

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

UNITED STATES OF AMERICA	:	
	:	
v.	:	Case No. 21-cr-73-BAH
	:	
NICHOLAS DECARLO and NICHOLAS OCHS,	:	
	:	
Defendants.	:	

**UNITED STATES' REPORT REGARDING VIDEO EVIDENCE DESCRIBED IN
STATEMENT OF OFFENSE**

In response to the Court's Minute Order of August 29, 2022, the United States submits this report on the video evidence described in defendants Nicholas DeCarlo and Nicholas Ochs' Statements of Offense. The chart below includes information regarding the length and source of each video. The government has shared the referenced exhibits with the Court and with defense counsel via USAfx. The government has also conferred with counsel for both defendants, and all parties take the position that the exhibits may be released to the public without restriction.

Exhibit No.	File Name	Source	Length	Relevant Portion	Referenced in These Paragraphs
1	244_GHEE0674.mp4	DeCarlo GoPro	2:28	Entire video (driving to D.C.)	DeCarlo ¶ 9, Ochs ¶ 10
2	247_GHEF0675.mp4	DeCarlo GoPro	0:46	Entire video (arrival in D.C.)	DeCarlo ¶ 9, Ochs ¶ 10
3	IMG_1162.mov	Ochs cell phone	0:55	Entire video (presence at rally; "Gloria" audible in background) ¹	DeCarlo ¶ 9, Ochs ¶ 10
4	IMG_1163.mov	Ochs cell phone	0:33	Entire video (presence at rally; "Gloria" audible in background)	DeCarlo ¶ 9, Ochs ¶ 10
5	253_GHEH0677.mp4	DeCarlo	2:12	0:00-1:45 (attendance at	DeCarlo ¶ 9,

¹ The song "Gloria" was played at the "Save America March".at 3:26:47 immediately before President Trump's appearance was announced. See C-Span, *Rally on Electoral College Certification*, available at <https://www.c-span.org/video/?507744-1/rally-electoral-college-vote-certification> (timestamp 3:23:55-3:28:58).

		GoPro		rally; speeches audible in background)	Ochs ¶ 10
6	256_GHEI0678.mp4	DeCarlo GoPro	0:26	0:16-0:21 (discussion of going to the Capitol)	DeCarlo ¶ 9, Ochs ¶ 10
7	12_GHEK0681.MP4	DeCarlo flash drive		Entire video (marching toward the Capitol)	DeCarlo ¶ 9, Ochs ¶ 10
8	335_GHEN0685.mp4	DeCarlo GoPro	5:00	0:33-0:55 (quoted language in DeCarlo ¶ 10/Ochs ¶ 11); 1:30-2:05 (arrival at West Front) 2:53-3:07 (quoted language in DeCarlo ¶ 11/Ochs ¶ 12)	DeCarlo ¶¶ 10-11, Ochs ¶¶ 11-12
9	24_VID_20210106_133453381.mp4	DeCarlo flash drive	1:56	0:15-0:59 (example of flash bangs)	DeCarlo ¶ 11, Ochs ¶ 12
10	IMG_1173.MOV	Ochs cell phone	3:49	Entire video (advancing under the scaffolding)	DeCarlo ¶ 12, Ochs ¶ 13
11	IMG_1177.MOV	Ochs cell phone	3:02	2:30-3:02 (beginning to retreat from scaffolding)	DeCarlo ¶ 12, Ochs ¶ 13
12	Video from YouTube - extinguish the fires of hatred	Downloaded from YouTube	1:34	0:43-1:10 (emerging from scaffolding); 1:10-1:28 (throwing smoke bomb at police)	DeCarlo ¶ 12, Ochs ¶ 13
13	IMG_1182.MOV	Ochs cell phone	2:48	0:20-0:45 (DeCarlo tells Ochs he forgot to pull the pin)	DeCarlo ¶ 12, Ochs ¶ 13
14	IMG_1184.MOV	Ochs cell phone	3:17	Entire video 0:00-1:35 (climbing through scaffolding, up stairs, and arriving at Upper West Terrace)	DeCarlo ¶ 13, Ochs ¶ 14
15	0102 USCS 01 Senate Wing Door near S139-2021-01-06_14h23min21s000ms.asf	U.S. Capitol Police CCV	0:37	0:00-0:30 (entering Capitol and turning down a hallway)	DeCarlo ¶ 13, Ochs ¶ 14
16	IMG_1194.mov	Ochs cell phone	1:07	Entire video (passing through atrium and arriving in Crypt)	DeCarlo ¶ 13, Ochs ¶ 14
17	0178 USCH 01 Crypt East-2021-01-06_14h25min44s000ms.asf	U.S. Capitol Police CCV	4:19	0:23-0:25 (in Crypt)	DeCarlo ¶ 13, Ochs ¶ 14
18	32_VID_20210106_142239193.mp4	DeCarlo flash drive	5:31	0:30-3:00 (entering Capitol and traveling to Crypt); 3:36-4:06 (smoking cigarettes); 4:37 ("Congress goes	DeCarlo ¶¶ 13-14, Ochs ¶¶ 14-15

