

# Exhibit 1

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May 19, 2022

**VIA EMAIL**

Molly Gaston, Esq.  
 Mary Dohrmann, Esq.  
 United States Attorney's Office  
 601 D Street, NW  
 Washington, DC 20001

Re: United States v. Michael Angelo Riley, 21-cr-628-ABJ

Dear Counsel:

We write in response to your letter dated May 13, 2022.

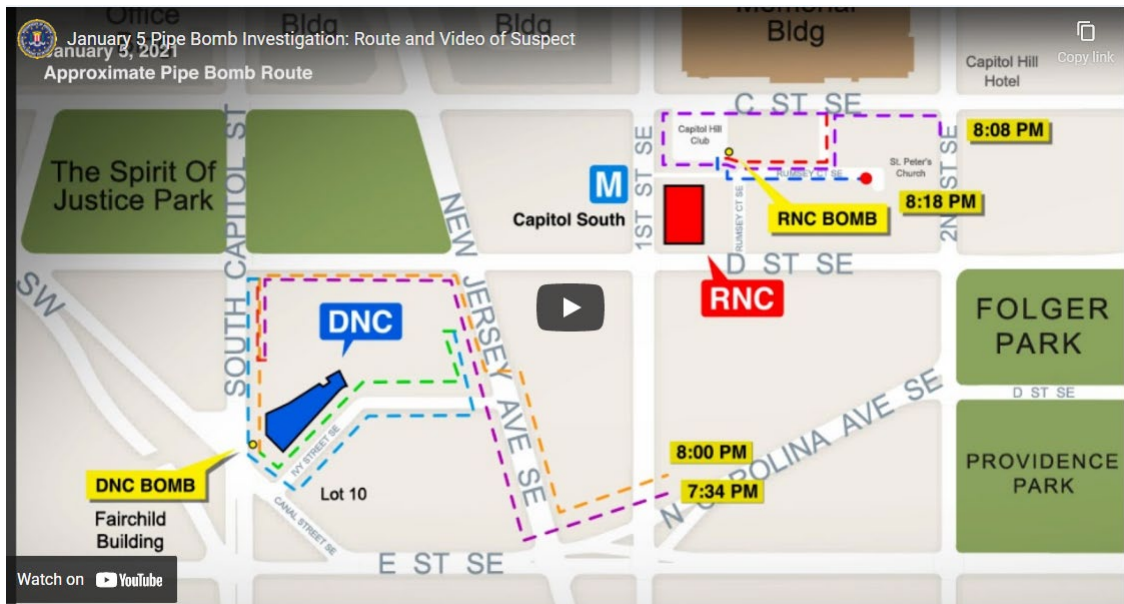
*First*, at your request, we are providing you additional information relating to our client Michael Riley's actions on January 6, 2021 so that you can provide us the requested video in accordance with your discovery obligations and the Court's May 1, 2022 Order.

<b>Approximate Time of Commencement</b>	<b>Approximate Location</b>	<b>Actions by Officer Riley</b>
12:45 p.m.	300 Block of First Street, SE & New Jersey Avenue/C Street, SE	Responding to pipe bomb incident; search of vehicles with K-9; and securing the area.

As you know, on January 6, 2021, at approximately 12:45 p.m., Officer Riley was the first responding officer to the pipe bomb incidents located near the U.S. Capitol and communicated his initial observations on United States Capitol Police ("USCP") radio. He is an essential witness to the investigation of those events and any subsequent prosecution of the perpetrator(s). A map of the respective locations prepared by the Federal Bureau of Investigation ("FBI") is enclosed below for ease of reference. *See* <https://www.fbi.gov/contact-us/field-offices/washingtondc/news/press-releases/fbi-washington-field-office-releases-video-and-additional-information-regarding-the-pipe-bomb-investigation-090821>, last visited May 19, 2022.

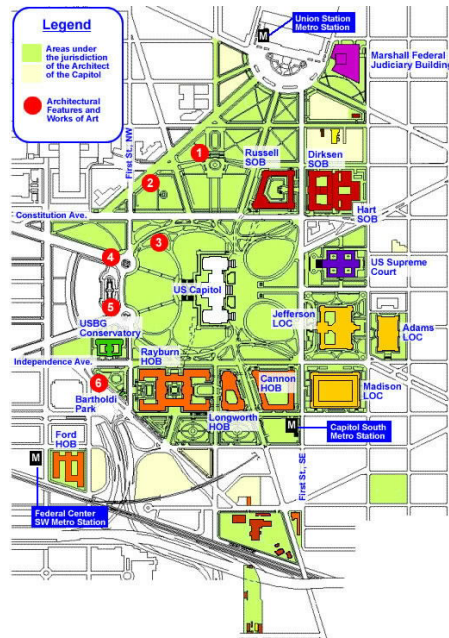
The initial location was the 300 Block of First Street, SE. Please be advised that there is a camera on the Cannon Building that looks toward the Capitol South Metro Station. Officer Riley moved his car to the intersection of First and D Streets, SE and subsequently to New Jersey and D Streets, SE, to respond to the second location. Both intersections have surveillance video. The bomb squad was set up at First and C Streets, SE. Officer Riley briefed the bomb squad on exactly where a device was located and what it looked like. A command post was set up at New

Jersey and D Streets, SE and Officer Riley parked his cruiser at that location and used his K9 to sweep vehicles in the area. Officer Riley undertook these actions for several hours. On this day, Officer Riley’s unit number was “179K.”



