

July 2, 2020

Honorable Muriel Bowser  
John E. Wilson Building  
1350 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004

Re: Police Misconduct at Black Lives Matter Plaza

Dear Mayor Bowser:

With the utmost urgency, we call on you to require the Metropolitan Police Department to immediately cease all activity to remove protesters from Black Lives Matter Plaza and the adjacent sidewalks. We are alarmed by the daily excessive force and abusive conduct by MPD officers against people who have gathered at the Plaza to demand an end to the killing of people of color and to other police misconduct.

The First Amendment's protection of free speech is one of the most profound rights in the United States Constitution. When people seek to exercise that right, the role of MPD should be to facilitate the First Amendment activity and protect the ability of protestors to have their voices heard. Instead, the people who have gathered at Black Lives Matter Plaza have met with police violence; including:

- The unjustified and excessive use of batons and chemical irritants causing significant physical injuries;
- Unjustified arrests and detentions;
- The destruction of tents and supplies set up for the purposes of supporting the health and safety needs of the people protesting;
- The destruction of protest signs and cultural material; and
- The destruction of equipment for the preparation of food.

The conduct of MPD is not only a violation of the First Amendment, but of the District's own laws and policies. District law recognizes the sanctity of protest and the importance of people "to engage in First Amendment assembly near the object of their protest so they may be seen and heard." First Amendment Assemblies Act of 2004, 5-331.01, et. sec.; see also MPD SOP 16-01, Handling First Amendment Assemblies and Mass Demonstrations. MPD is daily acting to undermine, rather than facilitate, the protest at the Plaza.

During this global pandemic, it is especially concerning that MPD Officers could do things to make protesters more susceptible to contracting COVID-19 such as using chemical irritants and disturbing the tents that are proving the supplies and support to keep DC residents safe.

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The treatment of the protest at Black Lives Matter Plaza stands in sharp contrast to the treatment of other protesters in the District of Columbia. The streets of the District are frequently filled with people who have come to Washington to have their voices heard. They are rarely met with the force that protestors calling for change to a system of racial oppression receive. One need not look no further than the white supremacist demonstration at the White House in August of 2018, where hundreds of MPD officers expended more than \$2.6 million in resources to facilitate a handful of racist protestors at the White House.

The irony that the misconduct of MPD is in response to a demonstration calling for the end of racialized official violence against people of color at the very site that you chose the paint “Black Lives Matter” on the street is not lost on us. The demands of the protesters could not be more important and the need for them to be heard could not be more urgent. It is time that these abuses by MPD stop.

Sincerely,



Jonathan M. Smith  
Executive Director