

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

UNITED STATES OF AMERICA

v.

CHRISTOPHER WORRELL,

Defendant.

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Case No. 1:21-cr-00292-RCL-1

EMERGENCY MOTION FOR RECONSIDERATION

Defendant Christopher Worrell, by and through his counsel, tenders this Emergency Motion for Reconsideration of Order of Detention/Reopening Detention Hearing Due to Changed Circumstances pursuant to 18 U.S.C. § 3142(f)(2) and Federal Rule of Civil Procedure Rule 59(e), which permits a judicial officer to reopen the issue of detention at any time if information exists which was unknown to the movant at the time of the hearing and which has a material bearing on the issue of whether there are conditions of release that will reasonably assure the appearance of the defendant and the safety of the community. A memorandum of support and declaration with accompanying exhibits are being submitted simultaneously with this motion, and a proposed order granting the relief requested is also tendered.

Date: May 11, 2021

Respectfully Submitted,



John M. Pierce (*PHV Admitted*)
355 S. Grand Avenue, 44th Floor
Los Angeles, CA 90071
Tel: (213) 400-0725
Email: jpierce@piercebainbridge.com

Attorney for Defendant Christopher Worrell

CERTIFICATE OF SERVICE

I, John M. Pierce, hereby certify that on this day, May 11, 2021, I caused a copy of the foregoing document to be served on all counsel through the Court's CM/ECF case filing system.

/s/ John M. Pierce
John M. Pierce

UNITED STATES DISTRICT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

CHRISTOPHER WORRELL,

Defendant.

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Case No. 1:21-cr-00292-RCL-1

MEMORANDUM OF LAW IN SUPPORT TO DEFENDANT'S
EMERGENCY MOTION FOR RECONSIDERATION

Date: May 11, 2021

Respectfully Submitted,



John M. Pierce (*PHV Admitted*)

355 S. Grand Avenue, 44th Floor

Los Angeles, CA 90071

Tel: (213) 400-0725

Email: jpierce@piercebainbridge.com

Attorney for Defendant Christopher Worrell

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Tenforde MW et al., *Symptom Duration and Risk Factors for Delayed Return to Usual Health Among Outpatients with COVID-19 in a Multistate Health Care Systems Network — United States, March–June 2020*, Morbidity & Mortality Wkly. Rep. (July 31, 2020), <http://dx.doi.org/10.15585/mmwr.mm6930e1>8

Defendant Christopher Worrell (“Defendant” or “Mr. Worrell”), by and through counsel, pursuant to the direction of the Appellate Court, Bail Reform Act, 18 U.S.C. § 3142(f)(2) and Fed. R. Civ. 59(e),¹ respectfully seeks emergency reconsideration of Chief Judge Beryl A. Howell’s March 19, 2021 Order of Detention Pending Trial (ECF No. 13) and that the court reopen Mr. Worrell’s detention hearing due to changed circumstances.² Mr. Worrell’s motion should be assessed under the “as justice requires” standard.³ In accordance with Local Rule 14(F), a brief in support seeking release from custody pending trial due to the COVID-19 pandemic and the concomitant risk it poses to him given his serious medical history is being submitted simultaneously with this motion and a proposed order granting the relief requested.

I. PRELIMINARY STATEMENT

Mr. Worrell is currently held in pretrial detainment without access to his prescribed cancer medication, or the regularly examination and treatment necessary for someone with non-Hodgkin's lymphoma. He is experiencing a rapidly deteriorating condition as he develops lymphomas on the skin of his face, neck, back, arms, and legs putting him at great risk for further complications and COVID-19 exposure. Mr. Worrell is allegedly one of the thousands of individuals who went to the grounds of the U.S. Capitol Complex on January 6, 2021 to exercise his First Amendment rights. He was arrested in the Middle District of Florida pursuant to a warrant issued in Washington, D.C. On March 19, 2021, Mr. Worrell appeared remotely before Chief Judge Beryl A. Howell in the District of Columbia for purposes of an initial appearance and detention hearing on several federal charges. Mr. Worrell appeared with his counsel, John Pierce.

II. PROCEEDURAL HISTORY

At the conclusion of the March 19 detention hearing, the Court denied bail and conditional release. (*See* Exhibit A, Order of Detention Pending Trial Bail, dated March 19, 2021, (Dkt. No. 13)). Since that time, Mr. Worrell has been held at the Charlotte County Jail in Punta Gorda,

Florida and subsequently transferred to Grady County Jail, Oklahoma, Northern Neck Jail, Virginia, and finally to Central Treatment Facility, Washington, D.C. where he remains incarcerated today.

Mr. Worrell files this second Emergency Motion for Review of his detention order based on new material information made available during the appeal of the Courts denial of the previous Emergency Motion for Reconsideration. Mr. Worrell seeks conditional release pending electronic ankle monitoring and home detention, the same conditions imposed by the Florida Magistrate Judge. The relief requested is justified on two grounds. *First*, Mr. Worrell suffers from—and currently require treatment for—non-Hodgkins lymphoma, Mr. Worrell has not received such treatment since his transfer to the Central Treatment Facility following the first Emergency Motion for Reconsideration. *Second*, Mr. Worrell’s immune system has been compromised by cancer, and a recent contraction of COVID-19 in the State’s facilities, subjecting him to an increased risk of health complications and death with the threat of reinfection looms large for Mr. Worrell.

III. RELEVANT FACTS

Mr. Worrell was being held pretrial in the Port Charlotte Jail in Punta Gorda Florida and significant efforts were being made to arrange for Mr. Worrell to facilitate the passage of cancer medications from Dr. Rucker to the Jail and see the medications approved for use. As these arrangements appeared to be almost complete, the Government transferred Mr. Worrell, first to Grady County, Oklahoma, then to Northern Neck Jail, Virigina. Mr. Worrell contracted COVID-19 on or about April 14, 2021, while in the Northern Neck Jail, or at some point along his nearly week-long trip spanning half the country and further delaying his ability to see his oncologist and exposing him to COVID-19.

Mr. Worrell experienced a fever, cough, headache, severe chest congestion, body aches, weakness and muscle fatigue, sweats and chills. At some points he was so cold he piled blankets on himself to get warm but it did not work. Other times he would sweat profusely. His fatigue and body aches were so severe he laid in bed as much of the day and night as is possible for an incarcerated person, only getting out of bed to get water, food, and use the restroom. For three days he also dragged himself from bed to participate in a prayer group, and credits this group with getting him through the illness. COVID, combined with the lack of treatment for his cancer, has caused him severe psychological and emotional distress. Mr. Worrell is currently in fear for his life and not sure if he will live to see his son grow up, his wife on the outside, or even live to see his own trial.

