

United States District Court for the District of Columbia

United States of America

*

v.

*

No. 1:21-CR-00032-DLF-1

Guy Wesley Reffitt

*

**Defendant's Motion for Revocation of Detention Order, Request for
Hearing, Incorporated Memorandum of Law, and Factors for Release**

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Motion for Revocation of Detention Order and Request for Hearing

Defendant Guy Wesley Reffitt moves for revocation of the Order of Detention Pending Trial entered on March 16, 2021. Doc. 14. 18 U.S.C. § 3145(b). He requests a hearing. Loc. Cr. R. 47(f). In support, he states:

1. After a hearing a Magistrate Judge ordered detention. Doc. 14.
2. The Order of Detention Pending Trial does not identify an articulable threat posed by the defendant to an individual or the community. Doc. 14; *compare United States v. Munchel*, No. 21-3010, Slip Op. at 16 – 17.
3. A threat must be considered in context. *Id* at 17; *See also United States*

v. Tortora, 922 F.2d 880, 888 (1st Cir. 1990).

4. Whether a defendant poses a particular threat depends on the nature of the threat identified and the resources and capabilities of the defendant. *Munchel*, Slip Op. at 17; *cf. United States v. Nwokoro*, 651 F.3d 108, 110 – 11 (D.C. Cir. 2011).

5. A third party custodian has been proposed to Pretrial Services and the government.

6. Currently, the Court has scheduled a status hearing for 1:00 p.m. on April 19, 2021.

Memorandum of Law

Congress has provided for release of a defendant pending of a defendant pending trial. 18 U.S.C. § 3142.

The text of the statute requires a judicial officer to order pretrial release on personal recognizance, or upon execution of an unsecured appearance bond, subject to the condition that the person not commit a crime during release, and subject to cooperation in the collection of a DNA sample, if authorized;¹ unless the judicial officer determines that such release will not reasonably assure the appearance of the person as required or will endanger the safety of any other person or the community. 18 U.S.C § 3142(b).

Even if a judicial officer determines that release pursuant to subsection

¹ Title 42, United States Code, Section 14135a was editorially reclassified as Section 40702 of Title 34, Crime Control and Law Enforcement.

3142(b) will not reasonably assure the appearance of the person, or that it will endanger the safety of any other person or the community, the text of the statute requires a judicial officer to order the pretrial release of the person:

(A) subject to the condition that the person not commit a Federal, State, or local crime during the period of release and subject to the condition that the person cooperate in the collection of a DNA sample from the person if the collection of such a sample is authorized pursuant to section 3 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. § 14135a);² and

(B) subject to the least restrictive further condition, or combination of conditions, that such judicial officer determines will reasonably assure the appearance of the person as required and the safety of any other person and the community, which may include the condition that the person—

(i) remain in the custody of a designated person, who agrees to assume supervision and to report any violation of a release condition to the court, if the designated person is able reasonably to assure the judicial officer that the person will appear as required and will not pose a danger to the safety of any other person or the community;

(ii) maintain employment, or, if unemployed, actively seek employment;

(iii) maintain or commence an educational program;

(iv) abide by specified restrictions on personal associations, place of abode, or travel;

(v) avoid all contact with an alleged victim of the crime and with a potential witness who may testify concerning the offense;

(vi) report on a regular basis to a designated law enforcement agency, pretrial services agency, or other agency;

(vii) comply with a specified curfew;

(viii) refrain from possessing a firearm, destructive device, or other dangerous weapon;

(ix) refrain from excessive use of alcohol, or any use of a narcotic drug or other controlled substance, as defined in section 102 of the Controlled

² Ibid.

Substances Act (21 U.S.C. § 802), without a prescription by a licensed medical practitioner;

(x) undergo available medical, psychological, or psychiatric treatment, including treatment for drug or alcohol dependency, and remain in a specified institution if required for that purpose;

(xi) execute an agreement to forfeit upon failing to appear as required, property of a sufficient unencumbered value, including money, as is reasonably necessary to assure the appearance of the person as required, and shall provide the court with proof of ownership and the value of the property along with information regarding existing encumbrances as the judicial office may require;

(xii) execute a bail bond with solvent sureties; who will execute an agreement to forfeit in such amount as is reasonably necessary to assure appearance of the person as required and shall provide the court with information regarding the value of the assets and liabilities of the surety if other than an approved surety and the nature and extent of encumbrances against the surety's property; such surety shall have a net worth which shall have sufficient unencumbered value to pay the amount of the bail bond;

(xiii) return to custody for specified hours following release for employment, schooling, or other limited purposes; and

(xiv) satisfy any other condition that is reasonably necessary to assure the appearance of the person as required and to assure the safety of any other person and the community.

18 U.S.C § 3142(c). The text of the statute prohibits a judicial officer from imposing a financial condition that results in pretrial detention. 18 U.S.C § 3142(c)(1).

Only if after a hearing to determine whether any condition or combination of conditions set forth in subsection (c) will reasonably assure the appearance of such person and the safety of any other person and the community, the judicial officer finds **by clear and convincing evidence** that no condition or combination of conditions will do so, is the judicial officer required to order detention of a person before trial. 18 U.S.C § 3142(e), (f).

