

# JUDGE UNSEALS DETAILS ON COOPERATING WITNESS IN DOUGLASS MACKEY CASE

The government was just forced to reveal that it has a cooperating witness against Douglass Mackey, the far right troll who tried to help Trump win in 2016 by tricking Hillary voters into texting their vote instead of casting it legally. The cooperating witness will testify against Mackey, whose trial starts on March 16.

The documents were all made available today:

- Government motion for a protective order
- Mackey opposition
- Government reply
- Judge Garaufis order approving pseudonymous testimony but unsealing request

The charge against Mackey accuses him of conspiring with four other people. As Luke O'Brien laid out when Mackey was arrested in 2021, three of Mackey's co-conspirators were readily identifiable.

HuffPost can report that one co-conspirator is a prominent alt-right botmaster who goes by "Microchip" and was instrumental in making pro-Trump and anti-Hillary Clinton hashtags and content go viral on Twitter during the 2016 election. A fascist accelerationist who has expressed admiration for Adolf Hitler and Nazism, Microchip claims to have been involved in the early spread of the QAnon conspiracy cult and repeatedly told this reporter that his

goal was to destroy the United States.

Another of Mackey's co-conspirators is Anthime "Baked Alaska" Gionet, a pro-Trump white nationalist who was arrested on Jan. 16 for his involvement in storming the Capitol on Jan. 6. Gionet also participated in the deadly white nationalist "Unite the Right" rally in Charlottesville, Virginia, in 2017. (A New York Times story reported Wednesday afternoon that Gionet was a co-conspirator, citing a source close to the investigation, and HuffPost can confirm that reporting based on the Twitter ID cited in the complaint.)

HuffPost was able to link the Twitter IDs in the complaint to Gionet and Microchip through previously collected Twitter data, interviews and evidence left by both extremists on other websites. In direct messages with this reporter last year, Microchip also confirmed that he was using the Twitter account associated with the user ID listed in the complaint.

The user ID for a third co-conspirator belongs to a pro-Trump far-right activist who goes by "Nia" and has a long history of spreading disinformation on Twitter. HuffPost has not yet been able to identify the fourth co-conspirator.

The fourth was not.

As the government laid out in its motion, at some point, the cooperating witness pled guilty to the same crime charged against Mackey, a violation of the Ku Klux Klan Act. Since then, he has been cooperating with the government on other investigations, presumably targeting the far right.

The CW has pleaded guilty to a violation of 18 U.S.C. § 241 and entered into a

cooperation agreement with the government. The government expects that the evidence at trial will show that the CW had communications with the defendant and other relevant persons over the internet through the use of Twitter, including communications discussing the creation and dissemination of deceptive images concerning the time, place, and manner by which voters could cast a vote in the 2016 presidential election. In particular, the CW participated in direct-message groups that included the defendant and others. In all instances, the CW used an online moniker for these communications and did not reveal his or her true identity, face, or likeness to the defendant or the other participants in the groups.

The government intends at trial to introduce the CW's communications as exhibits and to question the CW concerning them and the CW's understanding of the purpose of the deceptive images discussing the time, place, and manner of voting, among other related online activities. The CW has advised that apart from the CW's family, a former girlfriend, and possibly one or two former business associates, no one is aware that the CW is in fact the user of the relevant internet monikers. As far as the government is aware, the CW's true identity has never been publicly associated with any of the online monikers used by the CW on Twitter or other social media, notwithstanding the efforts of investigative journalists who have attempted to learn the CW's identity.

In addition, since entering into the cooperation agreement, the CW has provided assistance to the FBI in other criminal investigations beyond the scope of this case. The CW is presently

involved in multiple, ongoing investigations and other activities in which he or she is using assumed internet names and “handles” that do not reveal his or her true identity. The CW has not interacted with any witness, subject, or target in these investigations and activities on a face-to-face basis, and the government has no reason to think that the CW’s true identity has been compromised as a result of this work.

The government provides no other details about the CW (though Mackey’s reply refers to him as male), but it does go out of the way to note that the person had not flipped by 2016, I guess to avoid any possibility Republicans will claim this was part of Crossfire Hurricane.

For the avoidance of doubt, the CW was not cooperating with the government at any point before or during 2016.

The government noted in its reply, the technical proficiency of those who might suspect they were being investigated is such that revealing his identity might make him the target of harassment and cyber attacks.

The fact of the CW’s cooperation is sure to be seen by many in that community as a profound betrayal, with the result that, at a minimum, online harassment is bound to follow the CW should his or her identity become a matter of public record. That harassment can have negative consequences in and of itself. In addition, to claim that intense online attacks do not endanger a person’s physical safety is to ignore the reality of our current world, as evinced in common newspaper headlines. See, e.g., Sheera Frenkel, *The Storming of Capitol Hill Was Organized on Social Media*, N.Y. TIMES, Jan. 6, 2021,

available at  
<https://www.nytimes.com/2021/01/06/us/politics/protesters-storm-capitol-hillbuilding.html>; Eric Lipton, Man Motivated by “Pizzagate” Conspiracy Theory Arrested in Washington Gunfire, N.Y. TIMES, Dec. 5, 2016, available at <https://www.nytimes.com/2016/12/05/us/pizzagate-comet-ping-pong-edgar-maddisonwelch.html>. It is simply (and regrettably) a fact of the times that many acts of politically motivated violence in current society arise from campaigns of online harassment.

Beyond the risk to the CW, the potential consequences include the disruption of the CW’s ongoing work with the FBI. It is certainly true that the nature of this work is online and anonymous, but, if the CW’s name and location were to become known, the CW would become a target for all who believe that they might be under investigation (whether they are or not). Given the technical proficiency of those with whom the CW associates, it is not difficult to envision multiple scenarios in which the CW’s online work could be jeopardized by way of a cyberattack (at a minimum).

While it doesn’t say so, those two past incidences in which online trolling led to violence – January 6 and PizzaGate – are both other instances in which Mackey’s other co-conspirators and those in the same network were involved. Indeed, co-conspirator Baked Alaska is currently serving time for his role in the January 6 attack.

Unsurprisingly, the government provides no details about how long this cooperation has been going on – but it presumably started before Mackey was arrested in 2021. Which is likely to make a lot of right wingers awfully nervous.