During the first rehearing The District Court stated that the risk of Mr. Worrell contracting COVID-19 upon transfer was very low, having reviewed COVID-19 numbers from that very day. *See* Tr. of Hr'g on Def.'s Emer. Mot. for Recons. The Court also suggested that Mr. Worrell would have better access to treatment in Washington D.C., "Perhaps there will be a more responsive doctor in D.C. who can provide both authorizations for prescriptions and prescriptions that are on-label uses that can actually be prescribed by legitimate doctors." *See* Tr. of Hr'g on Def.'s Emer. Mot. for Recons. at 45. Neither of these statements came to pass, Mr. Worrell did in fact contract a life-threatening virus, and has yet to see an oncologist for his cancer despite repeated requests, and has been told outright that he will not be allowed to receive the medication prescribed by Dr. Rucker in the Central Treatment Facility.

Mr. Worrell still has rashes and lesions spread throughout his body, predominantly on his face, around his neck and ears. He has received no medication or treatment for these extremely irritating and itchy patches that are a symptom of his Non-Hodgkin's Lymphoma. He still has a

large node behind his ear that has not been treated or examined by an oncologist. On his most recent blood test in the Central Treatment Facility, he had a white blood cell count of 11,800 mcLs, the normal range is between 4,000 and 11,000. High white blood cell count ranges can be an indicator of serious infection, including cancer. Mr. Worrell has been told that he will not be able to see an oncologist soon, perhaps not even for a month, and even that is no guarantee; the Government, and the Jails, have routinely made promises and statements that ultimately were untrue.

The risk to Mr. Worrell, now that he is no longer testing positive for COVID-19, is not over. Individuals diagnosed with COVID-19, especially older and immunocompromised individuals, like Mr. Worrell, have been shown to have symptoms can last months.¹ These symptoms include, memory or concentration problems, trouble sleeping, depression or anxiety, as well as permanent organ damage to the heart, lungs, and brain. *Id.* COVID-19 also increases the risk of blood clots and blood vessel issues, problems with mood and fatigue. *Id.* “Researchers recommend that doctors closely monitor people who have had COVID-19 to see how their organs are functioning after recovery.” *Id.*

Mr. Worrell can also potentially recontract COVID-19.² Especially because he is immunocompromised, he is at an increased risk of recontracting COVID-19. He has not been evaluated by a doctor to determine the potential long term health effects of COVID-19 and its comorbidity with his Non-Hodgkin's Lymphoma. Mr. Worrell is unable to get the regularly scheduled care and treatment or quality of care in the Central Treatment Facility, in Washington, D.C.

¹ <https://www.mayoclinic.org/diseases-conditions/coronavirus/in-depth/coronavirus-long-term-effects/art-20490351>

² <https://www.cdc.gov/coronavirus/2019-ncov/your-health/reinfection.html>

IV. ARGUMENT

A. Reconsideration is Warranted

"Although not expressly authorized by the Federal Rules of Criminal Procedure, motions for reconsideration are allowed in criminal cases." *United States v. Jones*, 916 F. Supp. 2d 83, 86 (D.D.C. 2013). Reconsideration is appropriate when there exists "an intervening change of controlling law, the availability of new evidence, or the need to correct a clear error or prevent manifest injustice." *Firestone v. Firestone*, 76 F.3d 1205, 1208 (D.C. Cir. 1996) (internal quotations and citation omitted). Given the availability of new evidence concerning Mr. Worrell's cancer treatment in the D.C. jail, and Mr. Worrell's COVID-19 diagnosis, reconsideration is warranted here.

The first new evidence available for the Court's consideration is that Mr. Worrell continues to lack access to his cancer medication and lacks access to an oncologist at the Central Treatment Facility, Washington, D.C. In the Government's bail report, Mr. Worrell reported that he is in poor physical health and suffers from non-Hodgkin's lymphoma. He was diagnosed with this cancer in 2007 and has been receiving treatment, including chemotherapy and radiation. *See* Ex. B, Affidavit of Dr. Bino Rucker, M.D. Mr. Worrell is currently under the care of his primary care physician and he has never been diagnosed with a mental health condition. *See* Ex. C, Government Bail Report.

In Dr. Rucker's affidavit, he states that "[c]ontinuing confinement at the federal detention center presents a substantial risk of serious infection to Mr. Worrell and his transfer to home confinement would significantly decrease the risk to his health in connection with the ongoing COVID-19 pandemic." Ex. A. Dr. Rucker will also have Mr. Worrell for an examination immediately following his release. Mr. Worrell's requests for the necessary cancer medication have been denied by jail staff despite the government's contention in the first emergency hearing

that acquiring the medication would be “simple”; remedied by Dr. Rucker renewing Mr. Worrell’s prescriptions. Instead, jail doctors have refused to honor Dr. Rucker’s prescriptions and demand Mr. Worrell acquire a new doctor while simultaneously telling Mr. Worrell he will not have access to an oncologist for at least a month.

Inadequate medical care of those in confinement presents a widespread hazard. Since his detention, Mr. Worrell has suffered aggravating symptoms of his cancer, including lymphomas of the skin on his face. The lesions are often itchy, scaly, and red to purple – appearing in different parts of the skin and increase Mr. Worrell’s COVID infection risk.

Mr. Worrell has not received adequate medical care while detained. Due to the failure to furnish Mr. Worrell with proper medications he has developed serious lymphoma symptoms, including developing painful lesions on his face, neck, back, arms, and legs and causing him reasonable fear of the cancer metastasizing to other parts of his body. Failure to provide accommodations to individuals undergoing chemotherapy and radiation violates federal regulations that protect people with disabilities, including those with life-threatening cancer, pursuant to §504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794(a), and by Title II of the Americans with Disabilities Act (“ADA”), 42 U.S.C. § 12131, et seq. In order for Mr. Worrell to get the care that he needs, he must have his required medications, trained staff, qualified medical professionals, and properly equipped on-site medical facilities. Furthermore, there should be a limit on the length of detention for individuals with serious medical conditions and to accommodate access to proper medical care in the interim.

A second new piece of evidence justifying reconsideration of Mr. Worrell’s pretrial detention is his contraction of the COVID-19 virus while in state custody. As predicted, Mr. Worrell caught the deadly virus in state custody as he was juggled from facility to facility while

on appeal regarding the danger of such a virus. The Appeals Court declined to rule on the effect of COVID-19 on Mr. Worrell's pretrial incarceration, given that while on appeal Mr. Worrell's facts changed from a danger of contracting the virus to having the virus itself.

Today Mr. Worrell has survived his first brush with the virus but now faces even greater health risks. The Center for Disease Control has found cases of reinfection are a present danger with the COVID-19 virus. Alyson M. Cavanaugh *Suspected Recurrent SARS-CoV-2 Infections Among Residents of a Skilled Nursing Facility During a Second COVID-19 Outbreak —*

Kentucky, July–November 2020, CDC,

https://www.cdc.gov/mmwr/volumes/70/wr/mm7008a3.htm?s_cid=mm7008a3_w. A new CDC study found that some who apparently recovered from the coronavirus later came down with a second, even worse case, indicating that asymptomatic or mild cases may not provide substantial protection against becoming reinfected with Covid-19. *Id.* The CDC stated that even after being infected for the first time maintaining physical distance, wearing face coverings or masks, and frequent hand hygiene are critical mitigation strategies necessary to prevent transmission. *Id.* These protective measures are simply impossible for Mr. Worrell to practice while being held in the DC jail.

