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4 SELECT COMMITTEE TO INVESTIGATE THE
5 JANUARY 6TH ATTACK ON THE U.S. CAPITOL,
6 U.S. HOUSE OF REPRESENTATIVES,
7 WASHINGTON, D.C.

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11 INTERVIEW OF: SEAN GALLAGHER

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Tuesday, January 11, 2022

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Washington, D.C.

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The interview in the above matter was held via Webex, commencing at 2:30 p.m.

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Present: Representatives Schiff, Lofgren, Aguilar, and Murphy.

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2 Appearances:

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5 For the SELECT COMMITTEE TO INVESTIGATE

6 THE JANUARY 6TH ATTACK ON THE U.S. CAPITOL:

7

8 [REDACTED] SENIOR INVESTIGATIVE COUNSEL

9 [REDACTED] INVESTIGATIVE COUNSEL

10 [REDACTED] INVESTIGATIVE COUNSEL

11 [REDACTED] PROFESSIONAL STAFF MEMBER

12 [REDACTED] CHIEF ADMINISTRATIVE OFFICER

13 [REDACTED], CO-HOST

14

15 For USCP:

16

17 THOMAS (TAD) DIBIASE

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[REDACTED] We will go ahead and get started.

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This is an interview of Assistant Chief of Police Sean Gallagher of the United States Capitol Police conducted by the House Select Committee to Investigate the January 6th Attack on the United States Capitol pursuant to House Resolution 503.

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Mr. Gallagher, could you please state your full name and spell your last name for the record, sir.

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9

Chief Gallagher. Sure. Full name is Sean Gallagher. Last name is G-a-l-l-a-g-h-e-r.

10

[REDACTED] Thank you, sir.

11

12

I am in the virtual room today. I apologize for not being able to be there in person, [REDACTED] [REDACTED]

13

[REDACTED] I thought it best to conduct that meeting from here.

14

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At this point, I also see my colleague, [REDACTED] who is with the House Select Committee, on the call as well.

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We may later be joined, sir, by some other folks either from the select committee professional staff or the members themselves. If that happens, I'll let you know and acknowledge that they're here.

19

I see that Congresswoman Lofgren is here.

20

Good afternoon, ma'am.

21

Ms. Lofgren. Hello. How are you?

22

[REDACTED] Good. Thank you, ma'am.

23

All right. So what I'll do is just go over some ground rules.

24

25

Again, I'm [REDACTED] and I'm the investigative counsel. I'll be conducting the majority of the questioning. Some of my other colleagues, as well as members of the

1 select committee, may also have questions as we move through this process.

2 There is an official court reporter transcribing the record for this transcribed
3 interview. Please wait until each question is completed before anyone begins or
4 responds. And we will wait -- we will try and wait until your response is complete
5 before we ask our next question. The stenographer cannot record nonverbal responses
6 such as shaking your head, so it is important that you answer each question with an
7 audible, verbal response.

8 We ask that you provide complete answers based on your best recollection. If
9 the question is not clear, please ask for clarification. If you do not know the answer,
10 please simply say that you do not know. No need to speculate.

11 I would also like to remind you that it is unlawful to deliberately provide false
12 information to Congress. I see that you have Tad with you today, and he will have the
13 opportunity to review the transcript once we're done.

14 With that said, does anybody have any questions before we get started in
15 earnest?

16 EXAMINATION

17 BY [REDACTED]

18 Q Okay. So, Assistant Chief Gallagher, what I'd like to do, kind of like we did
19 last time, is lay out a roadmap of what are interview topics I'd like to cover. And I'd like
20 to break them out into three or four categories.

21 The first is just going to be some background information related to you, sir. So
22 there will be a professional background, where you're from, what you've done, your
23 professional career.

24 I then want to talk about January 6th itself, and I want to talk about it in sort of
25 two components. I want to talk about it from the perspective of what you were doing

1 specifically as an individual that day and sort of how that day played out for you, and then
2 I want to sort of pivot and talk about how were the Capitol Police postured that day.
3 What were sort of -- what went into the planning and thinking and preparations leading
4 up to January 6, as well as in response to the actual riot themselves -- itself, rather.

5 And then, similar to like what we discussed the last time we met informally,
6 conclude our conversation with going over some of the recommendations that have been
7 made by the Office of Inspector General in their flash reports and getting a sense from
8 you about where the department is on implementing those and sort of what its long-term
9 strategic plan is for implementing those recommendations.

10 We won't cover all the recommendations. We'll cover the ones that are limited
11 to most likely CERT, first responders, command and control. So I don't think that we
12 need to necessarily cover all of them, but I think that's where we at least start that
13 conversation.

14 So, with that said, any questions from you, sir, before we get started?

15 A No, no questions. Thank you.

16 Q All right. And I also acknowledge that my colleague, [REDACTED]
17 has joined us as well.

18 All right, sir. Could you just start with giving us a little bit of background about
19 what your current position is with the Capitol Police and how long you've held that
20 position?

21 A Sure. My current position is the Acting Assistant Chief of Uniformed
22 Operations, and I've held this position since I believe the middle of May. And prior to
23 that, effective I believe it was January 8th, I became the Acting Assistant Chief for
24 Protective and Intelligence Operations. So at some point in May, I transitioned over to
25 having both Protective and Intelligence Operations and Uniformed Operations.

1 Then when Chief Manger came on, I -- and Chief Pittman went back to Protective
2 and Intelligence Operations, I took Uniformed Operations.

3 Q Thank you, sir. And what -- can you briefly list your positions prior to when
4 you were the Acting Assistant Chief for Intelligence?

