

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
METROPOLITAN POLICE DEPARTMENT



**Fiscal Year 2020**  
**Performance Oversight Hearing**

Testimony of  
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Before the  
Committee on the Judiciary & Public Safety  
Council of the District of Columbia  
The Honorable Charles Allen, Chairperson

Virtual Hearing  
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Good afternoon, Chairman Allen, members of the Committee, and everyone watching the hearing virtually. My name is Robert Contee, and I am the Acting Chief of Police for the Metropolitan Police Department (MPD). I am honored to be testifying before the Council and the residents of the District of Columbia for the first time as the Acting Chief of Police. I have many ideas and plans to share with you about public safety in the District and how we can work together moving forward to have a safe, vibrant, and inclusive city. MPD must be the police department of our community, and we must renew our focus on the relationships we build, rather than just the transactions we conduct. However I will save much of that for the two forward-looking hearings coming up for my confirmation and the budget. Since the performance hearing is intended to be a retrospective of the past year, I will take this opportunity to focus on the unimaginable year that we have experienced together in the District.

Oversight hearings, and discussion about policing in general, often focus on the topline numbers. We talk about the change in violent crime – a 4 percent decrease – and property crime – down 20 percent. Calls for police service declined 14 percent. Adult arrests decreased 34 percent in 2020, and juvenile arrests were down 40 percent.

But what really matters are the people impacted by these stats. So I would like to begin by taking a moment to remember the lives we have lost this year – lives lost to tragedy, whether through the more than 1,000 DC residents who died due to COVID, or the 198 who were victims of fatal violence. Even when people survived these misfortunes, the scars they left may be felt for a lifetime. Every day, I think about the 198 homicide victims in the District last year, and the 750 victims of gun violence who lived. I think about the families, friends, and communities that have been impacted and how we can work better to prevent and deter this violence.

We are dealing with the same stresses among our MPD family, where 12 sworn members have died in the past 18 months, and both a civilian and a Reserve Officer were victims of homicide. More than 700 MPD employees have tested positive for COVID, and tragically one succumbed to the virus. Each of these losses has been a difficult blow for their families and for our MPD family. For everyone watching today who has survived such tragedy this year, know that we understand and support you. Do not be afraid to ask for help, because we all need support, and more so than ever after this past year.

Ironically, this journey began a year ago today, when Mayor Bowser issued a declaration of a public health emergency in the District, just four days after the first known COVID case in the city. In the following weeks and months, MPD worked to protect the safety of its employees and community members while maintaining the continuity of its operations through these unprecedented times. MPD issued more than 60 policy guidelines and updates to direct member operations. In the beginning, in the face of mixed messages from the national stage, we all faced the challenge of trying to determine the right protocols for personal protective equipment. The Department of General Services was a strong partner in improving safety at approximately two dozen MPD facilities. MPD also worked with partner agencies in the criminal justice system to modify all operations to safeguard arrestees and colleagues throughout District and federal



agencies, while continuing to conduct necessary law enforcement functions to keep our neighborhoods and residents safe. For instance, to limit contact within the criminal justice system, MPD expanded the use of the Telephone Reporting Unit for members of the public to report minor crimes. We plan to continue this successful change.

Recognizing that COVID would have different impacts on some of our communities, our Special Liaison Branch (SLB) immediately targeted outreach to communities with limited English proficiency (LEP). They developed COVID public service announcements in seven languages. SLB officers gave interviews on Spanish language media and worked with the Mayor's Office to distribute translated COVID information to organizations and retail businesses with LEP clientele. When the public health emergency was first declared, three additional Cantonese or Mandarin speaking officers were detailed to SLB for outreach to ensure our Chinese community felt safe reporting any concerns. Fortunately, over the past year, the District has not seen the significant jump in hate crimes targeting Chinese or Asian communities that has been seen elsewhere in the country, although we are investigating a simple assault from last week as possibly motivated by bias. In 2020, there have been two simple assaults and one criminal threats case that appeared to be motivated in whole or in part by bias against these communities.

As last summer approached and we began to adjust to a new normal during the health emergency, the murder of George Floyd at the hands of a police officer in Minneapolis forced many in our country – and the law enforcement profession – to face the need for reform in policing. Thousands to tens of thousands of people – District residents and visitors alike – took to the streets of DC this summer to demand change. Through dozens of peaceful demonstrations, they broadcast their message. Unfortunately, some people and groups turned a strong but peaceful presence into a few violent and destructive protests. But that didn't invalidate the importance of the message.

