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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 DEPOSITION OF: ENRIQUE ALEJANDRO DE LA TORRE

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Wednesday, May 11, 2022

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Washington, D.C.

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The deposition in the above matter was held via Webex, commencing at 1:05 p.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:

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8 [REDACTED], SENIOR ADMINISTRATIVE ASSISTANT

9 [REDACTED], CHIEF CLERK

10 [REDACTED], SENIOR INVESTIGATIVE COUNSEL

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12 For THE WITNESS:

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14 MICHAEL BECKER

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Mr. [REDACTED] So we'll -- good afternoon.

This is a deposition conducted by the House Select Committee to Investigate the January 6th Attack on the United States Capitol, pursuant to House Resolution 503.

At this time, I'd ask the witness to please state and spell your name for the record.

Mr. de la Torre. Enrique A. de la Torre, E-n-r-i-q-u-e, space bar, A., period, space bar, d-e, space bar, l-a, space bar, T-o-r-r-e.

Mr. [REDACTED] Thank you, Mr. de la Torre.

Could you please place raise hand so you can be sworn in for the deposition?

The Reporter. Do you solemnly declare and affirm under the penalty of perjury that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth?

Mr. de la Torre. Yes.

Mr. [REDACTED]. Mr. de la Torre, you can put your right hand down. Thank you.

My name is [REDACTED] I'm a Senior Investigative Counsel on the staff of the January 6th Select Committee. This will be a staff-led deposition that is led by me.

Members of the select committee may choose to join us. And if they do so, they can also ask questions as well. But, as we stand here now, no members have joined us. And I don't expect any will for today.

Otherwise, joining me by Webex, as you've seen, we have an official reporter. And then there are also staff members on the -- on the select committee.

Now we'll follow today the House deposition rules that we've provided to your counsel previously with the subpoena that came to you. And, under those rules, you are permitted to have an attorney present, which I see you do.

So, at this time, I'd ask for your attorney, Mr. Becker, to please identify himself for

1 the record and spell his last name for us.

2 Mr. Becker. Michael David Becker, B-e-c-k-e-r.

3 Mr. [REDACTED] Under the House deposition rules, neither committee members nor
4 staff may discuss the substance of your testimony that you provide today, Mr. de la Torre,
5 unless the committee approves release. You and Mr. Becker will have an opportunity to
6 review the transcript at a later date once it's complete.

7 Before we begin, though, I'd like to describe just a few grounds rules and see if
8 you or Mr. Becker have any questions.

9 There is an official reporter, as you've noted and I've discussed, who will be
10 transcribing the record of this deposition. Please wait until each question is completed
11 that I ask before you begin your response, and I'll wait for you to complete your answer
12 before I ask my next question.

13 The reporter can't record nonverbal responses such as shaking or nodding your
14 head. So we ask that you please respond with a yes, no, or otherwise a verbal response.
15 And excuse me in advance if I have to follow up and ask you to do that if you forget.

16 If you spell something we don't know the spelling to, I might ask you to spell that.
17 That's simply for the benefit of the record.

18 And all we ask of you today, as with any witness, is that you provide complete
19 answers based on your best recollection. If the question is not clear, just say so. I'll do
20 my best to rephrase it. And if you don't know the answer, simply say so.

21 Now you may only refuse to answer a question to preserve a privilege recognized
22 by the select committee. If you refuse to answer a question based on a privilege, staff,
23 that is, myself, may seek a ruling from the chairman of the select committee on the
24 objection or proceed with the deposition and, otherwise, keep asking questions and seek
25 a ruling from the chairman at a later date.

1 If the chairman overrules your objection either today or at a later date, you are
2 required to answer the question or questions.

3 I also want to remind you, as we do all witnesses, that it is unlawful to deliberately
4 provide false information to Congress. And, since this deposition is under oath,
5 providing false information could result in criminal penalties to include for perjury and/or
6 providing false statements.

7 Do you understand all of the grounds rules that I've just discussed?

8 Mr. de la Torre. Yes.

9 Mr. [REDACTED]. Excuse me for a moment.

10 Now, Mr. de la Torre, earlier this week, Mr. Becker wrote me to inform the select
11 committee that you are declining to produce any documents or answer any questions
12 pursuant to the Fifth Amendment.

13 Is that correct as a general matter?

14 Mr. de la Torre. Yes.

15 Mr. [REDACTED]. Be that as it may, we're going to proceed today with questions
16 relevant to the select committee's investigate with the hope that you will answer.

