



Jan. 6 video evidence has 'disappeared' from public access, media coalition says

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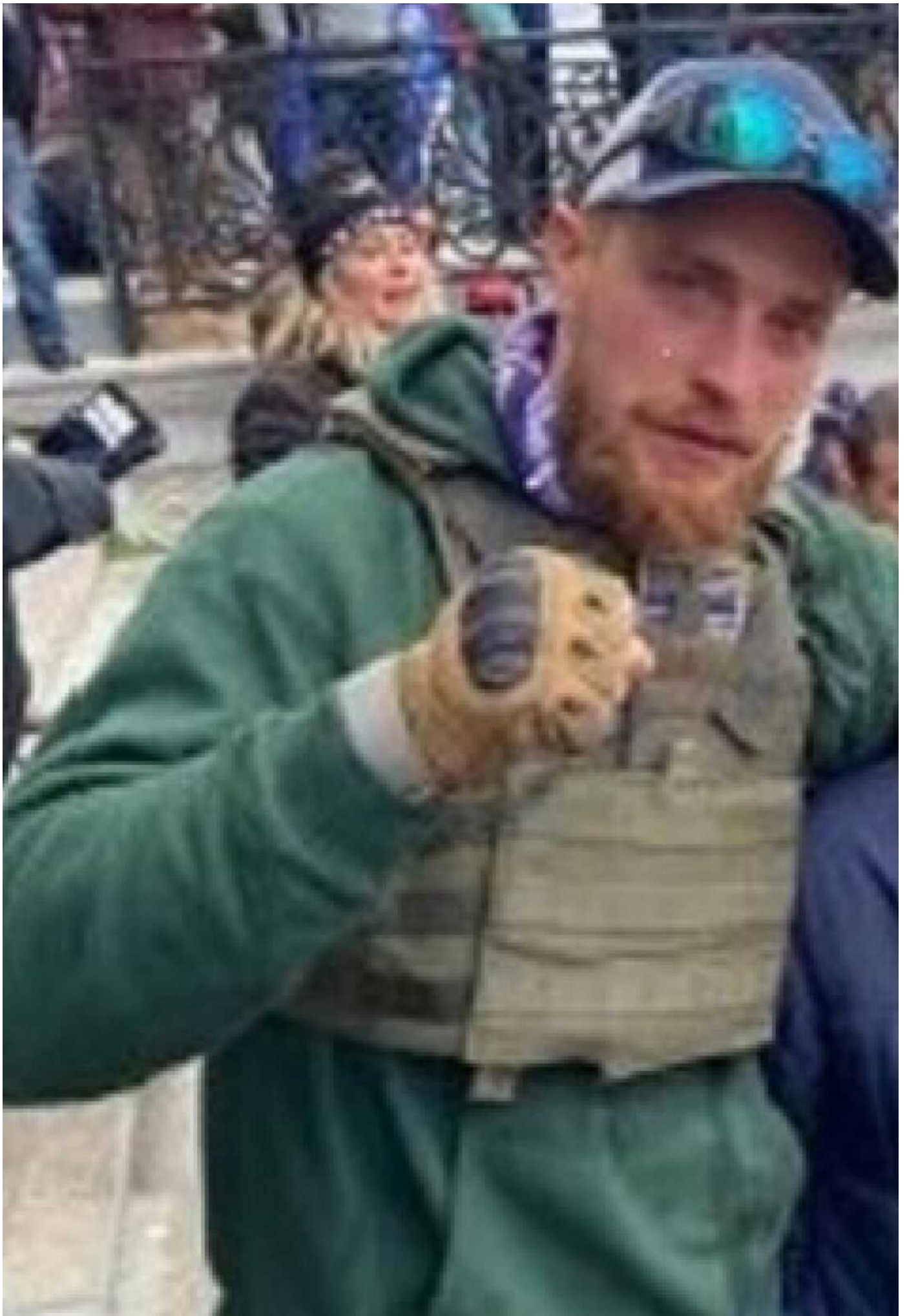


A screenshot showing Glen Simon (highlighted in the red rectangle) entering the U.S. Capitol Rotunda on Jan. 6, 2021. Prosecutors cited this photo in the case against Glen Simon. A coalition of media organizations said Tuesday that video evidence from Simon's case had "disappeared" from a government platform.

