

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

21-CR 596

CARLA KRZYWICKI

MEMORANDUM IN SUPPORT OF PROBATION

On March 2, 2020 Carla Krzywicki met with the House of Representatives Committee investigating the events of January 6th 2021. Investigative Counsel Sean Quinn, Marcus Childress and James Sasso conducted a transcribed interview into her motivation and participation in the events of January 6th at the U.S. Capitol. After a thorough and intense two hours of asking questions, the Attorney Investigator Sasso stated, "Carla, you are a breath of fresh air. So many of the witnesses we have spoken to try to minimize their involvement. Thank you. It has been a pleasure to meet with you." Sean Quinn stated his appreciation for her candor and honesty. I share their appreciation. Her voluntary interview was important to show her genuine remorse and to help her as well as our nation to make sense of what occurred that heartbreaking day.

From: Quinn, Sean <Sean.Quinn2@mail.house.gov>To: Childress, Marcus
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Sent: Tue, Mar 1, 2022 12:07 pm

Topic: Carla Krzywicki - Transcribed Interview Time: March 2, 2022 03:00 PM Eastern Time (US and Canada)

From the day I was appointed to represent Ms. Krzywicki, in September of 2021 she has been a delight to represent. From day one, she accepted responsibility and requested an early plea. She has been completely open, honest and cooperative with counsel. On January 11, 2022, she entered a plea to Parading, Demonstrating or Picketing in a Capitol Building in violation of 40 USC § 5104(e)(2)(G).

Since her release in September 2021 she has been compliant with Pre-Trial Services. She follows court directions and obeys Pretrial Services' rules and regulations. She telephones weekly. She pursued the referrals for mental health services from Pre-trial services. She is employed as a manager at Wendy's Restaurant in Colchester, Connecticut where she works between 35-50 hours a week. She is also a student at Three Rivers Community College in Norwich, Connecticut. She has recently changed her major from engineering to psychology. In light of her own childhood struggles and her personal history she states her dream job would be as a therapist for children. PSR ¶ 47 & 49.

Carla is not, and has never been, a political activist. She came to Washington D.C. with her mother, as a replacement to her mother's friend who cancelled at the last minute. She did not want her mother to travel alone due to her mother's heart condition. The instant offense is truly aberrant conduct. Until January 6th she accepted whatever her mother told her about politics without question. Since that date she has begun to question information, both from her mother and from the television news. She was very shaken on January 6th. Her concept of herself and her place in America was changed dramatically. She has become less a true believer and more a newly awakened critical citizen. She is informing herself about the world and rethinking the information, she had earlier accepted without question.

Last January Carla joined her mother to attend the rally on the ellipse. Their bus was delayed and by the time it arrived in Washington, the rally was over. The bus driver dropped off Carla with her mother and the other passengers from the bus, at the Capitol. She joined the crowd and later accessed the Capitol by climbing a bike rack. She entered the Capitol during the chaos and walked toward the Capitol Crypt. She and her mother walked around inside the building. There was chanting, noise, fighting and tear gas. After about thirty minutes they exited, found their bus and returned to Connecticut.

Ms. Krzywicki's culpability appears to be minimal in contrast with rioters who destroyed or stole government property or who assaulted or threatened law enforcement officers. The Government characterizes the deletion of a single facebook post by Carla -- as her trying to conceal evidence. That is not correct. Carla deleted this single post when she looked at it and no longer agreed with what she had written. She deleted it because she realized it was wrong.

I urge the Court to follow the recommendation of the Office of U.S. Probation and Carla Krzywicki on Probation for twenty four months. She is a very motivated young woman and will be successful on probation. Early payment of restitution and court costs within six months and hours of community service would satisfy the need for punishment and deterrence. It would also permit her to show her good citizenship to her community.

Were this charge have been brought in D.C. Superior Court Ms. Krzywicki would have qualified for Sentencing under the Youth Rehabilitation Act. The charge could be expunged once the term of probation was completed successfully. One question the YRA asks is "At the moment of the offense what were the family circumstances?" Another question is "At that moment did the youth have the ability to appreciate the risks and consequences of his/her conduct?" Both questions are relevant to

Carla. She was living with her mother and was a very vulnerable and very controlled only child. She was not independent and was fully influenced by her mother. She never would have gone to Washington on January 6th 2021 on her own volition. At that moment she apparently did not have the ability to appreciate the risks and consequences of her conduct. She does today.

She is making her own decisions. She is choosing where to live. Where to work. How to get help to make herself a better world citizen. Learning what she can do to make the world a better place. She is stronger, smarter and more independent than she was a year ago. She is no longer a wounded, vulnerable and impressionable nineteen year old. She is learning how to say yes and when to say no.

On April 22, 2022 the Court will have an opportunity to address any questions or concerns to Carla at in person Sentencing. I am sure the Court will also find her to be a breath of fresh air.

Respectfully submitted,

_____/s/_____

H. Heather Shaner. #273276
Appointed by the Court for Carla Krzywicki
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