5 A Sure. Do you want me to go all the way back to when I came on the
6 department or --

7 Q That would be great. Yes, sir.

8 A Sure. I came on the department -- my first day was April 16th of 2001 -- as
9 a new recruit. And once I graduated the academy, I was assigned to the Senate,
10 midnight shifts in Uniformed Operations, Uniformed Services. I got promoted to the
11 rank of sergeant in 2005, and I was assigned to the House division.

12 I worked the House division for about 2.5 years, and then I went over to Protective
13 Services Bureau as an executive officer for maybe about 8 months. And then I was a
14 sergeant in our Intelligence Operations section, which is our countersurveillance team, for
15 about a year. I then got promoted to lieutenant in 2008, and I was assigned to our
16 Investigations Division.

17 2010, I was promoted to captain, and I was assigned to our Dignitary Protection
18 Division. 2014, I went over to the Capitol division in Uniformed Services Bureau as a
19 captain there. And I was there until 2018, when I got promoted to inspector, and I came
20 back to Dignitary Protection Division. I was there for about a year. Then I got
21 promoted to deputy chief, and I was the bureau commander for Protective Services
22 Bureau.

23 Q Thank you, sir. I appreciate that.

24 And I just want to acknowledge that Representative Murphy has joined us this
25 afternoon.

1 Good afternoon, ma'am.

2 Chief Gallagher, can you tell me a little bit about what are the responsibilities of
3 your current position?

4 A Sure. My current position is all of our uniformed operations. So I am in
5 charge of our Uniformed Services Bureau. I'm also in charge of our Command and
6 Coordination Bureau. And I'm also in charge of our Operational Services Bureau. So
7 those three bureaus I have.

8 Q And could you just give us a brief outline of what each of those bureaus do?

9 A Sure. Uniformed Services is all of our uniformed officers that work the four
10 main divisions that we have in uniform, which is the Library of Congress, the House
11 division, the Capitol division, and the Senate division.

12 Operational Services Bureau is our Special Operations Division, all of our K-9, all of
13 our HIRD, which is our Hazardous Incident Response Division. That's our bomb techs
14 and our hazmat technicians, and also our CERT, which is our Containment and Emergency
15 Response Team, which is our version of our SWAT team.

16 And then our Command and Coordination Bureau, that's our command center,
17 our continuity working group, our special events section, as well as our communications
18 division.

19 Q Thank you, sir.

20 And for January 6th, which position were you in? Were you in the act -- the
21 Assistant Chief of Police for Uniformed Operations or were you in the Acting Assistant
22 Chief for Intelligence Operations?

23 A I was in neither of those positions. On January 6th, I was the deputy chief
24 in charge of our Protective Services Bureau.

25 Q Okay. I appreciate that. And so tell me about what your responsibilities

1 were during that time period.

2 A Sure. Protective Services Bureau is our Dignitary Protection Division, our
3 Investigations Division, and our Intelligence and Information Coordination Division, IICD.

4 Q And, again, briefly what do each one of those sections do?

5 A Of course. So Dignitary Protection Division is all of our plainclothes agents
6 who provide the personal protection for the congressional leadership or any
7 threat-driven details, as well as provide the protection of any tasks, retreats, or
8 congressional events outside of the NCR or off the Capitol Hill campus.

9 Investigations Division is our threat assessment section. It also our criminal
10 investigations and our intelligence operations section.

11 And then IICD is our intelligence analysis section.

12 Q I appreciate that, sir.

13 So now that we've gotten the background out of the way, let's segue first to what
14 you -- how January 6th played out specifically for you that day. So if we could, walk us
15 through sort of how your day started on January 6th.

16 A Sure. My day started -- as I mentioned, I was in charge of our Protective
17 Services Bureau. So my day started early in the morning. We did a Protective Services
18 Bureau briefing for all of our officials. And I call Protective Services Bureau PSB.

19 And then after that, I came up, and I was in the Capitol Police Command Center
20 for the majority of the day on January 6th.

21 Q And so you mentioned that there was a -- you gave a briefing. Can you tell
22 us what that briefing was about and who the audience was?

23 A Sure. The audience was all the officials in Protective Services Bureau. So
24 it was all of the sergeants, lieutenants, captains, inspectors, as well as our assistant
25 director and director of IICD. And what that was is going over the game plan for the day

1 of January 6th and just communicate what we were doing, where our teams were
2 assigned, and stuff like that.

3 Q And you mentioned that IICD was a part of the audience for that particular
4 briefing. What is IICD?

5 A That is where our intelligence analysis analysts are. Jack Donohue was the
6 Director of Intelligence and Julie Farnam was the Assistant Director of Intelligence on that
7 day, and then the rest of IICD was our civilian analysts.

8 Q And it sounds like, if I'm understanding you correctly, the briefing was about
9 how the -- how the day was planned to play out. Do I have that right?

10 A The briefing was basically like a roll call. Here's -- here's what we're doing.
11 Here's what DPD's doing. Here's what IICD is doing. Here's what Investigations
12 Divisions is doing.

13 Q Okay. And what, if anything, sir, informed that discussion? In other
14 words, was there any threat information, intelligence information, bulletins, products?
15 What, if anything, sort of informed that roll call discussion?

16 A So I spoke to the general nature of what PSB was doing for the day. Jack
17 and Julie each had a speaking role where they spoke to what information that they were
18 privy to. Our inspector, Kim Schneider, of our Dignitary Protection Division, spoke to
19 what DPD was doing. And then our inspector of Investigations Division, Jeanita Mitchell,
20 spoke as well. I believe it was the evening prior, Chief Sund had asked for all bureau
21 commanders to address their teams at roll calls, so we scheduled the briefing for
22 [inaudible].

