

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

UNITED STATES OF AMERICA :
 :
 vs. : NO. 3:21-CR-87 (VAB)
 : July 17, 2025
 JESSICA MARTINEZ :

JESSICA MARTINEZ’S SENTENCING MEMORANDUM

More than seven years ago, Jessica Martinez agreed to serve as a campaign treasurer for Dennis Bradley, a candidate for state Senate. Ms. Martinez agreed to this role because she believed in Mr. Bradley as a candidate. She agreed to it even though she had zero experience as a treasurer or accountant, and even though she was preoccupied with significant personal stressors at the time. Ultimately, her role in the campaign was minor. But its effect on her life was disastrous. An investigation into alleged campaign fraud led to Jessica being interviewed by the Connecticut State Elections Enforcement Commission, and then questioned by federal agents, and eventually subpoenaed to testify before a federal grand jury. Navigating these settings without her own attorney—and relying on advice from Mr. Bradley, an attorney whom she trusted—Jessica made certain false statements. One month after her grand jury testimony, she met with the government; without proffer protection, she corrected her false statements and admitted to her prior dishonesty. Six months after that, she was federally indicted alongside Dennis Bradley, not only for her false statements, but also for an alleged conspiracy to commit wire fraud.

This federal case dominated the next four years of Jessica’s life. Although she was eager to proceed to trial to fight the conspiracy and fraud charges, a speedy trial was not in the cards. Due to circumstances beyond Ms. Martinez’s control, the case stretched on for years. Meanwhile, the case was covered heavily in the press, given Mr. Bradley’s prominence as a sitting state senator charged

with federal crimes. When Jessica struggled with mental health and substance use issues that led to non-compliance hearings in court, the press reported on her personal struggles, which only exacerbated Jessica's anxiety, stress, and shame. As a result of her mental health and substance use issues while on pretrial release, Ms. Martinez was required to attend inpatient treatment, intensive outpatient treatment, and outpatient treatment; was required to reside in a sober house and prohibited from residing with her significant other; was subject to increasingly stringent conditions, including location monitoring, home detention, and home incarceration; was drug-tested dozens, if not hundreds of times, and had hundreds of contacts with the Probation Office. For 19 days, she was incarcerated at Wyatt Detention Facility, while awaiting an inpatient treatment bed. She eventually established a treatment regimen that meets her needs and established sobriety. For the last year, Jessica has been sober, employed, mentally healthy, consistently engaged in treatment, and compliant with her conditions of pretrial release. But the federal case has remained a constant stressor.

On April 10, 2025, Ms. Martinez pled guilty to one count of false declaration before the grand jury, in violation of 18 U.S.C. § 1623. The other charges will be dismissed at the conclusion of her sentencing. At age 43, this is her first and only criminal conviction. She accepts responsibility for her false statements to the grand jury and regrets making them. Ms. Martinez never profited from her conduct. To the contrary, she has suffered mightily because of her misguided decisions. She has been punished more than enough. For the reasons discussed in this sentencing memorandum, Ms. Martinez respectfully requests that the Court impose a sentence of time served, with no supervision to follow.

**JESSICA MARTINEZ'S HISTORY AND CHARACTERISTICS
AND NATURE AND CIRCUMSTANCES OF THE OFFENSE**

Jessica Martinez is a 43-year-old mother and grandmother with no prior convictions. She is in a committed relationship with her partner of almost four years, Pedro Lopez, and is a stepmother to Mr. Lopez's two teenage daughters. PSR ¶ 114. Ms. Martinez is passionate about her family, her

church, and her hometown of Bridgeport. Her life has been one of service to her community: coaching baseball for the Bridgeport Caribe Youth League, involvement and leadership in numerous parent advocacy groups for education reform, and serving on the Bridgeport Board of Education, to name just a few examples from a much longer list. *See* PSR ¶ 149 (detailing extensive history of community service, focused mostly in Bridgeport).

I. As a child, Jessica witnessed and experienced significant trauma, including domestic violence, her parents' drug use, and sexual assault.

Growing up, Jessica's family life was complicated. Although Probation understandably characterizes Jessica's childhood household as "dysfunctional," PSR ¶ 185, Jessica herself recalls her childhood as "amazing" because she "didn't know any different." PSR ¶ 105. She grew up in a tight-knit family with both parents and her siblings, and she was close with extended family members as well. She has fond memories of family celebrations, and of watching her uncle play baseball; as she describes it, her home had "militant structure," but also "love, shared pain, growth, and understanding."

By any measure, though, Jessica experienced significant childhood trauma. Both of her parents struggled with addiction. Her father used marijuana, powder cocaine, crack cocaine, and alcohol. PSR ¶ 106. He also sold drugs out of their family home. Her mother was an alcoholic who eventually "followed" her husband into his cocaine addiction. *Id.* Jessica's father, a "militant" and "authoritative" presence, routinely physically abused her mother, as well as the children, often while high. PSR ¶¶ 105, 107. Her father "often beat her mother, including kicking her when she was on the floor." PSR ¶ 107. He beat Jessica's brothers severely, including with cable wires, for "transgressions" like bedwetting. He beat her sister for "pushing boundaries." *Id.* Her father physically abused Jessica as well, but less frequently than her mother and siblings, because Jessica was a well-behaved child who had learned to "walk on eggshells" so as not to upset her father.