				into lockdown”); 4:49-4:55 (“Where’s Nancy? Where you at, Nancy?”); 4:56-5:00 (smoking cigarettes)	
19	Cam_1fc42017.mp4	Ochs cell phone	0:08	Entire video (smoking cigarettes)	DeCarlo ¶ 14, Ochs ¶ 15
20	IMG_1196.mov	Ochs cell phone	0:37	Entire video (in Crypt East Lobby; watching crash door obstruction)	DeCarlo ¶ 15, Ochs ¶ 16
21	33_VID_20210106_143022940.mp4	DeCarlo flash drive	1:34	0:00-0:16 (in Crypt East Lobby; watching crash door obstruction)	DeCarlo ¶ 15, Ochs ¶ 16
22	7206 USCS 01 Crypt Lobby East-2021-01-06_14h30min27s000ms.asf	U.S. Capitol Police CCV	0:30	0:00-0:15 (in Crypt East Lobby; watching crash door obstruction)	DeCarlo ¶ 15, Ochs ¶ 16
23	IMG_1198.mov	Ochs cell phone	2:00	0:40-0:56 (entering Capitol Visitor Center)	DeCarlo ¶ 16, Ochs ¶ 17
24	0262 USCH 02 Statuary Hall-2021-01-06_14h53min58s000ms.asf	U.S. Capitol Police CCV	1:47	00:20-00:30 (in Statuary Hall)	DeCarlo ¶ 16, Ochs ¶ 17
25	IMG_1204.mov	Ochs cell phone	0:36	0:26-0:36 (greeting Nordean and Rae in the East Foyer)	DeCarlo ¶ 16, Ochs ¶ 17
26	0686 USCH 02 Rotunda Door Interior-2021-01-06_14h41min25s000ms.asf	U.S. Capitol Police CCV	2:01	0:28-1:00 (greeting Nordean and Rae in the East Foyer); 1:01-1:12 (Nordean, Rae, and Ochs moving to Rotunda entrance; Ochs patting Nordean’s arm); 1:50-2:00 (DeCarlo leaving East Foyer and entering Rotunda)	DeCarlo ¶ 16, Ochs ¶ 17
27	0960 USC 02 Rotunda North-2021-01-06_14h42min34s000ms.asf	U.S. Capitol Police CCV	3:51	1:50-2:00; 3:25-3:40 (examples of interactions with Nordean and Rae in the Rotunda)	DeCarlo ¶ 17, Ochs ¶ 18
28	210107 LAURA USA CAPITOL WASHINGTON.mp4	Bangumi (French news agency)	2:41:51	59:40-1:00:10 (“Nancy’s office!”)	DeCarlo ¶ 17, Ochs ¶ 18
29	7029 USCS 02 Rotunda Door Interior – 2021-01-06_14h59min01s000ms.asf	U.S. Capitol Police CCV	0:52	0:00-0:45 (defendants exiting Capitol Building)	DeCarlo ¶ 17, Ochs ¶ 18

30	IMG_1214.MOV	Ochs cell phone	0:25	Entire video (writing “Murder the Media”)	DeCarlo ¶ 18, Ochs ¶ 19
31	0180 USCH Memorial Door Exterior-2021-01-06_15h08min23s000ms.asf	U.S. Capitol Police CCV	3:38	0:00-0:50 (rummaging through USCP bag and taking flexcuffs); 1:20-2:55 (writing “Murder the Media” on door and posing for photographs)	DeCarlo ¶¶ 18-19, Ochs ¶¶ 19-20
32	cam_d6e6610c.mp4	Ochs cell phone	0:19	Entire video	DeCarlo ¶ 20, Ochs ¶ 22
33	cam_14368921.mp4	Ochs cell phone	0:39	Entire video	DeCarlo ¶ 21, Ochs ¶ 23

Respectfully submitted,

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