.D. NUMBER **15499** DATE SIGNED **6/26/2016**  
 OWNER PRINT NAME (LAST, FIRST) **MCCULLOCH, ANDREW** SIGNATURE   Reviewed CHP36 only. I.D. NUMBER **17116** DATE SIGNED **6/26/2016**  
 H # OF PKGS. RCVD PROPERTY OFFICER SIGNATURE I.D. NUMBER DATE RECEIVED

DISTRIBUTION: Original - Property room  
White - Report copy  
Cardstock - Property room  
Yellow - Receipt

0000035

# EXHIBIT I

U.S. +

Live TV

U.S. Edition +

# rally, authorities say

By **Ralph Ellis, CNN**

🕒 Updated 9:17 AM ET, Mon June 27, 2016

▶ 🔊 0:04 / 0:45



Source: [CNN](#)

## 10 injured at white supremacist rally 00:45

### Story highlights

**NEW:** At least 10 injured when a white supremacist group and counter-protesters clashed

Traditionalist Workers Party had a permit to rally in Sacramento, California

"We succeeded in shutting them down," a counter-protester told CNN

Granada, California Highway Patrol public information officer with the Capitol Protection Division. Another group showed up "to stop them from carrying on their permit," he said.

**(CNN)** — Ten people were injured Sunday after violence broke out between a white supremacist group and counter-protesters, said authorities in Sacramento, California.

Two of the injured had critical stab wounds, Sacramento Fire Department spokesman Chris Harvey said.

The nine men and one woman were between 19 and 58, the fire department said in a tweet, and all had multiple stab and laceration wounds. One of the injured refused to go to the hospital, Harvey said. It was not clear how many remained hospitalized Sunday night.

The Traditionalist Worker Party, or TWP, whose leader describes it as a "white nationalist" group, had a permit for a noon rally near the state Capitol, said Officer George

U.S. +

Live TV

U.S. Edition +

Around 11:45 a.m. PT, TWP members and supporters came out to a location south of the Capitol building, he said. It's unclear how many TWP members participated, but they were clearly outnumbered.

**Dave Id** @Daveld

Jun 26, 2016

Replying to @Daveld

Just ran into a fourth stabbing victim i've seen myself. Looks like multiple cuts. [#nonazisisnac](#)

**Dave Id**  
@Daveld

These nazis made it to the capital steps and were attacked with sticks and concrete. [#nonazisisnac](#) [pic.twitter.com/xyKFf4WDTS](http://pic.twitter.com/xyKFf4WDTS)

11:13 AM - Jun 26, 2016



34

301

252

"At that point the word spread pretty quick and a mob ran in that direction and they clashed immediately with each other," he said.

Video showed people running and being pursued by others with sticks. Some of the people hid their faces with scarves and masks.

The victims had stab wounds that required critical medical care, said Sacramento Police Department Officer Matt McPhail. Their conditions were not immediately known but it's believed the injuries were not life-threatening. Other people had scrapes and bruises that didn't require hospitalization.

It was unclear which groups the injured were associated with, McPhail said.

Yvette Felarca, who said she was a member of the group By Any Means Necessary, told CNN she came out to let people know that racist and anti-immigrant viewpoints would not be tolerated.

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A man injured during the rally is assisted by police and emergency personnel.

Matthew Heimbach, leader of the Traditionalist Worker Party, was not at the rally but told CNN that TWP members armed themselves with knives, with blades within the California legal limit. He said they'd been threatened on social media forums. An affiliate group, the Golden State Skinheads, joined them for the rally, he said.

The TWP was charged by a group that describes itself as anti-fascist, he said.

"The anti-fascists used knives, bottles, bricks, and chunks of concrete they broke off a construction site. When they attacked, our men defended themselves to be able to drive the attackers off," he said.

Heimbach said two "comrades" were hurt -- one stabbed and the other hit in the face with a bottle.



**Bradley Allen**  
@BradleySA

The Bay Don't Play. Bay Area Antifascists at Capitol in Sacramento.  
[#NoNazisInSac](#)

10:42 AM - Jun 26, 2016

24      71      68

The TWP called off its rally and a group of counter-protesters remained on the scene for about an hour, McPhail said.

So far, nobody has been arrested, authorities said.

McPhail said a loaded firearm was found on the ground where the brawl occurred, but police did not yet know

U.S. +

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According to the Southern Poverty Law Center, which monitors hate groups, the party was founded in January 2015 as part of a right-wing extremist "umbrella group that aims to indoctrinate high school and college students into white nationalism."

The clashes Sunday at the state Capitol apparently were not unexpected by the TWP organizers of the rally. A website promoting the gathering in advance said:

"The upcoming rally this weekend on the 26th promises to be one to remember, due to the fact many stand to stop us yet we refuse to yield!"

Under the party's banner, "many Nationalists will unite and take a stand ... Although, our enemies have already openly planned to gather and use violence against us, as always we will stand our ground."



**Bradley Allen**

@BradleySA

Antifascists shut down the Nazi rally today in [#Sacramento](#). Victory has been declared. [#NoNazisInSac](#)

1:00 PM - Jun 26, 2016

166

490

629

Heimbach appeared on television news reports about a March 1 Donald Trump rally in Louisville, Kentucky, at which anti-Trump demonstrators were harassed.

A federal lawsuit filed against Trump, Heimbach and others alleges Heimbach shoved a woman protester and shouted "leftist scum" at her.

Trump and others have filed a motion to dismiss the lawsuit. The plaintiffs have until Monday to file a response to that motion.

The counter-protesters marched around before the clash, with a leader chanting "When the Nazis and skinheads come to town, what do we do?" and the rest of the group answering, "Shut them down!"



U.S. +

Live TV

U.S. Edition +

One of our main chants is, 'Cops and Klan go hand in hand' because we know the police are out there to back them up."

Art Roderick, a CNN law enforcement analyst, said it's common for opposing groups to hold simultaneous protests, but law enforcement usually keeps them separate. It appears the counter-protesters simply overwhelmed the TWP, he said.

"They (the counter-protesters) were there for one reason and that was to use violence to break the other group up," Roderick said. "It looks like anywhere from 100 to 200 of them showed up against 30 of the other."

*CNN's Carma Hassan and Tony Marco contributed to this report.*



Are glass skyscrapers bad for our cities?



Sherry Johnson was raped, pregnant and married by 11. Now she's fighting to end



Jay-Z says therapists should be in schools



Detroit police mourn officer who dies days after being shot

Recommended by

# EXHIBIT J

DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
06/26/2016	1140	9025	018111	2016-00368

1 **SUMMARY:**

2

3 The following affiliates of the Traditional Workers Party were observed with knives (open folding  
4 knife, closed folding knife or fixed blade) in their hand on the day of the protest; Sean Froech,  
5 Doug McCormack, Derrik Punneo, Unknown #1 and Joseph Simmons.

6

7 The following had knives visible on their person, and were not seen using them or manipulating  
8 them; Nick Scheel and William Planer.

9

10 **Event #3 (Initial Large Group Clash) 1144-1145 hours:**

11 As the permitted party entered the South walkway, heading toward the West Steps (the permitted  
12 location), they were confronted by a mass of protestors who had been tipped off by a group of  
13 scouts. The scouts likely observed the arrival of the permitted party as they were walking south on  
14 the sidewalk that runs along the east side of the Capitol.

15

16 The permitted party's precession was lead by Nate Lowry and James Pate who were carrying  
17 flags on metal poles. Lowry carried a yellow flag and Pate carried a red flag. Jason Judd and Nick  
18 Scheel were near the front of the formation with wooden shields. Derrik Punneo, believed to have  
19 observed the protestors massing, ran from the rear of the formation to the front left of the  
20 formation with a shield.

21

22 Lowry and Judd were confronted by Chase Hendrick Jones who held his skateboard in front of his  
23 body, thrusting it toward them before being kicked at by an unknown person.

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1  
 2 In this still photograph, White, Jr. is surrounded by Scheel, Durnay, Zajic, Froech, Sessumes and  
 3 Punneo.



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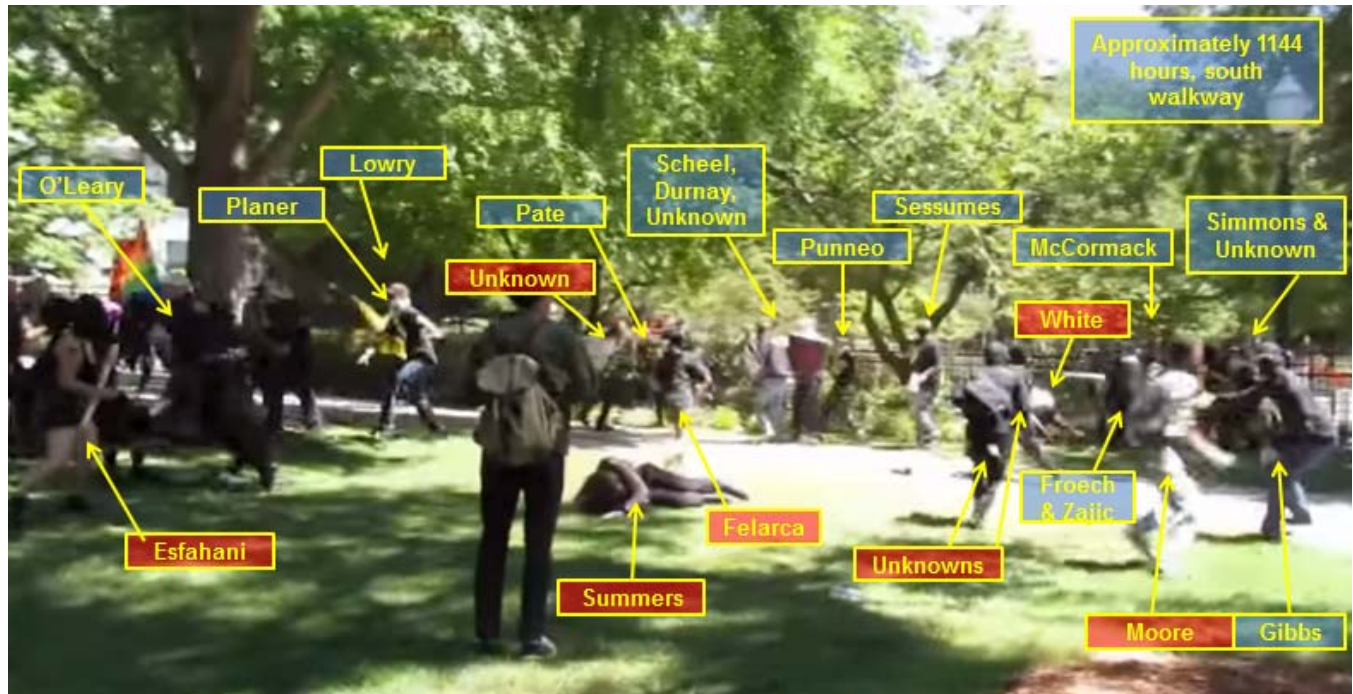
1  
 2 Due to the quality of video, lack of alternative footage and the speed at which this event  
 3 transpired, the injuries sustained by White, Jr. have not been linked to a specific person. Through  
 4 exhaustive analysis of this video, the TWP affiliates who are in the vicinity of White, Jr. when he  
 5 sustains his injuries are: Punneo, Scheel, Durnay, Zajic, Froech, and Sessumes.



6  
 7 It is believed that White, Jr. sustained his injuries immediately upon confrontation with the TWP  
 8 affiliates. There was also a brief opportunity for White, Jr. to sustain further injuries when he fell to

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- 1 the ground east of the walkway in proximity to McCormack, Froech, Zajic, Simmons and an
- 2 unknown affiliate.



- 3
- 4 White, Jr. was only on the ground for a short number of seconds, when he began crawling and
- 5 working his way back to the west to escape the attacks.

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1  
2 As White, Jr. attempts to run west, Froech grabbed his t-shirt and held him back. White, Jr's.  
3 injuries are evident as he turns. This evidence begins to suggest White, Jr could have only been  
4 injured on the walkway, or in the lawn while he was on the ground. Froech continues to pull at  
5 White, Jr. as he fights to escape.

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# EXHIBIT K1

(The following transcription was produced by UEAALDF investigator Mark Airgood, whose Declaration is included with this Brief.)

## **Transcript of Officer Ayres' phone call with TWP member Douglas McCormack**

McCormack (0:13): Hello

Officer Ayres (0:14): Hi, I'm calling for Mr. McCormack. This is Officer Ayres with the California Highway Patrol at the State Capitol.

McCormack (0:15): Yes.

Officer Ayres (0:20): Hello sir, hey.. um.. I'm uh.. I wanted to find out uh.. if you'd be willing to talk to us about um.. the event and how it went down. If you have any information that would help our investigation.. um. we're trying to track down the folks that were.. um.. that were assaulted.. um.. and the victims.. that.. um.. as well as the suspects. So that's what.. that's why I'm calling for. um.. is there.. is this a good time for you?

McCormack (Min. 0:46): Uh.. yeah now is a good time. I really don't.. know.. who all.. who all attacked us.

Officer Ayres (0:53): Okay.

McCormack (0:55): Um.. I know we didn't bring any weapons to that.

Officer Ayres ( 1:02): Okay. *[Ayres knew this was untrue, but did not challenge this lie.]*

McCormack (1:03): So.. I know there's reportedly uh.. five of them that were attacking us got stabbed.. but I don't know who stabbed them and we didn't bring any weapons.

Officer Ayres (1:15): Okay. What.. did you get any other uh.. I'm sure there's been conversations after the fact uh.. any of that stuff that would be useful for me um.. to try and untangle this uh.. and figure out what happened?

McCormack (1:32): Um.. the only thing I can suggest is look on the uh.. Antifa Sacramento page. From what I understand there is a lot of talk going on there.



Officer Ayres (1:44): Okay. Are they um.. are they making more threats? Are they. are they planning on taking more action? Or do you guys have any events coming up the're.. where they're gonna be trying to get involved?

McCormack (1:57): You know we don't have any events coming up but I mean, we do wanna plan future events, but with that kind of stuff going.. what.. what's the point? I mean, we didn't even get to make it to the uh.. make it to the steps.

Officer Ayres ( 2:14): Yeah.. um.. Did you make it that day? Were you.. um.. Did you come out as a group?

McCormack (2:22): Yeah, I was there.

Officer Ayres (2:23): Okay. Do you know.. are any of your other guys.. uh.. are they willing to help out? Uh... I know you guys do business a whole differently uh.... at times.. and you don't.. uh.. probably seek out cultural relationships with law enforcement, but uh.. under the circumstances uh.. do you think there's uh.. any possibility that uh..any of the other guys would talk to me?

McCormack (2:47): I highly doubt it.

Officer Ayres (2:49): Yeah, fair enough. I get it. um.. th.. th..