In addition to witnessing and experiencing her father’s physical abuse, Jessica was sexually abused by three different perpetrators during childhood, at age 3, 6, and 12. PSR ¶ 109. Following her abuse by a neighbor at age 3, her parents brought her to Bridgeport Hospital. She was subsequently molested at ages 6 and 12 by family members, abuse which she never reported. As a child, Jessica never received therapy or other treatment in response to the extensive abuse that she witnessed and endured.

II. Jessica’s childhood experiences of domestic violence paved the way for her to become a victim of domestic violence as an adult.

Research suggests that children like Jessica who witness or experience domestic violence from a parent are more likely to become victims of domestic violence as adults.¹ As a senior in high school, Jessica began her first relationship with a man twice her age, Aaron Siberon. PSR ¶ 118. Aaron became physically abusive towards Jessica within six months of starting the relationship. *Id.* Jessica graduated from Central Magnet High School and enrolled in Delaware State University, which she chose because her older brother, Ramon, was living in Delaware at the time. PSR ¶ 132. Aaron followed Jessica to Delaware and attempted to live with Ramon and Jessica. When Jessica’s father forbade this, Jessica dropped out of college and followed Aaron back to Connecticut. PSR ¶ 118. After three years of enduring Aaron’s physical and sexual abuse (and trying to “help” him recover from his own trauma), Jessica ended the relationship and began a relationship with Jose Martinez, whom she married in December 2002, six months after meeting him. PSR ¶ 116.

¹ See, e.g., Lorraine Radford, et al., Research Review: Early Childhood and the ‘Intergenerational Cycle of Domestic Violence’ 34 (2019), https://clouk.uclan.ac.uk/id/eprint/33529/1/33529%20NSPCC_Domestic_Violence_and_Abuse_final_report_2019.pdf (Across multiple studies, “exposure to domestic violence as a child was the most common risk factor for subsequent victimization by an intimate partner for both women and for men”).

Jessica and Jose remained married for 15 years. They had a son together, Jose Martinez, Jr., in July 2003. Back in her hometown of Bridgeport, Jessica became increasingly involved in community organizing and youth empowerment. After working as a program coordinator for Bridgeport Caribe Youth Leaders, Jessica became a volunteer organizer with Excel Bridgeport. She spent hundreds of hours working with other parents to craft a parent engagement policy for the Bridgeport Public Schools. The experience made Jessica feel “empowered to move forward as an active leader in my community.”² She continued organizing campaigns to advocate for better education in the city and even served as a lead plaintiff on a lawsuit advocating for quality school options. She joined the Democratic Town Committee for the 137th District in 2016.

While Jessica was finding her voice as an organizer and educational advocate, she was struggling at home. Jose worked long hours, and Jessica often felt like a single parent in raising their son. PSR ¶ 116. This relationship was not abusive, but Jessica and Jose eventually grew distant from one another. In 2017, Jessica began a relationship with Orlando Baez, which eventually resulted in her divorce from Jose Martinez. Orlando “grabbed [her] heart,” and made Jessica feel loved and wanted. PSR ¶ 116. But Orlando was terribly controlling and abusive.

This relationship, which lasted from 2017 to 2021, was the “darkest” period in Jessica’s life. PSR ¶ 115. From the outside, Jessica was a passionate and successful community advocate. In 2017, she was elected to the Bridgeport Board of Education. Three years later, she became the first-ever Latina chair of the Board. But at home, she was the victim of severe physical and emotional abuse. During their relationship, Orlando was arrested on multiple occasions for domestic violence incidents, *see* PSR ¶ 115, leading to his convictions for assault, violation of protective order, risk of injury, and

²“Working Together for a Better Education,” CT Post (June 27, 2012), <https://www.ctpost.com/news/article/Working-together-for-a-better-education-3667652.php>.

first-degree reckless endangerment in 2020 and 2021, according to State of Connecticut Judicial Branch records.

Although Jessica was a victim and not a perpetrator of domestic violence, police arrested her on January 25, 2019, based on Orlando's false allegation that she tried to strike him with her car on October 10, 2018.³ She was again arrested (along with Orlando) on June 3, 2019, for violating court-ordered conditions of release because she and Orlando were in a car together when there was a protective order in place. Unfortunately, this phenomenon is not uncommon: female victims of domestic violence are often wrongfully arrested and treated as offenders.⁴ Dennis Bradley, an attorney and by then a state senator, offered to represent Jessica for free in her legal case. At the time, Dennis was friendly with both Jessica and Orlando, both of whom had worked on his campaign. Although Jessica wanted to fight the charges, Dennis convinced Jessica to accept an agreement under which she entered conditional pleas to misdemeanors, with the understanding that all charges would be dismissed if she successfully completed domestic violence programming. As a result of this agreement, Jessica completed Women Living Safely Without Violence, a program that she found helpful, insofar as she received education about being a victim of domestic violence and worked with facilitators to create her own safety plan. Ultimately, Jessica completed the required programming, her misdemeanor pleas were vacated, and her charges were dismissed. *See* Exhibit B (2020 court transcript).

³ Although Mr. Baez told police that alleged that Ms. Martinez struck him in the lower left leg with her car after a verbal altercation, *see* PSR ¶ 101, the court transcript indicates that "there was no physical striking and no injuries that occurred." Exhibit A (2019 court transcript).

