



Testimony of

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In Favor of

**House Bill 666**  
“Washington Metropolitan Area Transit Authority – Metro Transit Police – Quotas and Metro  
Transit Police Complaints Board”

Before

**Delegate Luke Clippinger, Chairperson**  
Maryland General Assembly  
House Judiciary Committee

Tuesday, February 16, 2021  
1:30 PM

Good Afternoon, Chairperson Clippenger and members of the Maryland General Assembly House Judiciary Committee. I am Robert White, Councilmember At-Large for the District of Columbia. I am honored to testify before you on House Bill 666, the “Washington Metropolitan Area Transit Authority – Metro Transit Police – Quotas and Metro Transit Police Complaints Board.”

The Washington Metropolitan Area Transit Authority, or WMATA, Compact is an agreement between the District of Columbia, Maryland, Virginia, and Congress that created the 2nd largest public transportation system in the nation. The bill before you today would amend this interstate Compact to create a Civilian Complaint Board comprised of residents from the District of Columbia, Maryland, and Virginia, tasked with oversight of the Metro Transit Police Department, or MTPD, the multi-jurisdictional law enforcement agency that polices Metrobus and Metrorail trains and stations.

I had the privilege of chairing the Committee with oversight over WMATA in the District Council in 2019 and 2020. During that time, after several incidents of excessive police brutality by MTPD, I introduced the companion legislation to the bill before you today in the District of Columbia legislature to initiate the process of amending the Compact. To effectuate an amendment to the Compact, all three signatory jurisdictions’ legislatures must approve the same amendment, and Congress must consent. The District of Columbia approved this amendment to the Compact on December 15, 2020. I strongly encourage you to do the same. The District, Maryland, and Virginia must act together to eliminate a gap in which MTPD, one of the largest police departments in the tri-state area, has no external oversight, be it government or civilian, given its unique creation under a regional compact.

MTPD plays a vital role in ensuring safe passage by residents in all our jurisdictions on Metrorail and Metrobuses. However, multiple incidents occurring over the past few years have highlighted how problematic policing practices on Metro can often make riders, especially people of color, including children, less safe while riding Metro.

Meaningful accountability to any single oversight body is absent for MTPD, with that responsibility spread across three jurisdictions and Congress. My Committee held a public oversight hearing with MTPD in November 2019, in which several incidents were discussed where MTPD officers used force against riders, including one incident from the summer of 2019, when a teenage African American boy was pinned to a Metrorail platform floor by MTPD officers, and a bystander who attempted to de-escalate the incident was tasered so excessively that he suffered severe and permanent injury. The bystander was a graduate student working on Wallstreet. Today, his education and career have ended due to his injuries. The young boy suffered significant mental health injuries following this event and became a victim of homicide a year later. Other recent incidents include a 21-year-old woman having her front teeth broken and suffering a fractured knee in front of her young kids for suspected fare evasion. In response, residents of the greater Washington region, and organizations like the Washington Lawyers' Committee for Civil Rights and Urban Affairs and the National Action Network called for more transparency and oversight. They asked for WMATA to publicly post MTPD data, including stop, search, arrest, and use of force reports, something the DC Metropolitan Police Department and many other police departments around the country with already provide to the public.

My Committee has also heard from current and retired MTPD police officers about the concerning culture within the department, including racist and sexist attitudes and employee disciplinary and promotion practices. One officer anonymously shared evidence of a contest advertised in MTPD offices, rewarding officers for engaging in enforcement actions, with greater

points for more severe actions, like arresting riders. While that practice has since stopped, MTPD continues to evaluate officers by quotas on aggressive policing tactics, like arrests and tickets.

This ensures a heightened level of tension as opposed to de-escalation and conflict resolution.

I took the feedback received and introduced this legislation with the hope that a civilian oversight body, empowered to investigate police actions and remedy complaints, will provide the public with a renewed sense of confidence in MTPD. After the bill before you was introduced in the District of Columbia, the WMATA Board of Directors approved the creation of an internal Investigations Review Panel. While that panel is a positive step, it is very different than what this bill proposes. The panel cannot receive complaints from the public or engage with officers about their experiences in the department. It can only review MTPD cases quarterly, after cases are closed, and can only provide recommendations to the Police Chief for future cases. The Chief of MTPD is not required to implement those recommendations. This panel cannot require corrective actions or drive changes in data transparency.

Law enforcement agencies across the country are moving toward civilian oversight. It is important to know that civilian oversight is not hostile to law enforcement, but rather complementary to it. Our residents and visitors are the users of the WMATA system. As their representatives, it is important that we ensure proper oversight and responsiveness. MTPD is one of the largest police forces in the entire Washington Metropolitan region with 645 employees, and none of us have jurisdiction over them that would allow us to assist a resident or tourist in need as we would with state and local law enforcement agencies.

We owe it to those impacted by excessive force and their families, to the MTPD officers who blew the whistle on discriminatory practices in their Department, and to our communities that have been advocating and protesting for police reform, to take this opportunity to fill this much needed gap of oversight over a police department interacting with our residents daily as

they navigate the region by public transit. I want to thank Delegate Erek Barron for introducing this important bill. With its passage in the Maryland General Assembly, our region will be one step closer to achieving this reform.