

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

UNITED STATES OF AMERICA

*

v.

*** Case No. 1:21CR00166 (TFH)**

ROBERT MAURICE REEDER

*

MEMORANDUM IN AID OF SENTENCING

The Defendant, by and through his attorney, Robert C. Bonsib, Esq. and the law office of MarcusBonsib, LLC, hereby submits this Memorandum in Aid of Sentencing and, in support thereof, states as follows:

I. PROCEDURAL BACKGROUND

On June 23, 2021 the Robert Reeder ("Reeder") appeared before the Honorable Thomas F. Hogan and entered a guilty plea to count four of the criminal information in which he was charged with a violation of 40 U.S.C. 5104(e)(2)(G) - Parading, Demonstrating, or Picketing in a Capitol Building. The Court ordered a Pre-Sentence Report ("PSR")

Sentencing in this matter is presently scheduled for August 18, 2021.

II. PRE-SENTENCE REPORT

Reeder reviewed the PSR and, with the exception of the following comments, otherwise has no requested additions or modifications the PSR.

Paragraph 20: Reeder entered and remained in the Capitol ground without lawful authority. Contrary to what is reported in Paragraph 20, Reeder's actions did not include "violent and disorderly conduct which impeded or disrupted the orderly conduct of Government business or official functions." He did enter the Capitol Building and engaged in conduct which he

accepted responsibility for and that is fairly characterized as meaning the statutory definition of "parading."

Paragraph 23: Reeder engaged in conduct that violated the statute to which he pled guilty - to the extent that when this paragraph states that Reeder's role "was instrumental in the commission of the instant offense" refers to his parading or demonstrating in the Capitol Building - he agrees. To the extent that this paragraph is intended to refer to some other "offense" - Reeder disagrees.

Paragraph 24: Reeder objects to his being included in a crowd that is described as "a large crowd of individuals who gathered outside the US Capitol and ultimately forced entry inside the building. Those individuals' actions included breaking windows and assaulting members of law enforcement as others in the crowd encouraged and assisted those acts to gain entry into the US Capitol.

Reeder's conduct was individual and significantly and substantially different from many others in the "crowd." He did not engage in "forced entry," did not participate in "breaking windows and assaulting members of law enforcement" and was not one who "encouraged and assisted those acts to gain entry into the US Capitol."

While there were others who damaged the US Capitol, not only did Reeder not engage in such conduct, it is clear, as is discussed in more detail in other portions of this sentencing memorandum, that Reeder took action to discourage others from damaging the Capitol and its contents. Reeder's conduct is more accurately and specifically described herein.

The United States Probation Office has recommended a term of 24 months of probation as an appropriate sentence in this matter.

III. REEDER'S CONDUCT AND ACTIVITY ON JANUARY 6, 2021 AND THEREAFTER

Overview

Robert Reeder is a fifty-five year old man who began January 6, 2021 sitting in his home in Maryland watching TV. He saw on TV that there was going to be a rally in D.C. near the White House where President Trump was to speak at 11 am.

Having nothing better to do and believing that the rally would be an interesting event to attend, he left his home and boarded the Metro and headed by himself into D.C. where he arrived around 11:30 when the rally was already in progress.

At the rally it was difficult to hear, and Mr. Reeder did not even hear Mr. Trump's speech, After going to the Mall, Reeder had intended to go visit several of the monuments and memorials while in D.C., however, he changed his plans when he heard people talking about going to the Capitol and that Trump was coming with them. He decided to also go, but did not walk with the main crowd on Constitution Avenue, and instead walked by himself with a different and smaller crowd on the Mall.

The atmosphere in the crowd was initially festive, with mothers pushing babies in strollers and people waving flags and proclaiming their love for America.

When he got near the Capitol building, he started taking pictures and videos of the crowd and walked towards the bandstands where he was suddenly exposed to tear gas. In an effort to find water to wash out his eyes, he went to the entrance of the Capitol building, where 5-6 police officers were standing alongside the doorway with the doors wide open. He asked for directions to a bathroom or water fountain. The officers were standing near the walls and neither verbally nor otherwise attempted to keep Mr. Reeder from walking into the building.

Once inside the Rotunda, Mr. Reeder, who had never been in the Capitol before, was struck by the awe and the beauty of the Rotunda and began taking pictures and videos. As he followed a few people into Statutory Hall, he is heard on video repeatedly yelling to those present "don't destroy anything" because he saw people posing next to the statutes for pictures.

He remained in the building for brief period of time and when he noticed that too many people had begun to yell and not act with respect inside the Capitol Building, he looked for a way out of the building. With the help of a Capitol Hill policeman, he was able to leave the building. He only entered the Rotunda and Statuary Hall and never entered any offices or restricted spaces and did not touch or vandalize anything while he was in the Capitol building.

Once Mr. Reeder was able to leave the Capitol building, at approximately 4:15 pm he headed back to the Metro, and took the subway back home in Maryland and was back by approximately 5:15 pm. Once home, he turned on the TV and then realized the full extent of the riotous behavior that was occurring at the Capitol and was disgusted and horrified at what he was watching live on TV.

Mr. Reeder is not politically active, is not and has never been a member of any right-wing or anti-government or extremist group and has, unfortunately, been publicly grouped with many others who views he abhors. Mr. Reeder is a registered Democrat, and was not a Trump supporter, although he did like the patriotic spirit that he believed that President Trump was trying to instill in Americans.

Mr. Reeder had never attended a political rally or protest prior to January 6th. He has since suffered much as a result of his conduct on January 6th including the loss of his employment, as well as the loss of friends, neighbors, co-workers, and many acquaintances, He has been alienated by disappointed family members, including his son. He has endured

irreputable damage to his reputation; all because of a spur of the moment decision and regrettable mistake to attend a Trump rally and follow what he thought was peaceful group of individuals to the Capitol to make their political views known. He does not want to be remembered as or considered one of the unlawful or violent protestors that assaulted the Capitol that day.

From the beginning of the January 6th investigation, Mr. Reeder has fully cooperated with law enforcement, and was among the first to voluntarily provided his personal pictures and videos of what he observed and experienced, and provided any information in his memory and possession to help in the investigation [Reeder video provided to the Court as Exhibit A of the government's sentencing memorandum]. He thought that the videos and pictures he took would help explain his actions at and inside the Capitol building.

He has accepted responsibility for his bad judgement in entering the Capitol building by pleading guilty to unlawfully parading inside the Capitol building.

