

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CRIMINAL DIVISION - FELONY BRANCH**

UNITED STATES OF AMERICA : **Case No. 2019 CF1 4917**
:
v. : **Judge Milton Lee**
:
William Rausch : **Status: May 17, 2019**

NOTICE OF FILING

The government requests that the attached discovery letter, dated **May 7, 2019**, be made part of the record in the above-captioned case.

Respectfully submitted,

JESSIE K. LIU
United States Attorney

By: s/ Grace Richards
Grace Richards
Jessi Brooks
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Certificate of Service

I hereby certify that I caused a copy of the Notice of Filing and attached Discovery Letter to be e-filed and sent to defendant's counsel, Nikki Lotze, on this 7th day of May, 2019

By: s/ Grace Richards
Grace Richards
Assistant United States Attorney



U.S. Department of Justice

United States Attorney
District of Columbia

*Judiciary Center
555 Fourth St. N.W.
Washington, D.C. 20530*

May 7, 2019

Discovery Letter #1

VIA E-MAIL

Nikki Lotze

Re: *United States v. William Rausch*
Case No. 2019 CF1 4917

Dear Counsel:

I am writing with a plea offer and discovery materials.

I. **Plea Offer**

There is no plea offer at this time.

II. **Initial Discovery**

a. Documents and Other Materials

Enclosed please find the following materials:

1. Three recorded audio interviews by Detective Katz:
 - Initial interview with CW
 - Follow up interview with CW
 - Interview with W-1
2. One recorded audio interview by author James Renner which includes an interview with CW and another individual who knew William Rausch.
3. PWC internal investigation documents (17 pages).
4. A 29-page PDF containing the following:
 - Indictment (1 page)

- Bail Sheet (5 pages)
 - 1 color photograph of a cell phone displaying a blog post containing William Rausch's photograph (1 page)
 - 1 screenshot of a blog post from mauramurray.blogspot.com (1 page)
 - 1 color photograph of CW inside a vestibule with William Rausch behind CW
 - Case Notes: Case Review (2 pages)
 - Case Notes: Lt. Case Review (2 pages)
 - Case Notes: Catherine Pattison's Initial Interviews (I & II) 11/18/2017 (2 pages)
 - E-mail: Sexual Assault Unit Request (1 page)
 - Case Notes: Detective Jordan Katz's Notes 11/21/2017 (2 pages)
 - Handwritten Notes of Det. Katz (1 page)
 - Case Notes: Detective Jordan Katz's Notes 11/18/2017 (2 pages)
 - Handwritten Notes of Det. Katz (2 pages)
 - Case Notes: Detective Jordan Katz's Notes 11/17/2017 (2 pages)
 - Handwritten Notes of Det. Katz (1 page)
 - Case Notes: Lt. Case Review (2 pages)
5. A 189-page PDF containing the following paperwork and attachments:
- Upgraded ICR (Initial Case Resume) (15 pages)
 - Case Summary (5 pages)
 - Case Notes: Case Closed with Arrest 4/23/2019 (2 pages)
 - Arrest Report (21 pages)
 - Gerstein Affidavit (of Arrest) (1 page)
 - Offense Report (10 pages)
 - Incident Report (5 pages)
 - Case Notes: William Rausch Indicted and Arrest Warrant Issued 4/2/2019 (2 pages)
 - Bench Warrant Issued 4/2/2019 (3 pages)
 - Case Notes: [Witness] to the USAO 1/3/2019 (2 pages)
 - Case Notes: Catherine Pattison to the USAO (Case Discussion) 11/30/2019 (2 pages)
 - Case Notes: No Interview from William Rausch (per his Attorney) 10/19/2018 (2 pages)
 - Email: Interview w/ William Rausch (1 page)
 - Case Notes: Attorney David Sheldon (for William Rausch) Phone Conversation, 10/18/2018 (2 pages)
 - Case Notes: Attempted Bill Rausch Phone and E-mail Contacts 10/17/2018 (3 pages)
 - Email: Detective Jordan Katz of the Metropolitan Police Department (1 page)

- Case Notes: Text(s) from James Renner 5/9/2018 (2 pages)
- Case Notes: [Redacted Individual] E-mail from James Renner 5/8/2018 (2 pages)
- E-mail Chain Between Renner and [Redacted Individual] Forwarded to Katz (2 pages)
- Case Notes: Bill Rausch on Flight with C-1 E-mail 5/4/2018 (2 pages)
- Email about Flight (1 page)
- Case Notes: [Redacted Witness] to USAO 3/7/2018 (2 pages)
- Case Notes: Bill Rausch Viewed Catherine Pattison's LinkedIn Profile 3/4/2018 (2 pages)
- Screenshots of Notifications from LinkedIn (2 pages)
- Case Notes: [Redacted Witness] Photographs 3/3/2018, 4 pages
- Email from [Redacted Witness] Sending Photographs to Katz (2 pages)
- Case Notes: [Redacted Witness] and [Redacted Witness] to USAO 3/1/2018 (2 pages)
- Case Notes: Phone Records (through Subpoena) for C-1 and [Redacted Witness] (2 pages)
- Email from AUSA Julianne Johnston to Katz with Phone Records between C-1 and [Redacted Witness] (1 page)
- Case Notes: Complainant Phone Update 2/27/2018 (2 pages)
- Case Notes: [Redacted Witness] to USAO 2/13/2018 (2 pages)
- Case Notes: [Redacted Witness] Phone Conversation 1/30/2018 (2 pages)
- Case Notes: [Redacted Witness] Attempted Phone Contact 1/30/2018 (2 pages)
- Case Notes: [Redacted Witness] Attempted Phone Contact 1/30/2018 (2 pages)
- Case Notes: E-mail from James Renner about [Redacted Individual] 1/10/2018 (2 pages)
- Email from James Renner to Katz (2 pages)
- Case Notes: "Price Waterhouse Coopers" Documents 1/5/2018 (2 pages)
- Email from AUSA Julianne Johnston to Katz with PWC Documents
- Letter from PWC to USAO
- Price Waterhouse Cooper Investigation Documents (17 pages)
- Case Notes: James Renner E-mails to Detective Jordan Katz 12/27/2017 (2 pages)
- E-mails from James Renner to Katz (5 pages)
- Case Notes: James Renner Phone Conversation 12/16/2017, 2 pages