This virtual map depicts the approximate route an unknown suspect walked on January 5, 2021, while placing two pipe bombs in the Capitol Hill neighborhood of Washington, D.C. The map also features video of the suspect at various points along the route.

Pursuant to the joint FBI/USCP investigation that is referenced in the Indictment, it is believed that law enforcement obtained video footage from cameras identifying the above-referenced locations, which would have depicted Officer Riley’s actions on January 6, 2021. Please timely produce this requested video. Contrary to the statement in your letter and as shown in the enclosed map, all of the above-referenced locations are part of the United States Capitol Complex. See [https://en.wikipedia.org/wiki/United\\_States\\_Capitol\\_Complex](https://en.wikipedia.org/wiki/United_States_Capitol_Complex), last visited May 19, 2022.



If the Government intends to withhold this video because it incorrectly believes that Officer Riley's actions as a USCP officer were not on U.S. Capitol grounds when responding to a violent act to public safety, *i.e.*, pipe bombs, please let us know so that we can seek appropriate relief from the Court.

<b>Approximate Time of Commencement</b>	<b>Approximate Location</b>	<b>Actions by Officer Riley</b>
3:00 p.m.	Senate Subway	Responding to assist downed officer (Ofc. Chow).

While an USCP officer, Officer Riley was a trained emergency medical technician. On January 6, 2021, upon hearing radio traffic that an officer was unresponsive, Officer Riley left his post, drove to the C Street Door at the Hart Senate Building, followed a tactical unit that was entering at that location at that time, and traveled to the United States Senate Subway (in the Dirksen building) to assist an unconscious USCP officer. Both the C Street Door at the Hart Senate Building and the Dirksen Senate Subway have cameras. Officer Riley was informed that the unresponsive officer was named Chow. Without access to any records or the ability to communicate with former coworkers, Officer Riley's best estimate is that this event occurred at approximately 3:00 p.m. Officer Riley had not prior dealings with the downed officer prior to January 6, 2021. Officer Riley was prepared to transport him in his cruiser to a local hospital given that D.C. Fire and EMS was having difficulty in responding to the Senate Subway. Eventually, Officer Riley was able to direct D.C. Fire and EMS to Officer Chow. In subsequent months, Officer Riley heard that Officer Chow had suffered a head related injury and was out of work for some time. There were several unknown Metropolitan Police Department ("MPD") officers on scene and two USCP officers: Officer Karen Clay and Officer Craig Gallope.

Given this very detailed information, I trust you will be able to provide video depicting the actions of Officer Riley at the above-referenced locations.

<b>Approximate Time of Commencement</b>	<b>Approximate Location</b>	<b>Actions by Officer Riley</b>
6:00 p.m.	East Front of U.S. Capitol	Securing east front of the U.S. Capitol; and searching for potential explosives.

In response to your request, please provide any and all surveillance video depicting Officer Riley and K-9 vehicles deployed at the East Front of the United States Capitol at approximately 6:00 p.m. on January 6, 2021.

*Second*, we seek clarification on the disclosures in your May 13, 2022 letter. Specifically, when was the grand jury that you assert constitutes the "official proceeding" referenced in the Indictment advised that they would be considering charges relating to the events of January 6, 2021 at the U.S. Capitol. Also, what relevance, if any, was your production of an Indictment returned on January 29, 2021 by a grand jury empaneled on January 8, 2021, if the first Indictments returned by that empaneled grand jury occurred on January 11, 2021. *See, e.g., United States v. Mark Jefferson Leffingwell*, 21-cr-5-ABJ (D.E. 6) (Indictment - January 11, 2021).

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*Finally*, again, we reiterate our previous request from our May 9, 2022 letter that the Government advise whether it instructed the grand jury (that you assert constitutes the “official proceeding” referenced in the Indictment) that it could not rely on an FBI or USCP investigation when evaluating whether Officer Riley obstructed an “official proceeding” as charged in the Indictment.

As always, please feel free to contact us regarding any of these requests.

Sincerely,

SILVERMAN THOMPSON SLUTKIN & WHITE LLC

*C. Macchiaroli*

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Andrew C. White, Esq.  
Christopher Macchiaroli, Esq.  
M. Evan Corcoran, Esq.