

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

UNITED STATES OF AMERICA

v.

MICHAEL OLIVERAS,

Defendant.

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Case No.: 21-CR-0738 (BAH)

**UNITED STATES' REPORT AND POSITION REGARDING
PUBLIC RELEASE OF VIDEO EVIDENCE RE: MICHAEL OLIVERAS PLEA**

Per this Honorable Court's January 25, 2023, Minute Order, the United States will make the following video evidence available to the Court electronically:

| No. | File Name | App'x Length | Source | Description |
|------------|--|---------------------|---------------------|--|
| 1 | "IMG_6441" | 31 seconds | Oliveras | <i>Facts described in ¶ 11 of Statement of Offense.</i> Oliveras videoing the former president speaking at the "Stop the Steal" rally. |
| 2 | "Fight with police" https://archive.org/download/cx-BcvdEiZHWpaxd5N/William_Turton_201_a_crow.mpeg4 | 1 minute, 5 seconds | Open source footage | <i>Incident described in ¶ 12 of Statement of Offense.</i> :14-:40 – rioters swarm line of officers who were walking toward Capitol and rioters initiate violent altercations :30 – rioters push officers backwards, away from Capitol :34 – physical altercations between rioters and officers :40 – Oliveras' hands and arm (in a red sweatshirt) seen pushing into rioters pushing into police officers (bottom left of the screen) :42-:47 – Oliveras yelling, "HOLD THE FUCKING LINE" while pushing into |

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| | | | | rioters pushing into police officers (red sweatshirt, red baseball cap with two circle pins, black backpack; bottom left of the screen) |
| 3 | Oliveras First Entry _ Senate Wing Door | 23 seconds | U.S. Capitol Police | <i>Facts described in ¶ 13 of Statement of Offense.</i> Oliveras entering the Capitol building for the first time. |
| 4 | "IMG_6450" | 15 seconds | Oliveras | <i>Facts described in ¶ 14 of Statement of Offense.</i> Oliveras roaming through hallway inside the Capitol, yelling, "WHERE ARE THE FUCKING TRAITORS? DRAG THEM OUT BY THEIR FUCKING HAIR! WHERE ARE THE FUCKING TRAITORS?" and another rioter responds, "COME ON, WHO'S FIRST?!" |
| 5 | "IMG_6451" | 16 seconds | Oliveras | <i>Facts described in ¶ 14 of Statement of Offense.</i> Oliveras videoing inside the Capitol building, yelling "DRAG THE FUCKING TRAITORS OUT!" |
| 6 | Oliveras First Exit _ Senate Wing Door | 1 minute, 39 seconds | U.S. Capitol Police | <i>Facts described in ¶ 15 of Statement of Offense.</i> Oliveras being escorted out of Capitol building for the first time (:32), as officers attempt to secure the area. Before leaving, Oliveras turning and yelling at officer (:42) and refusing to leave until other rioter waves him out (:53). Before climbing out the window, Oliveras watches officers attempt to secure the doors. |
| 7 | Second entry _ Senate Wing Door | 1 minute, 28 seconds | U.S. Capitol Police | <i>Facts described in ¶ 16 of Statement of Offense.</i> Oliveas entering Capitol for second time, shortly after the second breach of the Senate |

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| | | | | Wing Door. |
| 8 | "Vid 3 _ PWhrExext7g_small" | 21 seconds | Oliveras | <p><i>Facts described in ¶ 18 of Statement of Offense.</i></p> <p>Oliveras standing in Senate Wing Door entry blocked by officers. Oliveras and rioters chanting, "Whose house? Our House!" Oliveras yells, "WE WANT THOSE FUCKING TRAITORS!" (:04) and "PUSH!" (:19)</p> <p>Sirens ringing in background.</p> |
| 9 | "IMG_6458" | 31 seconds | Oliveras | <p><i>Incident described in ¶ 19 of Statement of Offense.</i></p> <p>Shortly after police officers gained control after the physical altercation, Oliveras turned around and videoed officers attempting to clear the Capitol grounds. He yells, "EVERYTHING AROUND HERE CHANGES FROM THIS DAY FUCKING FORWARD!"</p> |
| 10 | Vanacore BWC | 2 minutes, 29 seconds | MPD Bodyworn Camera (BWC) footage | <p><i>Incident described in ¶ 19 of Statement of Offense.</i></p> <p>BWC footage of officer involved in physical altercation with rioters. After getting hit by rioter, officer's BWC falls to the ground. At :41-:42, Oliveras on the left side of the screen – black pants with a white stripe, red sweatshirt – with his arm outstretched pushing.</p> |
| 11 | Thornton BWC | 1 minute, 43 seconds | MPD Bodyworn Camera (BWC) footage | <p><i>Incident described in ¶ 19 of Statement of Offense.</i></p> <p>BWC footage of officer involved in physical altercation with rioters. Oliveras seen at :42 (right side of the footage). At :51, Oliveras facing officers and pushing forward. Oliveras' flag remaining visible, showing his location and movement,</p> |

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| | | | | until 1:03. At 1:14, Oliveras' flag seen again, in the midst of rioters, fighting with officers. |
| 12 | Campanele BWC | 1 minute, 36 seconds | MPD Bodyworn Camera (BWC) footage | <i>Incident described in ¶ 19 of Statement of Offense.</i> BWC footage of officer viewing physical altercation between officers and rioters. Oliveras in the middle of the physical altercation, visible by his American flag waving in the air in the middle of the altercations, visible from 1:10-1:14. At 1:19, Oliveras moving away from officer line. |
| 13 | "Oliveras Youtube Video" | 17 seconds | Open Source | <i>Incident described in ¶ 19 of Statement of Offense.</i> :03 - :09 – tail end of violent altercation on upper West terrace between line of officers attempting to clear rioters off the Capitol grounds and rioters refusing to leave. Oliveras falling away from the group after officers regained control. |
| 14 | "Vid 10 _XkfUtKxIH2fQ" | 46 seconds | | <i>Incident described in ¶ 20 of Statement of Offense.</i> Oliveras filming rioters breaking media equipment. Oliveras says "This is what happens to fake news." (:16) and "FUCKING TRAITORS. GET THE FUCK OUT OF HERE. GET THE FUCK OUT OF HERE." (:35) |

Neither party objects to the public release of the above-listed videos.

Respectfully submitted,

MATTHEW M. GRAVES
United States Attorney
DC Bar No. 481052

By: /s/ Ashley Akers
ASHLEY AKERS
MO Bar No. 69601

Trial Attorney, U.S. Department of Justice
Capitol Riot Detailee
601 D Street, N.W.
Washington, D.C. 20002
Tel: (202) 353-0521
Ashley.Akers@usdoj.gov

CERTIFICATE OF SERVICE

On January 26, 2023, a copy of the foregoing was served on counsel of record for the defendant via the Court's Electronic Filing System.

/s/ Ashley Akers

ASHLEY AKERS

Trial Attorney

Capitol Riot Detailee