Additionally, Mr. Worrell's non-Hodgkins lymphoma diagnosis also makes him among those most at risk for contracting and suffering severe symptoms of COVID-19. Non-Hodgkin's lymphoma is cancer that originates in your lymphatic system, the disease-fighting network spread throughout your body.⁴ In non-Hodgkin's lymphoma, tumors develop from lymphocytes — a type of white blood cell. With Mr. Worrell's new elevated white blood cell count this concern is redoubled. This cancer impacts Worrell's ability to fight off even routine infections, let alone the deadly virus which has spread across the world and is particularly rampant in prisons.⁵

There are currently 114 federal inmates and 173 Federal Bureau of Prisons (BOP) staff who have confirmed positive test results for COVID-19 nationwide, and there have been 234 inmate deaths and 4 staff deaths as a result of COVID-19. In total 46,131 inmates and 6,751 staff have recovered from COVID-19 nationwide demonstrating its startling presence in federal facilities. The disease continuing to rip through carceral facilities, infecting incarcerated individuals at a rate four times the general population, and causing deaths at nearly twice the national rate. Detainees are held in very crowded conditions in a setting that is designed for control, but certainly not for hygiene or to prevent transmission of an infectious disease.

Courts across the country have recognized that BOP undertreats or ignores COVID-related symptoms, despite Center of Disease Control findings that COVID-19 can “result in prolonged illness even among persons with milder . . . illness.” Media accounts confirm that many who test positive for COVID-19 in carceral facilities receive virtually no care, and that staff have “ignored or minimized . . . COVID-19 symptoms, and mixed the sick and healthy together in haphazard quarantines.” Tenforde MWet al., *Symptom Duration and Risk Factors for Delayed Return to Usual Health Among Outpatients with COVID-19 in a Multistate Health Care Systems Network — United States, March–June 2020*, Morbidity & Mortality Wkly. Rep. (July 31, 2020), <http://dx.doi.org/10.15585/mmwr.mm6930e1>; see also *McCall v. State*, CRIMINAL ACTION NO. 2:18cr95-MHT (WO) (M.D. Ala. June 4, 2020) (finding that “the overwhelming number of COVID-19 cases in combination with other factors, constituted extraordinary and compelling reasons for release”). Those without COVID-19 also suffer; during the pandemic medical care for chronic conditions has been delayed and, in many cases, withheld entirely.

Reconsideration based on denial of Mr. Worrell’s prescriptions, lack of access to an oncologist, and risk due to reinfection of COVID-19 should be considered, along with the other

factors outlined in 18 U.S.C. § 3142. *See United States v. Gilbert*, CRIMINAL ACTION NO. 20-404 (E.D. Pa. Jan. 7, 2021). Where defendants have a “particular vulnerability to the disease”, courts have found that this is a compelling reason for release under 3142(i). *Id.* Mr. Worrell, who is diagnosed with non-Hodgkin's lymphoma is at an increased risk of both contraction of COVID-19 and death from COVID-19 and thus has a particular vulnerability to the disease. Therefore, reconsideration is warranted. *See Id.* These compelling reasons are in line with common-sense recommendations for how to address the pandemic in carceral settings, including ensuring safe conditions for people who remain incarcerated, reducing incarceration levels to end facility overcrowding, limiting the spread of COVID-19; and supporting safe and effective re-entry to the community.

B. Standard of Review

Pretrial detention and release are governed by the Bail Reform Act (BRA), 18 U.S.C. § 3141, et seq. The BRA instructs the Court to seek “the least restrictive further condition or 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.” *Id.* § 3142(c)(1)(B). However, if the Court finds after the hearing that “no condition or combination of conditions will reasonably assure the appearance of the person as required and the safety of any other person and the community,” the Court “shall order the detention of the person before trial.” *Id.* § 3142(e)(1). Where, as here, a detention ruling is based on a defendant's danger to the community, the Court must make the finding by clear and convincing evidence. *United States v. Stewart*, 19 F. App'x 46, 48 (4th Cir. 2001) (*per curiam*).

The Court's determination is governed by four factors:

1. The nature and circumstances of the offense charged, including whether the offense is a crime of violence, a violation of section 1951, 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 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. 18 U.S.C. § 3142(g).

These four factors must be considered in light of the risk posed by COVID-19 and the impact COVID-19 has on the defendant in detaining him pretrial. *See Gilbert*, CRIMINAL ACTION NO. 20-404. Where defendants have a “particular vulnerability to the disease,” courts have found that this is a compelling reason for release under § 3142(i) this standard is satisfied with the new factual developments in this case. *Id.*

This Court should find that it is appropriate to release Mr. Worrell to home confinement his particular vulnerability to COVID-19 not only rebuts the statutory presumption of dangerousness (18 U.S.C. § 3142(e)), but tilts the balance in favor of release. In *United States v. Melvin McLean*, CRIMINAL ACTION NO. 20-404 19-380 (D.D.C. March 28, 2020), the court

held that COVID-19 tips the scales in the defendant's favor on those first two factors—the nature and circumstances of the offense charged and the weight of the evidence— and also provides a “basis to conclude that the case falls ‘outside the congressional paradigm’ giving rise to the presumption” that Defendant poses a danger to the community. *Id.* (citing *United States v. Taylor*, 289 F. Supp. 55, 63 (D.D.C. 2018) (quoting *United States v. Stone*, 608 F.3d 939, 945–46 (6th Cir. 2010))). (See attached as Exhibit “B” (A40)).

The Government contends that pretrial detention is warranted because Mr. Worrell is charged with felonies involving the use of an allegedly “dangerous weapon”—in this case, pepper spray. This contention, along with the alleged offense conduct, purports to make Mr. Worrell a danger to the community. See Gov't's Mem. Supp. Mot. Review Release Order (“Gov't's Memo.”) at 8, ECF No. 9. At the outset, however, it is important to review the overall framework of the detention issues presented to the Court, the impact of COVID-19, and the conditions within Central Treatment Facility. As described above, the least restrictive means must be imposed when considering whether there are any conditions of pretrial release “that will reasonably assure” a particular defendant's appearance in court, and the safety of the community. 18 U.S.C. § 3142(f).

The four factors together with considerations of COVID-19 justify pretrial release under the least restrictive means. The weight of the four factors has already been expressed in Mr. Worrell's first Emergency Motion for Reconsideration and to avoid being largely duplicative will not be restated here. See Def.'s Emer. Mot. For Recons. Only the fourth factor the nature and seriousness of the danger posed by Mr. Worrell's release warrants additional factual reconsideration.

