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4 SELECT COMMITTEE TO INVESTIGATE THE
5 JANUARY 6TH ATTACK ON THE U.S. CAPITOL,
6 U.S. HOUSE OF REPRESENTATIVES,
7 WASHINGTON, D.C.

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11 INTERVIEW OF: ERIC BARBER

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Wednesday, March 16, 2022

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Washington, D.C.

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The interview in the above matter was held via Webex, commencing at 10:16 a.m.

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2 Appearances:

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5 For the SELECT COMMITTEE TO INVESTIGATE

6 THE JANUARY 6TH ATTACK ON THE U.S. CAPITOL:

7

8 [REDACTED] STAFF ASSOCIATE

9 [REDACTED] INVESTIGATIVE COUNSEL

10 [REDACTED] CHIEF CLERK

11 [REDACTED] INVESTIGATIVE COUNSEL

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14 For THE WITNESS:

15

16 UBONG AKPAN

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2 [REDACTED] Okay. We will go on the record at 10:15. So good morning.

3 This is a transcribed interview of Mr. Eric Gene Barber conducted by the House Select
4 Committee to Investigate the January 6th Attack on the United States Capitol, pursuant to
5 House Resolution 503. At this time, I would ask the witness to please state your full
6 name and spell your last name for the record, please.

7 Mr. Barber. Eric Gene Barber. Last name spelled B-a-r-b-e-r.

8 [REDACTED] Thank you, Mr. Barber. This will be a staff-led interview.
9 Members, of course, are able to come in and ask questions if they choose to do so.
10 What I would like to note for the record, there are no members in the interview right
11 now. In the room today, we have [REDACTED] investigative counsel; [REDACTED]
12 investigative counsel.

13 At this time, could counsel please state their name for the record and spell their
14 last name as well. Actually, Ms. Akpan, I'll have you spell your entire name for the
15 record's clarity.

16 Ms. Akpan. Sure. My name is Ubong Akpan. My last name is spelled
17 A-k-p-a-n.

18 [REDACTED] Thank you, Ms. Akpan.

19 There is an official reporter transcribing the record of this interview. Please wait
20 until each question is completed, Mr. Barber, before you begin your response.

21 Mr. Barber. Okay.

22 [REDACTED] And we will try to wait until your response is complete before we
23 ask our next question. The stenographer cannot record nonverbal responses, such as
24 uh-huh or things of that nature, so it would be important that answer each question with
25 an actual verbal response.

1 Mr. Barber. Sure.

2 ██████████ And we ask that you provide complete answers based on your best
3 recollection. If a question is not clear, please just ask us for clarification, and I'll do my
4 best to rephrase. I will need to go over a few ground rules with you before we start.
5 So, first, it's important that you understand that this interview is voluntary. If at any
6 time you would like to stop speaking with us, that is your choice. Similarly, if at any
7 point you discuss something with your attorney, Ms. Akpan, in private, please let us
8 know, and we'll take a break, so you can have that conversation.

9 This interview is also not under oath. However, because this is a congressional
10 investigation, you are obligated under Federal law to tell us the truth, the same as if you
11 were speaking to the FBI or DOJ. It is unlawful to deliberately provide false information
12 to Congress. And for this interview, providing false information could result in criminal
13 penalties for making false statements. So do you understand that, Mr. Barber?

14 Mr. Barber. I understand.

15 ██████████ Third, you are not obligated to keep the fact of this interview and
16 what we discussed confidential. You are free to tell whomever you wish that you met
17 with us, including the prosecutor or the judge on your case. Or you can tell no one at
18 all. That's your decision. Does that make sense as well?

19 Mr. Barber. I understand that.

20 ██████████ Fourth, the select committee, we are separate and independent
21 from DOJ. So we have no involvement with the prosecutions, and DOJ is not a partner
22 with the select committee in our investigation. The select committee also is not a party
23 to your criminal case, and is not agreeing to submit anything on your behalf to the judge,
24 nor can we make any representations whether if you tell the judge if you met with us,
25 that the judge will be more favorable to you during sentencing.

1 Q Sorry to hear about your mother. What part of West Virginia? Is this like
2 near the Ohio side, the Maryland side, which side of West Virginia is this?

3 A It's close to the Ohio River.

4 Q Okay.

5 A When I was downtown, I could see Ohio from my office, so it's very close.

6 Q That helps me understand the part of the state you're in, for sure. I know
7 there's different parts of West Virginia. What is your educational background?

8 A I did not complete high school. I got a GED while I was in prison. I got
9 vocational training while I was incarcerated. And then, I did 2 years of community
10 college. And that would be the extent of my education.

11 Q What vocational training did you receive?

12 A Heating and cooling, welding, electrical. I was a licensed electrician,
13 licensed HVAC technician. I was trained as a cabinetmaker. The one that stuck was
14 heating and cooling, and that's what I generally made a career out of until recently.

15 Q And this was part of, you know, just the rehabilitative programs that were --

16 A Sure.

17 Q -- present while you were there?

18 A Yes, that's correct.

19 Q That's great. And what do you do for a living now?

20 A Well, I lost my job as soon as I was returned from the Capitol breach. And
21 was on unemployment for a period of time. One of my hobbies, lifelong hobbies, I love
22 auto racing and motor sports. So now I work at a -- basically an auto parts store for race
23 cars and racing.

24 Q It sounds interesting as well. And it sounds like your prior career for that
25 was heating and cooling primarily?

1 A Yes, that's correct.

2 Q So let's move into, right, why we're here, and just to get you oriented to
3 what we'll be talking about today. It's going to deal with January 6th. It's going to deal
4 with the lead-up, so the time period before January 6th and your mindset, your decision
5 to go to D.C. on January 6th, and then kind of how you feel now in retrospect more than a
6 year out since January 6th. So, actually, I understood that you were a city council
7 member. Is that correct?

8 A Yes, the 4 years prior to the election, I had served as the -- as a lawmaker on
9 the city council here in my hometown.

10 Q And so when were your terms, specifically?

11 A 2000, January 1st, 2017, to December 31st, 2020.

12 Q Got it. Okay. And how many terms did you serve as a council member?

13 A Just one.

14 Q Just one. I'm just curious, what made you want to run for councilman?

15 A So, I was just a regular construction worker and living an unassuming life,
16 and I bought a house from that day, from the Fannie Mae foreclosures. And it was the
17 only house in the county that I could afford to buy. It was a \$12,000 home. It was still
18 habitable. So I moved into it, but it was in a very, very bad neighborhood. And after I
19 lived there for a while, people saw that I was, one, shocked, and kind of, you know,
20 concerned about what I was seeing. And after contacting my council rep for that
21 neighborhood, she encouraged me in a year's time to consider running for the city
22 council. And when it came, when it came time to run, several Republicans had signed
23 up for the primary, but no Democrats had. And being a lifelong Independent, I thought I
24 would throw my name in the ring just for fun, just for the life experience of being a
25 candidate. Having a criminal justice history as far as involvement at a young age and

1 going to prison, I considered my chances of winning, very, very slim. But, ultimately, I
2 worked really hard, I had really good support, and I won by six votes. And that was the
3 closest race in the county during that election cycle. So that's kind of the long, short
4 story.

5 Q Did you run as a Democrat or as an Independent?

6 A I did run as Democrat. I was a lifelong Independent, but there was -- I
7 looked at the races and with a motor sports history, I saw three people competing in the
8 heat race, or in the primary to run in the feature or the general. And I looked over to
9 the other side, and the Democrats hadn't put anybody, hadn't recruited anyone, hadn't
10 put any effort to put a candidate in place. And so I said, well, that will be an easy pass in
11 the primary, at least, they will be on the general. And I did come from a poor
12 neighborhood. And I did come from a labor background. So I was a strong labor
13 advocate; someone who never made very much money. I have never made more than
14 \$20,000 in my life. The criminal justice part of my past kind of lends itself towards
15 employment and housing discrimination.

16 So I've never really had a very successful or good job. And I think, in a lot of
17 ways, that endeared me to people, to people like that that I lived out in the poor
18 neighborhood with them when I was just a regular construction guy. So.

19 Q Congratulations again for running and winning your term. That's
20 definitely -- it's nice to hear.

21 A Uh-huh.

22 Q So I understand -- in general, though, so I understand that you were a
23 councilman for your local government. How would you describe your level of political
24 engagement on a national level under President Trump's term?

25 A Well, there was a couple instances where I did something that would

1 outrage the Progressive movement locally. And they would take that, and they would
2 sometimes even fabricate something or twist it, and then try to put forth a narrative, and
3 it would be -- twice, I think it was picked up. And I was bombarded, boxed, you know, I
4 had my home protested. There was at least two or three times where, you know, I
5 would consider people with, you know, on the other side of the partisan divide came at
6 me in very radical way. And it added a certain -- it added a level of psychological impact,
7 experiencing something where -- before I ran for city council, there was 300 people in the
8 whole city who knew who I was. By the time I left, there was 3,000 people at least, but
9 if I had hit my car, they would celebrate.

10 So it was a drastic change for someone who was not -- really not prepared for
11 being in the public life.

12 Q Were these quote, unquote "Progressives" or other Conservatives? It
13 sounds like you ran as a Democrat. So I'm trying to understand who was --

14 A So --

15 Q -- making these statements to you?

16 A So we -- I was baptized in prison. And I come from a strong Christian
17 upbringing. A lot of my families are preachers, and I have so comported myself as
18 faith-based. And once we got on city council, some members -- there was a big shift in
19 the local party executive committee, where the old guard, the old Catholic, the old sixties
20 and seventies labor Democrats retired from the executive committee in a wave of young
21 Progressives, more liberal-minded people took over. And part of the problem was how
22 involved the churches were locally. And the fact that our city council opened its
23 meetings and had for years and years and years with a recital of the The Lord's Prayer.
24 And the local Democratic executive committee chair sued us. They got the group called
25 Freedom From Religion out of Wisconsin. They sued our city council. And when they

1 filed the lawsuit, they made me specifically -- because I say Amen after the prayer, and I
2 was seen as the strong -- someone who supported saying The Lord's Prayer before the
3 meeting started.