Timeline

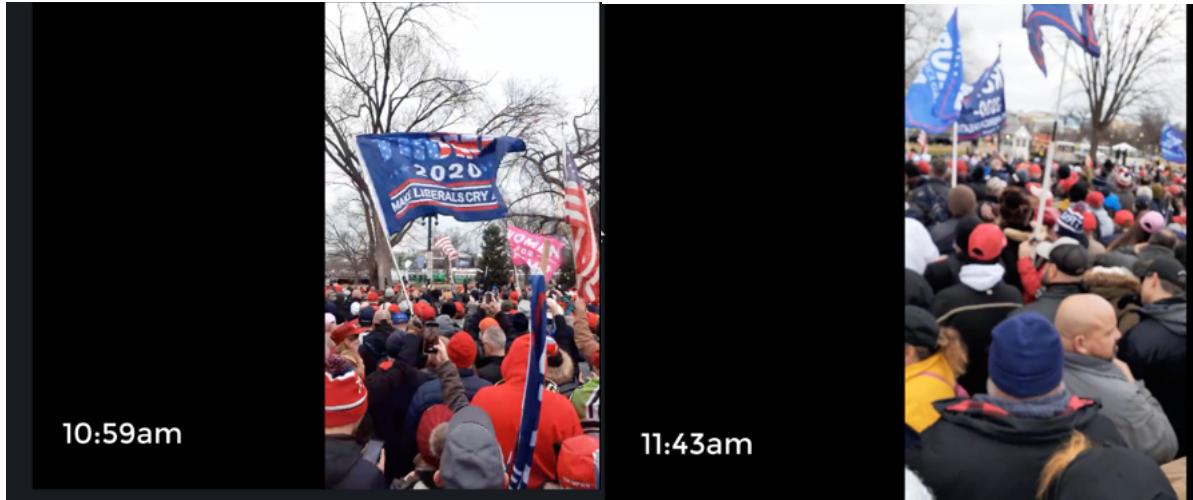
January 6, 2021

@10:00 am

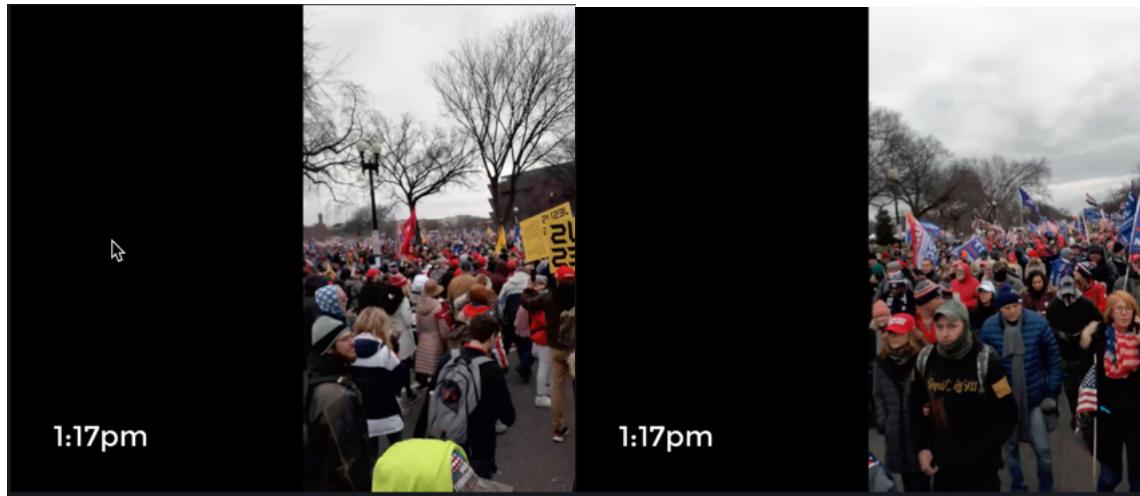
Reeder is at home watching TV and sees that there is going to be political rally on the Mall in the District of Columbia at which then President Donald Trump was expected to speak. Reeder thought it might be last time to hear Trump speak so decided to go to the rally.

Reeder went to the Metro and got off at Metro Center and walked to area of the rally.

When Reeder got to the rally he could not really hear the speakers. Those present were peaceful.



Reeder heard people say they were going to the Capitol. He originally did not follow the crowd and walked to the Mall but as he was nearing the Air & Space museum, which was closed, he decided to go toward the crowd gathering at the Capitol. The crowd he was walking with was peaceful. There were families, women pushing children in strollers and otherwise engaging in normal political speech.

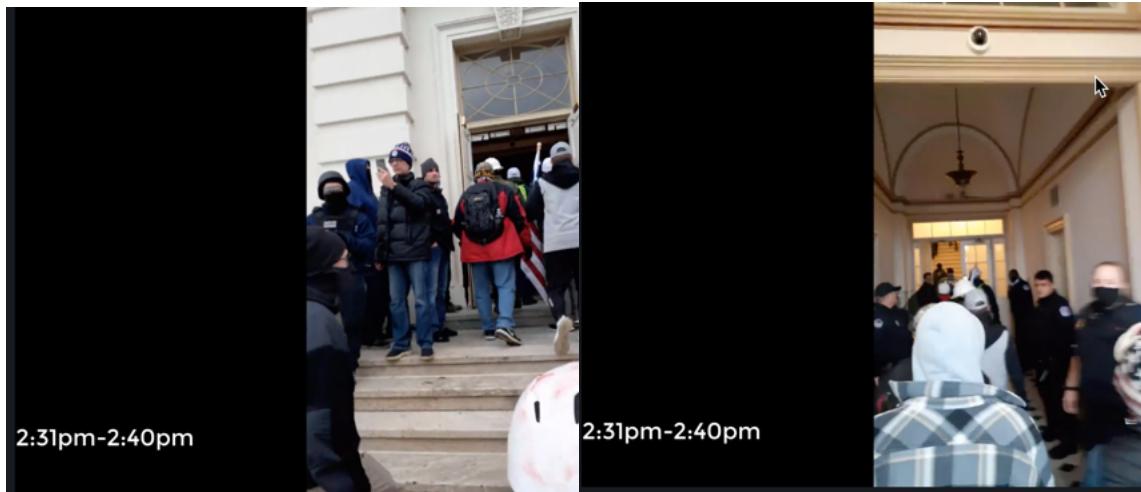




@2:31

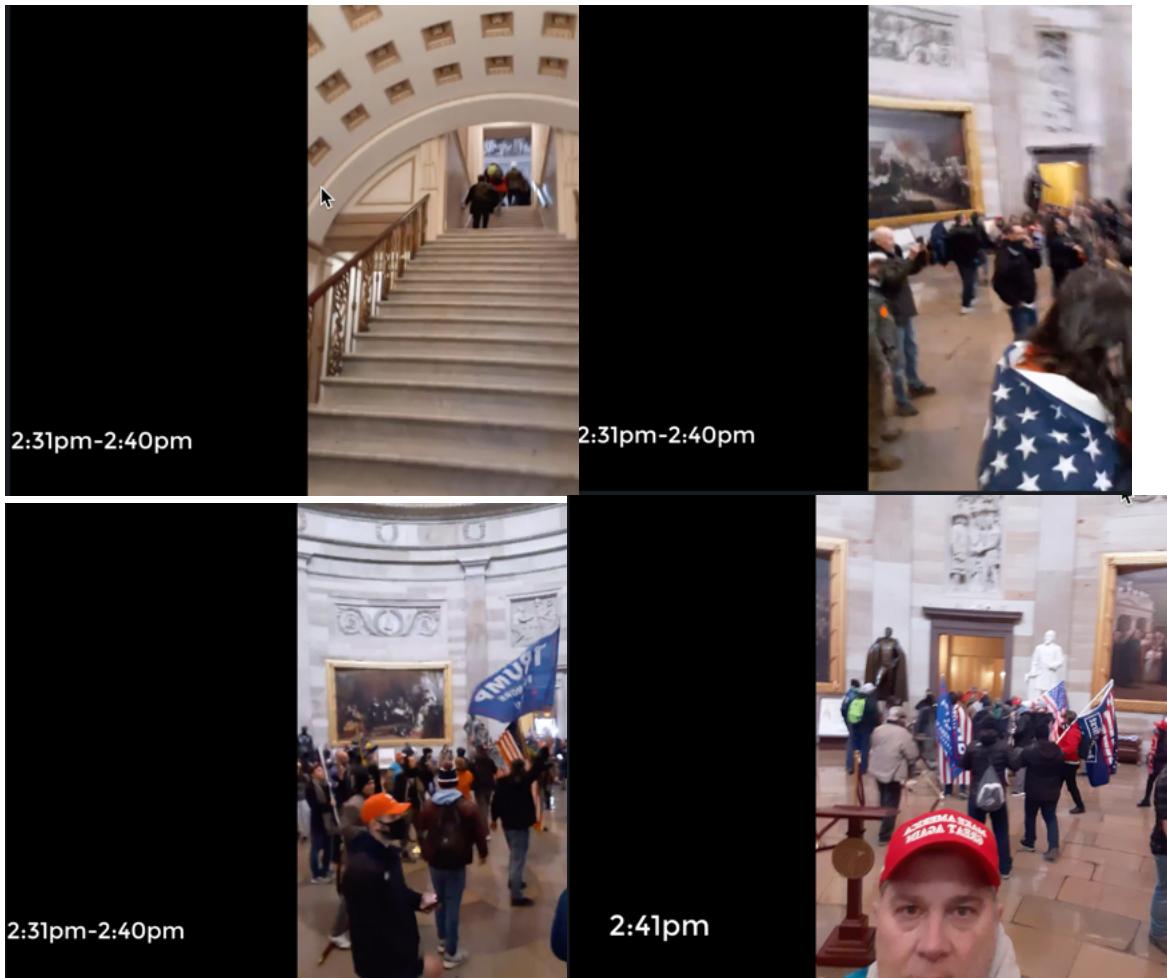
Reeder is observed on his video walking into the Capitol Building. Capitol police

officers are observed standing by as Reeder passes through the open door. He asks the officers if there is a water fountain available. While outside the Capitol he suffered the effects of tear gas that had been blown in his direction and he was attempting to find water to wash the tear gas from his eyes.



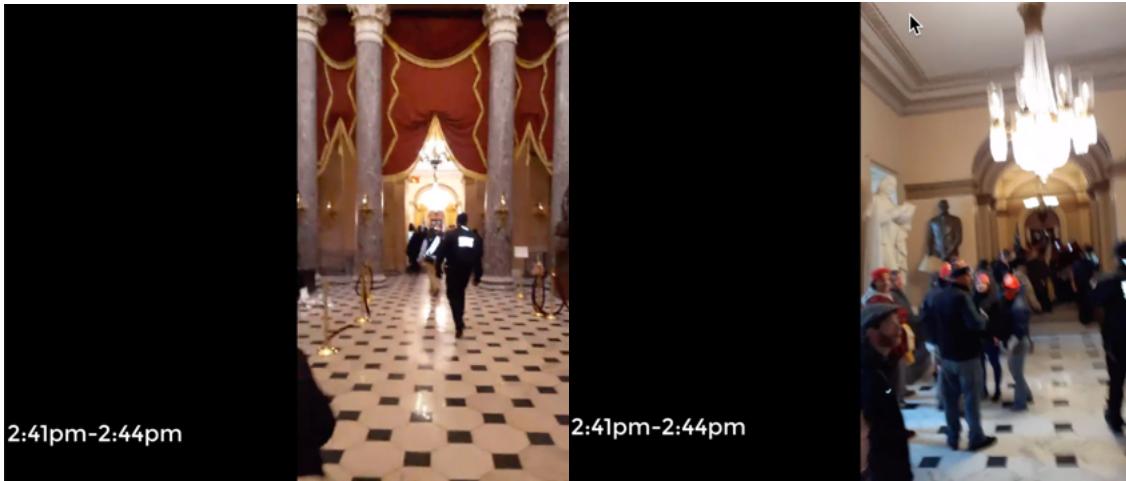
As Reeder entered the building, he did not "breach" the entry. He walked through an open door and no one attempted to stop him or advise him that he should not enter the building. Many others had already entered the building and were calmly walking in the building.

