

THE 759 DIGITAL DEVICES TUCKER CARLSON DIDN'T REVIEW

To sustain his false claims that the January 6 Committee released a biased selection of videos, Tucker Carlson has insinuated that only he and the J6C have had access to the video of the attack.

That's, of course, false. The defense attorneys have had access to most of the same video to which Tucker has claimed exclusive access. In fact, his claims that Jacob Chansley was unfairly treated is an implicit attack on Albert Watkins, Chansley's defense attorney during the period he pled guilty to facts Tucker ignored, such as that he ignored an officer's direction to get out of Mike Pence's seat or that he "considered it a win" that Members of Congress had to "hunker down, put on their gas masks and retreat into their underground bunker." (Chansley has since retained William Shipley, an even more partisan attorney, one who has sown partisan bullshit about legal cases going at least as far back as the Mike Flynn case.)

Plus, defense attorneys have had access to far more: the other evidence collected as part of the investigation. In responses to two defendants – Ryan Nichols and Shane Jenkins – attempting to delay their trials so they might review the files Tucker has boasted about accessing, DOJ has laid out the evidence available to defense attorneys (this is the version submitted in the Jenkins case).

The United States has provided voluminous global and case-specific discovery in this case. In addition to the case-specific discovery that has been provided to the defendant (which includes, inter alia, videos of the

defendant breaking a window with a metal tomahawk and throwing various objects at officers in the Lower West Terrace tunnel), as of March 6, 2023, over 4.91 million files (7.36 terabytes of information) have been provided to the defense Relativity workspace. These files include (but are not limited to) the results of searches of 759 digital devices and 412 Stored Communications Act accounts; 5,254 FBI FD-302s and related attachments (FD-302s generally consist of memoranda of interviews and other investigative steps); 395 digital recordings of subject interviews; and 149,130 (redacted or anonymous) tips. Over 30,000 files that include body-worn and hand-held camera footage from five law enforcement agencies and surveillance-camera footage from three law enforcement agencies have been shared to the defense evidence.com video repositories. For context, the files provided amount to over nine terabytes of information and would take at least 361 days to view continuously. All of this information is accessible to the defendant, as well as camera maps and additional tools that assist any defense counsel with conducting their own searches for information that they might believe is relevant. With respect to U.S. Capitol Police Closed Circuit Video ("CCV"), subject to some exclusions such as evacuation footage and cameras depicting sensitive areas (that would also not capture relevant moments related to the charges the defendant now faces), the defendant, like all January 6 defendants, has had access to nearly all exterior USCP camera footage as well as nearly all interior Capitol and Capitol Visitor Center footage recorded on January 6, 2021 from noon to 8 p.m.

Hundreds of defense attorneys – many of them

more loyal adherents to Trumpism than Tucker (who apparently secretly hates Trump) – have seen most of the video he has seen as well as far more, including the video that other defendants and reporters have collected.

And thus far, those vigorous advocates for their clients – including Joseph McBride, who represents Nichols, and who famously admitted he “doesn’t give a shit about being wrong” when he spreads conspiracy theories – have been unsuccessful in making the kinds of arguments Tucker is making, though it is not for want of trying.

Hundreds of lawyers would love to have been able to tell a story about peaceful tourists. With few exceptions, those efforts have always failed in court.