

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,	.	
	.	
Plaintiff,	.	CR No. 22-0242 (TSC)
	.	
v.	.	
	.	
CHRISTINE PRIOLA,	.	Washington, D.C.
	.	Friday, October 28, 2022
Defendant.	.	10:06 a.m.
.....	.	

TRANSCRIPT OF SENTENCING
BEFORE THE HONORABLE TANYA S. CHUTKAN
UNITED STATES DISTRICT JUDGE

APPEARANCES:

For the Government:	JOLE ZIMMERMAN, AUSA U.S. Attorney's Office 601 D Street NW Washington, DC 20530 (202) 252-7566
For Defendant:	CHARLES E LANGMACK II, ESQ Langmack Law 38106 Third Street Willoughby, OH 44094 (440) 497-5068
Court Reporter:	BRYAN A. WAYNE, RPR, CRR U.S. Courthouse, Room 4704-A 333 Constitution Avenue NW Washington, DC 20001 (202) 354-3186

Proceedings reported by stenotype shorthand.
Transcript produced by computer-aided transcription.

1 P R O C E E D I N G S

2 THE DEPUTY CLERK: Your Honor, we have criminal
3 action 22-242, United States of America versus Christine
4 Priola. We have Ms. Jolie Zimmerman representing the
5 government, Mr. Charles Langmack III representing the
6 defendant, and we also have Ms. Aidee Gavito representing
7 Probation, and all parties are appearing in person.

8 THE COURT: All right. Good morning, everyone.
9 Good morning, Ms. Priola.

10 All right. We are here for sentencing in this case.

11 Is the public line on?

12 THE DEPUTY CLERK: Yes, it is.

13 THE COURT: All right.

14 As a reminder to anyone who's calling in, it is strictly
15 prohibited by federal and local rules from recording,
16 broadcasting, or transmitting any portion of this hearing.
17 Now, we are here for the sentencing of Ms. Priola who has
18 plead guilty to obstruction of a official proceeding in
19 violation of 18 U.S.C. §1512(c)(2).

20 In preparation for this sentencing, I have received and
21 reviewed the presentence report and the sentencing recommendation
22 from the probation department and the following documents that
23 were submitted by counsel in advance of the hearing: the plea
24 agreement signed by Ms. Priola, sentencing memoranda from the
25 government and from counsel for Ms. Priola, a letter from

1 Ms. Priola, and three letters of support from family members:
2 Emma Priola, Mary Lou Paul, and Barbara Krych-Dray.

3 I received all those materials. Is there anything I'm
4 missing that I haven't mentioned, Ms. Zimmerman?

5 MS. ZIMMERMAN: Yes, Your Honor. So the government had
6 seven video exhibits.

7 THE COURT: Yes.

8 MS. ZIMMERMAN: Unfortunately, we were not able to get
9 them to the Court. I don't believe the Court has had a chance
10 to review those.

11 THE COURT: My understanding is that you seek to play
12 them in open court?

13 MS. ZIMMERMAN: With the Court's --

14 THE COURT: Yes. Yes.

15 MS. ZIMMERMAN: -- blessing.

16 THE COURT: I do want to see them. So that's fine.
17 That makes sense. That way I don't have to watch them twice.
18 So yes, that's fine.

19 And do you have any objection, Mr. Langmack, the playing of
20 those video exhibits?

21 MR. LANGMACK: Well, we would have an objection to
22 having them played. Her role in that is pretty insignificant.
23 She had played small snippets in those, but overall --

24 THE COURT: What's your objection based on?

25 MR. LANGMACK: I guess --

1 THE COURT: The fact that it's not nice to see?

2 MR. LANGMACK: No. That's not it as all. We have no
3 formal objection. It's just her role in those ten minutes are
4 about three minutes in there. Just merely for efficiency's
5 sake, but --

6 THE COURT: I understand. That's fine. I understand
7 the total running time is about ten minutes; and I think it's
8 important to gain context, and it's the best evidence of what
9 actually was taking place and the circumstances under which
10 Ms. Priola was acting when she committed these offenses. So
11 I will allow the --

12 You want to play that as part of your allocution,
13 Ms. Zimmerman?

14 MS. ZIMMERMAN: Yes, Your Honor.

15 THE COURT: Okay. That's fine.

16 All right. With regard to the presentence report, I know
17 you said, Mr. Langmack, in your sentencing memo, that you had
18 resolved or -- I don't remember if you said you had no
19 objections or that any objections had been resolved, but I
20 do this in open court anyway. The final presentence report
21 and sentencing recommendation were filed on October 18th of
22 this year.

23 Ms. Zimmerman, is there any objection to any of the factual
24 determinations as set forth in the presentence report?

25 MS. ZIMMERMAN: No, Your Honor.

1 THE COURT: All right. Are you expecting an
2 evidentiary hearing other than playing the video exhibits?

3 MS. ZIMMERMAN: No, Your Honor.

4 THE COURT: Okay. And, Ms. Priola, are you satisfied
5 with the services of your attorney in this case?

6 THE DEFENDANT: Yes.

7 THE COURT: Do you feel you've had enough time to talk
8 with him about the probation department's presentence report
9 and the papers that were filed by the government in connection
10 with the sentencing?

11 THE DEFENDANT: Yes.

12 THE COURT: Okay. Mr. Langmack, have you and
13 Ms. Priola read and discussed the presentence report?

14 MR. LANGMACK: Yes, we have, Your Honor.

15 THE COURT: And are there any disputed issues of fact?
16 That is, does Ms. Priola have any objection to any of the
17 factual statements set forth in the presentence report?

18 MR. LANGMACK: No, Your Honor.

19 THE COURT: All right. Hearing no objection from
20 either side, I will accept the factual recitation in the
21 presentence report regarding the circumstances of the offense,
22 and therefore the facts as stated in the presentence report
23 will be my findings of fact for the purpose of this
24 sentencing.

25 Now, with regard to the guidelines, the presentence report

1 lays out the probation office's calculation of the advisory
2 guideline range that applies here. This calculation was
3 done using the 2021 guidelines manual and as follows:

4 Beginning with the guidelines offense level, the applicable
5 guideline in this case is U.S. Sentencing Guideline §2J1.2(a),
6 which has a base offense level of 14.

7 The government has also represented that Ms. Priola's
8 conduct resulted in substantial interference with the
9 administration of justice including the unnecessary
10 expenditure of substantial governmental resources. As a
11 result, the offense level is increased by three, to 17,
12 per guidelines §2J1.2(b)(2).

13 The government has also represented that Ms. Priola has
14 demonstrated acceptance of responsibility in a manner that
15 entitles her to a two-level reduction under §3E1.1(a) and
16 that Ms. Priola assisted authorities in the investigation
17 and prosecution of this matter in a manner that entitles her
18 to an additional one-level reduction under §3E1.1(b).