Reeder is seen walking up the stairs and in the Rotunda. The activity observed at that time was that of individuals mulling around. No evidence of violent activity or destructive activity. To the contrary, what is most observed are individuals taking pictures.



@2:41

Reeder is walking calmly through the Rotunda and Statuary Hall area only taking pictures and is heard repeatedly yelling "do not destroy anything, do not destroy anything."



[Reeder can be heard on the video saying "Do not destroy anything"]

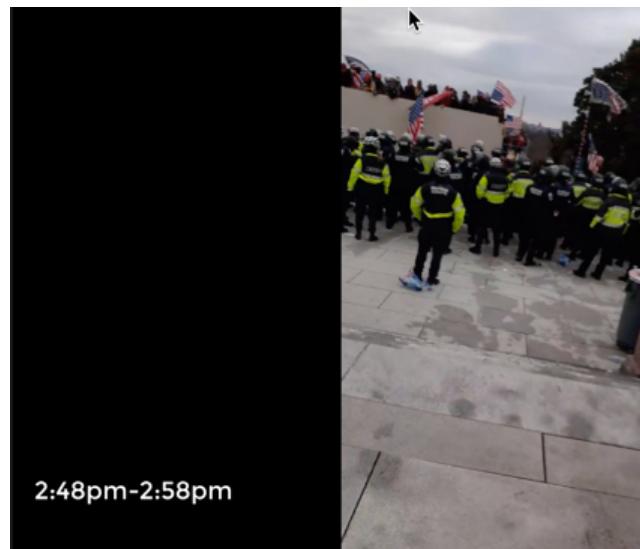
While the crowd is large and at times verbally loud and displaying Trump and other flags there was no destructive or violent activity at this time and at this location.

@ 2:45

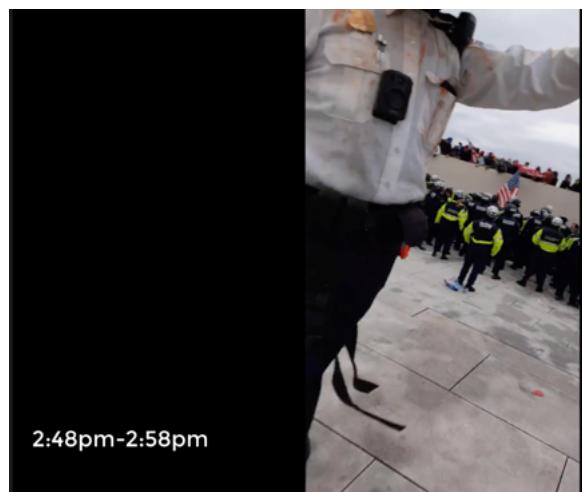
Reeder is now on the outside of the building taking pictures of the crowd in the direction of the Mall. He is not involved in any activity at this time other than taking pictures and recording the activities below and beyond his position.

@2:48

Reeder is seen walking outside the Capitol Building and is asking for directions as to the way out. He is told by a police officer that he cannot continue in the direction he was going - a path that he thought would lead him away from the Capitol Building. His exit path was blocked by the large line of police officers, he reverses course and starts walking in the other direction. Reeder asks the officer why he was told to go the way that another officer tells him he cannot go that way. Reeder is heard say "we are trying to get out."



[Reeder outside building asking for the "quickest way out"]



[Police officer tells Reeder "you're not coming this way" - Reeder asks "why did they tell us this

way?" and says "We are trying to get out of here."]

@3:03

Reeder is now on the front steps of the Capitol.

@3:10.

Reeder is outside the Capitol where video records the crowd chanting "USA - USA." He is not one of the crowd doing the chanting.



@3:10 - 3:38

Reeder has now re-entered the Capitol Building. The crowd has grown and is tightly packed. There is pushing and shoving. Reeder is seen in his video and in the distance you can see the exit from the Capitol. Reeder is trying to work his way to the entrance but because of the press of the crowd - he is not able to make progress towards the exit.

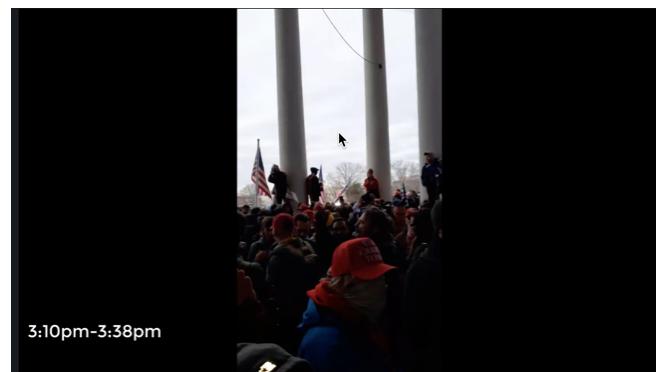
People can be heard saying "let us out." A number of people are trying to get out but because of the press of the crowd - the crowd is jammed together in the doorway on the way to the path to exit from the Capitol.



[Reeder is heard telling a police officer that there is a man laying there with a broken hip.]

It is at this point that some in the crowd are chanting "Fight for Trump - Fight for Trump." Reeder is not heard joining the chant. Most of the time Reeder is sitting quietly on a bench in the entryway behind the police line waiting for the doors to open and the crowd to leave.

After the crowd inside was able to leave the Capitol, Reeder is able to leave the Capitol with the assistance of a Capitol police officer.





[When Reeder is recording events after he is able to exit the building, in a crowd of what appears to be hundreds - someone yells out - without warning -"Hang Mike Pence." Reeder had been recording events prior to this unexpected outburst and was not recording to capture that particular statement - as it was unexpected]

Once Reeder gets outside - there is a very large crowd. Someone or some persons in the crowd are heard saying "hang Mike Pence - hang Mike Pence." There is absolutely nothing in this portion of the video to connect Reeder to this chant. In fact, in what appears to be a huge crowd, the voice heard making that chant appear to be an isolated few. Reeder cannot arbitrarily be associated with those few.

From the point that Reeder leaves from the Capitol Building and for the remainder of his video he is simply videotaping what is going on. He is not heard to chant and he is not involved in any violent or destructive behavior - and at no point up to this point has he engaged in any such conduct.



3:10pm-3:38pm

@3:43

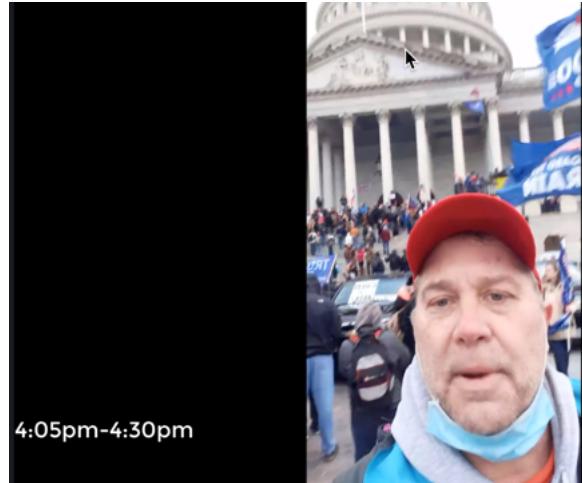
Reeder has now worked his way further away from the Capitol Building.