23 Q And you may have mentioned this earlier, and I might have missed it, sir.
24 About what time of day did this roll call meeting happen?

25 A I don't have that off the top of my head. I would -- I would say it was either

1 probably around 9 a.m. --

2 Q Okay.

3 A -- at the latest maybe 10 a.m.

4 Q So in the morning, basically?

5 A In the morning, yes, sir.

6 Q Okay. Okay. And Jack -- with specific reference to Jack Donohue and
7 Ms. Farnam's role from the intelligence side, did they provide any intelligence or threat
8 information to you all, to that body during that meeting? And if so, do you recall what
9 that was?

10 A I don't recall the exact verbiage that any of us used. It's been so long. But
11 I do know that Jack spoke to the assessment, the final assessment, January 3rd, and just
12 reiterated that it was sent out. Everyone should have reviewed it. And then he spoke
13 a little bit more about what was in that assessment. I can't remember specifics this far.

14 Q No. And I appreciate that. And I apologize if I gave you the impression
15 that I was looking for specifics. I was just looking more for a general sense of what was
16 discussed. So I apologize for any confusion.

17 And so you started off -- I'm sorry. Do you have something else you wanted to
18 add, sir?

19 A No. I was going to say there's -- every bureau -- well, I'll speak from what I
20 know in PSB. We put some additional enhancement in play -- enhancements in place,
21 operational, for January 6th. And I know I went over what those enhancements were.
22 For instance, some of the enhancements we did within our Dignitary Protection Division,
23 some of the additional postings that we put in place for agents, some of the additional
24 tasks that we put on Investigations Division for that day.

25 So that was kind of the majority of what I was speaking to on that conference call

1 that morning.

2 Q Appreciate that, sir.

3 And your decision to augment your posture the way you did, what informed that?

4 A The final assessment, as well as just the heightened environment that we
5 were in. And we put those enhancements in place, I believe, on January 3rd or January
6 4th. I can't remember the specific date that we pushed it out. But we had put those
7 enhancements in place for the entire week, not just January 6th. So we started our
8 enhanced operations I believe it was Sunday, January 3rd, which was the swearing-in date
9 for the new Members of the Congress. And we had enhanced our operations for the
10 entire week, so Sunday through Saturday.

11 Q I appreciate that, sir.

12 And I want to come back to those specific augmentations that you did for your
13 section, as well as others. But before that, I kind of want to just march through a little
14 bit more with more specificity sort of what you did that day.

15 So you said you started off at roll call. You finished that roll call briefing. And
16 then you went to the command center? Do I have that right, sir?

17 A Yes, that's correct. As far as -- as far as I can remember back, after we did
18 the conference call, I know I did the briefing from my office in Protective Services Bureau.
19 And then at some point that morning, I was up in the command center, and I was up
20 there pretty much throughout the entire events of the 6th into late in the evening.

21 And up there, we were providing information to -- it was all the senior
22 commanders of the Capitol Police that were up there. So Chief Sund, Chief Thomas,
23 Chief Pittman, myself. A couple of my commanders within Protective Services Bureau
24 were up there as well, in addition to the routine command center staffing.

25 Q Yes, sir. I appreciate that.

1 So when you went to the command center, was that something that you had
2 already planned to do that day, or was it in response to what was beginning to unfold on
3 January 6th?

4 A So that has kind of been routine for the deputy chiefs in Protective Services
5 Bureau, as well as both assistant chiefs and the chiefs, to be in the command center for
6 any type of large event. So it wasn't specific just because it was the 6th. I was up
7 there on the 3rd for the swearing in and for previous, the MAGA marches in November
8 and December as well.

9 Q Thank you, sir.

10 So you said that your briefing, your roll call was around 9 or 10 o'clock. Was
11 it -- did you arrive at the command center -- was it still in the morning? Do you recall?
12 Was it -- had it moved to afternoon by then? I'm just trying to get a sense of timing.

13 A Yeah. I would say I was up there at some point in the morning.

14 Q Okay.

15 A It wouldn't have been too long after the briefing that we held.

16 Q And sort of describe for me, when you first got there, sort of what was the
17 sense? What was the battle rhythm, if any? And what I'm leading to is sort of when
18 and if and how that changed during the course of the morning. But when you first
19 arrived, sir, what was your sense of the battle rhythm for the day?

20 A So when I first arrived in the command center, it was kind of similar to any of
21 the other events that we did. Chief Sund was in there, Chief Pittman, Chief Thomas.
22 Had Inspector Schneider was up there, Dignitary Protection Division commander. I had
23 a sergeant that works directly for me. Sergeant Larry Cook was up there, as well as all of
24 our command center staffing. I believe we had reps from our general counsel and stuff
25 up there.

1 And as the morning was unfolding, it was just, you know, there's certain seats
2 where all the commanders sit. There was people discussing, sharing information, talking
3 about, you know, what was going on and stuff like that.

4 Then obviously, when things escalated around the Capitol, it took a much more, I
5 don't want to say serious tone, because our command center is always serious, but it
6 just -- it took a much more in-depth look at what we were doing as an agency.

7 Q Sure. The mood obviously changed to something more serious?

8 A Definitely.

9 Q Okay. And do you recall around when that was or -- and/or what sort
10 of -- what was your first indication that things were different and things were changing?

11 A I would say the -- when we had on the cameras, when the group came from
12 The Ellipse and started marching to the Capitol, once they got on Capitol Grounds right on
13 the west side and they started to push the bike rack over and shove a couple of our
14 officers. And I don't have our detailed timeline, but I believe it was right after the group
15 got to the west front that we started dealing with the suspicious packages.

16 So we had a suspicious package early that morning before the large group got to
17 the Capitol, and that was over at the Supreme Court that we were working. And we had
18 cleared that package.