As some of you may know, I grew up in Carver Terrace, I have policed in DC for three decades, and have chosen to raise my children here in the District. I understand how structural racism pervades so many aspects of our society – housing, education, healthcare, access to financial resources, access to opportunity, and policing. And I know we all must choose to take a stand against racism. Our communities are hurting right now. And too many of them don't trust police. It is up to police to earn the trust of our community members, to be seen as legitimate guardians in their eyes.

I'm looking forward to listening to and talking with the community more in the coming months about how we can partner together to earn trust and build relationships while safeguarding our residents. Earlier this week, I launched the first in a series of listening sessions with community members. These listening sessions, which will be facilitated by professionals from outside the Department, will touch on critical topics, such as the role of police in society, what should the police be doing, what should the police not be doing, and what other services does our



community need to ensure public safety. If you were not able to attend the first one, there will be several more across all eight wards in the coming months. Please follow us on social media for more information. If the last year has taught us nothing else, it is that we must guide our actions not by what we can do, but what we should do. We must always be ready and willing to change, to adjust and to learn. I look forward to learning more from the community.

One issue I know the community will raise is gun violence. It has been a problem in the District throughout my entire life, and sadly, we as a city have only made temporary gains to curb it. Indeed, gun violence in 2020 reached a 12-year high. Of the city's 198 homicides, 172 died from gun violence. In looking at some of the city's most vulnerable populations, it is disturbing that the number of female victims increased from eight in 2019 to 29 last year. We know that at least ten of these women were victims of domestic violence. Tragically, eleven children and youths were victims of homicide in 2020. Needless to say, none of us are satisfied with that. As a great city, as a cooperative ecosystem, we should be able to protect all of our children from deadly violence.

In addition, 750 people were injured from gun violence. The number of illegal guns continued to climb, with 2,314 guns recovered, including more than 300 ghost guns. While removing illegal guns from our neighborhoods is necessary, we know that it is not enough. On the surface, the causes of gun violence include things like petty arguments and insults, retaliation from ongoing disputes, social media disputes that move from the virtual to the real world, violent robberies, and domestic violence. However, the District must continue to try to address the deeper issues related to gun violence, which include untreated trauma, education inequality, unemployment, unstable housing, social influences that normalize violence, and structural racism.

Last month, Mayor Bowser introduced a whole-of-government response to violence based on recent experience with the effectiveness of the COVID emergency operations center, as well as research on where violence is committed and who is at risk of being involved with it. The mission of Building Blocks DC is to transform the District government's approach to providing services, supports, and opportunities for those impacted by violence in communities where residents are empowered to co-create public safety. Building Blocks DC will work to support stable people and blocks, focusing on the 151 blocks in the city where more than 40 percent of the gun violence takes place, and on the people at highest risk for being involved in gun violence. Working together as a city, if we can predict this violence, we can prevent it.

In the meantime, MPD will also be examining our strategies related to guns and gun violence. I want to be more strategic about getting the right guns out of the wrong hands. We have already shifted resources to focus on an intelligence-based policing approach to identify, interdict, and interrupt violent offenders within the District. The goal of this Violence Reduction Unit (VRU) is to build strong criminal cases on offenders and groups to ensure those repeat offenders cannot continue to endanger our communities. The VRU is already seeing some success with its casework. I'll also continue to work with residents to ensure that our strategies support – and



don't undermine – vibrant and safe communities where our residents – our youth, families, and seniors – can thrive and succeed.

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Lastly, I would like to address the January 6<sup>th</sup> Insurrection at the U.S. Capitol, an event with a profound impact on our residents and MPD. In the past two months, I have testified before Congress on this topic twice, but I think it is important to share this information directly with District residents. I'll discuss a few points here and my written testimony, which is available at [www.mpdc.dc.gov](http://www.mpdc.dc.gov), provides more details.

It is important to understand the very different roles of Mayor Muriel Bowser and the District of Columbia, including MPD, and those of Congressional and federal authorities. First, MPD is prohibited from entering the Capitol or its grounds to patrol, make arrests, or serve warrants without the consent or request of the Capitol Police Board. (2 U.S. Code § 1961) Second, unlike any other jurisdiction in the country, the President of the United States, not the Mayor of the District of Columbia, controls the DC National Guard (DCNG). Third, since Mayor Bowser declared a public health emergency in March 2020, the District of Columbia has not issued permits for any large gatherings. Although the District and MPD take pride in facilitating the exercise of First Amendment rights by all groups, regardless of their beliefs, none of the public gatherings on January 5-6 were issued permits by the District of Columbia.

