

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

UNITED STATES OF AMERICA	:	
	:	
v.	:	Case No. 1:22-cr-111 (JEB)
	:	
CHARLES HAND, III, and	:	
MANDY ROBINSON-HAND,	:	
	:	
Defendants	:	

GOVERNMENT’S SUPPLEMENTAL SENTENCING MEMORANDUM

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, respectfully submits this supplemental sentencing memorandum in connection with the above-captioned matter based on newly discovered evidence.

On January 6, 2023, at 11:37 a.m., the government filed its sentencing memorandum for defendant Charles Hand, III (hereinafter, “C. Hand”). Less than one hour later, counsel for C. Hand called the government inquiring about a text message cited to in the governments sentencing memorandum. ECF 36 at 2, 10, 14, and 16. The text message was sent from “Hand Charlie” to defendant Mandy Robinson-Hand (hereinafter, “Robinson-Hand”) on January 18, 2021. In the message, “Hand Charlie” wrote, “Y’all do know not to admit to anything and for god’s sake don’t turn yourself in. D.C. They looking for bigger fish. Every one is asking about y’all. Deny deny deny.” Shortly thereafter, counsel for C. Hand reviewed the message and alerted the government that he believed this message was from another family member and not C. Hand. Counsel for C. Hand stated he believed “Hand Charlie” was a deceased relative and the phone line was still being utilized by another family member, not by C. Hand.

At 12:36 p.m., counsel for the government inquired with the agent assigned to the case about the message. At 2:40 p.m., the agent informed the government that the user of the “Hand

Charlie” phone appeared to be a female based upon the nature of prior conversations with Robinson-Hand. Based on counsel for C. Hand’s representations and investigation done by the agent in this case, the government does not believe the above referenced text message was sent by C. Hand. Only one other text message from “Hand Charlie” was referenced in the government’s sentencing memorandum. ECF 36 at 10, 14, and 16. In that message, “Hand Charlie” wrote, “Like I said it was a perfect time to be a. Part of history!” *Id.* The government now believes this message was not sent by C. Hand.

These messages were just one of six aggravating factors cited to by the government. Incarceration is still appropriate because (1) C. Hand continued into the Capitol after witnessing downed fencing, tear gas being deployed against rioters, and attacks on police officers; (2) he broke off a piece of a metal fence while on restricted grounds of the Capitol and placed it in his back pocket; (3) once inside, C. Hand and members of the mob chanted “take it back”; (4) C. Hand then traveled to multiple areas within the Capitol, gave rioters affirmation after seeing them climb on statues, and attempted to intervene in a fight between police and rioters; and (5) after the riot, C. Hand demonstrated a lack of remorse, posting to Facebook that he witnessed “thousands of angry Americans marching into the Capitol to protest and stop the certification of what I personally believe to be an election stolen from the American people”; and a few weeks after January 6.

However, those two messages from “Hand Charlie” were aggravating and factored into the government’s original recommendation. Therefore, the government would amend its recommendation and request that this Court sentence C. Hand to 25 days’ incarceration, 36 months’ probation, 60 hours of community service, and \$500 in restitution.

The government does not amend Robinson-Hand's recommendation. Messages from "Hand Charlie" are only cited to one time in the government's sentencing memorandum, and it was done to provide context for her response. ECF 37 at 10.

Respectfully submitted,

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