McCormack (2:55): I'll probably be able to help you out. But I mean.. I don't even know what's going on. I know.. I'm pretty sure you probably saw a lot of the videos.. and I mean.. they were attacking their own as much as they were attacking us.

Officer Ayres (3:08): I noticed that a little bit of that.. yeah, it was interesting there was ..of uh Everyone, no one, on everybody else.. I think there was strict fooling around.

McCormack (3:20): Yeah.. They were like fucking animals.

Officer Ayres (3:24): Um.. so Mr. McCormack, here's another reason for my call.. Is that there's been a request for um.. like public information request regarding the permit and, which you'd be the main party on there.. when you coordinated with Officer Nelson.. uh.. to take the permit out uh.. you know your name goes on that and uh.. I know you guys talked about the rules for the permit and all that stuff you agreed to it.. so.. you know we don't have any issue with that, but for the public record request.. uh.. We don't have a reason to.. uh.. deny it.. then..

McCormack (3:59): Request from the public record?

Officer Ayres (4:00) Yeah, so they're gonna request a copy of the permit.. uh.. and that permit is gonna have your name on it.

McCormack (4:06): Who, Antifa?

Officer Ayres (4:07): I don't know exactly.. and if I did I would tell you. A lot of the times is like.. you know.. the news or uh.. I mean anybody can do a public records requests. It can be the lawyers..um.. so.. you know knowing wh.. I'm gonna take this back to my boss.. knowing that uh.. you were part of the group that was present and that uh.. technically the investigation is still ongoing, then uh.. I'm gonna suggest that we hold that or redact your name or something.. uh.. until this thing gets resolved.. but..

McCormack (4:45): Yeah, I'd appreciate it. Any.. any information we have of course law enforcement is welcome to it, but any.. any.. anybody from outside.. that I'd appreciate it if my name was kept from that. 'cause they're causing.. trying to cause.. uh.. serious problems for people.. uh.. as far as.. uh.. finding out where people are working and uh.. calling the bosses..

Officer Ayres (5:08): Yeah I saw that.

McCormack (5:10) And.. all that stuff.. I mean.. they're.. they're trying to cause problems any way, shape or form.

Officer Ayres (5:17) Now are you.. uh.. are you local guys? Do you live near the valley somewhere out here?

McCormack (5:21): No, I live in Ventura.

Officer Ayres (5:22): Ok.. uh.. then.. uh.. yeah.. that's gonna be my suggestion. So, hey I appreciate you picking up, if I have any questions, can i call you back?

McCormack (5:33) Of course.

Officer Ayres (5:33): Ok Thanks so much

McCormack (5:36): No problem.

Officer Ayres (5:36); Have a good day.

McCormack (5:36): You, too.

# EXHIBIT K2

(The following transcription was produced by UEAALDF investigator Mark Airgood, whose Declaration is included with this Brief.)

## **Partial transcript of police interview of TWP member Derik Punneo**

Officer 1 (15:39): We have just a few things um I'm going to show you a couple photos of some people, uh, if you don't know 'em you don't know 'em. Uh, (snorts) lets see uh...

Officer 2 (15:49): They're, we think they're kinda they're, maybe, key leaders or whatever... organizers so we're trying to figure out, we're just trying to figure out who their main players were to get ID'd cuz like I said we're trying to, or he said, we're trying to ID as many of them as we can. We're pretty much going after them, to try to...

Punneo (16:08): Right.

Officer 1 (16:09): It's, it's kind of unfortunate but uh, uh, we have a lot a lot of 'em, well over a hundred, probably a hundred...twenty five, a hundred and fifty identify that we're ... [cut-off by Punneo]

# EXHIBIT K3

(The following transcription was produced by UEAALDF investigator Mark Airgood, whose Declaration is included with this Brief.)

## **Partial transcript of Officer Ayres' phone call with Cedric O'Bannon**

Ayres (7:00) - We've still got 30... 37 days till election...

[...]

O'Bannon (13:27): "The fact is, when I got there I stopped. They came to me. They approached me, I stopped at a distance to shoot, I can't get too close to shoot. Those two groups approached each other. I stopped a distance where I could close the shot. And then they came up to me, broke my monopod. When I picked-up the Go Pro I got stabbed.

Ayres (13:52): Hey what's your impression of, uh, Yvette Felarca?

# EXHIBIT L

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- 1
- 2 Simmons is next seen in this screenshot, having moved back to the south under the tree.



- 3
- 4 As Simmons moved further south and the fights raged on, he withdrew his fixed blade knife.

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- 1
- 2 Based on the width of the average adult male's hand at 4", it appeared the fixed blade knife
- 3 Simmons possessed exceeded the maximum length allowed to be on Capitol grounds.



- 4
- 5 In this screenshot, Simmons was manipulating the knife and sheath on his right hip.

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1 **STATEMENTS:**

2

3 On January 26<sup>th</sup>, 2017, at approximately 0917 hours, Officer Snyder #19224 contacted Simmons  
4 via telephone. Simmons related in essence the following statement; "I don't have any comment."

5

6 Any further contact or statement obtained from Simmons will be included within an attached  
7 supplemental report.

8

9 *All telephonic attempts to contact Simmons were audio recorded and have been preserved in evidence.*

10

11 **ANALYSIS AND OPINION:**

12

13 The charge of 171c (a) (2) PC – unlawful knife can be substantiated against Simmons based on  
14 the photographic evidence of him possessing a fixed blade knife within the confines of the  
15 grounds of the State Capitol.

16

17 **RECOMMENDATION:**

18

19 I recommend this report be forwarded to the Sacramento District Attorney's office for review and  
20 prosecution of Simmons for the following:

21

- 22 - 171c(a)(2) PC – Unlawful knife

23

24

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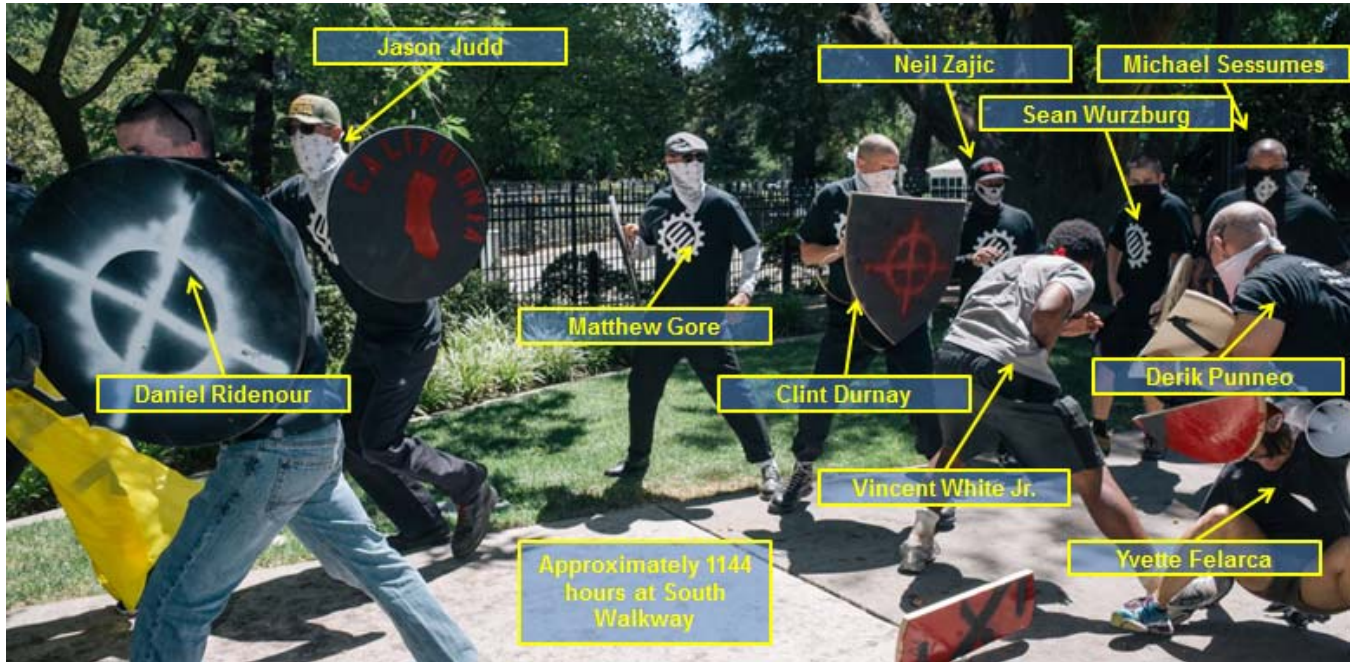
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# EXHIBIT M

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1  
2 In this photo Punneo was seen defending himself along with several other TWP affiliates as  
3 Vincent White Jr. and Yvette Felarca thrust themselves into the front of the formation of the  
4 TWP affiliates. White, Jr. was observed on video swinging a wooden club at head level at Punneo  
5 and Pate. This attack from White, Jr. was key to inciting the initial clash between TWP affiliates  
6 and the protestors. In this photograph, it was not evident if Punneo had a knife in his right hand.  
7 This is significant due to the stabbing injuries White, Jr. sustained in the following 5-15 seconds.  
8 Another fact that was not answered by this photograph is when and how Felarca suffered cuts on  
9 her arm.

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# EXHIBIT N

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1 **SUMMARY:**

2

3 On June 26<sup>th</sup>, 2016, a vehicle registered to Yvonne C Felarca (CA License: 5UEZ108) to an  
4 address out of Oakland, CA was first observed parked on 10<sup>th</sup> Street, within walking distance of  
5 the state Capitol. Based on the correlation of the addresses, I suspect Yvette C Felarca (CA DL#  
6 B6998910, same address) drove this vehicle to the California State Capitol to support a planned  
7 action to prevent the Traditionalist Worker’s Party (TWP) from assembling and speaking at their  
8 event which they coordinated and was permitted through the California Highway Patrol. Felarca  
9 was observed at the protest on June 26<sup>th</sup> via pictures and video taken at the rally. Felarca was  
10 positively identified and identified herself to the crowd on a megaphone and later in the day to  
11 KCRA News reporter Leticia Ordaz on the above date.

12

13 Felarca is a known spokeswoman and recognized long standing leader in the group known as the  
14 Coalition to Defend Affirmative Action, Integration and Immigrant Rights and Fight for Equality By  
15 Any Means Necessary (BAMN). Felarca has been recognized as the Northern California  
16 coordinator of BAMN since at least September 2011 according to their article  
17 ([http://www.bamn.com/immigrants-rights/students-activists-demand-that-governor-brown-sign-](http://www.bamn.com/immigrants-rights/students-activists-demand-that-governor-brown-sign-california-dream-act-ab-131)  
18 [california-dream-act-ab-131](http://www.bamn.com/immigrants-rights/students-activists-demand-that-governor-brown-sign-california-dream-act-ab-131), 12/1/2016). Felarca has been an outspoken activist since at least  
19 October of 1993 according to a video located here:

20 (<https://www.youtube.com/watch?v=gturxqA4y64>, 12-10-2016)

21

22 Note: All original photographs (or screenshots from video) that are annotated below can be found  
23 on the attached disc and/or on the archived hard drive preserved in evidence under the subjects  
24 name in the Report Folder.

25

26

27

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1 The following screen shot from the video is from an unknown source who has not been verified.



2 / 2:30

3

4 I located an article from the Workers Vanguard, Issue #587, November 5, 1993, indicating some  
5 linkages without specifically mentioning Felarca. The date of the above protest and sentiment of  
6 the protestors is reflected, in part, with some of the language from the article (emphasis added),  
7 “Scandalously, some ostensible socialists, including the Revolutionary Workers League (RWL)  
8 and the Progressive Labor Party (PL), willingly marched their own supporters into these traps.

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1 Members of the RWL's front group, the National Women's Rights Organizing Coalition (NWROC),  
2 excused this suicidal idiocy by saying, "We do this every weekend," and argued that it was  
3 necessary to "confront the Klan." Inside this pen and under the thumb of the cops, however, the  
4 RWL/NWROC supporters couldn't do more than impotently holler at the KKK scum on the other  
5 side of the barricades ... while rubbing shoulders with skinheads and Klan sympathizers standing  
6 right next to them!... In Indianapolis and Columbus, the RWL/NWROC showed themselves to be  
7 nothing other than a bunch of radical liberals who occasionally masquerade as centrists i.e.,  
8 nominally, and rarely calling themselves "revolutionary" while in deeds serving up the most abject  
9 reformism paper will take whatever is printed on it, and so in NWROC's leaflet distributed in  
10 Indianapolis we read: "No reliance on the cops, courts, Democrats or Republicans to stop the  
11 fascist marches!" But in practice the RWL/NWROC willingly put themselves and their followers  
12 under the control of an overwhelming police force to "confront" the fascists...Another telling  
13 indication of RWL/NWROC's fundamentally reformist appetite is their new slogan, "Rebuild a  
14 Mass, Militant, Integrated Civil Rights Movement!" But the whole strategy of the liberal civil rights  
15 movement was to appeal to the federal government.

16 ([https://www.marxists.org/history/etol/newspape/workersvanguard/1993/0587\\_05\\_11\\_1993.pdf](https://www.marxists.org/history/etol/newspape/workersvanguard/1993/0587_05_11_1993.pdf),  
17 12-10-2016)

18  
19 Most recently, Felarca's post-protest interview was featured with a video link to her interview with  
20 ABC Sacramento affiliate Channel 10 News and the text of the supporting article can be found in  
21 the attached flyer, linked in the main article. The text appears the same on the flyer and the web  
22 page (<http://www.bamn.com/social-justice/no-free-speech-for-fascists>, 12/1/2016)

23  
24 Numerous times throughout the event, Felarca identified herself by name and also stated in one of  
25 her interviews with a local news affiliate, to (emphasis added) "approach the struggle...our method  
26 is to build a mass, militant, integrated, anti-racist and immigrant right's movement and to do that in  
27 getting as many people as possible to take militant mass direct action, and so, you know, but, we

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1 The protestors then acted on this encouragement and engaged in acts of force and violence  
2 shortly afterward when TWP affiliates entered Capitol grounds on the south walkway.

3  
4 During Event #3 (Large group assaults and batteries), Felarca thrust herself into the TWP  
5 formation with Vincent White Jr. engaging in the first acts of violence at this location. Felarca  
6 assaulted the lead element of TWP and committed another assault by throwing an unknown  
7 projectile at TWP affiliates after she was knocked down.

8  
9 Reference annotated picture in subject folder folder titled: "photskin-14-700x463"



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1 Reference annotated screen shot from video at – “/Event 2/ Frances Wang on Twitter Insane  
 2 video. Crowd sees any signs o”



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Felarca then moved away from the main fighting and was seen walking through the protestor’s group on the lawn, displaced from the fiercest fighting occurring on or near the walkway. There was a distinct physical separation when the protestors realized the level of injuries they were receiving from the defenses of the TWP affiliates, and after the announcement from the protestors that, “knives are out.” During this separation, projectiles were still being thrown at TWP who called for, and began to affect their retreat off Capitol grounds.