19 And then simultaneously at some point -- and, again, I don't have the specific
20 times -- but we started working the suspicious package over at the RNC first where our
21 teams identified the pipe bomb.

22 And then a little bit later, one of my countersurveillance teams that was doing
23 enhanced sweeps around the DNC found a pipe bomb at the DNC as well.

24 Q I appreciate that.

25 Before we continue, I just want to acknowledge that my colleague, [REDACTED] has also

1 joined us. And he'll also be asking some questions later on related to the intelligence
2 piece and when we get to that part of the story.

3 So things start to get more serious. You start noticing the people coming from
4 The Ellipse. They're pushing over the bike rack.

5 You mentioned early in our conversation that you had already put some sort of
6 protective measures into place. What, if anything, specific to PPD did you do as you saw
7 this situation unfolding?

8 A You're talking specific as I was in the command center or are you talking the
9 enhancements we put in place?

10 Q Well, let's start with the command center and then move to the
11 enhancements that you put in place.

12 A Sure. With DPD, there was no additional enhancements that we could
13 have put in place, if that make sense, as things were escalating, because we had already
14 deployed pretty much everything that we had for DPD. We plussed up all of our details,
15 which is adding additional agents to increase the protective model that we were
16 deploying that day -- or that week, I should say. So we added additional agents to all of
17 the DPD details.

18 As -- one specific thing that I know that benefited DPD that I put in place is as the
19 crowds, as the rioters were on the west front and then you started to see the swelling on
20 the east front, probably about 10 minutes before the east front bike racks were breached,
21 I had made the call to move all of our DPD, we call them limos, which is the leadership
22 limo that each of our leaders are in. So they're staged on the east front plaza right up
23 against the east front of the building. So we had made the -- I had made that decision to
24 move those limos off the plaza and get them over into a secure garage where we'd be
25 able to do evac with our emergency limos, if need be.

1 In addition to that, I was -- I mentioned Inspector Schneider was up there. I was
2 in frequent communication with her. Lieutenant Mike McCullough, one of our
3 lieutenants assigned to DPD, was up in the command center, and Sergeant Larry Cook.
4 So we were in constant communication between me to Inspector Schneider and
5 Lieutenant McCullough and then to all the details, trying to keep them informed of what
6 was going on.

7 Q Thank you, sir.

8 So with respect to what you've just discussed, going back to sort of the sense in
9 the command center as the situation is growing more and more serious, what was your
10 sense of how Capitol Police was postured? I guess what I'm really asking is: Is this
11 something that you all expected and anticipated? Is it something that caught you off
12 guard? Sort of walk me through sort of how you all viewed the situation as it was
13 unfolding.

14 A So we anticipated a very large crowd and we anticipated members of that
15 crowd to be armed. We did anticipate some skirmishes between the demonstrate -- the
16 left-leaning groups and counter-protestors, as well as skirmishes between the groups and
17 law enforcement.

18 The amount of violence that immediately took place when that crowd of 30,000,
19 35,000, whatever the number that was estimated to come was, that did catch, I think,
20 caught Capitol Police and all of our partners a little off guard with how violent they were
21 and how quick they were.

22 And so I don't want to say we anticipated that type of a violent confrontation.
23 We did anticipate protestors and rioter -- I should say protestors being armed. We
24 anticipated some skirmishes and battles between police and law enforcement but not
25 along that, what we -- what played out, nothing along that type of violence.

1 Q And with specific reference to the crowd itself, at that time or previously,
2 was there any expectation that folks might actually breach the Capitol, might actually
3 come into the building? Is that something that you or the Capitol Police as an
4 organization had considered as a possibility, or is that something that struck you
5 something that was likely not to happen?

6 A So I would say we knew the groups were coming to the Capitol. Them
7 violently breaking into the Capitol wasn't something that I'm aware that was, you know,
8 discussed or something that was anticipated, I should say.

9 We knew the crowds. We knew that the rhetoric at The Ellipse was increasing.
10 What I mean by that, just the intensity of the President's remarks at The Ellipse. And we
11 knew there was, you know, Proud Boys. We knew there were groups down there
12 wearing vests and helmets and stuff of that nature.

13 Q Appreciate that, sir.

14 So I just want to pull on that thread just a little bit, because I've asked a number of
15 Capitol Police representatives this question. And I'm asking it, in part, because, you
16 know, being outside the Capitol Police as an organization, I'm trying to understand it but
17 thinking inside.

18 But given sort of the size of the crowd and the rhetoric and what you saw
19 developing, why is it that you all thought that they wouldn't actually come into the
20 building? Is it because no one had ever come into the building before? I'm just
21 curious.

22 A I think that's -- you know, in hindsight, you know, looking at it, obviously it
23 gives you a different vantage point. I think we anticipated, you know, a confrontation, if
24 you will, a back and forth at our perimeter, at our bike racks and stuff of that nature. I
25 don't believe that anybody was really intent on this group is going to be smashing

1 windows, kicking through windows and climbing in and opening doors from the inside
2 and stuff of that nature.

3 Mr. DiBiase. Can I just clarify one thing, [REDACTED]? I just want to make sure.

4 [REDACTED] Yes, sir.

5 Mr. DiBiase. Are you focusing on what we thought that day as it was unfolding
6 on before January 6th? Because I just want to make sure Chief Gallagher differentiates
7 between those. And I wasn't sure if your question was really focused on, as you're
8 watching this unfold, what did you think? Or were you more referring to before
9 January 6th?

10 [REDACTED] Yes, sir. And I appreciate that. And actually now that you raise
11 it, I think -- I think both.

