

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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**UNITED STATES OF AMERICA,**

**v.**

**KENNETH HARRELSON**

**Defendant**

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) **Criminal No. 1:22-cr-00015-APM**  
)  
) *USA v. Stewart Rhodes, et al.*  
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)  
)  
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**SUPPLEMENT TO DEFENDANT HARRELSON'S ECF 267 FILING REGARDING  
EXPERT DISCLOSURES**

- 1) Having met with Defense experts who became known to undersigned counsel between August 1-8, 2022, and having toured grounds of the Capitol and Republican National Committee grounds on August 26-27, 2022 and having toured the Capitol on August 27, 2022 where many of the requests that Defense made were courteously denied by Capitol General Counsel (Attachment One), and having conducted evidence review on the Oath Keepers matter on August 29, 2022 at an FBI offsite, the following update is provided to the Court subject to outstanding discovery requests:
  - A. Mark K Snell is prepared to testify consistent with general notice first provided to the Government on August 8, 2022 and followed up with a curriculum vitae and disclosure to the Government that was provided on August 13, 2022 (Attachment Two).
  - B. Steve Hill is prepared to testify consistent with notice first provided to the Government on August 8, 2022 and followed up with a curriculum vitae provided on August 18, 2022 and a disclosure to the Government on August 28, 2022 (that in important respects was incorporated into Snell's disclosure) (Attachment Three).

- C. The experts are far along in their process that they are well experienced in regarding high value facilities that come under attack by affiliated and non-affiliated individuals and groups that test security systems and protocols. With significant Government assistance already provided, they are getting most of the information needed for analysis and have already been drafting a preliminary opinion based on less than complete information, but subsequent investigation has suggested that any changes between preliminary disclosures and a final report will not come as unexpected by the Government and are likely to become more detailed and be viewed by the Government and the Defense as highly probative and certainly not prejudicial to either side. Undersigned counsel believes the expert analysis will clarify issues for any jury and the Court, clearing the fog hanging over what was a chaotic day, making analysis without their assistance very difficult when evaluating guilt or innocence of defendants and other parties and also understanding officers' response.
- D. In simplest terms, experts will compare and contrast behavior of rally attendees including Oath Keepers and police, and some rally attendees who, based on observable behavior, seemed to have had an agreement and a plan shown through the evaluation of intentional or purposeful behavior, but also in comparing this observable behavior and contrasting behaviors associated with those, like defendant Harrelson, police, and others, who did not display those signature characteristics.

(SIGNATURE BELOW)

Dated: August 30, 2022

RESPECTFULLY SUBMITTED  
KENNETH HARRELSON, *By Counsel*  
/s/ Brad Geyer

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**CERTIFICATE OF SERVICE**

I hereby certify that on August 30, 2022, a true and accurate copy of the forgoing was electronically filed and served through the ECF system of the U.S. District Court for the District of Columbia.

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