

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

**UNITED STATES OF AMERICA**

**v.**

**KENNETH JOSEPH OWEN THOMAS,**

**Defendant**

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**Criminal Case No.**

**1:21-cr-00552 (CRC)**

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**DEFENDANT’S PROFFER AS TO ANTICIPATED WITNESSES**

**Steven K. Hill**

Defendant KENNETH JOSEPH OWEN THOMAS (“Thomas”), through the undersigned counsel, John M. Pierce, Esq. and Roger Roots, Esq., and hereby responds to the verbal Order of the Court to explain the expected testimony of the witnesses that the Defendant expects to call at trial.

Initially, Defendant reserves and notes his objection that this procedure is unduly burdensome for an under-funded Defendant’s legal team, as with most January 6 Defendants, but not shouldered in like manner by the well-funded U.S. Department of Justice with regard to its witnesses. Almost everything about these cases – rushed to court with many years left to run on statutes of limitations, but clearly not ready for prime time – seems geared towards swamping the few attorneys willing to provide a legal defense to these accused citizens.

**I. PROFFERED TESTIMONY OF STEVEN K. HILL**

Steven K. Hill has 25 years of local law enforcement experience, now retired from his police work. He has 3 years of experience with U.S State Department Anti-Terrorism Assistance

Program (ATAP) teaching foreign nationals in the areas of security, tactical operations and officer safety. Hill has 8 years of law enforcement management experience. He is a military veteran with 6 years in United States Air Force/military police. 6 years of experience as Vulnerability Analyst for DOE (SNL-OST and GTRI).

Steven K. Hill has spent hundreds of hours analyzing the video produced by the Government for this case and for many other January 6 Defendants (although the Government has mostly distributed “Global Production” releases of videos and documents and other information common to most or all Defendants). He also analyzed the radio traffic among law enforcement officers happening simultaneously with the events shown on videos to correlate what was actually happening between both video views and the chatter and commands. Hill has studied the training and procedures manuals of the U.S. Capitol Police and Washington, D.C. Metropolitan Police Department to the extent the Government has not violated *Brady v. Maryland* by withholding material, to help understand what the officers are doing in each video and scene, what they are supposed to be doing and what they are not supposed to be doing.

Having studied the locations around the U.S. Capitol and the security camera surveillance videos and police officer body-worn camera video and smart phone “civilian video” recordings, Steven K. Hill could satisfy the requirements to admit videos showing the events at issue in this case into evidence into the record.

Steven K. Hill can also testify to how these various video scenes fit together as being parts of the overall action and introduce any relevant radio transmissions among law enforcement officers as evidence into the record. He can testify to what is not shown on any of the videos that he has exhaustively reviewed. Hill can describe and point out in replay and slow motion modes fast-moving events on some of the videos to help the jury track what is happening,

where people exit one video and appear in another video, etc.

Dated: May 17, 2023

RESPECTFULLY SUBMITTED  
KENNETH JOSEPH OWEN THOMAS,

*By Counsel*

\_\_\_\_\_/s/\_\_\_\_\_  
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**CERTIFICATE OF SERVICE**

I hereby certify that this document is being filed on this May 17, 2023, with the Clerk of the Court by using the U.S. District Court for the District of Columbia's CM/ECF system, which will send an electronic copy of to the following CM/ECF participants. From my review of the PACER account for this case the following attorneys are enrolled to receive notice and a copy through the ECF system.

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\_\_\_\_\_/s/\_\_\_\_\_  
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