4 So that started it. And when the executive com -- when the party chair locally,
5 when he sued the city council, I chose to resign from the Democratic Party and was an
6 Independent again. And then we had a couple more examples after that where I
7 upset -- and then that caused the party chair to resign his seat because like I was saying,
8 he was using anti-Christian rhetoric. A similar old guard said, Hey, you're making the
9 local party look like you're against Christians. And that in my neighbor -- in my city, that
10 was not a good look for them.

11 Q Right.

12 A So there was a lot of outrage about that initially. Then we had some other
13 examples that ratcheted up. In over that 4 years, I became very bitter and angry and
14 even radicalized.

15 Q I got it. So I can follow up on that. And I am going to pass it over
16 to -- actually, I am going to pass it over to [REDACTED] first, and then I'll come back if he
17 doesn't hit the questions that I was probably maybe about to ask. So [REDACTED]

18

BY [REDACTED]

19 Q I figure you and I are of the same mind.

20 I was going to ask for a little more specificity about the time period. When you
21 say it was 4 years, how often were these events happening? And, like, do you
22 remember if there were more in certain years than other years?

23 A Yeah -- well, no, it seemed like every year there was an example or an
24 incident. Maybe there was two to 1 year. But the next example would have been at
25 least a year, maybe in the 18 months past the resigning from the Democratic Party. All

1 the anger and angst, you know, caused by -- causing their leader to have to resign. The
2 next one was a comment. So I traveled to Washington, D.C. for the first time in my life
3 as the guest of the Families Against Mandatory Minimums lobbyist group, called FAMM.
4 And I was selected to represent West Virginia because I had been a former prisoner. I
5 had served 5 years in prison. But I had rehabilitated myself enough to be the elected
6 lawmaker of my community. And I thought that was quite remarkable. So they
7 selected me to travel to Washington, D.C., and they paid for my hotel and things. And
8 we lobbied on the First Step Act and traveled around and did some work with Congress
9 and some Senators. Well, on the night -- the night that I arrived was also the night that
10 they announced the Brett Kavanaugh appointment. And there was footage. And there
11 was an example where a woman hit me in the face with a coat hanger. And on that coat
12 hanger was written -- it was like a paper coat hanger with the wire outline from like the
13 dry cleaners -- and it said, there will always be abortions. And she caught me right
14 below the eye on my cheek with it. And I made, you know, social media posts about it
15 and whatnot. And that outraged them a little bit. And there was some comments
16 made that were critical of the practice of abortion. And they made -- they made they
17 made a big deal about that. But I received a lot of harassing phone calls, a lot of hate
18 mail. I mean, just literal mail in any mailbox from out of state. And it was -- it was kind
19 of a big deal.

20 There was another example where there was an LGBT law. They're called
21 nondiscrimination ordinances. And I was a sponsor of it to begin with, and this was
22 while I was still a Democrat. But when the clear -- when the bill was cleared that it was
23 going to fail when they didn't have the votes, even if they voted for it, it was going to be a
24 short one. The week of the vote, interesting enough, CPS was sent to my house, which
25 it was a fraudulent call, but it was just a lower level of harassment. But I was also

1 arrested that week and body slammed by a police officer. And that's when the story
2 broke, publicly, that I was actually a former prisoner. And it was made clear to me if I
3 voted for that nondiscrimination law that -- that I would be recalled, that there would be
4 at least an effort to recall me. And then when it came clear to me that it was going to
5 go down 6-3, instead of 5-4, then I decided not to vote for it, basically out of fear of recall
6 and some other things. And shortly thereafter, because of the church involvement and
7 the praising the nondiscrimination law, the whole let's-attack-the-Christian thing came
8 about, so that's when -- that also led up to it.

9 So over the 4 years, it was -- it was a drastic shift from me being a centrist
10 moderate who wanted to, you know, just represent a district when it came to fire stations
11 and potholes and tearing down blighted homes, to these national narratives, and these
12 national things that I'm experiencing at a city council level. I mean, to digress just a little
13 bit farther, the public forum podium was directly in front of my seat on city council. It
14 wasn't off to the left to right, but right in front of me. And I dealt with
15 6 months -- because we tabled it for a while -- 6 months of angry, snarly faces just always
16 at me, sending me Facebook messages, just hammering me. And in this --

17 Q Mr. Barber, could I ask you --

18 A Go ahead.

19 Q -- could I ask you to follow up about that. So you mentioned the recall, and
20 you're talking about all of this angry opposition, it sound like, was the recall by
21 Progressives or Democrats?

22 A No, the more of the right was suggesting that if I voted for this law that they
23 oppose that I would be subject -- that recall would certainly be an option that would be
24 evaluated.

25 Q Right.

1 A So just to cover my butt and be safe on a bill that was already dead, I voted
2 against it, but it really angered the supporters of it.

3 Q Right. And, so, would you say then that your quote, unquote,
4 "radicalization" was driven not just by one side or the other?

5 A No, the farther in the heart of it, like the more examples of me being docked,
6 me being threatened, me receiving hate messages, people trying to get me fired from my
7 employment, contacting corporate offices and sending positions saying that I should be
8 fired in the efforts to counsel me, it made me, it made me very bitter and angry. So
9 that's -- and the more, the more that happened, the more I wanted to be hard against
10 them, and that meant being hard right.

11 Q And did President Trump set a rhetoric appeal to you that that fight -- that
12 idea of we're not going to let the other side bully us?

13 A Not at first. I didn't vote for him when he was -- the first time around.
14 And I thought -- he lost me when he said the bad things about McCain. But over time, I
15 started seeing what I thought was a cultural war, and I started seeing, you know, us
16 versus them break out that I didn't see under Obama, or even before. And the more he
17 fought, the more I saw my main base or my people that supported me to like that. So
18 what eventually started to occur is I would fight back, and then I would start mimicking
19 myself after Trump's ways. And the more I did that, the more people responded
20 favorably for it. By the end of my city council term, I was recognized as one of the
21 hardest core Conservatives around. I had the finest endorsements. I actually became
22 the only person probably in American history to have served a prison sentence who was
23 actually endorsed by the Fraternal Order of Police by the end of their term. So I had
24 transformed from a centrist Moderate who would have gladly been a Democrat. I
25 wouldn't have cared if they just wouldn't have took the hard left path that became, you

1 know, their course.

2 Q And it sounds like you're doing this in some aspect because you're
3 responding to voters. Did you start to believe these things, or was it like a policy belief
4 or an emotional reaction?

5 A It was -- a lot of it was policy. Like you said, I have a strong faith
6 background, and I was a George Bush supporter. I was a lifelong Independent, but I
7 liked, I liked Bush 43, and I liked 41, and I liked Reagan. But a lot of the stuff, like,
8 appointing Conservative Justices, I liked that. I thought that was good. I never was a
9 border guy. I never said, build the wall. I think the wall is stupid. But outside of that,
10 I mostly agree, I liked, I liked nationalism, I liked America First policies. Even though I
11 can't own a gun, I still believe in the Second Amendment. I think it's important to
12 maintain it.

13 So a lot of the policies were good. But the more he fought and the more people
14 wanted to fight me, my -- what I described as my yard mentality, the -- I turned 21 in
15 prison, and before I was out, I was 25, completely out. So that early -- that life
16 experience I had had as a youth kind of formed a yard mentality where if you didn't fight
17 people, if you aren't willing to fight and engage, the people will bully you.

18 So what my strategy was was to put my partisan enemies in opposition. Keep
19 them on the defense. Keep them -- don't run and hide from them. Don't -- just
20 confront, confront, confront. And the more I did just like Trump did, the more I used his
21 leverage, the more people celebrated me as this sort of -- some sort of defender of the
22 city from liberalism.

23 Q Right. When you -- so -- thank you for that. And your expression of
24 your -- I'm going to use your word "radicalization" here, did you directly invoke President
25 Trump, or were you just sort of following his mannerisms?

1 A No, I mean, I was known as someone who helped organize pro-Trump rallies
2 locally. I was someone who promoted those things. And I didn't have a Trump flag in
3 my house. I certainly didn't have any bumper stickers. But people knew, you know,
4 there was no doubt that I was for Trump. And the more I was for -- you know, it was
5 always kind of about fighting back and keeping from bullied as the primary for me. And
6 then, two, the more I fought back, the more I was recognized, and the more I felt like it
7 reinforced my popularity as the city councilman.

8 Q Yeah.

9 A So a lot of it was just me responding with the yard mentality, with the anger
10 and a combativeness, it's just who I was personally. But the other -- a little bit less of a
11 degree was if I say and act like Trump, all the Trump lovers in my neighborhood are going
12 to like me and vote for me.

13 Q Understood. So let's think about 2020, then, in terms of the fight
14 mentality. When President Trump starts talking about stop -- a possible stolen election,
15 so I'm thinking April, May, even March 2020, he is talking about mail-in ballots, did that
16 resonate with the idea of an us-versus-them fight?

17 A Kind of. The only -- so personally, the mail-in ballots, and some of the work
18 that was being done against me locally, there was a lot of irregularities and some
19 anomalies occurring with voter registration, particularly, in my district that was made
20 aware to me and a few other people. That a lot of people were being registered in
21 homes where it was like seven or eight people living in a small home, and every one of
22 them has got a different last name, and these were all first-time voters. So I was
23 already, from personal experiences, kind of scrutinize and became a skeptical of mail-in
24 ballots and voter irregularities, if not outright fraud.

25 So I was kind of -- but I never paid any attention to when Trump was saying that

1 early. You know, voting -- I was in a primary of my own. They tried to primary me as a
2 Libertarian, and he failed. So as soon as January 2020 hit, then I am neck deep in my ad
3 campaigns, I am organizing rallies, I've got people coming at me sideways, saying, We're
4 taking you down. My opponent's fundraising extreme amounts of money. More
5 money than any city council candidate in my city has ever raised. So I was in my own
6 fight. I really wasn't paying attention to what Trump says.

7 Q Got it. I will kick it back to [REDACTED] with these kind of questions. And, I
8 guess, how would you say since you are so focused on your own race, leading up to the
9 2020 election, how much were you engaged with President Trump's politics and national
10 politics?

11 A I mean, I was tracking and following. You know, a lot of the antifa riots
12 were occurring at that time. There was the whole Black Lives Matter stuff going on.
13 So we had -- we had a George Floyd parade. And I called his death a murder in the
14 newspaper, but was critical of the parades because these events didn't occur here. And
15 as a result, I got a little bit of heat for that from my partisan opposition.

