

August 5, 2026

To the Members of the United States Senate:

We are attorneys who prosecuted cases related to the events of January 6, 2021, when thousands of people violently stormed the U.S. Capitol in an attempt to interrupt the House of Representatives and the Senate's work to count and certify the results of the 2020 presidential election.

January 6 was a violent attack on American democracy. It was also a vicious attack on the brave officers of the U.S. Capitol Police and Washington Metropolitan Police Department, more than 150 of whom were injured during the attack, and five of whom died in its aftermath. Rioters, some of whom were heavily armed, beat and injured police officers and reporters, and threatened the lives of the elected officials and staff members inside, while many rioters stole, damaged, and destroyed property, obstructed a government proceeding, and trespassed.

As career public servants dedicated to public safety and the rule of law, we charged more than 1,500 defendants in connection with January 6, convicting more than 1,270 (including 1,009 guilty pleas) before our work was halted in January 2025.

Unfortunately, President Trump has worked to erase the magnitude and meaning of January 6. On his first day of his second term in office, Trump commuted the sentences of 14 and granted a full, complete and unconditional [pardon](#) to all other people convicted of offenses related to events that occurred at or near the United States Capitol on January 6.¹ Further, since President Trump returned to office in January of 2025, his judicial nominees, when asked, have been unwilling to tell the truth about the tragic events of January 6. None agreed that it was an insurrection, only one could bring themselves to use the term attack, and not one of the nearly 60 nominees could acknowledge the full trauma and suffering that the attackers caused that day.

This institutional denial of truth—especially by potential federal judges—is dangerous, yet it's become all too clear that President Trump expects his nominees to provide evasive answers about both the attack of January 6th, 2021, and the results of the 2020 presidential election.

No senator, regardless of party, should vote to confirm a judicial nominee who is unable to state the most simple facts about the attack of January 6, 2021. Specifically, no judicial nominee should be confirmed if he or she cannot identify that (1) January 6 was an attack on our democracy, (2) the attack was led by supporters of Donald Trump, and (3) Joe Biden was legitimately elected in the 2020 election.

¹Since participating in the January 6 riot, [97 of the January 6](#) pardonees have been arrested, charged, or convicted of other crimes ranging from minor offenses to serious felonies including child molestation, burglary, stalking, and even planned assassinations of politicians and law enforcement officers.

For judges nominated for lifetime seats in the judiciary branch, this refusal to contradict the President's lies is particularly dangerous, and raises significant questions about whether, once confirmed, a nominee could act independently and free from political interference from the president that nominated them. The truth matters.

We thank you for your consideration.

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