19 Therefore, before I consider any departures or variances,
20 Ms. Priola's total offense level is 14.

21 Are there any objections to this calculation of the offense
22 level, Ms. Zimmerman?

23 MS. ZIMMERMAN: No, Your Honor.

24 THE COURT: Mr. Langmack?

25 MR. LANGMACK: No, Your Honor.

1 THE COURT: Okay. Turning to the applicable criminal
2 history category, the presentence investigation report has
3 found that Ms. Priola has zero prior convictions that receive
4 criminal history points in the guidelines manual and that this
5 therefore gives her a criminal history point subtotal of zero,
6 which puts her in criminal history category I.

7 Is there any objection to that calculation, Ms. Zimmerman?

8 MS. ZIMMERMAN: No, Your Honor.

9 THE COURT: Mr. Langmack?

10 MR. LANGMACK: No, Your Honor.

11 THE COURT: Based on the offense level and criminal
12 history category I've just discussed, the presentence report --
13 and I agree with the calculation in this case. The presentence
14 report calculates the guidelines sentencing range to be 15
15 months to 21 months of imprisonment.

16 Having determined the applicable guidelines range, the next
17 step is for me to consider departures. The presentence report
18 does not include any departure grounds, and under the terms of
19 the plea agreement, both parties have agreed that there are no
20 grounds for imposing a sentence outside of the guidelines
21 range that is based on the policy statements in the guidelines
22 manual.

23 Is that correct, Ms. Zimmerman?

24 MS. ZIMMERMAN: Yes, Your Honor.

25 THE COURT: Mr. Langmack?

1 MR. LANGMACK: Yes, Your Honor.

2 THE COURT: Now, Section 3553 requires me to consider
3 a variety of factors, including the sentencing range the
4 guidelines prescribe, which I've just discussed, and also
5 the applicable penal statute. The charge of Obstruction of
6 an Official Proceeding, in violation of 18 U.S.C. §1512(c)(2),
7 to which Ms. Priola has pleaded guilty, carries a statutory
8 maximum penalty of 20 years in prison.

9 The statute provides that Ms. Priola is eligible for not
10 less than one nor more than three years of probation because
11 the offense is a Class C felony. Under the guidelines,
12 Ms. Priola is ineligible for probation.

13 If a term of imprisonment is imposed, the statutes provide
14 that Ms. Priola faces a supervised release range following
15 imprisonment of not more than three years, while under the
16 guidelines that range is one to three years.

17 The statute of conviction sets a maximum fine of up to
18 \$250,000, while the guidelines fine range is between \$7,500
19 and \$75,000. A special assessment of \$100 per count is
20 mandatory.

21 And I believe as part of Ms. Priola's plea agreement
22 with the government, she has agreed to pay restitution to
23 the Architect of the Capitol -- just a minute.

24 Ms. Zimmerman, what's the amount of restitution?

25 MS. ZIMMERMAN: It's \$2,000, Your Honor.

1 THE COURT: 2,000? Okay. I was looking in the plea
2 agreement, and I think it's earlier up. Let me just check.
3 Hold on.

4 MS. ZIMMERMAN: Maybe paragraph 9? 10?

5 THE COURT: Went right by that one.

6 No, paragraph 9 is conditions of release. You know what,
7 I'm trying to -- usually it's in here. Ah, wait. No. Yeah,
8 it's usually in paragraph 1. In addition, your client agrees
9 to pay a special assessment of \$100 per felony conviction.
10 And then it goes to the fact that I may impose a fine that is
11 sufficient to pay the federal government cost of imprisonment,
12 but there's nothing in here about the restitution amount,
13 which is always in the plea agreement.

14 MS. ZIMMERMAN: I'm certain it is, Your Honor, but --

15 THE COURT: Me too. I thought so. I believe --

16 Mr. Langmack, correct me if I'm wrong; I believe I went
17 over it in the plea.

18 MR. LANGMACK: Yes, you did, Your Honor.

19 THE COURT: All right.

20 (Law clerk conferring with Court.)

21 See? My bright law clerk, who has just started, by
22 the way, has already found it. Paragraph 13.

23 Thank you, Ms. Rutherford.

24 Okay. Here we go, under Restitution. Okay. And you've
25 agreed, Ms. Priola, to pay \$2,000. It says in paragraph 13

1 of your plea agreement, \$2,000 in restitution. Okay.

2 Have I stated accurately the statutory and guidelines
3 framework under which we're operating, Ms. Zimmerman?

4 MS. ZIMMERMAN: Yes, Your Honor.

5 THE COURT: Mr. Langmack?

6 MR. LANGMACK: Yes, Your Honor.

7 THE COURT: Okay. Before I discuss the other
8 sentencing factors that will bear on my final decision, I
9 will tell the parties in open court, although you should have
10 received the probation office's sentencing recommendation that
11 the probation office has recommended, taking into account the
12 guidelines range, the available sentences and all of the
13 factors in § 3553(a).

14 The probation office's recommendation, which is not binding
15 on me, is for 15 months of incarceration, 1 year of supervised
16 release, and 40 hours of community service within 12 months.
17 The recommendation of the probation office is not based on any
18 facts or circumstances that have not already been revealed to
19 the parties in the presentence report.

20 So, at this point, I'm going to give the parties an
21 opportunity to address the Court. First, Ms. Zimmerman?

22 MS. ZIMMERMAN: Yes, Your Honor. I'm going to go to
23 the podium --

24 THE COURT: Yes, that's fine.

25 MS. ZIMMERMAN: -- and take my computer.

1 As this Court is familiar with the details of the attack on
2 the U.S. Capitol that took place on January 6, 2021, I won't
3 spend my time on those here. Rather, I would like to focus
4 my attention on the conduct of one particular rioter whose
5 actions, like all those of other rioters, contributed directly
6 and indirectly to the chaos and violence that day. That
7 rioter is the defendant, Christine Priola.

8 Defendant chose to participate in a violent, unruly mob of
9 rioters that ultimately breached the Capitol on the east side.
10 She could have chosen differently. She could have left the
11 restricted area or not even entered the restricted the area or
12 the building as some other participants did, as her friends
13 appear to have done.

14 Instead, defendant chose to stay and join the other rioters
15 in attempting to breach the Capitol. In doing so, defendant
16 obstructed an official proceeding, that is, the certification
17 of the 2020 Electoral College vote count.

18 For this conduct, the government recommends that the Court
19 sentence the defendant to 18 months in prison, which is in the
20 middle of the applicable guidelines range.

21 As we've discussed, I would like to play seven video
22 clips which the government feels are the best evidence of
23 the defendant's conduct that day. The clips total about
24 ten minutes. Each was an exhibit to the government's
25 sentencing memorandum. Before I play each clip, I'll just

1 preview a little bit about what each clip shows.

2 Government's Exhibit 1 is approximately 26 seconds.

3 It shows the rioters behind the barricades on the east side
4 of the Capitol, and Ms. Priola's sign is visible around the
5 9-second mark.

6 (Video played.)

7 Government's Exhibit 2 is approximately 1 minute and 23
8 seconds long. It shows the crowd outside the East Rotunda
9 or Columbus doors before the breach of that entrance. Again,
10 Ms. Priola's sign is visible at around the 5-second to 10-second
11 mark, and again around the 1-minute mark, with Priola herself
12 visible around 1:15. And just for the Court's awareness, the
13 sign is that -- on one side it says "We The People Take Back Our
14 Country." On the other side, it's "The Children Cry Out for
15 Justice."

