

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	§	
	§	
v.	§	CRIMINAL NO. 1:21-cr-00388
	§	
VIC WILLIAMS	§	

DEFENDANT’S SENTENCING MEMORANDUM

TO THE HONORABLE JUDGE RUDOLPH CONTRERAS:

Comes now the Defendant, Vic Williams, through counsel, and files this Sentencing Memorandum.

I. INTRODUCTION

Mr. Williams stands before this Honorable Court humbled and hopeful. Humbled by the painful process that began with his arrest on May 20, 2021. Hopeful that the Court will recognize the true measure of the man. This Memorandum provides the Court with additional information not contained in the Presentence Investigation Report that supports a sentence of twelve months of unsupervised probation. This sentence is sufficient, but not greater than necessary, to comply with the purposes of sentencing under 18 U.S.C. § 3553(a).

On October 28, 2021, Mr. Williams accepted full responsibility for his conduct on January 6, 2021, and pled guilty to *Parading, Demonstrating, or Picketing in a Capitol Building* under 40 U.S.C. § 5104(e)(2)(G). As stated in the Sentencing Recommendations (Doc No. 42), “Mr. Williams’ culpability appears to be minimal in contrast with rioters who

destroyed or stole government property and assaulted or threatened the law enforcement officers on that date.” Mr. Williams’ nonviolent parading involved him entering the United States Capitol Building through an open door (not a broken window or other aberrant means), following a crowd into the foyer area, taking a few photographs and videos on his cellphone, and then quickly exiting the building through the same door he entered. Mr. Williams was inside the building for less than two minutes.

Pursuant to §1B1.9 of the United States Sentencing Guidelines, the sentencing guidelines do not apply to Class B misdemeanor offenses. The Class B misdemeanor “petty offense” that Mr. Williams has pled guilty to carries a maximum penalty of six months imprisonment, up to five years of probation, and a maximum fine of five thousand dollars, in addition to a ten-dollar special assessment. 40 U.S.C. § 5104(e)(2)(G), 18 U.S.C. §§ 19, 3561(c)(2), 3571(b).

II. MR. WILLIAMS’ BACKGROUND AND PERSONAL CIRCUMSTANCES

Mr. Williams was born in Taft, California in 1972. Some would say that Mr. Williams had a rocky childhood and younger adult years; his parents divorced when he was around seven years old, his mother remarried a man that Mr. Williams couldn’t relate to and often physically abused him and his younger brother, his brother unexpectedly passed away in 2001 for an accidental overdose on pain medication, and shortly after, Mr. Williams’ paternal father, who throughout Mr. Williams’ childhood abused alcohol and drugs, suffered a heart attack, and passed away. However, Mr. Williams took the higher road and made the choice to walk in his own footsteps.

At an early age, Mr. Williams learned what hard work meant and how not to take anything for granted. He was raised very much below the poverty level but always worked, either mowing lawns or flipping burgers at his uncle's restaurants. Mr. Williams spent his younger years juggling his education, sports, and a job. He had the opportunity to go to college and play baseball but lacked the confidence to advance his education and instead focused on his career path. Since then, Mr. Williams has had a plethora of jobs.

The one job that really gave Mr. Williams his "calling" was being a correctional officer and chaplain in a prison; that is where he gained his true passion for helping others, seeing people for who they are, and improving the betterment of our community through volunteer work. In fact, one prisoner was so touched by Mr. Williams' compassion and service-orientation for others in the prison system that he wrote a book that was published wherein he credited Mr. Williams for being the man that permanently changed his life for the better. This author asked Mr. Williams to write the forward for this book.¹

Mr. Williams is a very committed and loyal individual. He has been married to his wife for over twenty-seven years and together they have two adult daughters; one who is employed as a teacher in Denison, Texas and has a two-year-old son, and the other who is a bank manager in Caddo, Oklahoma, and expecting her first child in June 2022. Many of Mr. Williams' jobs required him to be away from his home for many weeks and months at a time. He traveled all over the United States but continuing to be involved in his daughters' lives and providing for his family remained his main goal in life. His daughter, Kelssi

¹ See Exhibit A.

