

September 4, 2025

The Honorable Mike Johnson
Speaker, U.S. House of Representatives
H-232, The Capitol
Washington, D.C. 20515

The Honorable Hakeem Jeffries
Minority Leader, U.S. House of Representatives
2267 Rayburn House Office Building
Washington, DC 20515

Re: Letter in Support of House Joint Resolution 115 to End the D.C. Takeover

Dear Speaker Johnson and Minority Leader Jeffries,

On behalf of Citizens for Responsibility and Ethics in Washington (CREW), a nonpartisan nonprofit organization dedicated to promoting accountable governance and the rule of law, I write in support of House Joint Resolution 115 terminating the August 11, 2025 emergency in Washington, D.C. declared by President Trump and ending the attempted federal takeover of D.C. local law enforcement. President Trump's August 11 Executive Order titled "Declaring a crime emergency in the District of Columbia," and subsequent administration actions including but not limited to the two additional Executive Orders issued on August 25, 2025, entitled "Additional Measures to Address the Crime Emergency in the District of Columbia" and "Measures to End Cashless Bail and Enforce the Law in the District of Columbia," threaten our dual constitutional pillars—federalism and the separation of powers—and represent another dangerous step in the weaponization of executive power.

For more than half a century, through passage of the 1973 Home Rule Act, Congress has largely entrusted the people of D.C. to manage the city's local affairs by electing a council and mayor to oversee day-to-day governance, directing and providing oversight of the Metropolitan Police Department (MPD).¹ In enacting the Home Rule Act, Congress reserved in Section 740 of the Act a narrow role for the federal government in D.C. law enforcement. Only if the president determines that "special conditions of an emergency nature exist" and requests the use of MPD for "Federal purposes," the mayor must provide "such services of the Metropolitan Police force as the President may deem necessary and appropriate."² But the Trump administration's attempted federalization of MPD far exceeds the narrow authority granted by Congress. Rather than require the "services of" MPD for "Federal purposes" in response to a discrete "emergency," President Trump has cited D.C.'s crime rate—which is at a

¹ District of Columbia Home Rule Act, Pub. L. 93-198 (1973).

² *Id.* sec. 740.

30-year low³—to usurp ongoing day-to-day operational control of local law enforcement matters from the local authorities which Congress made responsible for such governance.⁴ The Constitution requires that the executive branch act within the bounds of its statutory authority, but the Trump administration's attempted takeover of MPD violates both the purpose and plain text of the Home Rule Act. Congress must assert its authority and terminate the declared emergency.

The Trump administration's attempted takeover of MPD and the deployment of federal law enforcement in D.C. are frightening additional steps building upon President Trump's ongoing and expanding weaponization of government and law enforcement against perceived political opponents. Since Trump's return to office, federal law enforcement has raided the home and office of Trump aide-turned-critic John Bolton,⁵ mobilized U.S. Marshals to presumably intimidate former Department of Justice (DOJ) pardon attorney Liz Oyer⁶ and fired dozens of DOJ attorneys who worked on January 6-related prosecutions, among a litany of other troubling moves.⁷ The massive mobilization of federal law enforcement and encroachment on local government to intimidate the residents of D.C. is yet another iteration of President Trump's weaponization campaign—one which threatens the rule of law and the foundations of our democracy.

Those weaponization concerns are heightened by the stark contrast between Trump's aggressive deployment of federal law enforcement today and his failure to promptly activate the D.C. National Guard during the January 6, 2021 attack on the Capitol.⁸ As the Trump administration did nothing, the violence in the Capitol persisted for hours, resulting in the death of one Capitol Police officer and injuries to approximately 140 other officers.⁹ And while President Trump's August 11 emergency declaration decried "violent crime in the

³ Press Release, U.S. Attorney's Office, District of Columbia, Violent Crime in D.C. Hits 30 Year Low (Jan. 3, 2025), <https://www.justice.gov/usao-dc/pr/violent-crime-dc-hits-30-year-low>.

⁴ Trevor Hunnicutt and Nandita Bose, *Trump takes over DC police in extraordinary move, deploys National Guard in capital*, Reuters (Aug. 11, 2025), <https://www.reuters.com/world/us/trump-takes-over-dc-police-extraordinary-move-deploys-national-guard-capital-2025-08-11>.

⁵ Dan Mangan, *FBI raids home, office of John Bolton, former Trump national security advisor*, CNBC (Aug. 22, 2025), <https://www.cnbc.com/2025/08/22/fbi-raid-john-bolton-trump-patel.html>.

⁶ Sarah N. Lynch, *US marshals were mobilized to warn fired DOJ lawyer over congressional testimony, attorney says*, Reuters (Apr. 7, 2025), <https://www.reuters.com/world/us/us-justice-dept-mobilized-armed-marshals-warn-ex-lawyer-over-congressional-2025-04-07>.

⁷ Spencer S. Hsu and Tom Jackman, *D.C. U.S. attorney fires Jan. 6 prosecutors, launches new probes*, Washington Post (Jan. 31, 2025), <https://www.washingtonpost.com/dc-md-va/2025/01/31/jan6-prosecutors-fired-dc-martin>.

