

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	§	
	§	
VS.	§	CASE NO. 1:21-CF-00050 (CRC)
	§	
JENNIFER LEIGH RYAN	§	

**DEFENDANT’S SENTENCE MEMORANDUM**

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

COMES NOW Defendant, through Defendant’s Counsel, and files this sentencing memorandum.

I.

**Ms. Ryan’s Position Regarding Government Comments**

Ms. Ryan objects to the position taken by the United States Attorney in this case and will address these objections and respond with her position on sentencing in this case.

As correctly cited in the Government’s sentencing memorandum, Ms. Ryan entered a plea to Count 4 of the Second Superseding Information, which alleged a violation of Title 40, U.S. Code, Section 5104(e)(2)(G). This alleged that she wrongfully paraded, demonstrated and/or picketed in the Capitol, and nothing more.

Ms. Ryan was the first of the defendants named in the Complaint to come forward and enter a guilty plea. Further, when she first encountered law enforcement officers, on or before January 15, 2021, Ms. Ryan relinquished to the FBI her cellular telephone and various computers, laptops and other pieces of electronic equipment via which she operated in social media. She provided the agents with the passwords necessary for them review the information contained in the devices. Although the Government promised to return the equipment promptly, her property

was not returned until late-October, more than ten months after they were seized and examined.

Ms. Ryan retained this Defense Counsel on February 3, 2021, after many of the social media comments and television interviews that so offended the Government prosecutor.

Immediately after being retained, and while awaiting admission to the Bar of the District of Columbia, this Defense Counsel contacted Assistant U.S. Attorney Frances Blake, who originally had this case. We discussed the evidence and This Counsel offered to have Ms. Ryan meet with the AUSA and her agents in order to proffer what she knew about the case. We were actively offering to enter into a plea agreement with the Government, but the AUSA said she was having problems getting a response from her superiors in the Washington, DC, office. It was not until late-July that a plea agreement was finally drafted and relayed to the Defense. The case was then set for re-arraignment on the earliest available date.

As Ms. Ryan mentions in her attached written statement to This Honorable Court, she cooperated or attempted to cooperate with the Government in every conceivable way since being charged in this case.

The Defense very respectfully suggests this is important information for Your Honor to consider.

With regards to Ms. Ryan's actions on January 6, 2021, there is no evidence of Ms. Ryan proceeding more than about 10 feet beyond the doorway at which she entered the Capitol. In the still photograph included in the Government's sentencing memorandum, it shows Ms. Ryan inside the entrance to the Capitol, and one can count the number of persons standing behind her and inside the Capitol. Ms. Ryan is approximately the fourth person in line from the threshold of the entrance, and all persons behind her are standing within only a few inches of the person in front and behind each other. It would appear Ms. Ryan is approximately 6 feet from the door. And in

the video from which the still photograph was taken, one would see Ms. Ryan and a Capitol Police Officer greet each other amicably. There is no evidence of any Officer telling Ms. Ryan not to enter the Capitol or directing her to leave. And, as the Government concedes, she remained inside the Capitol only about two minutes. Ms. Ryan's trespass into this public building was for only a very short time and she was never more than 10 feet from the door. Ms. Ryan did not approach the House or Senate chambers, or even get far enough inside to view the magnificent statues and other artwork in the various wings and halls of the building. She merely walked inside the door, stood peacefully, chanted unoffensively along with the crowd, then exited as she had entered. Her actions were part of the protest of the day, and she has admitted that she knew it was wrong to parade or demonstrate inside the Capitol that day. It is this act, alone, that she has been convicted of and for which she should be sentenced.