3:43pm-4:00pm

@4:05 - 4:30

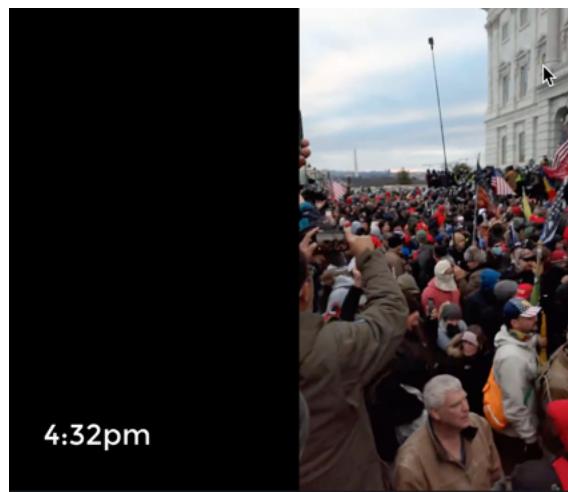
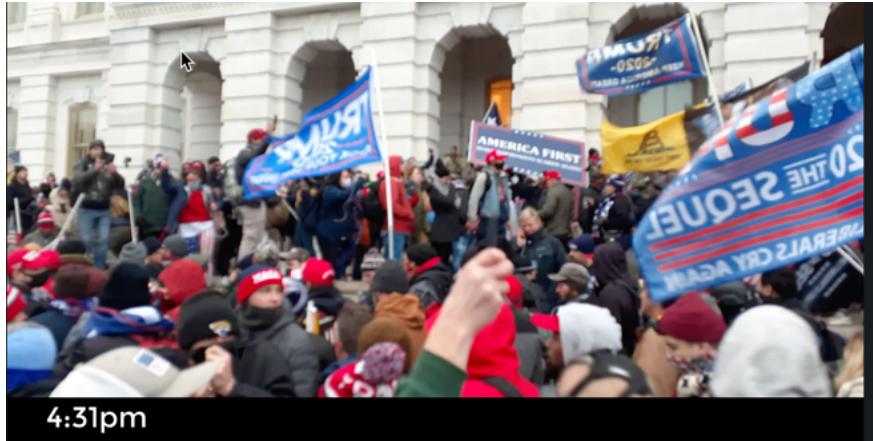
Reeder videotapes himself in front of the Capitol Building - but at some distance from the building and says "I am leaving now but I got tear gassed at least four times. I walked by the lady who got shot. It is completely crazy in there."



In the next clip Reeder records himself saying "Just left the Capitol. I was one of the last people out [unintelligible]. I got gassed several times inside the Capitol, many times outside the Capitol. Got shot with pepper balls. Had to battle with the police inside. It was crazy. Absolutely insane." This comment was discussed by Reeder when he met with FBI agents and explained that the words were poorly chosen and he was not speaking personally about his actions. See Reeder interview statement excerpts, infra]

@ 4:32

Reeder is outside the Capitol videotaping the crowd that is mulling around, waving flags and generally making noise. Shortly thereafter Reeder leaves the Capitol Building area and goes to the Metro station and arrives home between 5 and 6 pm.



Once home, Reeder turned on the TV and sees for the first the full extent of the riotous behavior that was occurring at the Capitol. When interviewed by the FBI during his first interview, Reeder expressed to the agents that when he was watching on TV what was going on at the Capitol that "it made me sick."

January 15, 2021

Reeder contacts undersigned counsel and tells him of his involvement during the January 6th incident.

January 19, 2021

Reeder is advised by a neighbor that the FBI was outside his residence today. Reeder sends undersigned counsel the contact information for the FBI agent.

Undersigned counsel, with Reeder consent and concurrence, contacts Assistant United States Attorney ("AUSA") Thomas Windom to advise that Reeder was prepared to present himself for service of any charging document that may have been issued for him.

From: Windom, Thomas (USAMD)
To: Robert C. Bonsib
Subject: RE: "Persons of Interest"
Date: Tuesday, January 19, 2021 8:07:45 PM

Hi Bob – just saw your text and wrote you back. Yes, I am a POC on all this.
tw

From: Robert C. Bonsib <robertbonsib@marcusbonsib.com>
Sent: Tuesday, January 19, 2021 7:11 PM
To: Windom, Thomas (USAMD) <twindom@usamd.fbi.gov>
Subject: "Persons of Interest"

Thomas – are you handling the “persons of interest” on the FBI flyers who may live in Maryland? If not – can you advise who in your office is?

Thanks

Bob

January 20, 2021

AUSA Windom contacts undersigned counsel and is advised that no warrant has been issued for Reeder and that the agents just wanted Reeder to make himself available to be interviewed. Undersigned counsel advises that Reeder has a cellphone that will document his activities on January 6th and will make it available for inspection by the government.

Undersigned counsel further advises that a composite video has been prepared from the videos and photos on Reeder's cellphone to assist in documenting Reeder's activities on January 6th and offers to make that available to the government to further facilitate their understanding of

Reeder's activities on January 6th.

The composite video is emailed to AUSA Windom.

1 file • 862.9 MB total • Shared on 01/20/2021

Your files have been delivered to the following
recipient:

thomas.windom@usdoj.gov

"Thomas - this is a composite that we put together from the photos and videos from Reeder's phone. The time stamp we put on the composite to try to put the still photos and the videos in chronological order based upon what we saw as the time stamps on the videos and still phones in the phones data. Mr. Reeder will try to drop his phone off to my office in the am so hopefully it will be available for the agent to pick up tomorrow afternoon or anytime thereafter. Bob"

AUSA Windom places a call to undersigned counsel later in the day and advises undersigned counsel that he will have an FBI agent contact undersigned counsel to make arrangements to pick up Reeder's cellphone.

From: Robert C. Bonsib
To: Windom, Thomas (USAMO); Thoman, Alexandria (BA) (FBI)
Subject: Re:
Date: Wednesday, January 20, 2021 8:32:05 PM

Thanks Thomas

Lexi – I am expecting to have Mr. Reeder's phone by sometime early afternoon tomorrow.

Please let me know when you might like to pick it up – he plans to drop it off around 1 pm

I'll be in the office until at least 5 pm tomorrow and most of the day on Friday

Bob

From: Thomas Windom <[REDACTED]>
Date: Wednesday, January 20, 2021 at 8:29 PM
To: Robert Bonsib <[REDACTED]@[REDACTED]>, "Thoman, Alexandria (BA) (FBI)" <cathoman@fbi.gov>
Subject: <no subject>

Bob/Lexi –

Putting the two of you together to arrange for picking up the phone. Thanks.

tw

January 21, 2021

Reeder drops his cellphone off at the law office of MarcusBonsib, LLC with the understanding that Special Agent Alexandria Thoman will pick up the cellphone at the law office of MarcusBonsib, LLC.

Later in the day, Special Agent takes possession of Reeder's cellphone at MarcusBonsib, LLC.

February 24, 2021

Undersigned counsel receives a telephone call from AUSA Joshua Rothstein informing undersigned counsel that a criminal complaint has been filed and that Reeder could voluntarily surrender the next morning. (NOTE: At this time no effort had been made to follow up on Reeder's offer to voluntarily meet with agents)

February 25, 2021

Reeder presents himself to agents as instructed, has an initial appearance and is released on his own recognizance with reporting requirements.

March 9, 2021

Telephone call with AUSA Rothstein who advised that a criminal information had been filed in the United States District Court. Undersigned counsel again advised that Reeder was prepared to assist in moving the matter forward and resolve the case and was willing to meet with the government whenever the government wished to speak to him.

April 13, 2021

Undersigned counsel in telephone call with AUSA Rothstein advises that Reeder is prepared to resolve case early on and that the government does not need to be concerned about providing extensive discovery in this matter as Reeder is prepared to acknowledge his responsibility for his conduct in this matter.

Undersigned counsel emailed Special Agent Thoman with suggested times for agents to interview Reeder

April 20, 2021

Reeder meets with FBI agents at the FBI office in Baltimore for almost two hours in a recorded interview.

June 23, 2021

Reeder appears before the Honorable Thomas F. Hogan and enters a plea of guilty to count four of the criminal information in the above matter. Sentencing is scheduled for August 18, 2021.

July 1, 2021

At the request of FBI agents and federal prosecutors, Reeder again meets with agents at the FBI office in Baltimore.

V. ROBERT REEDER'S PERSONAL BACKGROUND

Reeder is fifty-five years of age.

Until 2018, Reeder spent much of the last 18 years acting as a caregiver for his elderly sick and dying parents while they were living in Maryland.

Reeder is a registered Democrat. He did not care much for President Trump, although he favored some of President Trump's policies and he was not a strong supporter of his Democratic opponent in the election. He was not a member of any organized political group and had no advance plans to attend the January 6th rally. It was a last minute, spur-of-the moment decision. He did not attend as part of any organized group. He had no prior intention to be part of a group that was going to march to the Capitol. To the contrary, it had been his plan to attend the rally and then spend the remainder of the day visiting the museums and monuments on the Mall.

The government had possession of his cellphone and did a forensic download of the contents of his cellphone. Nothing was discovered that would suggest that he was part of any group that was planning to attend the January 6th rally nor was anything discovered that suggested he was otherwise involved in any organized political action group or organization.

VI. DIRECT CONSEQUENCES OF REEDER'S ACTIVITIES ON JANUARY 6, 2021

(i) Loss of employment

At the time of his arrest, Reeder was employed as a driver for FedEx Corporation and had been so since 2018. As a result of his arrest in this matter, he has been placed on administrative leave/has been terminated. He has not been able to secure steady employment since being charged in this matter.

