

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,

VS.

1:21cr00452-TFH

KENNETH JOHN REDA.

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KENNETH REDA'S MEMORANDUM IN AID OF SENTENCING

Kenneth Reda, through undersigned counsel, submits this memorandum in aid of his sentencing hearing which is scheduled for Friday March 4, 2022. Mr. Reda is sincerely remorseful for his words and actions on January 6, 2021, and the days leading up to it. He came to Washington D.C. to see the rally's and hear the speeches. He very much regrets ever going to the Capitol grounds on January 6, 2021. He is embarrassed and upset about his decision to enter the Capitol and stands before this Honorable Court to accept full and total responsibility for his actions.

Procedural Background

On July 5, 2021, Mr. Reda was arrested at the Melbourne airport in Melbourne, Florida. He was released on an unsecured \$25,000 appearance bond. He remains on that bond to this day. The government has never sought pre-trial detention in this matter. On July 7, 2021 the United States Attorney in Washington D.C. filed a four-count Information charging him with Entering and Remaining in a Restricted Building, in violation of 18 USC 1752(a)(1) (Count 1); Disorderly

and Disruptive Conduct in a Restricted Building, in violation of 18 USC 1752(a)(2) (Count 2); Disorderly Conduct in a Capitol Building, in violation of 40 USC 5104(e)(2)(D) (Count 3); and Parading, Demonstrating, or Picketing in a Capitol Building, in violation of 40 USC 5104(e)(2)(G) (Count 4).

On November 4, 2021, Mr. Reda appeared before this Court and entered a guilty plea to Count 4 of the Information - Parading, Demonstrating, or Picketing in a Capitol Building, in violation of 40 USC 5104(e)(2)(G). This charge carries a maximum sentence of six (6) months of imprisonment, a fine of not more than \$5,000 and an obligation to pay any applicable penalties and interest on fines and restitution not timely made. The Court did not change the conditions of release and the government did not seek a modification of the bond.

ARGUMENT IN SUPPORT OF A PROBATIONARY SENTENCE

As this Court is well aware, the Court must impose a sentence this is “sufficient, but not greater than necessary, to comply with the purposes [of sentencing].” 18 USC 3553(a). Mr. Reda is respectfully requesting this Court impose a period of probation with restitution.

Mr. Reda recognizes the seriousness of the events of January 6, 2021. In no way is he trying to minimize his role as it relates to the events of January 6, 2021. He has shown remorse and regrets ever being part of this event. However, his charge is a Class B misdemeanor and the sentencing guidelines do not apply.

18 USC 3553(a) Factors:

18 USC 3553(a) provides **(a) Factors To Be Considered in Imposing Sentence.** – The Court shall impose a sentence sufficient, but not greater than necessary, to comply with the purposes

set forth in paragraph (2) of this subsection. The Court, in determining the particular sentence to be imposed, shall consider –

- (1) The nature and circumstances of the offense and history and characteristics of the defendant;
- (2) The need for the sentence imposed –
 - (A) to reflect the seriousness of the offense, to promote respect for the law, and to provide just punishment for the offense;
 - (B) to afford adequate deference to criminal conduct;
 - (C) to protect the public from further crimes of the defendant; and
 - (D) to provide the defendant with needed educational or vocational training, medical care, or other correctional treatment in the most effective manner’ ...

Mr. Reda is a 54-year-old married man living in Melbourne, Florida. Julie and Ken Reda have been married since 1990. Mr. Reda has a bachelor’s degree in Business Administration and a Master’s Degree in Education. His wife is similarly educated. They have three adult children as well as several grandchildren. Prior to his arrest he was a teacher and coach in the Brevard County School district. Due to the notoriety associated with his arrest, he was terminated from a position he loved at Viera High School.

Mr. Reda has no history of any extreme political views. He has no history of violence. He drove alone to Washington D.C. on January 6, 2021, to attend a rally and have his voice heard. He stayed at an acquaintances’ hotel room and drove home the next day. The drive from Melbourne, Florida to Washington D.C. is approximately 12 hours.

Mr. Reda attended the Stop the Steal Rally on January 6, 2021. Toward the end of the Trump Speech, Reda followed the crowd towards the general area of the Capitol. Mr. Reda was on the east side of the Capitol grounds. At 3:02 p.m. Mr. Reda entered the Capitol through the Rotunda at the East side of the Capitol. For approximately 10 minutes he remained in the Rotunda and exited at 3:12 p.m. Reda never left the general Rotunda area. He did not enter any executive offices nor the Chamber. He carried no arms, no defensive gear, did not hide his identity nor engage in other aberrant behavior.

Reda did not use force to enter the Capitol, nor did he engage in or provoke anyone to engage in violence or damage to property. At no point during this 10-minute period did Mr. Reda ever act aggressively, brandish a weapon, or make a threat to any law enforcement personnel. Mr. Reda did not damage property, enter any offices or leave the Rotunda area. Mr. Reda never had any intent to come to D.C. to incite violence nor did he. He does, however, fully acknowledge that he was part of a bigger group of people who collectively endangered democracy by entering the Capitol.

Early Cooperation and Acceptance of Responsibility

Less than three weeks after his arrest, on July 23, 2021, Mr. Reda met with the FBI at the Melbourne Field Office. This was a voluntary statement, and no promises were made (though undersigned was present). Reda provided a detailed narrative of his travel to Washington D.C. He discussed how he got to D.C., who he met when he got there, and what he did when he was there. He had no obligation to do so. This act shows his early willingness to cooperate and accept responsibility.

On November 4, 2021, Mr. Reda plead guilty to Count 4. Mr. Reda did not file pre-trial motions, nor did he engage in discovery outside the standing discovery order. Mr. Reda knew he was in the Capitol, he knew his actions were wrong, and he wanted to accept full responsibility and plea guilty early.

Mr. Reda's decision to enter the Capitol on January 6, 2021, has drastically affected his life. He lost his job soon after his arrest. This was not simply a job but a career that he loved. He was a football coach at Viera High School. Helping these kids achieve academic and athletic excellence was his life. Now, his license to teach in the future is in jeopardy. It goes without saying that Mr. Reda has suffered personal embarrassment due to his actions. Countless media articles and posts have vilified Mr. Reda. He understands that they are a result of his own actions, and he blames only himself. Mr. Reda and his wife have been the subject of a slew of physical threats, one being serious enough to warrant it being reported to the FBI.

Notwithstanding his actions and their consequences, Mr. Reda is the same hardworking and motivated person he has been his entire life. He is using his skills learned from obtaining his business degree to work in the real estate appraisal field. He continues to work hard to support his family. He spends his free time attending church and enjoying time with his kids and grandkids.

Conclusion

Mr. Reda will prove to the Court and to the government that he has learned a valuable lesson. He is asking the Court for leniency so that he may continue to lead a productive, family-oriented life. He has been subject to supervision, including restrictions on his liberty since his arrest on July 5, 2021. During this time frame he has consistently met all the terms of his

conditions of release. He has demonstrated that he is willing and able to follow all of the rules. Given the totality of the circumstances and his life and pursuant to the applicable sentencing statutes, Mr. Reda respectfully requests that the Court sentence him to a term of probation.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was emailed to SAUSA Jabob Steiner on this 28th day of February 2022, and filed electronically on same date.

Respectfully submitted,

/s/ Terrence O'Sullivan

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