16 But then I responded with two new -- with another city council member, and we
17 organized what was called Back to Blue Rally. And it was pretty much the same thing as
18 the George Floyd Rally, except for it was to support the police. And, man, you
19 thought -- that's when I really started getting hammered. So the Black Lives Matter
20 organizer or representative for West Virginia, at the State level, also lived in my town.
21 And she sent messages with me that was documented -- I turned them into the
22 police -- saying they were going to burn my mother's house down. They had some
23 stuff --- well, let me correct -- they were coming after my mother's house, and then made
24 it clear to some other people that they were going to -- they were going to take care of
25 me if I would have. Because that Back to Blue Rally was extremely offensive towards

1 the people. And, honestly, it was one of the reasons why I did it because I knew it
2 would offend the left, and it would really popularize myself with my conservative base
3 that I had built.

4 So that whole 2020, prior to the actual November election, it was intense for me,
5 probably one of the most intense parts of my life. And so, I was focused with all of the
6 angry and the whole boiling point that had accumulated itself after my 4 years of being a
7 city council and having these really unusual experiences, you know, as far as being docked
8 at a national level, which isn't normal for a city council member.

9 Q I'm sorry. Go ahead.

10 A No, no, I am sorry. Sometimes I digress, and I am longwinded. Interrupt
11 me at any time.

12 Q For the court reporter, it's hard for us to talk over each other.

13 A And I talk bad. So it's an accent.

14 Q Very understandable. So my last question then, do you think that in your
15 moving towards Trump or towards radicalization, as you said, you started taking on some
16 of the tactics that were used against you, this, I'm going to do something because it's
17 going to annoy or piss someone else off in somewhat of the same way that people are
18 doing to you?

19 A Yeah, so the more that I could anger, the less. I felt like public opposition
20 from the radical left locally is an endorsement for me, that -- and then it was because I
21 got a lot of campaign donations that were just random. I didn't even know these
22 people. I had never solicited them, which was unusual. So I did that. And then
23 whenever I would see Trump, say something, that would, say, maybe get a lot of
24 Facebook shares or was a talking point that people seemed to reinforce or who liked, I
25 would consider adopting it for myself.

1 And I basically just kind of mimicked and mirrored what he was doing. Because
2 when I saw that people who were going to vote for me loved what he was saying, that if I
3 said that, they would love me too. So, ultimately, I think it helped us both then.

4 Q Okay. I think that -- I said last question three times. I apologize.

5 A Go ahead.

6 Q But you mentioned this before, it sounds like your constituents were pushing
7 you for national hot-topic things, and not just potholes.

8 A Well, I still worked on potholes and blight. And I achieved at least two of
9 the things that tried to get done, the small home program, and then a meaningful urban
10 renewal authority measure. So I was still working hard on those things. I was working
11 hard on first-responder pay raises. So I was still work on things that could. But those
12 things are boring. And people did not -- I could say, Hey, I worked really hard for the last
13 2-1/2 years on getting the small home program going, and here are the houses that we
14 are now building in my neighborhood, the first reconstruction in my neighborhood since
15 the thirties. And then I get like three likes. But if I would say something hard-core
16 critical about abortion or something awesome about Trump -- let me be -- it would be all
17 over the place. Or even though the nondiscrimination ordinance was gone, if I would
18 make an example of saying another opponent on the city council races who wanted to
19 vote for this law, it would be sure to happen a dozen times. So any time it was -- it was
20 a Conservative versus left issue, it would get lots of traction. But if I was just, you know,
21 helping an elderly person with a home emergency repair program, you know, giving them
22 a new roof, you know, I found it extremely rewarding. These people would cry when I
23 would tell them I could get them a free roof and new windows. But it just didn't
24 resonate with the people I needed to motivate to get them to vote for me.

25 Q I appreciate that. Thank you very much for answering all those questions.

1 Go ahead, [REDACTED]

2 BY [REDACTED]

3 Q Thank you. Thank you, also, Mr. Barber, for your candid answers about
4 your time in office. What sources of information, if any, did you use to stay informed on
5 national political issues?

1

2 [10:49 a.m.]

3 Mr. Barber. Well, this is where it really damaged me. And this is where I blame
4 all of the problems that we have as America. And even what I had as an individual in my
5 own mental psyche at the conclusion of 2020. With social media, a lot of it was, like,
6 hard right. I didn't know that Turning Point existed. I didn't know what Project Veritas
7 was. I didn't know who -- I didn't know who Ben Shapiro was before I got into office.
8 But the more -- I mean -- James O'Keefe, all of these guys. I didn't follow politicians on
9 social media before I got into office. So, eventually, early on, I'm exposed to lobbyists
10 who were either for or against the nondiscrimination laws, and that's where it started.
11 But then I started following these different things on social media.

12 And within 12 to 18 months, I'm convinced we're in a cultural war for the soul of
13 our country. And I just fed into what I was already kind of predisposed to believe. And
14 the more I consumed it, the more I engaged it, the more I was involved with it, as far as
15 the more conservative component. The more I became angry and bitter and concerned
16 and thinking that we're in a cultural fight. And if we don't -- if our side don't win, it's
17 going to be over for America. It was all born on social media. If I didn't have
18 Facebook. Psychologically, I would have done a lot better, and I probably would have
19 never been as motivated to engage on some of the behavior I did at the conclusion of my
20 council term.

21

BY [REDACTED]

22 Q An interesting follow-up to that. You said you mentioned Facebook.
23 What other social media applications did you use, if any?

24 A Just Facebook. I wasn't on Twitter, Instagram, none of that. So just most
25 of social media. No, nothing.

1 Q I'm going to go through a list. So just tell me yes or no as I go through this
2 list. What about Reddit?

3 A No, I heard I was on it a bunch, but I never used it.

4 Q Telegram?

5 A No, I never heard of it.

6 Q You already said you were not on Twitter. What about GETTR?

7 A No, I have kind of heard of that, but I don't even know what, you know.

8 YouTube and Facebook, that's it for me.

9 Q Okay. YouTube and Facebook. Okay. Did you use any traditional print
10 media, such as The Wall Street Journal or The New York Times?

11 A I read the local paper. The editors, a lot of them were against me.

12 Q And when you talked about before how, when you would raise certain
13 issues, some would get traction, but raising other issues would not get traction, are you
14 talking about on Facebook?

15 A Yes.

16 Q Okay. So you used Facebook as an outlet for yourself when you were a
17 councilman?

18 A Oh, yeah. I was known as having the strongest -- I had the strongest social
19 media presence of any officer on any candidate in Wood County.

20 Q And you followed -- I think you mentioned, did you follow former President
21 Trump on social media?

22 A Oh, yeah. Yeah, and people like Rudy Giuliani, and a list of others. I
23 mean, just name them. They're on the list.

24 Q And how long, approximately, did it take you -- I mean, you said before you
25 got elected to office, you weren't really reading news on social media, but then slowly

1 you started reading social media, and you started to believe that we were in a cultural
2 war for the soul of our country, and words to that effect. How long did it take you to get
3 to point from when you started getting on social media?

4 A Well, I mean I had been on social media for a long time, but everything was
5 kind of focused just as normal stuff, and I didn't have an interest in politics, so I didn't
6 care to follow anybody.

7 Q Right.

8 A But within 12 to 18 months of me being on city council, and picking up and
9 certain to follow conservative social media, that's -- by the minimum, my term 2 years in,
10 that's -- I was pretty much a hard-right conservative. And then by the end, I was a
11 radical. Like I was just hard-core. And people -- even other Republicans considered
12 me a radical.

13 Q What is -- I guess, what would you consider yourself right now in 2022? I
14 mean, you just called yourself, you just said you were a radical.

15 A I am in recovery at some point. I am trying to shake off what I would -- my
16 whole 4 years on city council left me with some sort of mild grade level of PTSD. And
17 then that wasn't helped with what happened after the election with the Capitol breach.
18 So when Facebook decided to de-platform from me, they deleted my social media
19 account that I had for 10 years; well, they did me a favor, even though it bothered me.
20 But when I opened up a new Facebook, I don't follow any type of conservative craziness.
21 And it's all just motor sports and, you know, people who are into racing. So I don't get
22 bombarded daily with this hyper partisan view from both sides. Because I would follow
23 radical left groups as well just to keep up with their talking points and make sure I knew
24 what they were up to. You keep your enemies close and your friends, you know, close
25 as well. So at this point, to get back to your question, I'm trying to revert back to where

1 I was before I got into politics. So I can't say I completely don't care anymore, but my
2 level of engagement has drastically been reduced.

3 Q Is it fair to say --

4 A And -- go ahead.

5 Q Sorry. So it sounds like before you got into politics, the issues you cared
6 about were being driven by your personal experiences. But once you were elected into
7 office, is it fair to say that the issues you cared about were being driven by what you were
8 seeing on social media?

9 A Yes, for sure, and then what I was experiencing in my personal life, what I
10 was experiencing with other city council, and just local politics. And then, of course,
11 with everyone who I was talking to at the local level, they were all concerned about the
12 national things. So -- and like I had mentioned, the national narratives, the cultural war
13 issues, those is what got me the most traction and the best response on social media.
14 So that's why I started really driving that message in.

15 Q Got it. So to that point right after the general election in 2020, did you
16 believe that the election had been stolen from former President Trump?

17 A Yeah, yeah. I mean, if you let me digress into that I can, but the simple
18 answer is yes.

19 Q And we'll walk you through it. So the simple answer is yes. What made
20 you believe the election had been stolen?

21 A Well, I had already seen a lot of, like I said, anomalies with voter registration,
22 irregularities. The tendency for all mail-in ballots to be semi-permanent and hard, like,
23 maybe seven or eight for me. And the early voting was good because it was just some
24 anomalies that I saw -- would experience. So when I had my own experiences with that,
25 it would be easier for me to believe if they had done that at other levels. And I didn't

1 have any good reason to really believe that there was election fraud or irregularities in
2 certain districts, you know, as far as the national districts that were in the different states
3 that were key into Trump losing. But when I started, when I started being fed accounts
4 of what the voter turnout is, and I know enough that people -- I know enough that there's
5 no -- you can't have a 100 percent voter turnout. It's just you can't. And then there
6 was places where there was, like, irrefutable irregularities, which was -- it was a weird
7 election cycle. But the fact that there was no -- there was no -- there was a strong
8 resistance to evaluate, do audits, made me suspicious. And then when the court, the
9 court cases, the court dismisses started coming in, and you started examining things like,
10 Well, it's not being dismissed based on lack of merit, but more for things like a lack of
11 standing, the lack of standing is easy to say, but if you ever just evaluated the merit, or in
12 some of these court cases, or at least done some audits in some places that were of
13 concern, then I would have been like, Okay, well, they're going to do the due diligence,
14 and they're going to do an examination. But when they absolutely resisted and refused
15 to do those, that made me think they were hiding something. And then when you go
16 further down that rabbit hole and evaluate those particular districts, those precincts,
17 those States, using control of the courts, I thought for sure that something was up that,
18 you know, with the turnouts and the mail-in ballots.