(ii) Widespread publicity

As a consequence of his arrest in this matter, Reeder has been the subject of a number of media accounts lumping him with others involved in the January 6th incident. These inflammatory and inaccurate accounts will continue to appear in the internet whenever anyone searches the name Robert Reeder.

Unfortunately, another consequence of this media and internet publicity, Reeder's 14 year old son, who is also named Robert Reeder, will likely for a long suffer the consequences of Reeder's conduct in this matter, most likely in some circumstances where he will never know who has searched his background and disqualified him from advancements or opportunities because he is confused with his father.

(iii) Loss of reputation

Reeder has been vilified and his personal character and reputation will, if not forever, will for the foreseeable future be tarnished by his involvement in the activities at the Capitol on January 6th.

VII. GOVERNMENT'S SENTENCING MEMORANDUM

The tone, analysis and recommendation contained in the government's sentencing memorandum are troubling and hard to understand and square with the facts in this case. Reeder came forward early, provided evidence, much of which was relied upon by the government to support its criminal complaint and statement of facts in support of his guilty plea. Reeder twice met with the government agents - first to fully explain and discuss his presence and activities on January 6th and on the second occasions to assist FBI agents and an AUSA as they attempted to identify individuals captured in photos and videos obtained from other sources. Reeder

voluntarily appeared on both occasions. The second occasion was after his guilty plea and was not required as part of any pre-plea debriefing requirement. He did so voluntarily and without hesitation - just had he offered to do as far back and mid-January.

Despite his overwhelming and continuing cooperation with the government, the government now seeks to minimize Reeder's acceptance of responsibility because he does walk "in lock step" with the government's theory regarding each and every fact and the reason for each and every action of Reeder on January 6th. The government's position hardly sets an example for those in the future who would seek to "do the right thing" by offering to cooperate and plead guilty in a matter such as the instant one.

The government, in its sentencing memorandum, states as follows:

"This Court, in determining a fair and just sentence on this spectrum, should look to a number of critical factors, to include: (1) whether, when, and how the defendant entered the Capitol building; (2) whether the defendant engaged in any violence or incited violence; (3) whether the defendant engaged in any acts of destruction; (4) the defendant's reaction to acts of violence or destruction; (5) whether during or after the riot, the defendant destroyed evidence; (6) the length of the defendant's time inside of the building, and exactly where the defendant traveled; (7) the defendant's statements in person or on social media; (8) whether the defendant cooperated with, or ignored, law enforcement; and (9) whether the defendant otherwise exhibited evidence of remorse or contrition."

Let's consider each of these factors:

(1) whether and how the defendant entered the Capitol building

Reeder walked into the Capitol building, through an open door and, after engaging in conversation with police officers, walked by them without violence - without destroying anything - without threats or without any other aggressive conduct. This entrance was confirmed by the video recorded by Reeder. This was Reeder's first time in the Capitol building.

Reeder second entrance occurred after he attempted to exit the Capitol area by following the direction of a police officer and only after his exit path was blocked. While his second entrance was not recorded, there is no evidence to suggest that his re-entry, while unauthorized, was either violent or destructive.

(2) whether the defendant engaged in any violence or incited violence

There is no evidence to suggest that Reeder engaged in any violence or incited violence by others and, as noted in his interview with the FBI agents, he condemns the violence and destruction that occurred.

(3) whether the defendant engaged in any acts of destruction

Not only did Reeder not engage in any acts of destruction, he affirmatively and repeated exhorted others not to engage in any destruction - a fact recorded in the video provided to the government.

(4) the defendant's reaction to acts of violence or destruction

See #3 above.

(6) the length of the defendant's time inside of the building, and exactly where the defendant traveled

Reeder was present in and around the Capitol building for approximately 2:30 to around 3:40 pm. He traveled only in public areas of the Capitol. He did not enter

either Chamber of Congress nor any Congressional offices or other private areas.

From his video it appears that Reeder was actually inside the Capitol building on the first occasion from approximately 2:30, left the building seeking to exit the area and then re-entered the Capitol building around 3:10, again leaving the Capitol building around 3:40

(7) the defendant's statements in person or on social media

Reeder recorded himself on his private cellphone. Once he returned to his residence on January 6th and after he became sickened by what he observed on TV what was going on at the Capitol the last thing he was interested in doing was posting anything on social media. Reeder did not post anything after January 6th and deleted his Facebook account shortly thereafter. Unlike others who during or after the events of January 6th who posted comments or videos or pictures on social media boasting of their presence or activities on social media, Reeder recognized the mistakes he made in participating in the events at the Capitol and was embarrassed and remorseful for his involvement and had no interest in boasting or justifying his presence at the Capitol once he had returned home and fully understood what was going on at the Capitol building.

(8) whether the defendant cooperated with, or ignored, law enforcement

Early, consistently fully and often - that is the only way to fairly characterize Reeder cooperation with law enforcement. Did anyone else make their presence known to law enforcement and offer to cooperate as early as did Reeder? Did anyone not only volunteer, before being asked, to turn over to law enforcement a composite video evidencing their personal activities on January 6th to assist in the government's

investigation?

(9) whether the defendant otherwise exhibited evidence of remorse or contrition

How many others offered to plead guilty as early as Reeder? In his interviews with the FBI agents, undersigned counsel observed the emotion exhibited by Reeder as he recounted his activities and the acknowledged the wrongful nature of his conduct.

On both occasions when Reeder met with FBI agents, agents commented on how Reeder stood out amongst those that they interviewed, both as to his early cooperation, but also as to how the agents did not have to "pull" information from him - but he willingly sought to be as helpful as possible during his interviews with the FBI agents.

An analysis of Reeder's conduct, using the government's own standards, does not support in any manner to the government's recommendation for a custodial sentence.

Other comments in the government's sentencing memorandum are equally inapplicable to Reeder and cause one to wonder if this is a template sentencing memorandum and one not prepared to address the specific individual characteristics and conduct of Reeder.

Statements such as:

"the Defendant purposefully joined a large group of rioter intent on interfering with the nation's electoral process"

"chanting "Fighting for Trump" [Reeder did not so chant]

"the Defendant had many opportunities to extricate himself and abide by the law, but never chose to do so" [Reeder's video confirms he sought assistance in removing himself from the Capitol building area and was blocked in that effort and only thereafter re-entered the building]

"the Defendant consistently chose to be part of the riotous mob"

"not only did the Defendant choose to violate the law, he was intent that the world should see his contribution to the mayhem"

"the Defendant chose to leave the rally and walk 1.7 miles from the Ellipse toward the U.S. Capitol building, filming the first steps in the breach of the Capitol. The Defendant had almost two miles to change his mind and decide to turn back. But instead he chose to press forward". [pictures of walking - many have paraded to Capitol etc]

"the Defendant chose to be a lawless rioter rather than a peaceful protestor"
[rioter]

"the Defendant chose to be part of the desecration of the Capitol rotunda."
"unlike many of the other rioters, the Defendant chose to leave the Capitol and then illegally re-enter the building from the eastern front of the building" [earlier said never left]

"the Defendant chose to stand among the crowd and record as they yelled "Hand Mike Pence."

These statements are not supported by the evidence in this case as has been demonstrated in this memorandum.

In a gross understatement the government memorandum barely tips its hat in Reeder's favor with its brief comment that "the government notes that from the outset, through his attorney, the Defendant expressed a desire to plead guilty and promptly resolve this case. When recommending an appropriate sentence, the government gives significant weight to the defendant's early resolution of this case." This memorandum more fully and accurately reports the full nature and extent of Reeder's cooperation and, by his conduct, his acceptance of

responsibility for his actions on January 6, 2021. Through his counsel in early offers to plead guilty, in his interview with the FBI agents, before the Court and in his interview with the probation officer - he has fully accepted responsibility for his wrongful conduct in this matter.

VIII. REEDER'S ---- INTERVIEW WITH FBI AGENTS

In the government' sentencing memorandum, it includes excerpts from Reeder's interview with the FBI agents. A review of the entire interview presents a different picture than that suggested in the government's sentencing memorandum. In the statement Reeder consistently acknowledges his responsibility for his conduct and the wrongfulness of his actions. Attached to this memorandum is a transcript of the entire interview.

Significant portions of the interview include the following excerpts:

REEDER'S INITIAL ENTRY INTO THE CAPITOL BUILDING & **ACKNOWLEDGEMENT OF THE WRONGFULNESS OF HIS ACTIONS**

Reeder: ...say or relate to. It is just everyone was kind of, you know, the.., the gate was open and all the cattle went.., went....,

Thoman: Right.

Reeder: ...went out.

: (Whispers). Yeah.

Thoman: Like I..., I'm not trying to minimize what happened and...

Locke: (Whispers). (Unintelligible).

Thoman: ...what you did that day, um, but what I can tell you is that we are having this conversation...

Reeder: (Whispers). Yeah.

Thoman: ...with many, many, many people...

Reeder: (Whispers). Hmph hmpf.