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1 The charge of 404.6(a) PC – Inciting a Riot, can be substantiated based on Felarca urging people  
 2 to engage in rioting and/or commit acts of force or violence by setting an example of expected  
 3 behavior, running into the TWP formation and using her body to assault TWP affiliates, with a  
 4 clear and present, and immediate danger of another riot occurring, and which did occur.

5

6 The charge of 404.6(a) PC – Inciting a Riot, can be substantiated based on Felarca yelling, “Get  
 7 out of here,” as she sprints toward the rear of the retreating TWP affiliates urging people to  
 8 engage in rioting and/or commit acts of force or violence through example and encouragement  
 9 with clear and present, and immediate danger of another riot occurring and which did occur.

10

11 The charge of 407 PC – Unlawful Assembly, can be substantiated against Felarca who willingly  
 12 assembled with numerous persons (including Benjamin Lynch) and committed the crimes of:  
 13 disturbing the peace, assaults, batteries, false imprisonment, inciting a riot, brandishing, assault  
 14 with a deadly weapon herself. Further Felarca’s witness to the other protestors also falsely  
 15 imprisoning Walker, assaulting Walker, battering Walker, possessing illegal weapons on State  
 16 Capitol ground, possessing illegal banners and handles on State Capitol grounds, false  
 17 imprisonment of TWP upon their arrival on Capitol grounds, assaults on TWP upon their arrival  
 18 onto Capitol grounds, batteries against TWP, should have caused her to fulfill her duty to depart  
 19 the area of the assembly. Since she did not depart and remained in that group after TWP  
 20 retreated, she was assembled unlawfully. This is further substantiated by Felarca’s statements  
 21 and commitments to the protestors at large, and to news reporters, that she would deny the TWP  
 22 the ability to assemble and speak, “By Any Means Necessary,” including, “militant mass direct  
 23 action(emphasis added, see note).”

24

25 Note: Direct Action in this context is commonly defined as the use of strikes, demonstrations, or  
 26 other public forms of protest rather than negotiation to achieve one's demands. There are two  
 27 types of Direct Action, non-violent and violent. Violent direct action is any direct action which  
 28 utilizes physical injurious force against persons or property.

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# EXHIBIT O

Cedric O'Barrow

arrived approx 8-8:30 am to  
Capitol for event

at approx 11:30 to 1:00 pm he  
was ~~with~~ filming on South Side  
of Capitol as group arrived.  
nazi group started approaching the  
west side of the capitol as the  
two groups converged on each  
other he feels a sharp pain  
Stomach (R) side.

# EXHIBIT P

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1 White was transported to Mercy San Juan Hospital in Carmichael, where he received further  
2 treatment for his injuries, which included multiple stab wounds to his abdomen, chest, and right  
3 hand.  
4

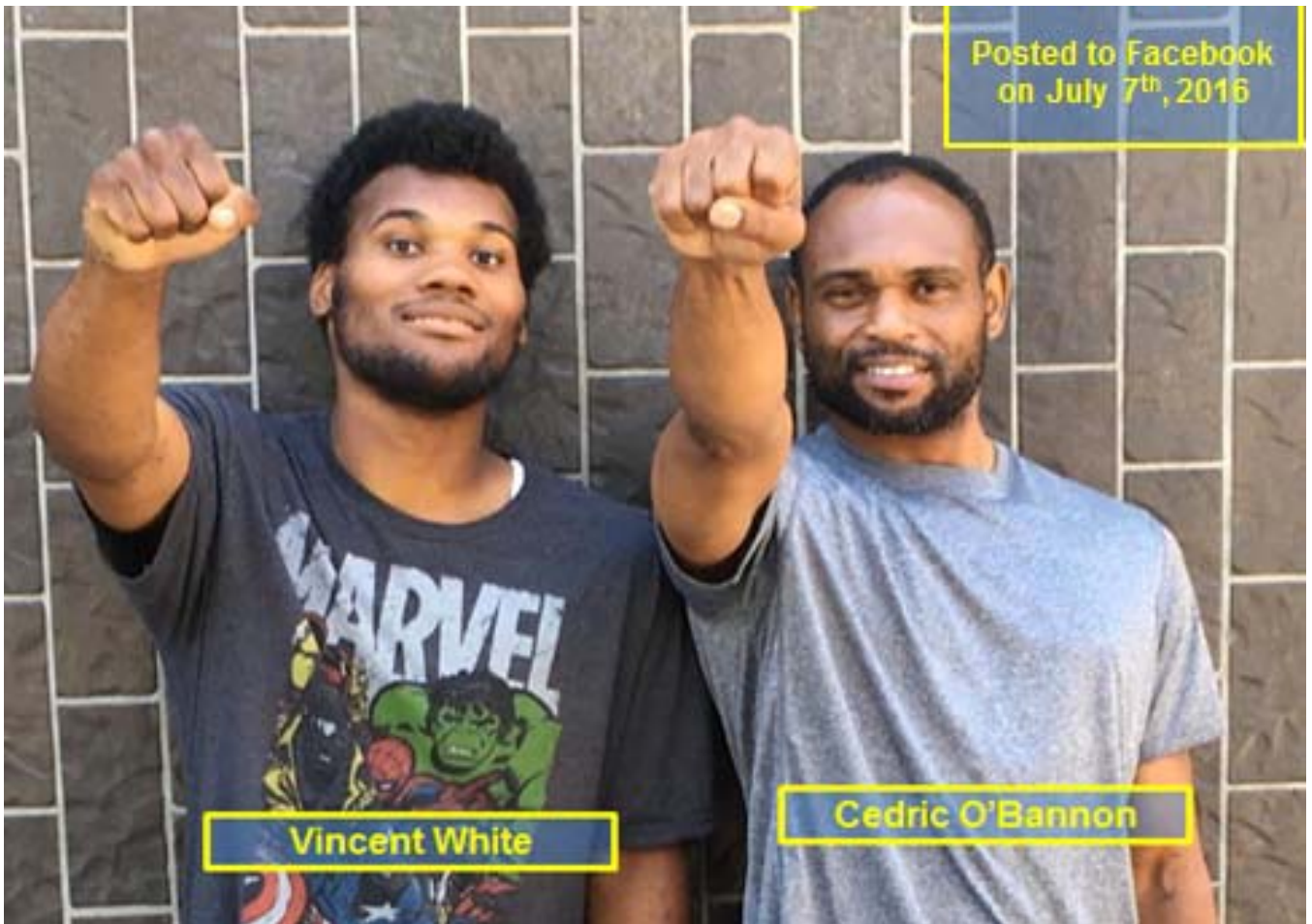


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1 On July 7<sup>th</sup>, 2016, protester Cedric O'Bannon posted pictures to his Facebook page displaying  
 2 himself and White posing with a raised fist salute.

3 According to Wikipedia, "The raised fist salute consists of raising one arm in the air with a  
 4 clenched fist. The meaning can vary based on context. Different movements sometimes use  
 5 different terms to describe the raised fist salute: amongst communists and socialists, it is  
 6 sometimes called the red salute, whereas amongst some African-American activists, especially in  
 7 the United States it has been called the Black Power salute. During the Spanish Civil War, it was  
 8 sometimes known as the anti-fascist salute".



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1 White's injured right hand can be seen with stitches along the outer portion of his palm, consistent  
 2 with injuries sustained on June 26<sup>th</sup>.

3



4

5

6 White's actions on June 26<sup>th</sup>, 2016 at the State Capitol, coupled with his affiliation and implied  
 7 support for anti-racist activism, demonstrate White's intent and motivation to violate the civil rights  
 8 of the TWP affiliates and prevent them from holding their permitted rally on the steps of the  
 9 Capitol.

10

11

**EVIDENCE:**

13

14 Pictures and Video are stored on a hard drive, held in evidence at CHP Capitol Protection Section  
 15 under evidence #E20160209-025.

16

17

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**1 STATEMENTS:**

2

3 On June 26<sup>th</sup>, 2016, at approximately 1815 hours, Officer Norman #19386 contacted White at  
 4 Mercy San Juan Hospital in Carmichael, CA. White was just out of surgery and still partially  
 5 sedated. He requested additional pain medication prior to speaking to me. White related in  
 6 essence the following statement; he was chased by three subjects from the north side of the State  
 7 Capitol to the south side. The subjects caught up to White. One of the subjects began stabbing  
 8 him with a knife. White described the subject who stabbed him as a white male, short stature, thin  
 9 build with short brown hair, wearing a white shirt with designs on it. White said he believed the  
 10 subject was holding the knife in his left hand. White succumbed to his pain medication and  
 11 passed out. The interview was terminated at that point.

12

13 On June 30<sup>th</sup>, 2016, at approximately 1100 hours, Officer Ayres, #18111 contacted White at Mercy  
 14 San Juan Hospital. White related the following, in essence. White moved to Sacramento from  
 15 Chicago a few days prior to the protest. He heard about the protest from a homeless guy who  
 16 sleeps in a parking garage by the light rail. White decided to go to the protest because he is  
 17 against the KKK. On the day of the protest, White met a few people, who gave him items to use  
 18 during the protest, but he didn't remember anyone's name. He ran towards the permitted group  
 19 when they came on Capitol grounds, and was stabbed during the fight.

20

21 On January 12<sup>th</sup>, 2017, at approximately 0720 hours, Officer Snyder #19224 attempted to contact  
 22 White using all known telephone numbers. White was unable to be reached and failed to return  
 23 all calls.

24 Any further contact or statement obtained from White will be included within an attached  
 25 supplemental report.

26 *All telephonic attempts to contact White were audio recorded and have been preserved in evidence.*

27

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1 **RECOMMENDATION:**

2

3 I recommend this report be forwarded to the Sacramento County District Attorney's Office, and

4 White be charged with:

5

6 -182(a)(1)PC – Conspiracy

7 -245(a)(1) PC – Assault with Deadly Weapon. (Two counts)

8 -236 PC – False Imprisonment by violence or menace (Two counts)

9 -404.6(a) PC – Inciting a Riot (Two counts)

10 -404(a) PC – Participating in a Riot (Two counts)

11 -407 PC – Unlawful Assembly

12 -415 PC – Disturbing the Peace: Fighting

13 -417 PC – Brandishing a weapon (Two counts)

14 -22210 PC – Possession of Prohibited Weapon (club)

15 -185 PC – Wearing Mask or Disguise to Evade Police

16 -13 CCR 1862(a)(1) – Unlawful Handle Size

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# EXHIBIT Q

**DEFEND  
WHITE  
IDENTITY**




**BALKANIZE!  
CRUSH THE EMPIRE!**

TRADWORKER.ORG



**NATIONAL SOCIALISM  
NOW!**


TRADWORKER.ORG



**NATIONAL  
SOCIALISM  
NOW!**

TRADWORKER.ORG

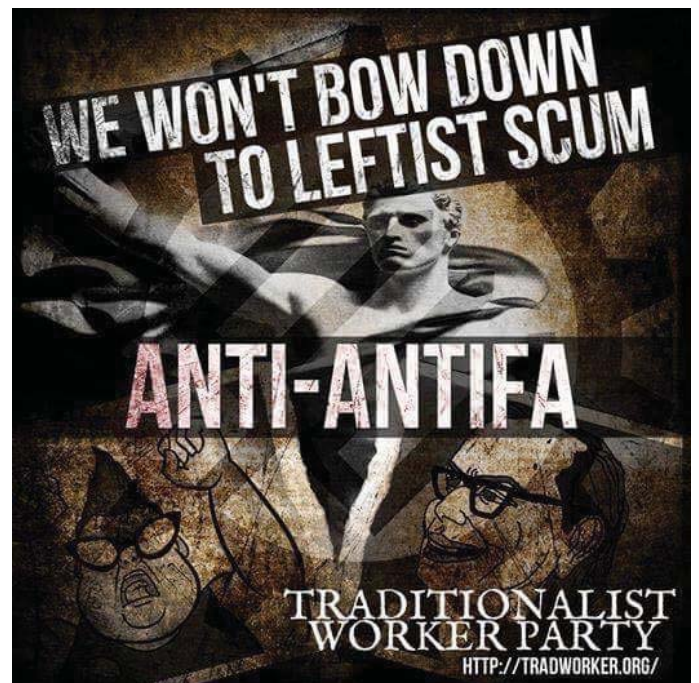
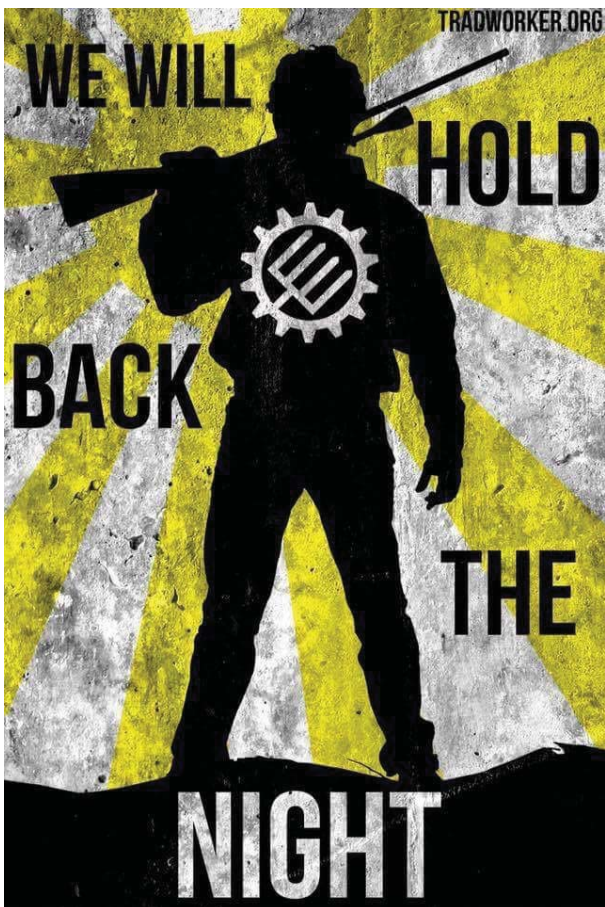
**TRADITIONALIST  
WORKER PARTY**

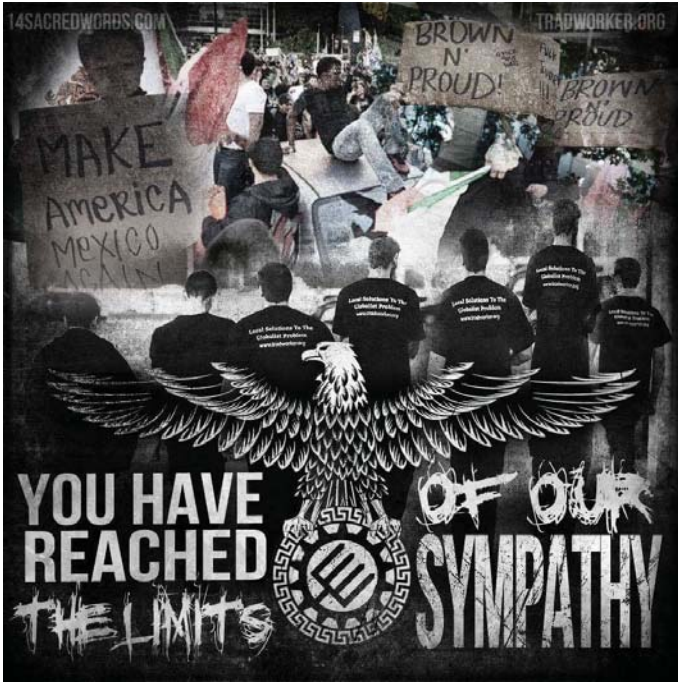


**FIGHTING FOR  
WHITE  
WORKING FAMILIES**

TRADWORKER.ORG

# EXHIBIT R





**FIGHT BACK!**



**BECOME  FASCIST**

[www.tradworker.org](http://www.tradworker.org)

# EXHIBIT S

DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
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1  
2 Van Dyke was unable to give a statement to CHP the evening of the protest.

