

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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UNITED STATES OF AMERICA :

Docket No.: 1:21-CR-00608 (RCL)

v. :

JUSTIN McAULIFFE, :

*Defendant.* :

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**RESPONSE TO MODIFICATION OF PROBATION**

Defendant, Justin McAuliffe, by and through his undersigned counsel, respectfully submits this response to the request for modification of the terms of his probation.

The assigned US Probation Officer, in a document filed on April 13, 2022, is requesting an across-the-board right to technologically monitor every aspect of Mr. McAuliffe's online existence. The request goes far beyond social media activity and would seek to allow government officials to review everything Mr. McAuliffe does online. The request is surprising, unwarranted, excessive, and unnecessary. Mr. McAuliffe has 100% complied with all terms of his probation and has successfully completed his term of home detention. He has put this unfortunate case behind him, moved on with his life, and has done absolutely nothing to warrant this sudden modification. Other than a professional profile on LinkedIn for business purposes, he

uses no other social media whatsoever. He has deactivated all personal social media accounts of which he is aware.

Further, Mr. McAuliffe is a certified tax accountant and interacts with his clients daily via email, receiving their confidential tax documents and providing confidential tax advice. If the Court grants Probation's request, it seems to me that his clients would need to be advised that all their communications with him are being examined by government officials and frankly I would not be surprised if he loses clients because of this intrusion.

Mr. McAuliffe was presented with documents on February 3, 2022, seeking his agreement to the modification request. He signed them because it was, and is, his intent to cooperate completely in all respects with the conditions of his probation. He has nothing to hide. However, after discussion with him, I believe that modifying these conditions is beyond the scope of proper supervision and is simply the wrong thing to do. I have further discussed this modification request with the assigned Assistant U.S. Attorney. On behalf of the Government, he agrees with me and joins in opposition to this excessive and intrusive modification. We jointly ask this court to summarily reject the proposed modification submitted by US Probation.

Dated: April 15, 2022

Respectfully submitted,

/S/ Richard D. Collins

Richard D. Collins

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