

PRESS RELEASE

Today the United States Attorney for the District of Columbia announced that it will not pursue criminal charges against the Capitol Police officer who shot Ashli Babbitt in our Nation's Capital on January 6, 2021. A press release issued by the U.S. Attorney's Office declared that "[t]he investigation revealed no evidence to establish beyond a reasonable doubt that the officer willfully committed a violation of 18 U.S.C. Sec. 242." The press release went on to say in the next sentence:

"Specifically, the investigation revealed no evidence to establish that, at the time the officer fired a single shot Ms. Babbitt, the officer did not reasonably believe that it was necessary to do so in self-defense or in the defense of the Members of Congress and others evacuating the House Chamber."

This double-negative is an odd way of explaining the basis for not bringing charges. It plainly glosses over the obvious problem of squaring the decision not to prosecute with the known facts. The actual evidence is this: the officer shot an unarmed woman who was not an immediate threat to him or any Member of Congress. That is inconsistent with any claim of self-defense or the defense of others, period. To kill Ashli Babbitt in the way it was done demonstrates the requisite degree of willfulness to support a prosecution under the civil rights statute previously referred to.

We strongly disagree with the U.S. Attorney's decision. But we are not dissuaded from our goal of ultimately vindicating Ashli Babbitt's constitutional rights in the civil arena.

Terry Roberts

April 14, 2021