3  
4

5 Van Dyke indicated his interest and affiliation with [REDACTED] Antifa  
6 and Peace and Freedom Party through his posted photographs, manner of dress, personal  
7 statement, and actions at the 6/26/2016 protest. [REDACTED]

[REDACTED] Antifa is known for its anarchist philosophy. Peace and Freedom Party is known for  
9 socialism, democracy, ecology, feminism and racial equality. Peace and Freedom Party was  
10 represented at the protest, however, there is no evidence of a connection with Van Dyke and this  
11 party other than his statement. Van Dykes actions are consistent with anarchist and anti-racist  
12 philosophies and indicate a strong commitment to the furthering the goals of [REDACTED] Antifa.  
13 Van Dyke’s criminal actions listed above, coupled with the implied intent demonstrate support to  
14 the clearly identified and widely advertised goal of denying the permitted party the ability to use  
15 their constitutionally protected right to assemble and right to free speech.

16  
17  
18  
19



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1 **EVIDENCE:**

2

3 Pictures and Video are stored on an external hard drive and preserved in evidence at CHP Capitol

4 Protection Section under evidence #E20160209-025.

5

6 On 12/28/2016 I retrieved the screenshots below from Van Dyke's Facebook page. Van Dyke is

7 visible in the annotated screenshot posted above. The same subjects can be seen in the other

8 screenshots. Some of the subjects in the screenshots are wearing Antifa t-shirts. Based on the

9 apparent affiliation with the other subjects, there is circumstantial evidence that suggests Van

10 Dyke supports Antifa.

11



12

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**Van Naty**  
Follow · July 16 ·

With Eric Lara Rivera, Johnathan Rivera and Victor Hugo Fuentes-Miramontes.

Share

21

**Van Naty** I think so that picture was taken after I left.  
July 21 at 7:04pm · Edited

**Eduardo Nolasco**  
Translated from Spanish  
The click this growing orale! !!!  
See Original  
3 · July 22 at 12:28pm

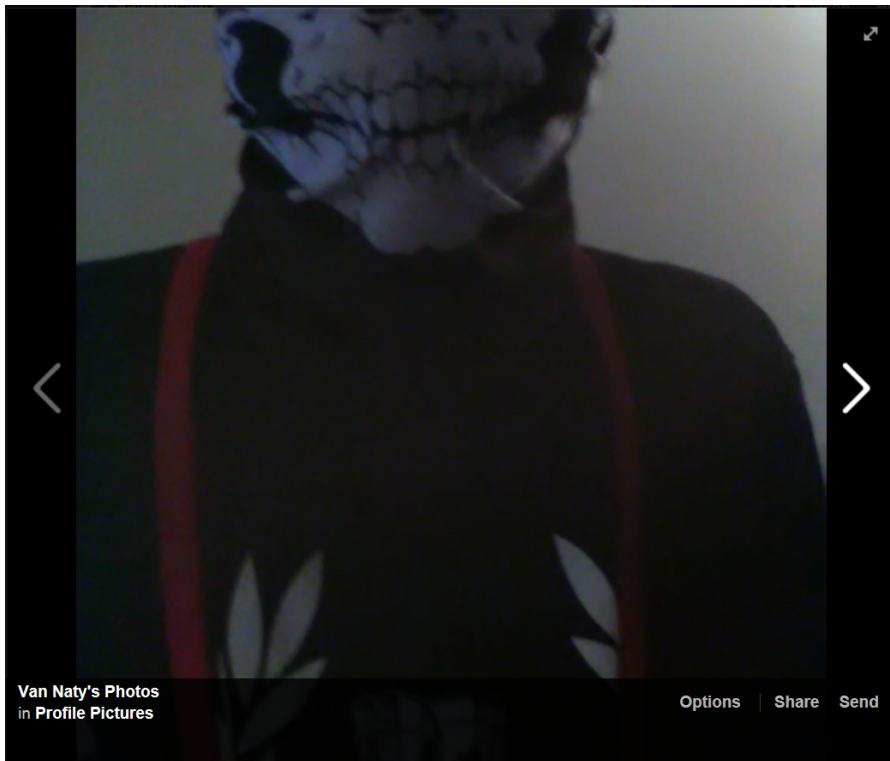
People You May Know See All

**Cres Vellucci**  
3 mutual friends  
Add Friend

**Galina Ivanovna**  
1 mutual friend  
Add Friend

Van Naty's Photos in Cover Photos Options Share Send

1



**Van Naty**  
Follow · November 18 ·

Share

3

People You May Know See All

**Cres Vellucci**  
3 mutual friends  
Add Friend

**Galina Ivanovna**  
1 mutual friend  
Add Friend

Van Naty's Photos in Profile Pictures Options Share Send

2

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
D. AYRES / OFFICER	018111	06/26/2016		

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1 **STATEMENTS:**

2

3 I contacted Van Dyke the following day at the UC Davis hospital in Sacramento, CA and Van Dyke  
4 related in essence the following statement; he had learned about the protest through a "Global  
5 Leadership Conference" at "church." Van Dyke claimed to be a member of the "Rainbow Tribe,"  
6 and he was unified with Orlando. Later Van Dyke claimed he had travelled to the Capitol from  
7 Carson, California to participate in the protest with his friends and they were members of the  
8 "Peace and Freedom Party." Van Dyke was adamant that he did not come to the protest with the  
9 intent to commit violence. When confronted with the video of him wearing a shield, he related it  
10 was for protection and he had bought it off of Ebay for \$50. He related other people had protective  
11 equipment as well, including bullet proof vests and motorcycle related chest protectors. I asked  
12 Van Dyke about the large jacket when the temperature was 105 degrees Fahrenheit and he  
13 related that was also for protection. Van Dyke had numerous inconsistencies in his statements.  
14 Van Dyke related at the time of the large group assault he was in the back of the crowd of  
15 protestors, but then related he was 3-4 people from the front. The videos and photographs show  
16 Van Dyke near the front of the protestors when the assaults began. When I asked who started the  
17 altercation, Van Dyke related he "was not there the whole time" and he was "far behind." Van  
18 Dyke would not talk about the assault and would only answer and bring the conversation back to  
19 his stabbing. Van Dyke claimed to lie down on the sidewalk 3 feet from where he was stabbed on  
20 the grass. The video and photographs do not show any likely suspects around Van Dyke at the  
21 time he claims to have been stabbed. Van Dyke showed me social media posts with the picture of  
22 Punneo and related he believed Punneo was the one who stabbed him. Van Dyke related this was  
23 an assessment by his friends and he didn't know who stabbed him at that time. Van Dyke's  
24 statement to Sacramento Police Department on the previous day, noted that Van Dyke indicated  
25 the person who stabbed him was wearing a yellow shirt. No TWP affiliates had yellow shirts on.  
26 Van Dyke was very supportive of pursuing charges against the person who stabbed him. Van  
27 Dyke was not cooperative when I spoke with him on the following day and referred me to his  
28 lawyer, no name given.

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# EXHIBIT T

DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
06/26/2016	1140	9025	018111	2016-00368

1 **SUMMARY:**

2

3 On June 26<sup>th</sup>, 2016, prior to 1140 hours, **SUBJECT** (CA DL#) arrived at the California State  
4 Capitol to support a planned action to deny the Traditionalist Worker’s Party (TWP) from  
5 assembling and speaking at their event which was coordinated and permitted through the  
6 California Highway Patrol. **SUBJECT** is observed at the protest on June 26<sup>th</sup> via pictures and  
7 video taken at the rally. **SUBJECT** was positively identified through various investigative  
8 techniques (refer to attached photographs).

9

10 Note: All original photographs (or screenshots from video) that are annotated below can be found  
11 on the attached disc and/or on the archived hard drive preserved in evidence under the subjects  
12 name in the Report Folder.

13

14 During Event #1, **SUBJECT** is observed wearing **CLOTHING DESCRIPTION, PERFORMING**  
15 **SPECIFIC ACTS.**

16

17 During Event #2, **SUBJECT** is observed wearing **CLOTHING DESCRIPTION, PERFORMING**  
18 **SPECIFIC ACTS.**

19

20 During Event #3, **SUBJECT** is observed wearing **CLOTHING DESCRIPTION, PERFORMING**  
21 **SPECIFIC ACTS.**

22

23 During Event #4, **SUBJECT** is observed wearing **CLOTHING DESCRIPTION, PERFORMING**  
24 **SPECIFIC ACTS.**

25

26 During Event #5, **SUBJECT** is observed wearing **CLOTHING DESCRIPTION, PERFORMING**  
27 **SPECIFIC ACTS.**

28

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1 During Event #6, **SUBJECT** is observed wearing **CLOTHING DESCRIPTION, PERFORMING**  
 2 **SPECIFIC ACTS.**

3  
4  
5

6 On **DATE**, **SUBJECT** posted **DESCRIPTION OF PHOTOS OR STATEMENTS (and thoroughly**  
 7 **explain implied connections or statements)** to social media.

8

9 **SUBJECT** indicated their **INTEREST <or> AFFILIATION** with **NAMED GROUP** as shown in  
 10 **\*SOURCE**. **NAMED GROUP** is known for **POSITION** or **PREVIOUS ACTIONS**. **SUBJECT's**  
 11 actions are consistent with known **philosophies, tactics, techniques and/or procedures** and  
 12 indicate a (strong?) commitment to the furthering the goals of **NAMED GROUP**. The **SUBJECT's**  
 13 **criminal activity/actions** listed above, coupled with the **stated/implied** intent demonstrate support to  
 14 the clearly identified and widely advertised goal of denying the permitted party the ability use their  
 15 constitutionally protected right to assemble and right to free speech.

16

17 **EVIDENCE:**

18

19 Pictures and Video are stored on a hard drive, held in evidence at CHP Capitol Protection Section  
 20 under evidence #E20160209.

21

22

23

24

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1 **STATEMENTS:**

2

3 **\*\*\*NO STATEMENT\*\*\***

4 On \_\_\_\_\_ at approximately \_\_\_\_ hours, (I) or Officer \_\_\_\_\_ attempted to contact \_\_\_\_  
5 via telephone using all known numbers. \_\_\_\_\_ was unable to be reached and failed to return all  
6 calls.

7 On \_\_\_\_\_ at approximately \_\_\_\_ hours, (I) or Officer \_\_\_\_\_ attempted to contact \_\_\_\_  
8 via telephone using all known numbers. \_\_\_\_\_ was unable to be reached and failed to return all  
9 calls.

10 Any further contact or statement obtained from \_\_\_\_\_ will be included within an attached  
11 supplemental report.

12 *All known telephone numbers were obtained by confidential investigative methods. All telephonic*  
13 *attempts to contact \_\_\_\_\_ were audio recorded and have been preserved in evidence.*

14

15 **\*\*\*\*Statement Obtained\*\*\*\***

16 On \_\_\_\_\_ at approximately \_\_\_\_\_ hours, (I) or Officer \_\_\_\_\_ contacted \_\_\_\_\_ via  
17 telephone. \_\_\_\_\_ related in essence the following statement; \_\_\_\_\_.

18 Any further contact or statement obtained from \_\_\_\_\_ will be included within an attached  
19 supplemental report.

20 *All known telephone numbers were obtained by confidential investigative methods. All telephonic contact*  
21 *with \_\_\_\_\_ were audio recorded and have been preserved in evidence.*

22

23

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D. AYRES / OFFICER	018111	06/26/2016		

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1 **ANALYSIS AND OPINION:**

2

3 The charge of 182(a)(1) PC – Conspiracy can be substantiated against **SUBJECT** based on their  
4 1). agreement to commit a crime (deny assembly and free speech, or *other*) and *they or their*  
5 *named affiliate* 2). committed the overt act of (*does not need to be criminal act*) in furtherance of  
6 that agreement prior to the commission of **RIOT/ASSAULT/VANDALISM/etc.**

7

8 ...based on the fact they learned of an opportunity to unlawfully assemble for the purpose of  
9 denying the permitted party access to the Capitol, and their implied agreement to this group  
10 invitation (Fliers, Social Media posts, word of mouth) is evident in commission of one or more of  
11 the following acts, that they arrived at a time prior to the protest starting, at the advertised time or  
12 at a time when they would have expected the protest to be already occurring on the correct date  
13 and at the Capitol with clothing related to their affiliation or role in the protest (*or omit if clothing is*  
14 *not related*) and/or with **equipment(weapons)** and/or **supplies**, and committed the overt act of  
15 **preparing, traveling, arriving, attending, chanting, waving a banner**, prior to (*insert next relative*  
16 *event that occurred immediately after*)

17

18 (*delete notes: Legal Defenses – There was no agreement, there was no overt act, withdrew from*  
19 *conspiracy, operated under a mistake of law, or falsely accused.*

20 *Any member of the conspiracy may commit the overt act...which doesn't need to be criminal in*  
21 *and of itself. But does need to be performed before the commission of the agreed upon offense.*  
22 *Who is SUBJECT affiliated with, did any of them commit an act in furtherance of the offense, what*  
23 *are the linkages, drove together, packed weapons or equipment, prepared signs or carried signs*  
24 *or weapons or supplies to the event location)*

25

26 The charge of 368(f) PC - Dependent Adult/False Imprisonment can be substantiated against  
27 **SUBJECT** based on the fact he used menace, in all black clothing with body armor and protective  
28 goggles, positioned himself in concert with other protestors armed with deadly weapons, in the

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1 path of Mackenzie, and caused Mackenzie to be detained and unable to continue to his planned  
 2 destination, then Mackenzie became confined on the upper steps, and finally was battered with  
 3 deadly weapons before being shoved down the stairs because of his disability, and these  
 4 occurred without Mackenzie’s consent causing great bodily injury.

