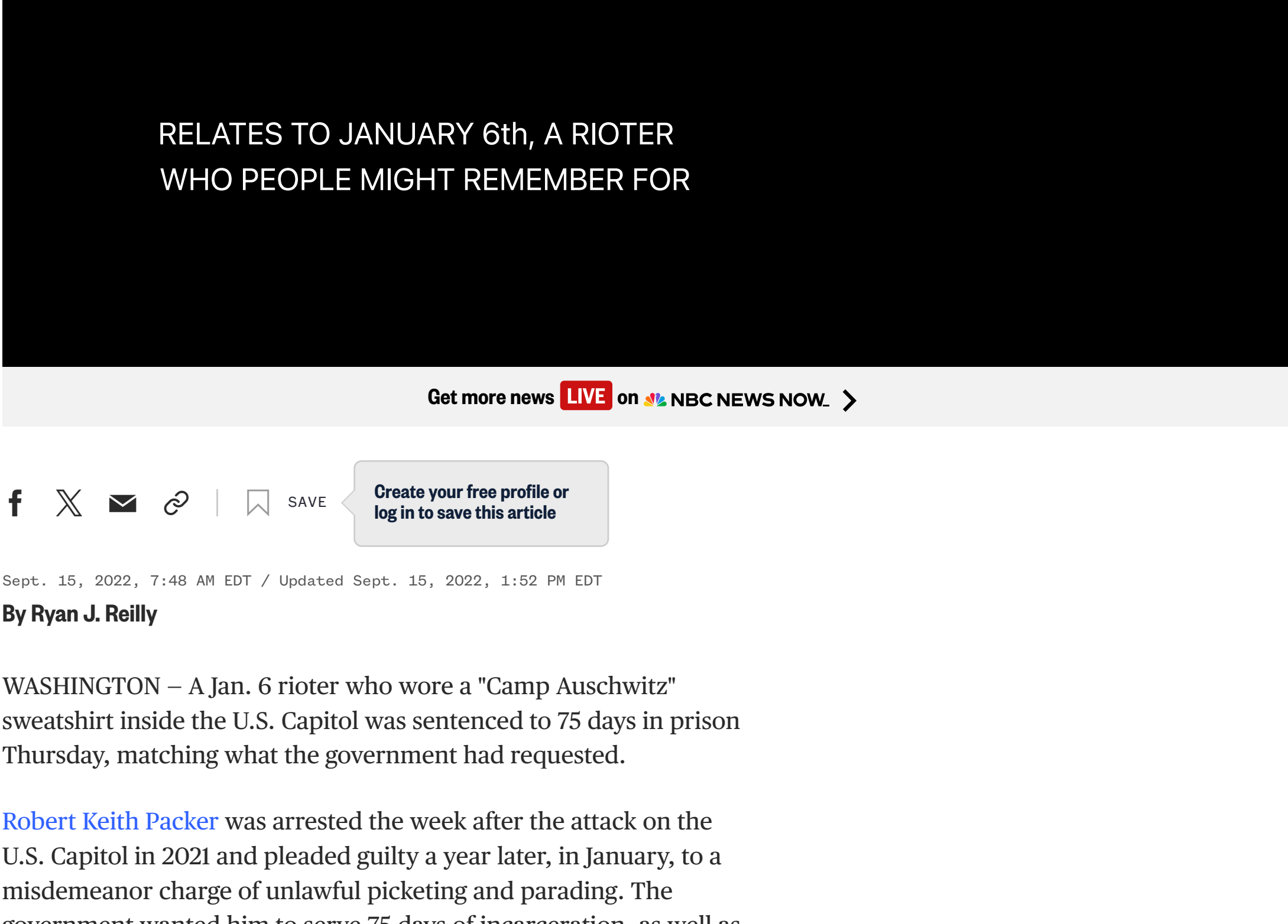




JUSTICE DEPARTMENT

Jan. 6 rioter in 'Camp Auschwitz' hoodie sentenced to 75 days in prison

In a plea for leniency, Jan. 6 defendant Robert Keith Packer's sister asked the judge not to "judge a book by [its] cover."



