

ELEANOR HOLMES NORTON
DISTRICT OF COLUMBIA

**COMMITTEE ON
TRANSPORTATION AND
INFRASTRUCTURE**

SUBCOMMITTEES:

CHAIRWOMAN
ECONOMIC DEVELOPMENT,
PUBLIC BUILDINGS, AND EMERGENCY
MANAGEMENT

AVIATION

WATER RESOURCES AND ENVIRONMENT



**Congress of the United States
House of Representatives
Washington, D.C. 20515**

**COMMITTEE ON
OVERSIGHT AND
GOVERNMENT REFORM**

SUBCOMMITTEES:

FEDERAL WORKFORCE, POSTAL
SERVICE, AND DISTRICT OF COLUMBIA

* COVERS DISTRICT OF COLUMBIA ISSUES

**COMMITTEE ON
HOMELAND SECURITY**

SUBCOMMITTEES:

TRANSPORTATION SECURITY, AND
INVESTMENT PROTECTION

EMERGENCY COMMUNICATION,
PREPAREDNESS, AND RESPONSE

July 28, 2009

The Honorable Eric Holder
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Dear Mr. Holder:

I am writing concerning new information passed to me that casts doubt on whether there is an independent investigation underway by the Civil Rights Division of the Justice Department on the June 8th shooting of Trey Joyner, a District of Columbia resident, by Park Police officers. I ask for assurance that the Civil Rights Division will, in fact, investigate this matter. After a call from the acting U.S. Attorney, who spoke with a legislative assistant in my office, and after I spoke with an aide in your office, I am concerned about assurances that were given to me by U.S. Park Police Chief Sal Lauro, who came to my office the day after the shooting. At the time, there was considerable confusion and anger in the District, especially in the Trinidad neighborhood where the shooting took place, concerning the investigation. Residents were especially concerned about who was conducting the investigation, particularly considering that Trinidad had been besieged by criminal activity and unusual law enforcement measures.

It was clear to me that the involvement of federal police officers in a local shooting required a federal investigation. At the meeting, Chief Lauro told me that the Civil Rights Division had called him and that he had been told they would be taking over the investigation, according to notes taken by my staff at the meeting. There appear to be no federal procedures in place for an incident involving a shooting of a local resident by a federal police officer. Therefore, the use of a third party federal authority with no involvement with the city or local police seemed to me to be appropriate, especially since the Civil Rights Division has a long and credible history of investigating police departments and incidents around the country.

On June 9th I attended a very tense community meeting, also attended by the family of Trey Joyner, elected Advisory Neighborhood Commissioners, the leadership of the local NAACP, and many other members and leaders of the community. Speaking were Chief Lauro, a representative of the U.S. Attorney's office, members of the D.C. City Council, representatives from the Metropolitan Police Department, and I. I enclose an agenda prepared by the Fifth District Citizens' Advisory Council for the community meeting. I do not know whether Chief Lauro mentioned the Civil Rights Division involvement before I arrived from a prior event, but I indicated to the community that he had informed me that the Civil Rights Division would lead the investigation, and that I did not question the objectivity of other law enforcement officials,

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but I believed the Civil Rights Division was a particularly credible authority, appropriate for this incident. In fact, a June 22, 2009 press release, attached, from my office said that I "was pleased that the Civil Rights Division had already contacted the U.S. Park Police Chief offering an independent evaluation and that the Park Police had readily agreed, so that [I] did not have to pursue a federal investigation on [my] own. An investigation also is underway by the U.S. Attorney's Office here, which routinely conducts an independent investigation into fatal police shootings." I also explained that the Park Police have citywide jurisdiction in the District because of the federal parks found in every Ward and in communities throughout the city, and that I appreciated the assistance that Park Police officers often lend to the city. Residents were relieved to learn that an independent investigation by the Civil Rights Division was in progress.