5  
6

7 The charge of 245(a)(1) PC – Assault with deadly weapon, can be substantiated against  
 8 **SUBJECT** based on their willful direct act of (stabbing, hitting, striking, punching, throwing objects)  
 9 causing injury, or capable of producing great bodily injury to (TWP). The injuries were a direct  
 10 consequence of the **SUBJECT’S** actions that (they; the suspect) a reasonable person would know  
 11 is likely to cause injury.

12 (delete notes: Legal defenses - One of the surprising things about the California crime of assault  
 13 with a deadly weapon is that you can be convicted of this offense even if no one was actually  
 14 injured by your behavior.<sup>7</sup> (This is the major difference between ADW and the California crime of  
 15 battery.

16 The charge of 240 PC – Assault, can be substantiated against **SUBJECT** based on their willful  
 17 direct act of (something that was likely to result in the use of force against someone else. could  
 18 include: trying to hit, strike, punch, throwing objects that miss). **SUBJECT** had the ability to apply  
 19 force to the other person (HOW). The injuries were a direct consequence of the **SUBJECT’S**  
 20 actions that (they; the suspect) a reasonable person would know is likely to cause injury.

21  
 22 (delete notes: Legal Defense - You did not actually have the ability to inflict force/violence on the  
 23 other person; You acted in self-defense or defense of someone else; You did not act willfully or  
 24 with the required intent; and You were wrongfully accused.

25  
 26 Don’t have to have intent, only knowledge that under the circumstances that was a good chance  
 27 actions would lead to force being applied.)

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1

2 The charge of 236 PC –False Imprisonment can be substantiated against **SUBJECT** based on  
3 based on their unlawful violation of the personal liberty of another by restraining, confining, or  
4 detaining another person, without his consent, using violence or menace.

5

6 (delete - notes) The defendant made the other person stay or go somewhere against that person's  
7 will. Violence means using physical force that is greater than the force reasonably necessary to  
8 restrain someone. Menace means a verbal or physical threat of harm[, including use of a  
9 deadly weapon]. The threat of harm may be express or implied. [An act is done against a person's  
10 will if that person does not consent to the act. In order to consent, a person must act freely and  
11 voluntarily and know the nature of the act.]

12

13 The charge of 243(b) PC – Battery on an Officer can be substantiated against (SUBJECT) due to  
14 the following\_\_\_\_\_

15 (b) When a battery is committed against the person of a **peace officer, ..., firefighter, emergency**  
16 **medical technician**,... engaged in the performance of his or her duties, whether on or off duty,  
17 including when the peace officer is in a police uniform and is concurrently performing the duties  
18 required of him or her as a peace officer ..., and the person committing the offense knows or  
19 reasonably should know that the victim is a peace officer, ..., firefighter, emergency medical  
20 technician, ..., the battery is punishable by a fine not exceeding two thousand dollars (\$2,000), or  
21 by imprisonment in a county jail not exceeding one year, or by both that fine and imprisonment.

22

23 -245(c) PC – Assault on Officer with a weapon

24 (c) Any person who commits an assault with a deadly weapon or instrument, other than a firearm,  
25 or by any means likely to produce great bodily injury upon the person of a peace officer or  
26 firefighter, and who knows or reasonably should know that the victim is a peace officer or  
27 firefighter engaged in the performance of his or her duties, when the peace officer or firefighter is

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1 engaged in the performance of his or her duties, shall be punished by imprisonment in the state  
 2 prison for three, four, or five years.

3

4 -600(a) PC – Strike or Throw object at Police Horse

5 Any person who willfully and maliciously and with no legal justification strikes, beats, kicks, cuts,  
 6 stabs, shoots with a firearm, administers any poison or other harmful or stupefying substance to,  
 7 or throws, hurls, or projects at, or places any rock, object, or other substance which is used in  
 8 such a manner as to be capable of producing injury and likely to produce injury, on or in the path  
 9 of, a horse being used by, or a dog under the supervision of, a peace officer in the discharge or  
 10 attempted discharge of his or her duties, or a volunteer who is acting under the direct supervision  
 11 of a peace officer in the discharge or attempted discharge of his or her assigned volunteer duties,  
 12 is guilty of a public offense. If the injury inflicted is a serious injury, as described in subdivision (c),  
 13 the person shall be punished by imprisonment pursuant to subdivision (h) of Section 1170 for 16  
 14 months, two or three years, or in a county jail for not exceeding one year, or by a fine not  
 15 exceeding two thousand dollars (\$2,000), or by both a fine and imprisonment. If the injury inflicted  
 16 is not a serious injury, the person shall be punished by imprisonment in the county jail for not  
 17 exceeding one year, or by a fine not exceeding one thousand dollars (\$1,000), or by both a fine  
 18 and imprisonment.

19

20 -600(b) PC – Interfere or Obstruct a Police Horse

21 (b) Any person who willfully and maliciously and with no legal justification interferes with or  
 22 obstructs a horse or dog being used by a peace officer in the discharge or attempted discharge of  
 23 his or her duties, or a volunteer who is acting under the direct supervision of a peace officer in the  
 24 discharge or attempted discharge of his or her assigned volunteer duties, by frightening, teasing,  
 25 agitating, harassing, or hindering the horse or dog shall be punished by imprisonment in a county  
 26 jail for not exceeding one year, or by a fine not exceeding one thousand dollars (\$1,000), or by  
 27 both a fine and imprisonment.

28

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1 -12403.7(a) PC – Use of pepper spray (not in self defense)

2 (g)Any person who uses tear gas or tear gas weapons except in self-defense is guilty of a public  
3 offense and is punishable by imprisonment in a state prison for 16 months, or two or three years  
4 or in a county jail not to exceed one year or by a fine not to exceed one thousand dollars (\$1,000),  
5 or by both the fine and imprisonment, except that, if the use is against a peace officer, as defined  
6 in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, engaged in the performance of  
7 his or her official duties and the person committing the offense knows or reasonably should know  
8 that the victim is a peace officer, the offense is punishable by imprisonment in a state prison for 16  
9 months or two or three years or by a fine of one thousand dollars (\$1,000), or by both the fine and  
10 imprisonment.

11

12 -451 PC – Arson

13 A person is guilty of arson when he or she willfully and maliciously sets fire to or burns or causes  
14 to be burned or who aids, counsels, or procures the burning of, any structure, forest land, or  
15 property.

16

17 -452 PC – Unlawful Fire

18 A person is guilty of unlawfully causing a fire when he recklessly sets fire to or burns or causes to  
19 be burned, any structure, forest land or property.

20

21 The charge of 404(a) PC – Participating in a riot, can be substantiated against **SUBJECT** based  
22 on their acting with two or more persons without the authority of law to 1). Disturb the public peace  
23 (**HOW**) and 2). Use force or violence (**HOW**) or 3). Threatened to use force or violence with  
24 immediate power to execute that threat (**HOW**).

25

26 (delete notes: Legal Defenses – merely present and did not actually participate, acted in self-  
27 defense, and/or victim of mistaken identification)

28

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1 The charge of 404.6(a) PC – Inciting a Riot, can be substantiated based on (SUBJECT) urging  
2 people to engage in rioting, commit acts of force or violence, or burn/destroy property by (ACTS  
3 COMMITTED), where there was a clear and present, and immediate danger of a riot occurring.  
4 Arrests for this charge tend to arise out of very chaotic situations. It's easy for witnesses,  
5 especially the police, to be so frazzled by the chaos that they misperceive who in the crowd was  
6 actually rioting or trying to incite violence. Consequently many false arrests get made.  
7 Typical defenses that we have successfully asserted in these sorts of cases include:  
•8 Our client was merely present, but was not the one who urged the crowd to riot. Our client merely  
9 urged the crowd to protest, but to riot or commit violence. Even if there was an incitement to riot, it  
10 was in a circumstance where that result was unlikely to happen. The police are lying or  
11 exaggerating in order to make a case against protesters, because they are angry and biased  
12 against the protesters.  
13 In the latter case, it can be very useful to run a Pitchess Motion to get the personnel and  
14 disciplinary history of the arresting officers. If we find they have a history of misconduct, this can  
15 undermine their credibility and often get Penal Code 404.6 charged reduced or dismissed.  
16  
17 The misdemeanor charge of 407 PC – Unlawful Assembly, can be substantiated against  
18 SUBJECT who willingly assembled with another person to commit an illegal act, or committed a  
19 legal act in a violent, boisterous or tumultuous manner. SUBJECT remained in that group of  
20 protesters after it became violent, boisterous and tumultuous, and did not remove or disassociate  
21 himself from the group.  
22 (delete notes: Legal Defenses – The group was not perpetrating violence nor was there a clear  
23 threat of imminent violence, our client was part of a peaceful faction, ~~client not given time and~~  
24 ~~opportunity to leave the group before getting arrested.~~ CA Supreme Court narrowly construes the  
25 law to only prohibit only “assemblies which are violent or which pose a clear and present danger  
26 of imminent violence.” “It is immaterial at what time the intent to do the lawful act in an unlawful  
27 manner is formed-whether prior to or during the assembly.” Simply remaining in a group that has  
28 become violent or otherwise unlawful is sufficient to constitute an unlawful assembly. The

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1 statutory denunciation pertains to the assembly at large...Not every member of the assembly must  
 2 individually commit unlawful acts to render the assembly unlawful...If a person is a participant in a  
 3 lawful assembly which becomes unlawful he has an immediate duty upon learning of the unlawful  
 4 conduct to disassociate himself from the group. Courts have said that a jury must ultimately  
 5 determine which group a defendant was in. "The extent of the group and the membership therein  
 6 are merely questions of fact.")

7  
 18 The charge of 415 PC (1)(2)or(3) – Disturbing the Peace, can be substantiated against **SUBJECT**  
 9 based on their willful, aggressive Fighting or Challenging someone to fight, unlawfully in a public  
 10 place (not in defense of another or self-defense), or **SUBJECT's** use of offensive words in a public  
 11 place, likely to provoke an immediate a violent reaction in a public place.

12  
 13 (delete notes: Legal Defenses – Lacked criminal intent, behavior was constitutionally protected, or  
 14 you were falsely accused. Defense for offensive words – reasonably believed that his/her words  
 15 were NOT likely to provoke an immediate violent reaction

16 Sections: 415(1) unlawful fighting, 415(2) unreasonable noise, 415(3) offensive words.

17 For example, you may be arrested under California's disturbing the peace statute for  
 18 participating in a political protest.  
 19 wearing a t-shirt that threatens violence toward people who disagree with you on a political issue,  
 20 or loudly making a political or religious speech with a bullhorn in a public place.

21 In cases like these, you may be able to challenge the disturbing the peace / breach of the peace  
 22 charge on the grounds that your activity was protected speech. )

23

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1 The charge of 417 PC – Brandishing a weapon, can be substantiated against SUBJECT based on  
 2 their exhibition of \_\_\_\_\_, except in self-defense, in the presence of any other person, draws  
 3 or exhibits any deadly weapon whatsoever, other than a firearm, in a rude, angry, or threatening  
 4 manner, or who in any manner, unlawfully uses a deadly weapon other than a firearm in any fight  
 5 or quarrel is guilty of a misdemeanor

6  
 7 -594(b)(2)(a) PC –The charge of Vandalism can be substantiated against **SUBJECT who**  
 8 maliciously defaced with graffiti or written material, damaging or destroying someone else's  
 9 property:

10 (delete notes: legal defenses , You damaged someone else's property by accident;  
 11 You were falsely accused; and / or You were the victim of mistaken identity. Damage does not  
 12 have to be permanent. Always charge 594 and not 604.5 or 604.6)

13  
 14 The charge of 185 PC – The charge of wearing a mask or disguise to evade police, can be  
 15 substantiated against **SUBJECT** based on their commission of **a public offense(s)** while wearing a  
 16 **(SCARF / mask)** for the purpose of evading or escaping discovery, recognition or identification.

17  
 18 The charge of 13 CCR 1861 – (**Creating Loud and Unusual Noises, Obstructing or Interfering with**  
 19 **the Usual Use of State Property, Present In or Upon State Property when Closed to Public)** can  
 20 be substantiated against (**SUBJECT**) due to their \_\_\_\_\_

21  
 22 13 CCR § 1861  
 23 **§ 1861. Prohibited Conduct.**

24 No person shall remain in or upon any state property after having been ordered or directed by a  
 25 member of the California Highway Patrol or the person having charge of the facility to leave said  
 26 property, provided, said order or direction to leave is issued after the determination that one or  
 27 more of the following has occurred:

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1 (a) Creating Loud and Unusual Noises. Said person, alone or in conjunction with others, is  
 2 creating loud and unusual noises which impede or disturb the state employees in the performance  
 3 of their duties or which otherwise impede or disrupt the general public transacting business with  
 4 the state agency(ies) located within, about, or upon state property.

5 (b) Obstructing or Interfering with the Usual Use of State Property. Said person, alone or in  
 6 conjunction with others, is obstructing or interfering with the usual use of entrances, foyers,  
 7 corridors, offices, elevators, stairways, garages, or parking lots, or is creating a health and/or  
 8 safety hazard in such use within, about, or upon state property.

9 (c) Present In or Upon State Property when Closed to Public. Said person is in or on state  
 10 property, or area thereof, during the hours when said state property is not open to the general  
 11 public, and said person does not have a permit, the authority or lawful reason to be there.

12 (d) Emergency Order. Said person refuses to comply with an emergency order.

13

14

15 The charge of 13 CCR 1862(a)Size,(a)(1) Handle Size,(a)(2) Wood Handle, can be substantiated  
 16 against (SUBJECT) due to their \_\_\_\_\_

17

18 13 CCR § 1862

19 **§ 1862. Signs, Posters, Placards, Banners.**

20 (a) Requirements for Size. Carrying, transporting or using signs, posters or banners exceeding  
 21 thirty inches (30 ") by thirty inches (30 ") in size, in or on any state property, is prohibited unless  
 22 prior written permission has been obtained from the Commissioner or his or her designee whose  
 23 review, under this section, shall not be made on the basis of content.

24 (1) The size of the handles or supports for such signs, posters, placards or banners shall be  
 25 limited to one-fourth inch (1/4 ") in thickness by three-fourth inch (3/4 ") in width and shall extend  
 26 no more than eighteen inches (18 ") beyond a single exterior edge of such signs, posters,  
 27 placards or banners.

28 (2) All such handles or supports shall be made of wood without exception.

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1 (b) Requirements for Carrying. All such signs, posters, placards or banners shall be hand carried  
 2 and not in any way affixed, fastened, or attached to the premises; nor self-supporting and placed  
 3 for display; nor leaned against any wall, partition, or other portion of a state property.

4 (c) Prohibited Signs. The carrying of such signs, posters, placards or banners is prohibited if it  
 5 obstructs freedom of passage over, through, or in state property.

