

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

**UNITED STATES OF AMERICA**

**v.**

**VINCENT GILLESPIE,**

**Defendant.**

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**Case No. 21-cr-60 (BAH)**

**GOVERNMENT’S SUPPLEMENTAL SENTENCING MEMORANDUM**

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, respectfully submits this supplemental sentencing memorandum. The supplemental information contained herein is based on Metropolitan Police Department officers impacted by rioters in the Lower West Terrace (“LWT”) tunnel during the same time that Defendant Gillespie was in the LWT tunnel. The material provided here is from the evidence admitted in the form of trial testimony in *United States v. Patrick Edward McCaughey, III, et al.*, 21-cr-040 (TNM).

Specifically, the testimony of MPD Sergeant Jason Mastony on August 29, 2022 and Officer Henry Foulds on August 31, 2022 describes, in part, the circumstances and conditions on January 6, 2021, in the LWT tunnel during the same time of day that Gillespie was committing crimes in the tunnel. The government points the Court to transcript page numbers 200 – 230 of Sergeant Mastony’s testimony (Attachment 1) and transcript page numbers 136 - 140 of Officer Foulds’ testimony (Attachment 2), where both MPD members testified about what they observed in the LWT tunnel between 2:30 and 5:00 p.m., and the impact that the various assaults had on

themselves and other officers.

Portions of both Sergeant Mastony and Officer Foulds's body worn cameras were admitted and published on December 20, 2022, at Defendant Gillespie's trial, as Government's Exhibits 703 and 704, respectively. The government submits the attached testimony describes conduct relevant to Defendant Gillespie's criminal conduct on January 6, 2021, and it is material to sentencing 18 U.S.C. § 3553(a) factors.

Respectfully submitted,

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