19 Q Mr. Barber, I just got to cut you off. You mentioned standing just now,
20 that's a pretty nuance legal principle. Is that something that you had been tracking
21 before or something that you just started to track after the election?

22 A After the election, and then -- immediately after the election, when all of the
23 court cases, the injunctions, the petitions were being filed --

24 Q Uh-huh.

25 A -- I wasn't seeing a bunch of them where they were like, your cases were

1 about merit, and it's frivolous. More of, We don't think you're the person that had been
2 making the petition, therefore we're going to deny it.

3 Q And where were you getting this information from?

4 A Social media, mostly, news reports, Fox News, different -- there was another
5 thing that really helped that. I haven't watched Fox News since the riot. That's really
6 been a major help, too. But, yeah, that's where I was led to -- and that's still my
7 understanding today that no meaningful audits had been done and precincts and counties
8 with 100 percent turnout, that's just absurd. So there's something that occurred.
9 Whether there it was enough for Trump to legitimize the election, or if it was stolen, I
10 don't think we're going to know as an American Nation either way because they would
11 never do an audit, they would never do a forensic sort of study on that last election in the
12 precincts and districts that were contested.

13 Q [REDACTED]

14 BY [REDACTED]

15 [REDACTED] So, Mr. Barber, it sounds like you still have some of those views?

16 [REDACTED] Actually, [REDACTED] let's ask him first. Do you still believe the
17 election was stolen? We don't want to make any assumptions here.

18 [REDACTED] Sure.

19 Mr. Barber. So, I don't know, but I would have loved to have seen something. I
20 honestly think there was definitely 100 percent anomalies and irregularities that needed
21 to be scrutinized. But since we didn't do it, we are never going to know either way. So
22 I don't know. But I would like to do it this way --

23 [REDACTED] -- I am going to cut you off. [REDACTED], you can ask the
24 question now.

25 BY [REDACTED]

1 Q Have you heard, Mr. Barber, about various -- I'll just go over a couple of
2 them. Did you hear about Georgia's audit of this election?

3 A Georgia's audit, I heard that there was one. Mostly with the Stacey Abrams
4 ballots, or something to the effect that her race was -- it was alleged that there was
5 interference in her election.

6 Q Okay. So I think that was the 2018 Governor elections. So did you hear
7 after the 2020 November election that Georgia recounted its votes by hand, at least
8 twice, and the Republican's State attorney general audited the election and said that
9 there was no -- nothing at all wrong with it?

10 A Right, and that's where we got the phone call where Trump was bullying the
11 guy into changing his position, or at least his findings.

12 Q So does that count as an audit to you?

13 A Yeah, I would consider that an audit. I was thinking more of places like in
14 Pennsylvania and Arizona, but Georgia certainly was scrutinized, and I still
15 don't -- completely convinced that the ballots were -- were accurate, but they were
16 counted. So with different, with different people registering and voting for the very first
17 time and with certain precincts having 100 percent turnout, I was critical of it being a full
18 and fair election.

19 But at the end of the day, Biden won, so I mean -- I like him -- and this is how I
20 personally viewed it. But even though we know that car over there had just won the
21 race was cheating, he passed tech inspection, so he won. And I am a just motor sports
22 background, and a lot of people take that from me and understand it, at least people I
23 know.

24 Q Got it. And then I guess the last question, did you hear about Attorney
25 General Barr in, I think, December 2020 coming out and saying the Department of Justice

1 had done extensive investigation into possible fraud and found absolutely nothing
2 actionable or worthwhile to do anything?

3 A Well, it would have been -- I don't know how you do an extensive
4 investigation in less than 4 weeks, but okay. A lot of talking points by career politicians,
5 although those are kind of critical of, you know. So, yeah, I do remember that, but now
6 that you refresh my memory. But I don't know how you do that, a real strong forensic
7 investigation without doing some audits and some real critical examinations of verdict
8 turnout and registration, and just some things of that nature.

9 Q So it's fair to say at that time you might have heard these things, but you
10 were not trusting the institutions or the people who were telling you that there was no
11 fraud?

12 A Yeah, I mean, it's a little bit more intricate than that as far as my own
13 perspectives. But, you know, just the easy answer would be like, Yeah, I'm not sure I'm
14 ready to believe them. I have really wanted to see some really strong audits in some
15 places that, you know, were not really a concern to me, but what was being told to me by
16 like Fox News, social media, Breitbart, Turning Point, all these people were hammering
17 me on a daily basis in my news feed about these different topics of concern. So not a lot
18 was going to be told to me that I was going to believe at that point.

19 Q Got it. Thank you. I'm going to kick it back to [REDACTED] I
20 appreciate it.

21 BY [REDACTED]

22 Q So you keep saying -- this is [REDACTED] again -- that it was being
23 hammered to you by certain news outlets at the time, but yet, it still appears that you
24 believe these anomalies. Is that fair? And I'm just looking for a yes or no. Is that
25 fair?

1 A Yeah. I mean I still -- I believe that was a very unusual election, for sure.

2 Q Okay. Did you participate in any activities after the general election related
3 to the voter fraud?

4 A No, no. I was over it. I was tired.

5 Q So you didn't go to any rallies or anything like that after the election before
6 January 6th?

7 A No. Huh-uh. No, I was tired.

8 Q Okay. So just to make it clear, you didn't go to the November 14th rally in
9 Washington, D.C.?

10 A No.

11 Q And you didn't go to the December 12th rally in Washington, D.C. as well?

12 A I barely knew that they had them.

13 Q Okay. Did you go to any, I guess, local level "stop the steal" activities
14 before January 6th?

15 A No, I don't think we had any. I don't think we had any of them. And even
16 if they would have, I would have known about them.

17 Q Did you financially contribute, at all, to former President Trump's campaign
18 or any efforts related to the election?

19 A I barely contributed to my own campaign. So, no, no, I didn't contribute to
20 anyone's campaign other than mine, and it was a minimal effort on my part.

21 Q So --

22 A I never made more than 20,000 a year, so I'm very poor.

23 Q I understand -- I hear -- I understand. So tell us then what factors
24 influenced your decision to come to D.C. for January 6th, specifically?

25 A So there was two things -- three things. One of the first ones -- and I didn't

1 have -- I wasn't clever enough to use this, but someone else had said it. As soon as I
2 read it, I was like, yeah. Well, Trump had never asked me personally for anything. He
3 never asked conservative America for anything really. And he personally asked for us to
4 come to D.C. that day. And I thought for everything he has done for us, if this is the only
5 thing he is going to ask of me, I'll do it.

6 The second component was I had not been to a Trump rally yet. I had never
7 been to anything. And I had some tickets available to me, you know, when he was
8 traveling in West Virginia during the midterms. The State party offered me some really
9 nice seats, but I didn't go because I had to work. And this was going to be my last
10 chance to go to one of those big spectacles, these giant Trump rallies and experience
11 that. Plus, it was going to be on the mall, and I knew it was going to be huge. So I
12 wanted to, like, go there, experience it, take some photos, you know, be there, and, you
13 know, see the site. Like when Martin Luther King gave his I Have a Dream speech, and
14 the camera points out and you see the sea of people, I wanted to see something similar.

15 So the other part was, is that, it kept being promoted to me as it would be wild.
16 And I don't know why, even Trump would say, It's going to be wild. And I didn't know
17 what that meant, but I was -- you know, as someone who likes to drive race cars, I don't
18 fish, but I like -- I like high-risk activities, I like really hard-core things, with the notion of
19 something being wild and hard-core and fun, really appealed to me. So I kind of thought
20 that after -- I would go there for those reasons, and then after -- this was very naive.

21 I'm glad it didn't happen because I probably would have got hurt -- but I thought
22 after all the Trump people left, like all the older folks who are sensible enough to get on
23 the buses and go home, after it would be dark, around dark time, that's when all the
24 buses were leaving to go back to the locality, that a more radical group of guys would stay
25 back and we would get a chance to fight antifa rioters that had been plaguing D.C. And

1 that somehow it was going to be like a Gangs of New York scene with dead rabbits versus
2 the natives, except it was going to be converses versus militant Progressives. And,
3 presently, those are the reasons why I traveled to D.C. that day.

4 Q Got it. I want to follow up on a few things. You said that, you know,
5 former President Trump has never asked anything of you. I guess what do Presidents in
6 the past ever have asked of their constituents?

7 A You know, you would have to go back to let's get something maybe, what
8 JFK said as cliché that says, you know, What can you do for your country? Locally, we
9 only ask for people to be good neighbors, and if people would be good neighbors to each
10 other, and I can go from your neighborhood all the way to the national level, we wouldn't
11 have the problems we had. So I'm not sure that any other Presidents ever asked for
12 anything in particular other than just to be, mostly just to be good and nice to each other.
13 Whether it was Barack Obama just wanting the people just to be friendly and nice, or
14 George Bush just wanting us to be hard-core patriots and love America.

15 I'm not sure Trump ever really -- he asked for us to come to that rally, and I
16 thought so much of him at that point, but I thought I was obligated to do so, merely
17 because he asked us to come.

18 Q And when you say "asked us to come" and wild protests, you are referring to
19 his tweet in December, December 19th, to be specific, where he first advertised the rally?

20 A So when I saw it, it was advertised on a Facebook post, and it had like -- like,
21 maybe it was facing his back, his back was to the camera, it would be a huge crowd, and it
22 said, "Stop the steal, be there." And at the bottom it was kind of like a meme, but not a
23 meme, but just like a graphic. And it said, "it would be wild." And he might have even
24 said that in the post, in the caption of the text. And I had seen some stuff shared by
25 Giuliani that was like, you know, it's going to be wild. Maybe it was Donald Trump Jr.