On the morning of January 6<sup>th</sup>, MPD was prepared to support our federal partners with a First Amendment assembly that was held primarily on federal land, while continuing to patrol and respond to calls for service throughout city neighborhoods. Based on our experience with prior demonstrations in the District after the election, we recognized that there was a possibility of violence, especially after dark as smaller groups of protestors gathered with malicious intent on city streets. In the aftermath of the December 12<sup>th</sup> protests, MPD met with our federal partners to escalate planning for January 5<sup>th</sup> and 6<sup>th</sup>. To be clear, available intelligence pointed to a large presence of some of the same groups that had contributed to violence in the city after demonstrations in November and December. The District did not have intelligence pointing to a coordinated assault on the Capitol, but was prepared for the potential for violent individuals and groups on our streets.

Preparation included ensuring the Department was fully deployed on 12-hour shifts the week of January 4<sup>th</sup>, with days-off and leave canceled. Our federal partners each had their primary areas of responsibility: the U.S. Secret Service (USSS) was focused on the security of former President Donald Trump and the White House area, U.S. Park Police (USPP) was focused on the Ellipse and the National Mall, and the U.S. Capitol Police (USCP) had responsibility for the Capitol, including both the building and grounds.



At Mayor Bowser's request, and in advance of the scheduled demonstrations, mutual aid was requested from several area police departments to be on standby in the District, and more than 300 members of the D.C. National Guard were deployed on District streets providing traffic control and other services to allow MPD to support the First Amendment assembly and continue to provide services to our neighborhoods. Other law enforcement partners such as the Metropolitan Transit Police and non-law enforcement agencies such as the District's Homeland Security and Emergency Management Agency and the Fire and Emergency Medical Services Department also supported the city's efforts.

However, these resources were barely enough to counter an event that had never happened in the history of the United States: a mob of thousands of American citizens launching a violent assault on the U.S. Capitol – the seat of our government – in an attempt to halt the counting of the electoral ballots, an essential step in the peaceful transfer of power in our nation. The mob's sustained assault on the Capitol precipitated an equally unprecedented response, with then Chief of the Capitol Police Steven Sund issuing an urgent request for MPD to come defend the Capitol. Needless to say, when we received the call for help, MPD responded immediately with several Civil Disturbance Unit Platoons and proceeded to aid Capitol Police in defending the Capitol. What follows is a brief outline of MPD's role in these events.

At about 12:45 p.m., the first of two pipe bombs were found, the first one at the Republican National Committee headquarters. The second pipe bomb was found about 30 minutes later, at the Democratic National Committee headquarters. MPD responded to the scenes for the pipe bombs to assist the Capitol Police. At 12:58 p.m., Chief Sund asked for MPD's assistance to address the growing violent mob at the Capitol. Officers were immediately authorized to deploy to the west front of the Capitol and arrived within minutes. Additional officers were on standby at Third Street SW and Maryland Avenue SW.

MPD arrived at a chaotic scene. Shortly after our arrival, I was able to stand on the west front of the Capitol to get a broad view of the riot as many of MPD's brave officers made their way to the front line. Our police officers were under attack, the Capitol – hallowed ground for our country – was under attack, and the constitutional electoral process – the very foundation of our democracy – was under attack. MPD's police officers ended up engaged in a literal battle for hours. Many were forced into hand-to-hand combat to prevent more rioters from gaining entry into the Capitol. This was not a peaceful protest; this was not a crowd trying to express their First Amendment rights – rights which we are proud to protect regardless of belief. At the end of the day, this was an assault on our democracy, and MPD officers held the line.

The violent mob overran protective measures at the Capitol in an attempted insurrection, prior to the arrival of MPD officers at the west front. By 1:50 p.m., MPD had declared the assembly to be a riot. Upon arrival, the MPD platoons immediately began working to achieve our objectives:



1. Stop rioters from entering the Capitol building and remove those that were already inside,
2. Secure a perimeter, so that the Capitol could be cleared for lawmakers,
3. Enable Congress to resume their sessions to demonstrate to our country and the world that our democracy was still intact, and
4. Lastly, only once the third objective had been accomplished, begin making arrests of anyone violating the law.