17 If you have a privilege assertion, such as the Fifth, please assert it for the record in
18 response to each question as appropriate.

19 I'll say at the outset that the Fifth Amendment provides a witness the ability to
20 refuse to answer a question against himself or herself if they have a reasonable belief
21 that a truthful answer would tend to incriminate them, not simply because you would
22 prefer not to answer the question.

23 Do you understand that?

24 Mr. de la Torre. Yes.

25

EXAMINATION

1 BY MR. [REDACTED]

2 Q How old are you, Mr. de la Torre?

3 A On the advice of counsel, I'm invoking my right to the Fifth Amendment of
4 the Constitution of the United States.

5 Q In what State do you reside?

6 A On the advice of counsel, I'm invoking my right to the Fifth Amendment of
7 the Constitution of the United States.

8 Q What's your highest level of education?

9 A On the advice of counsel, I am invoking my right to the Fifth Amendment of
10 the United States.

11 Q For the benefit of the record and brevity, if Mr. Becker and you agree, Mr. de
12 la Torre, I am comfortable with you just simply saying "the Fifth" in response to the
13 questions. But it's up to you. Is that okay?

14 A Okay.

15 Q Have you ever worked for Roger Stone?

16 A I assert my Fifth Amendment right.

17 Q Are you currently employed by Roger Stone?

18 A I assert my Fifth Amendment right.

19 Q Have you discussed with Roger Stone the fact that he was subpoenaed by
20 the January 6th Select Committee?

21 A I assert my Fifth Amendment rights.

22 Q And that Mr. Stone refused to provide documents or answer questions while
23 asserting his rights under the Fifth Amendment?

24 A I assert my Fifth Amendment rights.

25 Q To your knowledge, is Mr. Stone under investigation by the FBI or

1 Department of Justice in connection with the January 6th attack on the Capitol?

2 A I assert my Fifth Amendment right.

3 Q Has the FBI or the Department of Justice sought to interview you in
4 connection with their investigation of the January 6th attack on the Capitol?

5 A I assert my Fifth Amendment right.

6 Q Do you have any reason to believe you are under investigation by the FBI or
7 the Department of Justice in connection with the January 6th attack on the Capitol?

8 A I assert my Fifth Amendment rights.

9 Q In connection with the events of January 6th, Roger Stone has repeatedly
10 said publicly that, quote, "Roger Stone did nothing wrong," close quote.

11 Are you aware of that?

12 A I assert my Fifth Amendment right.

13 Q To your knowledge, did Roger Stone do anything wrong in connection with
14 the events of January 6th and the attack on the Capitol?

15 A I assert my Fifth Amendment right.

16 Q Have you discussed with Roger Stone the fact that you were subpoenaed by
17 the January 6th Select Committee?

18 A I assert my Fifth Amendment rights.

19 Q Did Mr. Stone tell you to refuse to provide documents or answer questions
20 based on the Fifth Amendment?

21 A I assert my Fifth Amendment rights.

22 Q Now I don't want to know anything about any conversations that you have
23 had with your attorney, Mr. Becker, or any other attorneys you've worked with on this
24 matter.

25 Putting that aside, did anyone else tell you to refuse to provide documents or

1 answer questions with the select committee based on the Fifth Amendment?

2 A I assert my Fifth Amendment right.

3 Q You've been described in public reporting as having worked for Roger Stone
4 at least in the years 2020 and 2021. Is that correct?

5 A I assert my Fifth Amendment right.

6 Q What did your work for Roger Stone during the years 2020 and 2021
7 generally entail?

8 A I assert my Fifth Amendment right.

9 Q Did your work for Roger Stone at any point during those years involve issues
10 related to the 2020 Presidential election?

11 A I assert my Fifth Amendment right.

12 Q In the course of your interactions with Roger Stone, did he ever discuss his
13 views on actions President Trump should take with respect to the 2020 Presidential
14 election?

15 A I assert my Fifth Amendment rights.

16 Q Is it correct that, during 2020 and continuing through in and around Jan of
17 2021, that Roger Stone permitted two Danish filmmakers to film him for a documentary?

18 A I assert my Fifth Amendment rights.

19 Q It has been publicly reported that, during this time, the Danish filmmakers
20 recorded interactions between you and Mr. Stone.

21 Did those filmmakers film you and Mr. Stone together?

22 A I assert my Fifth Amendment rights.

23 Q It has been publicly reported that the filmmakers recorded Mr. Stone telling
24 you on or about July 9th of 2020 that, in sum and substance, President Trump should use
25 the powers of his office to reject official results in that year's upcoming Presidential

1 election and secure victory in the courts with help from Federal judges who are loyal to
2 him.