12 So to answer you directly, my question was specific to January 6th that day.

13 BY [REDACTED]

14 Q But I would also be interested to know, again, just trying to understand the
15 mindset of the Capitol Police as an organization pre-January 6th, sort of what your
16 thoughts were about people actually breaking windows and sort of coming into the
17 Capitol.

18 A Sure. So I'll take it on the two fronts.

19 And thank you, Tad.

20 Pre-January 6, we were not thinking this group was going to be kicking in windows
21 and smashing and being as violent as they were. We were focused on a lot of protestors
22 being armed, a lot of social media chatter, if you will, about being armed. We knew
23 there were some incidents at previous demonstrations with arrests by Metropolitan
24 Police for individuals being armed. And we knew there would be some confrontations
25 between them and law enforcement as a whole, whether it was MPD, Capitol Police, Park

1 Police.

2 On January 6th, as these events, as they got to the Capitol and they immediately
3 became violent down on I believe it was First Street where our perimeter was and then
4 they pushed up into the west front by the inaugural staffing and platform and of that
5 nature, that's when it took a different tenor, if you will, in the command center where we
6 started to -- I believe it was Chief Pittman initiated a lockdown on the Capitol Building and
7 took those type of steps once we saw how violent it was.

8 Q Thank you, sir.

9 [REDACTED] And I just want to take a moment to acknowledge that
10 Representative Aguilar has joined us.

11 Good afternoon, sir.

12 Mr. Aguilar. Afternoon.

13 BY [REDACTED]

14 Q Thanks, Chief.

15 So let's go back to the command center. The situation is devolving. Things are
16 moving about. How long were you actually in the command center itself? You said
17 you got there sometime in the late morning. How long would you anticipate you were
18 there?

19 A I was there for quite a few hours, probably until the Capitol Building was
20 cleared that evening.

21 Q Okay. And I note you have already discussed whether -- what things you
22 were doing with respect to DPD. Did -- did -- was there any other actions that you took
23 in support of other parts of the Capitol Police? And if so, what were they -- what were
24 those?

25 A So, yes, there's quite a few. As the events unfolded, you know, before the

1 crowd got there, like I mentioned, everyone had their specific area of responsibility. I
2 had -- was briefing Chief Pittman, Chief Thomas, primarily, leading up to the crowd
3 getting in the Capitol and then as they got there.

4 When we started having the suspicious package at the Supreme Court and
5 definitely the two pipe bombs that we responded to, I started trying to coordinate our
6 countersurveillance response to the command post and to additional sweeps.

7 So when we had the first pipe bomb at the RNC that our teams found, as they
8 were mitigating that, I had directed one of our Investigations Division commanders to go
9 to the command post there and then for countersurveillance to sweep, do a foundation
10 check, if you will, of the DNC. And those -- the countersurveillance team is the one that
11 found the second pipe bomb over at the DNC. So we were coordinating the
12 investigative aspects of that.

13 In the timeframe of those two pipe bombs, we also had a suspicious vehicle
14 parked right outside the RNC that had Molotov cocktails in it and other -- and weapons
15 and stuff of that nature.

16 So it started to really unfold into a investigative -- heavy on the investigation of
17 let's pull up the cameras. Let's try to get an imagine of the pipe bombs. Let's get the
18 images to our law enforcement partners. Let's try to play back the cameras and see if
19 we can identify anybody that placed these pipe bombs. Let's get the owner of the
20 vehicle, run the vehicle information for that suspicious vehicle. So we were coordinating
21 all of that type of response that was from our Investigations Division.

22 We also had our IICD team trying to run down as much information, working with
23 our Investigations Division as they could, on the suspicious vehicle, the tags of the vehicle,
24 stuff of that nature.

25 As the violence occurred at the Capitol and Chief Pittman had put the Capitol in a

1 lockdown, then I was primarily focused on the protection of our congressional leadership,
2 dignitary protection. So I was communicating. Inspector Schneider was standing right
3 beside me. Had Sergeant Cook and Lieutenant McCullough. We were making those
4 decisions to move the leadership limos off the plaza so we'd be able to evacuate, if need
5 be, from the secure garages to offsite locations.

6 As the Capitol became under siege, if you will, where the protestors -- where the
7 rioters, I should say, got up against the skin of the building on the west front and they
8 breached our police line on the east front, then it started -- I started taking a more active
9 role, which was outside of Protective Services Bureau, in trying to coordinate the
10 continuity piece.

11 Continuity Working Group falls under our Command and Coordination Bureau.
12 That was led by an inspector at the time on January 6th. So I started trying
13 to -- everyone had their hands full. So I started trying to make sure that we had some
14 assets in place in order to move the Members of Congress, once we evacuated them from
15 the Capitol, to their respective locations on the House and the Senate office buildings,
16 and get the assets that were not stood up ahead of time for January 6th, get those assets
17 to Capitol Grounds, get them to their respective locations.

18 I sent the sergeant that was up there that was working for me, Larry Cook, over to
19 help with coordinating extraction teams using some of our other Dignitary Protection
20 agents to go to specific locations where the command center were starting to track where
21 Members were still sheltered in place in their respective offices or wherever they were,
22 trying to coordinate extraction teams to be able to find those Members and move them
23 to safety.

24 I had also started sending some additional assets to meet some of the local and
25 Federal agencies that were coming up to support us, primarily the FBI, to meet them at

1 certain locations and bring them in so we could further fortify where the Members of
2 Congress were moved to in the Hart building and the Longworth building as well.

3 So all of that was, you know, playing out pretty fast and stuff like that. We all
4 kind of put on some different hats that day to try to make sure. You know, we were
5 trying to put the plan in place once it was unfolding that quickly in that type of a critical
6 incident to be able to provide those Members with that protection and fortify the
7 locations that we were moving them to.

