

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

| | | |
|---------------------------------|---|-------------------------------|
| UNITED STATES OF AMERICA | : | |
| | : | |
| v. | : | CASE NO. 21-cr-6 (TJK) |
| | : | |
| DOUGLAS AUSTIN JENSEN, | : | |
| | : | |
| Defendant. | : | |

JOINT PRETRIAL STATEMENT

Pursuant to the Court’s February 11, 2022, order (ECF 59), the parties hereby jointly submit this pretrial statement. As directed, the parties will deliver a Microsoft Word version of this document and attachments to the Court by email to Kelly_Chambers@dcd.uscourts.gov.

A. Joint Statement of the Case

The parties have agreed that the following is an appropriate statement of the case:

This is a criminal case. The government has charged the defendant, Douglas Austin Jensen, with violating seven separate federal criminal laws based on his presence inside the U.S. Capitol on January 6, 2021. Specifically, the government alleges that Mr. Jensen interfered with Congress’s meeting to certify the results of the 2020 presidential election; that he obstructed and interfered with, and that he resisted, opposed, impeded, and intimidated United States Capitol Police Officer Eugene Goodman; that he unlawfully entered and engaged in disorderly and disruptive conduct inside the U.S. Capitol building while carrying a knife; and that he engaged in disorderly conduct and paraded, demonstrated, and picketed inside the U.S. Capitol building. Mr. Jensen denies each and every charge.

B. Proposed Voir Dire Questions

The parties’ jointly-proposed voir dire questions are set forth in a separate attached exhibit.

C. Proposed Jury Instructions

The parties' jointly-proposed jury instructions are set forth in a separate attached exhibit. There parties are in agreement on all proposed jury instructions.

D. Expert Witnesses

Neither the government nor the defense intends to call any expert witness to testify at trial. In the event either party learns of new circumstances that warrant expert testimony, that party will promptly notify the Court and opposing counsel.

E. Prior Convictions

The government does not intend to use any prior convictions of the defendant for impeachment or any other purpose.

F. Government Exhibits

The list of government exhibits is attached.

G. Stipulations

The parties have reached stipulations which are attached.

H. Lesser Included Offenses

The government may seek a jury instruction on two lesser included offenses, as listed below. Jury instructions relevant to both lesser included offenses are included in the attached Jury Instructions exhibit.

Count Four: Entering or Remaining in a Restricted Building or Grounds (but not with a Deadly or Dangerous Weapon), in violation of 18 U.S.C. § 1752(a)(1) (but not (b)(1)(A)).

Count Five: Disorderly or Disruptive Conduct in a Restricted Building or Grounds (but not with a Deadly or Dangerous Weapon), in violation of 18 U.S.C. § 1752(a)(2) (but not (b)(1)(A)).

I. Proposed Verdict Form

The parties' jointly-proposed verdict form is attached.

Dated August 10, 2022.

Respectfully submitted,

For the United States:

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