

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA

v.

JACOB CHANSLEY,

Defendant.

:
:
:
:
:
:
:
:

CASE NO. 21-cr-003 (RCL)

NOTICE OF DISCOVERY

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, hereby informs the Court and defense that the attached discovery letter of May 20, 2021, has been provided to the defense in this matter.

Respectfully submitted,

CHANNING D. PHILLIPS
Acting United States Attorney
D.C. Bar No. 415793

By:

/s/

KIMBERLY L. PASCHALL
Assistant United States Attorney
D.C. Bar No. 1015665
555 4th Street, N.W.
Washington, D.C. 20530
Phone: (202) 252-2650
Email: Kimberly.Paschall@usdoj.gov



U.S. Department of Justice

Channing D. Phillips
Acting United States Attorney

District of Columbia

*Judiciary Center
555 Fourth St., N.W.
Washington, D.C. 20530*

May 20, 2021

Albert Watkins
1200 S. Big Bend Blvd.
St. Louis, Missouri 63117
albertswatkins@kwklaw.net

Re: *United States v. Jacob Chansley*
Case No. 21-cr-003 (RCL)

Dear Mr. Watkins:

The government has made several productions to you via the USAfx platform and via email for discovery in this case. This letter is provided to document those productions. Those productions are as follows:

PRODUCTION 1:

On January 29, 2021, the government provided the following via email:

- FD-302 report of January 7, 2021 interview summary (5 pages);
- FD-302 report of January 8, 2021 interview summary (2 pages);
- FD-302 report of January 9, 2021 interview summary (3 pages);
- PDF containing black and white and color photographs for U.S. Capitol Police case 21-0033 (12 pages);
- 2 jpg color photographs of note left on Senate dais; and
- 9 jpg color photographs of your client's car and its contents, photographed January 9, 2021 at FBI-Phoenix.

PRODUCTION 2:

On March 5, 2021, the government provided two .mov files as video exhibits via the USAfx portal.

PRODUCTION 3:

On April 24, 2021, the government provided the following via USAfx:

- 1 mp3 file of Chansley Telephonic Interview from January 7, 2021;
- One Cellebrite report from the extract of your client's cell phone, labeled QPX8 report;
- One zip file labeled 195207225688269.zip containing 1.8GB of information from Facebook, one pdf 195207225688269.pdf containing 2.1 GB of information from Facebook, and one pdf affidavit provided by Facebook;
- One zip file labeled The New Yorker Video.zip containing 1.5GB of information from The New Yorker; and
- 5 mp4 videos of Senate floor footage.

PRODUCTION 4:

On May 17, 2021, the government provided the following via USAfx:

- 1 mp3 file of Chansley telephonic interview from January 8, 2021;
- Metropolitan Police Department Body Worn Camera videos for the following officers:
 - o Officer Anu Amen-Ra (136.5 MB)
 - o Officer Daniels (529.2 MB)
 - o Officer Farley (1.9GB)
 - o Officer Graves (466.3 MB)
 - o Officer Jean-Baptiste (478.9 MB)
 - o Officer Krycia (1 GB)
 - o Officer Lepe (132.9 MB)
 - o Officer Martin (1.3 GB)
 - o Officer Reisinger (558.6 MB)

PRODUCTION 5:

On May 18, 2021, the government provided five videos of Capitol CCTV footage via USAfx.

PRODUCTION 6:

On May 19, 2021, pursuant to the Court's order on disclosure of 6(e) materials, the government provided two grand jury transcripts and ten exhibits via USAfx.

All materials deemed "Sensitive" and "Highly Sensitive" should be treated in accordance with the Protective Order previously entered in this case. Any videos and grand jury materials should be considered Highly Sensitive, pursuant to the limitations in Paragraph 4 of the protective order. See ECF No. 24.

Due to the extraordinary nature of the January 6, 2021 Capitol Attack, the government anticipates that a large volume of materials may contain information relevant to this prosecution. These materials may include, but are not limited to, surveillance video, statements of similarly situated defendants, forensic searches of electronic devices and social media accounts of similarly situated defendants, and citizen tips. The government is working to develop a system that will facilitate access to these materials. In the meantime, please let me know if there are any categories of information that you believe are particularly relevant to your client.

Please contact me if you have any issues accessing the information, and to confer regarding pretrial discovery as provided in Fed. R. Crim. P. 16.1.

I recognize the government's discovery obligations under *Brady v. Maryland*, 373 U.S. 83 (1963), its progeny, and Rule 16. I will provide timely disclosure if any such material comes to light. Consistent with *Giglio*, *Ruiz*, and 18 U.S.C. § 3500, I will provide information about government witnesses prior to trial and in compliance with the court's trial management order.

I request reciprocal discovery to the fullest extent provided by Rule 16 of the Federal Rules of Criminal Procedure, including results or reports of any physical or mental examinations, or scientific tests or experiments, and any expert witness summaries. I also request that defendant(s) disclose prior statements of any witnesses defendant(s) intends to call to testify at any hearing or trial. *See* Fed. R. Crim. P. 26.2; *United States v. Nobles*, 422 U.S. 255 (1975). I request that such material be provided on the same basis upon which the government will provide defendant(s) with materials relating to government witnesses.

Additionally, pursuant to Federal Rules of Criminal Procedure 12.1, 12.2, and 12.3, I request that defendant(s) provide the government with the appropriate written notice if defendant(s) plans to use one of the defenses referenced in those rules. Please provide any notice within the time period required by the Rules or allowed by the Court for the filing of any pretrial motions.

I will forward additional discovery as it becomes available. If you have any questions, please feel free to contact me.

Sincerely,



KIMBERLY L. PASCHALL
Assistant United States Attorney

Enclosure(s)