

William S Kit's response to Government's Sentencing Memorandum

In response to the Government's Sentencing Memorandum, I, William Stephon Kit, also referred to as M. Kit, would like to point out and express that the prosecution has taken my words out of context and weaponized them against me. According to the prosecution, I "was anything but a passive observer," and it's true, however, not in the negative light that they're trying to portray. I was so much more than *a passive* observer: I was also a victim of police aggression. I was a subject of misleading rhetoric by then President, Donald Trump (which I further explain later in this response). I was also a peacemaker in my countless efforts of shouting for the crowd to stand down and retreat.

While the police there were outnumbered, so was I. I was merely one voice among hundreds of thousands, verbally responding to the physical assault that we protestors suffered at the hands of the police. After being pepper sprayed, pushed, and met with percussion grenades, yes, I did respond using expletives. With that being said, here is what I meant when I had made the following statements:

- *"There is a fucking price to pay for freedom* – The statement itself is true. However, context matters, for example, we have an entire military dedicated to protecting, defending, and *paying* for the continued freedom of our great county. In no way does this indicate that our military violent... or that the brave servicemen and women are threats to democracy - they are mere defenders and protectors of it. However, they *pay the price* (deployment, time away from their families, and some pay the ultimate price - losing their lives) for our freedom.
- *Are you willing to pay the price?* (To the police): I intended this to be a thought-provoking question. It was obvious that the protest had taken a turn and the vast majority of gatherers were becoming violent. I was asking officers if their job (as a police officer) was worth attacking the people who were exercising our right to assembly and freedom of speech.
- *Are you willing to die for this shit?* -I could see and hear

where some people's mindset and intentions had shifted from protest to riot. *I didn't want to see anyone – not police, politicians, no civilians) get hurt or worse... that was not what I was there for. I don't believe that any person present today can deny that some individuals had ulterior motives. I was trying to get them to consider whether or not their jobs were worth the potential sacrifice of their safety because they were outnumbered.*

- *We are here to die for this shit today:* Again, we had already been abused, sprayed, and more. So, I was letting them know that we were committed to this protest, that we were willing to lay down our lives for freedom.
- *“Where are those goddamn politicians at?”* That was a rhetorical question, my actions clearly showed that I was not looking for, nor expecting anyone. My saying, *“We're taking over the Capitol,”* was poor judgement and a mistake on my part. I would even go as far as to say it was ignorance. At the time, I didn't understand rhetoric, its use, its potential influence, and the possibility of its unpredictable outcomes. I should have said, *“THEY are taking over the capitol,”* because that was never my personal thought, intent, nor desire. Simply using the word *“they”* would have been a more accurate account of what was happening at the time.

This all boils down to rhetoric. At the time, I was uneducated on rhetoric, what it sounds like, what it looks like, how it's presented, how it's used, its intent, its potential, and its ability. Through these legal proceedings, I was compelled to research and educate myself on rhetoric and now consider myself well-versed. With this being the case, I sincerely apologize for my ignorance, my verbiage and use of rhetoric, and my actions on January 6, 2021. Now, I know and understand that when used effectively, rhetoric is negatively provoking and compelling to get people do things they otherwise would not...and that could be a threat to our democracy.

The prosecution's determination that the above-listed statements had amplified statements that I made on YouTube several months prior, is misleading to this court. In their words I, “promoted theories off election fraud to tens of thousands of

subscribers” the truth is that I reiterated and rephrased what then President Donald Trump, had said on countless occasions, on national television, to millions of people. Again, I was misled by political rhetoric and what I now know to be lies/falsehoods of the (then) President of the US...the person who held the highest office, of which I was taught and raise to appreciate, honor, and revere.

On January 6, 2021, I believed in then-President Trump, which is why I initially went to the Capitol: to protest (not riot) what I thought to be a rigged election. At the time, I felt that it was my duty as an American, to fight threats, both foreign and domestic, to preserve our constitution. I still believe this to be my duty; however, I now see and understand that January 6 was not the time nor place.

I wholeheartedly believe that the government’s sentencing request (90-days incarceration, 24-months’ probation, 60-hours of community service, and \$500 in restitution) is excessive for what my charges are and the fact that this incident occurred well over 2 years ago. The government submitted a frivolous, 26-page document (Sentencing Request) full of assumptions, inaccuracies and repetitious jargon that has absolutely no relevance to my actual charges. Things such as my social media posts (some of which lacked judgement, none of which are criminal), my (then) political views and opinions (which that didn’t break any laws), and my verbal statements (which are not against the law, but instead are protected by my constitutional right to freedom of speech).