3 Did Mr. Stone say that to you?

4 A I assert my Fifth Amendment rights.

5 Q The public reporting on that incident also goes on to say that, in the
6 presence of the filmmakers, Roger Stone told you, among other things, that the 2020
7 Presidential election would be, quote, "really nasty," close quote and that Democrats
8 would try to steal the election from President Trump.

9 Did Mr. Stone say that to you?

10 A I assert my Fifth Amendment right.

11 Q Prior to the 2020 Presidential election, did Roger Stone undertake any
12 efforts to support President Trump's reelection campaign?

13 A I assert my Fifth Amendment right.

14 Q Did you work with him on those efforts?

15 A I assert my Fifth Amendment right.

16 Q Prior to the 2020 Presidential election, did Roger Stone communicate with
17 President Trump about strategy for the 2020 Presidential election?

18 A I assert my Fifth Amendment right.

19 Q Did Mr. Stone during that time communicate with anyone in the White
20 House about strategy for the 2020 Presidential election?

21 A I assert my Fifth Amendment right.

22 Q And, during that same time, did Mr. Stone communicate with anyone in
23 President Trump's reelection campaign about strategy for the 2020 Presidential election?

24 A I assert my Fifth Amendment rights.

25 Q It has been publicly reported that, on or about November 5th of 2020, 2 days

1 after the Presidential election, that Roger Stone relaunched the, quote, "stop the steal,"
2 close, quote, campaign. Is that correct?

3 A I assert my Fifth Amendment rights.

4 Q It has been further publicly reported that, on or about that same day, that is,
5 November 5th of 2020, in the presence of the Danish filmmakers, Roger Stone drafted a
6 "stop the steal" action plan on your computer.

7 Did Mr. Stone draft such an action plan on your computer?

8 A I assert my Fifth Amendment right.

9 Q That "stop the steal" action plan has been described as saying that, as
10 protestors were mobilized, State lawmakers would be lobbied to reject official results of
11 the 2020 Presidential election. Is that correct?

12 A I assert my Fifth Amendment rights.

13 Q Do you still have that "stop the steal" action plan or a copy of that action
14 plan in your possession, custody, or control?

15 A I assert my Fifth Amendment rights.

16 Q Who was the "stop the steal" action plan directed to?

17 A I assert my Fifth Amendment rights.

18 Q With whom did Roger Stone share the "stop the steal" action plan?

19 A I assert my Fifth Amendment rights.

20 Q Who did you share the action plan with?

21 A I assert my Fifth Amendment rights.

22 Q It has been further publicly reported that, on or about November 5th of
23 2020, Roger Stone discussed the "stop the steal" campaign with General Michael Flynn
24 and the need for them to coordinate with the White House going forward.

25 Is that reporting correct?

1 A I assert my Fifth Amendment right.

2 Q What role did General Flynn play with respect to the "stop the steal"
3 campaign?

4 A I assert my Fifth Amendment right.

5 Q Between on or about November 5th of 2020 and January 20th, 2021, when
6 President Trump left office, did Roger Stone communicate with President Trump about
7 the 2020 Presidential election?

8 A I assert my Fifth Amendment rights.

9 Q Now Roger Stone has stated publicly that, on December 27th of 2020, he
10 met with President Trump at President Trump's golf club in West Palm Beach, Florida, and
11 discussed how President Trump could still win the 2020 Presidential election.

12 Did Mr. Stone share with you the particulars of his conversation with President
13 Trump on December 27th?

14 A I assert my Fifth Amendment rights.

15 Q Between on or about November 5th of 2020 and January 20th of 2021, did
16 Mr. Roger Stone communicate with anyone in the White House other than President
17 Trump about the 2020 Presidential election?

18 A I assert my Fifth Amendment rights.

19 Q During that same time period, that is, after the election and before President
20 Trump left office, did Roger Stone communicate with anyone in President Trump's
21 reelection campaign about the 2020 Presidential election?

22 A I assert my Fifth Amendment right.

23 Q It has been further publicly reported that, on or about November 5th of
24 2020, Roger Stone made the decision to begin raising money for the "stop the steal"
25 campaign.

1 Is that accurate?

2 A I assert my Fifth Amendment right.

3 Q In between on or about November 5th of 2020 and January 20th of 2021,
4 what method or methods did Roger Stone use to raise money for the "stop the steal"
5 campaign?