Williams, embraces the commitment of her father by stating, “there were times he’d be on rig sites and have no phone service so he’d email us just to make sure he was giving us pep talks, life advice, and know what was going on at home. As far as role models go, I couldn’t have asked for a better one for myself and now my son.”² Mr. Williams’ commitment reaches much further than just his immediate family. Autumn Zimpfer states, “The term ‘family man’ was created just for him. In addition to raising his two daughters, Vic has opened his home to nieces and nephews when there was a need. Vic has always stepped up to help those in need. On multiple occasions, I have witnessed him sacrifice his time and money to help a family member, friend, or stranger.”

While Mr. Williams was working as an oil rig supervisor for Halliburton, he met a gentleman from Kenya, who told him stories about his village near Nairobi that had no electricity or running water. This gentleman arranged for Mr. Williams to visit his village and after ten days of first-hand experiencing the extreme poverty levels of this village in Kenya, Mr. Williams made a commitment to do whatever he humanely possibly could do to help them get fresh water. It took over four years but using his connections and career background in the oil and gas industry, Mr. Williams purchased a drilling rig in the United States and shipped it to Kenya. Shortly after returning home from installing the rig and being truly inspired by the individuals in that Kenya village, Mr. Williams and his wife started a non-profit organization, **Called to Dream Foundation**. The Foundation started off focusing on sponsoring children and putting them through school, providing food and

² See Exhibit B: Letters of support from family, friends, co-workers and others familiar with Mr. Williams

water supplies, and digging water wells for villages in Kenya. Eric Otamo, a student from Kenya, states, “I have a personal connection with [Mr. Williams] for he made my dreams true. He saw me through my high school studies by paying for my tuition and a lot more personal needs. A God-fearing man and one who stood for a lot of dreams back in Kenya. He wanted the society to have access to clean water among other standards of life. A personal friend and a brother to me.”

Today, due to Mr. and Mrs. Williams’ commitment and dedication, their foundation reaches all corners of the world. **Called to Dream Foundation** has supported a village in Ethiopia during an extreme drought; raised funds to send to families in Venezuela so meals and toys could be purchased for the Christmas holiday; provided beds, sheets and clothing to an orphanage in Myanmar; helped start a pig farm and build a water well in Kakamega County, Kenya; and partnered with a special needs school in Houston. In a letter from Dr. Echesa Peter, Principal of St. Monica Secondary School Lubao in Kenya, he captures the true measure of Mr. Williams and his foundation by stating, “I do celebrate VIC Williams for the acts of charity... It takes God’s hand and spirit to have one, who denies self for the sake of those who otherwise would not have had an opportunity for education, clean drinking water and demonstration farm for pig rearing.” And closer to home, Chase Stampley writes in his letter of support, “I met Vic Williams back in 2013. I met him a few weeks into my senior year and I knew just from talking with him the first time that he was the type of person that would be there for someone no matter the circumstance. I had gotten into some trouble at school and was on the verge of getting suspended and at that point I really didn’t care about the outcome. I didn’t have anyone that wanted to fight for me to

keep me in school. Vic Williams whom I met just a few weeks before went to the school and fought for me. He saw something in me that no one else did. I ended up not getting suspended and finishing school. It is because of Vic that I am where I am today in life. His non-profit, **Called to Dream Foundation**, gave me a \$1,000 scholarship for my first year of trade school. I am now a successful electrical conductor because he didn't give up on me like everyone else had."

These examples of Mr. Williams' involvement in various ministries and humanitarian projects, and individuals' lives, only scrape the surface of Mr. Williams' dedication to helping others. Reviewing the plethora of letters of support written on behalf of Mr. Williams, reveal the true measure of the man before the Court.³

A. PERFECT PERFORMANCE ON PRETRIAL SUPERVISION

Since the day of Mr. Williams' arrest, he has satisfied each condition of his release. His perfect performance is indicative of his commitment to do all he can to right his poor decision to enter the Capitol. The best predictor of future behavior is past performance; Mr. Williams' perfect performance demonstrates that he will make an ideal probationer.

B. ACCEPTANCE OF RESPONSIBILITY

Mr. Williams offered the following written Acceptance of Responsibility:

³ See Exhibit B.

