

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RILEY JUNE WILLIAMS,

Defendant.

CR Action

No. 1: 21-CR-618

Washington, DC

March 23, 2023

9:43 a.m.

TRANSCRIPT OF SENTENCING HEARING  
BEFORE THE HONORABLE  
UNITED STATES DISTRICT JUDGE AMY BERMAN JACKSON

APPEARANCES:

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FOR U.S. PROBATION

HANA FIELD

P R O C E E D I N G S

1  
2 THE COURTROOM DEPUTY: Good morning, Your Honor.  
3 This morning we have criminal case 21-618, the United States of  
4 America v. Riley June Williams.

5 Ms. Williams is present and in the courtroom. The  
6 probation officer present for this morning's proceedings is  
7 Officer Hana Field.

8 Will counsel for the government, please approach the  
9 lectern and identify themselves for the record followed by  
10 counsel for the defense.

11 MR. DALKE: Good morning, Your Honor. Sam Dalke on  
12 behalf of the United States, joined with my cocounsel, Mike  
13 Gordon, along with Tiffany Robinson and Special Agents John  
14 Lund and Richard Oh.

15 THE COURT: All right. Good morning.

16 MS. ULRICH: Good morning, Your Honor. Lori Ulrich  
17 for Riley Williams along with Brandon Reish and Amanda Gaynor.

18 THE COURT: All right. Good morning. We are here  
19 this morning for Ms. Williams' sentencing. The final revised  
20 presentence report was filed in this matter on February 15th,  
21 2023. I am pretty sure that the defendant and the defense  
22 counsel have both read the presentence report. But for the  
23 record; is that correct?

24 MS. ULRICH: That is correct, Your Honor.

25 THE COURT: This is the point in the proceedings

1 where I usually ask if there are any factual objections to be  
2 resolved. Defense has submitted a detailed set of factual  
3 objections. It is sealed. It is docket 145. I have never  
4 actually seen anything like it in my 12 years on the bench. It  
5 objects to the probation office's use of the government's  
6 characterization of the facts with its spin on them and it  
7 supplies her own. And I want to state for the record and, in  
8 fact, I said this before the submission was filed, that I am  
9 not relying on paragraphs 20 through 44 as a source of  
10 information as to the offense conduct. I will not accept these  
11 paragraphs undisputed for purposes of the sentencing. Let the  
12 record reflect they are disputed.

13 Nor am I relying on docket 145, the defendant's  
14 docketed set of objections, which was unnecessarily  
15 argumentative and sarcastic and as slanted to the defense  
16 perspective as she contends the summary in the presentence  
17 report was. She objects to some undisputed facts such as the  
18 fact the defendant deleted files from her computer with  
19 assertions about why she may have done it. But that doesn't  
20 make it any less a fact. Much of the submission was the  
21 defense closing argument over again. And with respect to the  
22 counts of conviction, the jury did not buy them.

23 With respect to the offense conduct then, I will rely  
24 solely on the evidence introduced at trial, the exhibits and  
25 the testimony and my own close observation and recollection of

1 the witnesses' credibility and demeanor. To go through the  
2 other objections one by one, I will not exclude paragraphs 15  
3 and 16, which do not make factual findings but simply report  
4 accurately on what it was that the pretrial services agency had  
5 reported. Nor will I exclude paragraph 35 which again sets out  
6 the facts about wiping her computer thoroughly and repeatedly  
7 with a high degree of sophistication, accurately. The defense  
8 has argued there was another motivation besides evading arrest.  
9 And that assertion is part of the record, but it doesn't  
10 warrant keeping the other information out of the presentence  
11 report.

12 Paragraph 35 recounts the government's request for  
13 restitution. I will deal with that at the time I impose  
14 sentence. But there is nothing inappropriate about the  
15 probation office summarizing the existence of the request.

16 I am not sure it was inappropriate for the government  
17 to submit information to the probation office that is in the  
18 objected to paragraphs 93 and 94, given the role that Nick  
19 Fuentes apparently played in the defendant's world view at the  
20 time of the offense. But I do agree that paragraph 94 is  
21 irrelevant. And I don't intend to rely upon anything in  
22 paragraph 94 in connection with my sentencing today.

23 To be clear, I do not intend to and I will not rely  
24 upon any information regarding Nick Fuentes and his philosophy  
25 or views beyond his position on the election in connection with

1 my sentencing today.

2 The guidelines objections in paragraphs 39 and 47  
3 through 65 are legal disputes and not factual disputes with the  
4 presentence report. And they will be taken up when I calculate  
5 the guidelines.

6 Objections to potential conditions of supervised  
7 release, discussions of potential upward variances, all go to  
8 the sentence I am going to impose and not the validity of the  
9 presentence report itself. And so the objections to paragraphs  
10 149, 172, 175 through 177, are noted and part of the record,  
11 but I don't need to address them directly now.

12 Most important, while all of the defendant's behavior  
13 in the Capitol is relevant and there were exhibits introduced  
14 that show what she did and did not do in the Speaker's office,  
15 I am not planning to sentence her today for the counts in which  
16 the jury could not reach a unanimous verdict and which have  
17 been dismissed. But neither am I going to waste time  
18 entertaining arguments about how unconscionable it was for the  
19 government to pursue those counts given her own public  
20 statements on the matter at the time and the evidence with  
21 which the government had been provided during the early days of  
22 the investigation. It is simply not the subject of today's  
23 hearing. And it will not be productive for either side to  
24 waste the time we have set aside today for the very important  
25 matters we do have to address by saying a good deal more about

1 the laptop or the gavel.

2 With that, I will accept the other portions of the  
3 presentence report that I did not just specifically set aside  
4 or carve out as findings of fact for purposes of sentencing.

5 The next thing I generally ask is where there are  
6 legal issues that need to be resolved. The guidelines  
7 calculation is disputed. And that will be the issue I turn to  
8 first, because I always calculate the guidelines before I go  
9 further.

10 But before I do that, I want to state for the record,  
11 that I have received additional materials concerning the  
12 defendant, including the government's memorandum in aid of  
13 sentencing and two memorandum from the defense, one sealed, at  
14 docket 138 and unsealed at 137. Now that I have reviewed 138,  
15 while there are some references to family matters that are  
16 appropriately sealed, there was a good bit of it, information,  
17 for instance, about positive things that the defendant had done  
18 in the past that are usually a part of the public record. So I  
19 would encourage the defense to review docket 138 and docket a  
20 redacted version for the public record.

21 The memoranda supplied by the defense were supported  
22 by a number of attachments, including letters from family  
23 members and others. Given the public interest in this matter  
24 and what has kind of happened in other cases when people have  
25 stepped forward to be supportive or not supportive, I am just

1 going to refer to them by relationship and not by name.

2 Received a letter from a couple that knew the  
3 defendant for approximately a year when she worked as a  
4 personal caregiver for their special needs adult daughter, the  
5 defendant's stepmother, her grandmother, her father, her  
6 mother, her fiancé and a pastor at her church. I read and  
7 appreciated all of that material.

8 So in a criminal case, there is a statute that tells  
9 me how I am supposed to go about deciding what the sentence  
10 should be. It is 18 US Code section 3553. It lists a number  
11 of important factors and the advisory sentencing guidelines are  
12 one of the factors that I am required to consider in  
13 determining the appropriate sentence for this offense. I am  
14 required to calculate what the guidelines would recommend in  
15 every case. And the purposes is to arrive at a recommended  
16 sentencing range based on the offense and various aggravating  
17 or mitigating factors and also taking her criminal history or  
18 lack of criminal history into consideration.

19 So I am going to begin with that calculation. But I  
20 want to emphasize that is just the starting point. It is not  
21 the ending point of the analysis this morning.

22 The defendant was found guilty of Count 1, civil  
23 disorder and violation of 18 US Code section 231(a)(3), which  
24 provides for maximum sentence of up to 5 years. She was found  
25 guilty of Count 3, resisting or impeding certain officers in



1 violation of 18 US Code section 111(a)(1), which provides for a  
2 maximum sentence of up to 8 years. She was convicted of Count  
3 5, entering and remaining in a restricted building or grounds  
4 in violation of 18 US Code section 1752(a)(1), which provides  
5 for maximum sentence of up to one year; Count 6 disorderly and  
6 disruptive conduct in a restricted building or grounds in  
7 violation of 18 US Code section 1752(a)(2), which provides for  
8 a maximum sentence of 1 year; Count 7, disorderly conduct in a  
9 Capitol building in violation of 40 US Code section  
10 5104(e)(2)(D) which provides for a maximum sentence of up to 6  
11 months; and Count 8, parading, demonstrating or picketing in a  
12 Capitol building in violation of 40 US Code section  
13 5104(e)(2)(G), which provides for a maximum sentence of 6  
14 months.

15 The parties seem to agree that for guidelines  
16 purposes, we would group Counts 1 and 3 together, as both  
17 involve the same conduct directed towards the same officers in  
18 the rotunda of the Capitol. Counts 5 and 6 are also grouped.  
19 But no matter how you add those up, under the guidelines, use  
20 the group that has the higher guideline. And, therefore, that  
21 would be the group consisting of Counts 1 and 3. So that is  
22 where this dispute rests. Count 7 and 8 are class B  
23 misdemeanors and they are not covered by the guidelines at all.

24 So there is a lot of discussion that is about to  
25 happen that sounds a lot more like algebra than law. And I

1 didn't write the guidelines, but I am required to utilize them.  
2 So you will be hearing about a lot of sections from the  
3 guidelines and levels and going up and down. And that is what  
4 we have to do to arrive at what the commission would recommend.  
5 And then we get into what all of the other factors would say  
6 that I should do. We start right off the bat with the dispute  
7 regarding what the base offense level should be for the first  
8 group. If you look at Count 1 and you go to the index of the  
9 guidelines, there is no particular guideline recommended at all  
10 for that. It says, therefore, you must apply the most  
11 analogous guideline. So then, the obvious choice and one that  
12 is referenced in the guidelines themselves as appropriate for  
13 Count 3 is section 2A2.4, the guideline for obstructing or  
14 impeding officers. That starts with the base level of 10. If  
15 the offense involves physical contact or a dangerous weapon was  
16 possessed and use was threatened, it goes up by 3 levels. And  
17 if the victim sustained bodily injury, it would be increased by  
18 two more. Am I correct that the defense position would be that  
19 under that guideline, we would end up at level 13?

20 MS. ULRICH: Your Honor, I am actually opposed to the  
21 3 levels. I assume that is what the Court is giving her, the 3  
22 levels there for physical contact, given what she was convicted  
23 of. So we think that offense level there would be 10. But I  
24 can understand where you are getting the additional 3 levels.

25 THE COURT: All right. I mean, there was physical

1 conduct by others urged by her. And I think, therefore, within  
2 that guideline, that would be appropriate. But there is a  
3 cross-reference in section 2A2.4, that says if the conduct  
4 constituted aggravated assault, then you are supposed to go to  
5 a different guideline section, 2A2.2 for aggravated assault.  
6 So the guideline for obstructing, impeding officers explicitly  
7 states that if you have an aggravated assault, then you have to  
8 go to the other guidelines section, 2A2.2 instead.

9 The consequences for the guideline calculation are  
10 significant and not entirely logical. If you go to section  
11 2A2.2, for aggravated assault, you start at a base offense  
12 level of 14. So we are already higher than where we just  
13 started. Then if the assault involved more than minimal  
14 planning, it could go up by more than 2 levels, that is not  
15 involved. And if there was a firearm or dangerous weapon it  
16 would go up by 3 more. That is not involved.

17 If there was bodily injury to the victim, you would  
18 increase it, according to the seriousness of the injury. The  
19 presentence report, which advocates using this guideline would  
20 also vote for the 3-level enhancement here, because an officer  
21 who was part of the line got sprayed by another rioter during  
22 the course of the resistance in which the defendant  
23 participated in which the evidence established she  
24 significantly organized and encouraged and the officer was  
25 injured. But I don't agree that the defendant should be held

1 responsible for guidelines purposes for significant, even if  
2 foreseeable escalation of the nature of the resistance  
3 committed by an unknown third party as opposed to a  
4 coconspirator. So even if this base offense level is where we  
5 go and this guideline applies, I am not going to enhance it in  
6 that manner. Indeed, the guideline definition of relevant  
7 conduct, section 1B1.3A1A says the relevant conduct is absent  
8 omissions committed or willfully caused by the defendant that  
9 occurred during the commission of the offense. So I don't  
10 believe that the bodily injury enhancement is appropriate in  
11 this case, no matter which guideline we are utilizing.

12 That means if you go back to the calculation under  
13 the aggravated assault guideline, we are still at level 14.  
14 But you can then look at victim related enhancements and under  
15 section 3A1.2, 6 levels can be added because this is an  
16 official victim. That provision says if the victim was a  
17 government officer or an employee and the offensive conviction  
18 was motivated by that status, you can go up 3 more levels.  
19 Those two certainly apply. And then section B of that  
20 guideline says if those apply and the applicable chapter 2  
21 guideline is from chapter 2, part A, offenses against the  
22 person, you get to increase it by 6 levels. And those are also  
23 true in this case.