At the hearing, the judicial officer shall consider the available information concerning:

(1) the nature and circumstances of the offense charged, including whether the offense is a crime of violence, a violation of section 1591, a Federal crime of terrorism, or involves a minor victim or a controlled substance, firearm, explosive, or destructive device;

(2) the weight of the evidence against the person;

(3) the history and characteristics of the person, including—

(A) the person's character, physical and mental condition, family ties, employment, financial resources, length of residence in the community, community ties, past conduct, history relating to drug or alcohol abuse, criminal history, and record concerning appearance at court proceedings; and

(B) whether, at the time of the current offense or arrest, the person was on probation, on parole, or on other release pending trial, sentencing, appeal, or completion of sentence for an offense under Federal, State, or local law; and

(4) the nature and seriousness of the danger to any person or the community that would be posed by the person's release. In considering the conditions of release described in subsection (c)(1)(B)(xi) or (c)(1)(B)(xii) of this section, the judicial officer may upon his own motion, or shall upon the motion of the Government, conduct an inquiry into the source of the property to be designated for potential forfeiture or offered as collateral to secure a bond, and shall decline to accept the designation, or the use as collateral, of property that, because of its source, will not reasonably assure the appearance of the person as required.

18 U.S.C § 3142(g).

Historically, people believe that someone is innocent until proven otherwise, and that innocent people are not supposed to be punished. Congress too believes that.

18 U.S.C § 3142(j). The Eighth Amendment to the United States Constitution provides that “[e]xcessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.” U.S. Const. amend. VIII. A defendant’s

traditional right to freedom before conviction permits the unhampered preparation of a defense, and serves to prevent the infliction of punishment prior to conviction. ... Unless this right to bail before trial is preserved, the presumption of innocence, secured only after centuries of struggle, would lose its meaning. *Stack v. Boyle*, 342 U.S. 1, 4 (1951).³

The words in the bail clause reflect inherent ambiguity, and the Court has struggled to interpret them. The bail clause came from the English Bill of Rights Act with slight changes. In England, that clause has never been thought to accord a right to bail in all cases, but merely to provide that bail shall not be excessive in those cases when it is proper to grant bail. When this clause was included in our Bill of Rights, nothing was said that indicated a different concept. *Carlson v. Landon*, 342 U.S. 524, 545 (1952). However, Justice Black said the Court had reduced the bail clause “below the level of a pious admonition” by saying that “the Amendment does no more than protect a right to bail which Congress can grant and which Congress can take away.” *Id.* at 556 (J. Black, dissenting).

Not much evidence exists about the intent of the people who drafted and ratified the Eighth Amendment. The record of debate regarding adoption of the excessive bail provision reflects only the comment of Mr. Livermore, who said: “The clause seems to express a great deal of humanity, on which account I have no objection to it; but as it seems to have no meaning in it, I do not think it necessary.

³ The Court has also taken a narrower view of the presumption of innocence, which it described as “a doctrine that allocates the burden of proof in criminal trials,” and denying that it has any “application to a determination of the rights of a pretrial detainee during confinement before his trial has even begun.” *Bell v. Wolfish*, 441 U.S. 520, 533 (1979).

What is meant by the terms excessive bail? Who are to be judges?” 1 Annals of Congress 754 (1789).

Also, English history reflects bail controversy. The Statute of Westminster the First of 1275 and later statutes list offenses for which there may be bail and offenses for which there may not. 3 Edw. 1, ch. 12. However, in *Darnel’s Case*, judges permitted the imprisonment of persons without bail merely by order of the King. 3 How. St. Tr. 1 (1627).

This led Parliament to enact the Petition of Right in 1628. 3 Charles 1, ch. 1. The Petition cited *Magna Carta* as proscribing the kind of detention that was permitted in *Darnel’s Case*.

Later, various technical subterfuges prevented the presentation of petitions for *habeas corpus*. *Jenkes’ Case*, 6 How. St. Tr. 1189, 36 Eng. Rep. 518 (1676). Parliament responded with the Habeas Corpus Act of 1679, which established procedures for effectuating release from imprisonment, and which provided penalties for judges who did not comply with the Act. 31 Charles 2, ch. 2.

Judges then set bail so high that it could not be met, and Parliament responded by including in the Bill of Rights of 1689 the provision “[t]hat excessive bail ought not to be required.” 1 W. & M. 2, ch. 2, clause 10.

This language was included in the Virginia Declaration of Rights. 7 F. Thorpe, *The Federal and State Constitutions*, H. R. Doc. No. 357, 59th Cong., 2d Sess. 3813 (1909). It was also in the Virginia recommendations for a federal bill of rights. 3 J. Elliot, *The Debates in the Several State Conventions on the Adoption of the*

Constitution 658 (2d ed. 1836). James Madison introduced it verbatim in the House of Representatives. 1 Annals of Congress 438 (1789).

In the United States, the Constitution protects *habeas corpus*, but does not confer a right to bail. U.S. Const. art. 1, § 9. Ambiguity exists regarding whether the First Congress intended to curtail excessive bail without guaranteeing a right to bail, or whether Congress meant the phrase “excessive bail” to be a shorthand expression of both rights, when it proposed the Bill of Rights.

In 1789, Congress should have been aware of the distinction between language that conveyed a right to bail and language that only protected against one means by which a pre-existing right to bail might be abridged. Consider that the Massachusetts Body of Liberties of 1641 guaranteed bail to every accused person except those charged with a capital crime or contempt in open court. I Documents on Fundamental Human Rights 79, 82 (Z. Chafee, ed., 1951).