1 But some of the surrogates were sending out messaging that was, you know, this was
2 going to be, this was going to be pretty hard-core, you are not going to want to miss this
3 one.

4 Q And then you talked about kind of what you were expecting when you were
5 coming to D.C. regarding fighting, antifa. I guess just -- and I think you've touched on
6 this, but help us understand why you thought there would be fights with antifa when you
7 came to D.C.?

8 A So I had seen things like -- and this is, I think, was just wishful thinking. So I
9 just crafted up the concept in my head. I never really thought it through. But I had
10 seen policies in, like, Portland, and out West where like Proud Boys would fight antifa.
11 And I had seen where, you know, antifa and Progressive rioters were very -- they had a
12 strong presence in D.C. I had traveled to D.C. not long before the election, because I
13 was in the area buying a vintage NASCAR. And when I got down there, the strange thing
14 that I noticed was that so many windows were boarded up. And it was told to me that
15 they're preparing just in case Donald Trump won. And I had seen so much rioting in the
16 summers of D.C. beforehand, that for whatever reason, I just assumed that the more
17 militant wing of the left would have a presence at that time directly after the Trump rally.
18 And that's not how it went. It went in a way that I never would have predicted or
19 thought it was going to.

20 Q All right. And this might, please just -- did anything that these politicians,
21 such as former President Trump, or Mr. Giuliani may have said -- well, I guess where did
22 you get this Gangs of New York image from?

23 A Oh, it was one of my favorite movies. I've always like Martin Scorsese's
24 videos. But I had seen that before, and like I said, how in different communities where
25 they had been clashes, I think even -- what's the area where the young man shot the

1 protester? Ferguson -- not Ferguson. Oh, the young man who was acquitted on the
2 weapons charges? He shot the kid, but then was --

3 Q Unfortunate --

4 A But then --

5 Q I want to say, unfortunately, it's not that don't -- I was scared to say it.

6 A Yeah. Right. But, anyway, it seemed to me examples of like on these and
7 on social media videos were like conservative, militant types like Proud Boys or whoever
8 would fight the leftist, you know, wing of antifa or whoever. And for whatever reason, I
9 was so angry and so upset about Black Lives Matter organizer here in my State sending
10 threatening messages to my mom, who was dying of cancer at the time. Some of the
11 things that people who are proud antifa members who would post on their social media, I
12 am proud antifa, antifa for life, who had sued me, had caused -- you know, had led efforts
13 to get me fired, all that I wanted at the conclusion of my political experiences was to even
14 the scores with antifa and Black Lives Matters rioters. But I seen them as the ones that I
15 still had a grudge against that I want -- so some sort of fantasy land in my head came up
16 the concept that all after all the old folks got back on the tour buses, there would be
17 some hard-core conservatives of fighting age left to just seek out Black Lives Matter and
18 other leftist rioters and military, you know, antifa types.

19 Q And you were seeing these videos of people clashing with allegedly Black
20 Lives Matter and antifa, you were seeing this on your social media feeds. Is that fair?

21 A Yeah, a lot on Fox News, like Tucker Carlson, Tonight would share it; Hannity
22 would share it; Laura Ingraham would share it. It was on -- like you'd get 40-second clips
23 in your social media every day, day after day, week after week, all the time, nonstopping.

24 Q And when did you first decide to travel? If you can pinpoint a date or a
25 week, when did you decide to come to D.C. for the January 6th rally?

1 A Just as soon as the main -- as soon as the call was put out. As soon as I saw
2 it on there. And I think there was even like an event invite where you could be
3 interested or going. And it was popping up that a lot of the people in my town were
4 going. Everybody was arrested. So just as soon as I heard it was going to happen, I
5 knew I was going.

6 Q And so you -- and I just want to summarize what you're saying -- you decided
7 to come to D.C. the moment you saw former President Trump making that call?

8 A Yes.

9 Q Okay. ██████████

10 BY ██████████

11 Q Sorry, I was on mute. So I just want to maybe rephrase ██████████
12 question a little more directly. It sounds like in your head, wild and antifa sort of went
13 hand in hand when you were getting that from Tucker and other social media. Did you
14 ever get the sense of, like, this anti-antifa wild from President Trump's social media posts,
15 from other people, like Rudy Giuliani, you mentioned, or Trump Jr., did any of those
16 people influence your idea that wild would equate to this street fight?

17 A No, and I'm not sure of the fact that they are saying this is going to be wild
18 made me equate there was going to be a street fight. I'm not sure I knew what wild
19 meant, that it was just going to -- I just knew that I wanted to see the -- have the life
20 experience of that giant rally in Washington, D.C. that you only see maybe once every few
21 generations, as far as, like, the kind of Martin Luther King, or, you know, the type of
22 imagery you see in all of the stock footage of news reels. I wanted to see that. And if
23 for whatever reason, I still don't know how I got this in my head, but I was convinced that
24 there was going to be a street fight between the conservatives that stuck around and, you
25 know, militant leftists.

1 Q But you are saying you didn't get that idea from --

2 A No.

3 Q -- directly from the Trump or people in his orbit?

4 A No, and even to go further, I heard Giuliani when he said -- I was there,
5 literally, had made it through the inner circle of checkpoint or screening security.

6 Q I think [REDACTED] will get there in a minute.

7 A Okay.

8 Q So we can --

9 A Okay.

10 Q -- we can come back to it.

11 A Okay.

12 Q Thank you very much.

13

BY [REDACTED]

14 Q I'm back. So were you aware of any buses or caravans traveling to
15 Washington, D.C.?

16 A I drove by myself.

17 Q Okay. But were you tracking buses traveling to D.C.?

18 A I knew several would come. There was two that left out of my city. A
19 good friend of mine, who I was strongly, you know, associated with and worked with, he
20 organized a couple buses out of D.C., or out of West Virginia to go to D.C. He was also
21 charged. And he -- he was a House lawmaker. He had just won a seat to the House of
22 Delegates. And even -- all my social media -- like all my messenger when I'm talking to
23 him, neither one of us thought we were going to go to the Capitol and be involved in a
24 riot. I was absolutely convinced that we were just going to fight antifa. And the
25 reason I didn't take a tour bus is because the tour bus had left at 6 o'clock, and I assumed

1 that any type of conflict with militant leftist was going to be at like 10:00, 11:00, 12:00, 1
2 a.m. So I didn't want to be stuck on a bus.

3 Q Got you. What -- I know you mentioned former President Trump, and that
4 might just be the answer, but what impact, if any, did other elected officials have on your
5 desire to want to come to D.C.?

6 A I don't think anybody else could have convinced me to come outside of
7 Trump's saying, I want you to come.

8 Q So what was your ultimate goal in traveling to D.C. for January 6th when you
9 made that decision to come?

10 A To go and get video content, to keep my social media presence kind of going.
11 Even though I lost the election, I had several people, conservative leadership as far as the
12 Party Executive Committee coming to me and saying, Hey, you did a great job. We got
13 some districts you might be interested in running for a different office. You are in a
14 tough district. So I wanted to keep going, to keep my presence on social media style
15 going. So a big component of it was likes and shares. You know, I got my Facebook
16 Live going from the heart of the Stop the Steal Rally. I got a 100, 150 people at least
17 from my hometown watching it while I'm broadcasting. And then, I'll get a bunch of
18 shares and get a bunch of comments. And everybody will celebrate the fact that I was a
19 great patriot when I went to the rally.

20 And I was going to -- so I was going to -- you know, I had already moved out of the
21 city. I was going to look at some districts that would be favorable for someone like me,
22 where I just lost the election by 5 percent of the vote, was a tough Democrat stronghold.
23 But the fact that I had won the police endorsement, the firefighters union endorsement,
24 and some other endorsement, I thought I still had a strong chance of a future political
25 office. So staying engaged with this stuff was my attempt to, you know, stay relevant.

1 Q So moving, I guess, closer to January 6th, when did you leave West Virginia
2 for Washington, D.C.?

3 A Early that morning. So I think I arrived at about 10 a.m.

4 Q So early in the morning of January 6th?

5 A Yeah, I would say about 5 o'clock in the morning.

6 Q How did you travel to D.C.? In the car?

7 A I just drove a car.

8 Q Did you travel with anyone else on the morning of January 6th?

9 A No. No.

10 Q And you've touched on this a bit, but I want to ask it explicitly. Did you
11 expect there to be violence on January 6th?

12 A Yeah, yeah, but not the type of violence -- it was drastically different than I
13 expected. A level of violence was and the way it was projected was not what I was
14 thinking was going to happen. I was shocked.

15 Q Can you explain that? You said the violence that you were expecting is not
16 actually what happened. Can you just explain that again?

17 A So I expected, like I said, to go seek out a voting pack of White moderate
18 conservatives like me. We were going to go find packs of antifa dudes, right, you know,
19 running around, upset, who knows. But that's not what happened. Somehow when I
20 showed up to the Capitol, there was a full-blown riot. I didn't realize it was a riot until
21 later. I mean, I had to get really close before I discovered like, oh, this isn't normal.
22 When I showed up --

23 Q We'll get to that. We'll get to that, Mr. Barber.

24 A Okay.

25 Q So when you got here on January 6th, did you go to the rally at the Ellipse?

1 A Yes.

2 Q Okay. What time did you -- you say that you got there around 10 a.m.?

3 A Yeah.

4 Q And what speeches were you most excited to see at the rally at the Ellipse?

5 A I wanted to go see Trump. That was basically it. I left halfway through his
6 speech because basically it was boring. I had heard it all before. And my phone
7 was -- the battery was dying, so I needed to get back to the car to get my phone charged
8 up before the Capitol. Because they were, like, we're all going to walk to the Capitol.
9 And so --

10 Q Sorry. Were you expecting some sort of like reveal during former President
11 Trump's speech? I guess, why was it boring?

12 A No, it was boring. I didn't -- I had heard speeches. I just sat through
13 4 years of all kinds of speeches, his and a hundred other people's. So I have heard it
14 before. That wasn't going to change. I had gotten what I needed as far as, you know,
15 video content, pictures. What I didn't have was a charge on my battery. So I needed
16 to get that charged up so I could broadcast this stuff when I got to the Capitol.