⁴ *See, e.g.*, Melissa E. Dichter, "They Arrested Me—And I Was the Victim": Women's Experiences With Getting Arrested in the Context of Domestic Violence, 23 *Women & Crim. Just.* 81, 82 (2013) (policies that require police to make arrests in domestic violence situations have unintentionally caused "an increase in the number of arrests of women who are victims"); *see also* David Ward, In Her Words: Recognizing and Preventing Abusive Litigation Against Domestic Violence Survivors, 14 *Seattle J. for Soc. Just.* 429, 436 (2015) ("abusers' tactics of portraying themselves as victims... can result in the survivor's arrest").

Jessica's relationship with Orlando Baez spanned all of the events that are relevant to this case, including the Dolphin's Cove party in March 2018, Dennis Bradley's campaign for state senate, and Jessica's questioning by SEEC (October 2018), federal agents (March 2020), and the grand jury (September 2020). Indeed, her interview with SEEC occurred on October 12, 2018, two days after the altercation with Orlando in which he falsely reported to police that she had struck him with her car. When she was indicted in May 2021, Jessica was still working to extricate herself from the relationship with Orlando. The abusive relationship with Orlando distracted Jessica from her professional duties, both on the school board and as campaign treasurer. And on a deeper level, it eroded her confidence and sense of self.

III. Jessica served as the primary caretaker for her father, who suffered from ALS, until his death in 2020.

The other primary stressor in Jessica's life at the time was her father's deteriorating health, culminating with his death on January 21, 2020. Her father, Hector Muniz, was diagnosed with Amyotrophic Lateral Sclerosis (ALS), or Lou Gehrig's disease, in 2013. After undergoing training to become a certified respiratory therapist, Jessica became her father's primary caretaker around 2014. Despite his abusive past, Jessica was extremely close with her father. Her parents' personal growth, including their journeys to recovery, inspire Jessica to this day. When her father was diagnosed with ALS, she felt a duty to care for him.

By March 2018, the time of the Dolphin's Cove party, records reflect that Jessica's father was in the "advanced stages" of his disease, "vented and bed bound" at home, and able to communicate only with his eyes. *See* Exhibit C (AMR record). By July 2018, he was "unable to communicate or move any extremities." Exhibit C (AMR record). Jessica's caretaking responsibilities were time-consuming and took an enormous emotional toll as her father's health continued to decline. He required frequent visits to the emergency room; hospital records reflect that Jessica accompanied him

there. Two days after Jessica's SEEC interview in October 2018, her father was transported by ambulance to the hospital for diagnostic testing. Exhibit C (AMR record). Hector died from ALS on January 21, 2020, just before the COVID-19 pandemic and about a month and a half before Jessica was questioned by federal agents.

Following her father's death, Jessica worked very briefly as a respiratory therapist for another individual client. PSR ¶ 146. Then the COVID-19 pandemic took off, and there was an urgent need for healthcare professionals, particularly respiratory therapists, to work in hospitals. Though she was still grieving her father, Ms. Martinez felt a moral obligation to help. She took on a job as a respiratory therapist at Coney Island Hospital, a public hospital in New York City, from approximately March to May 2020. The hospital was inundated with people who were severely sick with COVID-19. The dead bodies piled up. Jessica was required to intubate patients as they came in, and to manage patients on ventilators, with a caseload of over a hundred people per day.⁵ This was a horrific and stressful environment that has been described in news articles as a "war zone."

IV. Ms. Martinez became Dennis Bradley's campaign treasurer.

While caring for her dying father and navigating her abusive relationship, Jessica served on the Board of Education from 2017 to 2021. Dennis Bradley was a fellow school board member when Jessica was elected. Jessica met Dennis in 2014 when he ran unsuccessfully for the Connecticut House of Representatives. He supported her campaign for the school board, providing both emotional and financial assistance. When Mr. Bradley began contemplating a run for state senate in 2018, Jessica encouraged him and hoped to be his campaign manager. By that time, Jessica knew Mr. Bradley well; she admired his ambition, charisma, and most importantly, she believed he had Bridgeport's best

⁵ See, e.g., <https://bronx.news12.com/respiratory-therapy-team-at-coney-island-hospital-reflects-on-yearlong-pandemic>.

interests at heart. Mr. Bradley chose someone else as his campaign manager, but asked Jessica to be the treasurer. Jessica was disappointed, as she had no interest or experience in managing campaign finances, and did not agree right away to be treasurer.

Dennis Bradley announced his candidacy for state senator at an event at Dolphin's Cove Restaurant on March 15, 2018. Mr. Bradley reportedly spent \$5,597.31 of his own money on the Dolphin's Cove event. Ms. Martinez had no knowledge of Mr. Bradley's spending at the time. She attended the event, but was not involved in planning it, and she did not officially agree to serve as campaign treasurer until a few days later.

At the event, Tina Manus and another individual (not Ms. Martinez) solicited contributions for Mr. Bradley's campaign. PSR ¶ 49. In total, they collected \$290 for the campaign that night. PSR ¶ 50. Although Jessica did not know in advance that contributions would be collected, she learned of it when some forms and money were handed to her towards the end of the evening. At the time, she did not know there was anything problematic about collecting donations that evening.