ACCEPTANCE OF RESPONSIBILITY

Judge Rudolph Contreras,

I accept responsibility for my actions. I again apologize to my family, supporters, this Court, and all those affected by the decisions I made on January 6, 2021.

I have lived a life dedicated to service, family and trying to make the world a better place. I never fathomed my trip to our capitol could go so terribly wrong. I assure this Court I would have never made the trip if I had any idea this could happen. While my sole intent was to support my democracy in a meaningful way, I got caught up in the moment and lost sight of my proper purpose in being there.

I reflect upon the decisions that led me to this place in my life on a daily basis. While I cannot go back in time and make better decisions, I can continue to do all I can to be a devoted husband, loving father, and dutiful public servant.

Thank you for your compassion and consideration in my case.

Respectfully,



Vic Williams

III. THE NEED FOR SENTENCE IMPOSED TO ADDRESS THE SERIOUSNESS OF THE OFFENSE

While the U.S. Sentencing Guidelines do not apply to Mr. Williams', this Court is still required to consider under 18 U.S.C. § 3553 (a)(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 deterrence 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." A sentence of twelve months of unsupervised probation will accomplish each of these factors.

Mr. Williams has never been a member of any of the reprehensible groups who hijacked the events of January 6th. In fact, Mr. Williams traveled *alone* to Washington D.C. for the conservative protest events scheduled for January 5th and 6th, which should have been a peaceable demonstration as envisioned by the First Amendment. He saw the rally as political expression in its purest form. Mr. Williams attended President Trump's speech and following the directive of the President and the majority of the crowd, Mr. Williams began to walk towards the U.S. Capitol to continue their peaceful protest. In the simplest of terms, Mr. Williams was a crowd follower on January 6th. He followed the crowd to the U.S. Capitol, he followed a small, peaceful crowd of protestors through an open door into the U.S. Capitol, took a video, and followed a crowd exited the building, less than two minutes after entering. He was not a leader, did not carry any signs, banners, or weapons—he did not incite any form of violence throughout his entire visit to Washington D.C. and two minutes inside the Capitol.

Unfortunately, the government and media are lumping all participants of January 6th into one group - a violent, rebellious, terrorist group - blatantly ignoring the particularized perspective of the individuals in the crowd who came to the protest lawfully and who followed the crowd into an unlawful demonstration inside of the Capitol. Sentences for the petty offense of Parading, Demonstrating, or Picketing in a Capitol Building have varied greatly.⁴ This Memorandum will not analyze all of the cases contained in Exhibit C. Undersigned counsel trusts this Court can properly undertake that analysis.

⁴ See Exhibit C: Government's Table of Sentences – recently reported in *United States v. Jacob Wiedrich*, Case No. 1:21-cr-00581.

However, one illuminating illustration will underscore the necessary point. In *United States vs. Sean Cordon* (Cause No. 1:21-cr-00269-TNM), the defendant was sentenced to two months of probation with a \$4000 fine.⁵ In that case, the defendant entered Capitol by climbing through a broken window, roamed all around for over four minutes, and then exited the building by climbing out another broken window. In contrast, Mr. Williams entered the U.S. Capitol through an open door and exited the building less than two minutes after entering and taking a video. Clearly, Mr. Williams' conduct merits a far more lenient sentence.

I. CONCLUSION

In sum, the record before this Court illustrates that leniency has been earned. Based on the arguments presented herein, the information contained in the PSR and the totality of circumstances surrounding this and related cases, Mr. Williams requests a sentence of twelve months of unsupervised probation. This sentence is sufficient, but not greater than necessary to comply with the purposes of sentencing under 18 U.S.C. §3553(a).

Respectfully submitted,

/s/ Chip Lewis

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⁵ See Judgement (Doc No. 37) in *United States vs. Sean Cordon*, Cause No. 1:21-cr-00269-TNM.

CERTIFICATE OF SERVICE

I hereby certify that on January 28, 2022, a true and correct copy of the foregoing Sentencing Memorandum was delivered to Assistance U.S. Attorney, Laura Hill, via email.

/s/ Chip Lewis
CHIP LEWIS