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By **Ryan J. Reilly**

WASHINGTON – A Jan. 6 rioter who wore a "Camp Auschwitz" sweatshirt inside the U.S. Capitol was sentenced to 75 days in prison Thursday, matching what the government had requested.

[Robert Keith Packer](#) was arrested the week after the attack on the U.S. Capitol in 2021 and pleaded guilty a year later, in January, to a misdemeanor charge of unlawful picketing and parading. The government wanted him to serve 75 days of incarceration, as well as three years of probation. Packer's sister had asked for leniency, and she urged the court in a written plea not to "judge a book by it's cover." But a federal prosecutor told the judge that the "words on his clothing showed you his intent" on Jan. 6.

"Mr. Packer showed the world who he was on Jan. 6 by both his deeds and his actions," Assistant U.S. Attorney Mona Furst told the court Thursday. "He posted his belief on his clothing that day."

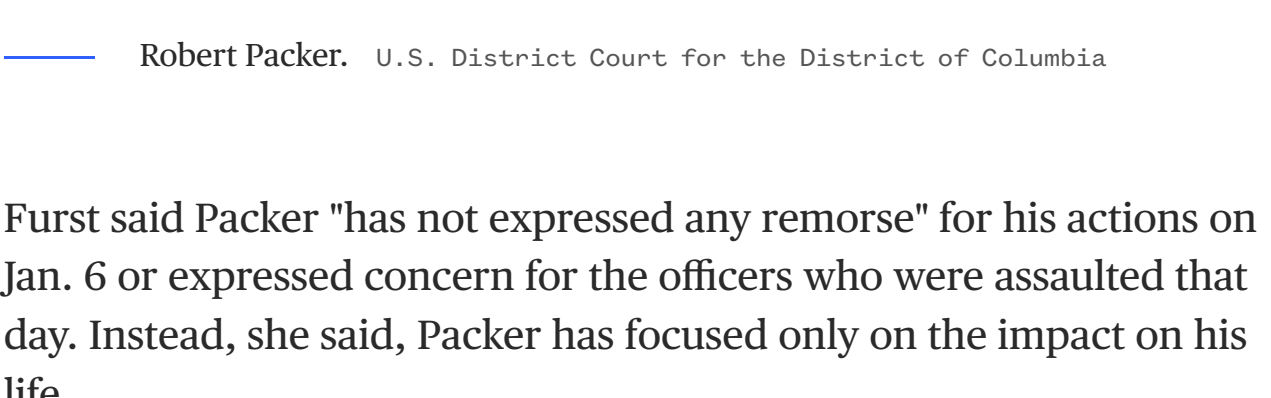
Nichols said that there was clearly an intent to wearing the sweatshirt but that Packer hadn't explained what it was.

"It seems to me that he wore that sweatshirt for a reason. We don't know what that reason was, because Mr. Packer hasn't told us," Nichols said.

Packer [admitted](#) that he traveled from Newport News, Virginia, to Washington on Jan. 6, 2021, "to attend the rally" held by former President Donald Trump and that he then "entered the building despite seeing broken windows and tear gas deployed by police." He also admitted he was "in a crowd of people in the hallway when rioters took down and broke apart" a sign bearing House Speaker Nancy Pelosi's name outside her office.

U.S. District Judge Carl J. Nichols, a Trump nominee confirmed in 2019, sentenced Packer during a virtual court hearing. Nichols said that Packer's sweatshirt was "incredibly offensive" but that there was no evidence that he used violence against officers. Nichols said that while he thought Packer was probably sincere in his regret, his apology wasn't as full-throated as those of other defendants.

Nichols said Packer was "somewhat above average" in terms of culpability compared to other defendants who pleaded guilty to the same charge.



Robert Packer. U.S. District Court for the District of Columbia

Furst said Packer "has not expressed any remorse" for his actions on Jan. 6 or expressed concern for the officers who were assaulted that day. Instead, she said, Packer has focused only on the impact on his life.