In order to be eligible for public campaign funding from the Citizens' Election Program ("CEP"), a candidate cannot personally spend more than \$2,000 on their campaign. Because Bradley spent \$5,597.31 on the Dolphin's Cove event, this potentially should have disqualified his campaign from a CEP grant—if Dolphin's Cove was, in fact, a campaign event. Instead, Dennis Bradley represented Dolphin's Cove as an event for his law firm, BDK, rather than for his campaign. Sometime after the event, Ms. Manus and another individual (not Ms. Martinez) apparently altered the dates on the donor contribution cards that were collected on March 15, 2018, to make it look like the donations were received on a later date. PSR ¶ 51. And when the Bradley campaign submitted required filings to the State Elections Enforcement Commission (SEEC) in 2018, including the

application for the \$84,140 CEP primary grant, the filings omitted the Dolphin's Cove event, and misrepresented the dates of the contributions collected there.

As campaign treasurer, Jessica signed several of the key filings. But her role in the filings was nominal. On some occasions, other members of the campaign even used her login information to submit filings; on other occasions, the deputy treasurer handled filings and communications with SEEC. Jessica lacked the experience, time, and bandwidth to handle the filings as she should have as treasurer, and she deferred to Bradley and others when it came to tracking and reporting expenses and contributions.

On June 29, 2018, Bridgeport resident and school board member Maria Pereira, who had a longstanding feud with Dennis Bradley,⁶ filed a "citizen complaint" with SEEC against Mr. Bradley's campaign. The citizen complaint alleged a range of misconduct, including, but not limited to, Dolphin's Cove. SEEC opened its investigation in response to Maria Pereira's complaint. The SEEC investigation eventually led to the federal investigation, which ultimately focused only on Dolphin's Cove.

V. Acting on Dennis Bradley's advice, Jessica withheld information from SEEC and the grand jury.

When the events surrounding Dolphin's Cove were investigated by SEEC and later by the federal government, Jessica was not truthful about whether campaign contributions had been collected there. She consulted with Dennis Bradley prior to her SEEC interview in October 2018. Mr. Bradley told Jessica that the campaign had done nothing wrong, said that "it was all hearsay," and advised her how to handle the questioning. He told her not to offer up any information and not to

⁶ See, e.g., "Bridgeport BOE chairman wants Pereira's resignation," CT Post (Sept. 13, 2016), <https://www.ctpost.com/local/article/Bridgeport-BOE-chair-cancels-meetings-calls-for-9217953.php>.

disclose that money was collected at Dolphin's Cove. Jessica followed Mr. Bradley's advice. The election was less than a month away, and he was on track to become a state senator. He was a lawyer and a friend; she trusted him and looked up to him.

A few months after her SEEC interview, Dennis became Jessica's lawyer, representing her in the domestic violence matter involving Orlando Baez. By the time federal agents showed up at Jessica's home in March 2020 to serve her with a grand jury subpoena, she and Dennis had an attorney-client relationship, as well as a professional relationship and a friendship. Her charges had been successfully dismissed just two months earlier. Exhibit B (2020 court transcript). When she received the grand jury subpoena, Jessica called Mr. Bradley and asked if she needed an attorney. He assured her that they "did nothing wrong and she did not need an attorney." Exhibit D (Nov. 2020 FBI report). When Ms. Martinez was served with another grand jury subpoena in September 2020, she again consulted Mr. Bradley for advice. Once again, he discouraged her from retaining a lawyer for her grand jury appearance, advising her that it was unnecessary. He repeated that the campaign had done nothing wrong and advised her not to volunteer information to the grand jury. He told her not to "lose focus," that they were "still fighting for Bridgeport," and that they would be "fine" because it was "in God's hands." Exhibit D (Nov. 2020 FBI report). When she testified before the grand jury, Jessica followed Dennis's advice and denied that fundraising had occurred at Dolphin's Cove.

Immediately following her grand jury appearance, government counsel advised Jessica to get an attorney. Ms. Martinez called Mr. Bradley, asked if the investigation was more serious than Mr. Bradley had led her to believe, and finally insisted to Mr. Bradley that she needed a lawyer. Exhibit D (Nov. 2020 FBI report). Mr. Bradley found, contacted, and paid for Ms. Martinez's lawyer: a lawyer who had no prior federal criminal experience and who clearly had a conflict of interest in

representing Ms. Martinez. That lawyer accompanied Ms. Martinez to proffer sessions with the government in October and November 2020. Finally having received legal advice from someone other than Dennis Bradley, Jessica admitted the truth to federal prosecutors and agents during her two proffer sessions. Unfortunately for Ms. Martinez, she did so with no proffer protection. (Proffering without a proffer agreement is highly unusual in undersigned counsel's experience, but perhaps her attorney agreed to it in hopes that Jessica would avoid federal charges altogether.) Soon after the proffer sessions with the government, the Federal Public Defender Office began representing Jessica. About six months after her admissions, Jessica was indicted.

VI. Jessica's time on pretrial release was protracted, and at times, turbulent.

Ms. Martinez was arrested on the indictment on May 25, 2021. Both she and Mr. Bradley planned to proceed to trial in late May 2022. In the lead up to trial, around March 2022, Ms. Martinez tested positive for cocaine and marijuana. She had begun using cocaine on occasion around this time. She found that cocaine made her "feel alive again" after the dark period of isolation she felt during her abusive relationship with Orlando Baez. She had been working full-time at BioClean, a home restoration company, since September 2020. This was a job where she excelled, working her way up from a temporary administrative assistant to senior management and acting director of sales and marketing. PSR ¶ 143. It was also a job where alcohol consumption during the workday was normalized and even encouraged. Between her impending federal trial, new relationship, full-time job, drinking at work, and her conditions of pretrial release (which now included drug treatment for a burgeoning cocaine and alcohol problem she was not ready to acknowledge), Jessica became completely overwhelmed. Her compliance with court-ordered substance abuse treatment was spotty, as she struggled to balance all of the stressors in her life. Jessica's struggles with substance use are not at all surprising given her family history and untreated trauma, including the recent trauma from

her years-long abusive relationship with Mr. Baez. Jessica also did not understand why her personal issues related to mental health and substance use had anything to do with her legal case; frustrated and distraught, she resisted being honest about her substance use for months. As a result of her non-compliance, all of which related to her substance use, she was subject to increasingly strict conditions, which only exacerbated her anxiety and her issues with non-compliance. When her trial got put on hold indefinitely due to the government's appeal of an evidentiary ruling on the eve of trial, Jessica felt stuck and hopeless.