17 Q Were you live-streaming the rally at the Ellipse while you were there?

18 A Yeah, yeah, there was some. Some of it. Not a bunch, because my
19 position wasn't the best in the crowd. But I did several live-streams that day and --

20 Q Where were you in the crowd? Were you over by the Washington
21 Monument or were you closer to the actual Ellipse?

22 A I was in the very front row clear to the right. So he was -- he was projecting
23 the crowd inside that inner security. And I saw him pull up and go into a white tent. I
24 was very close to him. But the crowd -- so I was clear over to the right at the very front
25 where the barriers were inside the inner security room.

1 Q Were you a VIP for the rally?

2 A No. Huh-uh.

3 Q You said, no, that security -- did you go through security, or were you
4 outside of the --

5 A Yeah.

6 Q -- security ring?

7 A No, no. So I went inside. You had to go through metal detectors and a
8 bunch of stuff to go inside.

9 Q Okay.

10 A And then I went clear -- I kind of guessed where the vehicles were going to
11 come in. I actually filmed -- I did live-stream him into the tent and getting him out of his
12 vehicle.

13 Q What was the overall mood of the rally at the Ellipse?

14 A It was patriotic fervor. It was -- it was -- it seemed happy. People seemed
15 excited and pleased and happy.

16 Q And what speakers -- you mentioned Mr. Giuliani earlier, what speakers
17 were you most excited to see?

18 A Just Trump, the other ones didn't matter. I'm not a fan of Giuliani.
19 Donald Trump Jr. gives a really cool speech. I like how fired up he gets. Trump's
20 speech was boring. The same repetitive talking points I had heard from him for a while.
21 I wasn't entertained. I'm not sure I was excited to hear speeches. Like I said, I sat
22 through so many speeches in my 4 years as city council, I was over them.

23 Q So you mentioned Mr. Giuliani's speech earlier with [REDACTED]. Can you
24 just elaborate on your thoughts of his because you had started to talk about that?

25 A So when he said, you know, trial by combat, and we're not going to have a

1 country at least if we don't fight, I was like -- at that point, I was so radicalized, so angry,
2 and so itching to get even with the people that had done me wrong, that I was like, yeah,
3 we gotta fight. And I was, like -- he was preaching to the choir. And, you know, being
4 a prisoner, being someone who turned from age 20 to 24 was in Supermax, I had been
5 instilled to fight and fight and fight, or you'll be bullied and taken advantage of. So all of
6 that type of stuff appealed to me, for whatever reason. So that's the only thing that I
7 had that was really memorable to me from that, from all those speeches, it's the only
8 thing that stuck to me.

9 Q Got it. Did you know before you came to D.C. that there was going to be a
10 march to the Capitol?

11 A No, I kind of seemed like mentioning that they were going to, like be at the
12 Capitol or something, but it's not what I like -- and I don't know if that's just hindsight, but
13 I didn't know really that there was going to be any major demonstration in front of the
14 Capitol.

15 Q When did you first learn that there was going to be events at the Capitol, or
16 a demonstration at the Capitol?

17 A I'm not sure. I do remember that people were making a big deal out of it,
18 and I was like, Oh, we're going to go to the Capitol, too? We are going to achieve this
19 same thing at the Capitol is -- well, I would just talk to random people amongst the crowd
20 while we were waiting for the speakers and everything to start. People are like, after
21 this, we're going to the Capitol. I was like, Oh, okay.

22 Q Do you recall President Trump mentioning going to the Capitol during his
23 speech?

24 A Oh, yeah. So that's one of my disappointments. He said he was going to
25 go, go with us, that he was going to be there. And maybe Secret Service --

1 Q Did you --

2 A -- after -- the riots broke out, I guess, before we even left to go out.

3 Q So at this time you believe that President Trump was going to go to meet
4 you all at the Capitol?

5 A Oh, yeah, absolutely. And, also, if he had been there, I bet you the riot
6 wouldn't have happened.

7 Q Why do you believe the riot wouldn't have happened if President Trump
8 went to the Capitol?

9 A I think he would have been obligated to say, Don't do this and stop, and the
10 people would have listened. I think if he would have said, Don't do this, and stop earlier
11 than he did, that it was stopped earlier, I think that people were so blatantly loyal to him
12 that if he would've just said, Stop, stop, stop, that they would have.

13 Q So I'm jumping way ahead in the day, but did you end up leaving the Capitol
14 because former President Trump put out this video --

15 A No, no, I didn't hear it. We didn't have inside the Capitol -- there
16 was -- one, my phone was dead. There was no -- I won't say immediate block. But you
17 weren't getting messages -- you weren't getting internet access inside the building. I
18 don't know if it was jammers or something. The reason I left is because an officer said,
19 Party is over, it's time to go, get out. And that's what I --

20 Q You were just talking some of the speakers talking about fighting to keep the
21 country, or words to that effect, do you believe these individuals were inciting what you
22 later saw at the Capitol?

23 A I mean, maybe in hindsight. I'm not sure exactly how that went about and
24 what caused that exactly.

25 Q I'll break it down.

1 A Maybe it was --

2 Q I'll break it down. Did you feel like people were getting more fired up as
3 individuals are making statements about fighting?

4 A No, not really. But when those statements were made, I was inside of that
5 inner perimeter-type area. And the type of people inside of that were a little different.
6 They were mostly older folks. So the vibe was a little different there. It's hard for me
7 pinpoint exactly when the mood changed, but it was on the march.

8 Q So sometime during your march from the Ellipse to the Capitol, you could
9 feel the mood change?

10 A It was like you could cut it with a knife. It was drastic. And the type of
11 people and their facial expressions and, like, their like nonverbal communication, that the
12 cheers were not cheers of support and appreciation like they were at the Ellipse, or
13 during the early -- on the Mall. When -- on the way, they became angered, and the tone
14 was of anger, and the people's facial expressions. It was -- one of the pictures I took,
15 like, there was a picture of a guy carrying a -- a little man carrying a pitchfork, and he
16 looked angry. And it was noticeable and tangible how the mood changed.

17 Q Were these individual, was their mood directed -- you talked about antifa
18 before, so was it directed to antifa, or was it being directed towards the legislators or
19 politicians on the Hill.

20 A I think it was -- it was a mixture. But a lot of the people were mad at
21 Congress on the way. They were shouting angry slogans and statements. And then for
22 whatever reason, I met with one of the Proud Boys guys. I'm assuming he's Proud Boys
23 because in my pictures, he's dressed in black and yellow, he's got full garb on. I had
24 walked with him for a while and was talking to him, and he was slapping "F" antifa
25 stickers off everything. On every sign he saw, he would stick one of those stickers.

1 And then he was telling me how that we were going to meet up after this event. He
2 said -- because I was like, is there going to be anything after this? He was like, Yeah.
3 He said, we'll meet up with Alex Jones at -- I want to say, Freedom Circle, something
4 Circle, I think. And he said, We're all going to meet up there for a rally after this. And
5 that's when we -- and, you know, so I kind of assumed that after this, there was going to
6 be something like what I was going to be looking for.

7 Q Okay.

8 A So that's how the mood changed and how it was like on the march.

9 Q So do you recall, as you were marching over, individuals talking about going
10 to an Alex Jones event or appearance at Freedom Plaza?

11 A Yes, it was Plaza, maybe not Circle.

12 Q That's fine.

13 A I can't remember. But I knew that guy, that Proud Boy guy told me where
14 it was and who was going to be there. And I was like, as soon as I heard it was Alex
15 Jones, even I knew that guy was a nut. That it was good -- that was going to be the
16 really firing up. I've seen him ride in on other personnel carriers. And I knew he was
17 kind of a militant type. And I still at that point believed that we were just going to the
18 Capitol to run along and shout the whole time, and that the real violence was going to be
19 after the fact when we fought antifa in the middle of the night.

20 Q I got it. You mentioned when you were marching over, you saw an
21 individual with a pitchfork. Were there any other weapons that you saw that you saw,
22 or any items that people were carrying as they were marching to the Capitol?

23 A No, just the one guy. And I took a picture of the guy with the pitchfork and
24 posted it on social media. No, but I did start seeing more, more combat-type uniforms:
25 armor, fatigues, pants tucked in boots, you know, the full garb.

1 Q When did you become aware that -- oh, [REDACTED] do you have a question?

2 BY [REDACTED]

3 Q Yeah, I just wanted to go back to the march and what you were hearing
4 quickly. You mentioned Congress, was anyone talking about Vice President Pence?

5 A Oh, yeah, and I never suspected that because had I been able to choose,
6 Mike Pence would have been my President of choice, and I still like Mike Pence. And
7 never did I think for a second he was going to use some sort of procedural maneuver to
8 overturn that. Never. And I still -- and people were like, Hang Mike Pence, and that
9 wasn't until we got a little closer. But before I even got to the Capitol, I was hearing the
10 slogan, Hang Mike Pence.

11 Q Do you remember -- I'm, like, trying to find a timeline here. Do you
12 remember what time you were walking to the Capitol?

13 A I could follow up with some things. I can look at the timestamps in my
14 photos.

15 Q That's okay. Do you know if it was after Vice President Pence made his
16 announcement publicly that he wasn't going to, you know, kick back?

17 A No. But I did hear over and over Trump say during the speech, Mike Pence
18 better do the right thing. Mike Pence, we're going to be disappointed. And it wasn't
19 until towards the end of the march, not far from the Capitol, that I first started hearing,
20 Hang Mike Pence. The reason I can remember that is because when I saw -- when I got
21 to the Capitol and saw the gallows, I was like, Wow, that's really strange. And that's -- I
22 immediately thought, surely they're joking. But --

23 Q But it was pretty clear to you -- and I'm asking for the impression of other
24 people here so, if you don't know, you don't know. But did it seem to you that they
25 were directly connecting the Hang Mike Pence to the idea that he would not do President

1 Trump's bidding in changing the electoral count outcome?

2 A Yeah, I was hearing the word "traitor." I'm not saying Hang Mike Pence
3 was the only slogan I was hearing. It was one in maybe 15 in the cycle that you would
4 hear. Maybe I only heard it four or five times before I got to the Capitol. I heard it a
5 bunch inside. But, you know, yeah, it is hard to judge, but it was just -- the closer we got
6 to the Capitol, the more the angry rhetoric was cycled.

