

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	
	:	
v.	:	1:21-cr-00177-CRC
	:	
	:	
DANIEL D. EGTVEDT,	:	
	:	
Defendant.	:	

**GOVERNMENT’S MOTION TO REVOKE DEFENDANT’S PRETRIAL RELEASE OR IN
THE ALTERNATIVE FOR AN EARLY STATUS HEARING**

The United States of America, by and through the Acting United States Attorney for the District of Columbia, hereby moves to revoke the defendant’s release or in the alternative for an early status hearing, prior to the scheduled date of June 3, 2021.

Defendant Daniel D. Egtvedt has been charged by indictment (doc. 9) with assaulting a federal law enforcement officer, in violation of 18 U.S.C. § 111(a)(1), assaulting a D.C. law enforcement officer assisting federal officers, also in violation of 18 U.S.C. § 111(a)(1), interfering with a law enforcement officer during a civil disturbance, in violation of 18 U.S.C. § 231(a)(3), and obstruction of a congressional proceeding, in violation of 18 U.S.C. § 1512(c)(2), all of which are felonies, along with five misdemeanors relating to unlawfully entering, and violent and disorderly conduct within, the United States Capitol. He has pled not guilty.

The charges all relate to the defendant's conduct on January 6, 2021. On the afternoon of that date, the defendant, along with hundreds of other subjects, unlawfully entered the Capitol and violently confronted law enforcement officers, in an attempt to stop Congress from certifying the votes of the Electoral College. Which had voted on December 14, 2020, to elect Joseph Biden as President and Kamala Harris as Vice-President.

Prior to his indictment the defendant was arrested on a complaint (doc. 1) charging him with the same offenses, on February 13, 2021. After a hearing, the Hon. G. Michael Harvey, M.J., ordered the defendant held without bond pending trial (doc. 7). Following return of the indictment the defendant moved for release (docs. 16 & 17), which the government opposed (doc. 18). This Court, after a hearing, granted the motion and, on April 15, 2021, ordered the defendant released into the high-intensity supervision program, which includes the condition of electronic location monitoring (doc. 23).

Recently, the D.C. Pretrial Services Agency reported (doc. 25) that the U.S. Probation and Pretrial Services Office for the District of Maryland, which is conducting courtesy supervision of the defendant, has been unable to install and activate electronic location-monitoring equipment for the defendant. According to PSA, the "remote location" where the defendant is

residing--pursuant to the release order's third-party custodian requirement--prevents the equipment from operating. PSA has therefore requested that the location monitoring condition be lifted. As the government informally advised the Court and the defense earlier, the government opposes PSA's request.

The government has been in contact with D.C. PSA and the District of Maryland agency since D.C. PSA filed its report on April 28. USPO (D. Md.) Jeremy Beck earlier advised that his agency has ordered location-monitoring equipment, from a vendor in Colorado, that might be able to operate in the area of the third-party custodian's residence. Mr. Beck advised the government yesterday that that equipment has not yet arrived.

In the meantime, the defendant has been on release without electronic location monitoring for more than two weeks.

Accordingly, the government moves the Court to revoke the defendant's release, pending the arrival of the new equipment from Colorado, and its installation and testing. Alternatively, the government moves that the Court order a status hearing to address whether there is another third-party custodian available, in a less remote location, where location-monitoring equipment currently possessed by the U.S. Probation and Pretrial Services Agency (D. Md.) can be expected to function.

Respectfully submitted

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