

The January 6 Hearings: **Pennsylvania** **Spotlight**

Background: The U.S. House Select Committee to Investigate the January 6th Attack on the United States Capitol (January 6 Select Committee) is holding oversight hearings in June 2022. It will present public testimony, evidence, and analysis relating to the January 6, 2021 attack, its run-up, and its aftermath. The attack and effort to undermine the will of the American voters did not happen in a vacuum. Fueled by [misinformation and lies about the 2020 election](#), many of the key actors involved and key actions taken that contributed to the attack originated from the states. After all, while elections are national events, they are run and led by the states.

The States United Democracy Center has created a series of state-by-state guides to the January 6 attack highlighting activities that sought to undermine our free, fair, and secure elections. The Pennsylvania Spotlight includes events in the state leading up to the January 6 attack, participation by Pennsylvania actors in relevant events and the attack itself, efforts in Pennsylvania to discredit or reverse the outcome of the presidential election, and subsequent post-January 6 events.

I. EVENTS IN PENNSYLVANIA LEADING UP TO JANUARY 6 ATTACK

Supporters of then-President Trump held rallies throughout the country attempting to discredit the 2020 presidential election process and challenging the official election results, including in Pennsylvania, despite lacking factual basis for their allegations.

- In the days after election day—November 3, 2020—protestors convened at the site where election workers were tabulating ballots. Trump supporters “called for a count stoppage and cast unsubstantiated aspersions on the legitimacy of Philadelphia’s tally. Many parroted talking points advanced by the president himself.”¹
- On November 25, 2020, State Senator Doug Mastriano (R-Franklin), and now the Republican candidate for governor, ran a meeting in Gettysburg before the all-Republican State Senate Majority Policy Committee.² Trump lawyers Rudy Giuliani and Jenna Ellis appeared in person and Trump appeared by phone.³ Mastriano and other Pennsylvania lawmakers were then invited to meet at the White House. Attendees would not comment on what was discussed at that White House meeting.⁴

- On December 7, 2020, Texas Attorney General Ken Paxton filed a lawsuit to overturn the 2020 presidential election results in Georgia, Michigan, Pennsylvania, and Wisconsin.⁵ The U.S. Supreme Court rejected his case later that month and the State Bar of Texas has now pursued a complaint against Paxton, accusing him of professional misconduct relating to this litigation.⁶
- On December 14, 2020, as detailed further in Section III, 20 Republicans met to “cast votes” claiming to be an alternate slate of electors for Trump in Pennsylvania, which did not reflect the decision of the state’s voters.⁷
- Mastriano and U.S. Representative Scott Perry (R-PA) assisted in efforts to pressure the U.S. Department of Justice (DOJ) to overturn the 2020 election results. Perry reportedly tried to have Trump loyalist and Assistant Attorney General Jeffrey Clark appointed as attorney general after then-Acting Attorney General Jeffrey Rosen would not pursue Perry and Clark’s idea to send a letter to Georgia lawmakers indicating there was an investigation into voter fraud that could change the 2020 election results when, in fact, the DOJ had already concluded there was no evidence of widespread fraud.⁸
- Mastriano spent thousands of dollars in campaign funds to charter buses to bring Trump supporters to the January 6 rally that preceded the Capitol attack.⁹ The Cumberland County Republican Committee also organized buses to transport Trump supporters to the rally, urging them to help “stop the steal!”¹⁰ Other GOP organizations in Beaver, Bradford, Berks, Chester, Clinton, Huntington, Lawrence, Northampton, and Snyder counties also encouraged members to attend.¹¹
- A group of state lawmakers advocated for delays in certifying Pennsylvania’s 2020 presidential election results.¹² Notable among the Pennsylvania signatories of the January 4, 2021 letter to Senator Mitch McConnell requesting this delay were President Pro Tempore of the Pennsylvania Senate Jake Corman (R-Bellefonte) and Majority Leader Kim Ward (R-Westmoreland).¹³
- On January 5, 2021, 34 Republican Pennsylvania state legislators (along with Republican legislators from Arizona, Georgia, Michigan, and Wisconsin) signed a letter to Vice President Mike Pence.¹⁴ The letter urged Pence to delay the counting of electoral votes for at least 10 days to allow the state legislatures time to certify or decertify the election.¹⁵
- The same lies and conspiracy theories that fueled the January 6 attack contributed to threatening and violent messages aimed at election officials, including in Pennsylvania. These threats were launched over email, voicemails, texts, letters, social media, and in-person events, including gathering outside election officials’ homes. They often expressed false claims that the election was stolen.¹⁶