6

7 The charge of 13 CCR 1864- Unpermitted Fire can be substantiated against (SUBJECT) due to  
 8 their \_\_\_\_\_

9

10 13 CCR § 1864

11 § 1864. Fire.

12 Fire is not permitted on state property.

13

14

15 The charge of 13 CCR 1867 - Operation and Use of Skateboards can be substantiated against  
 16 (SUBJECT) due to their \_\_\_\_\_

17

18 13 CCR § 1867

19 § 1867. Operation and Use of Bicycles, Roller Skates, Skateboards, and Other Wheeled  
 20 Conveyances.

21 (a) The riding, operation or use of bicycles, roller skates, skateboards, or other wheeled  
 22 conveyances is prohibited in or upon state property (as defined for this chapter) except as follows:

23 (1) Wheeled conveyances used by disabled persons.

24 (2) Any wheeled conveyance used by a state employee in the course of his or her employment.

25 (3) Any wheeled conveyance used by a person upon that portion of State Capitol Park known as  
 26 the "Thirteenth Street Walk" and described as that portion of 13th Street between L and N Streets.

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- 1 (4) Roller skating is permitted, from dusk to dawn, seven (7) days a week on paths, walks and
- 2 driveways in that portion of the State Capitol grounds extending from 13th Street to 15th Street
- 3 and from L Street to N Street.
- 4 (5) Roller skating is permitted, from 6 p.m. to dusk, Monday through Friday and from dawn to dusk
- 5 on Saturdays, Sundays and holidays on the State Capitol grounds extending from 10th Street to
- 6 13th Street and from L Street to N Street.
- 7 (b) Notwithstanding subsection (a), roller skating is not permitted upon the steps of the State
- 8 Capitol, or in the interior of the State Capitol or in the interior of any other state building, or in the
- 9 driveway extending from L and N Streets into the State Capitol Garage.
- 10 (c) Notwithstanding subsection (a), operation of wheeled conveyances shall be prohibited if done
- 11 in a manner other than is reasonable or prudent, having due regard for pedestrians, weather,
- 12 visibility, the traffic on, and the surface and width of, the area's grounds.
- 13 (d) The parking of bicycles in or upon state property is prohibited except at designated bicycle
- 14 parking racks or facilities established by the agency in control of a given state property.
- 15 (e) This section shall not apply to any peace officer acting within the scope of his or her
- 16 employment.
- 17 (f) This section shall not apply to any location defined as a street or highway under applicable
- 18 provisions of the California Vehicle Code.

**RECOMMENDATION:**

22 I recommend this report be forwarded to the Sacramento County District Attorney's Office, and

23 **SUBJECT** be charged with:

- 25 -182(a)(1)PC – Conspiracy
- 26 -245(a)(1) PC – Assault with Deadly Weapon
- 27 -240 PC – Assault: Unlawful Attempt and Ability to Commit a Violent Injury on Another
- 28 -236 PC – False Imprisonment by violence or menace

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- 1 -243(b) PC – Battery on an Officer
- 2 -245(c) PC – Assault on Officer with a weapon
- 3 -600(a) PC – Strike or Throw object at Police Horse
- 4 -600(b) PC – Interfere or Obstruct a Police Horse
- 5 -12403.7(a) PC – Use of pepper spray (not in self defense)
- 6 -451 PC – Arson
- 7 -452 PC - Arson
- 8 -404.6(a) PC – Inciting a Riot.
- 9 -404(a) PC – Participating in a Riot
- 10 -407 PC – Unlawful Assembly
- 11 -415 PC – Disturbing the Peace: Fighting or Challenging Someone to Fight
- 12 -417(a)(1) PC – Brandishing a Weapon
- 13 -594(b)(2)(a) PC - Vandalism
- 14 -185 PC – Wearing Mask or Disguise to Evade Police
- 15 -13 CCR 1861(b) – Prohibited Conduct
- 16 -13 CCR 1862(a) - Signs, Posters, Placards, Banners (banner size)
- 17 -13 CCR 1862 (a)(1) - Signs, Posters, Placards, Banners (handle size)
- 18 -13 CCR 1862 (a)(2) - Signs, Posters, Placards, Banners (wood handles)
- 19 -13 CCR 1862 (c) - Signs, Posters, Placards, Banners (obstruct passage)
- 20 -13 CCR 1864 – Fire
- 21 -13 CCR 1867(a) - Skateboarding

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
D. AYRES / OFFICER	018111	06/26/2016		

# EXHIBIT U

STATE OF CALIFORNIA - COUNTY OF SACRAMENTO  
RETURN TO SEARCH WARRANT

T. Tietz, being sworn, says that he conducted a search pursuant to the below described search warrant:

Issuing Magistrate: Judge,  
Magistrates Court: Superior Court, Sacramento County, Judicial District  
Date of Issuance: September 12<sup>th</sup>, 2016  
Date of Service: September 12<sup>th</sup>, 2016  
And searched the following location(s) and person(s):

Facebook, Inc.  
Attn: Facebook Security/ LE Response Team  
1601 Willow Road  
Menlo Park, CA 94205  
E-mail: subpoena@fb.com  
Fax number: 650-644-3229

and seized the items\*  
xx described in the attached and incorporated inventory.  
       described below:

1)

I further swear that this is a true and detailed account of all the property taken by me pursuant to the search warrant, and that pursuant to Penal Code Sections 1528 and 1536 this property will be retained in my custody, subject to the order of this court or of any other court in which the offense in respect to which the seized property is triable.

[Signature]  
(Signature of Affiant)  
Sworn to and subscribed before me this 4<sup>th</sup> day of Nov, 2016



[Signature]  
(Signature of Magistrate)  
**DONALD J. CURRIER**  
Judge of the **Superior Court**, Sacramento County, Judicial District

Ist all items seized, including those not specifically listed on the warrant.

STATE OF CALIFORNIA - COUNTY OF SACRAMENTO

SEARCH WARRANT AND AFFIDAVIT

(AFFIDAVIT)

Officer T. Tietz, being a sworn peace officer, swears under oath that on the basis of the information contained within this Search Warrant and Affidavit and the attached and incorporated Statement of Probable Cause, comprising a total of 8 pages, he has probable cause to believe and does believe that the property described below is lawfully seizable pursuant to Penal Code Section 1524, as indicated below, and is now located at the location(s) set forth below. Wherefore, affiant requests that this Search Warrant be issued.

Night Search Requested YES [ ] NO [X]  
Justification on Statement of Probable Cause page(s) {6-8}

Signature of Affiant, after being sworn



Reviewed by: THOMAS ASKER  
(Deputy District Attorney)

(SEARCH WARRANT)

THE PEOPLE OF THE STATE OF CALIFORNIA TO ANY SHERIFF, POLICEMAN OR PEACE OFFICER IN THE COUNTY OF SACRAMENTO:

Proof by affidavit having been made before me by Officer T. Tietz, that there is probable cause to believe that the evidence described herein may be found in the seized property set forth herein and that it is lawfully seizable pursuant to Penal Code Section 1524 as indicated below by "x" (s) in that it:

- it was stolen or embezzled
- it was used as the means of committing a felony
- it is possessed by a person with the intent to use it as means of committing a public offense or is possessed by another to whom he or she may have delivered it for the purpose of concealing it or preventing its discovery
- it tends to show that a felony has been committed or that a particular person has committed a felony
- it tends to show that sexual exploitation of a child, in violation of Section 311.3, or depiction of sexual conduct of a person under the age of 18 years, in violation of Section 311.11, has occurred or is occurring.
- there is a warrant for the person's arrest.

**YOU ARE THEREFORE COMMANDED TO SEARCH  
THE FOLLOWING PROPERTY:**

Facebook, Inc.  
Attn: Facebook Security/ LE Response Team  
1601 Willow Road  
Menlo Park, CA 94205  
E-mail: [subpoena@fb.com](mailto:subpoena@fb.com)  
Fax number: 650-644-3229

**FOR THE FOLLOWING PROPERTY:**

A. Any and all information for the following Facebook accounts:

1. <https://www.facebook.com/events/1727446437527487/>
2. <https://www.facebook.com/antifasacramento/?fref=ts>

From 04/01/2016 0000 hours PST to time at which each account/page were closed,  
on or before 07/13/2016 2359 hours PST.

B. All connection logs and records of user activity for the above listed accounts including  
but not limited to:

1. All subscriber information including but not limited to:
  - a) Name
  - b) Address
  - c) Date of birth
  - d) Gender
2. User Neoselect (Basic Subscriber Information)
  - a) User Identification Number
  - b) E-mail address
  - c) Date and time stamp of account creation and deletion
  - d) Most recent logins within the last ten days
  - e) Registered mobile number
3. User Neoprint (Expanded Subscriber Content)
  - a) Profile Contact Information
  - b) Mini-Feed
  - c) Status Update History
  - d) Shares
  - e) Notes
  - f) Wall Postings
  - g) Friend Listing, with Friends Facebook ID's

- h) Group Listing, with Facebook Group ID's
  - i) Future and Past Events
  - j) Video Listing, with filename
  - k) User Photoprint (User Photos)
  - l) Uploaded photographs
  - m) Tagged photographs
  - n) All metadata or any other sources of GPS coordinates for where any uploaded photos
  - o) were taken
  - p) Any group information
  - q) Any private messages
  - r) Account status
  - s) E-mail address used to create the account
  - t) Alternate e-mail addresses
  - u) Date ID registered
4. Internet Protocol (IP) Logs including but not limited to:
    - a) Registration from IP
    - b) Viewtime (Date / time of execution)
    - c) Userid (The Facebook user ID of the account active for the request)
    - d) IP (Source IP address)
    - e) Script (Script executed)
    - f) Scriptget (additional information passed to the script)
    - g) Session Cookie (HTTP cookie set by user session)
  5. All stored friend requests.

The terms records, information, and property includes all of the foregoing items of evidence in whatever form and by whatever means that may have been created or stored, including records, whether stored on magnetic media such as tape, cassette, disk, diskette or on memory storage devices such as optical disks, flash media, programmable instruments such as telephones, electronic address books, calculators, or any other storage media, or any other form of writing as defined by Evidence Code section 250, together with indicia of use, ownership, possession, or control of such records, information, and property.

Investigating Officers and those agents acting under the direction of the investigating Officers are authorized to access all digital data storage devices to determine if any data contains "property" as described above. If necessary, investigating Officers are authorized to employ the use of outside experts, acting under the direction of the investigating Officers, to access and preserve any digital data.

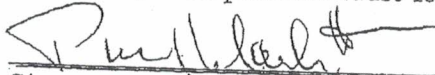


In accordance with 1564.1(D)(2), any information obtained through the execution of the warrant that is unrelated to the objective of the warrant shall be sealed and not subject to further review, use, or disclosure without a court order. A court shall issue such an order upon a finding that there is probable cause to believe that the information is relevant to an active investigation, or review, use, or disclosure is required by state or federal law.

**AND TO SEIZE IT IF FOUND** and bring it forthwith before me, or this court, at the courthouse of this court.

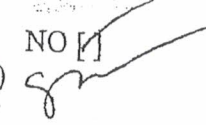
This Search Warrant and incorporated Affidavit was sworn to and subscribed before me this 12 day of September, 2016, at 1421 A.M./P.M.

Wherefore, I find probable cause for the issuance of this Search Warrant and do issue it.



Signature of Magistrate

Night Search Approved: YES  NO

(Magistrate's initials) 

Judge of the Superior Court  Executed by \_\_\_\_\_ Date \_\_\_\_/\_\_\_\_/\_\_\_\_ Hr

# AFFIDAVIT IN SUPPORT OF A SEARCH WARRANT

## EXPERIENCE AND TRAINING

I, **Thomas Tietz**, your affiant, am currently employed as a peace officer with the **California Highway Patrol** and have been so employed since July of 2008. Your affiant is currently assigned as an Investigator at the Capitol Protection Section.

As part of your affiant's employment as a peace officer, your affiant was assigned to the Uniform Road Patrol as well as the Investigations Unit, during which time your affiant conducted both preliminary investigations, and complex criminal investigations to completion, in a variety of crimes. These investigations included taking criminal, traffic, and incident reports, arresting suspects, preparing and executing search warrants, as well as interviewing witnesses, victims, and suspects. Your affiant has investigated a wide variety of criminal offenses ranging from theft, burglary, financial crimes, narcotics, domestic violence, felony assaults, and auto theft. Other assignments include Drug Recognition Expert (DRE), and Bicycle Patrol Unit.

Duties of your affiants past and present assignments include the responsibilities to: conduct interviews with witnesses, victims and suspects; to prepare clear and concise written reports, collect and preserve evidence, conduct probation and parole searches, conduct surveillance and observe persons involved in suspected criminal activity, and to testify in court proceedings as the arresting officer.

While attending the California Highway Patrol Academy, I received 86 hours of investigative training. The training consisted of search and seizure, evidence collection, investigative report writing, and property crimes. I have attended the following courses/training:

- 80 Hours Drug Recognition Expert (DRE) (NHTSA/CHP)
- 3 Hours "Hooked-Illegal Drugs and How They Got That Way" video (History Channel)
- 80 Hours Robert Presley Institute of Criminal Investigation - Core Class
- 80 Hours Robert Presley Institute of Criminal Investigation - Homicide Investigation
- 8 Hours Street Racing Education and Enforcement (CHP/BAR/OTS)
- 16 Hours CLETS Training for Trainers (DOJ)
- 40 Hours Interview and Interrogation (Stincelli)
- 40 Hours Crime Scene Investigation (FBI)
- 40 Hours Sexual Assault Class (ICI)
- 8 Hours Terrorism Liaison Officer (Homeland Security)
- 8 Hours Identity Theft (Sacramento Valley Hi-Tech Crimes Task Force)
- 4 Hours Metal Theft (Sacramento Police Department)
- 16 Hours Online Investigations (Search.org)
- 24 Hours DNA Evidence for Investigators (Alameda County Crime Lab)

## STATEMENT OF PROBABLE CAUSE

Your Affiant, Thomas Tietz who is currently employed as a peace officer for the California Highway Patrol and has been a peace officer for over 8 years. Your Affiant's present assignment is as Investigator with the Capitol Protection Section. This office is responsible for criminal investigations of crimes in close proximity to, or involving, state facilities, properties, and personnel.

On Sunday, June 26, 2016, several hundred protestors illegally assembled at the State Capitol with the stated message to prevent Traditionalist Worker's Party (TWP) from exercising their right to assemble and speak their message. The protestors including groups from "AntiFa," "Black Lives Matter," "By Any Means Necessary," "Occupy Sacramento" and "Occupy Oakland". Some members of these groups were dressed in all black from head to toe, covering their faces with scarves and bandanas, wearing gloves, donning shields and protective armor (similar to police riot gear and motorcycle safety equipment). The protestors carried signs and flags that were attached to 2" diameter wooden poles and 2" x 2" square wooden sticks and banners of various sizes (some approximately 4'x8' and 3'x 16') held between two poles. Some of the protestors were armed with melee weapons such as chains with padlocks, socks with D-cell batteries, Flag poles used as pikes, knives, pepper spray, paint filled balloons and a paint filled fire extinguisher, one pistol was located after the event, metal knuckles, rocks, glass and plastic bottles, lighter fluid, bull horns, baseball bat, metal poles, eggs, bear spray (large canister of pepper spray), broken bits of stone from a concrete ashtray, waxy white facial coating used to prevent exposure to chemicals (gas/pepper spray), gas masks, goggles, bicycle helmets, military helmets, construction helmets, leather gloves, wooden shields, plastic shields.