⁸ Luke Broadwater, Maggie Haberman, Catie Edmondson, and Stephanie Lai, *Jan. 6 Transcripts Detail Failures in Surveillance and National Guard Response*, New York Times (Dec. 29, 2022), <https://www.nytimes.com/2022/12/29/us/politics/jan-6-transcripts-national-guard-trump.html>.

⁹ Luke Broadwater, *Sidelined on Jan. 6, Walker Has Top Job Securing Capitol Against a Repeat*, New York Times (Sep. 17, 2021), <https://www.nytimes.com/2021/09/17/us/politics/william-walker-capitol-riot-security.html>; Michael S. Schmidt and Luke Broadwater, *Officers' Injuries, Including Concussions, Show Scope of Violence at Capitol Riot*, New York Times (Feb. 11, 2021), <https://www.nytimes.com/2021/02/11/us/politics/capitol-riot-police-officer-injuries.html>.

heart of our Republic,”¹⁰ President Trump pardoned or commuted the sentence of every member of the pro-Trump group that attacked the Capitol¹¹—more than 1,500 individuals in all, including several who had been charged with or convicted of violent crimes against law enforcement.¹²

President Trump, by his own admission, does not intend to limit his interference in local law enforcement matters to just D.C. He is also weaponizing the national guard to target other cities and states run by officials from an opposing political party. The Pentagon is reportedly preparing to make good on the president’s public promise to send Illinois National Guard members into Chicago despite the opposition of the state’s governor.¹³ This is after the Trump administration sent the California National Guard into Los Angeles in June without gubernatorial consent to quell protests against the Trump administration’s immigration policy.¹⁴ The president’s use of National Guard troops without gubernatorial consent to interfere in local law enforcement matters grievously violates bedrock federalism principles and, as a federal district court recently found, violates the Posse Comitatus Act.¹⁵ Cities are creations of state law, and state and local authorities—not federal troops—are responsible for managing day-to-day operations of municipalities like Chicago and Los Angeles. Attempting to take over law enforcement in those cities disrupts the delicate balance of state and federal power established by the Constitution.

The president’s attempted takeover of D.C. highlights the city’s precarious current legal status and the need for D.C. statehood. Statehood would not only provide the city’s residents with needed representation in Congress—it would help protect D.C. from politicized interference from Congress or the White House. Until D.C. becomes a state, and earns the independence which that status provides, Congress must continue to assert its power and defend D.C.’s independence against unwarranted executive branch encroachment.

The Trump administration’s intrusion into D.C.’s local affairs is an unjustified attack on the more than 700,000 people who call the city home. It may also portend federal

¹⁰ Exec. Order No. 14333, 90 F.R. 39301 (Aug. 11, 2025), available at <https://www.whitehouse.gov/presidential-actions/2025/08/declaring-a-crime-emergency-in-the-district-of-columbia>.

¹¹ Proclamation No. 10887, 90 F.R. 8331 (Jan. 20, 2025), available at <https://www.whitehouse.gov/presidential-actions/2025/01/granting-pardons-and-commutation-of-sentences-for-certain-offenses-relating-to-the-events-at-or-near-the-united-states-capitol-on-january-6-2021>.

¹² Max Matza, *Proud Boys and Oath Keepers among over 1,500 Capitol riot defendants pardoned by Trump*, BBC (Jan. 20, 2025), <https://www.bbc.com/news/articles/c5y7l47xrpko>.

¹³ Dan Lamothe, *Pentagon plans military deployment in Chicago as Trump eyes crackdown*, Washington Post (Aug. 23, 2025), <https://www.washingtonpost.com/national-security/2025/08/23/trump-chicago-military-national-guard>.

¹⁴ Justin Jouvenal and Alex Horton, *Trump charts new territory in bypassing Newsom to deploy National Guard*, Washington Post (June 8, 2025), <https://www.washingtonpost.com/national-security/2025/06/08/trump-national-guard-la-protests-law>.

¹⁵ *Newsom v. Trump*, No. 25-cv-04870-CRB (N.D. Cal. Sept. 2, 2025).

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intervention in local affairs in other cities across the country. But beyond D.C., Los Angeles or Chicago, President Trump's attempted D.C. takeover may be a testing ground in preparation for even more extreme authoritarian action in the future. Congress must prove to President Trump that D.C. is not a political pawn, and that the people's branch will not lay down as the president attempts to run roughshod over the Constitution. CREW urges Congress to support swift passage of H. J. Res. 115, and continue to be vigilant in the preservation of the Constitution and fundamental principles of American democracy.

Sincerely,

A handwritten signature in blue ink, appearing to read 'D. Sherman', with a long horizontal flourish extending to the right.

Donald Sherman
Executive Director and Chief Counsel

Cc: Rep. Jamie Raskin, Rep. Robert Garcia, Rep. Eleanor Holmes Norton, Sen. Chris Van Hollen