

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

UNITED STATES OF AMERICA :
:
v. : **CRIMINAL NO. 21cr0006 (TJK)**
:
DOUGLAS AUSTIN JENSEN, :
Defendant. :

**MOTION FOR RECONSIDERATION OF THE REVOCATION
OF DOUGLAS JENSEN’S BOND**

Douglas Jensen, by and through his attorney, Christopher M. Davis, respectfully moves this Honorable Court to reconsider its decision to revoke his bond.

1. On September 2, 2021, this Court found “by clear and convincing evidence” the Defendant violated the conditions of his release by (1) accessing the internet, specifically an online video platform, through the use of a cell phone on August 13, 2021, and (2) accessing the internet, specifically video of a cyber symposium related to a recount of the 2020 Presidential election, through the use of a cell phone, in the days before that. The Court also found, for the reasons provided on the record, that the Defendant is "unlikely to abide by any condition or combination of conditions of release," *id.* § 3148(b)(2)(B). See, Dkt. 37.

2. Mr. Jensen requests that the Court reconsider its decision to revoke his bond. Though Mr. Jensen violated a direct Court order, at no time did he pose a danger to the community nor did he present a risk of flight. While on release, Jensen was in home detention and had an “electronic fence” which would have alerted Pre-Trial Services of any unauthorized movement.

3. Mr. Jensen did let the Court down by listening to news outlets that some may find puzzling. However, in the final analysis, his actions impacted no one but himself. And as the United States has argued, an internet ban would be impossible to enforce; though for reasons different than what the government was arguing.

4. The internet is more than a luxury in 2021. Cell phones are as common as a key to the front door of one’s home. In fact, a cell phone may be the digital key to your front door. Googling matters, shopping, checking the weather, streaming movies, emailing, texting and now, attending court, are all activities that make the internet an integral part of our lives. And this list is not inclusive of all the many ways that the internet impacts us in our 21st Century lives.

5. Mr. Jensen requests that he be released to home detention with GPS monitoring, with a ban on utilizing social media. To ban his access to news outlets and information he apparently feels a need to consume is not only difficult to enforce, it also has an uncomfortable ring of Totalitarianism.