24 However, the application note says don't apply this  
25 adjustment if the guideline has already specifically

1 incorporated this factor, meaning the fact that the victim was  
2 a federal officer. Well, the only offense guideline in chapter  
3 2 that specifically incorporates that factor is the lower  
4 guideline for impeding officers under section 2A2.4, which  
5 means that you can use this increase if you are under section  
6 2A.2 for aggravated assault, which is already 14 to begin with.  
7 And you get up to level 20 now, putting aside the question of  
8 the enhancement for obstruction of justice for a moment.  
9 Because that would apply or not apply no matter which offense  
10 level we are using.

11 So that is a significant disparity for the same  
12 conduct against federal officers. And it is an anomaly that I  
13 keep suggesting the Sentencing Commission needs to address.  
14 And when I get to the application of the statutory factors in  
15 my discretion, it would supply a permissible basis to vary from  
16 the guideline, as the Court can do in the event of a policy  
17 disagreement with the guidelines under *Kimbrough versus United*  
18 *States*, 552 US 85. It also falls within the sort of reasons  
19 set out in *Rita versus United States*, 551 US 338 for rejecting  
20 guideline sentences because this one would conflict with the  
21 admonition in the sentencing statute to avoid unwarranted  
22 disparities between sentences imposed on defendants who have  
23 been convicted of similar offenses.

24 The official victim provision goes on. And it has  
25 further enhancements, if in a manner creating a substantial

1 risk of serious bodily injury, the person was a law enforcement  
2 officer, and that would be another reason to enhance by 6  
3 points. But here we have the law enforcement officer. I am  
4 not sure we have the significant risk of serious bodily injury  
5 by the defendant or by someone whose conduct she is accountable  
6 for. So I wouldn't impose the 6 level enhancement for that  
7 reason. But even if you start with the 14 and you add the 6,  
8 you end up with a 7-level disparity between the base offense  
9 level for obstructing officers and the base offense level for  
10 aggravated assault. And I think it is interesting to point  
11 out, that if you looked at the base level for just plain old  
12 assault, not aggravated under section 2A2.3 and involved  
13 physical contact, that would get you to level 7; and if you  
14 added 6 levels for the official victim, you would be at level  
15 13, which is still 7 levels less than the aggravated assault  
16 guideline. So the question is, does the aggravated assault  
17 guideline apply? The government says, yes; pretrial service --  
18 I mean, the probation office says, yes.

19 The definition of aggravated assault in the guideline  
20 is a felonious assault that involved, A, a dangerous weapon  
21 with intent to cause bodily injury; B, serious bodily injury;  
22 C, strangling, suffocating or attempting to strangle or  
23 suffocate; or, D, an attempt to commit another felony.  
24 Clearly, neither A, B nor C apply.

25 And before we get to the question of intent to commit

1 another felony, I have to say that I find it odd to be calling  
2 this an aggravated assault when the government took the assault  
3 part of the charge off the table and only asked the defendant  
4 to -- the jury to convict the defendant of resisting or  
5 impeding officers.

6 And this is a unique situation in every other case  
7 that I have dealt with, the act of the defendant at least  
8 constituted an assault. There was a punch or something much  
9 worse. So the question I have for the government is, why are  
10 we talking about aggravated assault if you disclaimed any  
11 notion that it was an assault at all?

12 MR. GORDON: Your Honor, would you prefer I address  
13 this from the table?

14 THE COURT: I think you should probably come up for  
15 the court reporter's benefit.

16 MR. GORDON: Your Honor, I certainly understand your  
17 question. But I think that it is a little bit of an apples to  
18 oranges comparison. The statute 111 has the six different  
19 verbs of which assault is one of them. There is no special  
20 verdict or distinction for the jury in --

21 THE COURT: But we didn't present them all to the  
22 jury. If we presented them all to the jury, that is a good  
23 argument. Why is it a good argument in this case where you  
24 took that verb off the table yourself?

25 MR. GORDON: It was purely, Your Honor, because the

1 defense objected to it as being something that would be  
2 inflaming to the jury or would be somehow -- would be a problem  
3 during the trial. So the issue of -- for judicial economy, for  
4 ease of the jury, to make the trial issues clear, for all of  
5 those reasons, we took that verb off because we weren't seeking  
6 it there. We weren't arguing it there.

7 THE COURT: But you made a strategic decision that  
8 you are going to ask the jury to conclude, based on the  
9 evidence in the record, that she had committed an assault.  
10 Let's put aside whether this was an aggravated assault.

11 MR. GORDON: Your Honor, we were asking the jury to  
12 find that she had violated 111A. And 111A does not distinguish  
13 between --

14 THE COURT: The jury instructions never had the word  
15 assault in them. You asked for that.

16 MR. GORDON: Agreed, Your Honor.

17 THE COURT: I mean, you didn't have to agree to it  
18 just because the defense objected. This was a government  
19 decision about how to frame its case. The instructions we gave  
20 the jury said, she is charged with resisting, impeding or  
21 obstructing.

22 MR. GORDON: Yes, Your Honor. She is charged with  
23 violating 111A.

24 THE COURT: Okay.

25 MR. GORDON: So any 111 --



1 THE COURT: So your reason why it could be an  
2 aggravated assault is that 111 says assault, even if her  
3 verdict didn't?

4 MR. GORDON: Yes, Your Honor. Because 111A, no  
5 matter which verb a jury finds a defendant guilty of, this is  
6 the guideline we go to. It doesn't matter.

7 THE COURT: 111A, there are two guidelines you go to.  
8 It has both. You agree to that, don't you?

9 MR. GORDON: Yes, Your Honor. 2A2.4 or 2A2.2.

10 THE COURT: So it can only be an aggravated assault,  
11 first of all, if you go there at all, but there are still other  
12 requirements. There is nothing in the guidelines that says you  
13 always start here with a 111A conviction, is there?

14 MR. GORDON: You were saying at 2A2.4?

15 THE COURT: Correct. The guidelines give you both as  
16 a choice.

17 MR. GORDON: Yes, Your Honor. If you have a 111A  
18 conviction --

19 THE COURT: You go to either place.

20 MR. GORDON: You can go to either place, but nowhere  
21 else.

22 THE COURT: Right.

23 MR. GORDON: So our point being that, just as you  
24 laid out, no matter what the jury found in 111A, our removal of  
25 assault charge is immaterial. The jury found her guilty of

1 111A. That put us at 2A2.4 to begin with. And then we look at  
2 the factors to see if they qualify for 2A2.2. The titles are  
3 not determinative. The titles of the section, assault,  
4 aggravated assault. That is not the issue. You go to 2A2.2 or  
5 2A2.4. It is whether or not any of the four aggravators that  
6 you just described are present. We agree, A through C are not.

7 THE COURT: All right. I don't need to hear the rest  
8 of the argument right now. I really wanted you to answer that  
9 question. And I am not sure I am persuaded, but I appreciate  
10 your attempt to answer the question.

11 MR. GORDON: Yes, Your Honor.

12 THE COURT: All right. If I did use the guideline,  
13 as the government is suggesting I should and the probation  
14 officer thought I should, then the only thing that could make  
15 what we are calling an assault, an aggravated assault is the  
16 attempt to commit another felony. The government says there is  
17 evidence to support a finding by preponderance of the evidence  
18 that she intended to commit the section 1512(c)(2), the  
19 obstruction of the official proceeding, which is an offense  
20 that could be an appropriate choice, except we have the problem  
21 that the jury hung on that count.

22 The government says I can find the appropriate intent  
23 to commit another felony in the evidence that supported the  
24 conviction on Count 5, entering and remaining in a restricted  
25 building or grounds in violation of section 1752(a)(1), which

1 is a misdemeanor. But it notes in another case, Former Chief  
2 Judge Howell extrapolated an intent to commit obstruction from  
3 the facts underlying the 1752 count. But if you look closely  
4 at what she was doing, she was applying the enhancement for  
5 obstruction of justice under section 2J1.2A. She was not  
6 dealing with the aggravated assault guideline. And she didn't  
7 begin to answer the question we have before us.

8 We do, as I will point out when we get to the nature  
9 and circumstances of the offense, have sufficient evidence in  
10 the record to support a finding by a preponderance of the  
11 evidence that the defendant had the intent to obstruct the  
12 certification of the electoral vote, at the very least at the  
13 time she climbed up into the Capitol Building and as far as I  
14 am concerned earlier. And I know that the guidelines permit  
15 findings based on conduct that didn't result in a conviction.  
16 And here we don't even have an acquittal, we just have a hung  
17 jury. But out of a sense of fairness and respect to the jurors  
18 who were told over and over again they were the sole judges of  
19 the facts, I am not going to reach that question and I don't  
20 have to. The defendant was convicted by a unanimous jury of  
21 another felony beyond a reasonable doubt, the civil disorder  
22 offense.

23 I am well aware that I have raised questions before  
24 about whether that offense which involves the same conduct,  
25 impeding officers, could properly qualify as another offense

1 intended at the time for purposes of this guideline. It is yet  
2 another aspect of the sentencing guidelines regarding  
3 assaulting officers that warrant close attention. Other courts  
4 in this District though have looked at this through the lens at  
5 what the elements are, a *Blockburger*-type analysis as opposed  
6 to the facts or conduct underlying the offense. And this is  
7 consistent with the categorical approach the Supreme Court  
8 tends to require courts to use when looking at other sentencing  
9 enhancements, particularly in the determination of what a  
10 violent offense is.

11 In *United States versus Creek*, 21-645 the Court found  
12 that the aggravated assault guideline was the appropriate  
13 guideline, because the conduct the defendant was convicted of  
14 constituted an aggravated assault, which is defined as a  
15 felonious assault that involved an intent to commit another  
16 felony, in this case, obstructing, impeding or interfering with  
17 a law enforcement officer during a civil disorder in violation  
18 of section 231. They are distinct felonies with distinct  
19 elements. And, therefore, she found it was appropriate for it  
20 to be a cross-reference. And other courts have done the same.  
21 She pointed to *United States versus Languerand*, 21-353. And  
22 she also pointed to a sentencing of mine in *Leffingwell*. To  
23 the extent she relied on *Leffingwell*, that was not accurate,  
24 because I didn't decide that issue in that case. The parties  
25 had agreed to the cross-reference.

1           But for the reasons the Court set out in Creek, I  
2     think the application of the aggravated assault guideline could  
3     be legally supportable. But in an abundance of caution and  
4     given the rule of lenity and given the unique circumstance we  
5     have here that the section 111 conviction was not for assault  
6     at all, the government took it off the table, did not ask the  
7     jury to find that the defendant had committed an assault, the  
8     jury was not instructed to find that the defendant had  
9     committed an assault, I find that the appropriate calculation  
10    in this case starts at section 2A.24, obstructing and impeding  
11    officers. I am not reaching the question of whether the civil  
12    disorder felony can be the other felony for purposes of the  
13    guidelines provision in all cases this time either. The  
14    Sentencing Commission should actually tell us whether this is  
15    an elements-based determination or a conduct-based  
16    determination.

17           And when I get to a case where I have to decide it, I  
18    will decide it. I think Judge Friedrich's reasoning was sound.  
19    But I haven't decided it. The impeding officer guideline was  
20    more appropriate in this case for reasons that are unique to  
21    this case. There was no underlying assault to start with. But  
22    in order to fulfill my statutory duty to avoid unwarranted  
23    sentencing disparities among defendants with similar records  
24    who have been found guilty of similar conduct, I think it is  
25    necessary to at least calculate for the record under both

1 scenarios and take both into account when I am thinking about  
2 what the appropriate sentence should be in my exercise of  
3 discretion under the statute.

4 The base offense level that I believe applies is  
5 section 2A2.4(a). We start at a level 10. I believe that is  
6 increased by 3 levels under section 2A2.4(b) (1) because the  
7 offense involved physical contact. There was definitely  
8 physical contact with the officers as the team at the  
9 defendant's direction pushed against them.

10 And she also initial personally pushed back herself,  
11 but realized that was ineffective and that was why she exhorted  
12 others to do it with her.

13 Also there is the question of whether this should be  
14 adjusted upward for obstruction of justice under section 3C1.1.  
15 The presentence report said the defendant willfully obstructed  
16 or impeded or attempted to obstruct or impede the  
17 administration of justice with respect to the investigation,  
18 prosecution or sentencing of the incident offense. And the  
19 obstructive conduct related to her offense of conviction. And  
20 it specifically points out that immediately after January 6,  
21 she deleted chats on a number of platforms, including Discord.  
22 She directed others to delete their chats. She used software  
23 to wipe the contents of her computer. She asked individuals to  
24 take down videos of her. And she got a factory reset of her  
25 cell phone.

1           While some of this may well have coincided with a  
2     legitimate need to escape the efforts of a stalking individual,  
3     that doesn't account for the particular focus of the deletions,  
4     the sophisticated and effective nature of the deletions, wiping  
5     her computer six times, the instructions to others to delete  
6     their chats with her or her efforts to flee as she was about to  
7     be arrested. It is also not consistent with the discussion she  
8     had with her own father immediately after January 6 where she  
9     said she was scared. And he texted back, "What are you getting  
10    scared about?"

11           And she said, "People getting arrested for being in  
12    the Capitol."

13           And he says, "I know, just lay low. Don't tell  
14    anybody else. If I have to, I will hide you here in Virginia  
15    or at Tom's house."

16           "Thanks, Dad. I deleted all my social media and  
17    photos and got a new phone and a new number."

18           And he says, "If you get arrested, I will do  
19    everything I can to get you out." And then he says, "Good for  
20    you, smart thinking."

