

# The Jan 6th Rioters Who Were Pardoned by Trump Only to Offend Again

Mike Wendling, author of 'Day of Reckoning: How the Far Right Declared War on Democracy' speaks to Adrian Goldberg for the Byline Podcast

MIKE WENDLING

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Security forces respond with tear gas after the US President Donald Trump's supporters breached the US Capitol security in Washington D.C., United States on 6 January 2021.



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Donald Trump's hardcore MAGA supporters continue to whitewash the events of January 6, 2021, and one of the first actions the President took upon regaining the White House was to issue a blanket pardon covering upwards of 1,500 rioters.

But now new figures show how many of the rioters have continued criminal behavior since that day.

At least 78 rioters have been arrested on charges unrelated to the riot, according to exclusive figures compiled for the *Byline Times* via court documents, police records news reports.

That figure is more than twice as high as has been previously reported – for instance a report released in January by Democrats on the US House Judiciary Committee tallied just 33 criminal arrests.

Our tally is limited to those accused or convicted of crimes which were unrelated to the events in Washington on the day that has become known in the US as simply “Jan 6th”.

At least nine of the cases involve child sexual abuse, three are rape charges and two people have been convicted of murder while driving under the influence of alcohol in addition to at least 19 weapons charges and nine violent assaults.

Many others involve arrests and convictions for comparatively minor crimes including drink driving and petty theft.

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The rioters include people like Christopher Moynihan, who had half a dozen minor convictions on his record for drug possession and theft before he joined the crowd that stormed the US Capitol.

Once inside, he entered the Senate chamber, rifled through documents and said: “There’s got to be something here we can... use against these scumbags.” He was later arrested and sentenced to 21 months in prison.

Donald Trump’s blanket pardon of the rioters, issued on his first day back in the White House, gave Moynihan his freedom and a fresh start.

It lasted less than a year. In October 2025, Moynihan was arrested for threatening the minority leader of the house, Democrat Hakeem Jeffries.

According to police, Moynihan wrote in a text message: “I cannot allow this terrorism to live.” He was charged with making terroristic threats, a felony.

Another rioter, Theodore Middendorf, was sentenced to 19 years in prison in 2024 for criminal sexual assault of a child. Middendorf’s victim, according to court documents, was 7 years old.

Shane Jason Woods, an Illinois man who assaulted a police officer and a reporter on Jan 6th, was stopped by police while driving drunk in 2022. He fled, driving the wrong

way down an interstate highway, and smashing into a truck, killing one person and injuring three others. He was later convicted of reckless homicide and other charge

Some of the rioters have built public profiles off the back of their notoriety.

Jake Lang attacked police officers with a baseball bat during the Capitol riot and spent four years in prison. Since Trump pardoned him, he's become a minor far-right social media celebrity.

He confronted anti-ICE protesters in Minneapolis and faces a felony charge for smashing an ice sculpture installed by a military veterans' group. He was also arrested in Washington earlier this year after confronting Capitol Police officers, telling one that he should be "put down like a dead dog" and hung for treason.



Rioters clash with police trying to enter Capitol building through the front doors in Washington, DC on January 6, 2021. Photo: Lev Radin/Sipa USA/Alamy

On the campaign trail in 2024, Trump compared his own legal troubles to those of rioters, a theme echoed in a statement that the White House issued in response to the story. Spokesperson Abigail Jackson said those who received pardons were “victims [former President Joe] Biden’s weaponized justice system”.

In the meantime, Jan 6th reached mythical status in some sections of MAGA. Wild theories about the supposed involvement of federal agents and deep state plots continue to circulate widely on the American right – and are amplified by the President himself via his Truth Social account.

Looming over it all is the conspiracy theory that inspired the riot – the baseless idea that large-scale electoral fraud is happening in elections all across the United States.

Despite a lack of evidence, Trump and his supporters have continued to cling to the claim, which could provide a pretext for further federal investigations or even law enforcement officers being dispatched to polling places during Congressional elections in November.

Democrats and groups which keep tabs on the rioters say the crimes demonstrate an ongoing public safety threat.

“After the pardons it was inevitable that some of those who were convicted would go on to break the law again,” said Chelsey Winger, political director of the Democratic Association of Secretaries of State, which represents state-level Democratic Party officials who run elections.

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Supporters of the rioters, meanwhile, argue that the investigation into the riot was overzealous and that the defendants have struggled to get their lives back on track.

“Their psyches have been devastated, their careers have been eliminated and their lives have been destroyed,” said Mark McCloskey, a St Louis lawyer who has represented some of the riot defendants, although only in cases related to the storming of the Capitol.

McCloskey rose to national attention in 2020 when he and his wife were photographed brandishing firearms during Black Lives Matter protests near their home.



Armed homeowners Mark and Patricia McCloskey confront Black Lives Matter protesters on 28 June 2020, in St. Louis. Photo: Laurie Skrivan/Tns /ZUMA Press Wire/Alamy

After the riots, he began working as an advocate for the defendants. They're not satisfied with a pardon, he says, and are demanding compensation from the US government. McClosky says he's encountered many who have been shunned by their families or have been left homeless and jobless.

"They may go into work and the boss says, 'We Googled you and we can't have an insurrectionist on staff,'" he said. "A lot of these guys are living in their cars."

Some of the case files involving drink driving and assault charges reflect people who appear down on their luck. But there are also cases like those of Andrew Paul Johns

a rioter who was charged in Florida with child sex offences including molestation of a victim under the age of 12.

A police report said Johnson promised one of his victims money from the yet-to-be established Jan 6th Government compensation scheme, in order to buy the victim's silence.

Another rioter, Emily Hernandez, was pictured hoisting Democratic lawmaker Nancy Pelosi's nameplate during the melee. A year later, she got drunk and smashed her car into another, killing a woman.

Donald Sherman, president of progressive legal organisation Citizens for Responsibility and Ethics in Washington, said the pardons have increased the risk of further political violence.

"This President has said in word and in deed that if you engage in political violence on his behalf, then it's OK," he said. "What clearer sign could there be that political violence is supported and sanctioned than that?"

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A guest post by

**Mike Wendling**

I report on extremism and conspiracy theories. I'm a former senior reporter for the BBC based in Chicago and I was also editor of Trending, the BBC's social media investigation unit.

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