Several state constitutions copied it. 5 F. Thorpe, *The Federal and State Constitutions*, H. Doc. No. 357, 59th Congress, 2d Sess. 3061 (1909). So did the Northwest Ordinance in 1787. Art. II, 32 Journals of the Continental Congress 334 (1787). Also, the Judiciary Act of 1789, which Congress enacted contemporaneously with the Bill of Rights, contained the same guarantee. 1 Stat. 91 § 33 (1789).

In 1984, Congress authorized preventive detention in federal criminal proceedings. See 18 U.S.C. § 3142(d) and (e). The Supreme Court held that the preventive detention provisions in the Bail Reform Act of 1984 did not violate the Eighth Amendment. *United States v. Salerno*, 481 U.S. 739 (1988). Bail is not limited

to preventing the defendant's flight prior to trial, nor is it limited to safeguarding the court's role in adjudicating guilt or innocence. *Ibid.* The Court rejected the idea that the Eighth Amendment categorically prohibits the government from pursuing other compelling interests through regulation of pretrial release. *Id.* at 753.

Instead, "[t]he only arguable substantive limitation of the Bail Clause is that the government's proposed conditions of release or detention not be excessive in light of the perceived evil." *Id.* at 754. Provided that after an adversary hearing the court finds that a person poses a risk to individuals or the community that no condition of release can dispel, detention of a person, charged with serious felonies prior to trial does not violate the Eighth Amendment. *Salerno* at 755.

Also, provided that the government's objective is legitimate, and there are procedural safeguards, specifically: i) that detention applies only to serious crimes, ii) that the arrestee is entitled to a prompt hearing, iii) that the length of detention is limited, and iv) that detainees must be housed apart from criminals; then detention of a person, charged with serious felonies prior to trial does not violate due process. *Ibid.*

Bail violates the Eighth Amendment when set higher than an amount reasonably calculated to ensure the asserted governmental interest. *Stack* at 4 – 6. If only to guarantee that the defendant will appear trial and submit to sentence, if convicted; then "bail must be set by a court at a sum designed to ensure that goal, and no more." *Salerno* at 754.

To challenge bail as excessive, a person must move for reduction. If that

motion is denied, then appeal to the Court of Appeals, and, if necessary, to the Supreme Court Justice sitting for that circuit. *Stack* at 6 – 7. Although the Eighth Amendment does not appear to apply to postconviction release pending appeal, the practice appears to be to grant such releases. *Hudson v. Parker*, 156 U.S. 277 (1895).

“Since the function of bail is limited, the fixing of bail for any individual defendant must be based upon standards relevant to the purpose of assuring the presence of that defendant.” *Stack* at 5. Bail set at an amount higher than that necessary to ensure the presence of the defendant at trial is presumptively “excessive” under the Eighth Amendment. *Stack, supra*.

“The practical effect of excessive bail is the denial of bail.” *Meechaicum v. Fountain*, 696 F.2d 790 at 791 (10th Cir. 1983). There is “no constitutional distinction between requiring excessive bail and denying bail altogether in the absence of legitimate reasons.” *United States ex rel. Goodman v. Kehl*, 456 F.2d 863, 869 (2nd Cir. 1972); *see Carlson, supra* (dissenting opinion).

The due process clause (U.S. Const. amend. XIV) guarantees a clear liberty interest that cannot be abrogated “without the application of a reasonably clear legal standard and the statement of a rational basis for the denial.” *Atkins v. Michigan*, 644 F.2d 543, 549 (6th Cir.), *cert. denied*, 452 U.S. 964 (1981).

Inferring need for a high bail only from the fact of indictment is arbitrary. *Stack* at 6. For example, denying bail to a defendant who exercised his or her rights (U.S. Const. amend. V, VI) and refused to discuss the indictment with prosecutors is improper. *Noto v. United States*, 76 S. Ct. 255, 257 (1955).

Factors for Release

Mr. Reffitt presents this information for the Court's consideration of his request for release. 18 U.S.C. § 3142(g).

7. The government alleges violation of the United States Code. 18 U.S.C. §§ 1512(a)(2)(C), (c)(2), 1752(a)(1), (2).

8. Accordingly, no presumption of detention applies. 18 U.S.C. § 3142(e)(3).

9. Presently, no formal evidence has been offered against the defendant. The government has obtained an Indictment and proffered what investigators have seized, been told, and believe.

10. In part, the government has relied on generalization, mischaracterization, and exaggeration. Doc. 10 at 4 n1, 14 – 17; compare App'x 1 – 2; see also <https://texasthreepercenters.org/>; <https://www.ttpsecurity.org/> (Last accessed Apr. 13, 2021).

11. The government has relied on bragging. Doc. 10 at 2, 13.

12. The government has also relied on comments in the news media. Id. at 16 n8.

13. Accordingly, the Court should be extremely skeptical of believing just anything posted on the internet, bragging, and comments in the news media,

14. Of course, none of such things are under oath.

15. In addition, while some publishers and broadcasters take their First Amendment responsibilities seriously, others might simply exploit vulnerable people.

16. The Court's findings pursuant to subsection 3142 shall be supported by clear and convincing evidence. 18 U.S.C § 3142(f).