16 (Video played.)

17 I should have mentioned, Your Honor, all these videos were
18 taken by other defendants who were there that day, or other
19 rioters, not by the defendant herself.

20 Government's Exhibit 3 is approximately three minutes long.
21 It shows the crowd outside the East Rotunda doors getting more
22 and more agitated. Ms. Priola's sign is visible around the
23 36-second mark. The doors are forced open around the 45-second
24 mark. The crowd is shown pushing against the police officer in
25 riot gear around 1:00 to 1:30.

1 The rioters are shown inside the building around 1:52.
2 These are the rioters coming from outside. There are also
3 rioters coming from the inside the building at this time.
4 They've come from the other side of the building.

5 Priola's voice and then her person is on the camera starting
6 around 2:12 as she gives the name "Christine Blaze" as her name
7 around 2:25, and then she heads down the corridor and is visible
8 for the rest of this video.

9 (Video played.)

10 Government's Exhibit 4 is approximately 26 seconds long.
11 It shows the rioters forcing the doors open -- again, the
12 East Rotunda doors -- and Ms. Priola's sign is visible around
13 the 15-second mark.

14 (Video played.)

15 Government's Exhibit 5 is approximately two and a half
16 minutes long. It shows the breach of the East Rotunda doors
17 from the view inside the building. The rioters confront a
18 police officer around 1:10. Ms. Priola's sign can be seen
19 around 2:15 to 2:30, after she has entered the building, and
20 then you can see her heading up the stairs.

21 (Video played.)

22 Government's Exhibit 7 is approximately 1 minute and
23 28 seconds long. It shows the rioters, including Ms. Priola,
24 heading down the corridor. Ms. Priola climbs onto a window
25 sill and displays her sign and knocks the window around the

1 45-second mark, and then it shows some other rioters entering
2 the Senate Gallery.

3 THE COURT: There's no Exhibit 6. Is that right?

4 MS. ZIMMERMAN: No. That was a mistake, Your Honor.

5 THE COURT: Okay.

6 (Video played.)

7 MS. ZIMMERMAN: The last exhibit is Government's
8 Exhibit 8, which is approximately 14 seconds long. It shows
9 rioters on the Senate Chamber floor, including Ms. Priola, and
10 she's visible on a phone urging an associate to come inside,
11 visible and audible. (Video played.)

12 Does the Court have any questions about any of the videos?

13 THE COURT: No. Thank you.

14 MS. ZIMMERMAN: I'd like to address the 18 U.S.C.
15 3553(a) factors. First, there is nature and circumstances of
16 the offense.

17 The nature and circumstances of defendant's crimes weigh
18 in favor of a sentence that is in the middle of the guideline
19 range. Ms. Priola entered the Capitol building within minutes
20 of when the rioters had first breached the east side of the
21 Capitol and about 20 minutes after the members of the House
22 and Senate and the vice president had evacuated the building.
23 She carried a sign, not authorized to be in the building, that
24 made her intent to obstruct the vote certification clear:
25 "We the People Take Back Our Country."

1 Her presence on the Senate floor, including right next to
2 the dais as shown in the photo in the government's sentencing
3 memorandum, along with other rioters, forced the delay of the
4 certification of the vote.

5 Defendant was undeterred by the large, unruly mob of rioters;
6 she was undeterred by police officers, some of whom were in riot
7 gear; and she was undeterred by tear gas.

8 Defendant's actions on January 6 enabled other rioters to
9 continue their assault on the Capitol, to breach the building,
10 and engage in violence and destruction.

11 Ms. Priola also destroyed evidence by deleting data for
12 photos, text messages, chats, and videos from her cell phone
13 for the relevant time period.

14 And despite defendant's claims of having cooperated with
15 the government every step of the way, in fact she was not
16 cooperative. She did not agree to an interview during the
17 search of her residence or during her arrest, which of course
18 was her right, but that's not the same as cooperation. She
19 has not been interviewed by the FBI. She did agree to be
20 interviewed in her plea agreement; we just haven't asked her
21 to be interviewed at this point.

22 THE COURT: So she hasn't refused since the plea
23 agreement.

24 MS. ZIMMERMAN: No, Your Honor.

25 THE COURT: But on the day of the execution of the

1 search warrant, she refused to speak.

2 MS. ZIMMERMAN: Yes. She did give her phone password
3 to law enforcement during the execution of the search warrant,
4 but at that point she had already deleted data from her phone.

5 Additionally, the absence of violence or destructive riot
6 on Ms. Priola's part is not a mitigating factor here. Had
7 she engaged in violence or destruction, she would be facing
8 additional charges and likely a higher guidelines range.

9 With respect to the history and characteristics of the
10 defendant, defendant has no criminal history. She's well-
11 educated, having earned a master's degree, and is employed.

12 The need for the sentence imposed to reflect the
13 seriousness of the offense and promote respect for the
14 law also argues in favor of a guidelines sentence here
15 of 18 months. The seriousness of this offense cannot be
16 overstated.

17 Defendant's actions, and those of other rioters that
18 day, showed no respect for law enforcement or police officers.
19 They showed no respect for Congress or the certification of
20 the vote. They showed no respect for the Constitution and
21 the peaceful transfer of power.

22 A significant sentence is necessary to promote respect for
23 the law in this case. The essence of the crime the defendant
24 pled guilty to, obstructing an official proceeding, is
25 disrespect for the law.

1 With respect to deterrence, as is noted in the government's
2 sentencing memorandum, we're focused on general deterrence as
3 well as specific deterrence. For general deterrence, we would
4 urge the Court to send a message to the public that these
5 actions are taken seriously.

6 With respect to specific deterrence as to this defendant,
7 while inside the Capitol, Ms. Priola was an enthusiastic
8 participant in the activities, as can be seen in the videos.
9 She showed no remorse immediately afterwards, she destroyed
10 data from her cell phone, and she was not cooperative with
11 law enforcement immediately after the events of the Capitol.

12 While we hope that the regret and remorse that she
13 expresses now is sincere and genuine, it is hard to reconcile
14 that remorse and regret with her actions in January of 2021.

15 In terms of avoiding unwarranted sentencing disparities,
16 there aren't many analogous cases to compare to, but we did
17 highlight four of them in our sentencing memorandum.

18 For defendants from the January 6 events who pled guilty
19 and were sentenced to violations of 1512(c)(2), three of whom
20 did enter the Senate floor, Paul Hodgkins was a very early
21 plea and sentencing, in actually June of 2021. And at the
22 time of sentencing, he had performed more than 100 hours of
23 community service. I believe he was sentenced to eight months
24 in prison.

25 Jacob Chansley was sentenced to 41 months. His guideline

1 range was 41 to 51 months, so it was at the low end of that
2 range.

3 Christian Secor was recently sentenced to 42 months in
4 prison. That was a significant upward variance from the
5 applicable guideline range of 12 to 18 months.