21           So I find by a preponderance of the evidence  
22    introduced at trial that the obstruction of justice enhancement  
23    applies. This bring us to a total offense level of 15. She  
24    has no adult or juvenile convictions. That puts her in  
25    criminal history category Roman numeral I. That would

1 recommend an advisory sentencing guideline range of 18 to 24  
2 months. If you start, however, with the aggravated assault  
3 guideline section 2A2.2, you start at level 14. Under section  
4 3A1.2, there a 6 level enhancement for official victim. There  
5 would be another 2 level enhancement under section 3C1.1 for  
6 obstruction of the administration of justice. That brings you  
7 to a level of 22.

8 At criminal history category 1, the guidelines would  
9 recommend a sentence in the range of 41 to 51 months. There is  
10 a 2-year difference at the low end and the high end, depending  
11 on where you start. I think that is very striking. There are  
12 no motions in this case for a downward departure. So at this  
13 point, we have calculated the guidelines. And the question is  
14 now, how should I apply the provisions of the sentencing  
15 statute to this case?

16 Would the government like an opportunity to speak  
17 regarding the appropriate sentence in this case?

18 MR. GORDON: We would, Your Honor. But there is an  
19 unresolved government objection on Count 5.

20 THE COURT: I'm sorry.

21 MR. GORDON: There is an unresolved government  
22 objection on the calculation for Count 5.

23 May I address that, Your Honor?

24 THE COURT: Count 5?

25 MR. GORDON: Yes, Your Honor.



1           THE COURT: Don't 5 and 6 then, since either way they  
2 end up being less than 1 and 3, don't the guidelines for 1 and  
3 3 control?

4           MR. GORDON: They would not, Your Honor, if you grant  
5 the government's objection. And if you counted the guideline  
6 this way, in fact, the group containing 5 and 6 would have the  
7 highest guideline level.

8           THE COURT: But they are only a maximum of 12 months.

9           MR. GORDON: Even though the sentences -- the  
10 guideline level would not be. So what would happen is  
11 guideline calculation would still be at level 27, but the  
12 maximum sentence would push the possible sentence lower. That  
13 doesn't change the guideline calculation. So her guidelines  
14 would still be --

15           THE COURT: But when you calculate the guidelines,  
16 you then cap the guidelines at the cap for the offense. And so  
17 if you group 5 and 6, no matter if they came up to, you know,  
18 99 at the high end, you would still have to cap it at 12. How  
19 does this help you?

20           MR. GORDON: We believe, Your Honor, the guideline  
21 level coming out of that is still 27.

22           THE COURT: Right.

23           MR. GORDON: Because of how --

24           I understand the --

25           THE COURT: No. They don't just say the -- they then

1 always roll the top end of the guideline back to the maximum  
2 under the statute which is what they did here with 1 and 3  
3 also.

4 MR. GORDON: It is not the ultimate prison term, Your  
5 Honor. That is -- we understand each other, but I think that  
6 the impact --

7 THE COURT: But that is what the probation office  
8 does every time when they -- so tell me why -- tell me how it  
9 is appropriate that we have got a guideline calculation for two  
10 misdemeanors now that ends up at a level 27. You can tell me  
11 your theory about that.

12 MR. GORDON: Yes, Your Honor. So the trespass  
13 offense essentially, calling it a trespass. That is not the --  
14 colloquially, that is not the actual offense. The entering and  
15 remaining, 1752(a)(1), has the cross-reference based  
16 essentially on motivation, intent. Why it is a -- if the  
17 trespass -- if the entering or remaining was for the purpose of  
18 the committing another felony, then the cross-reference says go  
19 to what the guideline for that other felony would be. As you  
20 pointed out earlier in this proceeding, it doesn't matter  
21 whether it is charged conduct, let alone convicted conduct for  
22 calculating the guideline. So --

23 THE COURT: So the other felony for you is the  
24 obstructing official proceeding.

25 MR. GORDON: And the two could be applied. It is

1 both.

2 THE COURT: So we bulk up the misdemeanor maximum  
3 sentencing guideline based on the felony, on which the jury  
4 hung, to get to 27. But then you could not possibly for those  
5 offenses impose a sentence that high.

6 MR. GORDON: Or the 231, either one. Because both of  
7 them serve as the reason why she entered the Capitol, further  
8 the civil disorder or to obstruct Congress. So, yes, both the  
9 one that the jury hung on and the one the jury convicted on,  
10 either one. I recognize this is, to some degree, purely  
11 academic. But just for following procedure, it may end up  
12 being the difference between whether you are imposing a  
13 guideline sentence or a downward variance, from a technical  
14 standpoint, I think you have to resolve the question of whether  
15 the cross-reference applies on Count 5. If it does, what the  
16 impact of that is and then what the resulting guidelines range  
17 is, even if it doesn't change your ultimate sentence as a step  
18 by step statutory application of the sentencing procedure, I  
19 think we have to do that.

20 THE COURT: All right. I may have to rule on that  
21 after the break, because I was not prepared to rule on it now,  
22 given the way I thought the guideline groupings worked and how  
23 everybody agreed the guideline groupings worked.

24 Ms. Ulrich, do you want to be heard on this very  
25 briefly?

1 MS. ULRICH: I don't, Your Honor. Because the Court  
2 has already ruled you are not using the abstraction. So it is  
3 all kind of circular, going back to that. The Court has ruled  
4 with everything you have found today. So I don't think I need  
5 to.

6 THE COURT: All right. Okay. So now, putting that  
7 aside, and I will make sure that I rule for the record on this,  
8 before I start, when I come back I would like to hear the  
9 government's allocution concerning the appropriate sentence in  
10 this case, applying all of the statutory factors. I don't know  
11 which one of you is teed up to do that, but this is your  
12 opportunity.

13 MR. DALKE: Good morning, Your Honor. Sam Dalke on  
14 behalf of the United States.

15 The hour between 2:00 and 3:00 on January 6, 2021 is  
16 perhaps the blackest hour on one of the darkest days of the  
17 nation's history.

18 THE COURT: Mr. Dalke, I need you to act like the  
19 microphone is there for you.

20 Okay. If you could just step a little closer to it.  
21 Thank you.

22 MR. DALKE: It was in that horrific hour that Riley  
23 Williams organized and led an army of violent rioters through  
24 the United States Capitol. She was squarely in the middle of  
25 that chaos, the eye of the hurricane, gleefully directing

1 monstrous violence around her.

2 We are not going to play any video today. The Court  
3 has seen it over a week and a half of trial. But it is  
4 chilling when I rewatched that video in preparation for today.  
5 It is chilling because she operated deftly. She operated  
6 calmly, with focus. She wasn't lost. She helped overtake and  
7 then keep hold of the Capitol. Where others turned back, where  
8 others were deterred by barricades, by gas, by officers, by  
9 warnings, by doors, by violence, Riley Williams never  
10 hesitated.

11 She fought through the tear gas. She climbed over  
12 the walls to invade and then occupy the Capitol. She organized  
13 and commanded rioters. She berated police verbally and then  
14 attacked them physically. She stole and helped others steal  
15 items. She refused to leave. She forcibly resisted.  
16 Everywhere Riley Williams went on January 6, for 90 minutes  
17 inside the Capitol, as well as time outside the Capitol,  
18 everywhere she went, every minute she was there, she dialed up  
19 the mayhem. She made the situation worse.

20 But Riley Williams was more than just an accelerant.  
21 What is most unsettling is how Riley Williams leveraged and  
22 used the mob as a weapon. She actively sought out rioters with  
23 battle gear. She pushed them forward. She directed and  
24 mobilized others to breach, to resist. She acted as a rudder  
25 to a seemingly rudderless craft.

1           As the Court has heard and has previously been argued  
2 by the government, the real danger in the January 6 mob that  
3 day, the real danger was in the numbers. It was in the crush  
4 of people overwhelming the police. And that danger was made  
5 doubly dangerous when Riley Williams used that mob as a human  
6 battering-ram. It is true she didn't bring a weapon, but she  
7 made her own. She didn't bring tactical gear, but she found  
8 those who did. And in the government's estimation, that makes  
9 her among the worst of the January 6 rioters, among the most  
10 culpable. And that is why a substantial upward variance is  
11 appropriate in this case.

12           But as the Court is well versed in both January 6 and  
13 the facts of the specific case, I want to take the remaining  
14 time to focus on four points. The first is the wholesale lack  
15 of remorse and lack of accountability by the defendant for  
16 anything she has done, full stop.

17           Second, as already outlined by the Court -- and I  
18 will be brief on this one, are her efforts, fairly extensive  
19 efforts to obstruct the FBI investigation.

20           Third, are the comparable cases in this matter.

21           And fourth and finally would be the history and  
22 characteristics of this defendant.

23           I want to start with the lack of remorse. Because it  
24 is perhaps the most stunning. It is stunning because to this  
25 day, over two years after the offense, Riley Williams hasn't

1 shown a single iota of remorse, of repentance. To this day she  
2 denies responsibility. To this day, she won't accept  
3 accountability for what she did and what she did alone.

4 Instead, Riley Williams attempts to minimize her  
5 conduct, tries to chalk up her heinous crimes as some sort of  
6 youthful or obnoxious disobedience. Instead of taking  
7 accountability, Riley Williams repeatedly blames others. She  
8 blames her former stalking boyfriend. She blames the people  
9 snitching on her. She blames other rioters for being more  
10 violent, other rioters for taking the laptop. She blames the  
11 government for twisting her role. She blames her friends for  
12 testifying against her. She blames the President and  
13 politicians for urging the crowd to the Capitol. She blames  
14 her family for not being more supportive, for her troubled  
15 childhood, for not being better role models. She literally  
16 blames everyone and anyone to escape personal accountability.

17 This is about what Riley Williams did on January 6.  
18 The buck has to stop somewhere. At some point, she has to be  
19 held accountable. And, Your Honor, that is today.

20 I submit, that the record suggests actually that  
21 Riley Williams might be incapable of remorse. And, instead,  
22 remains proud, openly proud of her actions in the hours after  
23 January 6, she reveled, celebrated online in the violence and  
24 terror that she caused. She bragged about her good tactic of  
25 recruiting armed men to breach police lines. She crowed about

1 her trophies like the gavel and the laptop. She narrated her  
2 involvement in explicit and exacting detail accompanied by her  
3 own personal videos of the events. She even went so far as to  
4 bemoan that the siege hadn't gone further and discussed about  
5 coming back to the Capitol on January 20th to continue the  
6 fight.

7 I don't know what Riley Williams is going to say  
8 today. But this is what she previously stated and I quote: "I  
9 have been told what I did was wrong by everyone. But in my  
10 heart and soul, I know what we did was patriotic and was right.  
11 And anyone who says otherwise should be condemned."

12 There is nothing patriotic about what Riley Williams  
13 did on January 6. She participated in domestic terrorism,  
14 plain and simple. And I think for these reasons, specific  
15 deterrence is a very real factor in this case.

16 I do want to touch next on efforts to obstruct by  
17 Riley Williams. While she was celebrating and applauding her  
18 return to the Capitol on January 20th, Riley Williams also  
19 started to realize that she could be in trouble. And three  
20 hours after she was in the Speaker's Office urging the others  
21 with the laptop and the rest, Riley Williams stated, I --  
22 quote, "I heard the FBI is looking for who is in her office."  
23 Three hours -- three and a half hours after literally being in  
24 one of the most sensitive and hallowed spaces in this country,  
25 she knows she is being looked for or expected. And each and



1 every day thereafter for almost two weeks, she took affirmative  
2 actions to destroy or hide evidence. And the Court has already  
3 outlined some of it. But she deleted Telegram chats, deleted  
4 Snapchat, deleted Discord, told others, instructed others to  
5 delete things as well. It is not just her.

6 She used commercial grade software to wipe her  
7 computer six times, six times, completely wipe it, so that a  
8 forensic examiner from the FBI can't find anything but bread  
9 crumbs. There is nothing on there.

10 She deleted her boyfriend's accounts and his  
11 messages. She factory reset her phone. She gained a new phone  
12 and account. She contacted people online to take down photos  
13 and videos of her in the Capitol. She used the IP blocker.  
14 She removed her SIM card. She packed up her car and she left.

15 And the Court has already quoted it, so I won't do it  
16 again. But it wasn't just her father that she told about, I am  
17 deleting the stuff because I am scared. She told her friend  
18 online that it was -- she is worried about the incriminating  
19 evidence of me at the Capitol. To the extent there is an  
20 argument made that she was worried about the stalker boyfriend,  
21 it is because he was also supplying information about her being  
22 in the Capitol. That is what she was worried about, being  
23 caught. That is what she is deleting. She deleted --

24 You know, and this is what is wild about this case.  
25 The Court has heard the week and a half of testimony and seen

1 exhibit after exhibit, text message, Discord chat. That is the  
2 stuff she didn't delete. That is the stuff she didn't find  
3 incriminating or couldn't get to.

4 I would submit we only got a little bit of what she  
5 did or what she knew, what she talked about on January 6,  
6 because of this extensive, calculated, tech-savvy efforts to  
7 essentially wipe everything she could about January 6. And  
8 those obstruction efforts were successful. Computer, the  
9 phone, the Snapchat, the Telegram, completely gone.