17. Inferring the need for detention only from the filing of a charging document would be arbitrary. *See Stack* at 6.

18. Generally, the government has not been seeking detention for other defendants, who have been charged with the same offenses alleged in Counts One and Two.

19. Guy has family and friends in the Dallas, Texas Metroplex. App'x at 3 – 21.

20. He has worked as a rig manager and as a consultant in the petroleum industry before COVID-19 restrictions on international travel effectively shut down his business last year.

21. He had continued trying to earn a living by constructing sunrooms for people.

22. Since January 19, 2021 he has not been able to work to support his family, because he has been held in custody. Doc. 5.

23. He requires medication for anxiety, high blood pressure, and high cholesterol.

24. According to the Centers for Disease Control, high blood pressure is a factor that creates an increased risk for severe illness from the virus that causes COVID-19. <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with-medical-conditions.html> (Last accessed Apr. 14, 2021).

25. While in the government's custody and care, Guy had to be hospitalized for three days in intensive care, because he was not given his prescribed medication.

26. Guy's family, whom the government claims to be protecting, could not even find out anything about where he was or whether he was okay.

27. Not only do they still care, but they still love Guy.

28. Testimony from Guy's family clarified that no force was used or attempted, regardless of the government's claim otherwise.

29. They remain available to testify again.

30. The government has already seized all firearms.

31. Considering that the Court has appointed counsel, pursuant to the Criminal Justice Act, it is fair to say that the Court has already found Guy to be indigent. 18 U.S.C. § 3006A.

Conclusion

Clearly, Congress' has provided for release, the least restrictive combination of conditions, and to rely on penalties and sanctions for violation. 18 U.S.C. §§ 3142, 3146, 3147, 3148. In addition, the Constitution and precedent reflect the people's belief that someone is innocent until proven otherwise, punishment must not precede conviction, and that a person is entitled to the assistance of counsel for his or her defense. U.S. Const. amend. VI, VIII; *See Stack* at 4; *Gideon v. Wainwright*, 372 U.S. 335 (1963).

"The law requires reasonable assurance[,] but does not demand absolute

certainty” that a defendant will comply with release conditions....” *Munchel*, Slip Op. at 17, *quoting United States v. Alston*, 420 F.2d 176, 178 (D.C. Cir. 1969).

Accordingly, Guy and his family propose conditions of release that will reasonably assure his appearance and the safety of everyone, including Guy, such as:

32. Remain in the custody of a designated person, who agrees to assume supervision and to report any violation of a release condition to the Court, if the designated person is able reasonably to assure the judicial officer that the person will appear as required and will not pose a danger to the safety of any other person or the community;

33. Maintain or actively seek employment;

34. Abide by specified restrictions on personal associations, place of abode, or travel;

35. Report on a regular basis to pretrial services;

36. Comply with a specified curfew;

37. Refrain from possessing a firearm, destructive device, or other dangerous weapon;

38. Refrain from excessive use of alcohol, or any use of a narcotic drug or other controlled substance, as defined in section 102 of the Controlled Substances Act (21 U.S.C. § 802), without a prescription by a licensed medical practitioner;

39. Undergo available medical, psychological, or psychiatric treatment, including treatment for drug or alcohol dependency, and remain in a specified institution if required for that purpose; and

40. Satisfy any other condition that is reasonably necessary to assure the appearance of the person as required and to assure the safety of any other person and the community.

Considering these facts, the government's proposed detention would violate the Constitution. U.S. Const. amend. VIII; *See Salerno* at 754.

Points and Authorities

Atkins v. Michigan, 644 F.2d 543 (6th Cir. 1981).
Bell v. Wolfish, 441 U.S. 520 (1979).
Carlson v. Landon, 342 U.S. 524 (1952).
Darnel's Case.
Jenkes' Case, 6 How. St. Tr. 1189, 36 Eng. Rep. 518 (1676).
Gideon v. Wainwright, 372 U.S. 335 (1963).
Hudson v. Parker, 156 U.S. 277 (1895).
Meechaicum v. Fountain, 696 F.2d 790 (10th Cir. 1983).
Noto v. United States, 76 S. Ct. 255 (1955).
Stack v. Boyle, 342 U.S. 1 (1951).
United States v. Alston, 420 F.2d 176 (D.C. Cir. 1969).
United States v. Munchel, No. 21-3010 (D.C. Cir., Mar. 26, 2021).
United States v. Nwokoro, 651 F.3d 108 (D.C. Cir. 2011).
United States v. Salerno, 481 U.S. 739 (1988).
United States v. Tortora, 922 F.2d 880 (1st Cir. 1990).
United States ex rel. Goodman v. Kehl, 456 F.2d 863 (2nd Cir. 1972).
U.S. Const. Art. 1, § 9.
U.S. Const. amend. V.
U.S. Const. amend. VI.
U.S. Const. amend. VIII.
U.S. Const. amend XIV.
1 Stat. 91 § 33 (1789).
18 U.S.C. § 1512.
18 U.S.C. § 1752.
18 U.S.C. § 3006A.
18 U.S.C. § 3142.
18 U.S.C. § 3145.
18 U.S.C. § 3146.
18 U.S.C. § 3147.