Last week, my staff was informed that the Civil Rights Division is not leading the investigation of the shooting, but that the U.S. Attorney's Office will be the agency leading this investigation. If the Civil Rights Division was not the lead agency, it was incumbent upon the representatives of the U.S. Attorney's office present at the community meeting to step forward there, or at least to send word immediately thereafter. Instead, my staff was informed last week, nearly a month after the incident and community meeting, that the Civil Rights Division would not lead the investigation. This incident has raised considerable consternation here, but one thing I thought had been settled was that an independent body would be investigating the Trinidad shooting. I seek immediate clarification and I believe that such clarification is due as well to the family and to the citizens I represent.

Sincerely,

A handwritten signature in blue ink that reads "Eleanor H. Norton". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Eleanor Holmes Norton

Congresswoman

ELEANOR HOLMES

NORTON

District of Columbia

NEWS

For Immediate Release

June 22, 2009

Contact: Sonsyrea Tate Montgomery

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Norton Announces Federal Investigation of Shooting in Trinidad

WASHINGTON, D.C. - After a meeting today with U.S. Park Police Chief Sal Lauro, Maj. Patrick Smith, U.S. Park Police Patrol Branch Commander, and National Park Service Deputy Director for Operations Ernie Quintana, Congresswoman Eleanor Holmes Norton (D-DC) announced that the U.S. Department of Justice, Civil Rights Division, is investigating the shooting of Troy Joyner in the Trinidad neighborhood in Washington, D.C. earlier this month. The shooting involved U.S. Park Police officers who are part of the "Safe Streets Task Force," which consists of FBI and U.S. Park Police officers working along with the D.C. Metropolitan Police Department.

Norton said, "The independence of the investigation satisfies our most important goals of learning what occurred and establishing responsibility so that appropriate remedies can be identified. Typically, the best investigation of a shooting involving a police officer is done by an agency with the greatest credibility, and the Civil Rights Division of the Justice Department fits this need here." Norton said she was pleased that the Civil Rights Division had already contacted the U.S. Park Police Chief offering an independent evaluation and that the Park Police had readily agreed, so that she did not have to pursue a federal investigation on her own. An investigation also is underway by the U.S. Attorney's Office here, which routinely conducts an independent investigation into fatal police shootings.

The Congresswoman has long worked with the U.S. Park Police because it has unique authority to make arrests anywhere in the District because of ownership by the National Park Service of parks throughout the city.

At the meeting held in the Congresswoman's office today, Norton urged more contact and communication between Park Police assigned to "Safe Streets" and the D.C. community. "Safe Streets" was established in the 1990's at the height of the District's crack cocaine epidemic. The coalition has worked closely with the Metropolitan Police to eradicate drug traffic. "Not since I've been in Congress has there been a fatal shooting involving a federal police officer and a District resident," Norton said. "There are legitimate concerns in the community and today's meeting is an indication that we are on a path we hope will satisfy these concerns.

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FIFTH DISTRICT CITIZENS' ADVISORY COUNCIL

*P.O. Box 90436
Washington, DC 20090
www.5dcac.org*

*Regular Monthly Meeting
Mt.Horeb Baptist Church
2914 Bladensburg Road, N.E.*

*Thursday, 25 June 2009
7:00 P.M. – 9:00 P.M.*

AGENDA

*(At the request of Trinidad residents during a special community meeting,
the following serves as an agenda topic with special invited guests.)*

Discussion Topic: Fatal Shooting in Trinidad by United States Park Police
*Joint FBI, DC Metropolitan Police, and United States Park Police "Safe
Streets Taskforce"*

*The Honorable Eleanor Holmes Norton
U.S. House of Representatives*

*The Honorable Adrian M. Fenty
Mayor, District of Columbia*

*The Honorable Harry "Tommy" Thomas
Councilmember – Ward 5*

*The Honorable Phil Mendelson
Councilmember at Large*

*Cathy Lanier
Chief of Police, DC Metropolitan Police Department*

*Channing D. Phillips
Acting U.S. Attorney for the District of Columbia*

*Joseph Persichini
Assistant Director In Charge, FBI Washington Field Office
U.S. Department of Justice*

*Salvatore Lauro
Chief of Police, United States Park Police
National Park Service, U.S. Department of Interior*