

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA :
 :
 : No. 21-CR-383 (BAH)
 v. :
 PATRICK STEDMAN :

**DEFENDANT STEDMAN’S REPLY TO GOVERNMENT MOTION IN LIMINE
REGARDING EVIDENCE ABOUT THE SPECIFIC LOCATIONS OF U.S. CAPITOL
POLICE SURVEILLANCE CAMERAS
(Docket Entry 43)**

This memorandum is in response to the government’s motion in limine for “an order limiting the defense from probing, during cross-examination, the exact locations of Capitol Police surveillance cameras or from using the maps, which show each camera’s physical location, as an exhibit at trial” filed at docket entry 43 (DDE 43). Mr. Stedman does not intend to seek to introduce the referenced map.

The government states that it “will offer footage from Capitol Police cameras showing the crowd occupying restricted areas, breaching police lines, and assaulting police”. (GT Motion at 4, DDE 43).¹ Regarding specific camera locations and angles, and questioning regarding such, although generally Mr. Stedman at present does not intend to inquire regarding such, any pretrial determination that Mr. Stedman should be precluded from doing so would be premature and out

¹ That statement references the type of evidence addressed in Mr. Stedman’s motion filed under docket entry 46 (Motion Point III seeking to preclude the government from presenting evidence regarding any events of January 6, 2021 for which the government cannot demonstrate Mr. Stedman was present and observed, or of which he was otherwise aware).

of context. Mr. Stedman is mindful of what the government contends are security concerns about such information. However, this is the type of evidentiary issue that needs to be determined in the context of trial and the other evidence that the government presents (testimonial or otherwise) before it properly can be determined. It appears that camera footage will comprise a substantial portion of the government's evidence in this case. While the government's proposition in its motion that "[t]he defense can probe what Capitol Police's cameras show, and what they don't, by asking about the general location of each camera" (GT Motion at 4, DDE 43) may prove correct, the Court cannot assess such in a vacuum. As the government also correctly acknowledges, there can arise in context at trial "some concrete and specific defense need to probe the camera's location, there is nothing to be gained from such questioning." (GT Motion at 4, DDE 43).

The Court should deny the government's motion as premature and should reserve any decision on such evidentiary issues *if and when* they arise at trial. Defense counsel of course, considering this motion and the defense position in response, would agree to advise the Court and the government at sidebar before asking questions that would expose the specific location or angle of a particular camera (as opposed to the general location such as "inside the [Lower West] tunnel facing out" for example, as the government notes would be an appropriate general reference). (GT Motion at 4, DDE 43).

Respectfully submitted,

Law Offices of Rocco C. Cipparone, Jr.

BY: /s/Rocco C. Cipparone, Jr.
Rocco C. Cipparone, Jr., Esquire

CERTIFICATE OF SERVICE

The undersigned certifies that on April 19, 2023, I caused a copy of the within document to be served on all parties listed on the Electronic Case Filing (ECF) System, by means of filing those documents on the ECF system.

Law Offices of Rocco C. Cipparone, Jr.

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