During her time on pretrial release, Jessica was required to appear in court to address issues related to compliance with her conditions on at least 11 separate occasions, was subject to approximately ten months of location monitoring, including periods of home detention and home incarceration; was required to complete two different inpatient treatment programs; and was required to reside at a sober house. She had hundreds of contacts with the Probation Office and was required to submit dozens, if not hundreds, of drug tests. For approximately three weeks in August-September 2022, she was incarcerated at Wyatt Detention Facility while awaiting an inpatient bed.

In the summer of 2024, Jessica was able to attain and maintain sobriety, and she has been compliant with her conditions ever since. She got a fresh start with a new probation officer, with whom she formed a positive, trusting relationship. She has maintained employment. She established a consistent routine of mental health treatment, including psychiatric medication, weekly individual sessions with psychologist, Dr. Kathryn Thomas, a weekly group with LCSW, Claribel Rosado, monthly individual sessions with Ms. Rosado, and ongoing involvement with AA and CCAR.

VII. Jessica pled guilty to false declaration before the grand jury.

On April 4, 2025, the Court granted Ms. Martinez's motion to sever, in light of Mr. Bradley's motion for another continuance of the trial date, which was then scheduled for May 5, 2025. Doc.

#278. In light of the severance ruling, the government offered for Ms. Martinez to plead guilty only to false declaration before the grand jury, in violation of 18 U.S.C. § 1623. Ms. Martinez pled guilty on April 10, 2025, relieved to finally be able to move forward after more than four years of pretrial release.

LEGAL ARGUMENT

Ms. Martinez respectfully requests that the Court impose a sentence of time served, with no supervision to follow. Time served is the only appropriate sentence considering all of the § 3553(a) factors and the parsimony clause.

I. The governing legal standard requires the Court to impose a sentence that is minimally sufficient to accomplish the purposes of a criminal sentence.

Pursuant to 18 U.S.C. § 3553, the Court is required to impose, in each case, a sentence that is “sufficient but not greater than necessary, to comply with the purposes set forth” in 18 U.S.C. § 3553(a)(2). Those purposes reflect the need for the sentence that is 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[.]

18 U.S.C. § 3553(a)(2).

In determining what sentence will best achieve these purposes in each case, the sentencing court must consider the following factors:

1. The nature and circumstances of the offense and the history and characteristics of the defendant;
2. The kinds of sentences available and the applicable sentence under the Sentencing Guidelines;
3. Pertinent policy statements issued by the Sentencing Commission;
4. The need to avoid unwarranted sentence disparities among similar defendants guilty of similar conduct; and
5. The need to provide restitution to any victims.

18 U.S.C. § 3553(a)(1), (a)(3)–(a)(7).

While the Court is required to consider the range of penalties suggested by the Sentencing Guidelines in determining the appropriate sentence in each case, the Court is not bound by that range. *See United States v. Crosby*, 397 F.3d 103 (2d Cir. 2005). Indeed, the Supreme Court has repeatedly reminded sentencing courts that “[t]he Guidelines are not only not mandatory on sentencing courts; they are also not to be presumed reasonable.” *Nelson v. United States*, 555 U.S. 350, 352 (2009); *see also Rita v. United States*, 551 U.S. 338, 351 (2007) (emphasizing that the only “presumption of reasonableness” that applies to a Guidelines sentence is “an appellate court presumption,” not applicable in the initial sentencing analysis conducted by the District Court). Thus, while the Court must consider the recommendations of the advisory Guidelines, the Court may not presume that those recommendations are reasonable. Instead, the Court must treat the recommended Guidelines range as only one among numerous factors in sentencing.

Sentencing courts are free to disagree with the Guidelines’ recommended sentence and may impose a different sentence based on a contrary view of what is appropriate under § 3553(a). This includes the freedom to disagree with “policy decisions” of Congress or the Sentencing Commission that are contained in the Guidelines. *See Pepper v. United States*, 562 U.S. 476, 516 (2011) (“[O]ur post-*Booker* decisions make clear that a district court may, in appropriate cases, impose a non-Guidelines sentence based on a disagreement with the Commission’s views That is particularly true where, as here, the Commission’s views rest on wholly unconvincing policy rationales not reflected in the sentencing statutes Congress enacted.”).

Finally, and most importantly, in determining an appropriate sentence, the sentencing court must apply the “parsimony clause” set forth in 18 U.S.C. § 3553(a), which provides that courts “shall impose a sentence sufficient, but not greater than necessary,” to comply with the purposes of

sentencing. The Second Circuit explained in *United States v. Ministro-Tapia*, 470 F.3d 137 (2d Cir. 2006), that if the Court believes a lower sentence will be as effective as a higher sentence in serving the purposes of sentencing, it must choose the lower sentence. *See id.* at 142 (stating that where a Guidelines' sentence is "in equipoise with [a] below-the-range sentence," the parsimony clause requires imposition of the lower sentence). In Ms. Martinez's case, a sentence greater than time served would not be consistent with the parsimony clause.