8 Q Thank you, sir.

9 I understand that former Vice President Pence was on the Capitol Grounds, and he
10 was being assisted in his protective detail by people from Dignitary Protective Division.
11 Tell me what, if anything, you know about that.

12 A So anytime that the Vice President or the President comes to the Capitol, we
13 assign a supervisor and agents from our Dignitary Protection Division to almost be liaisons
14 with the Secret Service. So they meet them at the drop location. They do the
15 walkthroughs ahead of time. They meet them at the drop location, and then they stay
16 with them from arrival through departure.

17 So we did have a lieutenant and an agent from our Dignitary Protection Division
18 that was assigned to Vice President Pence for the day when he was at the Capitol, and
19 they stayed with him I believe until we got him to a secure location where he kind of
20 stayed at that secure location for a while. So our team stayed with him there until a
21 decision was made to bring him back.

22 Q Thank you, sir.

23 And were your teams that were assigned to former Vice President Pence's
24 protective detail, were they in communication with you about what they were doing as it
25 was unfolding, or is it something that you sort of got reports on after it was completed?

1 A So I was not in direct communication with the lieutenant or the agent that
2 were assigned to Vice President Pence. I did know, from being in the command center,
3 where he was moved to and that we had a dignitary with him at that location, but I was
4 not in constant communication with that team.

5 Q Thank you, sir.

6 So it sounds like everyone's very busy. And you said that you sort of concluded
7 your time in the command center when the Capitol Building -- Capitol Grounds, rather,
8 were secured. Do you recall around what time of the evening that might have been, just
9 best guess?

10 A Best guess, it was late in the evening. I don't have the time off the top of
11 my head. I want to say it was probably somewhere around 8, 9 p.m.

12 Q Okay.

13 A I can't remember off the top of my head when we cleared it. When I was
14 up in the command center, I had sent Inspector Jason Bell over to the Capitol to try to
15 stand up incident command for our building sweeps to make sure the building was clear,
16 to make sure it was swept, and have a coordinated effort with some of the assisting law
17 enforcement agencies of clearing the Capitol so that we could bring the Congress back
18 over. So I would say that was somewhere probably 8, 9 p.m.

19 Q Okay. I appreciate that, sir.

20 And then what, if anything, did you do after you left the command center?

21 A So after I left the command center, I had -- at some point, I just was in
22 conversation -- I was in constant conversation, I should say, all day with Chief Pittman.

23 When I left the command center, I went back down to Protective Services Bureau,
24 where I met with my leadership team in Protective Services Bureau, which would be
25 Inspector Schneider, Jack Donohue, and Inspector Mitchell, to try to talk about what our

1 continued operations would be with 24/7 for the foreseeable future, give accountability,
2 where are all our agents, is everybody accounted for, is everybody safe, did we check in
3 with everybody, and stuff of that nature.

4 I probably came back up to the command center a little while later. Met with
5 Chief Pittman a little bit to talk about, you know, where we're going. I don't remember
6 at what time, you know. It was well after midnight that we, I think, went and got a
7 change of clothes and came right back.

8 Q Understood, sir.

9 And with respect to the meeting that you had with your leadership when you first
10 left the command center, was everyone okay? Was everyone accounted for? Was
11 there anything unusual that had happened with anyone on your team or any of your
12 assets?

13 A No, I wouldn't say anything unusual. Everyone was accounted for.
14 Everybody was okay. Inspector Schneider was able to go through kind of what Dignitary
15 was doing, where the leaders were, where all the leadership were. We also had a threat
16 detail that we stood up before New Year's that we were running. In addition to the
17 regular congressional leadership, we have a threat detail. So we were checking on that.

18 Investigations was talking about countersurveillance. We started talking about
19 setting up a -- transitioning over to the investigative actions that we were taking with the
20 FBI as far as the evidence, the ERT teams that were coming up to assist us from the FBI.
21 And then starting to talk about an investigative war room that we stood up on January
22 7th down in the first floor of our Capitol Police headquarters in our interagency
23 conference room, where we were starting to talk about preserving evidence, the
24 investigative responsibilities, attempting to get a multiple agency coordination effort to
25 attempt to identify those rioters that were in there.

1 [REDACTED] Thank you, sir.

2 So I think I'm done with my questions about what you were doing specifically.

3 Before I change topics, I'll just ask if any representative or anyone else on the
4 team has any questions about that specific topic before we move on to the broader
5 question set about the overall posture of the Capitol Police.

6

BY [REDACTED]

7 Q Okay. Hearing none, so, Chief Gallagher, let's now shift our focus from you
8 as an individual to the organization as a whole. And here is probably a logical spot
9 where [REDACTED] and I will share some of the questioning, because I think what he's going to
10 speak with you about with reference to the intelligence sort of fits organically into this
11 part of the discussion.

12 But I guess I want to first start with: What preparations, if any, were you
13 involved in or were you aware the department were involved in pre-January 6th? Who
14 were they with? You know, sort of what -- I want to sort of talk about who the
15 interagency partners were, like, what meetings, if any, they were -- you all were holding,
16 that sort of stuff.

17 A Sure. And just so I'm on base with the questioning, you're looking for what
18 was I involved in with our --

19 Q Sure. You specifically, sir, or if you have knowledge of any involvement of
20 the department in any sort of preparations for January 6th prior to the 6th, that would be
21 helpful as well.

22 A Absolutely. So leading up to the 6th, the -- I'll talk about the assessments.
23 So the department had completed four intelligence assessments, the first for the 6th.
24 Obviously, we did one for the MAGA march in November, one for the MAGA march in
25 December.