1. *The Nature and Seriousness of the Danger Posed by the Defendant's Release.*

Mr. Worrell's severe and deteriorating medical condition continues to develop such that his compliance with any release conditions is assured. In some circumstances, a particular defendant's medical condition can reduce that defendant's risk of flight or danger to the community, and the health condition would therefore fall within the factors appropriately considered in the context of § 3142(g). *See, e.g., United States v. Clark*, No. 19-40068-01-HLT, 2020 WL 1446895, at *3 (D. Kan. Mar. 25, 2020) ("A defendant's concerns that he or she would face heightened COVID-19 risks if incarcerated would not typically factor into a § 3142(f) analysis, which focuses on whether the court can fashion conditions of release that will reasonably assure the defendant is not a risk of nonappearance or a risk of harm to any others or the community. Nevertheless, "The question for the Court is whether the COVID-19 health risks to the Defendant, should he remain detained, outweigh those traditional Section 3142(g) factors *and* the COVID-19 health risk to the community that Defendant's release could occasion." *United States v. Hernandez*, No. PX-19-158-9, slip op. at 5-6 (D. Md. Apr. 29, 2020).

Mr. Worrell is diagnosed with cancer and previously received treatment, including chemotherapy and radiation. Since his pretrial confinement, Mr. Worrell has suffered aggravating symptoms of his cancer, including lymphomas of the skin on his face, creating dangerously exposed lesions. Dr. Rucker's affidavit offers the best individualized assessment available, holding that Mr. Worrell is at greater risk than other detainees, suffering from a condition that may put him at an increased risk for severe illness resulting from the virus. *See* Ex. B. The Court should consider that this serious progressive disease jeopardizes Mr. Worrell's life.

Even outside the additional risks contracting COVID-19 would pose, Mr. Worrell's condition will continue to worsen and substantially erode Mr. Worrell's quality of life without

adequate medical supervision and treatment. Adequate medical supervision and treatment is not being provided to Mr. Worrell. Mr. Worrell has been informed by D.C. jail staff he will not have access to an oncologist for at least a month and the jail will not respect any of Dr. Rucker's prescriptions for cancer treatment. Simultaneously Mr. Worrell received a COVID-19 diagnosis posing potential irreparable damage to his respiratory system and elevating the risks posed by a potential second infection. Thus Mr. Worrell's continually degrading medical condition further reduces the risk of flight or danger to the community and the health condition considered in the context of § 3142(g).

Taking the nature of the charges against Mr. Worrell, the weight of the evidence, and Mr. Worrell's history and characteristics, including his current medical conditions, this Court should reconsider whether Mr. Worrell would pose a grave danger to the community if released. The Government does not contend that Mr. Worrell poses a serious risk of flight. Prior to Mr. Worrell's arrest he drove several hours to turn himself in to law enforcement. Furthermore, other far less damaging means exist by which the Court can be assured of Mr. Worrell's compliance with conditions of release, that still allow him to treat his ongoing life-threatening medical issues while mitigating his risk of contracting COVID-19 and worsening them, for example, monitored house arrest.

Mr. Worrell is suffering in jail and has been unable to get the medical attention he needs for his life-threatening cancer. Further, the Government has provided no evidence that the January 6 riot was anything but spontaneous, and Mr. Worrell's alleged role in it was anything but minor involvement. As justice requires, Mr. Worrell should be allowed to receive the proper medical care and treatment for his lymphoma in his home community, reunite with his family, resume his job

with a living wage, as he does not present a threat to his community or pose a flight risk to await his trial date.

Through the Congressional history and the passing of the 1984 Bail Reform Act, it has always been the intent of Congress to not only reduce, but to eliminate the hypocrisy in the bail system and significantly reduce pretrial incarceration. The Act requires that *only* those who pose prospective danger or flight risk should be held without bail. COVID-19 adds another consideration to those statutory factors outlined in the BRA. Mr. Worrell would not pose as a threat should he be allowed pre-trial release, especially when considering the effect of both his non-Hodgkin's lymphoma and COVID-19 have on his health.

V. CONCLUSION

For the foregoing reasons, Mr. Worrell respectfully requests that the Court reconsider and amend Chief Judge Beryl A. Howell's March 19, 2021 Order of Detention Pending Trial (ecf No. 13).

Date: May 11, 2021

Respectfully Submitted,



John M. Pierce (*PHV Admitted*)
355 S. Grand Avenue, 44th Floor
Los Angeles, CA 90071
Tel: (213) 400-0725
Email: jpierce@piercebainbridge.com

Attorney for Defendant Christopher Worrell

CERTIFICATE OF SERVICE

I, John M. Pierce, hereby certify that on this day, March 26, 2021, I caused a copy of the foregoing document to be served on all counsel through the Court's CM/ECF case filing system.

/s/ John M. Pierce
John M. Pierce

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

UNITED STATES OF AMERICA,

-v-

CHRISTOPHER WORRELL,
Defendant.

Case No. 1:21-cr-00292-RCL-1


**DECLARATION OF JOHN M.
PIERCE IN SUPPORT OF
EMERGENCY MOTION FOR
RECONSIDERATION**

I, John M. Pierce, hereby certify under penalty of perjury that the following is true and correct:

1. I am the Managing Partner with the law firm Pierce Bainbridge P.C., located 355 Grand Avenue, 44th Floor, Los Angeles, CA 90071.
2. I am an attorney at law admitted to practice before this Court.
3. I am associated with the law firm Pierce Bainbridge P.C., attorneys for Defendant Christopher Worrell, and am familiar with the facts of this case.
4. A true and correct copy of Order of Detention Pending Trial Bail, dated March 19, 2021, (Dkt. No. 13), is attached hereto as Exhibit A.
5. A true and correct copy of Dr. Bino Rucker, M.D.'s affidavit is attached hereto as Exhibit B.
6. A true and correct copy of Government Bail Report, dated March 12, 2021, is attached hereto as Exhibit C.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: May 11, 2021



John M. Pierce
PIERCE BAINBRIDGE P.C.
355 Grand Street, 44th Floor
Los Angeles, CA 90071
tel: (213) 262-9333

EXHIBIT A

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America

v.

Christopher John Worrell

Defendant)
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Case No. 21-mj-296-GMH

ORDER OF DETENTION PENDING TRIAL

Part I - Eligibility for Detention

Upon the

- ☒ Motion of the Government attorney pursuant to 18 U.S.C. § 3142(f)(1), or
☐ Motion of the Government or Court's own motion pursuant to 18 U.S.C. § 3142(f)(2),

the Court held a detention hearing and found that detention is warranted. This order sets forth the Court's findings of fact and conclusions of law, as required by 18 U.S.C. § 3142(i), in addition to any other findings made at the hearing.

