

The Honorable John C. Coughenour

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UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
JOHNNY ROMAN GARZA,  
Defendant.

NO. CR20-032JCC

**GOVERNMENT’S SENTENCING  
MEMORANDUM**

The United States of America, by and through Brian T. Moran, United States Attorney for the Western District of Washington, and Thomas M. Woods, Assistant United States Attorney for said District, respectfully submits this memorandum in connection with Johnny Garza’s upcoming sentencing.

**INTRODUCTION**

Johnny Garza was a willing and active member of a plot to target journalists and activists, particularly those who were Jews and other minorities. In the middle of the night, the members of the plot affixed to the victims’ homes frightening posters that included threats of violence. Some of the posters were also mailed to the individuals at their homes. In Garza’s words, the plot was designed to “*have them all wake up one morning and find themselves terrorized by targeted propaganda.*” In addition to helping

1 to coordinate the operation and researching targets, Garza affixed a poster to the *bedroom*  
2 *window* of a prominent Jewish journalist that depicted a man in a skull mask holding a  
3 Molotov cocktail in front of a burning home. Even more terrifying, the poster contained  
4 the name and home address of the journalist.

5 Garza was not one of the leaders of this plot. He also clearly was a troubled man  
6 with a chaotic home life. Since being arrested, he has appeared to follow his counsel's  
7 sound direction, and undertaken a variety of steps to show remorse for his actions.

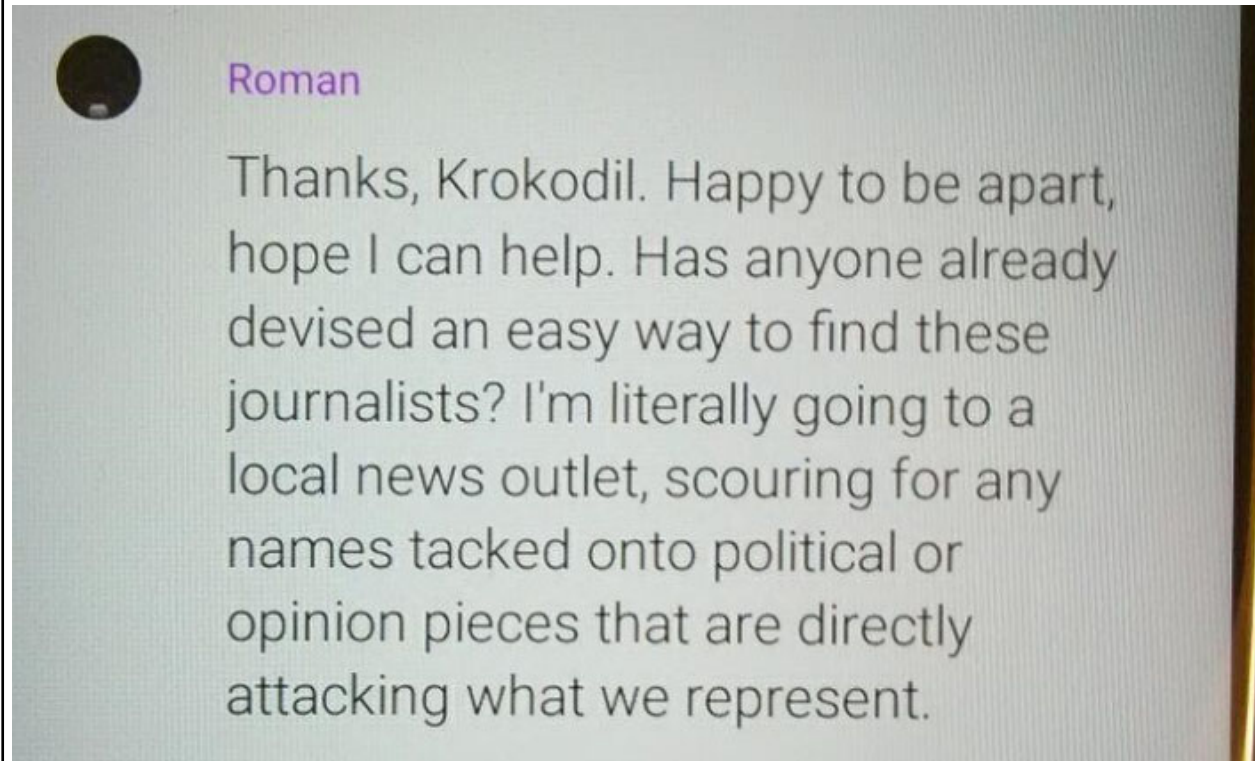
8 Nonetheless, a significant sentence is warranted to account for the seriousness of  
9 the offense. The harm that Garza caused--although not easy to quantify--was immense.  
10 He instilled terror in his victims and contributed to the wide sense of fear and unease that  
11 many groups in this country understandably feel. He made victims feel unsafe in their  
12 own homes—at a time when most people have been largely confined to home because of  
13 the pandemic.