10 The third point I want to touch on is the comparable  
11 cases. The defense points this Court to five cases as being  
12 most analogous. They all involve 231 conduct. And I want to  
13 be clear on this and the way the government views this case.  
14 To sentence Riley Williams on a one off 231 or even one off  
15 111, is not sufficient. That doesn't encapsulate what she did  
16 on January 6. That doesn't encapsulate her conduct. That  
17 would be a miscarriage of justice. None of the 231 cases, none  
18 of those five that are cited by the defense. None of them  
19 involve trial conviction. None of them involve wholesale lack  
20 of remorse, lack of accountability. None of them involve  
21 obstruction of an FBI investigation. None of them involve  
22 coordinating and using the mob as a weapon. None of them  
23 involved leading and directing others through the Capitol. And  
24 most of them didn't even involve sensitive spaces or stealing  
25 items or 90 minutes inside the Capitol, 90 minutes.

1           Riley Williams' extensive involvement and her unique  
2     role in January 6 is closer to the government's comparison.  
3     And we cite two of them. And we do submit that the Jensen case  
4     is the most on point. And we do that because of his public  
5     role on January 6, meaning directing others, riling up the mob,  
6     pushing them forward, refusing to leave, acting like a ring  
7     leader like Riley Williams. We have even made the argument and  
8     I think it is true that her conduct is worse than Jensen's.  
9     The physical contact, the stealing, the destroying evidence,  
10    the admitted conduct, wherever this court comes down, Riley  
11    Williams is not a low end guidelines defendant.

12           THE COURT: Remind me what the Jensen sentence was?

13           MR. DALKE: Sixty-three months, Your Honor.

14           And the other comparable that we cited was Williams,  
15    which was 60 months.

16           The final thing I want to touch on today are the  
17    history and characteristics of the defendant and how it plays  
18    into the sentence the Court is going to impose.

19           And the statute I think it is 3361 explicitly permits  
20    consideration of this. It is one of the factors the Court is  
21    to consider. My read on the defense arguments at trial and  
22    more appropriately the sentencing memo is the defense wants to  
23    portray Riley Williams as an impulsive Gen-Z gadfly, swept up  
24    in the chaos, who had no impact on anything, who somehow was  
25    incapable of comprehending her own role and major role in the

1       insurrection. And that is simply not the case. Riley Williams  
2       is not the Forrest Gump of January 6. She did not unwittingly  
3       find herself immersed in some of the most critical events of  
4       the day by happenstance. Again and again, Riley Williams  
5       forced her way forward. She made deliberate and affirmative  
6       choices. It is no accident that Riley Williams found herself  
7       at the front of the mob at the crypt and memorial door areas.  
8       Literally hundreds of rioters streaming in after her.

9               They are all filing into the crypt. The officers are  
10       blockading, doing the best they can to stop the mob from moving  
11       forward. And at the moment when the gas is coming through and  
12       the rioters are headed back into the crypt, retreating maybe  
13       for the first time since entering into the Capitol -- first  
14       time that I am aware of. At that point, Riley Williams took  
15       the helm and led the mob to the Speaker's Office and then  
16       helped ransack it. She didn't find the speaker, who  
17       coincidentally, she had fantasized about killing before  
18       January 6. But she did find the Speaker's laptop and ordered  
19       others to take it.

20              The trial contains substantial evidence of why Riley  
21       Williams breached the Capitol; right? Why she was so  
22       determined and focused on January 6. The evidence was that she  
23       was obsessed with the idea the election was stolen. She knew  
24       that January 6 was about certification of votes. She wanted to  
25       stop Congress from completing the certification. And she hated

1 both the Speaker and Vice President who were transferring power  
2 to the new administration.

3 There is evidence that she was an ardent follower of  
4 the Groyppers and the Nick Fuentes movement, along with other  
5 extremist alt-right movements. But now, again, the defendant  
6 in her re-invention of who she is, is claiming that she has  
7 since found religion, notwithstanding that all of her texts are  
8 littered with religious passages. This is not new. She is  
9 claiming she has found religion. She wants to go live a  
10 pastoral lifestyle and she is innocent and this is just not  
11 her.

12 But the evidence at trial from the testimony, from  
13 the social media, from the phone, right, just the little bit  
14 that she didn't delete, including her own statements to others,  
15 about where her heart and her soul, it shows that Riley  
16 Williams had a deep seated mindset, which influenced her  
17 conduct on January 6, but also extends well beyond the days and  
18 weeks surrounding January 6. It is is not something isolated.

19 There is a troubling pattern here. And it is in the  
20 PSR. I don't think it was one of the paragraphs that the Court  
21 has stricken relating to other uncharged criminal conduct,  
22 other heinous acts. This might be the first time that Riley  
23 Williams is standing before Your Honor or any court and being  
24 sentenced, but that doesn't put her at, she hasn't committed  
25 other issues. For the first time in her life, Riley Williams

1 is facing consequences. There is no question her conduct was a  
2 direct and serious assault on the rule of law and on the  
3 peaceful transfer of power. There is also no question that she  
4 played a major and public role in the insurrection and in the  
5 chaos on January 6. There is a clear message that needs to be  
6 sent today to Riley Williams and to the public: Don't do this  
7 again. Because if you do, the police, the prosecutors and the  
8 judges, aren't going to stand by. That her actions, that the  
9 actions of anyone who comes into this city, into our Capitol  
10 and defiles it, that has consequences.

11 I am not from DC. I am from Pennsylvania. I  
12 dutifully drive down here, month after month to see Your Honor  
13 for trial, for sentencing, for hearings. I can't drive to DC  
14 and not be struck by what the city represents, what that  
15 Capitol represents and what happens there. And I am horrified  
16 what happened there, what Riley Williams did there on  
17 January 6.

18 Your Honor, in this case based on the totality of the  
19 conduct, an upward sentencing variance is recommended. It is  
20 appropriate. It is justified. And, Your Honor, Riley Williams  
21 should go to jail for at least 5 years. And the government  
22 would urge the top of the guidelines, even under the aggravated  
23 assault analysis of the 71 months. That is what is  
24 appropriate.

25 Thank you, Your Honor.

1 THE COURT: All right. Thank you, Mr. Dalke.  
2 Ms. Ulrich.

3 MS. ULRICH: Thank you.

4 Good morning, again. The government has spent all of  
5 their energy on who Riley Williams was on January 6 of 2021.  
6 She has shown no remorse, they say. She claims she is  
7 innocent. Well, are they saying that because she didn't admit  
8 to taking the computer to them? Are they saying that because  
9 she didn't come in here and say, yeah, I went there to obstruct  
10 justice?

11 It seems over the last two years she has been  
12 punished every day of this last two years, because of what she  
13 did on January 6. And she took a trial. And in that trial,  
14 they hung on the two counts that we really argued. So if she  
15 hasn't shown remorse because she never admitted to stealing the  
16 computer, it is because she didn't steal the computer. And  
17 that is not who she is today. That woman, that girl on  
18 January 6, is not that woman of today. A lot has transpired  
19 since January 6 of 2021 and today.

20 We have all seen a lot of video evidence. We have  
21 seen a lot of phone messages. We have seen a lot. And we know  
22 more now than we know on January 6 of 2021. Riley Williams  
23 started out as the thief, the woman who stole Pelosi's  
24 computer. That is who she was. She started out as this person  
25 who bragged about what a great day it was and that she had

1 stolen the computer and that she had stolen the gavels. And  
2 the government argues that all of these rants were that she was  
3 an organizer and a leader of January 6 of 2021.

4 But what do we now know? People didn't go up the  
5 steps in the Capitol because she told them to. People didn't  
6 push against the police because she told them to. Men in  
7 tactical gear didn't go to the front lines because she told  
8 them to. And she didn't steal the computer and sell it to the  
9 Russians. These things would have happened that day despite  
10 Riley Williams. And the government knows that.

11 And they now know the answers to a lot of those  
12 questions. And I want to talk about role models, role models  
13 that Ms. Williams had been following. I think one of the  
14 things Mr. Dalke just said. She had this deep-seated mindset  
15 that the election was stolen. Well, Riley Williams didn't come  
16 up with that on her own. It was role models, people --  
17 influential people that manipulated that message. She is  
18 indeed a defendant. But she is also a follower, a follower who  
19 was fooled and tricked into believing there was a huge  
20 conspiracy to remove Trump from office. She was being played  
21 and manipulated by people at the highest levels of the  
22 government, people in a position of trust. She was just 22  
23 years old, young and impressionable and was being bombarded  
24 with this false narrative. She was made to believe that if she  
25 didn't act, all would be lost.



1           So who are these people -- who were and still are,  
2           frankly, these people manipulating that message, then-President  
3           Trump. And I am not going to play the 52-second speech,  
4           because the Court has suggested I not. But at the end of his  
5           speech on January 6, he told his followers to go to the  
6           Capitol. He is a grown man, a former president, a 2024  
7           presidential candidate who to this day still claims the  
8           election was stolen.

9           He invited Nick Fuentes to have lunch with him at  
10          Mar-a-Lago. Yet, Mr. Trump currently is still a free man,  
11          winning and dining with no repercussions. He wasn't the one  
12          that was prohibited from social media. He wasn't the one that  
13          has been in home detention for two years. He wasn't the one  
14          who has been in jail in solitary confinement. He didn't go in  
15          there, but his fingerprints are all over this.

16          Another role model, Nick Fuentes. Obviously, he got  
17          rich over the message that the election was stolen. He put it  
18          out time and time again. And he had a following. And Riley  
19          Williams was one of those followers. She didn't come up with  
20          the idea. She followed these adult, grown men, men with power  
21          and influence, men that continue to walk free today and still  
22          say that election was stolen. Her own representative at the  
23          time Scott Perry is still claiming the election was stolen. In  
24          fact, I am going to pull up Exhibit 206, if I could. This was  
25          her representative at the time. Right there, he is in front of

1 the Harrisburg Capitol, right behind him, all of of these Stop  
2 the Steal signs. So you can take that down.

3 Young adults look up to these people. She had just  
4 turned 22 on January 6, 2021. But and even in -- when I am  
5 talking about these are role models at the highest level,  
6 people who have all of this power and influence. And who are  
7 we to tell Riley -- Ms. Williams, no, these are not good role  
8 models. Because as parents, that is what we do. We like to  
9 inform our children. We like to mold them, so they don't  
10 follow role models like them. But she had other role models.  
11 And those role models were at home, those closest to her. And,  
12 unfortunately, they were her parents. And, you know, you saw  
13 some of the tweets, here it is. And I know her father is in  
14 the courtroom. But, you know, she went to the rally with her  
15 father and his adult friends. Those were her role models that  
16 were closest to her. So she had these very powerful,  
17 influential men who are putting the message out. They are  
18 manipulating the message that the election was stolen, down to  
19 the very people in her household. And yet --

20 THE COURT: They didn't go in.

21 MS. ULRICH: But they did. They did go in. Their  
22 fingerprints are all over this. When the government says that  
23 she was an accelerant, that she was this leader and that she  
24 was this organizer, she was the eye of the hurricane, no. They  
25 should be pointing at these people, these role models, like

1 then-President Trump, like Nick Fuentes, like Scott Perry.  
2 These are free men that are still out there stirring this pot  
3 and telling everybody the election was stolen. So why would we  
4 expect a young woman who just turned 22 to do something  
5 different, when she doesn't even have the role models in her  
6 home telling her, this isn't right.

7 That is what we do with our children. We are telling  
8 our children, these messages are not right. The election was  
9 not stolen. These people are crazy. She didn't have that.  
10 She didn't have the guidance at home to counteract the  
11 influence of the outside world and to counteract the messages  
12 from these powerful and very influential men.

13 Yes, so she followed these adults. She followed the  
14 so-called role models. Yes, she adopted their views. She  
15 believed the election was stolen. So the government says,  
16 because she followed these powerful, influential men, let's  
17 send her to jail for as long as we can. We can't send them to  
18 jail. We can't get to them because they are very powerful and  
19 rich people. We can get her, a nobody because she doesn't have  
20 millions of dollars. Let's hold her accountable, but not the  
21 individuals who really incited the whole incident.

22 In fact, I am going to -- this is the 16-second  
23 speech that was more recent. If I can pull up Exhibit 209, a  
24 16-second Trump speech -- recent, who still --

25 (Video played.)

1 MS. ULRICH: I don't believe that. A lot of people  
2 don't believe that. But he is still out there putting out that  
3 message and it is wrong. It is wrong, but --

4 THE COURT: What I am supposed to do about that in  
5 the context of this sentencing? If I said a word of what you  
6 are saying, I would be completely overstepping my bounds as a  
7 judicial officer. So what do you want me to do with that in  
8 the context of this sentencing? I hear you, I understand what  
9 you are saying. Many people are saying what you are saying.  
10 It is not up to me to say what you are saying or whether I  
11 agree with it or don't agree with it. The question is: What  
12 do you want me to do with it?

13 MS. ULRICH: I think we are asking for a mitigated  
14 sentence, Your Honor, 12 months and a day, because there -- and  
15 I have other -- I mean, many -- not many, I don't want to be  
16 here a long time. But I think that is a very valid sentencing  
17 factor under 3553A, the nature and circumstances of the offense  
18 and her background. And we are asking the Court to consider  
19 that in imposing the mitigated sentence that we are asking for,  
20 12 months and a day.

