

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA

v.

21-594 (TSC)

JOSHUA HAYNES

MEMORANDUM IN AID OF SENTENCING

Defendant, Joshua Haynes, by and through undersigned counsel, does hereby submit this Memorandum in Aid of Sentencing.

This matter arises from the events of January 6, 2021 at the United States Capitol. Sentencing is scheduled to occur on January 31, 2023.

Defendant was initially charged in an eight count indictment charging Obstruction of an Official Proceeding; Destruction of Property within Territorial Jurisdiction; Entering and Remaining on Restricted Grounds; Disorderly and Disruptive Conduct on Restricted Grounds; Engaging in Physical Violence on Restriction Ground; Disorderly Conduct on Capitol Grounds, Act of Physical Violence on Capitol Grounds and Parading, Demonstrating or Picketing in a Capitol Buildings.

On October 28, 2022, defendant entered pleas of guilty before this Court to Counts One and Two in the indictment. The counts are (1)

Obstruction of an Official Proceeding and Aiding and Abetting, in violation .of 18 USC Sections 1512 (c)(2) and (2); and Destruction of Property Within Territorial Jurisdiction, in violation of 18 USC Section 1363.

The stipulated offense level is 17. The parties have agreed that his Criminal History Category is II.

Joshua Haynes negotiated a plea to the charges for which he was indicted and has fully accepted responsibility for all of his charged conduct. He is deeply remorseful for his conduct on January 6, 2021. He is apologetic for his actions and is aware that the Court, his family, his community and the citizens of the United States are due an apology and an assurance that this type of behavior will not be repeated.

While defendant has been serving a prison sentence for a Virginia state charge, his time on that charge expired months ago and he is now being held exclusively on the charges before this Court. Defendant is being held at the Central Virginia Regional Jail. He has endured COVID lockdowns and has experienced numerous other general lockdowns at the facility. In sum, he has been paying a significant price for his conduct on January 6, 2021 and will continue to pay a significant price following imposition of sentence by this Court.

Defendant's conduct on January 6, 2021 does not fully reflect the true character of Joshua Haynes. It is true that he has a troubled past. It is also true that has members of his his community who love him, are concerned for his well-being and have attested to his good character. Defendant attaches the following letters of reference submitted on his behalf for consideration by the Court.

1. Loretta Alverson (longtime friend): Ms. Alverson is a retired eligibility worker employed by Social Security. She retired due to disability. Ms. Alverson has known Mr. Haynes for several years and fondly remembers him as the only caucasian member of a community gospel choir. She recalls personal conversations related to her children and marriage and considered their bond to be one of brother/sister. She articulates her love for Mr. Haynes, her support for Mr. Haynes and her appreciation for his decency.

2. Anne Lacy Wright (Grandmother). Ms. Wright addresses that Mr. Haynes worked on the City Council in is hometown and that he worked at the local food pantry. She believes him to be a good person and an admittedly troubled person. His commitment to the local City Council and his volunteering with a local food bank bear favorably on nis character.

Laurie Wright (Defendant's Mother). Ms. Wright has submitted a four page letter on defendant's behalf. She discusses defendant's childhood psychiatric problems and the attempts to have the problems treated. He was diagnosed with a borderline personality disorder and obsessive compulsive disorder.

Defendant was deemed to have a psychological disorder and this impacted his ability to maintain steady employment His mother reiterates that defendant volunteered for the local food pantry and sang in his community's choir.

Unfortunately, due to defendant's mental instability and other factors such as the onset of COVID, defendant descended into the far reaches of right wing propaganda. He began to believe the messages he viewed online and that is what brought him to Washington, D.C. on January 6, 2021.

Conclusion

Defendant is profoundly remorseful for his conduct on January 6, 2021. He is a troubled and has been incarcerated for a substantial period of time on this case and the Virginia case in which he was convicted.

Defendant has learned a great lesson about himself and his place in society while he has been removed from society. He clearly has the love and support of responsible members of the community who have known

Josh Haynes reference letter

From: merryfarm@aol.com (merryfarm@aol.com)

To: skiersh@aol.com

Date: Monday, January 16, 2023 at 06:21 PM EST

To Whom It May Concern:

Joshua Dillon Haynes of Covington, VA is my grandson. Legally he is one of my seven step grandchildren. His grandfather (deceased) and I had two sons and one grandchild. All of the children think of me as their grandmother as I have been since they were all born. We are a large, close, blended family. We have always shared vacations and holidays. We have all been respected members of our community for generations.

