

# [***Robert F. Kennedy Jr. questions prosecutions for Jan. 6 attack, says he wants to hear 'every side'***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BR7-XWJ1-JC5B-G3N3-00000-00&context=1516831)

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**Body**

[*Independent*](https://apnews.com/article/who-is-robert-f-kennedy-jr-rfk-097ac973a32ddf2e8e4edecd6a8f3153) presidential candidate [*Robert F. Kennedy Jr.*](https://apnews.com/politics/election-2024-0000018ca126d7a5a79da57ef5030000) in a lengthy statement Friday suggested that the prosecution of rioters who violently attacked the U.S. Capitol on Jan. 6, 2021, might be politically motivated, partly aligning himself with the false portrayal being pushed by former President Donald Trump and his allies.

The statement came a day after Kennedy came under fire for a [*fundraising email*](https://apnews.com/article/robert-kennedy-jr-january-6-defendants-activists-email-62390383a504d5f8459f514bba7035ff) that painted a sympathetic portrait of the rioters as “activists” who were “stripped of their constitutional liberties.”

While Kennedy's campaign said it had severed ties with a contractor who sent the fundraising email, his latest statement struck a similar tone. Rather than disavowing the idea that the rioters are being prosecuted unjustly, Kennedy has embraced it, saying he is “concerned about the possibility that political objectives motivated the vigor of the prosecution of the J6 defendants.”

When it comes to the events of Jan. 6, Kennedy said, “I want to hear every side.”

Kennedy in his statement does partially criticize Trump — saying the attack on the Capitol happened with his “encouragement” and "in the context of his delusion that the election was stolen from him.” Yet Kennedy said as president he would appoint a special counsel to look into whether Trump allies were unfairly singled out for prosecution, “and I will right any wrongs that we discover.”

Trump routinely calls those convicted for the Jan. 6 attack “hostages” and has [*promised to pardon them*](https://apnews.com/article/donald-trump-jan-6-pardons-2024-campaign-2401ead35cb1402a7b289c2c99761373) if he wins back the White House.

Kennedy in his statement also claims falsely that the rioters did not carry weapons. Some members of the mob carried guns and one was recently charged with [*firing a shot into the air*](https://apnews.com/article/jan-6-capitol-riot-gun-arrest-6c626e624d0025b1e14eb9a1c22a1730) during the riot. Other rioters used things like flagpoles, a crutch, a hockey stick, a lacrosse stick, pepper spray and a PVC pipe to attack officers.

Kennedy later retracted that claim with a statement Friday evening saying: “My understanding that none of the January 6 rioters who invaded the capitol were carrying firearms was incorrect. Several have been convicted of carrying firearms into the Capitol building. Others assaulted Capitol police with pepper spray, bludgeons, and other makeshift weapons.

“This behavior is inexcusable,” he added. "I have never minimized or dismissed the seriousness of the riot or any crime committed on that day.”

The violence on Jan. 6 was extensive. The mob of Trump supporters stormed past police barriers, engaged in hand-to-hand combat with officers, smashed windows and poured into the Capitol building, sending lawmakers running into hiding.

A makeshift gallows was photographed outside the Capitol the day of the attack and some chanted “Hang Mike Pence.” Rioters roamed the halls, calling out, “Where are you, Nancy?” referring to Democratic Rep. Nancy Pelosi, the House speaker at the time.

Police officers were bruised and bloodied as they were dragged into the crowd and beaten. One officer was [*crushed in a doorframe*](https://apnews.com/article/capitol-riot-sentencing-patrick-mccaughey-police-attack-8fa19a15b9355a72bc69b067ffa63cb8) and another suffered a heart attack after a rioter [*pressed a stun gun against his neck*](https://apnews.com/article/capitol-riot-sentence-daniel-rodriguez-michael-fanone-stun-gun-e9695c314110df4064fc0cd242b58a68) and repeatedly shocked him.

More than 1,300 people have been charged in the attack on the Capitol, including roughly 500 people accused of assaulting, resisting or impeding officers. About 1,000 have pleaded guilty or been convicted by a judge or a jury of crimes including seditious conspiracy, assault and civil disorder. Only two defendants have been cleared of all charges after a trial, both by judges who decided the case without a jury.