21 And I just want to put up this one Voltaire quote,  
22 Exhibit 208, which I think very adequately addresses the  
23 situation. "Those who can make you believe absurdities, can  
24 also make you commit atrocities." I find that very apropos  
25 today.

1           Now, the next part I want to talk about, because here  
2 we are again today. And I appreciate the Court has said that  
3 you are not going to consider the evidence that she was not  
4 convicted for. But yet here again, the government got up in  
5 their argument and claimed once again that she stole and helped  
6 to steal Nancy Pelosi's laptop. And they know today -- they  
7 know -- they have known for over a year that she didn't steal  
8 or help to steal the laptop. The jury came back with a  
9 question on that very point. If her actions had no impact on  
10 the theft of the computer, is she guilty? And they came back  
11 hung because her actions didn't have any impact on the theft of  
12 the computer.

13           But I can't help believing that short of detention,  
14 she got some of the most draconian conditions of pretrial  
15 release, because she was the face of the theft of the computer.  
16 I -- and I just think the record needs to be set straight  
17 today. She has been living in hell since January 6 of 2021,  
18 because she made that fateful, awful decision to go into the  
19 Capitol. But it has been all of the more worse because of this  
20 message that she stole and helped to steal that computer. I am  
21 not going to play the information that the Court saw at trial.

22           And, you know, five days after January 6, the  
23 government had the Sidlo videos. They had the CCTV videos.  
24 They interviewed Rafael and Maryann Rondon in June of 2021.  
25 And in those interviews, Maryann and Rafael Rondon told them

1 who took the computer. It was -- in their description Boog  
2 Boy. At trial he was called Vibrating Hat Man. We also called  
3 him backpack guy. That is the guy who took the computer. And  
4 I have not seen the government in any way, shape or form put  
5 that out there. Today they are still saying she stole and  
6 helped to steal the computer. And now I was going to play  
7 these clips, but I know the Court didn't want to rehear things  
8 from trial. So I am not going to play them.

9 But those statements that Maryann and Rafael Rondon  
10 made, they told the FBI in 2021 that Boog Boy, Backpack Guy  
11 took the computer and they helped him take the computer. When  
12 the FBI showed them a video, her video, where she says take the  
13 F'ing laptop, they are like, we don't know who she is. I don't  
14 remember who she is. Yet that was in June of 2021. And then  
15 Agent Lund testified at the grand jury in September of 2021 and  
16 said to the grand jury, they had no reason to believe that she  
17 herself is the one that took the laptop nor any reason to  
18 believe that she took the laptop or became in possession of the  
19 laptop and then handed it to somebody that is Russian.

20 They filed their statement of the offense in the  
21 Rondon's case, document 50. And I am going to read it because  
22 they don't even mention that Riley Williams had anything to do  
23 with the theft of the computer in the Rondon case. This was  
24 their statement of the offense. At approximately 2:33, Rondon  
25 and Mooney-Rondon entered the Speaker of the House of

1 Representatives conference room, H230. Therein, Rondon and  
2 Mooney-Rondon assisted an unidentified male in the theft of the  
3 laptop located on the conference room table. Rondon assisted  
4 in the theft by disconnecting cables from the laptop and  
5 placing the laptop into a bag belonging to the unknown male.

6 So to make things --

7 THE COURT: So we will not sentence her for taking  
8 the laptop.

9 MS. ULRICH: And I appreciate that.

10 THE COURT: It is part of the circumstances of the  
11 offense that she was thrilled with the notion that someone was  
12 and that she at the very least encouraged him to do it.

13 MS. ULRICH: Well --

14 THE COURT: That is part of the record that is  
15 undeniable also. And when she was initially arrested and when  
16 she was -- and conditions were imposed and she was not detained  
17 one day, until she was convicted, the very first complaint had  
18 all of the evidence in it about her shouting directions to  
19 people to go upstairs and about her behavior in the rotunda and  
20 about her attempts to flee and about the hiding of the  
21 evidence. And all of that, led the magistrate judge to impose  
22 conditions on her release. So I understand that the defense  
23 has been frustrated by and chagrined by the connection of the  
24 defendant to the laptop and it still is. But it isn't what I  
25 am going to sentence her for. It isn't why she had conditions

1 of release. There is a lot else going on at the same time.

2 And I appreciate your umbrage on her behalf about  
3 this issue. But given the severity and the serious nature of  
4 the counts for which she was convicted, which were the  
5 overarching focus of the entire calculation I just heard, I  
6 just don't know what telling me one word about the Rondons and  
7 the person you called all of those names has to do with my  
8 sentence today.

9 MS. ULRICH: And I understand that and that is fine.  
10 I am going to do two more things. I am not trying to aggravate  
11 the court. I am just trying to do my 3553A. I wouldn't have  
12 done it but for the government coming up today and saying she  
13 stole and helped to steal the computer. They didn't get up  
14 here and say, she didn't steal the computer, but she encouraged  
15 it. They came up and said today, a couple of times, she stole  
16 and helped to steal the computer. So I am just going to -- I  
17 am almost done with this part of my allocution or my argument.

18 I am pulling up Exhibit 200. That is the man that  
19 took the computer. And you can see him coming out on the  
20 picture in the right with a backpack where the computer is.

21 Can you take that down and pull up Exhibit 201. And  
22 that is Maryann and Rafael Rondon.

23 THE COURT: Who didn't take it either.

24 MS. ULRICH: They helped him take it, to which they  
25 admitted to.



1           You can take it down.

2           Now you ask why am I even saying this? Because this  
3 is why I am saying it, because that is something that is going  
4 to follow her for the rest of her life. When she is 30 years  
5 old and applying for a job and an employer Googles her name, it  
6 is going to come up that she stole Pelosi's computer or she is  
7 the woman accused of stealing Pelosi's computer. That is a  
8 life label that she will never shake. When we Googled her  
9 name, 600,000 hits came up when we Googled Riley Williams  
10 laptop. That is something she is never going to shake. It is  
11 a life label. And it will never be taken back. That is  
12 punishment that will never end. So I understand the Court's  
13 point, but that is why we feel that it is something the Court  
14 should consider as a mitigating factor. That is a life  
15 sentence. That is a life label that will follow her.

16           Now, the government also said that she is for the  
17 first time in life facing consequences. And that is not true  
18 either. Because she has been punished since January 6 of 2021  
19 for her actions. First off, they spent a lot of time talking  
20 about obstruction of justice and how she deleted her accounts.  
21 And we are not denying that. We know she did that. And I am  
22 not going to go into any detail. The Court has our arguments.  
23 But this stalker was sending nude photographs of her to her  
24 employer, to her family. He called her employer pretending to  
25 be somebody else and said really awful things about her to her

1 employer. And he accessed her phone and her accounts to reach  
2 out to her contacts to get them to do the same thing. So,  
3 yeah, he was a witness and the government is trying to downplay  
4 the stalker part of this, but he was -- he took the stuff off  
5 her phone -- and very embarrassing things and sent them to her  
6 employers and family and friends. So while I understand the  
7 Court gave her the enhancement for obstruction, there is that  
8 aspect of it. And I know the Court had -- we gave the Court  
9 the exhibits, the call with Jonah Thompson. That was all about  
10 Jonah Thompson given -- stop talking to Prodanov. He is like  
11 out to get me. We know that she had to file a PFA because he  
12 was physically abusive.

13 And there is one other thing I wanted to say. But  
14 anyway -- and there was a police report as well that the Court  
15 saw. So, I mean, it wasn't all obstruction to run from this.  
16 I am not denying it was in part, but she had this stalker who  
17 is going after her in very personal ways.

18 And when the government says, you know, this is the  
19 first time in her life she is facing consequences. Well, when  
20 I look back, in January 2021, she was placed on pretrial with  
21 22 conditions. She has been on in-home detention -- she was on  
22 in-home detention for 22 months. It was no ordinary home  
23 detention. She was subject to location monitoring. She  
24 couldn't have an iPad. She couldn't have a smart phone. She  
25 couldn't have access to the internet. She had to get a flip

1 phone. So going from, 100 to zero -- and 100 because she was  
2 on social media a lot before January 6 to zero, was not an easy  
3 thing for her. But for the most part, I think she did it  
4 successfully. And I think in the long run probably it helped  
5 her.

6 But that was a very difficult 22 months. You know,  
7 all she could do was go to work. We appreciated the few  
8 instances the Court let her out. But, otherwise, she was home  
9 or she was at work. And so that was not an easy 22 months.  
10 That in and of itself was punishment. After trial, of course,  
11 the Court remanded her. And so she has been in custody now for  
12 four months. But she has been in solitary confinement for four  
13 months. And not because she is a behavior problem at the  
14 prison, it is simply because of her, quote, J6 status.

15 And so what does that mean? What has that meant for  
16 the last four months? She gets out -- her time out -- they  
17 wake her up at 2:00 in the morning. And then she is allowed  
18 out from 2:00 a.m. to 4:00 a.m. They put her in another cell  
19 with a TV and she is allowed to shower. That is her time out  
20 from 2:00 a.m. to 4:00 a.m.

21 THE COURT: I just want to state for the record, that  
22 number one, is it not up to the Court where she gets  
23 designated. Number two, it is not up to the Marshal Service or  
24 the Court how she is housed when she is there. But number  
25 three, no one has brought this to my attention until this

1 second.

2 MS. ULRICH: Well, I was hoping --

3 THE COURT: I am just saying --

4 MS. ULRICH: It is not the Court's fault. I bring it  
5 up --

6 THE COURT: I assure you it would be --

7 MS. ULRICH: I thought about it --

8 THE COURT: -- proclaimed by others that it is. And  
9 I just want to make it clear that this is the first that I have  
10 heard of it.

11 MS. ULRICH: And I am bringing it up, because I think  
12 that is a significant punishment. It is cruel punishment for  
13 four months. And I think that is another factor that the Court  
14 should consider in imposing the sentence, in mitigating the  
15 sentence today. So she has suffered, unlike the government  
16 says, first time she faces consequences, that is not so. She  
17 has been labeled a thief, not an ordinary thief. She has done  
18 two years of very difficult home detention. She has suffered  
19 job losses, loss of relationships, loss of her liberty. She  
20 has suffered greatly since January 6. So while the government  
21 claims she is not remorseful, I don't believe that to be a  
22 fact. And you are going to be hearing from her momentarily.

23 The government has described her at a moment in time  
24 and that is back in January of 2021, a young 22-year-old girl  
25 that had no prior record -- no prior record, got caught up in

1 listening to powerful, influential men and did things that she  
2 shouldn't have done. And that is what brings her here today.  
3 I am not going to reiterate everything that the Court has read  
4 in the sentencing memos. But we are asking the Court to impose  
5 a sentence of 12 months and one day.

6 THE COURT: All right. Thank you.

7 Ms. Williams, this is your opportunity if there is  
8 anything you would like to say, you can come and stand at the  
9 lectern with your lawyer.

10 MS. ULRICH: Do you mind if I stand here?

11 THE COURT: I appreciate if you would.

12 THE DEFENDANT: Thank you, Your Honor.

13 I want to first apologize to the Court, those working  
14 at the Capitol and the police that had to deal with my behavior  
15 on January 6. I was disrespectful, hateful and angry at  
16 innocent people who didn't deserve it. It has been an  
17 incredibly humbling and humiliating experience, rewatching one  
18 of my lowest and most embarrassing moments on repeat for hours  
19 in front of the public. There is no justification or excuse  
20 for my conduct inside the Capitol. But what motivated me was  
21 the acceptance of my peers and family and the impulse to follow  
22 the crowd.

23 At my age, two years feels like a lifetime. And I  
24 barely recognize the young and stupid girl who is yelling at  
25 police in those videos. But today, Your Honor, I stand before

1     you, a responsible woman who admits she made a mistake. Like  
2     most people my age, I have been addicted to the internet since  
3     before I can remember. But after over two years without it and  
4     all its noise, along with therapy and home confinement, I am on  
5     the path to healing mentally and emotionally.

6             I am a different person who takes responsibility and  
7     care for my actions. I found peace in a quiet life. And I  
8     could never imagine myself repeating such behavior today. I am  
9     hopeful, motivated and excited for my future. I am ready to  
10    put all of this behind and finally start my life.

11            Thank you.

12            THE COURT: All right. Thank you. What I am going  
13    to do at this point is take a break to absorb everything I just  
14    heard.

15            And, Mr. Gordon --

16            MR. GORDON: I apologize, Your Honor. I do have to  
17    add one thing to the sentencing issue before you retire to make  
18    sure it is clear.

19            THE COURT: All right.

20            MR. GORDON: So first, Your Honor, the PSR states at  
21    paragraph 54 and the government agrees that all counts were --  
22    so the group is not -- there is not two groups, one with Counts  
23    1 and 3 and one with 5 and 6. It is one group with Counts 1, 3  
24    5 and 6. What the PSR does in paragraph 52 is say 1 and 3  
25    grouped together -- I'm sorry -- 53 says that. And 54 says and

1 1 and 3 then group with 5 and 6. So we have one big group.

2 From a technical standpoint, what has to happen then  
3 is under the grouping analysis and the unit analysis, the  
4 offense level -- the highest offense level in the group sets  
5 the offense level for the whole group. So if there is one  
6 group that contains 1, 3, 5 and 6, and the offense level for 5  
7 is 27, regardless of what the max sentence is, then the offense  
8 level for the group is 27, which makes the total possible  
9 prison term different for each of the counts in the group based  
10 on the statutory maximums.

