

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	
	:	
v.	:	Case No. 21-CR-525
	:	Hon. Amy Berman Jackson
SAMUEL LAZAR,	:	
	:	
Defendant.	:	

**GOVERNMENT’S AMENDED NOTICE OF FILING OF EXHIBITS PURSUANT
TO LOCAL CRIMINAL RULE 49**

The United States hereby gives notice, pursuant to Local Criminal Rule 49, of the following exhibits that were provided to the Court and all counsel in relation to Government’s Oral Motion for Pretrial Detention. The exhibits are as follows:

1. Government Exhibit 1 was provided to the Court and opposing counsel via USAfx on August 5, 2021. Government Exhibit 1 is a clip from the body-worn camera of Metropolitan Police Department (MPD) officer M.C. and is approximately five minutes in length, though the government respectfully submits only the first one minute and twenty seconds is relevant for this hearing, during which time the defendant attempts to pull the barrier away from police, is made to retreat, and then turns and intentionally sprays police with a chemical irritant. The events depicted in Exhibit 1 occurred at approximately 1:13 p.m. on January 6, 2021.

- a. 35 seconds- *Lazar coming from right of screen, grabbing bike rack and spraying*
- b. 39 seconds- *Lazar spraying police*
- c. 45 seconds- *Lazar disappears into crowd*
- d. 48 seconds to one minute, twenty seconds- *Officers coughing and rubbing eyes*

2. Government Exhibit 2 was provided to the Court and opposing counsel via USAfx on August 5, 2021. Government Exhibit 2 is a video recorded by the FBI from YouTube and is approximately two minutes in length. The events depicted in Exhibit 2 occurred at approximately 4:30 p.m. on January 6, 2021.

3. Government Exhibit 3 was provided to the Court and opposing counsel via email and USAfx on October 12, 2021. Government Exhibit 3 is a video recorded by the FBI from YouTube and is approximately twelve seconds in length. The events depicted in Exhibit 3 occurred on the West Plaza on January 6, 2021.

4. Government Exhibit 4 was provided to the Court and opposing counsel via USAfx on October 12, 2021. Government Exhibit 4 is a clip from the body-worn camera of Metropolitan Police Department (MPD) officer J.C. and is approximately five minutes in length, though the government respectfully submits only the first two minutes of the video are relevant for this hearing, during which time the defendant makes numerous statements as outlined in pages 8 and 9 in the government's original detention memorandum and is handed a cannister of chemical irritant. The events depicted in Exhibit 4 occurred between approximately 1:41 p.m. and 1:43 p.m. on January 6, 2021.

- a. 7 seconds to 19 seconds- *Lazar yelling, "forward!" into bullhorn*
- b. 23 seconds- *Lazar yelling, "Fuck you!" to police*
- c. 28 seconds to 34 seconds- *Lazar yelling, "Stand the fuck down, LEO's. Stand the fuck down" into bullhorn*
- d. 41 seconds- *Lazar yelling, "Get the fuck out of the way, tyrants!" into bullhorn*
- e. 43 seconds- *Lazar yelling, "LEOs, get the fuck out of the way or join*

us” into bullhorn

- f. 50 seconds- *Lazar yelling, “you now have fucking enemies on both sides!” to police through bullhorn*
- g. One minute- *Lazar handed cannister of chemical irritant, which he holds*
- h. Two minutes, twenty-eight seconds- *Lazar disappears into crowd*

5. Government Exhibit 5 was provided to the Court and opposing counsel via email and USAfx on October 13, 2021. Government Exhibit 5 is a video recorded by the FBI from YouTube and is approximately nineteen seconds in length. The events depicted in Exhibit 5 occurred at approximately 1:13 p.m. on January 6, 2021.

6. Government Exhibit 6 was provided to the Court and opposing counsel via email and USAfx on October 13, 2021. Government Exhibit 6 is an excerpt of a video created by the *New York Times* and is approximately twenty seconds in length. The events depicted in Exhibit 6 occurred on January 6, 2021.

Respectfully submitted,

CHANNING D. PHILLIPS
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s/ Douglas G. Collyer _____
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I HEREBY CERTIFY that I filed the foregoing pleading electronically through the CM/ECF system which caused the parties or counsel of record to be served by electronic means, as reflected on the Notice of Electronic Filing, and other methods of service as indicated therein on October 13, 2021

s/ Douglas G. Collyer
Douglas G. Collyer
Assistant United States Attorney