While the government tried to use this sentencing memorandum to define and describe my character, they failed to adequately do so. I am so much more than a “46-year-old social media influencer.” That vague description doesn’t begin to scratch the surface of who I am. My social media followers don’t know me to be William Kit and my community don’t know me to be Semore Views. *Semore Views* is a persona, screenname. *William Kit* is a man. Please allow me to introduce myself:

My name is William Kit. I am the oldest of 8 children, raised by a single mother. I am a grieving son, navigating the recent, unexpected loss of my mother. I am the eldest brother, coping with the recent loss of my brother (my mother’s youngest child). I am a 46-year-old Black male, from an impoverished, marginalized background with no

prior criminal record. I am a proud father of 5 biological children, with my oldest child being a Physician and my youngest an HVAC specialist. An active, involved grandfather to 2 young children For the past 5 years, I have been, and I am the sole caretaker for my disabled, wheelchair-bound client who has Multiple Sclerosis. I am responsible for day-to-day living necessities (his meals, hygiene, laundry, cleaning, etc.). I am active and involved in my community where I plan and host free community events (back to school supply drives and July 4th celebrations to provide safe and fun opportunities to celebrate our country. Both of these events offer free food, games, and giveaways to help the community). I also work at a local convenient store that serves as the grocery store, drug store, dollar store, etc. for underserved neighborhoods without nearby grocery stores, shops, or drugstores (i.e., *CVS, Walgreens*). My community knows me as the neighborhood Aki (brother) willing to help anyone I encounter. With my personal very limited resources, I have purchased groceries for households in need, paid rideshare fees so people could get home safely, purchased handmade crafts and paintings to support and encourage entrepreneurship in my community.

As I previously mentioned, the contents of the Sentencing Memo are assumptive, inaccurate, and repetitious. In reference to the following sections of the memorandum:

I. Introduction

“...a sentence of incarceration, followed by a lengthy sentence of probation is appropriate here because Mr. Kit

- (1) *“promoted conspiracy theories on his popular social media channels that the 2020 election was stolen in the leadup to January 6, 2020...”*
 - I was/am **not** charged with promoting conspiracy theories. It would be unjust for me to be punished for something I am **not** charged with.
- (2) *“badgered officers defending the Capitol with violent, threatening language”*
 - Again, this something that I am **not** charge with (making threats)
 - The government’s description of my language is an opinion. Our justice system is weighed on the scales of justice, based upon facts and proof, not the prosecutions **opinion**. I ascertain that my

(this is my opinion)

- (3) *“livedreamed his brazen, enthusiastic conduct to his thousands of followers”*
 - *Again, I am not charged with “livedreaming brazen, enthusiastic conduct...” and their description of my ‘conduct’ is their opinion. What penal code does this violate? Is it the duty of our justice system to incarcerate people for violating the opinions of others?*
- (4) *“Fled from FBI agents who were executing a warrant for his arrest...”*
 - *I did not flee. I had already exited my apartment building and was riding an electric scooter, enroute to work, when several unmark, nondescript, black vehicles came motorcading down a main city street (S Capitol St).; I didn’t know why they were in the neighborhood; and I didn’t even know that I had an arrest warrant.*
 - *I see this (similar vehicles in various areas throughout the city) all the time and it never has anything to do with me, so I continue with my business as usual – which is what I was doing in this case.*
- (5) *“discarded an unlicensed Baretta nine-millimeter pistol...”*
 - *Despite working varying shifts (sometimes overnight), at a 24-hour convenience store, located in a seedy area, known for violence and nefarious activity, I acknowledge that I should have obtained the necessary license and permits.*

II. Factual and Procedural Background

- *“Kit operates popular accounts on YouTube (approx. 37K followers) and Instagram (approx. 78K followers) under the moniker “Semore Views” ...claiming that the Democrats would attempt to steal the election from President Donald Trump...”*
 - *How is this relevant to charges (1) Entering and remaining in a restricted building or grounds and (2) Attempting to carry a pistol without a license? To reiterate, neither having social media*

pages/channels nor having thousands of followers on said social media are crimes or punishable by incarceration. I don't understand why the government continues to dwell on social media platforms that are unrelated to the actual charges for which I am being sentenced.