11 So for Count 1, because the statutory maximum is 5  
12 years, regardless of what the offense level for the group is,  
13 the maximum sentence for Count 1, within the group would be 60  
14 months, et cetera down the line, whereas 5 and 6, you're right  
15 have a stat max of 12 months. It doesn't change the offense  
16 level for the group.

17 THE COURT: What is the cross-reference that makes  
18 the misdemeanor offense level higher? What are you  
19 cross-referencing?

20 MR. GORDON: So it is 2X1.1 is the -- well, backing  
21 up. It is 2B2.3(c)(1), is the misdemeanor that says go to the  
22 cross-reference. And that cross reference is 2X1.1.

23 THE COURT: If you entered someplace you are not  
24 supposed to enter with the intent to commit another felony?

25 MR. GORDON: Yes, Your Honor. So then applying -- so

1 that carries us back to the assault guidelines questions. If  
2 you apply --

3 THE COURT: If you commit a felony or another felony?

4 MR. GORDON: It says to commit a felony offense.

5 THE COURT: All right.

6 MR. GORDON: So what would shake out is it becomes  
7 a --

8 THE COURT: I understand how you are getting there.  
9 I am not entirely sure this is how the presentence report did  
10 it. It is certainly not what I am remembering about how the  
11 presentence report did it. I will look at it. I will  
12 calculate it. I will let you know after the break, where I  
13 really didn't think I was going to be thinking about the  
14 sentencing guidelines, what the answer to this question is.

15 MR. GORDON: Thank you, Your Honor.

16 THE COURT: And then what I'd like to do is to do  
17 what I was about to do and take a break, and think about the  
18 thing that I have to think about today, which is one of the  
19 things that actually has been discussed the least, which is  
20 what is the appropriate sentence for what we know the defendant  
21 did and what she was convicted of. And that is what I am going  
22 to think about, applying all of the factors under 18 US Code  
23 section 1353 in this break. And then I will come back and I  
24 will impose sentence and resolve the outstanding guidelines  
25 issue.



1           Given that, I think it is not reasonable for me to  
2       predict that I am going to be back in the usual 10 minutes. I  
3       would imagine that it is going to be longer than that. So just  
4       for everybody's convenience, I am going to say that we will  
5       resume at 11:45. Thank you.

6           (Recess taken.)

7           THE COURTROOM DEPUTY: Your Honor, recalling criminal  
8       case 21-618, the United States of America versus Riley June  
9       Williams. Ms. Williams is present in the courtroom represented  
10      by Ms. Ulrich, Mr. Reish, Ms. Gaynor. Government counsel in  
11      the courtroom represented by Mr. Dalke and Mr. Gordon.  
12      Probation officer is Officer Field.

13          THE COURT: All right. I am going to start with the  
14      guidelines issue. It is correct that in the presentence report  
15      in paragraph 54, the probation office indicated that the  
16      grouping of Counts and 1 and 3 get grouped with Counts 5 and 6  
17      also. But she said it was because they share a specific  
18      offense characteristic and that is, quote, physical injury to a  
19      person in order to obstruct the administration of justice. So  
20      one problem I have with that is that I found no physical injury  
21      here.

22          Also, the presentence report did not compute the  
23      guidelines for Count 5, which is where I derive the impression  
24      that she concluded that that would have been lower than the  
25      ones for 1 through 3. But I respect the fact that the

1 government has brought this other calculation to my attention  
2 and I should have dealt with it initially.

3 The government wants me to move from the trespass  
4 guideline section 2B2.3 at (c)(1), which would produce a much  
5 lower guideline calculation than we are talking about for  
6 Counts 1 and 3 to section 2X1.1, which you ask do if the entry  
7 into the restricted building was with the intent to commit a  
8 felony. I already said that I was not going to use the felony  
9 of obstructing an official proceeding to be the other felony  
10 for purposes of my guidelines calculations, notwithstanding the  
11 evidence that is consistent with that given the jury's  
12 inability to get there.

13 The government says, well, you can look at the civil  
14 disorder felony. But that would require proof that when she  
15 entered, she entered with the intent to resist or impede  
16 officers performing their duty in the course of a civil  
17 disorder. And I am not sure we have evidence -- we have  
18 evidence that she did that when she got there. I am not sure  
19 that we have evidence that that was her intent when she walked  
20 in.

21 And I find that there is something very much of the  
22 tail wagging the dog to have a 12-month misdemeanor drive the  
23 guideline calculation into the range that the government is  
24 arguing. Plus, if you follow the government's logic, and you  
25 start as they tell me to do with 2X1.1, which is kind of the

1 enhancer, if the trespass is for some other reason, 2X1.1  
2 doesn't have any base offense levels of its own. It says you  
3 look at the applicable offense, the appropriate offense. And  
4 the one the government tells me to go to, is 2J1.2(b) (1) (B).  
5 And that says, an offense -- it requires a showing of causing  
6 or threatening to cause physical injury to a person or property  
7 in order to obstruct the administration of justice. And I  
8 don't think that is what we have in this case is causing or  
9 threatening to cause physical injury to person or property even  
10 if the obstruction of the administration of justice includes  
11 obstructing the official proceeding as it does under that  
12 particular provision. So I don't think it applies. I will  
13 overrule the government's objection.

14 I believe the trespass guideline should not be the  
15 one that increases the calculation. And I believe that we have  
16 the more appropriate calculations to take into account for  
17 sentencing purposes today that doesn't again answer the  
18 question of whether I am going to vary as the government is  
19 asking me or as the defense is asking me to. But that is  
20 rubric that I think I am operating under.

21 So I started out by saying there were factors that  
22 the statute needs me to think about. And I am going to go  
23 through each of them. I am going to go through each of them in  
24 detail, as each of you have. So I have a lot to say, but I am  
25 going to ask counsel and the defendant to please come to the

1 lectern.

2 All right. I am supposed to start with the nature  
3 and circumstances of the offense. Much of it was summarized in  
4 detail when we had the hearing on the post-trial motions. And  
5 I believe the government has it largely correct in its  
6 memorandum notwithstanding the disdain expressed by the  
7 defense. It does not matter if the defendant didn't arrive  
8 armed. I agree with the government that once she got there,  
9 she deliberately took repeated and affirmative steps to get  
10 inside, starting by climbing up the front of the building and  
11 then once inside. There is no question that when she got  
12 there, she spent considerable time and energy devising and  
13 executing ways to utilize the size and strength of others to  
14 move herself and others through the building. And that she  
15 did, in fact, organize them for that purpose, that she gave  
16 directions to others about where to go and how to behave from  
17 the minute she got inside.

18 This was, whether the defense chooses to acknowledge  
19 it or not, so much more than what they described as an  
20 obnoxious 22-year-old yelling obscenities at law enforcement.  
21 She could have done that outside. People she drove to the  
22 Capitol with stayed outside. Thousands of individuals  
23 effected -- deeply effected and deeply angered and incensed by  
24 the false claims about the election stayed outside or they  
25 stepped in and they stepped back out. They were not there for

1 90 minutes. She could have gone in and left when she was asked  
2 to, instead of organizing the crowd in the rotunda to keep from  
3 being forced to leave. She extended not only her stay in the  
4 building, but the stay of the others in the building and  
5 extended the time when the official business of the US  
6 Congress, the certification of the election that the president  
7 had decried and that had been in progress when she climbed up a  
8 bike rack to gain unlawful entry into the building could not  
9 resume. And there is absolutely no question that she  
10 celebrated afterwards notwithstanding the defense  
11 dissatisfaction with the government's use of that word. She  
12 was positively exultant.

13 And I reject completely the notion that she did not  
14 know where she was or what she was doing. It is true that once  
15 she referred to the iconic white marble building with columns  
16 as the White House. But it is clear from her communications  
17 before during and after January 6 that she knew exactly where  
18 she was and why. First of all, as soon as she got in, she  
19 urged the others to return when the first attempts with  
20 chemical spray turned them away. A lot of people did turn  
21 away, but she stayed. Where did you go? She went straight to  
22 the Speaker's Office. And she knew she was in the Speaker's  
23 Office. She didn't seem to think she was in the President's  
24 home. Indeed, if as the defendant would have me believe, she  
25 had no plans to go the Capitol at all when she arrived in DC

1 and made an instantaneous decision and got swept up after she  
2 heard the President speak, he didn't invite everybody back to  
3 his home for a protest. He specifically directed them to walk  
4 to the Capitol where Congress was and where Vice President  
5 Pence was and where the count was going on. That is where she  
6 went, but she already knew this.

7 The testimony of Michael Dalton and the record of the  
8 kind of materials she saved on her computer reflects that she  
9 was tracking the daily statements of Nick Fuentes. Mr. Dalton  
10 was an extremely credible witness who seemed quite reluctant to  
11 say anything that could hurt the defendant, a former  
12 girlfriend. And his testimony was corroborated. The  
13 defendant's mother was not called as a witness, but the record  
14 of this case when you go back to the very first statement of  
15 the facts and support of the complaint, reflects that even  
16 defendant's mother told reporters that the defendant was  
17 interested in Trump's election and far right message boards.  
18 So what Mr. Dalton said is undeniable.

19 And there were even Fuentes videos saved on the  
20 defendant's computer. We were careful to withhold the content  
21 of many communications from the jury in order to protect the  
22 defendant from any unfair prejudice that could arise out of his  
23 blatant anti-Semitic and racist, white supremacist views. We  
24 couldn't attribute that to her. And that wasn't relevant to  
25 the charged offenses in any event. But there was one thing

1 that Nick Fuentes was all about and that was about stopping the  
2 certification of the electoral college vote. The defendant  
3 went to not one, but two Fuentes Stop the Steal rallies  
4 including coming all of the way to Washington, DC for one where  
5 she was proudly photographed with him before January 6.

6 She listened to his daily podcast. She dressed as a  
7 member of his army on January 6. She was there to stop the  
8 steal, not because her dizzy little head was confused about  
9 which building in Washington was which or why she was there.  
10 And her extremely as the government called it tech-savvy  
11 efforts to cover her tracks afterwards add further strength to  
12 that inference. Also, there was the very credible testimony of  
13 Ryan Patrick Myers at trial who said many things the defense  
14 replied upon, such as the fact that she didn't say much of  
15 anything on the trip to DC with him and her father and others.  
16 And that contrary to the pre-trip discussions about what  
17 weapons who was going to bring where, they did not discuss  
18 plans to attack the Capitol in the car.

19 But he also said, quite credibly, and wasn't  
20 impeached by any other evidence on this point, question, "Where  
21 did you go after the end of the speech?"

22 "It was just down towards the Capitol. I don't know  
23 what street that was. I just remember the President said walk  
24 down there and make your voices heard or whatever because they  
25 were certifying the election."

1                   Question: "So tell me, let me ask you this: Did you  
2 go down towards the Capitol?"

3                   "Yes."

4                   "When you got to the Capitol were you with the  
5 defendant at that time?"

6                   "Yes. We were all together as we approached the  
7 Capitol. And she broke off and said she knew other people  
8 there she was going to meet up with. And it was me Rick and  
9 Cyrus for a period of time. And then they got separated from  
10 me as well. And I was just kind of by myself on the side of  
11 the Capitol."

12                  We don't know if she actually -- there was no  
13 evidence that we saw her meeting up with anyone in there. But  
14 she very well could have thought that the other Groyppers are  
15 going to be in there, Fuentes is going to be in there. At any  
16 rate, she didn't say, I am now going to go check out the White  
17 House. And to the extent we want to pluck a few words out of  
18 the bellicose speeches that morning and say what they were all  
19 doing was at the Former President's direction and that what he  
20 said was, walk peacefully to the Capitol to protest, that is  
21 not what she did.

22                  You do not keep moving forward through tear gas and  
23 climb up the face of a government building by accident or  
24 because anybody made you. You have to be determined. She  
25 moved well beyond standing outside to protest under her own



1 power and on her own volition. You do not gain entry where  
2 windows have just been illegally broken and you knew that  
3 because you watched it and filmed yourself and not know full  
4 well that you are not supposed to be there. If she was still  
5 unsure, am I supposed to be here, it became clear quite quickly  
6 when the officers inside tried to turn the crowd away with  
7 spray. And many people, people just as riled up by the  
8 election as she was turned around to leave right then. But who  
9 was it who said, "No, come back"? You can see her pointing and  
10 directing others on video and in photographs, "Line up this  
11 way. You big guys block for me." She was taking control  
12 already. She is not just a little waif blowing in the wind.

13 She takes credit for afterwards. She says, "This is  
14 us once we got inside and entered the main area of the crypt.  
15 The police were in there and we wanted to push everybody on top  
16 of each other so the police would budge. We used that tactic  
17 for the rest of the night. I ran around to all of the men I  
18 could find in gear or a helmet and point them in the direction  
19 and told them to get to the front. And once I found everybody,  
20 join them, pushing the person in front of you so hard until the  
21 police have no choice but to allow us in." She describes this  
22 as an excellent tactic. And the defense called it bragging  
23 nonsense. When you watch the video, it is exactly what she is  
24 doing. She is handpicking the men who have the gear, who have  
25 the size, who are protected.