7 Q Okay. Thank you.

8 BY [REDACTED]:

9 Q So as you're marching to the Capitol, Mr. Barber, when did you first become
10 aware that there was violence going on at the building?

11 A And it was a while. Honestly, and you may ask this, I was in the building
12 before I saw any violence. The way I approached was drastically different than the
13 majority of people. And the way I entered the building was far away, well not far away,
14 but it was not at the center of the violence. So the first encounter with the police officer
15 that I made was I walked up to a wall that was -- that I don't know if you guys have like
16 the intel as far as where I came in and what time, and all that stuff. But the people were
17 climbing the wall, and a police officer just one by himself in full riot gear, in all black, was
18 shouting at them to stop climbing the wall, you guys have already breached the place,
19 just walk around, don't hurt yourself. So I didn't climb the wall there. I walked around
20 to side of the building --

21 Q I want to stop you. I want to stop you there.

22 A Okay.

23 Q You said the police officer as you were walking up told another rioter, you
24 guys have already breached the place.

25 A Right.

1 Q So you heard him say you've already breached the place, so why are you still
2 walking up to the building at that point?

3 A He said, If you want to go up there, he said just walk around. He said,
4 You're gonna fall, you're gonna get hurt. And I wanted to get up on the steps. So as I
5 was walking on the march, I wondered to myself, I wonder if we'll be able to get up on
6 the steps. Because I wanted to get up high and take that photo, take that picture and
7 that video in that giant mass of people. And you couldn't do that down in the crowd.

8 So I wanted up on the steps so I could see, I could see down there and get the live
9 footage for where I'm up at a really high vantage point and get the awesome picture that
10 goes viral. That was the motivation to get up on the deck.

11 Q So, and so you just testified, what was your motivation going to the Capitol
12 in the first place? Like, what were you trying do?

13 A Just participate, get more video, get more pictures.

14 Q Participate in what? Participate in what?

15 A The protests. They said we're going to walk down here, and we're going to
16 protest some more. So that's kind of what I thought was going to happen.

17 Q Participate in the protest to delay the certification vote, was that what you
18 understood the protest to be about?

19 A No, I didn't think it was going to be to delay. I thought they were just
20 protesting a fraudulent election. I never thought for a second --

21 Q This is a question we've had, right? You said you were just trying to protest
22 a fraudulent election. What does going into the Capitol do? What is that
23 accomplishing?

24 A So when I did that, once again, just look at the more content of shares and
25 likes. I didn't have the time to really process what I was doing. And I thought we were

1 going through a door. And when I got up to what I thought was a door, it ended up
2 being a window. When I looked through the window, and there was a police officer
3 standing there, and he had his hands in pockets, and he wasn't smiling, but he wasn't
4 telling people to stop.

5 And, then, directly to the other side of him was what may have been an Oath
6 Keeper holding up his hand and helping people come in. And when he saw me pause,
7 he did the whole hand motion to, you know, wave me in. And I looked at the police
8 officer, and he wasn't objecting, so I went inside.

9 Q So I hear your point about the police officer not objecting to you walking
10 inside the door, but I'm trying to understand what were you trying to accomplish by
11 walking in?

12 A More so, get more video, get more pictures.

13 Q So your purpose for going in the Capitol was to live-stream for your
14 followers?

15 A Yeah, yeah. Maybe not live-stream, but to take photos. You couldn't
16 live-stream in there. As soon as you got in, it was like, either the building doesn't allow,
17 it's stone, it's thick, it's hard to get media connection in there, or they had jammers up, or
18 disabled something. I don't know. But you couldn't -- there was no internet access
19 once you got in the building.

20 Q Did you hear individuals saying, Hang Mike Pence, as you were either in the
21 Capitol or on your way to the Capitol?

22 A On the way I heard it. Once I got into the major crowd that was formed up
23 in front of it, I did not hear it. And it was a while, while I was inside the Capitol before I
24 started hearing it a lot, and that's where I heard it the most.

25 Q What time did you get to the Capitol?

1 A When I stepped foot on the front lawn, the breach had already occurred.

2 Q What time, approximately?

3 A I want to say 12:20. But I know that the first person through the window
4 that I went in had already -- the breach had already occurred, and the first person was
5 already in the building. According to timestamps on my phone, I want to say 12:20, but I
6 can look it up right now. But --

7 Q Yeah, no, I'll help orient you. So folks didn't start pushing through the
8 actual fencing on the perimeter of the Capitol until after, like, 12:54. So 12:20 before
9 that.

10 A It might have been 1:20. I would have to look at my timestamps. It's in
11 the DOJ and the FBI stuff. But I do know, as a matter of fact, absolutely, that according
12 to my timestamps and according to the timeline given out about when certain -- the first
13 person through the room there had already went in by the time I took the picture of the
14 hanging noose at the very front of the lawn.

15 Q So you said that the chants of Hang Mike Pence intensified when you were
16 inside the Capitol. So I understand that you might have been in there to take pictures
17 for your following, but what did you perceive the rest of the rioters that were inside the
18 Capitol to do?

19 A Early on, it seemed just like a really rowdy protest because it was so orderly.
20 Police were, like, stand on the arm in certain chokepoints, and everybody would just stop
21 and holler and scream and make noise. And then for whatever reason, they would part
22 ways and let us continue. And this happened two or three times where, like --

23 Q Mr. Barber, what I asked, though, is when you were inside the Capitol and
24 you heard people saying, Hang Mike Pence, what did you perceive they were in the
25 Capitol to do?

1 A I mean, not literally hang Mike Pence. I thought that was stupid. It
2 wasn't going to happen. But about -- it wasn't until we got to the House Chambers that I
3 thought that I realized this is actually very violent people. This has actually turned to
4 just past rhetoric. That people are actually getting fairly riotous.

5 Q So before you went in the Capitol, you felt that a lot of this talking you were
6 hearing was just rhetoric and not really about action?

7 A Yeah, I mean, the thought that you were going to hang Michael Pence was
8 pretty absurd. He had Secret Service protection. You're not going to get to him. I
9 think it was just angry rhetoric is what I thought it was. I don't think anybody expected
10 it to be --

11 Q Sorry. I keep -- but then you realized that it was something a little more
12 once you were inside the Capitol?

13 A Yeah, about halfway through, like the whole -- once we got past Statuary
14 Hall is when people really started getting -- that's when the -- the last bit of -- of some
15 sort of orderly decency I saw was gone. That people were starting to like really riot.

16 Q So once you -- I guess just summarize for us, please, just a summary, what
17 did you do once you went inside the Capitol?

18 A I took photos, a lot of selfies. Just stood in awe, and then I was in lines and
19 formations where the police had stopped, and I was just standing there. Then after
20 maybe 8 or 10 minutes, they would let us through, and we would go on to the next place.
21 I was just taking it all in. I still thought it was --

22 Q How long --

23 A -- a protest.

24 Q How long did you stay in the building?

25 A I don't know how long the records say. I was in there probably 20 to

1 30 minutes.

2 Q Okay.

3 A Even back then, you may know better. But I'm thinking --

4 Q No, an approximate is fine. An approximate number is fine. And look, we
5 read that you -- it looks like it appears from your statement of facts in your record that
6 you took some C-SPAN equipment. Is that correct?

7 A I took a phone charger. They left all their gear. They left the computers,
8 the tablets, the camera, everything. But because my battery had just died, I walked over
9 to C-SPAN station to look for a phone charger, and that's what I ended putting in my
10 pocket was a phone charger.

11 Q Got it. [REDACTED] did you have any follow-up about that?

12 [REDACTED] No.

13 BY [REDACTED]

14 Q Okay. [REDACTED] does not have any follow-up.

15 So after leaving the Capitol, where did you go?

16 A Back to my car. I went home.

17 Q Okay. So you went back to your car and just drove straight back home to
18 West Virginia?

19 A I walked straight through the crowd, didn't stop, didn't hang around. I -- I
20 mean, DOJ has a lot of the FBI stuff.

21 Q Oh, yeah, we're a separate investigation from them, so that's why we're
22 asking these questions.

23 A I don't know if you had like -- you had like or read or had even stuff that you
24 can evaluate from talking to me. But I was in my car leaving D.C. before the curfew.
25 Before 6 o'clock, I was already gone.

1 Q Got it. And, again, I think you might have touched on this, but why exactly
2 did you leave the Capitol Building?

3 A Oh, an officer said -- actually, what had happened, Ashli Babbitt had just
4 gotten shot not too far away from me. And after that occurred, the officers came out,
5 and they were like, This is over, Get out, you know, started actually shoving, pushing
6 people away. So the first time I noticed we were being corralled and being told to leave,
7 that's when I left.

8 Q Okay.

9 A I had to actually ask to do that out. It was hard to get out.

10 Q And this might be a section where Ms. Akpan might jump in, but after
11 January 6th, you were arrested, correct, for entering the Capitol?

12 A Sure.

13 Q Yes, you were arrested? I just want to make sure that --

14 A Yeah, yeah, that's true.

15 Q And you were eventually charged by DOJ?

16 A That's correct.

17 Q And you have recently entered a guilty plea?

18 A Yes, yes, I have.

19 Q And what is the current status of your case? It looks like -- and I'm just,
20 please -- asked a question, but it looks like you're awaiting sentencing. Is that correct?

21 A I believe I'm scheduled to be sentenced March 31st.

22 Q Okay. Looking back, right, we're in March of 2022 now, so over a year
23 since January 6th, looking back, what are your thoughts on that day now?

24 A It was a dark day, and it was bright stain on America's history. I might want
25 to say that it should be celebrated, or it's something people should be proud of. My

1 immediate response as soon as I got to print media an hour after leaving D.C., I did an
2 interview from a local paper, and I said, it shouldn't have happened, and it was wrong.
3 And it was -- that it was no better than antifa. And that we held to higher standard.
4 And we violated our principles by, you know, engaging in riotous behavior. And that
5 was my immediate response to the first person I could talk to about my experience, and
6 that was the local news media. And I stand by that today. We shouldn't have done it.
7 It was no better than all the other riots we criticized.

