

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,

Plaintiff,

Crim. Action No. 21-377 (BAH)

v.

ANTHONY WILLIAMS,

Defendant.

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**RESPONSE TO GOVERNMENT MOTION REGARDING EVIDENCE ABOUT THE
SPECIFIC LOCATIONS OF U.S. CAPITOL POLICE SURVEILLANCE CAMERAS**

The government seeks to exclude any cross-examination about the position of Capitol Police surveillance cameras. (Dkt. 35.) Because the parties cannot predict the exact content of officer testimony at trial, and because camera footage makes up a significant portion of the government's evidence in this case, the motion should be denied.

To the extent the government seeks to prevent Williams from presenting a map of all Capitol Police cameras, the defense does not plan to present such a map and does not oppose an order precluding presentation of such a map.

Williams does, however, object to preemptive limitations on the defense's ability to cross-examine adverse witnesses about the details of camera footage. As the government rightly concedes, these types of limits on cross-examination implicates Williams's rights under the Confrontation Clause. The limitations the government proposes would cross the line into infringing those rights.

The government expects a Capitol Police witness to explain how the police monitored and responded to the activities in the Capitol on January 6, 2021, and for this witness to testify about

video footage of Williams in the Capitol. When questioning this witness, it may be relevant to ask about camera angles, especially if the witness's testimony puts at issue the ability to see certain activities. The government suggests that general locations of the cameras will suffice. That might be true, but it will depend on the content of the witness's testimony. If for example, an officer suggests that a camera was not high enough to capture Williams's activities, then the defense should not be preemptively precluded from asking why that is so.

Williams's counsel would agree to approach the Court at sidebar before asking any questions about camera positions that may concern sensitive information. But to preclude any cross-examination about these basic facts, before any testimony from officers is taken, is premature and violates the Confrontation Clause.

Conclusion

Mr. Williams requests that the Court deny the government's motion in limine to exclude any questioning about the position of U.S. Capitol Police surveillance cameras.

Respectfully submitted,

/s/ Benton C. Martin

Federal Community Defender
Eastern District of Michigan
613 Abbott St., Suite 500
Detroit, Michigan 48226
Telephone: (313) 967-5832
Email: Benton_Martin@fd.org

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