Thoman ...so I know this is weighing very heavy. It.., it's clear to me it's just "weighing very heavy on you...,"

Reeder: Uh huh.

Thoman: ...um, and I can feel that from you.

Locke: (Whispers). (Unintelligible).

Thoman: Um.., again, I just wanna impress upon you that we are having this conversation with many, many, many people...

Reeder: (Whispers). Hmph hmpf.

Thoman: ...and...

Reeder: (Whispers). Uh huh.

Thoman: ...we appreciate your candor...,

Reeder: (Whispers). Hmph hmpf.

Thoman: um.., and just asking you c.., again...,

Locke: (Whispers). (Unintelligible).

Thoman: ...continue being truthful with us...

Reeder: Yeah.

Thoman: ...so...

Locke: (Whispers). (Unintelligible).

Thoman: ...it.., it's a lot, you know? (Slight laugh in voice). I mean you were there with so many different people seeing this all together and.., and...

Reeder: (Whispers). Hmph hmpf.

Thoman: ...um.., again, I just appreciate you being...

Reeder: Hmph hmpf.

Thoman: ...truthful with us and I can see that this is, you know, been...

: Hmph hmpf.

Thoman: "...weighing heavy on you" so...

Locke: (Whispers). Hmph hmpf.

Thoman: ...again, all I ask when I do ask some tough questions, um, ah, there are questions I have to ask you...

Reeder: When I back up all this stuff.., (takes a breath) .., and I think about it..,

Locke: (Whispers). (Unintelligible).

Reeder: ..so many times...,

Locke: (Whispers). Uh huh.

Reeder: ...and it's import... This is very important.

Locke: (Whispers). (Unintelligible).

Reeder: I'm not a victim t... I.., I don't wanna claim to be a victim of anything.

Locke: Yeah.

Reeder: Nothing. I'm a victim of my own stupid choices...

Thoman: Hmph hmpf.

Locke: (Whispers). Yeah.

Reeder: ...and.., and actions....

Locke: (Whispers). Yeah.

Reeder: ...that I deeply, deeply regret...

Locke: (Whispers). Hmph hmpf.

Reeder: ...'cause it has changed my life forever.

REEDER'S ATTENDANCE AT THE RALLY AND PRESENCE

AT THE CAPITOL WAS A SPUR OF THE MOMENT DECISION

Reeder: But that's not really why I was down there.

Thoman: Hmph hmpf.

Reeder: Um, I was just own there to, you know..,

Locke: (Whispers). Uh huh.

Reeder: ...be part of the crowd and then...,

Locke: (Whispers). (Unintelligible).

Reeder: ...my r..., in my original plan was after the.., the Trump speech...

Locke: (Whispers). (Unintelligible).

Reeder: ...was to walk towards either the Lincoln Memorial or towards the Jefferson Monument...

Locke: (Unintelligible).

Reeder: ...and just have a good day because it was a nice day.

Locke: (Whispers). (Unintelligible).

Reeder: Um, but then again, I made that decision.

Locke: (Whispers). (Unintelligible).

Reeder: It was kind of penned in with all the fences and stuff...

Locke: Uh huh.

Reeder: ...and I don't wanna use those as an excuse but everyone was walking down Constitution Avenue you said it was...

Thoman: Hmph hmpf.

Locke: (Whispers). Ah, yeah.

Reeder: ...and I was just following. I just figured, okay, well...

Locke: (Whispers). Hmph hmpf.

Reeder: ...I'll either break away...

Locke: (Whispers). Hmph hmpf.

Reeder: ...and go to the Smithsonian or walk around the mall and then go to the Smithsonian Metro...

Locke: (Whispers). (Unintelligible).

Reeder: ...or go down to the Capitol and go to the Union Station Metro.

Thoman: Hmph hmpf.

Locke: (Whispers). (Unintelligible).

Reeder: Um.., so I decided to follow the crowd stupidly.

Locke: (Whispers). (Unintelligible).

REEDER TOOK STEPS TO PROTECT THE INTERIOR OF THE CAPITOL BUILDING
AND DID NOT DESTROY ANYTHING OR ENTER ANY PRIVATE OFFICES

Reeder: ...you know, when I was in the.., inside the Capitol, I didn't touch anything. You heard me yelling...,

Locke: (Whispers). Uh huh.

Reeder: ...you know, don't destroy anything and I'll get to that in a second 'cause I heard someone else sayin' somethin'..,

Locke: (Whispers). Uh huh.

Reeder: ...and I felt a need to like shout out...

Locke: (Whispers). Hmph hmpf.

Reeder: ...to everyone like don't...

Thoman: Hmph hmpf.

Reeder: ...destroy anything 'cause...

Locke: (Whispers). Uh huh.

Reeder: ...we were in that ah.., hall of statues I think it's called.

Thoman: Rotunda?

Locke: (Whispers). Uh huh.

Reeder: ...I find myself in like one of the most beautiful places I've ever been...

Locke: (Whispers). Yeah, yeah.

Reeder: ...and I'm literally there just spinning in circles with my camera in disbelief checking...

Thoman: Hmph hmpf.

Reeder: ...the place out...

Thoman: Did you go into anybody's offices?

Reeder: No, no offices. No. I didn't go anywhere that I wasn't supposed to,,,

Thoman: (Whispers). Right.

Reeder: ...didn't touch anything. I didn't even touch ah,,,

Locke: (Whispers). Uh huh.

Reeder: ...the walls while I was in there.

EARLY ON REEDER TRIED FIND A WAY OUT OF THE CAPITOL BUILDING

Reeder: ...and I went back to the Rotunda and they had closed the doors I believe at that point...

Locke: (Whispers). Hmph hmpf.

Reeder: ...and people were like they've trapped us in here...

Locke: Yeah. (Whispers). Hmph hmpf.

Reeder: ...so I was like oh God, so I saw a...

Locke: (Whispers). Hmph hmpf.

Reeder: ...Capitol Hill Police guard go down this hallway and I went after him and I was like hey, can you...,

Locke: Hmph hmpf.

Reeder: ...you know, tell me how to get out of here?

Thoman: Hmph hmpf.

Locke: (Whispers). Uh huh.

Reeder: I just wanna get out of here.., I just wanna get out of here.

Locke: (Whispers). Yeah, yeah, yeah, yeah.

Reeder: So he led me down the long hallway.

Thoman: Hmph hmpf.

Reeder: This is the...

Locke: (Whispers). Uh huh.

Thoman: Hmph hmpf.

Reeder: ...spiral staircase from the Rotunda...

Locke: Hmph hmpf. Hmph hmpf.

Reeder: ...down... There's a long hallway that goes I guess the length of the Capitol...

Locke: (Whispers). Right.

Reeder: ...and lets out at...

Locke: (Unintelligible).

Reeder: ...whatta we gonna call it, the South Entrance?

Locke: (Whispers). (Unintelligible).

Thoman: That's when you were taking a video out..,

Locke: Hmph hmpf.

Thoman: ...when you were outside?

Reeder: No. Well...

Thoman: (Whispers). Uh huh.

Reeder: So he led me down the hallway.., this long hallway...

Locke: (Whispers). Uh huh.

Reeder: ...and about...

Thoman: Uh huh.

Reeder: ...half way down..,

Thoman: (Whispers). Hmph hmpf.

Reeder: ...he got a call on his thing and he said...

Locke: (Whispers). (Unintelligible).

Reeder: ...I gotta go. He's like see that h.., that door right down there? It was about...
(Sighs). I guestimate a hundred feet away....

Locke: (Whispers). Uh huh.

Reeder: ...and it was a door leading to the outside.., to the outside...

Locke: (Whispers). Uh huh.

Reeder: ...and see that door out there...

Locke: Hmph hmpf.

Reeder: ...just keep heading for it and.., and go out that door and I said okay, thank you very much...,

Locke: Hmph hmpf.

Reeder: ...so he turned around...

Locke: Hmph hmpf.

Reeder: ...and he left and as I was walking down that...

Locke: Hmph hmpf.

Reeder: ...hallway...,

Locke: (Whispers). Uh huh.

Reeder: ...I saw a large group of police officers appear...

Locke: (Whispers). Uh huh.

Reeder: ...just in front of that door. They.., they came from a side hallway...,

Thoman: Hmph hmpf.

Reeder: ...appeared at that door..,

Thoman: Hmph hmpf.

Reeder: ...so I paused for just a moment and I was like well I gotta get out..., I can't go back...,

Locke: (Whispers). Uh huh.

Reeder: ...so I kept on walking down that hallway and as I walked, that ah..,

Reeder: Um.., so I walked out the door immediately and I proceeded around the Capitol...

Locke: (Unintelligible). (Whispers). Uh huh.

Reeder: ..to get back to the Mall to try and..., I was thinkin' like go home.., go back to my friend or go home...

Thoman: Hmph hmpf.

Reeder: ...whatever.., just go...

Thoman: (Whispers). Uh huh.

