

Congress of the United States
Washington, DC 20515

November 19, 2020

The Honorable Muriel Bowser
Mayor
District of Columbia
1350 Pennsylvania Avenue N.W.
Washington, DC 20004

Dear Mayor Bowser:

On the evening of November 14, 2020, left-wing extremists attacked supporters of President Donald Trump in the District of Columbia. These brazen attacks are part of a continuing trend of leftist agitators perpetrating acts of violence against individuals in the District under your watch. Because the District of Columbia is the nation's capital and should be safe and open for all Americans, we write to understand how your office plans to work with the Metropolitan Police Department (MPD) to ensure the safety of those who seek to peacefully exercise First Amendment rights within the District.

The right to peaceably assemble in our nation's capital under the First Amendment is paramount. This is true regardless of who is doing the protesting or the popularity or unpopularity of their cause. You claim Washington, D.C. "upholds the values of love, inclusivity, and diversity" but your silence following the violence perpetrated against Americans who support President Trump suggests you apply these principles only for those who share your same political opinions.¹ This is a dangerous precedent.

On November 14, thousands of supporters of President Trump traveled to the District of Columbia to participate in First Amendment activities.² They were met with harassment and violent assaults by left-wing agitators.³ These assaults included leftists throwing fireworks, eggs,

¹ Mayor Muriel Bowser, Tweet, Nov. 13, 2020, *available at* <https://twitter.com/MayorBowser/status/1327288268132659200>.

² Lang, Marissa J., *et. al.*, *After Thousands of Trump supporters rally in D.C., violence erupts when night falls*, WASHINGTON POST, Nov. 15, 2020, *available at* <https://www.washingtonpost.com/dc-md-va/2020/11/14/million-maga-march-dc-protests/>.

³ Sorace, Stephen, *Trump supporters harassed, attacked at MAGA march in DC amid clashes with counter-protesters; arrests made*, FOX NEWS, Nov. 15, 2020, *available at* <https://www.foxnews.com/us/maga-march-violence-protesters-washington-dc-arrests-video>.

and unknown liquids, as well as the stealing and destruction of personal property.⁴ This violence culminated in fistfights and a stabbing resulting in critical injuries.⁵

Your silence regarding the violence perpetrated against Americans for exercising their constitutional rights is part of a broader pattern of viewpoint discrimination in the District of Columbia. This past summer, you allowed protestors to paint “Defund the Police” on a city street in June where it remained until August,⁶ yet MPD officers arrested pro-life protestors for writing messages on a sidewalk in chalk.⁷ Despite our committees writing to you on August 17, 2020 to request additional information about these events, you have failed to respond and explain why the two groups were treated differently.⁸

The violence of November 14 is disturbing, and it is clear that the District must act to ensure it is never repeated. It is essential that any group exercising their right to peaceably assemble—no matter their viewpoints—is afforded basic protections against violence. It is also essential that the District strive to ensure the safety of nonparticipants, as well as to protect property within the District. Although these are basic and fundamental expectations, the District’s leaders have consistently failed to meet them.

To assist the committees in understanding the Mayor’s office and MPD’s approach to facilitating First Amendment activities within the District while ensuring the safety of participants, please provide information sufficient to answer the following questions by December 1, 2020:

1. Is the Mayor’s office committed to facilitating the rights of all Americans – regardless of viewpoint – to peaceably assemble and exercise their First Amendment rights within the District?
2. How does the Mayor’s office work with the Metropolitan Police Department to facilitate protests to ensure that protestors are afforded a safe opportunity to protest within the District without being subject to attacks by potentially violent counter-protesters?

⁴ *Id.*

⁵ *Id.*, see also *Clashes Between Protest Groups Break Out After Thousands Rally for Trump in DC*, NBC NEWS 4 WASHINGTON, Nov. 14, 2020 (updated Nov. 15, 2020), available at <https://www.nbcwashington.com/news/trump-supporters-protest-in-dc-crowds-gather-at-freedom-plaza/2475292/>.

⁶ Frank Miles, *‘Defund the Police’ message in DC mural being repaved*, FOX NEWS, Aug. 11, 2020, available at <https://www.foxnews.com/us/defund-the-police-mural-dc-being-repaved>.

⁷ Emily Davies, *Two protestors arrested while chalking ‘Black Pre-Born Lives Matter’ on sidewalk*, WASH. POST, Aug 1, 2020, available at <https://republicans-judiciary.house.gov/press-release/house-republicans-demand-answers-on-arrest-of-pro-life-activists-cast-as-unconstitutional-viewpoint-discrimination/>.

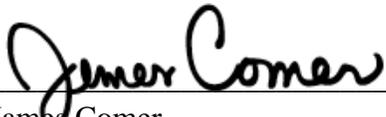
⁸ See Brooke Singman, *House Republicans demand answers on arrest of pro-life activists, cast as ‘unconstitutional viewpoint’*, FOX NEWS, Aug. 17, 2020, available at <https://www.foxnews.com/politics/house-republicans-letter-pro-life-activists-arrested>.

3. When does the Metropolitan Police Department find it appropriate to arrest individuals for the crime of rioting in violation of D.C. Code 22-1322(a) in addition to other charges that may be brought? Are there other legal tools that may be brought to bear to ensure the safety of peaceful protestors while reducing violence and property destruction by those who seek to disrupt that activity?
4. How does the Mayor's office and the Metropolitan Police Department ensure the safety of nonparticipants – including protection of property of District residents and nonresidents – while maintaining a safe environment for First Amendment activities?
5. How does the Metropolitan Police Department distinguish between those who are peaceably exercising their First Amendment rights from those who engage in violent or destructive behavior?
6. Were any individuals or groups involved with the violence that occurred in the District on November 14, 2020 charged with any crimes?

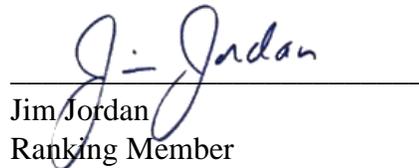
To schedule a briefing or document delivery, or to ask any follow-up or related questions, please contact Republican staff on the Committee on Oversight and Reform staff at (202) 225-5074 or Committee on the Judiciary staff at (202) 225-6906.

The Committee on Oversight and Reform is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. The Committee on the Judiciary has jurisdiction over matters concerning subversive activities affecting the internal security of the United States, as well as matters concerning civil rights and civil liberties, under House Rule X. Thank you in advance for your cooperation with this inquiry.

Sincerely,



James Comer
Ranking Member
Committee on Oversight and Reform



Jim Jordan
Ranking Member
Committee on the Judiciary



Jody Hice
Ranking Member
Subcommittee on Government
Operations



Chip Roy
Ranking Member
Subcommittee on Civil Rights
and Civil Liberties



Mike Johnson
Ranking Member
Subcommittee on the Constitution,
Civil Rights and Civil Liberties

cc: The Honorable Carolyn B. Maloney, Chairwoman, Committee on Oversight and Reform
The Honorable Jerrold L. Nadler, Chairman, Committee on the Judiciary

The Honorable Gerry Connolly, Chairman, Subcommittee on Government Operations
The Honorable Jamie Raskin, Chairman, Subcommittee on Civil Rights and Civil
Liberties

The Honorable Steve Cohen, Chairman, Subcommittee on the Constitution, Civil Rights
and Civil Liberties