II. PENNSYLVANIA ACTORS INVOLVED IN JANUARY 6 ACTIVITIES

The Washington Post compiled a [timeline](#) documenting how January 6, 2021 progressed from Trump's "Save America" rally on the White House Ellipse to the breach and attack on the U.S. Capitol. Just Security and Protect Democracy compiled a [primer](#) that organizes and distills the multiprong campaign to overturn the 2020 election results.

- Kathy Barnette (unsuccessful candidate for U.S. Senate): She is a Trump ally who made a late surge in the Republican primary for U.S. Senate. She attended the January 6 rally and was pictured alongside members of the Proud Boys in the mob that marched to the Capitol. She encouraged attendees before the rally, calling it "our 1776 moment" on a conservative radio show.¹⁷
- Teddy Daniels (unsuccessful candidate for lieutenant governor): He attended the January 6 rally and posted a video on Twitter of a crowd invading the Capitol's east plaza, writing "I'm here" and "God bless our patriots." He later claimed that although he got close to the Capitol, he did not go inside.¹⁸
- Doug Mastriano (R-Franklin) (Pennsylvania state senator and candidate for governor): *The Philadelphia Inquirer* has compiled a [timeline](#) of Mastriano's involvement in attempts to overturn Trump's 2020 loss in Pennsylvania and WITF public media has compiled the unfounded election allegations Mastriano [made](#) between Election Day and the January 6 attack.
 - Mastriano claimed he left the Capitol area on January 6 when it became clear the rally was not "a peaceful protest," but videos appear to show him on the Capitol lawn and "poised" to walk past police barricades.¹⁹ Mastriano recently won a contentious primary for the Republican nomination to be Pennsylvania governor, earning a late endorsement on May 14, 2022 from Trump.²⁰ He has also complained about the DOJ's investigation into and prosecution of insurrectionists; Mastriano said that "[l]ast year was a dark year ... I could not believe my country had become such a dark, evil place, with the power being used, the FBI being used, the Department of Justice to oppress innocent civilians."²¹
- Indictments: Over 70 people with Pennsylvania ties have been charged for their involvement in the January 6 attack and their cases have been progressing through the courts.²²

III. PENNSYLVANIA'S FRAUDULENT PRESIDENTIAL ELECTORS SLATE

- On December 14, 2020, groups of Republicans in Arizona, Georgia, Nevada, Michigan, New Mexico, Pennsylvania, and Wisconsin signed documents made to look official that represented the signatories as the duly authorized or potential alternate presidential electors for Trump, rejecting the will of the voters in their states.²³ The actions of these fake electors are the possible subject of state and federal criminal probes.²⁴
- The following individuals served as fake electors in Pennsylvania:²⁵ Bill Bachenberg (Lehigh Valley business owner); Lisa Patton (former staffer for Donald Trump for President 2020); Lou Barletta (former congressperson); Charlie Gerow (conservative activist and candidate in primary for governor); Sam DeMarco III (at-large member of Allegheny County Council in Pennsylvania and member of county board of elections); Josephine Ferro (Monroe County Register); Tom Carroll (candidate for district attorney in Northampton County); Ted Christian (Pennsylvania state director for Trump's 2016 campaign); Bernadette Comfort (vice chairwoman for Pennsylvania Republican Party); Chuck Coccodrilli (board member for Pennsylvania Great Frontier PAC); Calvin Tucker (deputy chairman and director of engagement and advancement for Pennsylvania Republican Party); Marcela Diaz-Myers (chairwoman of the PA GOP Hispanic Advisory Council); Kevin Harley (business colleague of Charlie Gerow and former press secretary for former governor Tom Corbett); Leah Hoopes (small business owner and Republican committee member for Bethel Township); Christie DiEsposti (account representative at Pure Water Technology); Ash Khare (active in the Pennsylvania Republican party); Andre McCoy (Director of Government Affairs for a private security firm); Pat Poprik (chair of Bucks County Republican Committee); Andy Reilly (national committee member for Republican Party of Pennsylvania); Suk Smith (owner of firearms training center and martial arts school in Carlisle).