However, from reading the Government's twenty-seven page memorandum to This Honorable Court, it is worth noting that the great bulk of their focus is on comments Ms. Ryan made before and after the trespass inside the Capitol. And every comment made by Ms. Ryan is the sort that is protected by the First Amendment. Ms. Ryan did not damage any property and did not incite violence. Her comments on social media reflected her belief that a wrong had been committed in the way the Presidential election had been conducted, that there were significant acts of election fraud, and that the Presidency had, in effect, been stolen. As one may assume, there are many – perhaps millions – American voters who feel as Ms. Ryan felt that day. Her comments aren't illegal, and she was not charged with anything regarding her speech surrounding this protest. She did not witness violence before going to the Capitol that afternoon, was not a witness to violence, and did not take part in any violence at any time.

II.

**The U.S. Probation Officer's Recommended Sentence**

Ms. Ryan very respectfully requests that This Honorable Court sustain our objections and sentence Defendant to probation, as recommended by the U. S. Probation Officer in this case.

Ms. Ryan's former offenses occurred more than a decade ago, and she never repeated those offenses. As noted in the Probation Officer's Sentencing Recommendation, rehabilitation of Ms. Ryan does not appear to be a particular concern, she does not pose a danger to the community, and is in full compliance with the terms of her release since this case began.

And, as noted in the second paragraph of the Probation Officer's recommendations, Ms. Ryan's culpability is minimal in contrast with the true rioters.

As stated in Title 18, U.S. C., Section 3553(a), the sentence to be imposed should be no greater than required to satisfy the sentencing factors. We believe a sentence to probation, along with the agreed upon amount of restitution, satisfies the lawful and proper sentencing objectives within our system of justice.

III.

Conclusion

WHEREFORE, premises considered, Defendant very respectfully requests that This Honorable Court sentence her to probation and restitution in the amount of \$500.00.

Very respectfully,

*/S/ Guy L. Womack*  
Guy L. Womack  
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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing was served upon the Probation Officer and Government Counsel by email on this 1<sup>st</sup> day of November, 2021.

*/S/ Guy L. Womack*  
Guy L. Womack

October 30, 2021

Jennifer L. Ryan  
Frisco, Texas 75034

The Honorable Christopher Cooper  
U. S. District Judge for the District of Columbia

Re: Case No. 1:21-cr-50

Dear Judge Cooper,

Please accept my sincere apologies for my actions on January 6th, 2021. I take full responsibility for parading and picketing in a restricted building. I understand the weight of my actions and deeply regret entering the Capitol that day.

I walked into the Capitol roughly one hour after the first crowd entered. I was a late arrival. I did not realize that there was violence that occurred against the Capitol Police when I entered. I knew it was wrong to go into the building, but I entered anyway because so many people were already in there and there were no barricades blocking my entry.

I walked in, prayed, chanted "Fight for Freedom" and walked out. Please note on the video of me entering the Capitol (See Timeline), that I was encouraged to go further than a few steps inside the door, but declined to do so. Once I walked into the Capitol, there was a police officer making small talk, but still, I felt uncomfortable, so I turned and walked out. I was in the Capitol for roughly 2 minutes and 8 seconds and took only a few steps inside the door. It is my understanding that this is one of the lowest levels of crime from that day. Still, it was wrong and I take responsibility for this action.

I did not witness any violence. I did not commit any violence. I did not see any violence being committed. I did not lie about violence. I did not harm another person. I did not steal anything. I did not break anything. I am not on video committing any violence. I did not observe any violence. I repeat: I did not see, commit or participate in any violence. I did witness broken windows, people being teargassed (I moved far away once this started), and broken camera equipment. I witnessed all these things after the fact.

I did not downplay violence that I did not see personally. I do not recall reading a forwarded tweet about violence prior to going to the Capitol to protest. I did, however, see on TV that people were going into the Capitol. I was not aware of any violence that occurred before I arrived at the Capitol. In my opinion at the time, it was a protest. I was naive enough to think that somehow they just got in. I am not a violent person. I haven't had so much as a speeding ticket in over ten years.

I was never interviewed by the FBI. I was never interrogated, though I offered to do so many times. Never once did they ask for my version of events. I was unable to give any statement under oath. Yet the prosecutor makes accusations about my culpability and integrity using television interviews in order to justify a very harsh punishment.