14 The Court should sentence Garza to 33 months, the low end of the applicable  
15 Guidelines range. The Court also should impose three years of supervised release. Garza  
16 does not have the ability to pay a fine, and none should be imposed.

### 17 **BACKGROUND**

18 In November 2019, Cameron Shea, using the moniker Krokodil, participated in a  
19 private Wire chat group titled, Operation Erste Säule. Plea Agreement ¶ 7(a). Shea was  
20 a member of Atomwaffen Division (“AWD”), a white supremacist group that has been  
21 responsible for several acts of violence, and for promoting hate against Jews and other  
22 minorities. *Id.* Shea invited fellow AWD members to this chat group, including Garza,  
23 to collaborate and coordinate an effort to deliver threatening messages to journalists’  
24 homes and other places. *Id.* Shea described the Operation in a message to the chat  
25 group: “*We’re coordinating this nation wide Operation called Operation Erste Säule,*  
26 *named after the first pillar of stat[e] power, AKA the media. We will be poster[ing]*  
27 *journalists houses and media buildings to send a clear message that we too have leverage*  
28 *over them . . . The goal, of course, is to erode the media/states air of legitimacy by*

1 *showing people that they have names and addresses, and hopefully embolden others to*  
 2 *act as well.”* Upon being invited by Shea to the plot, Garza, using the moniker “Roman,”  
 3 reacted with enthusiasm, writing to the group:



17 As part of the operation, each participant was directed to identify, research, and  
 18 locate journalists in their area. *Id.* ¶ 7(b). Garza ultimately reported to the group that he  
 19 had found “*a leader of an ‘association of black journalists’*” in his state. *Id.* Other  
 20 members of the conspiracy reported that they had located certain Jews to target. *Id.* Shea  
 21 stated that the identification of these targets was “*Excellent work!*” and “*Outstanding.*”  
 22 *Id.* Similarly, Kaleb Cole, one of the leaders of the plot, said “*NICE WORK*” when he  
 23 learned that one of the co-conspirators had found the addresses for three Jewish  
 24 journalists. *Id.*

25 On or about December 11, 2019, Shea explained to the group that he wanted to  
 26 coordinate the operation on the same night, so journalists would be caught off guard, and  
 27 to accomplish an effective “*show of force, demonstrating we are capable of massive*  
 28 *coordination.*” *Id.* ¶ 7(c). Garza said that the intended impact of the coordinated

1 operation was to “have them all wake up one morning and find themselves terrorized by  
2 targeted propaganda.” *Id.*

3 On or about January 6, 2020, the coconspirators again coordinated the operation  
4 and exchanged opinions about whether to conduct the operation entirely via the mail,  
5 rather than in person. *Id.* ¶ 7(d). Ultimately, the coconspirators decided to stay with  
6 “boots on the ground” at some locations, while mailing the threatening posters to the  
7 riskier target locations. *Id.* Garza reported to the group: “I think the locations with the  
8 most possible security concerns could be mail targets, but those locations that look much  
9 less secure can be visited . . . It’s not like they’re expecting us in person. If they all  
10 receive some shit in the mail consecutively, it’ll draw the same stir. Maybe not as novel  
11 as a physical visit with a poster on their front window, but in the ‘scare range’ just the  
12 same.” *Id.*