Joshua and I have always been close as we live in the same town and share a love of animals, community, church and helping others. He attended every Covington City Council meeting for years. He was appointed to the planning commission. He volunteered faithfully a couple of days a week to help at the local food pantry. He was the only young strong back. He was depended on.

Joshua has a mental disability. I think he tries to do the best he can. He is a very polite and kind man. I feel being quarantined with an unstable girlfriend and constant radical television and Internet ideas distorted his view of the world. I spoke with him often and I could hear this in our conversations.

I ask for your help and compassion. Joshua has a lot to offer his fellow citizens. He has a good support system with his mother and step father. I am willing to do what I can.

Please call or contact me if I can be of further aid in this matter.

Anne Lacy Wright
1414 Cove Creek Rd.
Covington, VA 24426
540 559 4444 or cell 540 968 3685

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To Whom It May Concern:
RE: Josh Haynes

1-2-2023

I am writing this letter in reference to Josh Haynes who I consider a very good & close friend.

First, I am a retired Eligibility worker full-time & part-time social worker for Social Services for 20 some years until I had to take disability.

Josh & I have been friends for several years. I am an African American & has never witness any form of prejudice from Josh during our friendship.

We also was apart of a community gospel choir in which he was the only Caucasian.

We went so many places together just having fun & he is that special friend I could talk to about everything. Yes everything. Conversations concerning my childrens marriage etc, & he talked to me also about everything.

He relized our relationship was like a brother & sister.

Sometimes to just come by & relay on the porch with me to relax & just talk.

I love him as a brother & no matter what he is going through or been accused of I will always be here for him as a true friend because of the type person he is to me, that I believe him to be

Sincerely,
Lanetta Johnson

Judge Tanya Chutkan
Re: Joshua D. Haynes

My name is Lauren W. Wright and I am the mother of Joshua Haynes. I am writing to give you a glimpse into my son's life.

Joshua started having behavioral problems in grade school. His stepfather and I sought advice and help from his school counselor. By middle school we had been referred to a child psychologist. At the conclusion of his sophomore year we sent him to Hargrave Military Academy summer school in Chatham, Va. to help him academically and with social broadening. By the following year he was attending an alternative school. In his senior year and beyond he was under the care of psychiatrist, Dr. David Hartman. He was diagnosed with Borderline Personality Disorder and Obsessive Compulsive Disorder. It was during this time that he was prescribed anti-psychotic medication.

In early adulthood he tried with little success to hold down a job to support himself. He was hired by more than fifty employers within a ten year span, but was unable to hold a position for very long.

In his thirties he moved to Texas with a girlfriend that also had psychological problems. Before returning home to Virginia, they were both on psychological disability and trying to make a life for themselves.

When Josh returned home he became interested in local politics and decided that he wanted to try

He volunteered for the Feeding American local food pantry through his church, South Covington Methodist, where he joined the choir. He was also a member of the Resurrecting Praise Community Choir.

Joshua started regularly attending Covington City Council meetings. Through his involvement he was appointed to the TAF Board of Commissioners and got his state certification to be on the Covington Planning Commission. He also got involved with the Board of Commissioners for the Allegheny Highlands Redevelopment and Housing Authority. He became involved in Inter-governmental meetings and with the merger of the City and County School systems. He was volunteering for the Allegheny Chamber events and was a member of "Old Town Covington" to promote downtown businesses.

Around the same time Josh tried to start his own business, Covington Delivery Service, delivering food orders from local restaurants, grocery store food deliveries, etc. to city and county residents. And then Covid struck.

As a family we believe that the isolation of Covid intertwined with his mental illness problems, the shuttering of local government, churches and the startup of his business faltering caused a downward spiral. Josh only viewed the world through the internet, national news and social media. He was headed in the right direction, but then he made some wrong decisions that ultimately changed the course of his life.

I know from speaking and visiting regularly with my son since his incarceration in July of 2021 that he understands and regrets the decisions that he made. He plans to start his life over on the right track when he is released. Knowing Joshua to be the loving son and friend that he is, his family and support system know that he will do his best to succeed.

Sincerely,
James W. Thrift