

they had not identified the other officers standing directly next to him at the time. Undersigned counsel requested that the government ask the one identified officer to then identify the other officers in the photos he was standing next to on January 6, 2021. The government responded that they would do this but were trying to do things in an organized manner and that would not be until they finished collecting sources of information before speaking with individual officers.

Undersigned counsel responded that any delay in time would be a problem because of the limited time left for investigation.

Given the nature of the discovery in this case and the necessity to have an officer's name and badge number in order to do a search in the relativity database for possible reports filed by or against such officer, any delay in the identification of these officers poses a risk of prejudice to the defendant. In particular, one of the officers for whom an identification is sought is seen on CCTV video spraying Mr. Egtvedt in the eyes with some sort of chemical agent while Mr. Egtvedt stands outside the Senate Wing Doors and peacefully looks in. That officer will be a key witness at trial for Mr. Egtvedt and the defendant is entitled to fully investigate the personnel file (commonly known as PPMS) of this officer and view any reports made by him about the events of that day.

Mr. Egtvedt needs the government to identify this officer and others that were around the Senate Wing Door who may have witnessed the attack on Mr. Egtvedt with the chemical agent and the aftermath of the attack. Since one of the officers directly near this officer has already been identified, it would not be difficult for the government to contact that officer and have him identify the other officers. Moreover, the government is using facial recognition software for all of these cases specifically to identify January 6th defendants and witnesses. Out of fairness, they should be compelled to identify these officers, especially when they are implicated in the events of that day.

Respectfully Submitted,