13 Kaleb Cole helped create and distribute the posters, which included the following  
14 three posters below. Under the poster design, the victim’s personal information, such as  
15 their home address, was to be placed in the box at the bottom:



1 One of the posters depicts a person in a skull mask holding a Molotov cocktail in  
 2 front of a burning home:



21 On January 25, 2020, Garza and another individual traveled to an apartment  
 22 complex in Phoenix, Arizona where a member of the Arizona Association of Black  
 23 Journalists resided. *Id.* ¶ 7(f). Garza could not find a suitable place to leave a poster. *Id.*  
 24 He then traveled with another individual to the residence of an editor of a local Jewish  
 25 publication. *Id.* Garza exited the car and carried with him the poster depicted above  
 26 containing the person in the skull mask with a Molotov cocktail. *Id.* Garza walked up  
 27 the editor's residence and affixed the poster to the bedroom window. *Id.* The editor's  
 28 personal information was included at the bottom of the poster. *Id.* As Garza has

1 acknowledged, he intended that the poster cause the editor fear of property damage and  
2 personal harm. *Id.* The editor did in fact become fearful upon discovering the poster. *Id.*  
3 On the same day, co-conspirators either mailed or delivered other posters to other victims  
4 in Washington State and Florida. *Id.* ¶ 7(g).

5 In February, Garza was arrested. Agents searched Garza's residence, and  
6 discovered a number of hateful symbols, including Nazi pins:



18 Agents also discovered a number of posters/fliers that depicted messages of hate against  
19 Jews, gays and lesbians, and people of color. Some of the items contained messages of  
20 violence:



1 Although agents did not recover any firearms, they recovered a gas mask, body  
2 armor, and an ammunition belt.



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**PLEA AGREEMENT**

Garza pleaded guilty in a timely fashion to Count 1 of the Superseding Indictment, which charges him with Conspiracy to Mail Threatening Communications, to Commit Cyberstalking, and to Interfere with Federally Protected Activities, in violation of Title 18, United States Code, Section 371. The plea agreement contains no agreements as to the Sentencing Guidelines or sentencing recommendations. The plea agreement also does not contain a waiver of appeal.

**SENTENCING GUIDELINES**

There does not appear to be any dispute as to the Sentencing Guidelines. The total offense level scores as follows:

Base (2A6.2)	18
Threatened use of a dangerous weapon, <i>i.e.</i> , a Molotov cocktail (2A6.2(b)(1))	+2
Hate crime motivation (3A1.1)	+3
Acceptance of responsibility	-3
Total:	20

Garza has no known criminal history, and thus is category I. His range is therefore 33-41 months.

**SECTION 3553 ANALYSIS**

Garza deliberately targeted Jews and other minorities with the goal of instilling fear. Garza did not simply “put up a poster.” He wanted his victims to feel unsafe in their own homes—that they would wake up and “*find themselves terrorized.*” He exploited the fear that many Jews, Blacks, and other minorities feel. He knew that the victims of this plot did not have the liberty of treating the posters as an empty threat—not when the news is full of horrible event after event, whether it be the Pittsburgh synagogue shooting, the El Paso Walmart rampage, or the Charleston church massacre. And that fear was not limited to the specific individuals and their families who received posters.



1 As Garza well knew, it was felt by their fellow community members, both locally and  
2 nationally.

3 The government appreciates many of the sentiments expressed in the defense  
4 memorandum. Garza has done what he can do to show that he is done with the white  
5 supremacist movement, that he appreciates the harm that he has caused, and that he  
6 wishes to move forward. The government also is mindful that Garza undoubtedly was  
7 drawn to AWD out of some misplaced notion of seeking community, given the isolation  
8 he experienced, as well as his chaotic upbringing.

9 But the harm that Garza did cannot be easily undone or forgiven. And the  
10 government is mindful that Garza did not act rashly—this plot unfolded over the course  
11 of months, and Garza never once expressed any hesitation. Indeed, he expressed  
12 enthusiasm.

13 In light of all of these circumstances, the Court should impose a sentence of 33  
14 months.

15 Dated this 1st day of December, 2020.

16 Respectfully submitted,

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