Part II - Findings of Fact and Law as to Presumptions under § 3142(e)

- ☐ **A. Rebuttable Presumption Arises Under 18 U.S.C. § 3142(e)(2)** (*previous violator*): There is a rebuttable presumption that no condition or combination of conditions will reasonably assure the safety of any other person and the community because the following conditions have been met:
- ☐ **(1)** the defendant is charged with one of the following crimes described in 18 U.S.C. § 3142(f)(1):
 - ☐ **(a)** a crime of violence, a violation of 18 U.S.C. § 1591, or an offense listed in 18 U.S.C. § 2332b(g)(5)(B) for which a maximum term of imprisonment of 10 years or more is prescribed; **or**
 - ☐ **(b)** an offense for which the maximum sentence is life imprisonment or death; **or**
 - ☐ **(c)** an offense for which a maximum term of imprisonment of 10 years or more is prescribed in the Controlled Substances Act (21 U.S.C. §§ 801-904), the Controlled Substances Import and Export Act (21 U.S.C. §§ 951-971), or Chapter 705 of Title 46, U.S.C. (46 U.S.C. §§ 70501-70508); **or**
 - ☐ **(d)** any felony if such person has been convicted of two or more offenses described in subparagraphs (a) through (c) of this paragraph, or two or more State or local offenses that would have been offenses described in subparagraphs (a) through (c) of this paragraph if a circumstance giving rise to Federal jurisdiction had existed, or a combination of such offenses; **or**
 - ☐ **(e)** any felony that is not otherwise a crime of violence but involves:
 - (i)** a minor victim; **(ii)** the possession of a firearm or destructive device (as defined in 18 U.S.C. § 921);
 - (iii)** any other dangerous weapon; or **(iv)** a failure to register under 18 U.S.C. § 2250; **and**
 - ☐ **(2)** the defendant has previously been convicted of a Federal offense that is described in 18 U.S.C. § 3142(f)(1), or of a State or local offense that would have been such an offense if a circumstance giving rise to Federal jurisdiction had existed; **and**
 - ☐ **(3)** the offense described in paragraph (2) above for which the defendant has been convicted was committed while the defendant was on release pending trial for a Federal, State, or local offense; **and**
 - ☐ **(4)** a period of not more than five years has elapsed since the date of conviction, or the release of the defendant from imprisonment, for the offense described in paragraph (2) above, whichever is later.

- ☐ **B. Rebuttable Presumption Arises Under 18 U.S.C. § 3142(e)(3)** (*narcotics, firearm, other offenses*): There is a rebuttable presumption that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community because there is probable cause to believe that the defendant committed one or more of the following offenses:
- ☐ (1) an offense for which a maximum term of imprisonment of 10 years or more is prescribed in the Controlled Substances Act (21 U.S.C. §§ 801-904), the Controlled Substances Import and Export Act (21 U.S.C. §§ 951-971), or Chapter 705 of Title 46, U.S.C. (46 U.S.C. §§ 70501-70508);
 - ☐ (2) an offense under 18 U.S.C. §§ 924(c), 956(a), or 2332b;
 - ☐ (3) an offense listed in 18 U.S.C. § 2332b(g)(5)(B) for which a maximum term of imprisonment of 10 years or more is prescribed;
 - ☐ (4) an offense under Chapter 77 of Title 18, U.S.C. (18 U.S.C. §§ 1581-1597) for which a maximum term of imprisonment of 20 years or more is prescribed; **or**
 - ☐ (5) an offense involving a minor victim under 18 U.S.C. §§ 1201, 1591, 2241, 2242, 2244(a)(1), 2245, 2251, 2251A, 2252(a)(1), 2252(a)(2), 2252(a)(3), 2252A(a)(1), 2252A(a)(2), 2252A(a)(3), 2252A(a)(4), 2260, 2421, 2422, 2423, or 2425.

☐ **C. Conclusions Regarding Applicability of Any Presumption Established Above**

- ☐ The defendant has not introduced sufficient evidence to rebut the presumption above, and detention is ordered on that basis, with the evidence or argument presented by the defendant summarized in Part III.C.
- ☐ The defendant has presented evidence sufficient to rebut the presumption, but after considering the presumption and the other factors discussed below, detention is warranted for the reasons summarized in Part III.

OR

- ☐ The defendant has not presented sufficient evidence to rebut the presumption. Moreover, after considering the presumption and the other factors discussed below, detention is warranted for the reasons summarized in Part III.

Part III - Analysis and Statement of the Reasons for Detention

- A. After considering the factors set forth in 18 U.S.C. § 3142(g) and the information presented at the detention hearing, the Court concludes that the defendant must be detained pending trial because the Government has proven:
- ☒ By clear and convincing evidence that no condition or combination of conditions of release will reasonably assure the safety of any other person and the community.
 - ☐ By a preponderance of evidence that no condition or combination of conditions of release will reasonably assure the defendant's appearance as required.
- B. In addition to any findings made on the record at the hearing, the reasons for detention include the following:
- ☒ Weight of evidence against the defendant is strong
 - ☒ Subject to lengthy period of incarceration if convicted
 - ☒ Prior criminal history
 - ☐ Participation in criminal activity while on probation, parole, or supervision

- ☐ History of violence or use of weapons
- ☐ History of alcohol or substance abuse
- ☐ Lack of stable employment
- ☐ Lack of stable residence
- ☐ Lack of financially responsible sureties
- ☐ Lack of significant community or family ties to this district
- ☐ Significant family or other ties outside the United States
- ☐ Lack of legal status in the United States
- ☐ Subject to removal or deportation after serving any period of incarceration
- ☐ Prior failure to appear in court as ordered
- ☐ Prior attempt(s) to evade law enforcement
- ☐ Use of alias(es) or false documents
- ☐ Background information unknown or unverified
- ☐ Prior violations of probation, parole, or supervised release

C. OTHER REASONS OR FURTHER EXPLANATION:

The defendant's evidence/arguments for release:

See Attachment.

Nature and circumstances of offense:

See Attachment.

The strength of the government's evidence:

See Attachment.

The defendant's history and characteristics, including criminal history:

See Attachment.

The defendant's dangerousness/risk of flight:

See Attachment.

Part IV - Directions Regarding Detention

The defendant is remanded to the custody of the Attorney General or to the Attorney General's designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant must be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility must deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

Date: 03/19/2021



A handwritten signature in cursive script, reading "Beryl A. Howell", is written over a horizontal line.

BERYL A. HOWELL
Chief Judge

ATTACHMENT TO ORDER OF DETENTION PENDING TRIAL, PART III. C:
Consideration of Defendant's evidence/arguments for release and
18 U.S.C. § 3142(g) Factors

(1) The Nature and Circumstances of the Offense:

The nature and circumstances of the offense weigh heavily in favor of detention. Defendant is charged with four felonies, plus a misdemeanor offense, Criminal Compl., ECF No. 1, based on his alleged offense conduct of enthusiastically participating in the assault on the Capitol on January 6, 2021, to stop the constitutionally mandated process of counting electoral votes. Rather than being discouraged by the presence of law enforcement and police activity to block entry into the Capitol building, defendant was among the first wave of individuals to breach the Capitol grounds, Gov't's Mem. Supp. Mot. Review Release Order ("Gov't's Mem.") at 8, ECF No. 9.

Defendant's participation in the mob was planned, calculated and intentional. Before the assault, defendant gathered a number of items in preparation and anticipation of potential confrontations at the Capitol, including a "desert/tan-colored tactical vest," a radio earpiece, and a can of pepper spray gel. Criminal Compl, Aff. ¶ 13, ECF No. 1-1. In addition, as an unapologetic member of the Proud Boys gang, Aff. ¶¶ 11, 28, he travelled to Washington, D.C. with his live-in girlfriend and number of other Proud Boys in transportation paid for by another individual. Gov't's Mem. at 7. Defendant assembled with a larger group of Proud Boys on the morning of the assault and marched with them, first, to the east side and then to the west side of the Capitol building, where the thin police line was overcome and the mob entered the building. Gov't's Mem. at 8–10, 19. The government proffers a report from a tipster describing a video of the defendant "issuing commands to other rioters," but law enforcement has been unable to access this video. Gov't's Mem. at 12.