- Case Notes: [Redacted Witness] Phone Conversation 11/27/2017 (2 pages)
- Case Notes: [Redacted Witness] Phone Conversation 11/24/2017 (2 pages)
- Case Notes: Message Left for [Redacted Witness] 11/22/2017 (2 pages)
- Case Notes: Complainant Updated (GJO) 11/22/2017 (2 pages)
- Case Notes: Grand Jury # I-1888-17 (GJO) Initiated 11/22/2017 (2 pages)
- Case Notes: E-mail and Phone Conversation with [Redacted Witness] 11/21/2017 (2 pages)
- E-mail from Katz to [Redacted Witness] (1 page)
- Case Notes: [Redacted Witness]'s Audio Interview 11/21/2017 (4 pages)
- Case Notes: Attorney [Redacted Witness] 11/21/2017 (2 pages)
- Case Notes: Catherine Pattison Phone Conversation 11/21/2017 (2 pages)
- Case Notes: James Renner's E-mails, Audio and Report on S-1 11/18/2017 (2 pages)
- Emails from James Renner to Katz (6 pages)
- Case Notes: Files from 11/18/2017 (2 pages)

b. Evidence

1. Identification Procedures

The attached paperwork references the identification procedures made as part of this case. To the extent the government learns of additional information, the government will produce that information to defense counsel.

2. Physical Evidence

The government is not aware of physical evidence in this case at this time. If this changes, the government will alert defense counsel.

i. Biological Material

It is possible that some of the evidence listed above, or described on the police reports and other materials provided to you in discovery, may contain biological material that could be subjected to DNA testing. Until that evidence is submitted for analysis it is not possible to tell whether genetic material is present and whether any of it can be identified as belonging to the perpetrator or, under circumstances probative of the perpetrator's identity, can be identified as

belonging to the victim.

You may have a pre-trial right to request independent DNA testing on those items of evidence which may contain biological material as defined in D.C. Code Section 22-4131(2) under the following circumstances:

- a. where DNA testing has resulted in the inclusion of the defendant as a source of the biological material or, under circumstances that are probative of the perpetrator's identity, DNA testing has resulted in the inclusion of the victim as the source of the biological material, and there is sufficient biological material to conduct another test; and/or
- b. where the biological material has not been subjected to DNA testing. Please be mindful that, under the statute, the right to request an independent test is triggered only when the material apparently derived from the perpetrator of a crime, or, under circumstances that may be probative of the perpetrator's identity, apparently derived from the victim of a crime.

The government has not yet submitted items for DNA testing, and will update the defense if it intends to do so.

3. Inspection

Upon request, you are entitled to inspect and copy or photograph certain books, papers, documents, photographs, tangible objects, buildings or places that are within the possession, custody or control of the government. *See* Super. Ct. Crim. R. 16(a)(1)(C). If you would like to view any of the evidence listed above or described on the attached police reports, please contact me and we can make arrangements for you, or your certified investigator, to inspect the evidence. These arrangements will include a condition that you not raise any objection to the admissibility of such evidence at trial because of the break in the chain-of-custody occasioned by your inspection. Note that any material that is undergoing DNA testing will be unavailable for inspection until after the testing is completed.

Please be aware that the method by which you inspect the evidence may affect the ability to obtain DNA testing of any biological material that is recovered. Handling and viewing the evidence in an uncontrolled environment may lead to contamination of the evidence and render any DNA testing unreliable.

4. Reports of Examinations or Tests and Experts

The government may seek to introduce experts at trial and supplement with notice as necessary.

c. Other Crimes Evidence

The government will provide you with separate notice if the government intends to introduce other crimes evidence pursuant to *Drew v. United States*.

d. Defendant's Rule 16 Statements

A copy of your client's statement is enclosed.

If the government learns of any other relevant statements your client made to law enforcement, I will notify you.

e. Criminal Record

Please refer to your client's bail sheet for criminal violations. If the government becomes aware of any additional convictions, I will notify you.

f. Other Information

Please refer to the discovery provided with this letter.

The government is aware of its continuing duty to disclose *Brady* or *Giglio* information should it become known. *Lewis* information for the government's witnesses will be provided to you at the time of trial.

g. Government's Discovery Requests

The government hereby makes the following discovery requests:

- notice of documents and tangible objects the defendant expects to introduce pursuant to Super. Ct. Crim. R. 16(b);
- a *Jencks* request for all prior statements of any defense witness (excluding the defendant) pursuant to Super. Ct. Crim. R. 26.2;
- a *Lewis* request (for which we request the name, date of birth, sex, and social security number of each defense witness prior to trial); and
- a request for information pertaining to any expert or scientific testimony or evidence pursuant to Rule 16(b)(1)(B) and (C).

Pursuant to Super. Ct. Crim. R. 16(b)(2), we note our continuing request to receive any material pursuant to Rule 16(b) as the case proceeds.

Sincerely,

JESSIE K. LIU
United States Attorney

By: *s/ Grace Richards*
GRACE RICHARDS
JESSI CAMILLE BROOKS
Assistant United States Attorney

cc: Superior Court Case File