

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

21-cr-629 EGS

JASON COMEAU

DEFENDANT'S MEMORANDUM IN AID OF SENTENCE

Jason Comeau, through counsel Heather Shaner, respectfully requests the Court accept the sentencing recommendation of the Office of United States Probation and place him on Probation for 24 months with a special condition that he pay Restitution within thirty days of Sentence. In support of this request the defendant states as follows:

Pursuant to 18 USC § 3553(a), the Court shall impose a sentence sufficient, but not greater than necessary, to reflect the seriousness of the offense; to promote respect for the law and to provide just punishment for the offense; to afford adequate deterrence; to protect the public from further crimes of the defendant; and to provide the defendant with needed educational/vocational training, medical care, or other correctional treatment.

The riot on January 6<sup>th</sup> was a terrible and disturbing event which has impacted our democracy and our standing among the nations of the world. There is no question that as to every participant, the offense was serious. However, as compared to the thousands of individuals who participated in the riot at the U.S. Capitol, Mr. Comeau's culpability appears to be minimal in contrast with rioters who destroyed or stole government property, and/or those who assaulted or threatened the law enforcement officers on that date.

Mr. Comeau was inside the US Capitol building for about 30 minutes. The defendant acknowledges that his presence in the US Capitol on January 6<sup>th</sup> was a poor decision, which contributed to the size of the crowd and gave support to the really bad actors. Jason allowed his enthusiasm and the crowd's adrenaline to overcome his common sense. Immediately after exiting the US Capitol, he found his father who had remained outside. They left the area and Jason telephoned his adopted brother to tell him what he had done. His brother is an FBI agent. Jason knew full well that his brother had an obligation to report him to law enforcement. And he did. Thereafter he cooperated with law enforcement and requested an early plea to show his remorse and his acceptance of responsibility.

## Nature of Offense Conduct

On January 4, 2021, defendant Jason Comeau, traveled with his father to Washington, DC, to attend the rally in support of President Trump scheduled for January 6, 2021. They attended a sing along the evening of January 5<sup>th</sup>. They walked around the city. On the morning of January 6<sup>th</sup>, they came to D.C. from his brother's home in Virginia to hear the speakers. At the end of the rally, he joined others who at the urging of the speakers, walked to the US Capitol. Outside of the U.S. Capitol building, Mr. Comeau joined chants of "Stop the Steal." He asked his father to remain in one spot and he alone advanced past the metal barriers. Explosions were audible. Mr. Comeau walked towards rioters climbing a wall where stairs led towards the US Capitol's entrance and stated, "I might have to Spider-man it," and "I'm going to climb that."

By 2:28 pm, Mr. Comeau had entered the US Capitol building. He passed through the Crypt and Statuary Hall before arriving at the Statuary Hall Connector, which leads to the House of Representatives Chamber. There, he again chanted, "Stop the Steal." At approximately 2:53 pm, District of Columbia Metropolitan Police Department (MPD) officers began directing in the hallways near the House Chamber toward an exit door from the U.S. Capitol. Mr. Comeau followed the instructions of law enforcement

and peaceably walked out of the US Capitol building at approximately 2:55 pm. He was inside approximately 27 minutes.

He located his father, outside the Capitol grounds and they left the area. He contacted his brother, clearly already understanding the wrongfulness of his entry into the Capitol, and the consequences that would result from his actions.

### **Defendant's Characteristics**

Jason Comeau is the essence of a family man. He is devoted to his parents, to his wife, to his adopted children and to his siblings. He moved to Florida when his parents relocated from Brockton, Massachusetts. He works alongside his father in a landscaping company. His life is in every way interconnected with the lives of his parents, his siblings, his wife and his children. He is a devoted son, brother, parent and husband as evident in the letters submitted by his family.

After high school Jason enlisted in the U.S. Army and trained as a paratrooper. He was sent to Kosovo. He served for two years. He has never been diagnosed with PTSD, however his self treatment with marijuana and alcohol since his service in Kosovo is a common symptom of PTSD among the young men who served in the military. He has minor criminal charges,

mainly connected to his use of marijuana and alcohol and traffic infractions. He has stopped using both substances and is much happier and healthier.

Mr. Comeau has been in compliance with Pretrial supervision. He is fully employed. He is supportive of his family and his family is very supportive of him.

We ask the Court to adopt the sentencing recommendation of the Office of U.S. Probation to a term of twenty four months' probation with an early lump sum payment of restitution and Court costs. A condition of Community Service would show his commitment to his community and allow him to show his remorse and respect for his fellow Americans.

Respectfully submitted,

\_\_\_\_\_/s/\_\_\_\_\_  
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H. Heather Shaner. #273276

Appointed by the Court for Jason Comeau

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