6 And Mr. Michetti was sentenced to nine months. He never
7 entered the Senate Chamber, let alone the floor, and at the
8 time of sentencing, he was the sole supporter of his
9 four-year-old daughter and took some rehabilitative steps.

10 That defendant destroyed evidence, that she carried a sign
11 showing her intent, and that she entered the Senate Chamber
12 floor and approached the dais are all significant factors here
13 that we believe are distinguishable from some of those other
14 lower sentences.

15 In conclusion, the government recommends that the Court
16 sentence the defendant to 18 months in prison, in the middle
17 of the applicable guideline range, which we believe is
18 sufficient but not greater than necessary to reflect the
19 seriousness of her offense and yet recognize that, in fact,
20 she is pleading guilty and has acknowledged responsibility for
21 her crimes. Unless the Court has questions, I'll submit.

22 THE COURT: No. Thank you, Ms. Zimmerman.

23 MS. ZIMMERMAN: Thank you.

24 THE COURT: Mr. Langmack?

25 MR. LANGMACK: Thank you, Your Honor.

1 Well, we saw the videos, and you've read the sentencing
2 memorandum from both myself and Ms. Zimmerman and, as I
3 said, seen the exhibits. We all know what happened that day.
4 It was a tragic event. As I believe Ms. Zimmerman stated,
5 it's unprecedented -- in their memorandum, unprecedented in
6 this country and shocking when viewed as a whole and from a
7 bird's-eye view. Nobody can contest that.

8 THE COURT: Well, Mr. Langmack, I agree with you,
9 but there are still those in high office in this country who
10 maintain this was just, you know, visitors exercising their
11 First Amendment rights, and there are apparently a lot of
12 people who agree with them. But I certainly agree with you.

13 MR. LANGMACK: I do stand corrected in that, that
14 there are some people. However, sitting here at this table,
15 we are able to look at that, as we just did again this
16 morning, and see these events, and these were just snippets.
17 There's a whole other half, and we've seen it in the news.

18 However, we want you to consider what Ms. Priola
19 specifically was involved in, and we saw some pieces of that
20 here. And, Judge, based on that, and not as the event as a
21 whole, she did play a role in that. And, yes, one person
22 might not make a difference, but if you take one and
23 everyone's out, then there is no event. That is certainly
24 common sense and understood.

25 And this in no way is making an excuse or trying to

1 trivialize her presence there and the choices that she made
2 that day. She will forever be sorry for this. I know she's
3 expressed that to me a million times. She's written a letter
4 to you. You've read it. It's posted. That is her sincere
5 feelings. This has altered her life immensely.

6 As Ms. Zimmerman was saying, the nature and circumstances
7 of the events, we know that. As I just said, this was a
8 horrible day.

9 However, Ms. Priola, as for her criminal history, there is
10 none. Obviously, that has to be taken into account. It does.
11 Her criminal history doesn't raise the guideline level. And
12 her characteristics, although on that day were not good, were
13 not positive, in her whole life that is a mere, minuscule
14 snippet of who she is as a person.

15 She's a good person. She's a god-fearing woman. She
16 means well for herself and other people around her. Her life
17 has shown that as a whole, before and afterwards, and maybe
18 more afterwards in the recognition of what she did that day
19 and how it impacted the country, not just the United States
20 Capitol or the District of Columbia, but the country as a
21 whole. We are divided enough, and this was a divisive point,
22 to put it mildly, in our country's history. We would ask that
23 you consider the entirety of her character, Your Honor, and
24 not just that day.

25 As far as the other factor, the need for sentencing, there

1 certainly needs to be a sentence. There have to be consequences.
2 There have to be repercussions. Things like this have to go
3 challenged, or else what stops them from happening again?

4 In doing so, we ask that you consider what's the adequate
5 deterrence. The general deterrence, we don't want people to
6 commit crimes. That's why there are consequences. That's why
7 we have jails. That's why we have probation. That's why we
8 have community service, engaging in classes, programs to teach
9 people what you did was wrong. We understand that.

10 The specific deterrence for Ms. Priola -- obviously,
11 you will hand down a sentence today, but in my heart I know
12 Ms. Priola is never going to engage in anything even remotely
13 like this. Matter of fact, I can't see her jaywalking,
14 littering. This has had a profound effect on Ms. Priola -
15 profound - as it should. That's what this whole process has
16 been. This has altered her life forever.

17 To protect further crimes by Ms. Priola, I argue that's
18 been done. I mean, regardless -- I'm not to say the sentence
19 doesn't matter, but before the sentencing, that's been done to
20 her. This is not something that's going to happen -- this is
21 not something she's going to engage in, any criminal activity,
22 Your Honor. We all know the kinds of sentences available.
23 We covered it in the presentence report and the guidelines.

24 We would ask, however, that the Court may consider a variance
25 downward for, once again, her minimal role in the entire event,

1 in no way excusing, trivializing this for her participation,
2 but just when we see and we know all the things that happened
3 that day, all the horrible things, people injured, both
4 physically and emotionally -- you don't have to be physically
5 touched to be injured -- this entire day caused irreparable
6 harm to many people, and that can never be forgotten.

7 But as far as Ms. Priola, thankfully, and as Ms. Zimmerman
8 said, she wasn't engaged in any violence. She didn't attack
9 anybody. She didn't break anything. She didn't steal anything,
10 didn't vandalize. Had she done that, she would have been
11 charged additionally.

12 But I think it can't be dismissed as it doesn't count towards
13 anything. I think it does count towards her character, what she
14 actually did that day, and as I'm saying, what she didn't do
15 that day. We think that plays a role in sentencing, Your Honor.
16 Despite her role, whether small or more, or what level of role
17 she played that day, this will never -- she'll forever be
18 associated with that event.

19 This is not something that after today you sentence her to
20 whatever, she does that, she does the probation, and then all
21 over, she's done her time. This is something that will follow
22 her for the rest of her life. Rightly or wrongly. This is
23 something that will follow her for the rest of her life, and
24 her family. This will never be in her past. This will always
25 be in her present, in her psyche, in other peoples' psyche

1 thinking of her.

2 She has received death threats. I've seen them. Her family
3 has received threats. It's unfortunate. These are the times
4 we live in, that you do something wrong, someone else doesn't
5 like it, and they feel maybe they should take it into their own
6 hands.

7 THE COURT: Yes. We on this court are familiar with
8 those, too.

9 MR. LANGMACK: Oh, absolutely. I'm certain you are.

10 The one thing that I am sure of, as sure as I can be about
11 anything, is that Christine Priola will not be inside of a
12 courtroom, not sitting as a defendant, for rest of her life.
13 This is something I know. I feel firmly in that, to the point
14 where I could make "beyond a reasonable doubt" type decisions,
15 Your Honor. No one can know anything, but this is pretty darn
16 close.

17 I know she is eternally sorry, would wish that that day
18 had never happened, as we all do. Would wish that she had
19 never been there, had never taken that next step, had never
20 gone in. It's a tragic day in our history. Ms. Priola has
21 taken full responsibility, owned everything that she did.
22 She wants to be a better person. I feel she is now a better
23 person.

