

## **Exhibit 1**

Elias C. Irizarry

March 7th, 2023

To The Honorable Judge Tanya S. Chutkan,

Your Honor,

First, I'd like to thank you for allowing me to share my thoughts and to tell you myself that I am sorry for what I did and to explain my thoughts about my mistake. I want to make clear that I am not writing to make excuses or defend my actions. My participation in an event like January 6th has brought great shame upon myself, my family, and, unfortunately, my country.

At the time of January 6th, I was a little over 19 years old. While this isn't an excuse at all, I want to explain my mindset at the time. I had entered into college and, with the pandemic, I wasn't allowed to see my friends for the entirety of my semester. Throughout high school, my co-defendant Elliot Bishai was my best friend. We shared a lot of adventures together, and leaving high school and moving to become an independent man was a very bittersweet experience for me. I hadn't seen Elliot for months as I began the journey of my young adulthood to define myself as a man. Around the time of January 6th, I had faced my first heartbreak. I had faced the rigors of a difficult freshman year - more difficult than most - at a military college, where I could not leave the campus or even act as a human being. I faced great strife in my family, as a lot of drama broke in my family as well as my mother becoming dangerously ill, to the point of surgery. I, in many ways, felt lost. When I learned that my friend Elliot Bishai was going to join the army and become a warrant officer in a program that would see him gone for a year, I was eager to spend as much time with him as I could before he left. When my plans with my mother fell through and Donald Trump announced that he was having a speech on January 6th, I felt it would be fun to join my high school best friend in Washington DC and not only see the man that, at the time, was

the President of the United States, but also experience the beauty and majesty that is the city of Washington D.C. The rest is history, as you know.

I regretted January 6th almost the moment I got away from there and began to process what happened. As I left the Capitol and headed home, I looked at my phone and saw the terrible scenes of violence against the Metropolitan and Capitol Police. I was horrified. Not because I thought I'd be arrested, which I didn't, but because of how ashamed I was to be a part of something like that. I do not tell people about the fact that I was there. The idea that I had been there was embarrassing to me, and I hoped that my friends or family would never learn that I was at an event like that. Many political groups attempted to seek me out to try to use me to spin a narrative that would benefit them, even offering financial incentives such as starting fundraisers to provide support for legal expenses, and each time I refused. I will never allow myself to be a pawn for misinformation again.

My lawyer asked me once why the discovery showed that I had information regarding fallen Capitol Police officer Mr. Brian Sicknick on my phone. When I discovered the death of Officer Sicknick, I was extremely upset. I looked a lot into Officer Sicknick's biography and found that he was born and raised in Toms River, New Jersey, which was close to my hometown. At the time of January 6th, I was hoping to serve in the Air National Guard, with the consideration of joining their Security Forces, I found that Officer Sicknick, as I had aspired, had served in the Air National Guard as well as apart of Security Forces. The fact that there were similarities between myself and Officer Sicknick was a fact that was extremely saddening to me, and I had saved these facts and sent them to my friends to share with them my shame - that he had fallen as a result of the actions of that day. And that, in some way, I participated in that by my very attendance, I had helped the crazy insurrectionists (who I didn't know about then) almost accomplish their goals.

I want to make clear that I am not a victim. The only victim in this situation is the staff of the US Capitol, the members of the Capitol Police as well as their families who have lost their loved ones - and my family - which has had to bear great burden for my mistake. In the years

following January 6th, myself and members of my family have found ourselves apart of watchlists, what is essentially a no-fly list, and subject to both death and rape threats by members of the public, as well as harassment by members of the media. My father, who worked hard to gain his career and reputation, has seen his work jeopardized as a result of my reckless decision. These results of my mistakes on that day are things that I will never forgive myself for.

At the time of January 6th, I didn't fully understand the beauty of our institutions. For 243 years, the United States was able to prove the experiment of our liberal democracy through the peaceful transfer of power. It is something to be proud of, and something to cherish. The very fact that this tradition of a peaceful transfer of power is now over, is something that I hold heavy in my heart. And the fact, that I had some part in responsibility in the end of that tradition, is terrible to me. It is something that I don't know if I'll ever be able to forgive myself for. The United States is a country that is supposed to be a beacon of democracy throughout the world, yet on January Sixth, the world saw the opposite. It was without a doubt one of the most embarrassing days in modern American history.

I have come to appreciate, through all this, how fortunate we are to have a stable government. How I have been able to continue my life in some form and be allowed to learn from my mistakes in a healthy environment. And how I have been given a free lawyer who will fight for me, even if he disagrees with me – and a fair judge who will hear both sides of the story. This is something I will never take for granted - and speaks volumes for the amazing judicial system. It is without doubt, that if this was to happen in a country like Russia, I would have had my entire life taken away from me. To those, including many that took part in the Capitol Riot, who say that our democracy is crippling away, and our country is at threat, I would say that the very response to January 6th proves that as a country, we are still strong in our democratic values. I wish I understood these things at the time. I of course knew our history, but I was too young and immature to understand how great our institutions truly are. This is something that, in time, I've learned in the past two years.

Since January 6th, I have committed to learning about our institutions, and to continue in my unwavering faith in service. I have seen the other side, which is political extremism, and it's not something that I want any part of. I have and will continue to try to be a good citizen of this country, volunteering as much as I can especially following the aftermath of Hurricane Ian in our state and making it a priority to serve. There are a lot of lessons that I've learned from my mistake - whether it be the fragility of our democracy, the consequences of my actions, or the true beauty of our liberal democratic traditions - but what I've found most important is the power of humility and understanding.

Overall, I believe our country would be better if we all had more empathy and love for one another as fellow human beings. In my now absence from The Citadel, I am working and volunteering. But even as I try to focus on service, it reminds me of the police and staff members who just wanted to serve their country and protect the symbol of our democracy and were injured or even killed.

Despite me standing here today, I'm glad that whatever the plan was on January 6th failed. The people that I saw on the news were people that I do not want to associate with. I don't want to live in a country where we judge people based on their race or sexuality. I don't want to live in a country where the religion of a few dictates the lifestyle of the many. I don't want to live in a country where we value the ego of an individual over the needs of the people. I don't want to live in a country where people are left to fend for themselves. I want to live in a country where we love and support one other, where instead of dividing and hating each other, we stand as one and work together to improve an America that is already great. I made a mistake on January 6<sup>th</sup> - the worst mistake of my life - and I stood on the wrong side. I chose to allow myself to become a pawn in a struggle to redefine our liberal democracy for the worst. I stand here today to tell you that no matter what is decided today, it is my promise that I will someday redeem myself to my family, to you, to the police, and people who work in Congress, to the people of Washington DC who saw their beautiful city desecrated, and to this country. While you see me today as a result

of my foolish mistake, I hope that you will see me again someday and be proud of what you see, and that some day I may be able to move on from this and be a force for good in our country. Once again, thank you for giving me this opportunity.