II. The applicable Guidelines range is 6 to 12 months.

The parties disagree as to the Guidelines range in this case. In the defense's view, Ms. Martinez's Guidelines range is 6 to 12 months, based on a Criminal History Category I and a total offense level of 10. The parties agree on Ms. Martinez's criminal history category, base offense level, acceptance of responsibility, and "zero offender" status. The only point of disagreement is whether a three-level adjustment is warranted under U.S.S.G. § 2J1.3(b)(2) for "substantial interference with the administration of justice." Here, the PSR states that the enhancement applies because Ms. Martinez's false testimony caused the government to expend substantial resources. Because it is the government's burden to prove an enhancement by a preponderance of the evidence, the defense reserves the right to reply to any arguments or evidence raised in the government's sentencing memorandum on this issue.

Ultimately, the Court's finding on the Guidelines dispute should not determine the sentence in this case, because a time served sentence is the appropriate sentence either way. Either way, Ms. Martinez's Guidelines range is relatively low when it comes to federal sentencing, and only a small downward departure is needed from either range to impose the requested sentence of time served.

III. The Court should impose a non-Guidelines sentence based on the nature and circumstances of the offense, including her reliance on legal advice from Dennis Bradley.

In analyzing the nature and circumstances of the offense, the Court should consider Jessica's reliance on Dennis Bradley's advice, in the context of their relationship. Jessica consulted Mr. Bradley prior to her grand jury testimony, decided not to get a lawyer based on his advice, and committed perjury based on his advice. At the time of Jessica's grand jury testimony, Mr. Bradley was someone she looked up to, admired, and trusted. He was a sitting state senator, the candidate for whom she had worked, and a lawyer. Moreover, he was *her* lawyer, who had stood beside her in court just a few months earlier.

Jessica acknowledges that this context does not absolve her of responsibility. Jessica is an intelligent and capable adult, and she accepts responsibility for her actions, which were her own. She could have chosen not to follow Mr. Bradley's advice. She could have chosen not to consult him at all. Nevertheless, this context is relevant and mitigating, especially because of the attorney-client relationship between Jessica and Dennis. Indeed, the government has recognized this attorney-client relationship and has explicitly acknowledged that Mr. Bradley's advice to Ms. Martinez in connection with this case may have constituted legal advice.⁷ Notably, as soon as Jessica consulted with an attorney other than Mr. Bradley, she corrected her false statements and admitted to her prior dishonesty.

⁷ According to a law enforcement report from the October 23, 2020 meeting between Ms. Martinez, her lawyer at the time, and the government, government counsel advised Ms. Martinez that she should not disclose anything about her conversations with Mr. Bradley leading up to the grand jury proceeding, as those conversations would potentially fall under attorney-client privilege. Government counsel again recognized this attorney-client relationship and the fact that Mr. Bradley's advice to Ms. Martinez constituted legal advice in a subsequent meeting on November 24, 2020. According to a law enforcement report of that meeting, government counsel began the meeting by stating that the interviewers "would not ask Ms. Martinez to disclose anything about the content of potential attorney-client privileged conversations with Dennis Bradley." Exhibit E.

In considering the nature and circumstances of the offense, the Court should also consider that Jessica had no personal gain from her offense. Nor did she stand to gain anything from it. No one has alleged, for example, that she embezzled funds for her own use. And unlike for Mr. Bradley, a position of power did not hang in the balance for Jessica. She simply trusted Dennis Bradley, and she made a poor decision to stand by him and follow his advice, during a period when she was experiencing intense personal turmoil, loss, and isolation.

IV. The Court should depart or vary downward based on Ms. Martinez's complete lack of criminal history.

For Jessica, this offense was an aberration. She has no criminal history, placing her in Criminal History Category I. She has never served a sentence of imprisonment (or any criminal sentence, for that matter) prior to this case. As a result, the 19 days that she spent at Wyatt Detention Facility, as well as the four years she has spent subject to conditions of pretrial supervision, deeply affected her. Moreover, the impact of a federal criminal conviction, which Ms. Martinez will carry with her for the rest of her life, cannot be overstated.

The fact that Ms. Martinez has never served a prior sentence suggests that a sentence within the Guidelines range would be disproportionate. In *United States v. Mishoe*, 241 F.3d 214, 220 (2d Cir. 2001), the Second Circuit stated:

Obviously, a major reason for imposing an especially long sentence upon those who have committed prior offenses is to achieve a deterrent effect that the prior punishments failed to achieve. That reason requires an appropriate relationship between the sentence for the current offense and the sentences . . . for the prior offenses.

While the *Mishoe* decision principally addressed the Career Offender Guidelines, the teaching of that decision applies here. Where an individual has never been incarcerated prior to this offense, as is the case here, a sentence within or even close to the Guidelines range would be excessively severe. That is because there is no reason to believe in such an instance that a prolonged period of incarceration

would be more effective than a lesser sentence, because there is no point of comparison or historical example to disprove the efficacy of a lower sentence. *See, e.g., United States v. Bun*, 3:13cr174(SRU), Judgment (ECF No. #72) (citing *Mishoe* and stating that “[t]he sentence imposed represents an incremental increase that should be sufficient to serve the purposes of sentencing.”); *United States v. Keels*, 3:15cr17(JCH) (imposing below-Guidelines sentence based in part on the concept of incrementally proportionate sentencing philosophy).