24 Unfortunately, for this event, she has realized how
25 something seemingly innocent at the time, without malice

1 of wishing to cause harm, can turn so quickly and get so
2 ugly in the blink of an eye; and once you're in it, sometimes
3 you can't see the forest for the trees until you step back a
4 little ways. You're like, I can't believe it.

5 And, unfortunately, I think that's where we find ourselves
6 now. So we would ask that you consider all these factors,
7 Your Honor, in coming to a sentence for Ms. Priola.

8 Thank you.

9 THE COURT: Thank you.

10 Ms. Priola, I told you at your plea that at your sentencing
11 you would have a right to address the Court, and that is your
12 absolutely right; but you don't have to, and if you don't want
13 to, I am not going to hold it against you. I've read all ten
14 pages of your letter. It's very eloquent. So it's totally
15 up to you, but is there anything you would like to say at this
16 time?

17 THE DEFENDANT: I'd just have like a very short --

18 THE COURT: Sure. Just make sure you're at the
19 microphone.

20 THE DEFENDANT: Thank you, Your Honor, for allowing
21 me to speak. I don't have this part prepared.

22 But just watching those videos, that is so horrifying to
23 me. So I can't even imagine what you all feel when you see
24 that, because it's magnified even more than what I feel.
25 Just horrifying. And it's almost as if I don't even know

1 that person.

2 But for most of my adult life, I've tried to love God above
3 all else and my neighbor as myself, and that day I failed
4 miserably. I want to live in a society where people respect
5 one another. My actions that day were very uncivilized. I
6 really messed up.

7 And I accept full blame and responsibility for everything
8 that the district attorney -- everything she says is correct.
9 I did everything. I acted irrationally. I didn't take time to
10 think about the consequences or how this would affect people or
11 the nation, and caused a lot of suffering and fear in people --
12 congressmen and woman inside the building and the law
13 enforcement and their families and my family. It's just so
14 disheartening to know that I was part of that that caused such
15 pain and sorrow.

16 And our government has had to use so many resources to deal
17 with that day, and they should be -- their time should be given
18 to something else more important -- not more important, but
19 shouldn't have -- it could have been towards other things.

20 I would just like to sincerely apologize to everyone that
21 I've hurt and to every person in the United States, because each
22 one has been affected in some way.

23 THE COURT: Let me ask you, Ms. Priola: Your sign.
24 Who did you want to take the country back from?

25 THE DEFENDANT: Just the allegations of corruption that

1 are in the news -- or were in the news.

2 THE COURT: Corruption about what? The election?

3 THE DEFENDANT: Yeah. But it was even before that.

4 THE COURT: So who had the country, and who did you
5 want you to take it back from?

6 THE DEFENDANT: I guess the -- I -- just the -- I guess
7 my perception of how things are run, that certain politicians
8 or groups have, like, taken over things that maybe weren't
9 supposed to be. Like just --

10 THE COURT: Do you feel the election was stolen?

11 THE DEFENDANT: At the time, I did.

12 THE COURT: What were you hoping to achieve by going
13 to the Capitol that day?

14 THE DEFENDANT: Well, going to the Capitol that day,
15 I really was just there as like a rally. And then I got
16 wrapped up in the emotions and the people around me and --
17 I did not plan absolutely to go into the building.

18 THE COURT: The other side of your sign says something
19 about saving the children or thinking of the children. What
20 would you mean by that? What children?

21 THE DEFENDANT: I know that President Trump had done a
22 lot of presidential orders or things about human trafficking,
23 and I was -- and into saving or protecting life from conception
24 to natural death. And I just felt, I guess, at the time that
25 those would be reversed.

1 THE COURT: So the reference to the children refers to
2 your feelings on abortion. Is that correct?

3 THE DEFENDANT: Well, not just abortion, but like the
4 human trafficking issue I don't think is a big enough --

5 THE COURT: What human trafficking? I mean what --
6 I'm actually very curious to find out.

7 What children did you believe were in danger? Did you
8 believe there were children being held captive in the basement
9 of a restaurant on Connecticut Avenue? That's a common belief.

10 THE DEFENDANT: I don't know.

11 THE COURT: I mean, what children are you referring to?

12 THE DEFENDANT: I guess -- I guess it was that I felt
13 like he paid more attention, and I was afraid that maybe it
14 wouldn't be paid more attention to. I don't know.

15 THE COURT: Okay. Continue.

16 THE DEFENDANT: I've done a lot of soul-searching
17 this past year and a half, and I've learned that I have to
18 recognize and accept things that are not in my control. And
19 I know that sounds simple or cliché, but sometimes it's hard,
20 and I work on that daily. I've learned that my emotions
21 should not dictate my behavior and that I have to use right
22 judgment in making decisions. And I just want to make amends
23 for what I have done in any way possible.

24 You know, I really want to live my life in support of a
25 world where we're not divided, where we respect one another

1 and love one another despite our differences. I just -- I
2 want to be a good example in the world of how to help families
3 not be divided and coworkers and friends not be divided and
4 our nation not be divided. I just really want to try to do
5 that. And whatever sentence you give me, I hope it just
6 brings justice and peace -- some peace to the people I have
7 hurt. Thank you, Your Honor.

8 THE COURT: Thank you, Ms. Priola.

9 After calculating the sentencing guidelines and any
10 applicable departures, and hearing the statements made by
11 counsel and Ms. Priola, I have to now -- I have the difficult
12 job, as I do in every case -- and it is a difficult one -- to
13 consider the relevant factors set out by Congress in 18 U.S.C.
14 § 3553(a), and ensure that I impose a sentence sufficient but
15 not greater than necessary to comply with the purpose was
16 sentencing.

17 The government has stated these purposes, and Mr. Langmack
18 has mentioned them. I don't need to list them all again. But
19 I've considered all the purposes of sentencing and the factors
20 that I have to consider, and I'll discuss some of them now.
21 Some of them weigh more heavily than others in this case, as
22 they do in every case.

23 We are now well familiar with the events of January 6.
24 We have had, by my last count, close to 900 prosecutions,
25 all brought in this court. This is a small court. All the

1 judges are taking their fair share of these cases, myself
2 included; and every case presents a different defendant and
3 a different situation, and I know I and my other colleagues
4 endeavor to treat each defendant as an individual and not as
5 part of a mob. But we have to be mindful of what happened
6 that day.

7 Every single time that I see videotape or hear recordings
8 of what happened that day, I am struck anew with both the
9 horror of what was going on that day and how close we came --
10 how close we came to not fulfilling one of the basic functions
11 of our democracy, which is a peaceful transfer of power, which
12 we lecture other governments all over the world on and we're
13 supposed to be an example of, and we were not that day.

14 And so while Mr. Langmack is correct in that your
15 background didn't involve any criminal activity, the events
16 of that day and the seriousness of those events cannot be
17 understated. This was nothing less than an attempt to
18 violently overthrow the government, the legally, lawfully,
19 peacefully elected government by individuals who were mad
20 that their guy lost.

