

U.S. CAPITOL | JAN. 6 RIOT

Oath Keepers may face conspiracy indictment

The Washington Post

WASHINGTON — The Justice Department and FBI are gathering evidence to try to build a large conspiracy indictment against members of the Oath Keepers for their roles in the Jan. 6 riot at the U.S. Capitol, according to people familiar with the matter, but the group's sometimes fractious and fantasy-laden internal workings may complicate efforts to bring such a case.

In the wake of the short-lived insurrection, the Oath Keepers is the most high-profile, self-styled militia group in the country. While members use the jargon and trappings of a paramilitary organization, in daily practice they are often more akin to a collection of local chapters with a similar, conspiracy theory-fueled ideology about what they view as the inevitable collapse of the U.S. government as it becomes more tyrannical.

"This was not a well-trained army or a disciplined military unit, this was a loose structure," said Karl Schmae, who dealt with Oath Keepers when he was an FBI negotiator responding to the 2016 occupation of the Malheur National Wildlife Refuge in Eastern Oregon.

The Oath Keepers group is a major target of the sprawling FBI investigation into the riot at the U.S. Capitol, along with another militant group, the Proud Boys, according to the people familiar with the matter who spoke on the condition of anonymity to discuss an ongoing investigation. How aggressively the Justice Department pursues such extremists will be a major test not only of the Biden administration's pledge to combat domestic ter-



Timothy Bullard/The Grants Pass Daily Courier/AP file

An Oath Keepers sign marks the entrance to a property in Southern Oregon while armed Oath Keeper guards stand in the background in 2015. A crowd had gathered to support the rights of miners on a claim near the community of Galice that the Bureau of Land Management wanted to bring into compliance or shut down.

rorism, but the law and the courts.

Twelve alleged Oath Keepers members or associates have already been arrested on charges related to Jan. 6. In court documents, the group's founder Stewart Rhodes is usually referred to not by name but as "Person One." The people familiar with the case said agents are working to see if a conspiracy case can be made against Rhodes and other senior members of the group.

Rhodes, who once worked as a congressional staffer for former libertarian congressman Ron Paul, was in Washington on Jan. 6 but insists he did not tell his members to attack

Congress, and did not want them to.

The Oath Keepers members who allegedly went into the U.S. Capitol "went totally off mission," Rhodes said last week in an interview. "There was a bunch of chaos. And I wanted to make sure my guys didn't get into trouble ... some of them had gone stupid and jumped inside the Capitol."

Asked if he expected to be charged with a crime, Rhodes said: "I don't know" but prosecutors "are trying to manufacture a nonexistent conspiracy. I didn't say, 'Don't enter the Capitol!' I never figured they would do that."

Peter Skinner, a former federal

prosecutor, said the government "tends to view conspiracies very broadly. You need an agreement to commit a crime, but you don't need the actual commission of the underlying crime. But proving that the leaders agreed that the individuals would do something can be difficult, because they would have to show some kind of meeting of the minds. . . . The best way to move up the chain in these kinds of things is by flipping someone who will testify."

The Oath Keepers' beginnings

Rhodes, a former Army paratrooper who wears an eye patch due to an accident with a firearm, started the Oath Keepers in 2009 with the stated mission of preventing a "full-blown totalitarian dictatorship," and the group has emphasized recruitment among members of the military and law enforcement.

Apocalyptic talk has always been central to the appeal of the Oath Keepers. Days before the 2016 election, members spoke openly about that election sparking the country's demise and offered an online course about what items to stock up on, how to stay warm outdoors, and how to set up a "kill zone maze" in communities to defeat imagined attackers.

By August of last year, the Oath Keepers had more than 30,000 Twitter followers, and hundreds of thousands on Facebook, before those sites barred Rhodes from posting further, saying he had incited violence, including by declaring: "Civil war is here, right now," and predicting "open warfare with Marxist insurrectionists by Election Day."

Justice Department: Riot probe among largest ever

U.S. prosecutors on Friday sketched out the gargantuan scope of the investigation in the Jan. 6 Capitol breach, asking for courts to delay most cases by at least two months after being pressed by a handful of defendants and some judges to speed up trials and plea offers.

"The investigation and prosecution of the Capitol Attack will likely be one of the largest in American history, both in terms of the number of defendants prosecuted and the nature and volume of the evidence," the U.S. attorney's office in the District of Columbia wrote in morning court filings in seeking a delay before turning over evidence to defendants.

Charges have been brought against 312 people and are expected against at least 100 more, according to court officials and prosecutors.

Investigators have executed more than 900 electronic and physical search warrants, and amassed more than 15,000 hours of law enforcement surveillance and body-camera video, 1,600 electronic devices and 210,000 tips, prosecutors said.

With the volume of cases and evidence only growing, "the unusual complexity of the Capitol Attack investigation warrants" postponement, Assistant U.S. Attorney Kathryn Rakoczy and others wrote in a filing Friday involving "key figure" Caldwell, who is charged with eight other alleged associates of the right-wing, anti-government Oath Keepers group.

— The Washington Post



PMG file photo

State Sen. Lew Frederick wants to change the way the board that oversees statewide police conduct goes about its business.

Continued from previous page

knew the use of confidential databases was misconduct because he sat on the Police Policy Committee where officers often were reviewed for using the databases to, as he put it, "hook up with female subjects."

Halupowski told investigators he'd made "concessions" to his daughter's drug addiction, adding "I'm just trying to keep my kid alive."

According to the investigator's findings, Halupowski's divorce and years of caring for his daughter during relapses was "a hardship not all persons may understand (but) it does not absolve Craig Halupowski from adhering to department policies and the oath he took to obey the laws of the land and regulation of this department."

"Craig Halupowski's actions have torn away his integrity and trust that are necessary to be a Woodburn Police officer," the investigator added.

On April 1, 2020, Halupowski resigned.

On April 21, Ferraris, the Woodburn chief, notified Marion County District Attorney Paige Clarkson that the cop was under investigation, likely would have been fired, and she should be mindful of his history before calling him to tes-

tify in any future cases where he made an arrest.

The chief forwarded the letter to the state, and on July 13, DPSST revoked Halupowski's law enforcement certification. Halupowski did not oppose it.

Sen. Lew Frederick said officers sometimes compromise themselves, don't have support to help them, and then "dig themselves even deeper in the hole."

"That's what it sounds like with this guy, that he just kept digging and kept digging."

Halupowski: I didn't ask for help

Halupowski's take?

He'd lost his zeal to be a cop. His ex didn't tell him what his daughter was doing, so he started tracking her using a criminal database to see if she was being arrested or sent to the hospital. He'd been hanging on in part to keep health insurance for his daughter.

"The department came after me hot and heavy and that's fine," he said. "It was obvious they were gunning for me."

Would psychological support have helped?

"The thing with psychological help is you have to ask. And that's something a lot of us don't like to do," he said, adding that he'd been trying

to keep his daughter happy to keep her from taking drugs or leaving for good.

"Did I enable a lot of stuff? Yeah, I did. Did I make a lot of mistakes? Yeah, I did.

"And the good thing is my kid now has been clean and sober for over a year. And so there actually isn't a day that goes by that I ... regret anything I did."

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