8 We spent 2 years critical of people engaged in the riotous behavior. And then
9 the second we don't get our way, we do the same. So it's not something I'm proud of.
10 I'm concerned about how my family is going to judge me and my young daughters in the
11 future when their seniors or they're in college, they read about it in history books, you
12 know, they're going to know their dad was there, and I wonder what they're going to
13 think. I wonder how history is going to judge us. My immediate judgment was is we
14 were wrong, and we shouldn't have done it.

15 Q Got it. Do you still believe -- and you kind of touched on this -- I guess, how
16 have your feelings changed since January 6th? You described how you were feeling on
17 that day and leading up to it. Has your feelings changed, at all, overall since that day?

18 A Yeah, so I went from, like, an intense obsession and this hard-core care and
19 concern about everything that was happening to being indifferent, cynical, non-caring,
20 and not wanting to be engaged.

21 So, I mean, honestly, I almost appreciate the fact that Joe Biden is President right
22 now just because it seems like we're a little less at each other's throats. And so my
23 opinion is, is that things are better today, at least for me personally, because I'm not
24 engaged, and that I don't care as much, if at all. So that's done a lot for my psyche.
25 Hopefully, hopefully the Nation's psyche isn't impacted in 2024 this upcoming election

1 cycle. It gives me a little bit anxiety, and I worry about what it's going to be like. It's
2 like the last one, I don't know if the Nation can handle it. Hopefully, I'm indifferent and
3 don't care still. You know, I don't know if I can handle it psychologically. So, basically, I
4 just want to retreat back to the world I had before I was in politics.

5 Q Have your feelings towards President Trump changed at all?

6 A Yeah, yeah. I'm not as strong a supporter now that the smoke has cleared
7 a little bit and I can reevaluate some things.

8 Q I was going to say, explain why you may not be as big of a supporter?

9 A Just because of how angry and divisive and how terrible the things were.
10 You know, 2019 and 2020 was bad. And I'm not -- I can't say that he didn't have a major
11 impact, or he wasn't the reason for it. Because as much as people dislike Barack Obama,
12 and as much as people love him, I don't remember us being at each other's throats when
13 he was President like that. But when Trump was the President, there was an all-out civil
14 war going on. And I just -- I don't want to go back to that. And if that means him never
15 being President again, I'm fine with it. Mike Pence, the Governor from Florida, both of
16 them would do a fine job, and I would vote for them before I would vote for Donald
17 Trump.

18 Q Is it fair to say that the tone for the country, you believe it starts at the top
19 with the President?

20 A Yeah, absolutely. Yeah, and I was guilty of it, and I am ashamed of the way
21 I acted when I was on city council, because I mimicked myself after him. And that's part
22 of my radicalization that I've worked very hard and put a lot of effort into, you know,
23 doing away with, as far as I'm engaged in different things in my life, and none of them are
24 political. And it's had a major impact on, you know, on my well-being, on my
25 rehabilitation mentally. So I'm afraid if Trump comes back, that's going to come back

1 too. And I just want a normal President again.

2 Q Do you think other elected officials share responsibility in driving the
3 message of the cultural war that you've been describing?

4 A Hard to say. I mean, there's a handful of them in Congress and the Senate
5 that I think did the exact same thing that I was doing; saw how well the conservative base
6 responded to that type of rhetoric and followed suit. But no, I really think that the
7 leader is the leader. And Trump's approach lends itself to a very angry and divisive
8 Nation and mentality. And by far even regardless of the partisan divide, most Presidents
9 in the past have been, you know, not as divisive, and they at least gave lip service to
10 unity. So I just don't ever remember things being as ugly in Trump's term as they had
11 been in the past. But I'm scared we're going to get back to that.

12 Q So that's a perfect lead for this last question I have is like what do you think
13 could be done differently as a country to prevent a situation like January 6th from
14 occurring again?

15 A I don't know how you -- I don't know how -- I don't know how you put the
16 social media genie back in the bottle, and I know there's no legal way to limit speech.
17 But social media -- and Trump used social media -- social media is what caused, caused
18 the riot, and what caused all of the divisiveness, all of the cultural turmoil that we've
19 experienced as a Nation. It's social media. So I don't know what regulations that can
20 or should, but I honestly believe social media is going to destroy America. And the
21 enemies of our Nation outside globally, they are all celebrating it, if not reinforcing it.
22 That's what I think needs to be done to fix things.

23 Q So we've covered a lot of topics today. Mr. Barber, is there anything that
24 we missed that think is important for us to know?

25 A No, no. Mostly, the only things personally that I think is that, you know,

1 the social components, the politics has really done, you know, a lot of damage, and it's
2 really going to be a factor moving forward. And I personally -- I'm more -- I have more
3 anxiety about the upcoming election and any possible jail time. I've done jail time
4 before, and it's intense, and it sucks. But, man, nothing is intense and nothing is awful
5 of a life experience as the 2020 election cycle was. So I am more worried about the next
6 election cycle than incarceration.

7 [REDACTED] [REDACTED], did you have any follow-up?

8

BY [REDACTED]

9 Q Actually, and this is a very specific policy question, so feel free to ignore it, or
10 tell me you haven't thought about it. But you had mentioned have you daughters. Is
11 that correct?

12 A That's true.

13 Q What would you think about limiting access to social media before the age of
14 18 like we do with pornography and other cases?

15 A I've already done that. Yeah, we don't -- they're not quite young enough,
16 but we limit her YouTube. And she doesn't -- she's not going to have any social media
17 stuff until -- until I can't control it no more.

18 Q Sorry, I meant as a country, but as a policy position?

19 A Oh, oh, we need to do something. I don't know how you limit free speech,
20 because we have the Constitution and the Bill of Rights, but something has to be done
21 because it is literally social media that caused everything. Trump was just a part of it,
22 and he used it, but it was social media that was pulling the weapon.

23 Q Got it. Thank you.

24 [REDACTED] Well, Mr. Barber, thank you again for taking time to speak with us
25 today. We really appreciate it. Yes, Ms. Akpan?

1 Ms. Akpan. I'm sorry, this is Ms. Akpan, I did have a few questions for
2 clarification. Is that okay?

3 [REDACTED] Yes, that's fine.

4 BY MS. AKPAN:

5 Q Mr. Barber, I know you said that you have expressed your grave concern
6 about the upcoming election and more with incarceration, but I do want to at least have
7 you make clear that you don't want to be incarcerated.

8 A No, no, like I said, I have done 5 years from age 18 to 24, 25. And I turned
9 21 at our State Supermax. I've done more than enough of my share of time. It had a
10 really bad impact on my psyche. It was lifelong. Not to mention the housing and
11 employment discrimination that I've experienced. So I want to avoid jail time, if
12 possible, but I do understand that the actions that day are -- everyone involved is
13 probably going to be held accountable at some level.

14 Q Okay. And at that time that you did prison before, you didn't have a family,
15 you didn't have kids?

16 A No, that makes things quite different. My daughter is 18 months, and the
17 other one is 8 years. And so with family income, it's going to be difficult to do time.

18 Q Okay. I do want to go back really fast. You mentioned CPS somewhere.
19 I don't know that I can find it in my notes. You said that they sent CPS to your house,
20 and I wasn't sure what CPS was.

21 A So the week of the -- probably the most -- the city council meeting for the
22 nondiscrimination ordinance --

23 Q Okay.

24 A -- was the largest city council meeting that they've ever had in the city's
25 history. They had people come out in the plaza, in the lobby. There were people

1 sitting on the floor. It was crazy. And someone -- I don't know if it was a message or a
2 type of thread or whatever, but the week of the vote, someone had called CPS, and CPS
3 had come to my house and looked at it and everything. And the timing was always --

4 Q I'm sorry, what is CPS?

5 A They are Child Protective Services.

6 Q Okay. So someone sent some type of material to your house that caused
7 the Child Protective Services to come to your house?

8 A No, they just probably referred them and said, Hey, that house has abuse, or
9 maybe that house -- they never told me why. They just said they had a referral, and
10 they wanted to check up and look at the house, talk to my kid, all kinds of craziness. I've
11 never had anything like that happen before since. And the fact that it happened the
12 week of that vote was always a little bit more of a coincidence to me.

13 Q I see. Okay. And then I just wanted -- I think this would be my last
14 question. Sorry. You mentioned that you had lost the election by five -- your local
15 election by 5 percent.

16 A Uh-huh.

17 Q And, I guess, that was around the same time that the discussion about
18 election irregularities had been taking place nationally, right?

19 A Yeah.

20 Q Did you have any thoughts that perhaps that it also affected your election,
21 too?

22 A Oh, 100 percent.

23 Q Okay.

24 A The reason we didn't pursue it because the party -- the party -- the executive
25 committee, the chair in the party, the local Wood County -- the -- they were made aware

1 of it, and we evaluated some things. But of all the things that we would have had
2 grounds to contest, had I won all of the ballots that I could have contested, it wouldn't
3 have -- it wouldn't have been enough. I would have gotten me down to maybe like
4 2 percent if I had won every single contested ballot, and I wasn't going to do that. That
5 wasn't going to happen. So even with it -- so basically, in any mind, they could -- she
6 would have won against me without cheating. So she didn't have to cheat. Because it
7 ended up being like, even though it was 5 percent, it was 87 votes. And I think it was
8 only about 50 or so votes that we thought were contestable.

9 Q Okay. So there was some process that you went through to try to
10 challenge or --

11 A We didn't try. We evaluated them --

12 Q Okay.

13 A -- and determined that even if we had won every single one of these we
14 thought we could, it wouldn't have made the difference. It won't have put me over.

15 Q That's all I have. Thank you.

16 [REDACTED] Okay. Thank you, Ms. Akpan.

17 Well, I just wanted to say again, Mr. Barber, thank you for taking time to speak
18 with us here today. We really appreciate it. And your interview is, of course, an
19 important part of our investigation for folks that have been charged by DOJ for their
20 actions on January 6th. So thank you for voluntarily sitting with us.

21 And, Ms. Akpan, if you have any questions moving forward, please feel free to
22 reach out to us.

23 Ms. Akpan. Thank you.

24 [REDACTED] Thank you. We'll go off the record at 12:04 p.m.

25 [Whereupon, at 12:04 p.m., the interview was concluded.]

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Certificate of Deponent/Interviewee

I have read the foregoing ____ pages, which contain the correct transcript of the answers made by me to the questions therein recorded.

Witness Name

Date