1 But our first assessment was on December 16th. And that was Jack and Julie,
2 our IICD team, drafts the assessment. And that was distributed out to the chiefs, the
3 two assistant chiefs, and the operational deputy chiefs. So I believe we had three at the
4 time.

5 Then we did a follow-on assessment. I believe the second one was December
6 30th, off the top of my head. And that one was a little bit more widely disseminated.
7 It was sent to our assistant -- our chief, our assistant chiefs, the deputy chiefs, inspectors,
8 and captains.

9 Then we had the final assessment, which is obviously the one that came out on
10 the 3rd, which was a much larger distribution.

11 As far as those assessments, the final one, we ended up -- and this is the first time
12 that we did it. We ended up sharing that with all of our sworn supervisors at the time.
13 So went out on a distribution to all sworn supervisors.

14 We did -- the first time we've done this for any of the events, we set up a
15 operational commander's conference call. And we did one on December 31st, the day
16 after that December 30th assessment was sent out. And then we also did one on
17 January 4th, the day after the final assessment had gotten sent out.

18 And that was a opportunity that I felt was -- a good opportunity, I should say, that
19 I felt we were trying to put in place where Jack and Julie -- it was primarily Jack did most
20 of the briefing -- would be able to brief to the assessment, expand a little bit upon his,
21 what was done with the assessment, and have all operational commanders, the assistant
22 chiefs, the deputy chiefs, inspectors throughout the department and operational
23 captains, on those conference calls, so Jack could kind of synthesize the assessment and
24 allow for questions from the operational commanders.

25 There were -- in addition to that, there were numerous, you know, conversations

1 and meetings and verbal meetings and stuff like that, that we had between myself, Chief
2 Pittman, Chief Thomas, Chief Sund leading up to the 6th. So that was kind of the
3 coordination piece.

4 There was also some external coordination. Metropolitan Police had set up a
5 coordination call where they went over some of the different information. There's I
6 believe representatives from almost every agency -- FBI, Park Police, Secret Service, and
7 so on -- was on those coordination calls.

8 So that was kind of the coordination, if you will, leading up to the 6th.

9 Q Thank you, sir.

10 Let's focus on those interagency coordination meetings, if we can, for a minute.
11 Were you -- let me ask it this way. My understanding is that there were a lot of Federal
12 partners sort of meeting regularly prior to the 6th -- FBI, Secret Service, National Guard.
13 Were Capitol Police part of those discussions, and were you personally part of any of
14 those meetings?

15 A So I'm not sure which meeting you're alluding to. I was on a few of the
16 Metropolitan Police calls that they set up and organized. I was not, to my
17 knowledge -- you know, I know we're a year out. But to my knowledge, I wasn't on any
18 other meeting that FBI or National Guard or DHS or any of them had. I know Jack and
19 Julie were talking frequently with their counterparts, but I don't believe I was part of any
20 National Guard or FBI meeting.

21 Q Appreciate that, sir.

22 Can you tell me, to the best of your recollection, what the meetings with MPD
23 were about?

24 A So those meetings that went through, it was kind of a roundtable. So MPD
25 would lead it off. They would talk about what they had as far as a group, anticipated

1 numbers, primary process. Then Park Police would talk. Jack or Julie would speak to
2 what we had on our side. And it was just kind of a roundtable, if you will, just everyone
3 kind of voicing what they had.

4 Q Understood, sir. And in that roundtable discussion, was there a sharing of
5 sort of what everyone thought the threat landscape was going to look like on
6 January 6th? Were people sort of sharing their perspective about what they thought
7 the situation was looking like?

8 A Somewhat, yes. You know, some of the social media chatter was discussed
9 on those calls. There was an emphasis on numbers, approximate attendees, stuff of
10 that nature. They talked about hotel reservations, bus reservations, and stuff of that
11 nature. There was somewhat sharing of information, if you will.

12 Q Appreciate that, sir.

13 And earlier, you mentioned that Jack and Julie participated in some interagency
14 discussions. And they also -- you also mentioned the assessments, which I think [REDACTED]
15 going to talk to you about in a second.

16 But I guess what I want to ask more generally: From your vantage point, was
17 there anything that other folks in that conversation had by way of threat information that
18 the Capitol Police didn't? Or maybe another way of asking it was: Did you feel like you
19 all had the same information or was there things that were new that other people had
20 that the Capitol Police didn't have, in terms of threat information?

21 A So I would say the -- it's tough to go back. Like, I don't have a write-out of
22 what we all -- what was on each of those briefings. But I would say it was more geared
23 to sharing information about permits, routes, approximate numbers. I wouldn't classify
24 that as like an intelligence call, if you will. I don't believe some of our Federal partners
25 spoke to any type of, like, intelligence. It was mainly a Park Police, Metropolitan Police,

1 Capitol Police talking about numbers, permits, locations of those permits, and things of
2 that nature.

3 Q I see. So the calls that you were involved in with Metropolitan Police, Park
4 Police, and you all were more about the logistics of the permitting process and numbers
5 vice threat information and, you know, bad actors and that sort of thing. Do I have that
6 right?

7 A That's correct, yes. For instance, our special events section is usually on
8 these calls. And we continue with these calls even now. And that's kind of where, you
9 know, all that logistical information and stuff was being shared.

10 Q Understood. So how early did you first start participating in these calls? I
11 know it was sometime prior to January 6th. And, again, I know it was a while ago, So
12 your best guess is fine. But did you all start these conversations like mid-December, late
13 December, early January? I'm just sort of trying to get a sense of when you all started.