1 And we know exactly what the videos show and don't  
2 show regarding her actions in Speaker Pelosi's office. At the  
3 very least, she poured fuel on the fire of the theft in  
4 progress. Whose voice is it that rings out? Who do we hear?  
5 Again, it is the defendant. "Take that fucking laptop, dude.  
6 Dude, put on gloves." I don't recall the former president in  
7 his speech encouraging anyone to engage in that sort of  
8 behavior.

9 It is no one's fault but the defendant's that she  
10 then bragged about the theft and added information about a  
11 gavel and it turned out one was actually missing. She is the  
12 one who said, "I sold shit from Nancy Pelosi. I took her gavel  
13 hammer thing. I took Nancy Pelosi's hard drive. I stormed the  
14 building and took her hard drive. All they did was pepper  
15 spray me and take the gavel I stole from her office. LOL. I  
16 still have the hard drive. I stole some things from her, Nancy  
17 Pelosi's office, her gavel and hard drive."

18 Blaming the fact that she would be forever linked to  
19 the laptop on the government, makes no sense. It is no one's  
20 fault but her own.

21 Then she gets to the rotunda and this tiny person I  
22 am supposed to believe just got caught up in someone's else  
23 protest and rhetoric is quite vocal. She berates the besieged  
24 officers. "Fuck you. We will remember your fucking face. You  
25 are a traitor. You are a traitor to this country." No one

1 made her say those words. The officers advance with batons.  
2 They are held horizontally. No one is attacking our petite  
3 protestor with weapons. But still, she is having none of it.  
4 She tries to press backwards against them so they can't move  
5 her. And she is small, she can't hold the line herself, so she  
6 gets creative. As she put it, "I was right in front of the  
7 police calling them traitors. And they pushed against me. I  
8 just turned around and put my back against them and grabbed the  
9 guy in front of me and told him to push against me." Her  
10 words.

11 There are various videos that are striking in this  
12 case. But the most striking of all to me was the view looking  
13 down from the ceiling of the rotunda. You can see a row of  
14 large people doing the work, but there is only one voice  
15 calling out the instructions, "Push, back up, push, lock arms,"  
16 keeping a steady beat, like a coxswain on a crew team. And  
17 like a cox, her small size was an asset. And she used the  
18 power of her voice to mobilize and encourage the mob. And to  
19 stoke its anger and stoke its resistance to authority, to keep  
20 the mob in place longer, to make the mob more dangerous.

21 And she wasn't even done. When she left, she told  
22 people on the way in, if you push hard enough, they will budge.  
23 And after 90 minutes inside, she is up on top of the roof of a  
24 police car. Her conduct from start to finish was outrageous.  
25 It was intentional. And it cannot be marginalized with the

1 kind of sentence that would be appropriate and that has been  
2 handed down in this courthouse in the case of the mere parading  
3 misdemeanor.

4 And unlike a number of protesters who got chastened  
5 when they saw the videos of the destruction and violence on TV  
6 that night, this defendant was not. She was proud. She  
7 boasted about her good tactics. She told her father they  
8 needed to return and finish the job on January 20th. This  
9 person who supposedly didn't even understand politically what  
10 was happening, knew the date they were supposed to be back.  
11 This person who supposedly didn't understand the significance  
12 of what was taking place that day called Vice President Pence a  
13 fucking traitor and even a week later announced, "I have been  
14 told what I did was wrong by everybody, but in my heart and  
15 soul, I know what we did was patriotic and what is right. And  
16 anybody who says otherwise should be condemned." And then when  
17 you add in what she did and insisted that others do to cover  
18 her tracks, those are the nature and circumstances of the  
19 offense.

20 I am also supposed to consider the history and  
21 characteristics of the defendant. And much of the defense  
22 memorandum says over and over again, she is not the monster the  
23 media made her out to be. I really don't know what the media  
24 has had to say about her other than what the defense keeps  
25 sending in my direction. And even if some articles have come

1 to my attention because they come up in the searches the court  
2 personnel do for when my name appears in something, they are  
3 not part of the record of this case. I am only interested in  
4 what happened on January 6. And what the presentence report  
5 and the letters submitted by the defendant tell me about her  
6 character and characteristics. It doesn't matter to me what  
7 the media has said about her to the extent I even know about  
8 it. I do understand from what I have read and what you have  
9 provided that she was a rebellious teenager and somewhat  
10 immature into her twenties as well. Some of that may have been  
11 due to the challenging family circumstances I have been told  
12 about. And I don't need to detail them on the public record.  
13 They are unfortunate and she has had to endure a lot and  
14 suffered some hard losses. Although, it does seem that the  
15 defendant has reconciled with both parents to some extent,  
16 which is good.

17 But there is one thing the defense has been hammering  
18 over and over again. It was a theme in front of the jury. It  
19 didn't seem to impress the jury much and it never occurred to  
20 me that I would have to talk about it. So I have been  
21 surprised by the ongoing emphasis on the defendant's age and  
22 her height. But given the repeated references and heavy  
23 reliance on all of that, you have put me in the position I have  
24 to address it.

25 And I have to say, I find it extremely unpersuasive.

1 It is inconsistent and a little insulting to me and  
2 Ms. Williams to insist that she is intelligent and responsible  
3 and fully ready to be a wife and mother and that she was  
4 intelligent and responsible even before January 6 and a  
5 contributing member of society, responsible for the care of  
6 others, and yet somehow she is not responsible for her  
7 intentional actions on that day.

8 I am sure the defense team is well aware of how many  
9 young men, tall or short, bulky or scrawny and even younger  
10 than 22 are held criminally responsible day in and day out,  
11 even though it all started by getting swept up with the bad  
12 influences of people in their neighborhood. We even treat  
13 juveniles as adults. But, yet, I am being told she is a little  
14 girl.

15 It is true that judges frequently do and should,  
16 notwithstanding the fact that guidelines say it is irrelevant,  
17 take note of the fact that some defendants are particularly  
18 young or impressionable or grew up in such constrained,  
19 disadvantaged circumstances, they had no other options. They  
20 had no models to follow. But the argument here is being so  
21 blown out of proportion and exaggerated when we are talking  
22 about a high school graduate, someone who grew up with a mother  
23 who was employed. And I just have to reject what appears to be  
24 the suggestion that she was just a child who shouldn't be held  
25 responsible her actions. I can't treat her differently than

1 anyone who else who commits a serious offense and she committed  
2 several, just on the basis of her age, her gender or her  
3 height.

4 On January 6 she was 22 years old. You can enlist in  
5 the military at age 17 with parental consent and at 18 without.  
6 She was old enough to already have finished a tour of duty in  
7 the Army. You can be legally married in Pennsylvania at 18 and  
8 possess a firearm at 18. She was old enough to vote. She was  
9 old enough to hold a job. She was old enough to have completed  
10 post-graduate courses. She was old enough to be one of the  
11 police officers she resisted. You are eligible to join the US  
12 Capitol Police and the Metropolitan Police Department at 21  
13 years old.

14 There have been members of the US Olympic team who  
15 were teenagers. Kobe Bryant was drafted into the NBA when he  
16 was 17. The late representative John Lewis became one of the  
17 original freedom fighters in the South at age 21. The youngest  
18 member of the Pennsylvania House of Representatives, Alec  
19 Ryncavage is 21 years old. We have a 25-year-old member of  
20 Congress.

21 It is particularly interesting when the defense  
22 insisted that I should consider the fact that this defendant  
23 followed adult, grown men -- said that over and over again  
24 including the Former President, Rick Scott and Nick Fuentes.  
25 If Wikipedia is correct, Nick Fuentes, just like the defendant

1 was born in 1998, which means he was exactly the same age she  
2 was when he was urging her and others to stop the steal. I  
3 don't hear anyone suggesting that he was a mere child.

4 Amanda Gorman, the young poet who on January 20th  
5 stood proudly on the same West Terrace of the Capitol the  
6 defendant chose to breach. But instead of spouting profanity,  
7 inspired a nation, was born in the same year the defendant was.  
8 She was only 22 years old that day. Oh, and she is -- and,  
9 again, this is approximate since I am relying on information on  
10 the internet, also just 5, 4 inches tall.

11 The defense seems to think this is a relevant  
12 statistic. She is such a little thing, what sort of trouble  
13 could she get up to? Marjorie Taylor Greene is reportedly  
14 5'3" inches tall. So is Elizabeth Cheney. Each is a force in  
15 her own way. Justice Ketanji Jackson is approximately 5'1"  
16 tall, another force. Muggsy Bogues, the shortest player in the  
17 NBA was a successful point guard for 14 years and he was 5'3".  
18 The shortest player in the WNBA, Shannon Bobbit, was  
19 5'2" inches tall. So I'm sorry, but Riley June Williams was  
20 old enough and tall enough to be held accountable for her  
21 actions.

22 And to the extent her appearance gives the impression  
23 that she was fragile or weak, it all goes away the second she  
24 opens her mouth and you hear the way she conducted herself then  
25 and on the phone.



1 Counsel also brings up the fuzzy zebra bag  
2 continually. I think it is completely irrelevant. I am not  
3 exactly sure what her funky or quirky fashion sense, which was  
4 also on full display throughout the trial, has to do with  
5 anything. The only piece of clothing that sent a message was  
6 the one that no one wants us to talk about when she says that  
7 he is with Groyper, that she is with Fuentes. It is true that  
8 she was manipulated and influenced and used by people who knew  
9 then and know now that their message was false. I am not sure  
10 it exonerates her, because her behavior went beyond the bounds  
11 of legitimate protest, well beyond where thousands of others  
12 who were equally angry had the sense not to go. You talked  
13 about people making her do this. No one made her do this. And  
14 actually she said it the best when she said there is no  
15 justification or excuse for my behavior.

16 And those facts, if they bear on the sentence, bear  
17 also on the need for deterrence. Because we are not just  
18 talking about specific deterrence here, we are talking about  
19 general deterrence, deterring other people from taking these  
20 actions again. And the fact this is still being said and the  
21 fact that so many people fell for it and the fact that so many  
22 people acted in accordance with it, they need to get the  
23 message that this was wrong.

24 But having said all of that, it is very important for  
25 me to say -- and I strongly agree that the events of January 6

1 are not all there is to you. I was particularly impressed by  
2 your compassionate care of and devotion to a young woman with  
3 significant physical and mental disabilities. The level of  
4 responsibility you undertook, your work ethic and the personal  
5 commitment to go the extra mile were all very impressive. It  
6 says a great deal about you. And it shows that there is an  
7 important niche that you can fill in the world, because not  
8 everybody has patience or empathy to perform that kind of  
9 essential work. You can put the struggle to find out who you  
10 are and what you stand for that your mother told me you have  
11 been going through to rest with that.

12 You have also been a big help to older family members  
13 dealing with illnesses, helping them around the house, sharing  
14 your love for gardening with them. You showed that love for  
15 gardening again when you were a reliable worker at the nursery.  
16 That is also a reliable option for your future. I believe or  
17 at least hope that you and your family members are sincere  
18 about the changes in you and the lessons learned, you revived  
19 commitment to your faith. Given your age, you have much more  
20 time ahead of you than you have behind you. And you will  
21 continue to have considerable time ahead of you after this  
22 sentence is served. There is no reason why you won't be able  
23 to have the family, the farm, the quiet life that you say  
24 attracts you now. And there is a lot of other good that you  
25 could do as well.

1           The sentencing statute also says that I am required  
2     to impose a sentence that is sufficient but not greater than  
3     necessary to accomplish a number of purposes. I must consider  
4     the need for the sentence imposed to reflect the seriousness of  
5     the offense, to promote respect for the law and to provide just  
6     punishment. And I am supposed to afford adequate deterrence to  
7     criminal conduct, not just whether you are going to do it  
8     again, but other people watching. I am also supposed to  
9     protect the public from further crimes of the defendant. I am  
10    not sure that is a significant problem at the moment. And I am  
11    supposed to provide you with educational, vocational treatment  
12    in the most effective manner. I am not sure that is critical.  
13    But I am also supposed to think about the need to avoid  
14    unwarranted sentencing disparities among defendants with  
15    similar records who have been found guilty of similar conduct.  
16    That means your sentence has to be fair when I compare it to  
17    the sentences that other people got.

18           To say something on that point, the government  
19    treated me to the plea agreement entered into in another case,  
20    *United States versus Rodriguez* and I am not sure why. First of  
21    all, it is just a plea agreement. I have not even sentenced  
22    him yet. Second of all, the facts are not comparable in any  
23    way. So I am not sure it did anything to support the  
24    government's request for a 7 year or more sentence to show me  
25    that case. Also, the facts and the criminal histories related

1 to the others who were involved in the vicious assault on the  
2 same Metropolitan Police Department officer are not comparable  
3 to this case. And I don't see them as guideposts.

4 For her part, the defense points me to sentences of a  
5 year or less in which defendants accepted responsibility and  
6 pled guilty. Some facts were comparable, many were not. Most  
7 involved solo confrontations with officers, different  
8 guidelines, different calculations. We weren't dealing with  
9 guilty verdicts for a section 111 violation, in addition to  
10 section 231. And we didn't have the rallying and use of other  
11 people.

12 I have thought about this a great deal since the  
13 trial and the conviction and the ruling on post-trial motions.  
14 Given the statutory requirement the sentence must reflect the  
15 seriousness of the offense and it must provide for just  
16 punishment and deter not just you, but other people. I cannot  
17 say that 2 years of release on conditions, even if they were  
18 stringent went far enough to serve those ends such that the  
19 year and a day requested, which is only about six months could  
20 be sufficient.