6 A I assert my Fifth Amendment right.

7 Q Approximately how much money did he raise?

8 A I assert my Fifth Amendment right.

9 Q To what use or uses did he put the money he raised?

10 A I assert my Fifth Amendment right.

11 Q Did Mr. Stone pay you for your work generally for him?

12 A I assert my Fifth Amendment right.

13 Q Did he pay you for your work on the "stop the steal" campaign specifically?

14 A I assert my Fifth Amendment right.

15 Q How did he pay you?

16 A I assert my Fifth Amendment right.

17 Q Other than General Michael Flynn, I'm going to ask you about a series of
18 people. And the question is this: Did Mr. Stone work with them between on or about
19 November 5th of 2020 and January 20th of 2021 in connection with the "stop the steal"
20 campaign?

21 So I'll ask that question with respect to Ali Alexander, also known as Ali Akbar.

22 Did he work with him on the "stop the steal" campaign?

23 A I assert my Fifth Amendment right.

24 Q Same question with respect to Alex Jones.

25 A I assert my Fifth Amendment right.

- 1 Q Same question with respect to Owen Shroyer. That's S-h-r-o-y-e-r.
- 2 A I assert my Fifth Amendment right.
- 3 Q Same question with respect to Kristin Davis.
- 4 A I assert my Fifth Amendment right.
- 5 Q Same question with respect to Jacob Engels.
- 6 A I assert my Fifth Amendment right.
- 7 Q Same question with respect to Salvatore, or Sal, Greco.
- 8 A I assert my Fifth Amendment right.
- 9 Q Same question with respect to Enrique Tarrío of the Proud Boys.
- 10 A I assert my Fifth Amendment right.
- 11 Q Same question with respect to any other member or members that you
- 12 knew to be with the Proud Boys.
- 13 A I assert my Fifth Amendment right.
- 14 Q Same question with respect to Elmer Stewart Rhodes of the Oath Keepers.
- 15 A I assert my Fifth Amendment right.
- 16 Q And same question with respect to any other member or members that you
- 17 knew to be affiliated with the Oath Keepers.
- 18 A I assert my Fifth Amendment right.
- 19 Q It has been reported publicly that Roger Stone appeared at various "stop the
- 20 steal" related events between November 5th of 2020 and January 6th of 2021.
- 21 Is that correct?
- 22 A I assert my Fifth Amendment right.
- 23 Q Did you attend any of these events with Mr. Stone?
- 24 A I assert my Fifth Amendment right.
- 25 Q It has been reported publicly that Roger Stone spoke to a crowd in

1 Washington, D.C., the night of December 11th, 2020, and he did so while in the company
2 of Owen Shroyer, Enrique Tarrío, and Ethan Nordean, Mr. Nordean, like Mr. Tarrío, being
3 a member of the Proud Boys.

4 Is that accurate to your knowledge?

5 A I assert my Fifth Amendment right.

6 Q Were you in Washington D.C. on December 11th of 2020 with Mr. Stone?

7 A I assert my Fifth Amendment right.

8 Q What is the nature of Mr. Stone's relationship with the Proud Boys?

9 A I assert my Fifth Amendment right.

10 Q How about with respect to Mr. Enrique Tarrío in particular?

11 A I assert my Fifth Amendment right.

12 Q Same question with respect to Mr. Ethan Nordean.

13 A I assert my Fifth Amendment right.

14 Q Would members of the Proud Boys provide Mr. Stone personal security at
15 events at which he appeared?

16 A I assert my Fifth Amendment right.

17 Q It has been reported publicly, and Roger Stone himself has acknowledged,
18 that he was in Washington, D.C., for protest events on January 5th and January 6th of
19 2021.

20 Do you know that to be true?

21 A I assert my Fifth Amendment right.

22 Q What role did Roger Stone have with respect to planning the protest events
23 in Washington, D.C., on January 5th and 6th of 2021?

24 A I assert my Fifth Amendment right.

25 Q Do you know a woman named Julie Fancelli? That's F-a-n-c-e-l-l-i.

1 A I assert my Fifth Amendment right.

2 Q Does Roger Stone know Ms. Fancelli?

3 A I assert my Fifth Amendment right.

4 Q What is the nature of Ms. Fancelli's relationship with Roger Stone?

5 A I assert my Fifth Amendment right.

6 Q Has Ms. Fancelli provided financial support to Mr. Stone?

7 A I assert my Fifth Amendment right.

8 Q It's been publicly reported that Ms. Fancelli donated money to pay for the
9 protest event at which President Trump spoke on January 6th of 2021 on The Ellipse.