IV. POST-JANUARY 6 DEVELOPMENTS IN PENNSYLVANIA

Pennsylvania continues to be a hotbed of efforts to undermine nonpartisan election administration and spread disinformation about the 2020 presidential election results.

a. Prominent Anti-Democracy Visitors' Activities in the State

- Mike Lindell: The MyPillow CEO hosted a “March for Trump” bus tour pushing false narratives of election fraud and stopped in Pennsylvania in December 2020.²⁶ Lindell also appeared at a campaign rally with Mastriano in March 2022, “where attendees were asked to sign a petition to decertify the result of the 2020 election in Pennsylvania.”²⁷
- Cleta Mitchell: She is a Trump ally who has raised unsubstantiated accusations and debunked election fraud claims; Mitchell has visited Pennsylvania to recruit “election conspiracists into an organized cavalry of activists monitoring elections.”²⁸

b. Known January 6 Select Committee Subpoenas to Pennsylvania Actors

The January 6 Select Committee has “issued more than 100 subpoenas to lawmakers, internet and communications companies, Trump White House officials and others” including rally and event organizers.²⁹ Here are some examples of the Pennsylvania actors that have received subpoenas from the committee.

- Bill Bachenberg (Lehigh Valley business owner): He was the Chair of the Pennsylvania fake electoral college slate.³⁰ Bachenberg was issued a subpoena by the January 6 Select Committee.³¹
- Doug Mastriano (R-Franklin) (Pennsylvania state senator and candidate for governor): In February 2022, the January 6 Select Committee subpoenaed documents and testimony from the Republican gubernatorial candidate.³² Mastriano has provided documents to the committee and agreed to participate in an interview.³³
- Lisa Patton (former staffer for Donald Trump for President 2020): She was the Secretary of the Pennsylvania fake electoral college slate.³⁴ Patton has been subpoenaed by the January 6 Select Committee.³⁵
- Representative Scott Perry (R-PA): Perry has been subpoenaed by the January 6 Select Committee.³⁶

c. Partisan Election Reviews

- In June 2021, Mastriano and House Judiciary Committee Chairman Rob Kauffman (R-Franklin) and state Sen. Cris Dush (R-Jefferson) traveled to Arizona to get a firsthand look at the Cyber Ninjas’ review of the 2020 election commissioned by Republican lawmakers in Arizona.³⁷
- In November 2021, Republicans in the Pennsylvania state Senate signed a contract with Iowa-based Envoy Sage—a company with no election audit experience—to lead its investigation of the 2020 election.³⁸ Republican lawmakers in the state legislature also issued a subpoena to the secretary of state seeking data and personal information on every Pennsylvania voter, claiming they were “investigating ... allegations” about election fraud.³⁹ The scope of this election review has been the subject of litigation by Attorney General Josh Shapiro over privacy concerns about the information being requested, among other things.⁴⁰