The Court should also consider that first-time offenders like Ms. Martinez face a more severe penalty than other defendants, because in addition to the sentence, they experience for the first time the extremely serious collateral consequences of a felony conviction. A sentencing court should consider such collateral consequences before imposing a sentence. *See United States v. Stewart*, 590 F.3d 93, 141 (2d Cir. 2009) (“It is difficult to see how a court can properly calibrate a ‘just punishment’ if it does not consider the collateral effects of a particular sentence.”).

In 2016, Senior District Judge Block in the Eastern District of New York departed substantially below the Guidelines range in the case of a woman convicted of importing 602 grams of cocaine. He noted that because this was her first felony conviction, it would bring with it a myriad of collateral consequences, the effect of which would be “devastating.” *United States v. Nesbeth*, 188 F. Supp. 3d 179, 180 (E.D.N.Y. 2016). Judge Block added, “As Professor Michelle Alexander has explained, myriad laws, rules, and regulations operate to discriminate against ex-offenders and effectively prevent their reintegration into the mainstream society and economy. These restrictions amount to a form of ‘civil death’ and send the unequivocal message that ‘they’ are no longer part of ‘us.’” *Id.* (internal reference and quotation marks removed) (noting over 50,000 federal and state statutes and regulations that impose penalties, disabilities, or disadvantages on convicted felons.”) A

felony conviction will impact Ms. Martinez's rights, her reputation, and her employment and housing prospects for the rest of her life.

V. A sentence of time served is sufficient to achieve the goals of sentencing under § 3553(a)(2).

In order to determine an appropriate sentence, the Court must turn to § 3553(a), the “overarching provision instructing district courts to ‘impose a sentence sufficient, but not greater than necessary,’ to achieve the goals of sentencing.” *Kimbrough v. United States*, 128 S. Ct. 558, 570 (2007). Each of the goals of sentencing has already been accomplished in this case, and thus no further sentence is necessary.

- a. A time-served sentence will reflect the seriousness of the offense, promote respect for the law, and provide just punishment.

A false declaration before a grand jury is a serious offense, and Ms. Martinez has been severely punished for it. The consequences that she has already received are sufficient to reflect the seriousness of her offense, promote respect for the law, and provide just punishment. As noted above, she will be a convicted felon for the rest of her life, with all the collateral consequences that entails. She has been subject to over four years of supervision by the U.S. Probation Office, which is longer than the statutory maximum period of supervised release for her offense. During those four years, she was subject to especially burdensome conditions of supervision, in response to her substance use (which is a medical condition unrelated to the offense conduct and stemming largely from untreated trauma). Specifically, she was required to complete two different inpatient programs (for a total of approximately three months of inpatient treatment, during which time she was unable to work), intensive outpatient treatment, and outpatient treatment. She was subject to both home detention and home incarceration with location monitoring, for a total of approximately ten months on location monitoring. She was required to reside in a sober house for almost four months. She was required to be supervised by her mother as third-party custodian. She was required to have hundreds of contacts

with the Probation Office and to submit to dozens, if not hundreds, of drug tests, which often required her to report to the Probation Office in person and give a urine sample under supervision. Her travel was restricted for over four years.

For 19 days in August and September 2022, Judge Spector revoked Jessica's release and ordered her detained at Wyatt Detention Facility, until an inpatient bed could be secured. For the first two weeks, Jessica was held in "quarantine," locked in a cell 23 hours per day without treatment, support, or programming. She will never forget her experience of incarceration.

The media repeatedly reported on Ms. Martinez's substance use and mental health struggles, which were aired in publicly-filed court documents and public court hearings. That media coverage humiliated Ms. Martinez and caused further damage to her reputation and her employment prospects. She lost her job at BioClean as a result of the publicity surrounding her cocaine use.

In short, the last four years have been sufficiently punishing. Given the duration and intensity of her four years of pretrial supervision, her period of incarceration at Wyatt, and the lifelong consequences of a felony conviction, no additional punishment is necessary.

b. The goal of deterrence has been accomplished.

No additional sentence is necessary to deter Ms. Martinez, particularly given the specifics of this case. She is a 43-year-old first-time offender, her conduct was an aberration from an otherwise law-abiding life, the conduct occurred at a time when she was under significant personal stress, she acted pursuant to Mr. Bradley's legal advice, and a similar situation is highly unlikely to arise again. The experience of being federally prosecuted has been excruciating for her, and she is determined to never end up in this situation again.

In the Sentencing Reform Act, 28 U.S.C. § 994(j), Congress instructed the Commission to "ensure that the guidelines reflect the general appropriateness of imposing a sentence other than imprisonment in cases in which the defendant is a first offender" The Commission ignored that

directive. See *United States v. Germosen*, 473 F. Supp. 2d 221, 227 (D. Mass. Jan. 18, 2007). In *Germosen*, the District Court imposed a below-Guidelines sentence based upon aberrant behavior, lack of criminal history, and recidivism statistics from the United States Sentencing Commission. The court noted that “[t]here is a demonstrable difference in the recidivism rates of real first offenders as compared to other defendants in Criminal History Category I,” and that “[m]inimal or no prior involvement with the criminal justice system is a powerful predictor of a reduced likelihood of recidivism.” *Id.* (citing United States Sentencing Commission, *A Comparison of the Federal Sentencing Guidelines Criminal History Category and the U.S. Parole Commission Salient Factor Score*, 15 (Jan. 4, 2005), <http://www.ussc.gov/publicat/RecidivismSalientFactorCom.pdf>).