I did not commit, see or lie about violence. I did not provide any false statements under oath. The Prosecution makes accusations against me regarding an interview that I gave shortly after I returned home, while I was still

processing the events mentally. I was experiencing cognitive dissonance. What I saw on the news was contrary to the relative peaceful protest that I had experienced on the 6th. There is no denying that many protesters there that day say the same thing. Even still, all public interviews and statements the prosecutor claims I made and that she claims are misleading are all protected by my right to free speech. I have a right to experience my own perceptions, share my thoughts, even as such perceptions evolve through time and mental processing. It is not a crime to feel and believe a certain way about my experience of events and share my experience with others.

While I feel badly about unlawfully entering into the Capitol on January 6th, not everything I did that day was bad. Some actions I took that day were good. I came to DC to protest the election results. I wanted my voice to be heard. My only weapon was my voice and my cell phone.

It is my belief that America is presently in an "Information War." This so-called "war" that I spoke of, using my first amendment rights, is a war that is not fought with weapons, but with words, ideas, constructs and opinions. Judge, I'm sure you agree that I have the right to voice my opinions and concerns, even when my thoughts and feelings are contrary to the mainstream narrative. Also using military analogies such as war and fight are often used in political rhetoric and are protected by the Brandenburg standard for Free Speech.

The prosecution makes many false statements about my actions and the timing of such--most damaging is the rearranging of my video streams and putting them out of context in order to justify harsher sentencing than what was discussed originally. If my videos are put in proper order, it strongly contradicts the prosecutor's argument that I knew about breaking windows before I went to the Capitol. This false timeline may be more exciting, and make for sensational TV news, but it is simply not the truth. The video that the prosecution uses first to show my culpability is actually the last video I created over an hour later. Put the videos in order and the argument for harsher sentencing crumbles.

Also, the Prosecutor makes assumptions about what I was thinking and feeling; and I am being accused of lying about my own inner experience of the events that took place on January 6th. I contest that I am not lying about how I felt, what I thought or what I believed. I have every right to feel, think and believe according to my own experience--even when the experience contradicts that of people who were not at the event themselves.

Yes it is true that I have been heavily involved in internet marketing since 2004, and I had a wide network of followers on all channels, each with different topics, very few dealing with politics. It is within my rights as a US Citizen to have a social media following, I also have a life coaching business where I help people heal from childhood trauma, as well as a real estate brokerage. I was a highly respected member of the community with a real estate radio show as well. My only political discourse is usually during election time and it's mostly on Twitter. It is my understanding that it is not against the law to have social media accounts and to market myself among my channels.

I am constantly posting to social media, just like many people today. I share various posts of myself putting on make-up or eating macaroni and cheese. I love sharing my life because I love entertaining people and making them feel good. Sharing my life makes me happy. You may see a video or post that I share online and think, "She doesn't seem remorseful," however, my true feelings are not always displayed on my public social network. Much of my inner world is kept inside, behind the scenes because showing remorse for every post would be a turn-off for my audience. I try to balance my life and come across as happy and well adjusted. It's all about image management. So looking for remorse on my tweets and social media platforms is not the best route. I am marketing myself online and cannot always display remorse. If you want to know how I feel, please ask me directly. My social media is an image I project and not my real life.

After the January 6th event, I started receiving mobs of trolls demanding that I be arrested and put in prison. This was extremely horrifying. I received death threats. I had to close my company because of graffiti on my real estate signs. I had to change my name because there were news articles plastered all over the web that were defamatory towards me.

There were blogs created about me, I was called an Insurrection Barbie, and I was called an entitled stuck-up snob. The media created an image of me that was false, and the social media mob came after me with a vengeance, blaming me for the entire riot. Condemning me with no restraint. I felt horrible, as if I was the most disgusting person in the USA. I experienced the full brunt of the attack of the bullies, mobs and trolls.

