

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

**UNITED STATES OF AMERICA**

**vs.**

**DONOVAN CROWL**  
**Defendant**

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**Case No. 1:21-cr-00028-APM-2**

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**CONSENT MOTION TO MODIFY CONDITIONS OF PRETRIAL RELEASE**

Donovan Crowl, by his undersigned counsel, respectfully requests that this Honorable Court modify its Order to authorize Mr. Crowl to utilize a flip-phone style cell phone with no internet data plan and to share his monthly bill with his Pretrial Services Officer. In support, he states as follows:

1. The Order releasing Mr. Crowl to home incarceration prohibits Mr. Crowl from “hav[ing] any access to computers, smartphones, tablets, or any device that would allow him to communicate through either encrypted or non-encrypted applications.” Detention Order (ECF 115), condition 7(s).

2. In the rural area where Mr. Crowl is residing, there is no cost-effective ability to install a land-line telephone. Cell phones on the market all include a text messaging capability, which would appear to run afoul of the limitations in the Court’s Order.

3. Mr. Crowl requires a telephone to communicate with the Court for virtual hearings; his counsel and her staff; the Pretrial Services Office supervising him; the Veterans Administration and other health care providers; and friends and family members, not associated or affiliated with the Oath Keepers.<sup>1</sup>

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<sup>1</sup> Condition 7(g) prohibits Mr. Crowl from having contact with “anyone associated affiliated with Oath Keepers.”

4. After consultation with Government counsel, Mr. Crowl requests that the Court modify its Order to permit Mr. Crowl to use a flip phone, with no internet data-plan, that would allow him to make voice calls and send text messages to communicate with the Court; his counsel, including a defense paralegal and investigator working under the direction and control of defense counsel, and experts engaged by the defendant to assist in the representation; with the Pretrial Services Office; the Veterans Administration and other health care providers; and other friends and family members, not affiliated with the Oath Keepers.

5. In addition, Mr. Crowl will be required to share his monthly bills that reflect call/text records with his Pretrial Services Officer, to make sure he is only using the device for lawyer communications and other permitted entities or persons.

6. Government counsel consent to this request.

Respectfully submitted,

*/s/ Carmen D. Hernandez* \_\_\_\_\_

**Carmen D. Hernandez**

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#### **CERTIFICATE OF SERVICE**

I hereby certify that the instant notice was served on all counsel of record 1<sup>st</sup> day of April, 2021 on all counsel of record via ECF.

*/s/ Carmen D. Hernandez* \_\_\_\_\_

**Carmen D. Hernandez**

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**ORDER**

Upon consideration of the Consent Motion to Modify Conditions of Pretrial Release filed by Donovan Crowl, good cause having been shown, it is this \_\_\_\_\_ day of April, 2021, by the United States District Court for the District of Columbia,

**ORDERED:**

1. That the Conditions of Home Incarceration are hereby **MODIFIED** to permit Mr. Crowl to use a flip phone, with no internet data-plan, that allows him to make voice calls and send text messages to communicate with the Court; his counsel, including a paralegal, investigator and experts working under counsel's direction to assist in the representation; with Pretrial Services; the Veterans Administration and other health care providers; and friends and family, not affiliated with the Oath Keepers; and

2. That Mr. Crowl shall be required to share his monthly phone bill that reflects call/text records with his Pretrial Services Officer, to make sure he is only using the device for lawyer communications and other permitted entities or persons.

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**HONORABLE AMIT P. MEHTA**  
**United States District Judge**