21 I frankly thought that the year and a day was not a  
22 serious suggestion. It is a more appropriate suggestion for  
23 the disorderly conduct in a public building count. And it  
24 doesn't reflect the seriousness of the resistance to the law  
25 enforcement officers at all.

1 Defendant's conduct in the Capitol was utterly  
2 reprehensible. It not only impeded the officers, but it  
3 increased the dangerousness and the risks already inherent in  
4 the work they were doing that day when they were badly  
5 outnumbered and the tools available to them were limited.

6 Yes, the defendant spent a long period of time  
7 subject to conditions of release. And there was a lot she  
8 couldn't do. I believe that those who have been detained  
9 pending their trials might scoff at the notion that she spent  
10 two years in hell and not having access to social media was a  
11 punishment. It is true that she had conditions and they were  
12 more onerous than for everyone who was on release. But she was  
13 permitted to leave the house to go to work. I let her travel  
14 to retreats when she asked to. And she was quite able to  
15 sustain and deepen a relationship with a person who is now her  
16 fiancée, as well as with the church, notwithstanding the fact  
17 that she had hours that she had to be at home.

18 The conditions that were in place were repeatedly  
19 deemed necessary to ensure her appearance in court and  
20 consistent with the Bail Reform Act. They were not imposed for  
21 purpose of punishment. So those years don't factor in, but I  
22 will take into consideration the fact that the last 3 months  
23 have been extremely harsh.

24 The guidelines are supposed to serve the function of  
25 avoiding unwarranted sentencing disparities. But I have

1 already detailed a number of reasons why they fall short when  
2 you deal with those offenses. There is a 2-year difference in  
3 the recommended sentencing guideline range applicable to  
4 whether you start with the obstruction or impeding officers or  
5 you start with the aggravated assault on officers. And that  
6 underscores my overall impression based on all of the factors  
7 that the correct sentence is somewhere in the middle.

8 Finally, the guidelines tell me I am supposed to  
9 recognize and order restitution to any victims of the offense.  
10 I recognize that the defendant's own statements and the fact  
11 that they overlap with the report by Pelosi's office that just  
12 like those the defendant claimed to steal were, in fact,  
13 missing could support a restitution order. But the conduct for  
14 which she was convicted has supported a restitution order of  
15 \$2,000 towards the close to \$3 million worth of damage to the  
16 building that day for other people convicted of felonies due to  
17 the actions of the mob in which she was an enthusiastic member  
18 and that will be what she is ordered to pay to the Architect of  
19 the Capitol.

20 In an exercise of my discretion after considering all  
21 of the statutory factors, including what would be sufficient  
22 but not greater than necessary, the sentence to be imposed is  
23 as follows: It is the judgment of the Court that you are  
24 hereby sentenced to a period of 36 months on each of Counts 1  
25 and 3 to run concurrently to each other; to 12 months on each

1 of Count 5 and 6; and 6 months on each of Count 7 and 8, also  
2 to be served concurrently. This 36-month term would be my  
3 sentence if we were using either section 2A2.4 or section 2A2.2  
4 as the base offense level for the group 1 counts or if we were  
5 looking at the government's proposed calculation for group 5.  
6 In one case, the 2A2.2, based on the application of the  
7 statutory factors and the nature and circumstances of the  
8 offense, as well as my concern with the guidelines as a policy  
9 matter, I would have had to vary upwards in my discretion. And  
10 in other, the aggravated assault guideline, I would have had to  
11 vary downwards. I have grave policy differences with the  
12 guidelines and the anomalous and inconsistent approaches they  
13 take to these very grave offenses. The advisory sentencing  
14 guideline range applicable under section 2A2.4 alone does not  
15 begin to give sufficient weight to the fact that the victims in  
16 this case were law enforcement officers and the conduct was  
17 motivated by that status, nor would it take into account the  
18 particular conduct here, the fact that the defendant's conduct  
19 was directed towards not one, but a large number of officers at  
20 the same time. And it happened while they were performing  
21 their official duty, attempting to quell a civil disorder of  
22 which she was also convicted.

23 But, on the other hand, the guideline range  
24 applicable under section 2A2.2, overstates the severity of the  
25 defendant's conduct given the fact that there was no actual

1 assault and the overlap of the only conduct underlying the two  
2 felonies. So that is where I come out.

3 You are further sentenced to serve a 36-month term of  
4 supervised release. I find the defendant does not have the  
5 ability to pay a fine, I will therefore waive the imposition of  
6 a fine.

7 You are required to pay \$100 assessment on each  
8 felony count and \$25 on each misdemeanor count, for a total of  
9 \$300. The special assessment is immediately payable to the  
10 Clerk of the Court for the US District Court for the District  
11 of Columbia. If you change your address, within 30 days of  
12 that you have to notify the Clerk of the Court until such time  
13 as the financial obligation is paid. While you are  
14 incarcerated, you can make payments on the assessment through  
15 your participation in the Bureau of Inmates Financial  
16 Responsibility Program.

17 It is also required by Federal law that for all  
18 felony offenses, you must submit to the collection and use of  
19 DNA identification information while incarcerated at the Bureau  
20 of Prisons or at the direction of the probation office.

21 While you are on supervision, you shall not possess a  
22 firearm or other dangerous weapon. You shall not use or  
23 possess an illegal controlled substance. And you shall not  
24 commit another federal, state or local crime.

25 I will suspend the mandatory drug testing condition



1 as there appears to be nothing in the record that points to a  
2 substance abuse issue. You must also abide by the general  
3 conditions of supervision adopted by the US Probation Office,  
4 which were set out in paragraph 158 on pages 31 to 32 of the  
5 presentence report. And so you have been on notice of them, as  
6 well as the following special conditions: Beginning 60 days  
7 after your release from detention, you must pay the balance of  
8 any restitution owed at a rate of no less than \$100 per month.  
9 You must provide the probation officer access to any requested  
10 financial information and authorize the release of any  
11 financial information so they can ensure compliance with the  
12 restitution condition. And the probation office may share that  
13 information with the US Attorney's Office. You must not incur  
14 new credit charges or open lines of credit without the approval  
15 of the probation office until such time as the restitution has  
16 been paid.

17 I will decline to impose the recommended contact and  
18 social media restrictions, since we don't have evidence of  
19 concerted action with terrorists or seditious individuals or  
20 groups. But if the defendant answers a call from a Nick  
21 Fuentes or a disappointed candidate for any officer from any  
22 party or anyone else to rise up and do anything that falls  
23 outside of the boundaries of legitimate First Amendment  
24 activity and she violates the law, for example, by entering a  
25 closed building without authority to do so or impeding or

1 interfering with law enforcement officers and defying their  
2 lawful authority or threatening a public official, that will be  
3 a violation of her supervised release.

4           You must perform 150 hours of community service in  
5 the first 18 months of your release. The probation office will  
6 supervise your participation in the program by approving the  
7 program. And you must provide written verification of the  
8 hours to the probation office. Also given everything I have  
9 been told about what the defendant has gone through at various  
10 phases in her life and whether she has gotten assistance for  
11 that that she may have needed, as well as all of the conduct  
12 that has been detailed in this case before, during and after  
13 January 6, I think it is appropriate and prudent to order that  
14 you must participate in a mental health assessment as directed  
15 and under the supervision of the probation office. And if any  
16 treatment or counseling is indicated, at the discretion and  
17 under the direction of the probation office, you must comply  
18 with that treatment plan, including any individual or group  
19 sessions with a qualified provider indicated by the probation  
20 office. And you must sign any releases necessary to enable the  
21 probation office to monitor that compliance.

22           Within 60 days of the commencement of supervision,  
23 the US Probation Office supervising you must submit a progress  
24 report to the Court. Upon release of the progress report, I  
25 will determine if your appearance is required at a reentry

1 hearing or whether we should set up a video conference or  
2 something like that for that purpose.

3 Supervision of your supervised release will be  
4 transferred to the jurisdiction in which you reside. But  
5 jurisdiction over this case will remain with me.

6 Ms. Ulrich, are there any objections to the special  
7 conditions?

8 MS. ULRICH: Not to the special conditions, no.

9 THE COURT: All right. Also the probation office is  
10 ordered to release the presentence investigation to all  
11 appropriate agencies in order to execute the sentence. And  
12 they must return it upon her completion or termination from  
13 treatment.

14 Ms. Williams, you have the right to appeal your  
15 conviction and your sentence in this case. If you choose to  
16 appeal, you must file any appeal within 14 days after that  
17 Court enters judgment. If are unable to afford the cost of an  
18 appeal, you may request permission from the Court to file an  
19 appeal without cost to you.

20 Ms. Ulrich, is there anything else I need to take up  
21 on behalf of the defendant? Is there any particular location  
22 you would like to ask me to recommend that she be designated?

23 MS. ULRICH: Yes, Your Honor. We would ask for  
24 recommendation at Danbury, Connecticut.

25 THE COURT: Okay. Is there a reason why that is

1 better than --

2 MS. ULRICH: Yes, there is a couple of reasons. They  
3 have some vocational programming. They have horticulture. It  
4 is between where her boyfriend will reside and her family. So  
5 I think that would be a good recommendation.

6 THE COURT: All right. I think they always try to  
7 make it as close to family as possible. So I was thinking that  
8 was pointed in a different direction, but I am happy to put  
9 that recommendation into the judgment and commitment order. It  
10 is a recommendation. They don't always do what I say. But  
11 they do take it into consideration. I will do that.

12 Anything else I need to do on behalf of the defendant  
13 at this time?

14 MS. ULRICH: No. Just a few things I have to put on  
15 record because the record will be reviewed, it might be  
16 appealed. We do object as part of your sentence, you did  
17 mention Nick Fuentes and the whole she went to two Stop the  
18 Steal rallies and that was something used against her.

19 THE COURT: It was used against her for the purpose  
20 of disputing the allegation that she did not know she was at  
21 the Capitol, did not know what was going on, that the election  
22 was not the purpose. It was not to tie her to anything else  
23 about Nick Fuentes. I want to make that perfectly clear.

24 MS. ULRICH: I know. But you understand I have to  
25 object to preserve my issues for appeal. You also mentioned,

1     you know, a couple of times she was with Groyper. I think  
2     those are First Amendment issues. And the fact that they put  
3     out this message that election was stolen. It is not a white  
4     supremacist message. It is not a Nazi. It is wrong. And it  
5     is -- all of us will agree it is very aggravating. But it  
6     shouldn't be a basis to impose the sentence, because it is  
7     First Amendment protected. I am just putting the objection on  
8     the record. My appellate lawyers will decide what the appeal  
9     issues are, but they come after me if I don't object.

10           THE COURT: I am using it only to show her knowledge  
11     of what was happening at the Capitol that day.

12           Go ahead.

13           MS. ULRICH: And I am also objecting to the upward  
14     variance.

15           THE COURT: All right. Anything else?

16           MS. ULRICH: That is it. Thank you.

17           THE COURT: All right. So is there anything further  
18     I need to take up on behalf of the government right now?

19           MR. DALKE: No, Your Honor.

20           THE COURT: All right.

21           MR. DALKE: Thank you.

22           THE COURT: All right.

23           MS. FIELD: Your Honor, may I address the Court?

24           THE COURT: Yes.

25           MS. FIELD: If the court reporter can hear me --

1 THE COURT: Why don't you come all of the way to the  
2 lectern.

3 MS. FIELD: Thank you. Did the Court and I apologize  
4 if I misheard. Did the Court set an amount to the restitution,  
5 a total amount?

6 THE COURT: \$2,000.

7 MS. FIELD: And does the Court have a position on  
8 interest, paying interest?

9 THE COURT: I will waive the interest and penalties  
10 on that.

11 MS. FIELD: Lastly, Your Honor, the special  
12 assessment -- I believe the Court mentioned 300.

13 THE COURT: I may have added it up wrong.

14 MS. FIELD: My understanding is it is 270. Two of  
15 the counts are \$10.

16 THE COURT: All right. So the special assessment  
17 will be \$270 and not \$300.

18 MS. FIELD: Thank you, Your Honor.

19 One more thing, Your Honor. The Court mentioned 36  
20 months supervised release. The misdemeanors carry a maximum of  
21 12 months.

22 THE COURT: The 36 months is on the 1 and 3 and then  
23 whatever the maximum --

24 MS. FIELD: 5 and 6 is 12 months and.

25 THE COURT: That will be concurrent with the 36

1 months for the Counts 1 and 3.

2 MS. FIELD: Okay. Thank you.

3 THE COURT: All right. Thank you very much,  
4 everyone. I want to say that this case from beginning to end  
5 was handled very forcefully, but also very ably by both sides.

6 MS. ULRICH: Thank you.

7 THE COURT: I appreciate having lawyers of your  
8 caliber in my courtroom. And I want to thank everybody for the  
9 thought that went into everything that was submitted to me.

10 (Proceedings adjourned at 12:40 p.m.)  
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C E R T I F I C A T E

I, SHERRY LINDSAY, Official Court Reporter,  
certify that the foregoing constitutes a true and correct  
transcript of the record of proceedings in the above-entitled  
matter.

Dated this 24th day of March, 2023.

A handwritten signature in black ink, appearing to read "Sherry Lindsay", is written over a horizontal line.

Sherry Lindsay, RPR  
Official Court Reporter