21 I see the videotapes. I see the footage of the flags and
22 the signs that people were carrying and the hats they were
23 wearing and the garb. And the people who mobbed that Capitol
24 were there in fealty, in loyalty, to one man -- not to the
25 Constitution, of which most of the people who come before me

1 seem woefully ignorant; not to the ideals of this country;
2 and not to the principles of democracy. It's a blind loyalty
3 to one person who, by the way, remains free to this day.

4 There is no mob without the members of the mob, as I've
5 said before. So Mr. Langmack made a point in his sentencing
6 memorandum, that if we were to take your participation out
7 of that group, that everything would have still happened;
8 your actions did not materially contribute.

9 But they did, because you were there. And people act
10 in ways that they would never act alone when they're with
11 a group, or when they're with a mob, and when emotions are
12 involved.

13 But in terms of the seriousness of the offense and the
14 nature of the offense, it cannot be understated how serious
15 this was and how horrifying it was to the country and the fact
16 that the divisions that were already existing in this country
17 were worsened, that this country is more divided than ever,
18 and it was exacerbated by the actions of that day.

19 And you're one of the few defendants, Ms. Priola -- and
20 maybe it's because I have talked about it at every single
21 sentencing I've done -- to at least acknowledge the harm that
22 was done to the people there.

23 I hear a lot about rioters calling themselves and their
24 fellow protesters "patriots." Nothing could be further from
25 the truth. The people who stormed the Capitol that day were

1 not patriots. They were petulant, angry individuals who
2 wanted back what they think they were entitled to. And
3 that's why I asked you who did you think you were taking
4 back the country from.

5 The people who were working in that Capitol, the law
6 enforcement who were trying to defend the Capitol, the law
7 enforcement officers who rushed to the Capitol, they're the
8 patriots. They're the ones who still have nightmares.
9 They're the ones who had to take early retirement from jobs
10 they loved. They're the ones who are still nursing injuries.
11 They're the ones who thought they were going to die that day
12 as they were slipping in their own blood.

13 You didn't attack anyone, and for that reason the
14 government is not here asking for a significantly higher
15 sentence.

16 Yesterday, in this courthouse, we had a sentencing of an
17 individual who almost killed a police officer, who tricked him
18 into thinking that he was going to help him, and then threw
19 him to the mob. That police officer almost died.

20 We have officers who have committed suicide. We have ones
21 who still have suicidal ideation. We have many individuals,
22 both law enforcement and individuals working in the Capitol
23 that day, who are still suffering from posttraumatic stress
24 disorder. The damage continues.

25 Turning to your characteristics as an offender, it's true,

1 you've led a law-abiding life. And I agree with Mr. Langmack.
2 I think there's very little likelihood that you're at a high
3 risk to offend. But, you know, I get a lot of defendants in
4 January 6 cases who come in and talk about the fact that they've
5 live law-abiding lives, and they're loved by their communities,
6 they're loved by their families, and all of that may be true.

7 I get defendants in other cases, too. I get defendants
8 in cases -- in drug cases, in nonviolent and violent cases.
9 They're loved by their families. They're valued as fathers
10 and brothers and sons. But they committed a crime, and that's
11 what I'm here to sentence you for.

12 I am certainly going to take into account the fact that
13 you have lived, up till now, a law-abiding life. But
14 Ms. Zimmerman is right. You know, your lawyer said, well, you
15 didn't hurt anybody. You didn't take anything. You didn't
16 steal anything, and that's why you're only facing 15 to 17
17 or whatever -- no, I'm sorry. A range of -- let me get this
18 right.

19 MS. ZIMMERMAN: 15 to 21 months.

20 THE COURT: 15 to 21 months. That's why.

21 Had you broken anything, had you laid a hand on a law
22 enforcement officer, you would be in a totally different
23 position. So you've already gotten the benefit of having
24 no criminal history.

25 You've been allowed to live at home, to be on release,

1 to continue living your life, not to be detained, to be
2 brought here, to be respected with all the due process that
3 our system of government -- for which you apparently had very
4 little regard on January 6 -- has awarded, the Constitution
5 again, for which you seem to have very little understanding,
6 grants you.

7 So I am taking into consideration your characteristics as
8 an offender. I know that you have a mother who you help and
9 a stepfather. Your daughter wrote a lovely letter talking
10 about what a wonderful mother you are and how much she relies
11 on you. And I read every page of your letter, and I take into
12 account that you have taken it upon yourself to start, in
13 small ways and large, to make amends for what you did. I take
14 all of that into account.

15 But one of the other factors I need to take into account
16 is the need to avoid unwarranted disparity, and these are
17 difficult cases for that factor because they are so unusual.
18 I have done a lot of these sentencings, but I think you may
19 be the first to actually enter the Senate Chamber, and that's
20 significant.

21 There's a reason why the government emphasized that.
22 The Senate Chamber is sacrosanct. It is where the transition
23 of power was to take place. It is where our representatives
24 meet and debate. And it was violated. It was violated in the
25 most casual, crude, vulgar ways. The whole Capitol was.

1 You're standing on a cabinet, waving your sign at a window,
2 at protesters outside, and all around you people are looting.
3 They're stealing stuff. They're desecrating our Capitol.
4 And you seem to be enjoying yourself. So that is not the person
5 your mother knows, that is not the person your daughter knows,
6 but that is who you were that day.

7 There has to be -- going back to sentence disparity, I have
8 endeavored, and I continue to endeavor, to sentence people in
9 accordance with their actions. I have given some defendants a
10 lot more time; I've given some defendants a lot less time. And
11 in your case, I'm considering both the fact that you were in an
12 early wave -- I see the videos. You were right in there.

13 It's not like you wandered in after the Capitol had been
14 breached. You were in there, pushing with a mob who's chanting
15 the name of the former president, who's tearing things up and
16 knocking on doors. Can you imagine if there was anybody inside
17 those offices, how they felt hearing the yelling and the knocking
18 on the doors and wondering if they were going to be killed?

19 I have given sentences of a few days, and I've given sentences
20 of several years. And I think the sentencing range in this case
21 is in line with what you did because you destroyed evidence
22 after this was over.

23 During the last five fiscal years, there were 47 offenders
24 whose primary guideline was 2J1.2 with a final offense level
25 of 14 and a criminal history category of I after excluding

1 offenders who received a substantial-assistance departure.

2 For the 34 offenders who received a sentence of imprisonment
3 in whole or in part, the average length of imprisonment imposed
4 was 13 months, and the median length of imprisonment was 12.
5 Those are not these cases, mostly, but I do believe that a
6 sentence within the guideline range is appropriate given your
7 actions in this case.

8 One of the things your lawyer talked about was your remorse,
9 and I believe your remorse today is sincere. I do believe that.
10 I think you are sincere in your regret, and I do believe you are
11 sincere in your remorse, which is, frankly, more than I've seen
12 in some other defendants who have come before me.

13 But I wonder, as I do every time I sentence a defendant in
14 one of these cases, whether their remorse and regret come from
15 an independent realization of the nature of your actions, or
16 getting caught.