Undeterred by the ongoing efforts of law enforcement to secure the Capitol against an increasingly unwieldy mob, defendant discharged pepper spray gel directed at a thin police line keeping the rioters from entering the Capitol via the West Plaza. Gov't's Mem. at 1. Defendant's assertion that he was directing the pepper spray gel at another member of the mob to help the police seems to be a re-writing of history. As the government responded, this story strains credulity, given (1) defendant's affinity for the mob's goal—and that of his group of

Proud Boys—of stopping the count of electoral votes, (2) the photo of defendant shows him focusing his attention on pointing the pepper spray in the precise direction where other photos taken close in time show the line of police officers, and (3) an eyewitness photographer both captured defendant spraying pepper spray and described him as targeting law enforcement officers. Gov’t’s Mem. at 21. The officers in that police line were subjected to so much pepper and other harmful sprays they had to take turns rotating to wash their eyes and faces with water from the front of the line.

(2) The Weight of the Evidence Against the Person:

The weight of the evidence against the defendant strongly favors detention. The government has nearly a dozen photos and video clips showing defendant’s presence at the Capitol, with his fellow Proud Boys, near the front of the line standing off against the police. Aff. ¶¶ 14, 17–19, 21, 25. Most notably, the government has submitted a clear photograph of defendant aiming and firing pepper spray gel toward the police line guarding the Capitol. Aff. ¶ 21.

(3) The History and Characteristics of the Person:

The history and characteristics of the defendant also weigh in favor of detention. While defendant’s criminal history includes a number of old charges, namely reckless endangerment of property and criminal mischief with the intent to damage property in New York in 1991, criminal possession of stolen property in New York in 1996, malicious damage to personal property in South Carolina in 2000, *see* Pretrial Services Report (“PSR”) at 3, *United States v. Worrell*, Case No. 21-mj-1025-MRM (M.D. Fla. Mar. 12, 2021), ECF No. 4, only the latest charge, in 2009, for impersonating a law enforcement officer raises particular concerns about the risk of danger to others and the community posed by defendant. According to the police report from the incident, defendant observed a woman speed through a yellow light and ran a red light himself to catch up with her. Gov’t’s Mem., Ex. 1, Collier Cty. Sheriff’s Office Police Report, No. 0900016745 (Jun. 15, 2009) at 3, ECF No. 9-1. Defendant, who is not and never has been a law enforcement officer, then pulled alongside the woman, “displayed a gold colored badge,” and signaled to her that she needed to roll down her car window. *Id.* Once her window was down, defendant yelled at the woman about running a red light, and then proceeded to position his vehicle aggressively behind hers, as if attempting to pull her over. *Id.* Though tailed by defendant, the woman was able to turn into a parking lot, at which point defendant stopped following her. *Id.* The woman

reported defendant to the police, and law enforcement subsequently arrested defendant for impersonating an officer. *Id.* Upon his arrest, defendant initially denied displaying a badge, *id.*, a claim that defendant later recanted when police recovered a “gold colored concealed weapon badge” underneath the passenger seat of his car, along with two pairs of handcuffs with keys, a Glock 22, two knives, a can of pepper spray, assorted ammo and a flashlight, *id.* at 4. This prior intimidating conduct towards a total stranger in service of taking the law into his own hands, is a significant backdrop to evaluating the government’s proffer as to the risk defendant poses of danger, obstruction and intimidating witnesses if released.

Defendant’s offense conduct on January 6, 2021, in failing to comply with restrictions at the Capitol during the Joint Session of Congress, and instead confronting police and spraying pepper spray gel at them, contributed to the police’s failure to keep the mob from entering Capitol building. This demonstrates a lack of respect by defendant not only for the constitutional process of the peaceful transition of power, but, more importantly for purposes of assessing the necessity of pretrial detention, for the law and lawful orders, which undermines confidence that he would respect and abide by conditions of release. This concern is compounded by two additional factual proffers by the government: first, on the date of his arrest, defendant refused to turn himself in, as directed by the FBI, to the nearest FBI office when he was three hours away from his home heading to a Proud Boys camping trip. Gov’t’s Mem. at 4, 16. To effectuate a peaceful surrender, the FBI permitted defendant to return to his residence where he was taken into custody. *Id.* at 16. Second, while being arrested, defendant commented to the FBI agents that he knew the name of the tipster and stated a name, as if seeking confirmation, and further, stated that if he were to find out the name of the Twitter user who exposed his identity online, the FBI “would be coming for [him] again.” *Id.* at 14. These comments raise serious and troubling signals about defendant’s willingness to comply with release conditions to not intimidate or threaten any prospective witness.

(4) The Nature and Seriousness of the Danger to Any Person or the Community that Would be Posed by the Person’s Release:

The nature and seriousness of the danger to the community posed by the defendant’s release also weighs in favor of detention. Defendant was part of the mob assault on the Capitol in which people lost their lives and Congress’s constitutional task of counting electoral college

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votes was disrupted. Moreover, defendant's 2009 charge and the circumstances surrounding that incident, his willingness to confront and spray pepper spray gel at police officers, as on January 6, 2021, his refusal to comply with an FBI request to surrender as directed, and his statements at this arrest seeking confirmation of the identity of the tipster, who identified defendant to the FBI, and of a Twitter user, taken together amplify concern that defendant will not adhere to a court orders and that no condition or conditions will assure the safety of the community, potential witnesses, and, in particular, those who aided the government in identifying defendant, if he were to be released.

This Court has determined that the factors outlined in *United States v. Chrestman*, Case No. 21-mj-218 (ZMF), 2021 LEXIS 36117, at *20–25 (D.D.C. Feb. 26, 2021), are probative of a defendant's determination to persevere in committing acts of political violence, and all but one of those factors is present here.