At 2:22 p.m., a call was convened with, among others, myself, leadership of the Capitol Police, the D.C. National Guard, and the Department of the Army. I was stunned at the response from Department of the Army, which was reluctant to send the D.C. National Guard to the Capitol because of a concern about the plan and the “optics.” While I certainly understand the importance of both planning and public perception – the factors cited by the staff on the call – these issues become secondary when you are watching your employees, vastly outnumbered by a mob, being physically assaulted. I was able to quickly deploy MPD and issue directives to them while they were in the field, and I was shocked that the Army could not – or would not – do the same with the Guard.

In the meantime, by 2:30 p.m. the District had requested additional officers from as far away as New Jersey and issued notice of an emergency citywide curfew beginning at 6 p.m. Just before 3 p.m., the District issued a citywide Wireless Emergency Alert declaring a curfew in effect from 6 p.m. until 7 a.m. on January 7<sup>th</sup>. The alert can be heard going off on the cell phones of insurgents in some of the videos taken on the Capitol grounds. From that point, it took another three and a half hours until all rioters were removed from the Capitol. Ninety minutes later, at 8 p.m., Congress was able to resume its critical work and fulfill its constitutional duty.

Those seven hours, between the urgent call for help from the Capitol Police to MPD and the resumption of work by both houses of Congress, will be indelibly etched on the memories of every law enforcement officer defending the Capitol, as it is undoubtedly in the minds of the elected officials, congressional staff, and other Capitol employees who were forced to seek safety behind locked doors. The costs for this insurrection – both human and monetary – will be steep. During the height of the incident, approximately 850 MPD members were at the Capitol, and by the day’s end, an additional estimate of 250 had been in the area to directly support the response and aftermath.

Five people lost their lives on January 6<sup>th</sup>. We offer condolences to all the grieving families. Sixty-five MPD members sustained injuries documented in injury reports. Many more sustained injuries from the assault – scratches, bruises, eyes burning from bear mace – that they did not even bother to report. Their fellow officers at MPD and elsewhere are proud of the unheralded bravery of MPD officers in the face of this unprovoked and vicious attack.



Other harm from this traumatic day will be widely felt but possibly unacknowledged. Law enforcement training neither anticipates nor prepares for hours of hand-to-hand combat. Even brief physical fights are physically and emotionally draining. MPD is working to support the emotional well-being of our officers who experienced this. The officers who were deployed elsewhere on the 6<sup>th</sup> share in the trauma of their colleagues, many frustrated that they could not rush in to stand on the line with them. And like everyone in the District that day, we all have families and friends who watched the violence unfolding and worried about the safety of their loved ones.

I appreciate the opportunity to highlight the heroism of MPD officers who put their lives on the line to protect the Capitol, Congress, and our democracy, and I want to thank all the MPD employees for their exemplary dedication and service to the residents of the nation's capital. I also want to thank the Council for honoring our members who served on January 6<sup>th</sup> with a ceremonial resolution. Looking forward, to ensure the continued safety of the District and its residents, the federal enclave, MPD officers, and others, we must be frank in considering several critical issues. This assault on the Capitol has exposed weaknesses in the security of our city. The federal police forces in DC will be reexamining their security protocols given the risks of both foreign and domestic terrorism. As the Chief of the District's municipal police force, I must think about our preparations not only for possible attacks, but the daily impact of the changing operations of our federal partners. As they harden targets in the federal enclave, other buildings in the city under MPD jurisdiction may become more likely targets.

Between the twin challenges of the COVID pandemic and rising civil unrest, often targeted at police, the past 12 months have been exhausting for everyone at MPD – sworn members of all ranks and professional employees alike have been working around the clock while dealing directly with issues that have increased stress levels for everyone in this country. I have no doubt that MPD will successfully meet the challenges of this new security posture, but this workload and stress level are unsustainable with the current staffing levels, which are dropping every day. People can only work six days a week, 12-hour days for so long before decision making is impaired and the considerable physical and mental costs become irreversible. I urge the Council to keep in mind the safety and well-being of MPD officers and all people in the District of Columbia as we assess and plan for the future.

Thank you for the opportunity to present this testimony. I look forward to continuing to work with our communities and this Committee on our shared goal of improving safety in the District.

