



**METROPOLITAN POLICE DEPARTMENT**  
**Internal Affairs Bureau**  
**Internal Affairs Division**



**MEMORANDUM**

**TO:** Assistant Chief of Police *W. Manly* 6/16/2021  
Internal Affairs Bureau

**THRU:** Inspector *J. K. [unclear]* 6/15/2021  
Internal Affairs Division

**THRU:** Captain *[unclear]* 6/15/21  
Internal Affairs Division

**THRU:** Lieutenant  
Internal Affairs Division

**DATE:** June 15, 2021

**SUBJECT:** Investigative Report Concerning the Use of Force (Glock 22 .40 caliber service pistol) by United States Capitol Police Lieutenant Michael Byrd, IS# [REDACTED] IAD# [REDACTED] CCN# [REDACTED]

**Event Summary**

On January 6, 2021, a large number of demonstrators ascended on the United States Capitol after attending an event at the Ellipse<sup>1</sup>. The event included speeches by various speakers to include President Donald Trump and was held to dispute the Certification of the Electoral College. During President Trump's speech several groups began to break away from the Ellipse and began travelling eastbound towards the United States Capitol, gathering at and near the Capitol's reflecting pool.

The crowds' numbers began to swell in size, and were becoming extremely agitated. It was reported approximately 1253 hours, the demonstrators began to escalate their behavior more and began breaching pre-established police lines. These demonstrators became increasingly violent and subsequently pushed the limited amount of United States Capitol Police Officers (USCP) to the base of the West Steps of the Capitol building.<sup>2</sup>

<sup>1</sup> The Ellipse is basically the oval-shaped field between the Mall (Washington Monument) and the White House.

<sup>2</sup> Due to the rioters actions escalating into criminal behavior they will be referred to as rioters throughout this Final Investigation.

As the violent demonstration continued, approximately 1315 hours, rioters then started to break several windows and breach a number of entry points that led into the east side of the United States Capitol building.

By 1350 hours, Inspector Robert Glover<sup>3</sup> of the Special Operations Division (SOD) voiced that the Capitol had been breached as rioters began entering into the United States Capitol. (See video titled [REDACTED] at the time stamp of 2:23:00 and video titled [REDACTED])

Several hundred rioters eventually entered into the United States Capitol building and began to move freely through different areas of the building. (See video [REDACTED])

Several rioters attempted to gain access to the House Chamber Floor by attempting to break the doors that led directly into the House Chamber. The rioters' attempts to access the House Chamber through these doors were unsuccessful.

The rioters moved into a hallway area near the east stairwell that led directly into an area identified as the Speakers Lobby. (See Video titled "Banned Video" at the time stamp of 00:09) The Speakers Lobby is also an access point that leads directly into the House Chamber Floor. If the rioters were successful in entering the Speakers Lobby, they would have had immediate access onto the House Chamber's Floor. (Prior to the rioters entering the Speakers Lobby area, Vice President of the United States, Michael Pence along with numerous House members were present inside the House Chamber Certifying the electoral votes regarding the Presidential Election. Vice President Pence and several House members were evacuated out of the House Chamber to safe location prior to the rioters breaching the Speakers Lobby's Doors. However, not all members of House were evacuated)

USCP uniformed members Sergeant [REDACTED] and Officers [REDACTED] and [REDACTED] stood guard on the outside of the Speakers Lobby's doors. A fourth individual identified as Mr. [REDACTED] who is an unarmed civilian staff member of the Sergeant at Arms, also known as Door Keepers<sup>4</sup> was at the location and attempting to deescalate the rioters' actions. (See Mr. [REDACTED] mobile phone video at the time stamp of 00:00)

On January 6, 2021, USCP Lieutenant Michael Byrd was working the day work shift (0700 hours until relieved), in business attire. USCP Officer [REDACTED] was working the day work shift (0830 hours until relieved), in full uniform and USCP Sergeant [REDACTED] was working the evening shift (1300 hours until relieved) in business attire as well.

<sup>3</sup> On January 6, 2021, Robert Glover held the rank of Inspector. He was promoted to the rank of Commander on January 12, 2021.

<sup>4</sup> "Door Keepers" maintain order in the Senate Chamber, the Speaker's Lobby and surrounding areas.



Both Lieutenant Byrd and Sergeant [REDACTED] were assigned to the House Chamber security detail and Officer [REDACTED] was assigned to the House Chamber Division. None of the USCP members were equipped with Body Worn Cameras (BWCs).

Approximately 1442 hours, as the rioters were in the hallway outside of the Speakers Lobby, they were actively attempting to breach the doors to the House Chamber by utilizing their flagpoles and helmets to strike the glass on the doors. Lieutenant Byrd and Officer [REDACTED] along with additional unidentified USCP members, began to barricade the doors with desks, a couch, and chairs. The unidentified USCP officers responded onto the House Chamber Floor to evacuate out additional members of Congress. As most of the members of Congress were being led out of the House Chamber Floor, Sergeant [REDACTED] exited the House Chamber Floor into the Speakers Lobby area.