The melee that ensued when the permitted party (TWP) arrived on the Capitol Grounds resulted in numerous stabbings and aggravated assaults (with sticks, bottles, rocks).

Initial indications of preparations for this event came from the Antifa Sacramento Facebook account. Information was also hosted on Facebook with an event page (see above for specific accounts).

\*\*\*\*\*

Based upon the facts described above, it is my opinion that several people committed the acts of felony assault with deadly weapons. The information that the Facebook accounts hold will assist in providing the identity/s of the person/s and the actions of those who have committed the crime of 245PC-Assault with a deadly weapon and 404.6(c)PC-Inciting a Riot.

Based upon my training and experience, I am requesting that a search warrant be issued for the search of Facebook accounts: <https://www.facebook.com/events/1727446437527487/> and <https://www.facebook.com/antifasacramento/?fref=ts>. Based upon the facts described above, it is my opinion these accounts contain identities, planning strategies, and organizational techniques which are directly associated with the crimes. It is my opinion that there is probable cause to believe that evidence in the accounts will help to identify suspects in the assaults and

riot. It is also my opinion that evidence of the crimes detailed in the search warrant will be located within the accounts and therefor request the following information/evidence:

A. Any and all information for the following Facebook accounts:

1. <https://www.facebook.com/events/1727446437527487/>
2. <https://www.facebook.com/antifasacramento/?fref=ts>

From 04/01/2016 0000 hours PST to time at which each account/page were closed, on or before 07/13/2016 2359 hours PST.

B. All connection logs and records of user activity for the above listed accounts including but not limited to:

2. All subscriber information including but not limited to:
  - e) Name
  - f) Address
  - g) Date of birth
  - h) Gender
3. User Neoselect (Basic Subscriber Information)
  - f) User Identification Number
  - g) E-mail address
  - h) Date and time stamp of account creation and deletion
  - i) Most recent logins within the last ten days
  - j) Registered mobile number
4. User Neoprint (Expanded Subscriber Content)
  - v) Profile Contact Information
  - w) Mini-Feed
  - x) Status Update History
  - y) Shares
  - z) Notes
  - aa) Wall Postings
  - bb) Friend Listing, with Friends Facebook ID's
  - cc) Group Listing, with Facebook Group ID's
  - dd) Future and Past Events
  - ee) Video Listing, with filename
  - ff) User Photoprint (User Photos)
  - gg) Uploaded photographs
  - hh) Tagged photographs
  - ii) All metadata or any other sources of GPS coordinates for where any uploaded photos were taken
  - jj) were taken
  - kk) Any group information
  - ll) Any private messages

- mm) Account status
  - nn) E-mail address used to create the account
  - oo) Alternate e-mail addresses
  - pp) Date ID registered
5. Internet Protocol (IP) Logs including but not limited to:
- h) Registration from IP
  - i) Viewtime (Date / time of execution)
  - j) Userid (The Facebook user ID of the account active for the request)
  - k) IP (Source IP address)
  - l) Script (Script executed)
  - m) Scriptget (additional information passed to the script)
  - n) Session Cookie (HTTP cookie set by user session)
6. All stored friend requests.

Through experience and training, I know that companies offering internet related services and internet access, such as Facebook, maintain records related to account registration, connection time and dates, internet routing information (Internet Protocol addresses) and message content that may assist in the identification of persons accessing and utilizing the account as well as the location where the internet is being accessed from. It is my opinion that this information will be helpful in determining when the accounts were created, accessed and deleted as well as who performed the activity on the accounts.

I also know that people with Facebook accounts frequently post pictures of themselves, their friends and their vehicles. Additionally, they post messages regarding their activities. It is my belief that by reviewing the Facebook accounts, I may locate evidence of this crime such as photos, phone numbers, or messages regarding this crime. I know that Facebook may be able to retrieve information from these accounts even though the information has been deleted by the users.

The actual search of electronic device and related storage media, may take in excess of ten days to complete. It often takes weeks or months to complete and analyze. Against this background and based on my training and experience, I hereby request one hundred-twenty (120) days from the date of this warrant to complete the search.

Wherefore, affiant prays that a search warrant be issued, commanding the immediate search of the items described above and that such property be brought before a Magistrate or retained in Section 1536 of the California Penal Code.

# EXHIBIT V

DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
06/26/2016	1140	9025	018111	

**AGENCIES INVOLVED**

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During the approximate 12-hour duration of this incident, personnel from the following agencies responded to the incident scene and/or assisted with other duties associated to the investigation.

California Highway Patrol- Protective Services Division

- 1801 9<sup>th</sup> Street
- Sacramento, CA 94814
- (916) 322-3337
- Chief Main #13070
- Captain Lamm #10084
- Lieutenant Beloberk #15321
- Sergeant White #15956
- Sergeant Norris #15237
- Sergeant Matulonis #17660
- Officer Granada #17997
- Officer Marino #15175
- Officer Morris #15499
- Officer Joller #16811
- Officer Sanchez #17411
- Officer Tietz, J. #19306
- Officer Ulibarri #17192
- Officer Lofstrom #18918
- Officer Snyder #19224
- Officer McLemore #20826

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
AYRES / OFFICER	018111	12/23/2016		

DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
06/26/2016	1140	9025	018111	

**1 Agencies Involved (Continued):**

2 Officer Stewart #20136

3 Officer Carter #20817

4 Officer Nelson #19390

5 Officer Carter, C. #20639

6 Officer Ames #19902

7

8 California Highway Patrol – Bike Patrol Unit (BPU)

9 Officer Crangle #20405

10 Officer Codina #20198

11 Officer Boskovich #16554

12 Officer Norman #19386

13 Officer Delacruz #19347

14 Officer Coffey #19396

15 Officer Dees #19488

16 Officer Tietz, T. #19001

17 Officer Jorgensen #19301

18 Officer Postak #18878

19 Officer Rathe #19470

20

21 California Highway Patrol – Mounted Patrol Unit (MPU)

22 Sergeant Dimaggio #14639

23 Officer Hickman #11723

24 Officer Fish #18787

25 Officer Davis #19250

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PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
AYRES / OFFICER	018111	12/23/2016		



DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
06/26/2016	1140	9025	018111	

1 **Agencies Involved (Continued):**

2 Officer Anglesey #19574

3

4 **California Highway Patrol – SWAT**

5 Sergeant Mayo #12203

6 Officer Mortensen #17278

7 Officer Dirksen #16247

8 Officer Navarra #15102

9 Officer Wiest #18287

10 Officer Thompson #16255

11 Officer Sells #19761

12 Officer Pauly #17361

13 Officer Layton #19468

14 Officer Bird #19220

15

16 **California Highway Patrol – Valley Division Air Operations**

17 2434 Linberg Street

18 Auburn, CA 95602

19 (530) 823-4535

20

21 Pilot/ Officer Emery #12875

22 Flight Observer/ Officer Norrgard #14506

23

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PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
AYRES / OFFICER	018111	12/23/2016		

DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
06/26/2016	1140	9025	018111	

1 **Agencies Involved (Continued):**

2 California Highway Patrol – Computer Crimes Investigation Unit

3 4949 Broadway, Suite F104

4 Sacramento, CA 95820

5 (916) 227-6486

6

7 Sergeant Costa #12962

8

9 Sacramento Police Department (SPD)

10 300 Richards Boulevard

11 Sacramento, CA 95811

12 (916) 808-4500

13

14 Bike Patrol Units

15 Sergeant Schumacher #3038

16 Sergeant Marquez #0876

17 Officer Tillotson #0804

18 Officer Loui #0745

19 Officer Antonetti #3548

20 Officer Martinez 0400

21 Officer Stone 0553

22 Officer McClusky 0501

23 Officer Peterson 0755

24 Officer Chan 0866

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PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
AYRES / OFFICER	018111	12/23/2016		

DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
06/26/2016	1140	9025	018111	

1 **Agencies Involved (Continued):**

2 SPD Crowd Management (Squad 1)

3 Sergeant Forbeck #3035

4 Sergeant Mouzis #3006

5 Officer Ratcliffe #0224

6 Officer Masingale #0556

7 Officer Putman #0870

8 Officer Thebeau #0873

9 Officer Wanger #0251

10 Officer Worm #0312

11 Officer Culp #0858

12 Officer Welsh #0238

13

14 SPD Crowd Management (Squad 2)

15 Sergeant Maxwell #3101

16 Sergeant MacLafferty #3065

17 Detective Rafiq #0808

18 Detective VonSchoech #0813

19 Detective Dorsey #0494

20 Detective Bell #0822

21 Detective Trimpey #0806

22 Officer Eaton #0286

23 Officer Hoffman #0412

24 Officer Scurria #0526

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PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
AYRES / OFFICER	018111	12/23/2016		

DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
06/26/2016	1140	9025	018111	

1 **Agencies Involved (Continued):**

2 SPD Crowd Management (Squad 3)

3 Sergeant Lange #3067

4 Sergeant Sood #3126

5 Detective Alonso #0803

6 Detective Ayers #0763

7 Detective Bullard #0375

8 Detective Krutz #0680

9 Officer Magner #0422

10 Officer Severi #0456

11 Officer Trefethen #0566

12 Officer Gutierrez #0317

13

14 SPD Crowd Management (Squad 4)

15 Sergeant Polete #3090

16 Sergeant Landberg #3107

17 Detective McDougle #0401

18 Detective Borg #0336

19 Officer Hughes #0281

20 Officer Morlan #0592

21 Officer Hernandez #0944

22 Officer Deardorff #0570

23 Officer Moseley #054

24 Officer Haobsh #0472

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PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
AYRES / OFFICER	018111	12/23/2016		

DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
06/26/2016	1140	9025	018111	

1 **Agencies Involved (Continued):**

2 SPD SWAT Team

3 Sergeant Lightfoot #3050

4 Sergeant Nichols #3016

5 Officer Edgerton #0826

6 Officer Davis #0853

7 Officer Surjan #0426

8 Officer Bevins #0227

9 Officer Hawley #0646

10 Officer Blessing #0266

11 Officer Patterson #0725

12 Officer Redlich #0739

13

14 SPD Investigation Team/ Arrest Processing

15 Sergeant Maneggie #3017

16 Detective Fan #0815

17 Detective Valdez #0517

18 Detective Bernacchi #0811

19 Detective Sanchez #0357

20 Detective Berquist #0301

21 Detective Rinehart #0697

22 Detective McMillan #0595

23 Detective Johnson #0801

24 Detective Singewald #0686

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AYRES / OFFICER	018111	12/23/2016		

DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
06/26/2016	1140	9025	018111	

1 **Agencies Involved (Continued):**

2 SPD Mounted Patrol

3 Sergeant Kiser #3024

4 Officer Baldock #0215

5 Officer Casella #0876

6 Officer Yager #0880

7 Officer McLoughlin #0681

8 Officer Lyons #0733

9 Officer Babbage #7729

10

11 SPD CSI / Forensics

12 Sergeant Stigerts #3096

13 Officer Lindner #538

14 Officer Barker #200

15 Officer Collier #0288

16

17 Sacramento Fire Department

18 5770 Freeport Boulevard, Suite 200

19 Sacramento, CA 95822

20 (916) 808-8050

21

22 Assistant Chief Williams, S.

23 Battalion Chief Wiedenhoeft, C.

24 Battalion Chief Emery, C.

25

26

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PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
AYRES / OFFICER	018111	12/23/2016		

DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
06/26/2016	1140	9025	018111	

**1 Agencies Involved (Continued):**

- 2 Battalion Chief Powell, G.
- 3 Battalion Chief Baldwin, D.
- 4 Battalion Chief Compoginis, S.
- 5 Battalion Chief Hudson, R.
- 6 Captain Chapman, J.
- 7 Captain Thornburg, M.
- 8 Captain Swarbrick, C.
- 9 Captain Hemler, J.
- 10 Captain Vizcaino, E.
- 11 Captain Wade, K.
- 12 Engineer Yoder, B.
- 13 Engineer Campbell, S.
- 14 Engineer Begley, S.
- 15 Engineer Leighty, R.
- 16 Engineer Akin, J.
- 17 Engineer Malim, T.
- 18 Engineer Pease, G.
- 19 Firefighter Fisher, K.
- 20 Firefighter Tablada, M.
- 21 Firefighter Underhill, D.
- 22 Firefighter Lynch, B.
- 23 Firefighter Vidal, J.
- 24 Firefighter Tanfani, M.
- 25 Firefighter Smith, T.
- 26
- 27
- 28

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
AYRES / OFFICER	018111	12/23/2016		

DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
06/26/2016	1140	9025	018111	

**1 Agencies Involved (Continued):**

- 2 Firefighter Drake, A.
- 3 Firefighter Hudson, D.
- 4 Firefighter Pierner, D.
- 5 Firefighter Brashear, J.
- 6 Firefighter Morris, N.
- 7 Firefighter Nardi, P.
- 8 Firefighter Needler, J.
- 9 Firefighter Carvalho, S.
- 10 Firefighter Woo-Wong, J.
- 11 Firefighter O'Brien, S.
- 12 Firefighter Haines, M.
- 13 Firefighter Schroeder, M.
- 14 Firefighter Johnson, A.
- 15 Firefighter Smith, P.
- 16 Firefighter Bassett, C.
- 17 Firefighter Wenzler, R.
- 18 Firefighter Rosales, M.
- 19 Firefighter Modesitt, P.
- 20 Firefighter Fike, D.
- 21 Firefighter Hernandez, P.
- 22 Firefighter Chapman, B.
- 23 Firefighter Sifuentes, R.
- 24 Firefighter Morris, M.
- 25 Firefighter Green, N.
- 26
- 27
- 28

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
AYRES / OFFICER	018111	12/23/2016		



DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
06/26/2016	1140	9025	018111	

1 **Agencies Involved (Continued):**

2

3 BART Police Department

4 800 Madison Street

5 PO Box 12688

6 Oakland, CA 94604

7 (877) 679-7000, Ext. 4014

8

9 Lieutenant Ledford (L-16)

10

11 Department of General Services (DGS)

12 1616 Capitol Avenue

13 Sacramento, CA 95814

14 (916) 324-2806

15

16 Richard Snyder, Chief Engineer II

17

18 Department of General Services (DGS)

19 1315 10<sup>th</sup> Street

20 Sacramento, CA 95814

21 (916) 825-6704

22

23 Eric Brown

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
AYRES / OFFICER	018111	12/23/2016		

# EXHIBIT W

**PROTECTIVE SERVICES DIVISION  
CAPITOL PROTECTION SECTION**

**DATE OF INCIDENT**

**June 26, 2016**

**CASE NUMBER**

**2016-00368**



**INVESTIGATION COORDINATOR**

**Officer Ayres, ID 18111**

**INVESTIGATION MEMBERS**

**Officer Postak, ID 18878, Investigator**

**Officer Layton, ID 19468, Investigator**

**Officer Snyder, ID 19224, Investigator**

**Officer Kennedy, ID 18877, Investigator**

**Officer Tietz, ID 19001, Investigator**

**Officer Fyda, ID 21045, Investigator**

**Officer Morris, ID 15499, Evidence Custodian**

**SUBPOENAS FOR CHP PERSONNEL SHOULD BE DIRECTED TO:**

**CALIFORNIA HIGHWAY PATROL  
CAPITOL PROTECTION SECTION  
ATTENTION: INVESTIGATIONS UNIT  
1801 9<sup>TH</sup> STREET  
SACRAMENTO, CA 95811**

# EXHIBIT X

# MEMORANDUM OF UNDERSTANDING FOR ACTIVITY ON STATE OWNED/LEASED PROPERTY

Permit Number: 2016-507

025-02

Permit number 2016-507 dated 8/4/2017 as mutually agreed to by Doug, McCormack hereinafter referred to as Permittee, and the California Highway Patrol, hereinafter referred to as Department.

