

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

UNITED STATES OF AMERICA,)	
)	
)	
)	
v.)	Case No. 1:21-cr- 00177 (CRC)
)	
DANIEL EGTVEDT,)	
)	
Defendant.)	
)	

DEFENDANT EGTVEDT’S MOTION TO COMPEL OFFICER IDENTIFICATION

Defendant Egtvedt, by and through undersigned counsel, requests that the government be compelled to identify certain officers present at the interior of the Senate Wing Doors on January 6, 2021 and any reports by such officers filed regarding the events of that day or filed against such officers or any Brady material relating to such officers.

Undersigned counsel has requested multiple times through email for the government to identify several key officers seen on CCTV video footage from the interior of the Senate Wing Doors on January 6, 2021. The email requests have attached several pictures of the officers with arrows indicating which officers in particular defendant Egtvedt seeks to identify. The government initially responded that they were not aware of who these officers are but would inform the defendant if they should identify them in the future.

On April 22, 2022 the defense team then contacted the government with a photo showing a possible name visible on one of the officers depicted in the video. The government was able to identify that officer based off this information. They were also able to tell the defendant that this particular officer was indeed one of the officers at the doors. However, the government stated that

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,

By: Kira Anne West

 /s/
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Certificate of Service

I certify that a copy of the forgoing was filed electronically for all parties of record on this 25th day of April, 2022.

 /s/
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Attorney for Mr. Daniel Egtvedt