Reeder: ...and as I walked around, there was a whole, ah, group of police officers probably...

Locke: (Sighs).

Reeder: ...fifty of them or so...,

Locke: (Whispers). (Unintelligible).

Reeder: ...and this is what I'm filming...

Locke: (Whispers). Uh huh.

Reeder: ...and um.., I just wanted to get back to the mall and they said no, you can't come this way and I said well how do you get out of here. They told me to come...

Thoman: Hmph hmpf.

Reeder: ...this way and all that stuff. He said well...

Locke: (Whispers). (Unintelligible).

Reeder: And then...

Locke: Hmph hmpf.

Reeder: ...I think an undercover officer...

Locke: (Whispers). Yeah.

Reeder: ...said here, I'll take you guys with... There's like someone else with me...

Locke: (Whispers). Yeah.

Reeder: ...I believe...

Reeder: ...and um.., when I asked the police like how to..., you know, I just wanna go back to the mall.., they said no, you gotta go back the other way...

Locke: (Whispers). (Unintelligible).

Reeder: ...and I said well they.., they said that, you know, I was supposed to come this way and they said just go back...

Thoman: Hmph hmpf.

Reeder: ...and then a guy said I'll.., I'll take you.

Thoman: Hmph hmpf.

Reeder: I think that's on the video...

Thoman: Hmph hmpf.

Reeder: ...or somethin' like that...,

Locke: (Whispers). (Unintelligible).

Reeder: ...and um..,

Locke: (Whispers). Hmph hmpf.

Reeder: ...when I turned.., we started walkin'.., there was another...

Locke: Hmph hmpf.

Reeder: ...person, you know, random person or somethin' there I guess...,

Locke: (Whispers). (Unintelligible).

Reeder: ...and they started walkin' with us and then he said, you know, just go towards the ambulance...

THE SECOND ENTRY

Reeder: Why I went back in because that's what, you know..,

Locke: (Whispers). Uh huh.

Reeder: ...my friends and...

Locke: (Whispers). Hmph hmpf.

Reeder: ...my lawyer said why'd you go back in? I mean that's the (Unintelligible)...

Thoman: Hmph hmpf.

Reeder: ...and it's like I don't know.

THE "BATTLE WITH THE POLICE" STATEMENT

Reeder: ...I'm leaving the Capitol now...

Thoman: Hmph hmpf.

Locke: (Whispers). Hmph hmpf.

Reeder: ...and all this stuff and...

Locke: (Takes a breath).

Reeder: ...I., I...

Thoman: So...

Reeder: ...mistakenly said the word "did battle..."

Thoman: (Slight Laugh).

Reeder: ...with the police" which was...

Thoman: Well I was.., I was gonna ask you about that.

Reeder: Completely stupid choice of words.

Thoman: So what did you mean when you said that?

Reeder: Ah..., (sighs)..,

Thoman: (Whispers). Hmph hmpf.

Reeder: ...I just meant that it was...

Thoman: (Whispers). (Unintelligible).

Reeder: The.., the police and the protesters were in the.., the "crush," you know...,

Thoman: Hmph hmpf.

Reeder: ...and that's kind of what I meant by bowels and um..., it was whatever.., but I didn't.., I didn't push or get, you know..,

Thoman: Hmph hmpf.

Reeder: ...battle with any of the police...

Thoman: (Whispers). (Unintelligible).

Reeder: Um...

Thoman: So what...

Reeder: S...

Thoman: So to be clear, when you said we did battle with the police, what do you mean by that?

Locke: (Whispers). Hmph hmpf.

Reeder: I just meant... (Sighs). (Whispers). Gosh. Nothing that means probably what at face value that statement on...

Locke: (Whispers).

Reeder: ...paper would...,

Thoman: Hmph hmpf.

Locke: (Whispers). Uh huh.

Reeder: ...would mean.

Locke: (Whispers). Uh huh.

Reeder: Um...

Locke: (Whispers). Uh huh.

Reeder: I really don't know ah..., ah... It just meant that we got in.., in...

Thoman: Hmph hmpf.

Reeder: ...I don't wanna say a pushing match.., which is what happened. It was a..., it was just a...

Thoman: Hmph hmpf.

Reeder: ...very bad choice of words. It means that um...,

Locke: (Whispers). Uh huh.

Reeder: ...the protestors...

Locke: (Unintelligible).

Reeder: ...were in.., in conflict with the poli... I., I...

Thoman: Uh huh.

Reeder: ...really don't know...

Thoman: (Whispers). Uh huh.

Reeder: ...what to say...

Thoman: Hmph hmpf.

Reeder: Um...,

Locke: If you... I mean you're...

Reeder: It's not... Ah.., ah.., you...

(Sighing Noise).

Locke: In answering the question, you need to focus on the time you made the statement, not now...

Thoman: (Whispers). Hmph hmpf.

Locke: ...trying to figure out...,

Reeder: (Whispers). (Unintelligible).

Locke: ...'cause if you don't know why you said it.., you just said it in the spur of the moment.., you don't know why.., there's a reason why...,

Reeder: (Whispers). Uh huh.

Locke: ...you know, whatever it is.., just try to go back...

Reeder: (Whispers). Hmph hmpf.

Locke: ...and.., and...

Reeder: It.., it was just a poor...,

Locke: ...think about what you been thinking about...

Reeder: ...it was just a poor choice of words and again..,

Locke: (Whispers). Uh huh.

Reeder: ...I was so physically exhausted and...

Locke: (Whispers). (Unintelligible).

Reeder: ...from the.., from that “crush...”

Locke: Hmph hmpf.

Reeder: ...and then everything, you know, happening...,

Locke: (Whispers). Uh huh.

Reeder: ...I was like I think that, that's when I started to realize that it wasn't, you know..,

Locke: (Whispers). (Unintelligible).

Reeder: ...ah, that this was a part of history and that's why I did that. Like I'm leaving the Capitol now.

Thoman: Hmph hmpf.

Locke: (Whispers). Uh huh.

Reeder: Um..,

Locke: All right.

Reeder: ...you know, I mean I...

Locke: (Whispers). Yeah.

Reeder: You just... (Sighs). I.., I don't know how to answer that question except that I didn't mean it...

Thoman: Hmph hmpf.

Reeder: ...the way that I said it.

Thoman: (Whispers). (Unintelligible). So you...

Reeder: I didn't mean that like I was doing battle...

Locke: (Whispers). Uh huh.

Reeder: ...with the police. I didn't..,

Thoman: Right.

Locke: (Whispers). Hmph hmpf.

Reeder: ...I didn't mean... It was a very poor choice of words.

Thoman: (Unintelligible).

Reeder: At that time, I wasn't again thinking...

Locke: (Whispers). (Unintelligible). (And/or taking a breath).

Thoman: Hmph hmpf.

Reeder: ...right. I was um...

Thoman: Because you don't...

Reeder: Uh huh.

Thoman: ...strike me as a violent person...,

Reeder: Hmph hmpf (no).

Thoman: ...um..., so..., and having gone through everything, ah..., having gone through your phone.., having reviewed the Capitol footage...

Locke: (Whispers). Yeah, yeah, yeah.

Thoman: ...and ah...,

Reeder: Uh huh.

Thoman: ...talking to you now, I.., that...

: Hmph hmpf.

Thoman: ...brings.., still “rings true to me” that you’re not a violent person...

LEARNING ABOUT THE DESTRUCTIVE BEHAVIOR UPON HIS RETURN HOME

Reeder: I jumped on the Metro train.., I went back to my house.

Thoman: (Whispers). Hmph hmpf.

Reeder: Um, it only took like...

Locke: (Whispers). Uh huh.

Reeder: ...forty, forty-five minutes to get back home.

Locke: (Whispers). (Unintelligible).

Reeder: Um...,

Thoman: (Sighs).

Locke: (Whispers). (Unintelligible).

Reeder: ...I got in the house...

Locke: (Whispers). Hmph hmpf.

Reeder: ...and turned on the T.V....

Locke: (Whispers). Yeah.

Reeder: ...and they were showing pictures of what was happening at the Capitol.

Locke: (Whispers). Hmph hmpf.

Reeder: It made me sick. Okay, there’s a (Unintelligible) here or whatever you wanna call it...,

Locke: (Whispers). Hmph hmpf.

Reeder: ...but I felt sick and I’m like I hope the police get those guys, you know, and...

Thoman: Hmph hmpf.

Reeder: ...arrest them and jump...,

REMORSE ; ACCEPTANCE OF RESPONSIBILITY;
PERSONAL CONSEQUENCES OF INVOLVEMENT AT THE CAPITOL

Thoman: But that's ah..., and again, you've been incredibly cooperative through this whole process. I've..., I worked with Mister Bonsib before. It... Everything has been incredibly...

Locke: (Whispers). Yeah.

Thoman: ...professional on um.., from both of you and I hope that you have felt it's been the same way from us.

Reeder: Hmph hmpf.