17 Because the person I see on the videotape is jubilant,
18 excited, happy to be there, encouraging other people to join
19 them, waving her flag through the windows. Excited. I'll wager
20 that nobody in that group thought they'd be looking at jail
21 time, and you certainly didn't. But the point is, when you left
22 the Capitol that day and went home, did you feel remorse right
23 after for what you did? I don't think so.

24 I think the remorse came when the publicity came and the
25 threats came and the recriminations came and you had to lose

1 your job, and protesters came and you realized that there are a
2 lot of people who didn't agree with what you did. And then you
3 realized that people were being sent to jail and that you were
4 looking at a criminal charge, and that's why you deleted that
5 material off your phone.

6 Did the regret come before you deleted the material? After
7 the police officers came to execute a search warrant? I don't
8 know. I'm sure it came shortly afterwards. But I'm wondering
9 if you would be feeling this regret if you hadn't been charged
10 with a crime. I don't know. I believe you do feel regret now,
11 and I'm taking that into account.

12 The fact that you didn't cooperate or talk to the police
13 when they came to execute the search warrant, that's your right.
14 It is your right. But it does show me whether you were truly
15 remorseful at that time. And the fact that you destroyed all
16 the evidence on your cell phone of your participation leads me
17 to wonder what you were destroying, what it is on your phone
18 that you didn't want authorities to see.

19 Having considered all the factors, I believe that a sentence
20 within the guideline range is a sentence that is sufficient but
21 not greater than necessary to ensure all the factors enumerated
22 in § 3553(a). I do not believe this is a case that warrants
23 variance or departure. I have done plenty of both in the past,
24 but this is not such a case. This is not the offense that
25 warrants a departure.

1 I believe that Ms. Priola has gotten the benefit of her
2 bargain with the government. I believe the guidelines range
3 in this case is appropriate. Therefore, based on my
4 consideration of all the 3553(a) factors, I'll now state
5 the sentence to be imposed.

6 Can you stand with your lawyer.

7 (Defendant and counsel comply.)

8 It is the judgment of the Court that you, Christine Priola,
9 are hereby sentenced to the custody of the Bureau of Prisons
10 for a term of 15 months on Count 1.

11 You're further sentenced to serve 12 months of supervised
12 release and to pay \$100 special assessment in addition to the
13 \$2,000 restitution you've already agreed to pay as part of your
14 plea agreement.

15 I will note that I was considering the 18 months that the
16 government requested, but I eventually agreed that the sentence
17 recommended by the probation department is the appropriate one
18 here because of your genuine remorse -- well, your remorse that
19 I think is genuine -- because of the fact that you have appeared
20 to appreciate the consequences of your actions and that you have
21 already started to take steps, as I said, small and large, to
22 make amends.

23 The Court finds that you do not have the ability to pay a
24 fine and therefore waives imposition of a fine in this case,
25 and the Court waives any interest.

1 A special assessment of \$100 is immediately payable to the
2 Clerk of the Court for the U.S. District Court of the District
3 of Columbia. Within 30 days of any change of address, you shall
4 notify the Clerk of the Court of the change until such time as
5 the financial obligation is paid in full.

6 Mr. Langmack, do you have any recommendation for a facility?

7 MR. LANGMACK: Yes. Alderson in West Virginia,
8 Your Honor?

9 THE COURT: Alderson?

10 MR. LANGMACK: Correct.

11 THE COURT: All right.

12 Now, Ms. Priola, the Bureau of Prisons does not answer
13 to me. The judges of this court do not have any control over
14 the Federal Bureau of Prisons. I wish we did, but we don't.
15 But I can make a recommendation, and I will recommend that
16 you serve your sentence at Alderson, which I believe is a
17 women's facility in West Virginia, which should keep you
18 relatively close to home as well.

19 I don't have any special conditions, but I will impose
20 upon you the mandatory release conditions for your supervised
21 release, and I have to set them out in open court.

22 While on supervised release, you must abide by the
23 following mandatory conditions:

24 You must not commit another federal, state, or local crime.

25 You must not unlawfully possess a controlled substance.

1 I'm not going to impose drug testing as a condition of release
2 because I don't believe there's anything in the record to
3 indicate that you're in need of substance-abuse treatment or
4 drug testing.

5 You must pay the special assessment imposed in accordance
6 with 18 U.S.C. § 3013. You must pay the amount of restitution
7 as specified in your plea agreement. You must notify the court
8 of any material change in your economic circumstances that might
9 affect your ability to pay restitution, fines, or special
10 assessments.

11 The Court will impose the standard conditions of supervised
12 release. These 13 conditions, which will also be written out
13 on your judgment, are as follows:

14 1. You must report to the probation office in the federal
15 judicial district where you're authorized to reside within 72
16 hours of your release from imprisonment unless the probation
17 officer instructs you to report to a different office or within
18 a different time frame.

19 2. After initially reporting to the probation office, you
20 will receive instructions from the court or the officer about
21 how and when you must report, and you must report as instructed.

22 3. You must not knowingly leave the federal judicial
23 district where you're authorized to reside without first getting
24 permission from the court or the probation officer.

25 4. You must answer truthfully the questions asked by your

1 probation officer.

2 5. You must live at a place approved by your probation
3 officer. If you plan to change your residence or anything about
4 your living arrangements, you must notify the probation officer
5 at least 10 days before the change, and if that is not possible
6 due to unanticipated circumstances, you must notify the
7 probation officer within 72 hours of being aware of a change.

8 6. You must allow the probation officer to visit you at
9 any time, at your home or elsewhere, and you must permit the
10 probation officer to take any items prohibited by the conditions
11 of your supervision that they observe in plain view.

12 7. You must work full time, at least 30 hours per week, in
13 lawful employment unless the probation officer excuses you from
14 doing so. If you do not have full-time employment, you must try
15 to find such employment unless the probation officer excuses you
16 from doing so. If you plan to change your employment or the
17 terms of your employment, you must notify the probation officer
18 at least 10 day before the change, or if that is not possible
19 due to unanticipated circumstances, within 72 hours of becoming
20 aware of the change.

21 8. You must not communicate or interact with anyone you know
22 who's engaged in criminal activity, and if you know someone has
23 been convicted of a felony, you must not knowingly communicate
24 or interact with that person without first getting the
25 permission of the probation officer.

1 9. If you are arrested or questioned by law enforcement,
2 you must notify the probation officer within 72 hours.

3 10. You must not own, possess, or have access to a firearm,
4 ammunition, destructive device, or dangerous weapon. That is
5 anything that was designed or was modified for the specific
6 purpose of causing bodily injury or death to another person.

7 11. You must not act or make any agreement with a law
8 enforcement agency to act as a confidential human source or
9 informant without getting permission of the court.

10 12. If the probation officer determines that you pose a risk
11 to another person or organization, the probation officer may
12 require you to notify the person about the risk, and you must
13 comply with that instruction. The probation officer may contact
14 the person or organization and confirm that they have been
15 notified about the risk.