- *Then-President Donald Trump himself, countless times on national television (to millions of people) that the Democrats stole the 2020 Presidential Election. Why does it not warrant his incarceration, but warrants mine? That is unjust.*

- *On **Page 4** of the sentencing memorandum, the government states, “these statements, before January 6, 2021, are First-Amendment Protected statements...”, yet the vast majority of this memo is seeking incarceration for the statements listed throughout. This contradiction on the government’s part insinuates that the First Amendment was amended (again) post January 6, 2021. It could easily be argued that the government/prosecution’s language is “misleading rhetoric”, used to compel this court to impose a harsher sentence (to include incarceration and extensive probation). This is certainly MY interpretation of the context of this entire document.*

- *Page 4 (continued): “Kit approached a defensive line of metal bike racks defended by police officers (outnumbered by the crowd of rioters, as the government previously noted), who were fighting to block the swelling crowd of RIOTERS from further approaching the Capitol building. **Kit walked to the VERY FRONT** of the crowd of RIOTERS who were **CONFRONTING** the line of **police officers**. At times (meaning several/multiple), **Kit yelled to the crowd to “RELAX.”**”*
 - *Earlier in the memorandum, the government emphasized and accused me of livestreaming my “brazen, enthusiastic conduct to” my “thousands of followers”. The word ‘bold’ is a synonym for ‘brazen’. Many would view my conduct of approaching a “crowd of rioters” (who severely outnumbered the police) and*

yelling for them to “relax” as admirable, bold, brave, and courageous. The above highlighted quote from the government’s memorandum, clearly proves that I was not a rioter. There were police. There were rioters. There was me – trying to maintain and encourage peace between the two groups.

- I walked up to a fight between police and a rowdy crowd and tried to diffuse it. As I stated earlier in this response, I was a peacemaker on January 6, 2021.
 - The government continuously referred to my social media followers, if I had as much influence as they want to portray, my multiple efforts to get the crowd to relax would not have been in vain and the barriers would not have been breached.
- *“But he also shouted angrily at officers, when they told members of the crowd to back away from the police line. (MPD Body-worn footage at 1:17pm (timestamp 0:58))*
 - What the government conveniently failed to state here is that I had been maced, flash bombed, and pushed around even **after** my many attempts to keep peace and diffuse the confrontation, or “fight” as described by the government. That failed to me stated in this section of the memorandum.
 - This also explains why my middle finger is raised in Image 1 (also at 1:17pm)
- *Page 5: “at 1:20 pm, individuals near the West Plaza crowd near Kit, began pushing against the bike barricade and fighting officers.*
 - *This is totally misleading. It clearly says that individuals came near me. I was still in the same location as when I was yelling for the crowd to relax.*
- *Image 2: “he then returned to the front of the crowd seconds later and became more aggressive in yelling and gesturing toward police officers.*
 - This is a blatant lie. It would have been impossible for me to have returned to the front of the crowd of hundreds of people in only

seconds.

- Image 2 shows my arms spread, at my sides, palms open. Nothing about his posture is threatening nor aggressive; it's a neutral/peaceful gesture.
- Image 3: "Kit then moved back to the south, where he again angrily confronted police officers fighting to quell the crowd"
 - I was too close to the front ^{to} lip to turn all the way around and go the back of the crowd stretched to the Lincoln Memorial... another false representation of me, by the government.
 - Image 4: police officers are still holding their line. According to government documents, at 1:48 pm, rioters overpowered police and poured onto the scaffolding. Based on the government's words and descriptions, there were distinct differences between rioters and myself. I did not overpower police officers.
 - Once the crowd pushed forward, to the scaffolding, it was like a stampede and I was pushed along. In image 4, I am standing face-to-face with police. Image 5 shows hundreds of people in front of me (proving I was pushed forward by the crowd.
 - Image 9: shows me walking through an open door at 2:57pm, I did not break any doors or windows to gain entry. It also shows hundreds of people already inside as I am coming through the door.
 - I didn't touch anything, I didn't take or break anything. When I entered and saw the chaos and behaviors of people, I did not agree with nor condone the behavior and I didn't want any parts of that. That was not why I came to the protest. I'm a proud American and some things that I saw disturbed me because it was so disrespectful and offensive to patriotism.
 - Image 10 shows me leaving through a broken window at 3:01pm – less than 4

minutes after I entered.

- It took me that long (4 minutes) to navigate through the crowd to get to the window so that I could leave.