Locke: (Whispers). (Unintelligible).

Thoman: All we care about is the truth, um, so we really appreciate you being forthcoming with providing your phone..., providing those videos...,

: Hmph hmpf.

Thoman: ...um.., because that makes our..,

: (Unintelligible).

Thoman: ...our jobs a lot easier.

Locke: (Whispers). Right.

Thoman: ...um.., but again, just sheds light on...

Locke: (Whispers). Uh huh.

Thoman: ...what happened and that's why we're asking these questions is...

Reeder: Yeah. There's...

Thoman: ...we...

Reeder: Okay.

Thoman: That's what we're here for...

Locke: (Whispers). Uh huh.

Thoman: ...is to figure out what happened...

: Hmph h mph.

Locke: (Whispers). Hmph h mph.

Reeder: I don't wanna be part of that in remembering.., remembrance...

Locke: (Whispers). Right.

Reeder: 'Cause that's not, you know, who I am or what I was there for...

Locke: (Whispers). Okay.

: (Whispers). (Unintelligible).

Reeder: ...and I made some stupid, stupid decisions...

Locke: (Whispers). Uh huh.

Reeder: ...and ah...

Locke: (Slight Laugh).

Thoman: (Whispers). (Unintelligible).

Reeder: To say that it's the biggest mistake of my life is an understatement. Um, it's...

Reeder: Starting with listening to news then deciding to go down there...

Locke: (Whispers). Uh huh.

Reeder: ...on a whim that morning...

Locke: (Whispers). Uh huh.

Reeder: ...and ah.., it's just the biggest mistake in my life and...

Locke: (Whispers).

Reeder: ...I'm not saying that I'm not innocent, um, but I just don't wanna be lumped in with those other people...

Locke: (Whispers). Right.

Reeder: ...that I want you guys to go and get and...,

Locke: (Whispers). Yeah.

Reeder: ...you know, prosecute.

Locke: (Whispers). Uh huh.

Reeder: This.., this whole ordeal has cost me (slight laugh) more than you can imagine. (Slight laugh in voice). When we started out, you said, you know, I can imagine how you feel or what...

Locke: (Whispers). (Unintelligible).

Reeder: I have lost my job...,

Locke: (Whispers). (Unintelligible).

Reeder: ...I've lost the ability to coach...

Locke: (Whispers). Yeah.

Reeder: ...and scouts which was really meaningful to me. Um, I don't even wanna go back to my church which is...

Locke: (Whispers). Yeah.

Reeder: ...one of the largest in Maryland. Um...,

Locke: (Whispers). Yeah.

Reeder: ...I used to have my son all the time...

Locke: (Whispers). Uh huh.

Reeder: ...but my son's name is Robert Reeder...

Locke: (Whispers). Uh huh.

Reeder: ...begins to cry so my son who had nothin' to do with this..., is known to feel the effects and he's now staying with his mother (snorts) and um.,,

Locke: (Sighs).

Reeder: ... (sighs) I don't see him much anymore because she doesn't and he doesn't wanna, you know..,

Locke: (Makes unintelligible sounds).

Reeder: ... because of this disgrace...

Locke: (Whispers). (Unintelligible).

Reeder: ... and it's gonna follow him around too because of his name.

Locke: (Whispers). (Unintelligible).

Reeder: Um.., my neighbors won't even talk to me anymore and we had great relationships but they all talk and found out and, you know...,

Locke: (Whispers). Uh huh.

Reeder: ... be walking out to my car and see them ah.., and I'll say hi and they won't even say hi back and that.., that hurts... (Slight cry in voice).

(Background Noise).

: (Sighs or whispers).

Reeder: ... and it's changed the way that I live my life.

Locke: (Whispers). (Unintelligible).

Reeder: Um..,

: (Unintelligible Noises).

Reeder: ... you know, early on, Bob just said stay off social media.., stay low...,

Locke: Hmph mph.

Reeder: ... all that stuff. I don't want...

: (Unintelligible Noises).

Reeder: One of my cures is not to watch the news. I mean I don't even know what the weather's gonna be.

Thoman: Hmph hmpf.

Reeder: I...

Locke: (Whispers). Yeah.

Reeder: Um...,

Locke: (Whispers). (Unintelligible).

Thoman: And yeah, I can't... What...

Reeder: But I don't do anything. Someone that was so active in Scouts and coaching, soccer and baseball and church and everything and, and working..., (snorts)..
my whole life has been changed.., turned upside down because of this stupid...

Locke: (Whispers). Uh huh.

Reeder: ...stupid mistake that I made...

Locke: (Whispers). Uh huh.

Reeder: ...and ah.., it's gonna follow me for the rest of my life. I'm gonna have to live with it and I don't know what that's gonna mean so far as getting a.., a new job.
(Snorts). Um..., I don't (slight laugh in voice) think that, that's.., you know, what I apply to somewhere, somebody in Human Resources is just gonna Google my name...

Locke: (Whispers). Oh yeah.

Reeder: ...and this is gonna pop up...

Locke: (Whispers). (Unintelligible).

Reeder: ...so...,

Locke: (Sighs).

Reeder: ...um.., it's frightening in that way...

Thoman: Hmph hmpf.

Reeder: ...to know...

Thoman: I... When I said earlier that I can imagine...

Reeder: (Sighs).

Thoman: ...it's like.., and what I meant is I can't imagine...,

Reeder: (Whispers). (Unintelligible).

Thoman: ...um, 'cause I haven't "been in your shoes" and...

: (Unintelligible).

Thoman: ...what I can tell you though.,,

Reeder: (Unintelligible).

Thoman: ...is that of all of the...

: Hmph hmpf.

Thoman: ...Capitol investigations...

Reeder: (Whispers). Hmph hmpf.

Thoman: ...that we have...,

: (Coughs).

Thoman: ...um.., you are the only one...

Reeder: (Unintelligible).

Locke: Hmph hmpf.

Thoman: ...for us that has tried to get out ahead of this that got legal representation...,

Reeder: Hmph hmpf.

Thoman: ...that...

Locke: (Whispers). (Unintelligible).

Thoman: ...has been extremely cooperative.,,

Reeder: Uh huh.

Thoman: ...um.., out of the gate...

Reeder: Uh huh.

Thoman: ...and I think that says a lot about your character, um..,

Reeder: Hmph hmpf.

Thoman: ...and I do believe that you've been truthful here today even when we're asking the tough questions....

Reeder: (Snorts).

Thoman: Again, we ah.., part of it is..., I'm just going through our list...,

Reeder: (Sighs).

Thoman: ...um.., and you're doing all the right things to... You know, you can't change the past...

Reeder: (Whispers). Uh huh.

Thoman: ...but impact the future and you're doing all the right things to get yourself there.

Locke: (Whispers). Uh huh.

Thoman: Um, this interview is...

: (Background Noise).

Thoman: ...hopefully gonna be one of the last steps...

Locke: (Whispers). Uh huh.

Thoman: ...to keep the legal process rolling so...

Locke: (Whispers). Right.

Thoman: ...you.., you know, you can put that behind you.

Locke: (Whispers). Hmph hmpf.

Thoman: Um...

Reeder: (Unintelligible). Um, thank you for saying that. I'm... And I mean I wanna say (clears throat).., it's like I wanna say I didn't do anything wrong (takes a breath) but I know that I did. I was there. I went into...

Locke: (Sighing Noise).

Reeder: ...the Capitol without permission. I should have known better...

Thoman: Hmph hmpf.

Reeder: ...but again, this whole not thinking and just walking in like..., like it was okay to.., like no one stopped me...,

Locke: (Whispers). (Unintelligible).

Reeder: ...um...

Locke: Hmph hmpf.

Reeder: I said I... I wanna say I didn't do anything wrong but.., but I know that I did.

Locke: (Whispers). (Unintelligible).

Thoman: ...with us, um, and I appreciate...

: (Unintelligible sound).

Thoman: ...you coming in today and, again, this is just something I wish that...,

: (Whispers). (Unintelligible).

Thoman: ...um, and you will find this out..., that not most ninety-nine percent of the interviews that I do are not like this (slight laugh in voice) and...

Reeder: Hmph hmpf.

Thoman: ...it's refreshing to me for what it is worth.

Reeder: Well thank you for saying that.

IX. CONCLUSION

For each and all of the foregoing reasons it is respectfully submitted that the Court should sentence the Defendant to a term of probation, with such terms and conditions as the Court

deems appropriate and, consistent with the plea agreement, order that the Defendant pay restitution in the amount of five hundred dollars. Reeder's request for a probationary sentence, supported by the recommendation in the PRS, is both an appropriate and reasonable sentence in this matter.

Respectfully submitted,

MARCUSBONSIB, LLC

/s/ Robert C. Bonsib

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was served this 11th day of August, 2021 *via* CM/ECF to: Assistant United States Attorney Joshua Rothstein.

/s/ Robert C. Bonsib

Robert C. Bonsib