18 U.S.C. § 3148.
42 U.S.C. 14135a.
Act. 31 Charles 2, ch. 2.
Bail Reform Act of 1984.
Bill of Rights of 1689.
Habeas Corpus Act of 1679.
Magna Carta.
Massachusetts Body of Liberties of 1641.
Northwest Ordinance in 1787.
Petition of Right, 3 Charles 1, ch. 1.
Virginia Declaration of Rights.
1 Annals of Congress 438 (1789).
1 Annals of Congress 754 (1789).
3 Charles 1, ch. 1.
31 Charles 2, ch. 2.
3 Edw. 1, ch. 12.
36 Eng. Rep. 518 (1676).
3 How. St. Tr. 1 (1627).
6 How. St. Tr. 1189.
32 Journals of the Continental Congress 334 (1787).
I W. & M. 2, ch. 2, clause 10.
J. Elliot, *The Debates in the Several State Conventions on the Adoption of the Constitution* 658 (2d ed. 1836).
F. Thorpe, *The Federal and State Constitutions*, (1909).
Loc. Cr. R. 47(f).

/s/ William L. Welch, III

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Certificate of Service

I hereby certify that on this 14th day of April 2021 a copy of the foregoing Motion for Revocation of Detention Order, Request for Hearing, Memorandum of Law, and Factors for Release were delivered electronically to Mr. Jeffrey S. Nestler (jeffrey.nestler@usdoj.gov) and Ms. Risa Berkower (risa.berkower@usdoj.gov), Office of the United States Attorney, 555 Fourth Street, NW, Washington, DC 20530.

/s/ William L. Welch, III

William L. Welch, III



Home

Contact

What We Are

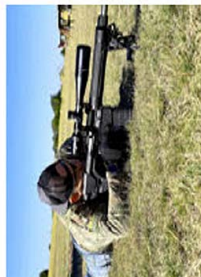
The Texas Three Percenters is an organization focused on creating a state network that strengthens and aids communities and individuals, and helps shape the future by preserving, protecting, and defending our country's founding principles, including our God-given rights to Life, Liberty, and the pursuit of Happiness.



Who We Are



Why You Should Be



Being a Texas Three Percenter is more of a way of life rather than a club to join. As such, there are no membership fees or dues and we will not charge people to participate in a movement that defends civil liberties for all people, regardless of race, religion or other backgrounds.

Call To Action

If you are interested in becoming a Texas Three Percenter, please contact us by clicking the button below. No matter what your race, creed or religious beliefs are, we are always looking for, and need, Patriotic men and women who share a deep love for our country, our flag, and our American culture.



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We're under construction. Please check back for an update soon.

March 20, 2021

Dear Your Honor,

My name is Debbie Griffith and I have known Guy Reffitt since the year 2000 when he married my niece Nicole.

Since that time he has shown great loyalty to our family. Adopting Nicole's daughter and fathering his two children whom he defended on every front. He faithfully attended to Nicole's grandmother, even until her death.

So I will attest to his character that he is loyal and faithful to his loved ones and his country. He really serves those he knows from is heart.

Is he perfect? Whomever is.....please cast the first stone.

Respectfully

Debbie Griffith

wlw wwelchattorney.com

From: Linda Reffitt [REDACTED]@icloud.com>
Sent: Wednesday, March 10, 2021 4:50 PM
To: wlw wwelchattorney.com
Subject: Guy Reffitt

Linda L Reffitt
[REDACTED]
[REDACTED]

RE: Guy Reffitt

“Dear your Honor”

I am Linda L. Reffitt, Guy Reffitt is my son. Guy is a good man, he is a responsible, kind and considerate son, husband and Father. He has always been an excellent provider for his family. Always ready to help others in time of need.

When his wife Nicole’s Grandmother was in declining health she lived with them and they all took very good care of her, attending to all of her needs until just before her passing. Guy loved her very much, he Nicole and the three kids did all they could to make her as comfortable as possible. They have always been a very tight knit family. They all still miss her very much. Guy is a very loving man to all his family and friends.

Thank you so much,
Linda L. Reffitt

wlw wwelchattorney.com

From: Cindy Porter' [REDACTED]@yahoo.com>
Sent: Wednesday, March 10, 2021 6:01 PM
To: wlw wwelchattorney.com
Subject: Guy Reffitt

Cindy Reffitt Porter
[REDACTED]

Date: 3-10-21

Re: Guy Wesley Reffitt

“Dear Your Honor”

I am writing this letter on behalf of my brother Guy Reffitt. He has always been a good husband, father, brother and friend. He would give you the shirt off of his back if needed. He has always been a good provider for his family and put them first and foremost. He has also helped countless others asking nothing in return. I believe my brother to be an honorable individual, upstanding citizen and a very valuable member of my family. I also understand the seriousness of this matter however, I hope this letter will be taken into consideration and show leniency.

Sincerely

Cindy Reffitt Porter

[Sent from Yahoo Mail for iPhone](#)

wlw wwelchattorney.com

From: Patty Schlosser [REDACTED]@yahoo.com>
Sent: Wednesday, March 10, 2021 8:19 PM
To: wlw wwelchattorney.com
Cc: Patricia Schlosser
Subject: Guy Reffitt

Dear Your Honor, My name is Patricia Sanchez-Schlosser, I've known Guy Reffitt for over 3 years. I work with Guy Reffitt's wife Nicole Reffitt and I can tell you I would feel comfortable being around him. Guy Reffitt used to stop by every other day to bring Nicole Reffitt's lunch, so we used to talk politics. I just want to give my input that Guy Reffitt has always been respectful and kind.