10 Did Roger Stone work with Ms. Fancelli on planning for that event?

11 A I assert my Fifth Amendment right.

12 Q Did Ms. Fancelli pay for a private airplane to fly Roger Stone and others to
13 and from Washington, D.C., for the events in the city on January 5th and 6th of 2021?

14 A I assert my Fifth Amendment right.

15 Q Were you in Washington, D.C., on January 5th or 6th of 2021?

16 A I assert my Fifth Amendment right.

17 Q Was Kristin Davis in Washington, D.C., with Mr. Stone on January 5th and 6th
18 of 2021?

19 A I assert my Fifth Amendment right.

20 Q Same question with respect to Salvatore, or Sal, Greco.

21 A I assert my Fifth Amendment right.

22 Q Same question with respect to Jake Engels.

23 A I assert my Fifth Amendment right.

24 Q It's been publicly reported, and Mr. Stone has himself acknowledged, that he
25 used members of the Oath Keepers to provide him personal security at several "stop the

1 steal" protests events.

2 Do you know how Mr. Stone first began working with the Oath Keepers?

3 A I assert my Fifth Amendment right.

4 Q What is the nature of Mr. Stone's relationship with Elmer Stewart Rhodes,
5 the founder of the Oath Keepers?

6 A I assert my Fifth Amendment right.

7 Q It has been reported publicly, and Roger Stone has himself acknowledged,
8 that several members of the Oath Keepers provided personal security for him while he
9 was in Washington, D.C., on January 5th and 6th of 2021.

10 Do you know how Mr. Stone came to have Oath Keepers providing him security
11 for those days?

12 A I assert my Fifth Amendment right.

13 Q Several of those Oath Keepers have been charged in connection with their
14 storming the Capitol on January 6th of 2021 to include a charge of seditious conspiracy.

15 Have you talked with Mr. Stone about that fact?

16 A I assert my Fifth Amendment right.

17 Q What has he told you?

18 A I assert my Fifth Amendment right.

19 Q Have you talked with Roger Stone more broadly about what he did while he
20 was in Washington, D.C., on January 5th and 6th of 2021?

21 A I assert my Fifth Amendment right.

22 Q Did Roger Stone have any role in planning the attack on the Capitol on
23 January 6th of 2021?

24 A I assert my Fifth Amendment right.

25 Q It has been reported publicly, and the Danish filmmakers recorded, that up

1 until the time that President Trump left office, Roger Stone was advocating for President
2 Trump to pardon several people.

3 Did you help Roger Stone in these efforts?

4 A I assert my Fifth Amendment right.

5 Q Did he discuss these efforts with you?

6 A I assert my Fifth Amendment right.

7 Q Did Roger Stone ask President Trump for a pardon for his, that is, Roger
8 Stone's, efforts in connection with challenging the results of the 2020 Presidential
9 election?

10 A I assert my Fifth Amendment rights.

11 Q Did Roger Stone ask President Trump for a pardon for his, that is, Roger
12 Stone's, actions with respect to the events of January 6th of 2021?

13 A I assert my Fifth Amendment right.

14 Mr. [REDACTED] I'll note for the record that, at this point, Mr. de la Torre has
15 asserted the Fifth Amendment privilege as a basis to refuse to answer all of the select
16 committee's substantive questions.

17 Mr. de la Torre, is it your intention to assert your Fifth Amendment privilege to
18 any additional questions that I would ask you?

19 Mr. de la Torre. I assert my Fifth Amendment right.

20 Mr. [REDACTED] Under these circumstances, we will not close the record on the
21 deposition.

22 As I explained at the outset, when a witness such as yourself refuses to answer a
23 question based on the assertion of the privilege, as you've done today, it is the
24 prerogative of the select committee to proceed with the questioning and seek a ruling
25 from the chairman on the privilege assertions at a later date.

1 So, at this time, we'll hold the deposition in recess, Mr. de la Torre, subject to the
2 call of the chairman, in order to potentially seek a ruling on your privilege assertions.

3 Of course, we will provide you appropriate notice if and when the chairman seeks
4 to resume the deposition after he's ruled on the objection or, rather, the privilege
5 assertion.

6 But for now the deposition is in recess, and we'll go off the record. Thank you.

7 [Whereupon, at 1:27 p.m., the deposition was recessed, subject to the call of the
8 chair.]

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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