16 13. You must follow the instructions of the probation
17 officer related to the conditions of supervision.

18 Any objection to the conditions of supervised release that
19 I've imposed, Ms. Zimmerman?

20 MS. ZIMMERMAN: No, Your Honor.

21 THE COURT: Mr. Langmack?

22 MR. LANGMACK: No, Your Honor.

23 THE COURT: All right.

24 The probation office shall release the presentence
25 investigation report to all appropriate agencies in order to

1 execute the sentence of the court. Treatment agencies shall
2 return the presentence report to the probation office upon
3 Ms. Priola's completion or termination from treatment.

4 Ms. Priola, pursuant to 18 U.S.C. § 3742, you have a right
5 to appeal the sentence imposed by the court subject to certain
6 rights of appeal that you waived as part of your plea agreement.
7 If you choose to appeal, you must file an appeal within 14
8 days after I enter judgment, and if you are unable to afford
9 the cost of an appeal, you may request permission from the
10 court to file an appeal without cost to you.

11 Now, the final issue for me to decide is whether I will
12 allow Ms. Priola to voluntarily surrender. And I understand,
13 Ms. Zimmerman, you have no objection to her voluntary
14 surrender?

15 MS. ZIMMERMAN: No, Your Honor, we don't.

16 THE COURT: I think I told you, Ms. Priola, when you
17 took this plea and when you were first -- I think that's when
18 you first came before me, frankly. It was the first time,
19 maybe an arraignment, but the -- I think the first time was
20 the plea.

21 MR. LANGMACK: Just the plea.

22 THE COURT: I told you that your compliance with
23 your conditions of release would be important, and they're
24 important today because, because you have complied with your
25 release conditions, because you have no previous criminal

1 history, I am going to allow you to remain on release pending
2 your voluntary surrender, which will be arranged between your
3 lawyer and the probation office.

4 I must caution you, though, that now having been sentenced,
5 not only do you have to continue to comply with your conditions
6 of release, you need to understand that should you violate any
7 of the conditions of your release, an arrest warrant may issue,
8 and you may be detained for failing to comply with the
9 conditions of release.

10 Even more importantly, if you don't show up for your
11 voluntary surrender, you could be charged with a separate
12 offense in violation of 18 U.S.C. § 3146(a)(2), and you could
13 be charged with a separate offense for which you could be
14 sentenced to up to 10 years in prison consecutive to any
15 sentence in this case. And if you commit an additional crime
16 while on release pending voluntary surrender, you could be
17 subject to enhanced penalties.

18 So, basically, just continue to comply with the terms of
19 your pretrial release and surrender on the date as ordered to
20 by the probation office that your lawyer will inform you of.
21 Do you understand?

22 THE DEFENDANT: Yes, Your Honor.

23 THE COURT: Ms. Priola, you said in your letter
24 something that I frequently tell defendants, so you beat me
25 to the punch. But you said that you read somewhere that you

1 are not the worst decision you ever made. And that is true.
2 And one of the people who says that is a person I admire,
3 named Bryan Stevenson, who wrote a book called *Just Mercy* that
4 I highly recommend. He said you are not the worst thing you
5 have ever done.

6 And that is abundantly clear in your case. You've lived a
7 productive, law-abiding life up until January 6, and I think
8 that your determination to continue living a law-abiding life
9 after this case is sincere. And I agree with your lawyer that
10 there's a very slim chance that you'll ever be before me or
11 any other court again.

12 But there's something else, which is you have a daughter,
13 you have family members, you have friends; and one of the ways
14 you demonstrate your character is not just how you live your
15 life, it's how you behave after you've made a mistake, because
16 everyone makes mistakes, and you have made a big one and a
17 serious one.

18 But you have a long life ahead of you, and your daughter
19 and your friends and your family are going to watch to see how
20 you come back from this and how you live your life after this,
21 and I'm confident that you have the ability to go forward
22 after this case is over, after your sentence is over, and live
23 a productive life.

24 And I strongly encourage you to consider getting your
25 sources of information from a variety of places. One of the

1 things I see here is that people behaved in ways that they're
2 ashamed of because they went down rabbit holes of information
3 that is not altogether accurate, and they were inflamed by
4 some of the things that they were reading and hearing on the
5 internet.

6 I suggest that you try and widen your source of information
7 and consider listening to other viewpoints and considering
8 respecting that other people who may not share your political
9 beliefs are also patriots and also love their country. And
10 that is the way you heal the divisions in this country.

11 So, good luck to you, ma'am.

12 Oh, yes. I believe Probation's going to ask about the
13 transfer? Yes. Sorry.

14 MS. ZIMMERMAN: I have two motions, also, Your Honor.

15 THE COURT: Oh, yes. Let me do that first.

16 As part of the plea agreement, you move to dismiss the
17 remaining counts?

18 MS. ZIMMERMAN: I move to dismiss the complaint.

19 THE COURT: The complaint.

20 MS. ZIMMERMAN: And also we are moving to make the
21 exhibits that we played here public.

22 THE COURT: All right. I assume there's no objection
23 to the motion to dismiss the complaint?

24 MR. LANGMACK: No objection.

25 THE COURT: This complaint will be dismissed.

1 With regard to the exhibits which were submitted as
2 exhibits to the sentencing memoranda?

3 MR. LANGMACK: We would prefer they not be. We object
4 to them being --

5 THE COURT: All right.

6 The motion will be granted. The exhibits will be admitted.

7 PROBATION OFFICER: Your Honor --

8 THE COURT: Please state your name for the record,
9 please.

10 PROBATION OFFICER: Aidee Gavito with the probation
11 department, Your Honor.

12 THE COURT: Thank you.

13 PROBATION OFFICER: And with regards to the terms of
14 supervised release, is the Court considering transferring
15 supervision and jurisdiction, or only supervision?

16 THE COURT: Only supervision. So supervision of your
17 probation will be transferred to the district in which you
18 reside. Is that the Northern District of Ohio?

19 PROBATION OFFICER: Yes, Your Honor, Northern District
20 of Ohio.

21 THE COURT: Northern District of Ohio. Jurisdiction of
22 this case will remain with me.

23 PROBATION OFFICER: Thank you, Your Honor.

24 THE COURT: That means that if there is a violation
25 of your supervised release, which I hope there is not, it will

1 come to me.

2 MS. ZIMMERMAN: Your Honor, I'm sorry. I may have
3 misspoken. We want to make the exhibits that were played
4 public. We want to release them to the public. That's the
5 motion.

6 THE COURT: And Mr. Langmack objects. I think I am
7 going to grant the motion, because they are of utmost interest
8 to the public. They do not contain personal or medical
9 information, and they concern a matter of which the public is
10 certainly entitled to be aware and is of vital importance to
11 our country. So the motion will be granted.

12 Thank you all.

13 (Proceedings adjourned at 11:28 a.m.)
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CERTIFICATE

I, BRYAN A. WAYNE, Official Court Reporter, certify that the foregoing pages are a correct transcript from the record of proceedings in the above-entitled matter.

/s/ Bryan A. Wayne
Bryan A. Wayne