For a person with no criminal convictions and no previous incarceration, a felony criminal conviction, combined with 19 days of incarceration and over four years of supervision, is sufficient to serve the sentencing goal of specific deterrence.

As for general deterrence, there is no evidence that the severity of a sentence has any significant general deterrent value.⁸ But to the extent that the Court thinks that general deterrence is a worthwhile consideration in this case, the fact that Jessica was federally prosecuted, convicted of a felony, jailed for 19 days, and subject to over four years of supervision should suffice to deter others who are considering how to handle their grand jury testimony in the future.

c. Jessica poses no risk to the public.

As for § 3553(a)(2)(C), Jessica poses no risk to the public. Of course, the public has an interest in a functioning justice system, and perjury threatens the system. But Jessica’s offense was a context-specific aberration, and there is no reason to think it will re-occur.

⁸ Gary Kleck et al., The Missing Link in General Deterrence Research, 43 *CRIMINOLOGY* 623 (2005).

d. No further supervision is needed to rehabilitate Ms. Martinez.

Obviously, further incarceration would be counterproductive to the goal of rehabilitation, as incarceration would disconnect Ms. Martinez from her current treatment, employment, housing, and family supports. But further supervision is also not necessary and may be counterproductive. Accordingly, the Court should not impose a term of supervised release or probation in this case, even if the purpose of such sentence is Ms. Martinez's rehabilitation.

The goal of rehabilitation has already been accomplished, as evidenced by Ms. Martinez's past year of sobriety, stability, and wellness. As discussed at length elsewhere in this memorandum, between 2022 and 2024, Ms. Martinez struggled with substance use and mental health issues, which were exacerbated by the stress of this federal case. Untreated mental health conditions, including her unaddressed trauma, led her to self-medicate with substances. While under pretrial supervision, she engaged in a full range of rehabilitative programming, including inpatient treatment (twice), residence at a sober house, intensive outpatient treatment, individual mental health counseling, group counseling, AA, and CCAR. She completed approximately 60 individual sessions with Dr. Kathryn Thomas. *See* Exhibit F (Letter to the Court from Dr. Kathryn Thomas). Jessica now has a robust treatment regimen in place, which she plans to continue. None of her current treatment resources are through the Probation Office. Four years of supervision is a significant period, particularly considering Ms. Martinez's offense and lack of criminal history. Four years exceeds the three-year statutory maximum period of supervised release authorized for her offense, and it is near the five-year statutory maximum period of probation. Additional time on supervision would be excessive. At this point, the best way for Ms. Martinez to move forward in her rehabilitation is to finally put this case behind her.

VI. A time-served sentence is appropriate to avoid unwarranted disparities.

Finally, the Court should impose a time-served sentence here to avoid unwarranted disparities. 18 U.S.C. § 3553(a)(6) directs the Court to consider “the need to avoid unwarranted sentence disparities among defendants with similar records who have been found guilty of similar conduct.” This factor is notoriously difficult to apply, because every case and every defendant is different. Moreover, prosecutions for 18 U.S.C. § 1623 appear to be somewhat rare in this District—which in itself can and should be considered in thinking about unwarranted disparities. Nevertheless, substantially below-Guidelines sentences appear to be the norm for defendants with no criminal history who have been convicted of making false declarations to the grand jury in the District of Connecticut. *See, e.g., United States v. Tae’ron Womack*, 3:20-cr-00144-KAD (D. Conn. Dec. 14, 2023) (where Guidelines range was 10 to 16 months, Court imposed two years of probation and \$1500 fine for defendant who made false declarations to grand jury in connection with investigation of gang-related narcotics and firearms offenses); *United States v. Laquasia Samms*, 3:19-cr-00134-KAD (D. Conn. Mar. 31, 2023) (where Guidelines range was 60 months, Court imposed three months of imprisonment followed by two years of supervised release for defendant who made false declarations to grand jury in connection with murder investigation and was represented by counsel at the time of grand jury testimony).

CONCLUSION

Ms. Martinez deeply regrets her false statements to the grand jury and her other missteps along the way. She is and always has been a person of integrity. She became involved in Dennis Bradley’s campaign out of her true belief in the candidate, and her longstanding desire to serve and improve her community. To some extent, she lost her way in the wake of an abusive relationship and her father’s terminal illness. In that context, and in reliance on advice from Mr. Bradley, she lied to a federal grand jury when she was questioned about the Dolphin’s Cove event. She has paid dearly for her

dishonesty. She has been subject to 19 days of incarceration, more than four years of supervision with a host of stringent conditions, and intrusive, humiliating press coverage. And because this case marks her first and only felony conviction, she will carry the consequences of this case with her for the rest of her life. At this point, enough is enough. Any further sentence would be greater than necessary to serve the purposes of sentencing and would therefore violate the parsimony clause. Accordingly, the Court should sentence Jessica to time served with no supervision to follow.

Respectfully Submitted,

THE DEFENDANT,
Jessica Martinez

FEDERAL DEFENDER OFFICE

Date: July 17, 2025

/s/ Carly Levenson

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 17, 2025, a copy of the foregoing sentencing memorandum was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

/s/ Carly Levenson

Carly Levenson