"It's all about what happened to him," Furst said.

Packer's defense attorney, Stephen Brennwald, compared Packer to Forrest Gump, writing that Packer's "demeanor and presence ... appeared to be similar to the character played by Tom Hanks in the movie Forrest Gump – a man who went through life almost as if he was outside of his body and mind, looking in." Brennwald said he'd already gotten emails that said his comparison was offensive to Forrest Gump.

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Brennwald [wrote](#) that Packer had been the target of "quite significant" harassment from the public, "mostly because of the nature of the offensive shirt he was wearing."

Packer chose not to make any comments to the judge ahead of his sentencing. Brennwald also said that Packer's own son won't speak to him because of his views, and he asked the court to sentence him to probation.

In court Thursday, Brennwald wondered whether Packer would be treated differently if he had short hair and no beard and was wearing a Nike shirt instead of a "Camp Auschwitz" sweatshirt. There's "no question" that Packer's sweatshirt is offensive, Brennwald said, but he argued his client shouldn't be punished for the content of his shirt.

Brennwald said that he had discussions with Packer about concentration camps and that Packer has acknowledged the existence of such camps, but Brennwald didn't want to elaborate beyond that. Packer doesn't consider himself a white supremacist, Brennwald said.

"He was very mad when people were calling him a white supremacist," Brennwald said. "He wanted me to sue Nancy Pelosi when she made some statement on the House floor about him being a white supremacist."

In a [letter](#) of support, Kimberly Rice, Packer's sister, called him "hands down the BEST BROTHER with a HUGE heart and gentle soul." She said that they grew up in a "blue collar, middle class Christian values home" and that they traveled to Washington together but that she left early because of the cold weather. She portrayed her brother as a victim of media attention.

"Over the last year and half the media has portrayed and described a person who he is NOT and NEVER has been. His day to day living over the last year and half has been so altered and a major struggle for him, living in fear because of the news media slandering his name and making him out to be some monster that he absolutely is not, losing his long tenure job, death threats to him and and so on," she wrote.

"It's so easy to judge a book by it's cover, without knowing the details of what is truly inside – yet it is also so wrong. All over a sweatshirt – yes a sweatshirt," she wrote, describing a sweatshirt celebrating where at least 1.1 million people died during the Holocaust. "Yes, it could be considered in poor taste just as much as so much more is these days, but it's not a crime for freedom of expression."

The government's sentencing [memo](#) noted that his sweatshirt bore the word "STAFF" on the back and the phrase "Work Means Freedom" on the front, which "recalls the sign over the entrance to the Auschwitz death camp operated by Nazi Germany in occupied Poland during World War Two."

Packer, asked during an FBI interview after his guilty plea why he had worn the "Camp Auschwitz" sweatshirt, "fatuously replied 'because I was cold,'" according to federal prosecutors.

The "Camp Auschwitz" shirt wasn't the only piece of pro-Nazi paraphernalia that Packer sported on Jan. 6. Video [provided to NBC News](#) this week shows that earlier in the day he was wearing a "Schutzstaffel" shirt, referring to Adolf Hitler's paramilitary unit headed by Heinrich Himmler, which is more commonly referred to as the SS. The government presented an image from the video in court Thursday.



More than 850 people have been arrested in connection with the Jan. 6 attack, and more than 350 have been convicted. Sentences have ranged from short periods of probation for misdemeanors to a [decade behind bars for a former New York City police officer](#) who assaulted a Washington police officer on Jan. 6 and then lied on the stand. The FBI has the names of [hundreds](#) more Jan. 6 participants who could be charged but [haven't yet been arrested](#).

Earlier this week, a Trump-appointed judge convicted three rioters of felony charges in connection with the violence in the tunnel on the west side of the U.S. Capitol on Jan. 6 but [acquitted](#) two of the defendants on a charge of obstruction of an official proceeding that came with significant prison exposure.

Ryan J. Reilly

Ryan J. Reilly is a justice reporter for NBC News.