Sincerely,
Patricia Sanchez-Schlosser
Sent from my iPhone

wlw wwelchattorney.com

From: Carolyn Wilson [REDACTED] >
Sent: Thursday, March 11, 2021 7:16 AM
To: wlw wwelchattorney.com
Subject: Guy Reffitt

Dear Your Honor

We are George and Carolyn Wilson.

We have known Guy Reffitt for 25

years. My daughter introduced him and his wife, Nicole, to our family. They now has become friends of our family.

He loves his family, friends, and country. He is loyal to all of them. He honors all the men and women that died for our freedom.

My daughter's husband died the last day of December and Guy and Nicole came to show their respect and try to console her. They assisted financially with helping pay for my son-in-law's funeral. I have great respect for both of them.

George and Carolyn Wilson

Sent from my iPhone

Dear Your Honor,

My name is Savannah Sorrells. I am 46 years old and live in [REDACTED], TX.

I've known Guy Reffitt for more than 20 years and have always found him to be of strong moral character. He is a devoted husband and a dedicated father, not to mention an irreplaceable friend. He has worked hard to provide his family with anything they may need or want. He and his wife have taken my children to school, campouts, vacations etc. and I never worried about their welfare. He is a good man with a good heart; a calm and educated man with a level head. It would be out of his character to perpetuate violence, or to threaten anyone, especially his children.

Though his son seems to be doing fine in the absence of his father, Guy's wife and daughters have been left in ruin without him. Plagued by fear and uncertainty, they need their dad, their strength, their protector.

It is my hope that the courts will come through for this family and bring their father home.

Please feel free to contact me with any questions or concerns.

903-[REDACTED].

Thank you for your consideration,

Savannah Sorrells

March 11, 2021

Dear Your Honor,

My name is Misty Wright, I am the first cousin of Nicole Reffitt, Guy Reffitt's wife. I have known Guy Reffitt for 20 years,

him, mostly helping me do something, and a cousin in marriage only, he was our late grandfather, a loving, and hardworking man, who always pushed me harder than I can even imagine to provide a good education for his children, and has never infl

It has been a horrendous nightmare for me since I became involved with the militia group that caused the building. However, I believe Guy sees his mistakes and the consequence he must for those mistakes.

It is also very clear, Guy has hurt no one, therefore his continued detainment does not concern, but is simply a further burden for the family, a flight risk, having spent his entire life in non

Please consider his immediate release, and stop the charges against him.

Respectfully,

Misty Wright, PA-C

Dear Your Honor,

My name is Gaye Irby. I am a 72 year old retired educator. Guy and Nicole were my neighbors and family friends for more than 20 yrs. I've been there for the birth of their children all the way through their high school years. We've shared birthdays, holidays, funerals, backyard bbq's and many fun and sad times in between. My husband, Brance and I are old enough to be Guy's parents, and he treats us as such. Very respectful and extremely helpful with any chore we may have. His children and my grandchildren are best friends, and have been since childhood. His children have stayed here and my grandchildren have spent many days and nights at their house. That is exactly why I know about the relationship Guy has with all his children, and with ours. He was always there for any activity to make sure they were safe and had everything they needed. Guy is a good and decent man who loves his children very much and has protected them all their lives and my grandchildren will testify to that.

Please feel free to contact me anytime.

903-[REDACTED]

Thank you for your consideration

Gayle Irby
[REDACTED]

Dear Your Honor:

I am Harold Parkey father in law of Guy Reffitt I have known Guy for 20 plus years. Even before he was a part of my family I have always known him to be a honest fair hard working man. And as the main provider for his family is has always gone above and beyond for his family and has always put them first above all others. Guy has always been a wonderful father to his children and teaching them that their voices mattered even when he personal may not have agreed. He stands up for what he believes is right and fair and often tried to give a voice for those that couldn't. Guy has been a wonderful son in law to me and my wife Mitzi Parkey and has helped my family out numerous times. Just this last summer he brought entire family to visit us since due to health reasons we are unable to travel and while being here making sure his family got to see the national monuments because he is a very proud American and wanted to instill those values in his children. I truly believe that he is good man and it will only hurt the family more to not release him during these very trying times.

Thank You
Harold and Mitzi Parkey

wlw wwelchattorney.com

From: [REDACTED]@gmail.com
Sent: Sunday, March 14, 2021 3:34 PM
To: wlw wwelchattorney.com
Subject: Character letter Guy Reffitt

Dear your honor

My name is Tammy Reffitt Kelsey and Guy Reffitt is my cousin and he is one of my favorite cousins as well as he is one of the nicest most loyal and loving people I have ever had the pleasure of knowing. He is in no way a racist nor does he hold any ill will towards anyone. He believes in equality and he has raised his children to take a stand for what is important to them and what they hold near and dear to their heart. He has traveled and moved his own family to different parts of the world so that they can live with as well as learn about other countries cultures and way of life.

Yes he was at the capital and in a restricted area thats a misdemeanor charge and he can face his consequences for that but that doesn't make him an evil person as he didn't mace anyone, he didn't beat anyone, he didn't have any weapons on him, he didn't vandalize anything, he didn't kill anyone and he didn't steal anything and he never intended to as well as he was back in his room by curfew. He would never hurt anyone let alone his own family. He simply loves our country and was standing up for our rights and freedoms that he along with a majority of people feel are being taken away from us.