They thought I was a villain, but nothing could be further from the truth. I may have a big mouth. I may have strong opinions. I may not have the same opinions as everyone else, but at the end of the day, I am simply a hard working woman trying to make it in this world after overcoming a very difficult childhood. Every day I struggle to do well within myself, for myself, and to serve my clients and to give back to the community. I coach people all over the world. I am a top producer in real estate. I feel I received more backlash than I deserved. I learned many lessons from my involvement in the Capitol event, and I believe my experience will make me a better person.

At one point, I was told by my attorney that the prosecutor would be recommending probation. I was SO RELIEVED. Several bullies on Twitter said something to the effect of you're ugly, blonde and you're going to prison. I responded back apologizing for my blonde hair but that I wasn't getting prison. I wasn't saying I was above prison, I just felt that it would be unlikely since I was pleading to entering the Capitol for 2 minutes and 8 seconds. Now I realize that was a false notion, but having a false notion does not automatically mean I deserve incarceration. A tweet of me taking up for myself against a bully who is harassing me does not indicate that I feel above-the-law.

Unlike what the Prosecutor says, I do not feel that I am immune to punishment due to my appearance and social status. I do not feel that I will get off "Scott Free" (quoting the prosecutor), but I was trying to maintain my dignity to a mob of haters who were harassing me relentlessly by social media, phone and email. The prosecutor states that there is a "sense of impunity" in my statements. However, again, the prosecutor is twisting my statement to put me in a box in which I do not belong. My statement was taken out of context without fully understanding the entire conversation that I was responding to or what I was addressing.

When it comes to my propensity to further violence, as stated by the prosecutor, I can tell you, I did not commit violence at all. Nevertheless, I have learned my lesson times 1000. I have learned many lessons, the most of which is to have discretion in all my online activity and to steer clear of doing anything that could even remotely get me into trouble. I just want my life back. I want to be respected and steer clear of controversy now and in the future. I am a better person today because of these lessons I've learned through this extremely difficult year.

I am pleading guilty to picking and parading inside a restricted Capitol Building. I take responsibility for my actions. I did not commit any violence, I thought I was protesting, parading and picketing of my own accord.

Since that day I've suffered greatly. I received death threats; had to close my businesses; been heckled in public. Had to change my name. I was ostracized from society, bank accounts were closed and had to disguise myself in public. I experienced intense emotional pain and turmoil, psychological torture and punishment. People lied about me and smeared my name, accusing me of being a murderer, terrorist, a racist. They made fun of my image, face, body and hair. I was cancelled and objectified. I received more negative attention than others due to my existing online profile, even though I played a minimal role.

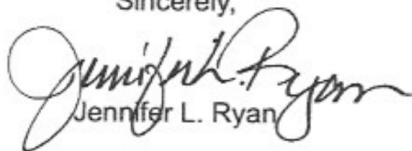


The stain of that day will haunt me the rest of my life. I am mortified that I went into the Capitol building. I am also petrified to come before you as one of the earliest defendants to plead guilty. I hope you see that I am an imperfect person, but I am not the person portrayed by the media. My life is in your hands. All I can do is hope and pray that you will see the timeline of my videos, that you will see that I have the right to free speech, that you will see that I am taking full accountability and I am remorseful for my actions. You will not hear of me again in this negative light. I will use this experience to make me a better person.

I humbly place myself at the mercy of the court and plead for understanding. I went into the Capitol only a few steps, stayed a very short time, I turned myself into the FBI quickly; gave up my phone without hesitation; gave the FBI my key so they could search my home and take my computers. I pled guilty as soon as possible and shared my story with the House Bi-Partisan Select Committee during an interview by their investigative counsel. I am willing to cooperate in any way.

Judge, I am sorry for entering the building. I apologize to the Court, to America, the Capitol Police and Congress. Please see my deep remorse, regret and willingness to accept full responsibility for my actions.

Sincerely,



Jennifer L. Ryan