The rioters began breaking out three of the four windows that led directly into the Speakers Lobby area. *(See video titled "Breaking-Woman shot Dead" at the time stamp of 00:13).* Upon breaking the windows, the rioters were able to reach through the broken window pane and began pushing the chairs off the barricade created by the furniture.

Lieutenant Byrd took a tactical position to the immediate right, or south, of the barricaded doors, and was facing in an eastbound direction. Officer [REDACTED] who took a tactical position behind the right side of the third pillar, and Sergeant [REDACTED] who took a tactical position behind the fourth pillar on the right side of the Speaker Lobby supported Lieutenant Byrd. All three members had drawn their service pistols and had their service pistols pointed in the direction of the barricaded doors and the rioters, who were directly outside of the Speakers Lobby's doors.

As the rioters continued to try and breach the Speakers Lobby's doors, Sergeant [REDACTED] and Officers [REDACTED] and [REDACTED] moved away from the Speakers Lobby's Doors and began to descend the east stairwell. A Containment & Emergency Response Team (CERT) consisting of Officers [REDACTED], [REDACTED], [REDACTED] and [REDACTED] were ascending the east stairwell from the first floor, passing the other USCP members. *(See video titled Mr. [REDACTED] mobile phone video at the time stamp of 00:11)*

Approximately 1446 hours, as the CERT members were near the top of the stairs, Ms. Ashli Babbitt (also identified as Ms. Ashli Pamatian) jumped up and began to crawl through one of the window wells that had previously been broken out. As Ms. Babbitt was going through the window, Lieutenant Byrd left his cover/concealment by stepping forward towards Ms. Babbitt as she was crawling through the broken windowpane. Lieutenant Byrd, while holding his service pistol with a two handed grip and approximately ten to twelve feet away from Ms. Babbitt, discharged one round from his service pistol striking Ms. Babbitt. *(See video titled "Shooting View" at the time stamp of 00:08)*

After discharging his service pistol, Lieutenant Byrd stepped back towards his cover/concealment while still pointing his service pistol towards the open area where the window had been broken out.

Lieutenant Byrd's discharged round struck Ms. Babbitt in her left anterior shoulder, just below her clavicle. Ms. Babbitt fell back from the windowpane and onto the floor. Upon Ms. Babbitt landing on the floor, CERT Officers [REDACTED] and [REDACTED] began to administer first aid to Ms. Babbitt. *(See video titled "Banned-Video at the time stamp of 01:05)*

The CERT members then picked Ms. Babbitt up and carried her down the east side stairwell into an area where members of the District of Columbia Fire and Emergency Medical Services (DCFEMS) Medic 10 was stationed. DCFEMS began to render medical intervention and transported Ms. Babbitt to the MedStar, Washington Hospital Center.

While at the MedStar unit, Ms. Babbitt succumbed to her injuries and was pronounced deceased at 1515 hours by Doctor [REDACTED] of the medical staff.

Ms. Babbitt's remains were subsequently transported to the Office of the Chief Medical Examiner (OCME).

On January 6, 2021, Detective [REDACTED] of the Metropolitan Police Department's Homicide Branch prepared a Police Department (PD) Form 120 (Death Report), regarding the investigation surrounding the death of Ms. Babbitt. **(Attachment 1)**

On January 6, 2021, Agent [REDACTED] of the Internal Affairs Division (IAD) generated Incident Summary (IS) Number [REDACTED] in reference to this incident. **(Attachment 2)**

All reports regarding this incident bear Central Complaint Number (CCN [REDACTED]) **(Attachment 3)**

On January 7, 2020, Agent [REDACTED] notified Assistant United States Attorney (AUSA) [REDACTED] of the United States Attorney's Office (USAO) regarding USCP Lieutenant Byrd's Use of Force (Service Pistol). **(Attachment 4)**

On April 14, 2021, AUSA [REDACTED] issued a Declination Letter to the IAD and Agent [REDACTED] regarding Lieutenant Byrd's Use of Force (Glock) against Ms. Ashli Babbitt. **(Attachment 5)**

### Investigator

Agent [REDACTED] was assigned as the lead investigator for this use of force incident.



### Member Involved

#### **Lieutenant Michael Byrd**

Personal Identification Number:	[REDACTED]
Duty & Uniform Status:	On-duty/Business attire
Personal Information:	Black Male, [REDACTED] years old
Strong Hand:	Right
Assignment:	USCP, House Chamber Security Detail
Appointed to USCP:	[REDACTED]
Height/Weght:	[REDACTED]
ASP Equipped:	No
OC Spray Equipped:	No
Previous Shootings:	None
Body Armor Equipped:	No
BWC:	No
Injuries:	None

### Subject of Force

#### **Ms. Ashli Elizabeth Babbitt**

(Also known as Ms. Ashli Pamatian)

Personal: White/Female  
DOB: October 10, 1985  
Ht/Wt: 5'3", 150lbs.  
Address: [REDACTED]  
Impairment: Unknown

#### Violations that led to police contact:

Felony Rioting/Unlawful Entry      DC Code 22-1322 & 22-3302

#### Violations during police contact:

Felony Rioting      DC Code 22-1322

#### Outstand Arrest Warrants:

None

#### Previous arrests:

[REDACTED]