1. PREMISES. Subject to the terms and conditions contained in this permit, Permittee is hereby granted permission to hold the event described below at:

## West Side

Permittee's completion and submission of the application and entry onto premises constitute acceptance by Permittee of all terms and conditions of this permit.

2. PURPOSE. The sole purpose of this permit is to allow Permittee temporary use of the premises for the purpose of:

**We are a political party whos agenda is traditional American values**

3. TERM. This activity set-up shall commence at 6/26/2016 11:00:00 AM. This activity shall commence at 6/26/2016 12:00:00 PM. This activity shall terminate upon completion of all conditions herein and shall not continue after 6/26/2016 2:00:00 PM.

4. NOTICES. Notices desired or required to be given to the Department by this permit or by any law now or hereinafter in effect may be given by enclosing same in a sealed envelope, Registered Mail, Return Receipt Requested, addressed to:

**Capitol Permit Office  
1801 9th Street  
Sacramento CA, 95811**

Deposit such envelope with postage prepaid in the U.S. Post Office or any substation thereof, or any public letter box. Service shall be deemed complete at the time and date the envelope is actually received by the Department.

5. OPERATIONAL RESPONSIBILITIES. The Permittee shall:

A. Comply with and abide by all applicable rules, regulations and directions of the Department.

B. Comply with all applicable city and county ordinances and all state and federal laws, and in the course thereof, obtain and keep in effect all permits and licenses required to conduct the permitted activities on the premises.

C. Provide custodial services to the premises and maintain the area occupied in a clean and sanitary condition to the satisfaction of the Department and the Department of General Services.

D. Conduct the permitted activities in a courteous and nonprofane manner; operate without interfering with the use of the facilities by the State of California, its employees and the public, except as herein permitted; and cause the removal of any agent, vendor, participant, or employee of the Permittee who fails to conduct the permitted activities in the manner heretofore described.

E. Assume the risk of loss, damage, or destruction to any and all fixtures and personal property belonging to Permittee that are installed or placed within the area occupied.

F. Repair or replace any and all state property lost, damaged, or destroyed as a result of or connected with the conduct or activities of Permittee. Should Permittee fail to promptly make repairs, the Department shall contact the Department of General Services to have repairs made and the Permittee shall be responsible for the cost.

G. Pay charges for law enforcement services as deemed necessary by the Department.

H. Allow all employees of the Department or its designees to enter the premises at any time to determine compliance with the terms of this permit, or for any other purpose incidental to the

# MEMORANDUM OF UNDERSTANDING FOR ACTIVITY ON STATE OWNED/LEASED PROPERTY

Permit Number: 2016-507

025-02

performance of the responsibilities of the State of California.

I. Identify an authorized representative who will be available on the premises during the entire event. This person shall carry copies of this permit, for display upon request and have authority to alter or terminate the event at the direction of the Department.

J. Maintain liability insurance of not less than \$1,000,000 per occurrence for bodily injury and property damage liability if required by the Department.

K. Provide one security person for each 50 participants. Security personnel are not required to be law enforcement or paid security unless required by the Department. Security personnel shall wear an identifying emblem or I.D. and be aware of how to contact CHP officers if necessary. No weapons shall be carried or displayed at any time by security personnel with the exception of the Department.

6. ASSIGNMENT. The permit is not assignable. In the event Permittee attempts to assign or transfer the same in whole or part, all rights granted by this permit shall immediately terminate.

7. AUTHORITY TO STOP. In the event the Department finds that the Permittee is not in compliance with the terms and conditions of the permit, and/or activities being held on the premises unnecessarily endanger the health and safety of any persons on or near said property, the Department may require that this permit immediately be terminated.

8. DEFAULT. Permittee agrees that if default shall be made in any of the terms and conditions of the permit, the Department may revoke and terminate this permit.

9. CANCELLATION. Prior to commencement of the permitted event, the Department reserves the right to cancel this permit upon giving one day written notice to the Permittee without incurring any liability on the part of the Department and the State of California whatsoever.

10. STRUCTURES AND MATERIALS. Permittee is authorized the following on the premises.

## **Hand Outs, BullHorns, Banners, Signs**

No other structures, tables, chairs, etc., may be installed on the premises unless they are specifically listed above or included on a subsequent amendment.

All structures, tables, chairs, etc., placed on the premises in accordance with this permit must comply with the same local building, fire, health, and safety ordinances that apply to private property.

11. AMENDMENTS. No alteration or variation of the terms and conditions of this permit shall be valid unless made in writing and mutually agreed to by the Permittee and the Department. *The Department reserves the right to amend or to further limit the terms of this permit at any time prior to its expiration time and date by giving written notice to Permittee or any of Permittee's designees as set forth in the amendments of this permit.*

12. VERBAL AGREEMENTS. No oral understanding or agreement not incorporated herein shall be binding on the Department.

13. NUMBER OF PARTICIPANTS. The number of persons participating in the event shall at no time exceed 50 persons. If the number of participants exceeds this amount, the Permittee may be charged the cost to provide additional security services.

14. AGENDA. If required by the Department, prior to the commencement of this event, Permittee shall furnish the Department with an agenda of scheduled activities. Permittee shall not deviate from that agenda without first giving 48 hours notice to and obtaining an amended permit from the Department.

15. NOISE. At no time will the noise generated by this event exceed the limits set forth by

# MEMORANDUM OF UNDERSTANDING FOR ACTIVITY ON STATE OWNED/LEASED PROPERTY

Permit Number: 2016-507

025-02

local ordinance. In no case will the noise be allowed to reach a level that interferes with the operations or peace and quiet of neighboring state government offices.

16. TRASH REMOVAL. Permittee agrees to remove and properly dispose of all trash, garbage, etc., that has accumulated within the designated permit area, leaving the designated area in clean condition.

17. SOLICITING. Unless the Permittee has prior written approval from the Department, Permittee agrees to refrain from soliciting contributions from the public. An exception for approved 501(C)(3) organizations may be obtained for non-commercial activities.

A Commercial Activity shall mean any activity or action, undertaken in whole or in part by one or more business entities and/or individuals, whose purpose in whole or in part, directly or indirectly, is to derive or realize a present or future financial gain for the individual(s) or business entity or entities.

18. STATUS. Permittee agrees that in issuing this permit the Department is not conferring governmental or quasi-governmental status on Permittee with respect to use and control of the premises or the adjoining community.

19. DETERMINATION OF DAMAGE TO BE COMPENSATED FOR. Damage to state property shall be assessed and determined by the Department and Department of General Services, Office of Buildings and Grounds. The Permittee shall be responsible for the following:

A. Replacement of damaged lawns.

B. Repair and cleaning of pavement.

C. Replacement of damaged plants in kind.

D. Replacement of damaged signs, irrigation systems, or any other structures that are damaged.

E. All costs to clean up the grounds that are not adequately cleaned by the Permittee.

20. CALIFORNIA HIGHWAY PATROL (CHP) PERSONNEL. Permittee shall make arrangements in advance with the Department for additional CHP personnel deemed necessary by the Department. Permittee may be required to execute a reimbursable service agreement to pay for the CHP services.

21. ALCOHOLIC BEVERAGES. The Permittee is not granted permission to serve alcoholic beverages. If alcoholic beverages are to be sold, an alcoholic beverage license must be obtained from the Department of Alcohol Beverage Control with prior written approval from the Department.

22. RESTRICTIONS. (A, B and C are only applicable if the serving of alcoholic beverages has been granted in paragraph 21.)

A. Alcoholic beverages are not permitted to be served or consumed outside the designated area.

B. Alcoholic beverages shall not be served to minors.

C. Alcoholic beverages shall not be served to anyone who is intoxicated.

D. Banners, bunting, crepe paper, decorative tape and/or ribbon shall not be hung or tacked to trees, shrubbery, fencing, or lamp posts on state property.

E. Lit candles may not be carried on state property.

F. Chalk shall not be applied to drives, walks, or lawns.

G. Fire is not permitted on state property.

H. Ice used to cool food and beverages shall not be dumped on walks, drives, planting areas, or lawns. This policy includes ice cream and beverages.

I. Stanchions, stakes, tie down pegs, and all such devices shall not be placed in lawns, planting areas, walks, or drives on state property. Tents shall be secured with sandbags or concrete blocks, no water barrels are allowed to secure tents. It is the responsibility of the Permittee to ensure tent vendors comply with all applicable rules.

J. Vehicles are not permitted on state property. Delivery or Display vehicles, as designated, may be permitted with prior written permission from the Department. Upon approval, all such vehicles are required to have drip pans under the engines and transmissions and must leave the property as soon as the delivery is complete.

**MEMORANDUM OF UNDERSTANDING FOR ACTIVITY  
ON STATE OWNED/LEASED PROPERTY**

Permit Number: 2016-507

025-02

K. Firearms and other dangerous weapons are strictly prohibited on all state property except as provided by law under Penal Code Section 171b.

L. Adhesive-backed handout materials are prohibited from being distributed.

23. ADDITIONAL INFORMATION: Information added in this section by the Department may contain special instructions or notes and must be followed by the Permittee.

I have read and agree to the terms and conditions of this amendment to permit number 2016-507. I hereby affirm that I am authorized to sign this document.

**Permittee**

**Doug, McCormack**

**Taditionalist Workers Party**

**dpm2845@gmail.com**

**Submitted: 5/14/2016 8:17:24 PM**

**California Highway Patrol**

**Jonathan Nelson**

**California Highway Patrol**

**Capitolpermits@chp.ca.gov**

**Approved: 5/18/2016 12:45:54 PM**



# EXHIBIT Y



A2







# EXHIBIT Z

# James Fields, accused driver in Charlottesville attack, appears in court

**Fields, 20, addresses packed Virginia courthouse by video link from county jail in first public appearance since being charged**



**Oliver Laughland** in Charlottesville, Virginia

Mon 14 Aug 2017 12.23 EDT

In a packed Virginia courthouse, a few hundred meters from the statue of the Confederate general Robert E Lee that led hundreds of neo-Nazis, armed militiamen and “alt-right” protesters to this small campus city over the weekend, James Alex Fields Jr made his first appearance in public since being charged with murder.

The 20-year-old is accused of mowing down a crowd of anti-fascist protesters, killing 32-year-old Heather Heyer, a local paralegal, and injuring 19 others after 48 hours of violence in Charlottesville that has again exposed America’s fractured race relations to the world.

Donald Trump returned to Washington on Monday still under fire for his refusal to directly condemn the white supremacist groups that targeted the city.

Fields appeared before the circuit judge Robert Downer by video link from the county jail on a small screen, dressed in a black and white striped jumpsuit, his head bowed for much of the short arraignment hearing.

“Mr Fields, you are charged with a number of felonies, including murder and malicious wounding,” Downer told the inmate, who wore the undercut hairstyle synonymous with the “alt-right”.

Fields answered in short sentences as Downer ran quickly through the hearing. The court heard how the young man from Ohio earned a bi-monthly salary of \$650 from employment in Ohio.



James Alex Fields Jr is seen via video link from jail in a courtroom sketch. Photograph: Stringer/Reuters

The US army has said that Fields signed up for basic training in August 2015 but was “released from active duty due to a failure to meet training standards” four months later.

Asked if he had any ties to the community in Charlottesville, Fields, staring into the camera, replied: “No, sir.”

The public defender’s office could not represent Fields, the court heard, as attorneys working in the office had relatives wounded in the attack. Fields was assigned a local attorney, Charles Webber, by the court and

told he would remain in custody until a bond hearing later in the month.

Police records from 2010 and 2011 reportedly showed that Fields’ mother called 911 on multiple occasions saying that she was scared of him and once reported that he’d threatened her with a knife.

As the hearing adjourned and the reporters poured on to the street outside, Matthew Heimbach, the Indiana leader of the white nationalist group the Traditional Workers Party, held an impromptu press conference. He screamed at onlookers, accused the press of being “liars” and argued that Fields had been “scared for his life” before the attack.

“The nationalist community defended ourselves against thugs,” he said, arguing that “radical leftists” were “the ones who came to kill us”.

As Heimbach continued to shout, his words were gradually muffled by a small group of protesters who chanted: “Nazis, go home.”

The white nationalist, who on Saturday had attended a rally approaching the Robert E Lee statue dressed in a black combat helmet, flanked by security guards, then fled the courthouse, accompanied by a scrum of reporters.

The statue of Lee, in the recently renamed Emancipation Park, was still spattered with fluorescent pink and green paint on Monday as small groups of activists came to sit nearby.



Chris McMillan, a 20-year-old student from Washington DC, said the statue represented “division and the history of slavery in this country”.

“When I think of Robert E. Lee, I think about oppression and enslavement,” McMillan added.

Later, a 24-year-old activist from New York, who would not give her name, got up and urinated on the statue’s base.

“It needs to be peed on,” she said. “It’s a symbol of hate.”

The woman had been at the protests over the weekend and said she had been about 20ft away from the car attack that killed 32 year-old Heather Heyer.

“It was intense and I’m still shaken up from it,” she said.

A few blocks away, at the site of Heyer’s death, a group of five women held a quiet vigil, praying by the roadside that was now covered in chalked messages, flowers, candles and a picture of Heyer.

Other mourners gathered in silence, staring at the road where she fell.

This article was amended on 14 August 2016. A previous version incorrectly stated that the court heard that James Fields earned money from the army.

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