If I could ask for anything it would be to please fine him, place him on probation if need be but please let him return home to his wife and daughters they are devastated by this and they need him and I truly believe he's paid the price for his actions so again I beg and plead of you please release him.

Thank you
Tammy Reffitt Kelsey

Sent from my iPhone

wlw wwelchattorney.com

From: Nicki D [REDACTED]@gmail.com>
Sent: Sunday, March 14, 2021 6:15 PM
To: wlw wwelchattorney.com
Subject: Free Our Friend Guy Reffitt

Dear Your Honor,
My name is Nicki Dorris and Guy and Nicole Reffitt are you our neighbors and best friends.

We moved here from California and never knew our neighbors until they moved next door. Guy came and introduced himself to us first and from then on they were our favorite people. We do life together from BBQ's on the weekends, holidays to birthdays and just chatting next to the mailbox on a Tuesday afternoon. If we needed anything they were our go-to. Our little boys know if something ever happens the Reffitt family is the first place they run to. Guy can protect us from everything (well except spiders, if we have a spider to hunt, that's a Nicole job because Guy doesn't do spiders)

Since Guy hadn't been around our boys are constantly asking when he'll be home. They miss opening their bedroom windows to chat with Guy as he tinkers in the garage or mows the lawns. He is always up for a chat about the weather or just listen to the kids talk about their lego adventures.

We need our best friend back. Knowing he's next door is comforting to our family.

3/10/21
Dear You Honor,

First, Thank you for
taking the time to read
this.

I am a first cousin to
Guy Leffitt. Guy is one
of the kindest people
you will know. He would
give you the shirt off
his back to help you.

Guy is a family man.
He always made sure to
bring his family to our
family Christmas & we
looked forward to seeing
them.

Guy loves his country &
would do nothing to hurt it.
He was just there speaking
his voice. →

Thank you for taking
time out of your busy
day.

Please let Guy go. He
would never hurt anyone
in his life.

Love Dad
1st Cousin

Please tell Guy I love
him & he is in my
prayers.

FW: letters Guy Reffitt

Friday, March 19, 2021 10:47 AM

Subject	FW: letters Guy Reffitt
From	kasey beaird
To	wlw wwelchattorney.com
Sent	Monday, March 15, 2021 1:33 AM

Sent from [Mail](#) for Windows 10**From:** [kasey beaird](#)**Sent:** Sunday, March 14, 2021 11:03 PM**To:** [wlw@wwelchattorney](mailto:wlw@wwelchattorney.com)**Subject:** Guy Reffitt

Dear Your Honor,

My Name is KaSandra (Kasey) Reffitt Beaird and Guy Reffitt is my cousin I am 41 so I have literally known him my entire life and during my life I have never known him to be anything but a very loving and gentle man. He is loyal and always puts his family first. Our family has gone years without actually seeing him in person, and only talked to him online and on the phone, so that he could make sure that he gave his family every thing they could ever want. Not just financially but also emotionally and spiritually. He moved them to different areas of the world so that they could experience other cultures up close and personal, not just read about them. He encouraged his kids to be free thinkers, and to not only come up with their own opinions and views of this world, but to also voice those opinions. Guy is someone who I have always looked up to. Someone I have always wanted to be like. He like so many of us do, He LOVES his country and the Freedoms we all have. While no one can deny that he was at the capital on Jan. 6th, 2021, I simply do not believe that he went there with the intent to hurt anyone or to do any damage. I also do not believe that he ever had any intentions of harming his family nor do I think that he ever would harm his family in ANY way. That is just not the Guy that I know and have known my entire life. He loves his family too much to ever hurt them If I may in this situation ask for anything I beg of you to please let him come home to his family. Consider it time served. Fine him. Just please I don't think he deserves any more jail time.

Praying

KaSandra Reffitt Beaird AKA Kasey

Sent from [Mail](#) for Windows 10

FW: guy reffttts letter from Ronnie and Margaret {my Parents)

Friday, March 19, 2021 10:47 AM

Subject	FW: guy reffttts letter from Ronnie and Margaret {my Parents)
From	kasey beaird
To	wlw wwelchattorney.com
Sent	Monday, March 15, 2021 1:38 AM

Sent from [Mail](#) for Windows 10

From: [kasey beaird](#)

Sent: Monday, March 15, 2021 12:25 AM

To: wlw@wwelchattorney

Subject: guy reffttts letter from Ronnie and Margaret {my Parents

Dear Your Honor

Our names are Ronnie and Margaret Reffitt and Guy Reffitt is our cousin. Our fathers were brothers and that left our kids playing together quite often. We have literally watched him turn into the wonderful man that he his today. He is very respectful of other veterans, police officers firefighters and other servicemen and women as well as just *others* in general. He is the type of man who give you the shirt off his back if thought you needed it more then he did. Being raised in a Christian Home and having a minister as a father He was raised that you,

1: Put GOD first above everything else

2: Your Wife/or Husband If married

3: Kids

4: self

Guy is not a violent man in any way shape or form. He is a very kind hearted and devoted individual. He is very Patriotic and believes in standing up for our freedoms when he feels that they are being taken away from us. Please I beg of you, your honor, Please let him come home to his family. Give him a fine if you must, but send him home. Let the jail time he has already served count as time served. Just please send him mom. His is wife and kids need him.

