



U.S. Department of Justice

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June 14, 2022

Hon. Trevor N. McFadden
United States District Judge
United States District Court
District of Columbia
333 Constitution Avenue N.W.
Washington, D.C. 20001

FIAT
T. N. McFadden
6/15/22

Re: *United States v. Kevin Seefried and Hunter Seefried*,
Case No. 21-CR-00287 (TNM)

Dear Judge McFadden:

The Government writes to clarify the timing of the video footage contained in Government Exhibit (GX) 504 (the ProPublica Video), which depicts activity occurring in the area between the Senate Wing Doors and the Senate East Grand Staircase in the U.S. Capitol Building on January 6, 2021.¹

GX 407, which contains video footage of the Senate Wing Doors, depicts Kevin Seefried entering that area through a window at approximately 2:13:22 p.m. (Figure 1). GX 407 depicts Kevin Seefried leaving the frame, walking north at a brisk pace, at approximately 2:13:27 p.m. (Figure 2). The next time Kevin Seefried is depicted in a video (GX 504) he is at the base of the Senate East Grand Staircase, facing Officer Goodman. The question raised by the defendant's closing is when did Kevin Seefried reach that point in the Capitol, and how long could his encounter with Officer Goodman have lasted before the videographer reached that same point.

We can estimate when Kevin Seefried reached Officer Goodman by using the timestamped CCV video in GX 407 to find the starting time for the ProPublica video.

¹ At the conclusion of closing argument in this matter, counsel for Kevin Seefried attempted to provide a timeline of the event depicted in GX 504, using a comparison to a video exhibit erroneously identified as GX 405. In fact, GX 405 depicts events occurring on the staircase leading to the Northwest Plaza. The footage that counsel was displaying for the Court is actually GX 408. GX 408 was not admitted into evidence.

At the time that Kevin Seefried headed north, the Senate Wing Doors had not yet been breached. As depicted in GX 407, the breach of the doors occurred at approximately 2:13:30 (Figure 3).



Figure 1



Figure 2



Figure 3

The video captured in GX 504 depicts the breach of the Senate Wing Doors, from the vantage point of the exterior of the Capitol building. Approximately eleven seconds into GX 504, a man in a plaid jacket crosses the threshold of the Senate Wing Doors (Figure 4). GX 407 depicts this same individual entering via the Senate Wing Doors at approximately 2:13:38 (Figure 5). This indicates that GX 504 commences outside the Senate Wing Doors at approximately 2:13:27.

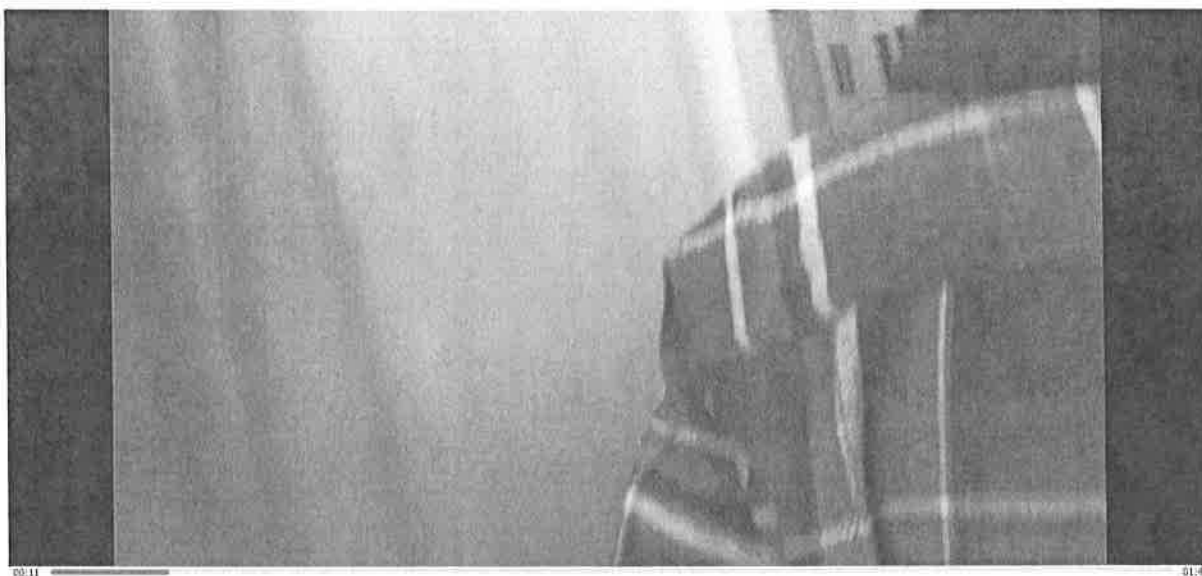


Figure 4



Figure 5

GX 504 does not depict Kevin Seefried until approximately 50 seconds into the video, which corresponds to approximately 2:14:17 p.m. At that moment, Kevin Seefried is located in the area adjacent to the base of the Senate East Grand Staircase facing Officer Goodman. During the time from when the videographer of GX 504 crossed the threshold at the Senate Wing Door (2:13:38) to the time that the videographer reached Kevin Seefried (2:14:17) was approximately 39 seconds. That is, it took the videographer approximately 39 seconds to travel from the Capitol entrance to the location where he captured Kevin Seefried and Officer Goodman. If Kevin Seefried traveled at a similar walking pace heading north from the Senate Wing Door, he would have reached the Senate East Grand Staircase and Officer Goodman at approximately 2:14:07, approximately ten seconds before the videographer got there.

According to this timeline, Kevin Seefried would have had approximately ten seconds to face off with Officer Goodman before the GX 504 videographer arrived. That is substantially longer than the 3.26 seconds proposed by counsel for Kevin Seefried in closing.

Respectfully submitted,

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