EXHIBIT B

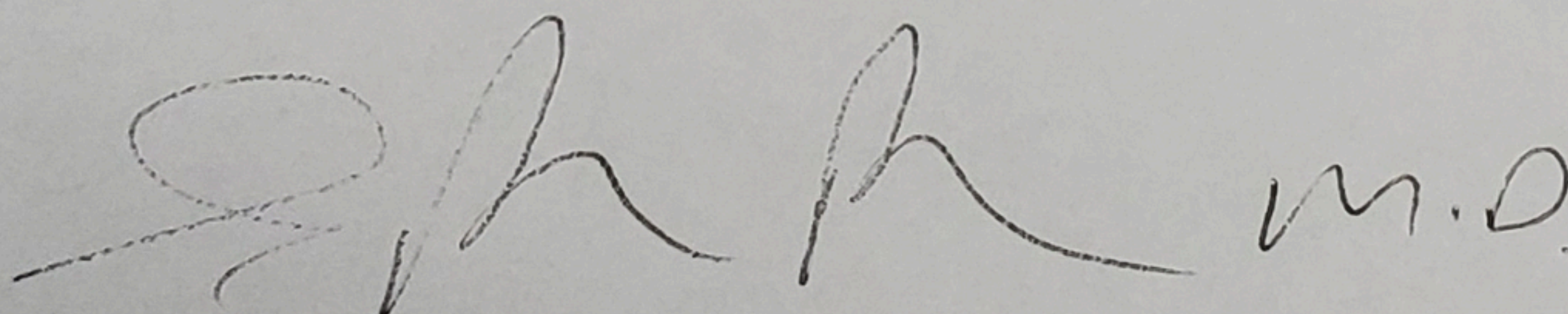
AFFIDAVIT

STATE OF FLORIDA)

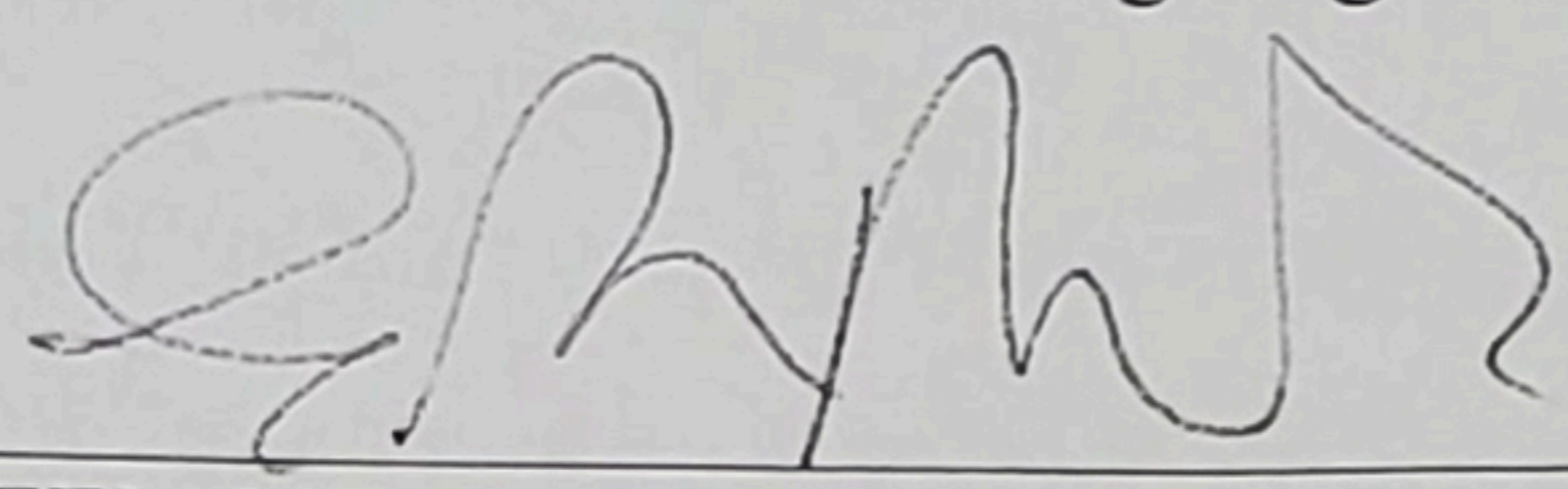
COUNTY OF Manatee)

I, Dr. Bino Rucker, M.D., of lawful age, being first duly sworn upon oath, depose and state, to-wit:

1. I am a former cancer surgeon and Medical Director at Rucker Integrative Medicine and graduated from the University of Virginia Medical School and performed my residency at Sloan Kettering.
2. I am the treating oncologist for Christopher Worrell, hereinafter referred to as Mr. Worrell, who was diagnosed 2007 with Non-Hodgkin's Lymphoma.
3. The Centers for Disease Control and Prevention (CDC) has stated that adults age 65+ years and those with serious medical conditions, including cancer, are at higher risk for severe illness from COVID-19.
4. Many cancers – including Non-Hodgkin lymphoma, leukemias and multiple myeloma - and cancer treatments like stem cell transplants, chemotherapies and radiation therapies, can weaken the body's ability to fight infections.
5. Research shows that the effects on the immune system of these cancers and treatments can linger long after treatments are completed.
6. As a result, patients who are immunocompromised are deemed at higher risk of infectious diseases such as COVID-19, and all cancer survivors should take extra precautions to protect themselves from infection.
7. Since his detention earlier this year, Mr. Worrell has suffered aggravating symptoms of his cancer, including lymphomas of the skin on his face. The lesions are described as often itchy, scaly, and red to purple. The lymphoma might show up as more than one type of lesion and on different parts of the skin. Some skin lymphomas appear as a rash over some or most of the body, known as erythroderma. Sometimes larger lesions can break open with ulcerations and may become dangerously infected and present serious risk to Mr. Worrell's health.



8. Since his detention, Mr. Worrell describes evidence of his cancer that "his skin is on fire and itching like crazy on the call because of no meds." He further describes there are "four nodes behind his right ear that were not there before," and that he "fears this could come back and get into his blood and make this full blown again."
9. Continuing confinement at the federal detention center presents substantial risk of serious infection to Mr. Worrell and his transfer to home confinement would significantly decrease the risk to his health in connection with the ongoing COVID-19 pandemic.


AFFIANT M.D.

Sworn and subscribed to me on this 24th day of March, 2021.

EXHIBIT C

The Pretrial Reports are not public record, are not to be reproduced or disclosed to any other party, and shall remain confidential as provided in Title 18 U.S.C. § 3153(c)(1).

PRETRIAL SERVICES REPORT

District/Office Middle District of Florida/Fort Myers	Charge(s) (Title, Section, and Description) Rule 5 - The District of Columbia
Judicial Officer Honorable Mac R. McCoy United States Magistrate Judge	Count 1: Title 18 U.S.C. § 1752 - Knowingly Entering or Remaining in any Restricted Building or Grounds without Lawful Authority
Docket Number (Year – Sequence No. – Def. No.) 2:21-mj-1025MRM	Count 2: Title 18 U.S.C. § 1752 - Knowingly Engaging in Disorderly or Disruptive Conduct in any Restricted Building or Grounds
	Count 3: Title 40 U.S.C. § 5104 - Violent Entry and Disorderly Conduct on Capital Grounds
	Count 4: Title 18 U.S.C. § 1512 - Obstruction of Justice/Congress
	Count 5: Title 18 U.S.C. § 1752 - Knowingly Engaging in Act of Physical Violence in any Restricted Building or Grounds

DEFENDANT

Name Worrell, Christopher John		Employer/School GML Coatings	
Other Names on Charging Document			
Address 282 Stanhope Circle Naples, FL 34104 239-777-4860 Defendant Cellular		Employer/School Address 10315 Technology Terrace Bradenton, FL 34211	
At Address Since 05/01/2017	Time in Community of Residence 20 years	Monthly Income \$3,683.33	Time with Employer/School 3 months

INTRODUCTION:

The defendant was interviewed on March 12, 2021, at the United States Marshal Service, Fort Myers, Florida.