Thank you,

*Margaret and Ronnie
Reffitt*

Character statement - Guy Reffitt

Friday, March 19, 2021 10:47 AM

Subject	Character statement - Guy Reffitt
From	Sarah Refitt
To	wlw wwelchattorney.com
Sent	Monday, March 15, 2021 4:24 AM

Dear Your Honor,

My dad, Guy Reffitt, has done nothing threatening to me since he took me in his arms at three years old. My dad has worked for me nearly my entire life. I've never been for more grateful or have had so much respect for anybody. He took the weight off of my mom's shoulders helping her support me in my upbringing. He has always been open minded in showing me the world and wanting me to grow in my own special way. Guy Reffitt is the best dad I could ever ask for. He has never endangered me, nor has he ever truly endangered my family and would never mean any harm to any of us. He always told us we are his entire world and he would never do anything to hurt us and we were all he cared about. I stand by the fact that my dad would never do anything if he was released. My family is completely torn apart without my father. Thank you

for reading and if you have any other statements you would like to hear or questions then please contact me.

Sarah Reffitt

[REDACTED]

[REDACTED]@gmail.com

Sent from my iPhone

Guy Reffitt Mitigation Letter

Friday, March 19, 2021 11:24 AM

Subject	Guy Reffitt Mitigation Letter
From	Cole Mitchell
To	wlw wwelchattorney.com
Sent	Monday, March 15, 2021 2:07 PM

Dear, Your Honor:

My name is Cole Mitchell. I'm 23 years old, and I'm dating Sarah Reffitt, Guy Reffitt's 24 year old daughter. We've been dating for 2 years now, and I've known her and her family longer than that at about 4 years. I have never thought that Guy would ever become malicious towards anyone in the entire time that I've known him. He is truly a sweetheart and to his family he is seen as a softie. He will help anyone that asks him, and that obviously includes his son Jackson. I don't believe in any way that Guy would hold a grudge against his son. In fact I know that Guy would actually probably respect what his son has done, not because it is the right thing or because any of the things Jackson has said about his family or his father are true, but because Jackson tried so hard and put his all into doing all of this. I bet that Guy is stunned that his son turned him in to the FBI, lied about his safety to keep him in jail, earned money, and also ruined his family's lives over Guy's mistake. Instead of feeling anger and hatred and spite though, I think Guy would laugh about it later and just be glad to be out of jail and with his family again. I truly believe/know that Guy would not even think of hurting Jackson, instead I know that he would come home/get in the car and make some joke about his situation. That's not to say his situation isn't serious, or that he takes any of this lightly. I just know that he isn't going to get in and start plotting something stupid to hurt anyone. I don't believe in any way that Jackson is in any danger. I don't even believe that Jackson believes that he's in any danger. Guy loves his family so much and Jackson is no exception. Whether you believe that Guy Reffitt is guilty of his charges or not, he would be exceptionally grateful and would probably be brought to tears of happiness if he could be allowed to stay at home until his trial. I know feelings aren't what matters, it's safety of people, but I can promise you that Guy Reffitt will not hurt anyone and will follow any directions/rules/restrictions you would give him until his next trial.

Guy Reffitt

Thursday, April 8, 2021 9:16 AM

Subject	Guy Reffitt
From	Saarah Hyder
To	wlw wwelchattorney.com
Sent	Sunday, April 4, 2021 3:07 PM

Dear Mr Welch,

I was asked by Nicole, Guy's wife if i can give a character reference for Guy. I met Guy and the whole family in 2012 when I was living in Malaysia. Guy and Nicole were also living there. We quickly became very good friends. I was in admiration of the whole family that they had moved to Malaysia to give their children a wider experience of the world, and enable them to experience different cultures, learn about the different religions of others and to experience a little bit of life outside of their hometown in Texas.

They came across as a super close family and were extremely close. I enjoyed a lot of discussions with Guy, as he had a lot of knowledge about various topics and worldly views. He always came across as someone who was extremely proud to be American and a strong Patriot, Myself and my family are Muslim, so I often enjoyed very topical debates about America's role in the various wars in the Middle east and else where. Guy was always willing to discuss these matters in a very knowledgeable and clam manner, and was always willing to listen to my thoughts and opinions. He was and is a very loving husband and father, and I for one was extremely shocked to see what has unfolded and felt it my duty as an independent person to convey my thoughts on Guy's character both as a father and husband and friend. I moved back to the UK after a number of years in Malaysia, Just as Guy and Nicole moved back to the states, but we continued to remain friends.

I would not hesitate to tell anyone about Guy's good character, he is a straight talking man, comes across as honest to the bone through and through, and a man of extreme moral standing. The fact he was at the protest is testament to his convictions as a right to free speech and protest and to have his voice heard, but he would never be there to harm anyone. I cannot believe that someone attending a protest, and who did not even enter the Capitol as far as I am aware is still being held in prison. Shocking.

Anyway I hope that we see Guy's release very soon

Kind regards

Saarah Hyder

Saarah Hyder

United States District Court for the District of Columbia

United States of America

v.

No. 1:21-CR-00032-DLF-1

Guy Wesley Reffitt

Order

Defendant's Motion for a hearing is **Granted**. The hearing shall be scheduled for:

Dabney L. Friedrich
United States District Judge