Of the more than 800 rioters who have been sentenced, at least 229 have received at least one year behind bars, according to an Associated Press review of court records. The longest sentences so far have gone to the leaders of two far-right extremist groups — [*the Oath Keepers*](https://apnews.com/article/oath-keepers-founder-guilty-of-seditious-conspiracy-42affe1614425c6820f7cbe8fd18ba96) and [*the Proud Boys*](https://apnews.com/article/jan-6-enrique-tarrio-seditious-conspiracy-trial-f8738f17552cda21eef6d89504da2a0e) — who were convicted of seditious conspiracy after trials that showcased weeks of plotting to use force to stop the transfer of presidential power from Trump to Biden.

[*Judges overseeing the cases*](https://apnews.com/article/jan-6-rioters-defiant-judges-trump-4c42aabc97c5aa7ffa25430d7f3be3f2) in Washington’s federal court have routinely stressed that the rioters are being punished for their actions, not their political beliefs. Judges appointed to the bench by presidents of both political parties have sought to use their platforms to combat distortions about the attack and admonish rioters for casting themselves as victims of political persecution.

Under Justice Department rules, the attorney general — not the president — appoints special counsels. And special counsels have historically been appointed to investigate crimes, like in the cases against Trump, not to second-guess decision-making by Justice Department leadership.

Kennedy portrayed Trump, who faces dozens of charges in four jurisdictions for various alleged crimes, as a victim of a politically motivated government, echoing both the former president's own characterization of the charges as corrupt and claims from Republicans in Congress that federal agencies are “weaponized” against conservatives.

“One can, as I do, oppose Donald Trump and all he stands for, and still be disturbed by the weaponization of government against him," Kennedy said.

Kennedy is a lawyer and activist known for fighting for environmental causes and rejecting the scientific consensus that vaccines are safe and effective. He has a fervent base of support among voters distrustful of the government and other institutions in American life, including the media, political parties and corporations.

Democrats and their allies on the left have mobilized against Kennedy, the descendent of prominent Democrats from the most recognizable dynasty in U.S. ***politics***, who they worry will split the anti-Trump coalition and help Trump to victory in November.

“There aren’t two sides to violent rioters who assaulted police officers and tried to overthrow our democracy,” said Matt Corridoni, a spokesperson for the Democratic National Committee. “Time and again, RFK Jr. has proven he’s a spoiler for Donald Trump, whether it’s having his candidacy propped up by Trump’s largest donor or providing cover for Trump by downplaying the seriousness of January 6th.”

Allies of the former president also worry about the effect of Kennedy's candidacy because many of his conspiratorial views are closely aligned with Trump.

Long before he was running for president, Kennedy was associated with people who played a part in the chaos of Jan. 6 and the larger movement spreading the falsehood that the election was stolen from Trump. Anti-vaccine business owners Ty and Charlene Bollinger, who the [*AP has previously reported*](https://apnews.com/article/anti-vaccine-bollinger-coronavirus-disinformation-a7b8e1f33990670563b4c469b462c9bf) have had a financial relationship with Kennedy, were involved in hosting a rally near the U.S. Capitol on Jan. 6, as was Kennedy’s campaign staffer, Del Bigtree.

In the months after the attack, Kennedy was a top-billed speaker at the [*ReAwaken America tour, a Christian nationalist roadshow*](https://apnews.com/article/reawaken-america-tour-michael-flynn-910e83b515185751be82868b227ca22e) led by former Trump national security adviser Michael Flynn, where speakers consistently push the lie that the 2020 presidential election was stolen and Trump is the rightful president. Kennedy was photographed backstage with Flynn, Charlene Bollinger and Roger Stone, a close Trump ally.

Kennedy has also [*appeared on InfoWars*](https://apnews.com/article/rfk-kennedy-election-2024-president-campaign-621c9e9641381a1b2677df9de5a09731), the channel run by Sandy Hook conspiracy theorist Alex Jones, who attended the rally that preceded the Capitol attack, and himself marched up the steps of the Capitol on Jan. 6.

The anti-vaccine group Kennedy led for years, Children’s Health Defense, currently has a lawsuit pending against several news organizations, among them The Associated Press, accusing them of violating antitrust laws by taking action to identify misinformation, including about COVID-19 and COVID-19 vaccines. The Bollingers are also part of that lawsuit and Kennedy is listed as one of its lawyers.

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Associated Press writers Eric Tucker, Michael Kunzelman and Michelle R. Smith contributed.

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