DEFENDANT HISTORY / RESIDENCE / FAMILY TIES:

The defendant, age 49, advised he was born on June 26, 1971, in Greenport, New York. He noted living in Long Island, New York, for approximately twenty-four years before relocating to Pickens County and Greenville County, North Carolina. The defendant related he lived in North Carolina for five years before relocating to Collier County, Florida, where he has remained. Mr. Worrell stated he has resided at the above listed residence for four years and he would return to this residence, if released. The defendant reported he does possess a United States passport which is located at his residence and his last international travel was on a Caribbean cruise approximately two years ago.

Mr. Worrell reported he has been in a relationship with Ms. Tricia Priller for four years and they do not have any children together. The defendant communicated he has one child from his previous marriage, and he shares a close relationship with his son noting they share joint custody. He advised his mother is deceased and his father resides in Naples, Florida, and they speak weekly. The defendant stated his brother resides in Connecticut and they speak monthly. The defendant informed he shares a close relationship with Ms. Priller and she would be willing to co-sign a bond.

A query with the Collier County Property Appraiser's office revealed Tricia Priller purchased the above listed residence on October 11, 1995.

Pretrial Services contacted Ms. Tricia Priller who corroborated the defendant's residential and familial information as noted above. She advised she would be willing to co-sign a bond and serve as a third-party custodian, as she does not believe the defendant poses a risk of nonappearance or danger to the community. Ms. Priller stated she does not have any felony convictions and the defendant can continue to reside in her home. She expressed a willingness to allow location monitoring in her home, if ordered by the Court.

EMPLOYMENT HISTORY / FINANCIAL RESOURCES:

The defendant advised he has been employed at GML Coatings in Bradenton, Florida, for approximately three months and earns \$850 per week at this occupation. He reported that prior to this employment, he was employed as a manager of auto mechanic service departments for several automobile shops in Collier County, Florida. The defendant stated he was employed in this capacity for more than twenty years and earned an approximately salary of \$60,000 per year.

Ms. Priller corroborated the defendant's employment information and advised the defendant will be able to return to his employment.

Finances:

The defendant advised his only asset is a 2011 Toyota Tundra with an approximate value of \$15,000. He reported his liabilities include an outstanding credit card debt in the approximate amount of \$40,000, vehicle loan with a balance of \$9,500 and he is in arrears on a hospital bill with a balance of more than \$100,000. He informed he is making any payments on his vehicle and credit card debts and is current on the payments. Ms. Worrell advised the monthly expenses at his residence are estimated at \$3,610.

HEALTH:

Mr. Worrell reported he is in poor physical health and suffers from non-Hodgkin's lymphoma. He advised he was diagnosed with this cancer in 2007 and has been in treatment since that time to include chemotherapy as well as radiation. He is currently under the care of his primary care physician and he has never been diagnosed with a mental health condition.

The defendant reported he consumes alcohol approximately ten times per year week and began using marijuana at the age of nineteen. He reported he uses this substance for medicinal purposes on a daily basis and does not believe he has a substance abuse problem. The defendant communicated he has never used any other illegal controlled substance, does not have a substance abuse problem and has never undergone any substance abuse treatment. A urinalysis was not collected on the defendant due to time constraints.

Ms. Priller corroborated the health information provided by the defendant and she does not believe the defendant has a substance abuse or mental health problem.

PRIOR RECORD:

A criminal record check was conducted through the NCIC/FCIC criminal record check system and the Comprehensive Case Information System website which revealed the following:

<u>Date of Arrest</u>	<u>Agency</u>	<u>Charge</u>	<u>Disposition</u>
03/29/1991 (Age 19)	Southold Town Police Department, NY	Reckless Endangerment Property Case #: 13938985M	06/21/91: Pled Guilty. 3 years probation.
05/13/1991 (Age 19)	Greenport Village Court, NY	Criminal Mischief: Intent to Damage Property	05/31/91: Pled Guilty. 3 years probation.
12/03/1996 (Age 25)	Southold Town Police Department, NY	Criminal Possession Stolen Property-5th Degree Case #: NY051731J	Disposition Unknown
09/26/2000 (Age 29)	Greenville County Sherriff's Office, SC	Malicious Damage to Personal Property Less Than \$1000	11/01/00: Convicted. 30 days jail suspended upon restitution payment of \$400.
06/15/2009 (Age 37)	Collier County Sheriff's Office; Naples, FL	Impersonate LEO Case #: 2009-CF-1520	06/16/09: Surety bond posted. 01/22/10: Pled No Contest. Adj. W/H. 2 years community control followed by 3 years probation.

ASSESSMENT OF NONAPPEARANCE:

The defendant poses a risk of nonappearance for the following reasons:

1. Lack of financial ties to the community
2. Substance abuse history
3. Possession of a United States passport
4. International travel
5. Prior criminal record with history of impersonating LEO

PS3 (12/05-Rev. for PACTS 6/11)

Christopher John Worrell, / 2:21-mj-1025MRM

ASSESSMENT OF DANGER:

The defendant poses a risk of danger for the following reasons:

1. Nature of instant offense
2. Prior arrests and convictions
3. Substance abuse history

This recommendation is based upon an interview with the defendant and a bail investigation conducted by Pretrial Services. The Court will take other factors into consideration when determining release or detention, as noted in 18:3142.

RECOMMENDATION:

**UNSECURED BOND IN AN AMOUNT TO BE
DETERMINED BY THE COURT AND CO-SIGNED
BY A SUITABLE INDIVIDUAL.**

To reasonably assure the defendant's appearance and the safety of the community, Pretrial Services respectfully recommends the defendant be released on an Unsecured Bond with the following conditions:

- 1) Report to Pretrial Services as directed
- 2) Travel restricted to Middle and District of Florida and District of Columbia
- 3) Surrender passport and do not apply for a passport
- 4) Obtain or maintain verifiable employment
- 5) Submit to any method of drug testing and/or treatment, as directed, with costs borne by the defendant, as determined by Pretrial Services

Pretrial Services Officer Tad E. Parks U.S. Pretrial Services Officer	Date 3/12/2021	Time 2:00 PM
Reviewed By Brandon Ramirez, Supervisory U.S. Pretrial Services Officer		

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

UNITED STATES OF AMERICA,

-v-

CHRISTOPHER WORRELL,

Defendant.

Case No. 21-MJ-00296 (GMH)

[PROPOSED] ORDER

Upon consideration of Defendant Christopher Worrell's Emergency Motion for Reconsideration, the Memorandum of Points and Authorities in Support Thereof and Declaration of John M. Pierce with accompany exhibits and any Opposition thereto. After review of the submissions and the entire record herein, it is hereby:

ORDERED, that the Motion is GRANTED, and it is

FURTHER ORDERED, that the Defendant Christopher Worrell is release from custody pending trial.

SO ORDERED.

Dated: _____, 2021

United States District Judge