Department of Justice

Attorneys for a group of news organizations, including NPR, said in a [legal filing](#) on Tuesday that evidence used at the sentencing of a rioter charged in the Jan. 6, 2021 attack on the U.S. Capitol had "disappeared" from an online government platform.

In response to the press coalition's legal motion, the chief judge for the District of the District of Columbia, James Boasberg, ordered the government to halt the removal of any video or court records related to Jan. 6 from its platform. Boasberg also ordered the government to identify any other videos removed from the database and provide an explanation for their removal by Feb. 26.



Glen Simon is seen wearing a plated vest to the U.S. Capitol on Jan. 6 in another photo cited in the case against him.

The missing evidence consists of nine video exhibits from the Justice Department's case against Glen Simon, who [pleaded guilty](#) to a charge of "Disorderly and Disruptive Conduct in a Restricted Building or Grounds." Simon said as part of his [plea](#) that he pushed against police officers with a metal bike rack, stormed the U.S. Capitol and recorded himself saying "this is what a revolution looks like," and, "we gotta show these f***** we ain't f***** around. It's the only way to get it done. Fear!"

So far, the absence of video files appears to only have affected Simon's case. It is unclear whether the Department of Justice intentionally removed the files. A spokesperson for the U.S. Attorney's Office for the District of Columbia, which [handled all of the Jan. 6 criminal cases](#), declined to comment citing the ongoing litigation.

The development raised alarms among former prosecutors who worked on Jan. 6 cases, who told NPR they fear the Trump administration will purge records of that day's violence as part of an attempt to whitewash history.



INVESTIGATIONS

FBI agents, prosecutors fear retribution from Jan. 6 rioters pardoned by Trump

On his first day in office, Trump granted clemency to all of the more than 1,500 defendants charged in connection with Jan. 6, including those who [assaulted police](#) and those with lengthy prior [criminal records](#). Since then, the Justice Department has removed a government website that provided information on all of the cases. The new interim U.S. Attorney in Washington, DC, Ed Martin, was [previously an advocate](#) for Jan. 6 defendants, who was part of the pro-Trump protest outside the Capitol that day. He was not charged with any wrongdoing.



Video footage shows breakthroughs in the defensive line outside the U.S. Capitol where individual officers were overwhelmed by the crowd of Trump supporters.

Over the weekend, Trump [told reporters](#) that the rioters he pardoned "didn't assault" and were instead "assaulted by our government." Hundreds of rioters were convicted or pleaded guilty to assaulting police on Jan. 6. Approximately 140 police officers suffered injuries, according to the Department of Justice.

"A lot of politicians' careers now depend on the record of the attack on the Capitol being rewritten," said Brendan Ballou, a former federal prosecutor who worked on Jan. 6 cases. "Making these exhibits widely available will make it harder for people to hide the history of what happened on January 6."



INVESTIGATIONS

Criminal records of Jan. 6 rioters pardoned by Trump include rape, domestic violence

Over the course of the Jan. 6 criminal cases, the group of media organizations that made this filing fought for — and won — access to court exhibits from the government through an online platform similar to Dropbox.

Recently, one of the attorneys noticed the files from Simon's case were no longer available, according to their filing.

On Feb. 10, they contacted the government and asked for officials to restore the "missing evidence," explain what had happened and confirm that no other records will be removed without notice.



POLITICS

Trump gave pardons to hundreds of violent Jan. 6 rioters. Here's what they did

The government's lawyers promised a response "as expeditiously as possible," according to the filing, but had not provided any explanation as of mid-day on Feb. 11. Now the media outlets are asking the court to step in and order the government to make the exhibits available, and provide an explanation for what happened within 48 hours.

"Although the prosecutions and related criminal proceedings against individuals convicted of assaulting police officers, vandalizing the Capitol, and obstructing justice on January 6 have been dismissed," attorneys for the press coalition stated in their filing, "the public continues to have a powerful interest in the judicial records submitted in the Capitol Cases, including the Video Exhibits."



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