d. Legislation to Change Pennsylvania’s Election Laws

- In June 2021, Governor Tom Wolf vetoed HB 1300, which would have required voter ID and signature match verification, moved registration deadlines, and changed drop box requirements and mail-in ballot procedures.⁴¹ In his veto message, Governor Wolf stated that he believed HB 1300 posed “unacceptable barriers” to voting.⁴²
- Since the 2020 presidential election and the January 6 attack, state legislatures across the country have considered a wide range of bills that would increase the risk of election subversion—that the purported outcome of the election does not reflect the choice of the voters. State by state, legislatures have moved to seize power from professional, non-partisan election administrators and to subject the running of elections to partisan influence and disruption. For more information about Pennsylvania’s election subversion legislation, please see States United’s [2021](#) and [2022](#) report, written and published in collaboration with Protect Democracy and Law Forward.

e. Partisan Election Reviews

Pennsylvania conducts elections for the positions of judge of elections and inspector of elections —people who supervise polling places and ensure that votes are properly tabulated. The pro-Trump group, Audit the Vote PA, has worked to recruit Election Deniers to run for these positions, which could impact how future elections are administered in the state.⁴³ Election Deniers are also running for governor in Pennsylvania:⁴⁴

Election Denier Gubernatorial Candidates:

- Doug Mastriano (R): [Election Denier](#)

Election Deniers Who Lost in Gubernatorial Primary:

- Lou Barletta (R)
- Joe Gale (R)
- Charlie Gerow (R)

ADDITIONAL RESOURCES FROM THE STATES UNITED DEMOCRACY CENTER

[Countering Lies about the 2020 Presidential Election](#)

[A Democracy Crisis in the Making 2021](#) and [2022](#) reports

[Guide to Counting Electoral College Votes and The January 6, 2021 Meeting of Congress](#)

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This document was prepared by the States United Democracy Center.

The States United Democracy Center is a nonpartisan organization advancing free, fair, and secure elections. We focus on connecting state officials, law enforcement leaders, and pro-democracy partners across America with the tools and expertise they need to safeguard our democracy. For more information, visit www.statesuniteddemocracy.org.

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- ¹¹ See note 9.
- ¹² Corasaniti, N., et al. (2022, May 22). How Trump’s 2020 Election Lies Have Gripped State Legislatures. *The New York Times*. <https://www.nytimes.com/interactive/2022/05/22/us/politics/state-legislators-election-denial.html>; WPIX.com News Staff. (2021, January 5). Group of PA lawmakers sends letter to Mitch McConnell asking to delay election certification. *WPIX.com*. <https://www.wpxi.com/news/politics/group-pa-lawmakers-sends-letter-mitch-mcconnell-asking-delay-election-certification/XTZKAVHDRNER5PJXOY4DLA7R7A/>.
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- ¹⁴ The Pennsylvania legislators who signed the letter are: Senator Dave Argall, Rep. Aaron Bernstine, Rep. Stephanie Borowicz, Rep. Robert Brooks, Rep. Bud Cook, Rep. Jim Cox, Rep. Eric Davanzo, Rep. Russ Diamond, Senator Cris Dush, Rep. Barbra Gliem, Rep. Mike Jones, Rep. Rob Kauffman, Rep. Dawn Keefer, Rep. Mike Jones, Senator Wayne Langerholc Jr., Rep. David Maloney, Senator Doug Mastriano, Rep. Daryl Metcalfe, Rep. Dan Moul, Rep. Eric Nelson, Senator Kristin Phillips-Hill, Senator Joe Pittman, Rep. Michael Puskaric, Rep. Kathy Rapp, Senator Mike Regan, Rep. Jim Rigby, Rep. Brad Roae, Rep. David Rowe, Rep. Francis Ryan, Rep. Jason Silvis, Rep. Brian Smith, Senator Judy Ward, Senator Kim Ward, and Rep. David Zimmerman; See Letter to Vice President Michael R. Pence. (2021, Jan. 5). *The Wisconsin Examiner*. <https://wisconsinexaminer.com/wpcontent/uploads/2021/01/Letter-to-Pence-1.pdf>.
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