14 A So I believe -- and, again, I don't have the specifics with me --

15 Q Yes, sir.

16 A -- right now. We did a coordination call prior to the MAGA march in
17 November, MAGA 1. We did another coordination call prior to the December 12th,
18 which was billed MAGA 2. And then I want to say there was probably a call prior to the
19 holidays. And then there was, I believe, the last one was January 4th, if I'm not
20 mistaken.

21 Q Okay. And those, all three of those calls, the MAGA 1, MAGA 2, and the
22 one in January, were they all of the same variety where it was more of the logistical
23 sharing of information that you previously described?

24 A To my knowledge, yes.

25 [REDACTED] Okay. Okay. Let me stop here, because I think before I get into

1 my next set of questions about sort of posturing, this might be a natural segue for my
2 colleague, [REDACTED] to chime in with questions I think specifically related to IICD.

3 So, [REDACTED] if that's okay with you, I'll turn it over to you. And then when you're
4 done, I'll sort of continue on.

5 [REDACTED] All right. That's perfect. Thanks, [REDACTED]

6 BY [REDACTED]

7 Q For the record, my name is [REDACTED] I'm an investigative counsel
8 with the select committee.

9 It's a pleasure to see you again, Chief Gallagher.

10 A Thank you, [REDACTED] You too.

11 Q So were you Deputy Chief of Protective Services Bureau at the time of
12 January 6th? Is that -- was that your title?

13 A Yes.

14 Q Okay. Can you just describe for us the role you served in relation to the
15 Intelligence and Interagency Coordination Division, which we'll be referring to as IICD?

16 A Yes. So IICD is one of the divisions within Protective Services Bureau.

17 Q And as deputy chief, like, what were your responsibilities in terms of how
18 you interacted with IICD?

19 A Sure. So IICD was led by Jack Donohue, who was the new hire. I believe
20 Jack started in maybe late October. Jack was our director. And I supervised Jack, as
21 well as our Dignitary Protection Division commander and our Investigations Division
22 commander.

23 Q Okay. So as you alluded to, only a few months before January 6th, a new
24 director, Jack Donohue, and Assistant Director Julie Farnam were hired. How would you
25 characterize the reputation of IICD before their hire?

1 A So our IICD, in my opinion, needed vast improvements. We knew
2 that -- we knew that we wanted to expand upon what -- we knew we wanted to expand
3 our intelligence capabilities for the department. And that was widely shared and widely
4 known and widely supported, if you will, between the Police Board, Chief Sund, Chief
5 Pittman.

6 IICD, prior to Jack and Julie coming on, was more -- it needed to improve in
7 training. It needed to improve in products. We were trying to -- we did a nationwide
8 search to bring a skilled intelligence professional on board, which we sought out, and
9 Jack, who I believe had 30 years law enforcement experience with NYPD and was their
10 Assistant Chief of Intelligence up there at NYPD for a number of years, and start
11 transitioning more to a more active role, if you will, with our intelligence capabilities and
12 what we're able to provide in order to support the growing threats that we had towards
13 Members of Congress.

14 Q In the hiring of Mr. Donohue and Ms. Farnam, were there any expectations
15 in hiring new leadership for IICD in terms of those goals or objectives in mind in
16 revamping IICD? Was it merely to replace the retiring outgoing director? Or in your
17 mind, were those hires, in part, to fix the problems that you just mentioned about the
18 division?

19 A Yeah, I would say those hires were meant to address some of the -- where
20 we wanted our IICD to go. Regardless -- Jack and Julie both came on, I believe, before
21 the outgoing director left. And I believe it was our intention to hire Jack or Julie,
22 regardless if the current individual that was leaving IICD decided to retire or not. We
23 knew his plans were to retire, and that's why we did that nationwide search to bring on
24 Jack.

1

2 [3:29 p.m.]

3 BY [REDACTED]:

4 Q All right. At that point, how would you characterize whether IICD had a
5 seat at the operational table? So were they a part of those meetings? Were they
6 listened to in terms of making choices about operations?

7 A So I would say, prior to bringing Jack and Julie on, IICD would produce
8 assessments, and they would get electronically sent out.

9 I don't remember a time where in, as I mentioned to [REDACTED] the -- this -- I
10 believe it was the December 30th assessment was the first time, in my knowledge, that
11 we had an operational conference call for all of our commanders where we put IICD's
12 leadership on that call specifically to address intelligence and the assessments and such.
13 Previously, before that, it was just disseminated electronically.

14 Q Okay. And so I guess my question is, before January 6th, how was
15 intelligence shared with leadership? It sounds as though that maybe there was a shift,
16 that you were mentioned.

17 A Yes, we were definitely trying to make the shift. Prior to January 6th -- I
18 would say prior to any of our assessments before January 6th, the assessments that
19 would come out of IICD were sent routinely to the deputy chiefs, the assistant chiefs, and
20 the chief. And the expectation would be that every deputy chief would share that with
21 his or her team, his or her leadership team, and that it would be briefed at roll calls by
22 sergeants of that nature.

23 Once we -- around December 30th, when I sent out the operational calls for the
24 commanders, the last assessment that we actually disseminated to every sworn official in
25 the department in an attempt to get it more widely out there. We were still limited in

1 the -- you know, when I say limited, we still relied upon sergeants to brief officers
2 because there was no cell phones or anything of that nature before January 6th.

3 Q So outside of those two calls, conference calls December 30th, which was
4 the first of your knowledge to happen with intelligence on the operations or leadership
5 side, and January 4th, Ms. Farnam indicated that intelligence would be shared with the
6 leadership, essentially through you.

7 As a deputy chief of the Protective Services Bureau, you mentioned that it would
8 go through certain deputy chiefs and on down.

9 Would you agree with that assessment, that you were in essence the funnel by
10 which intelligence, outside of these two calls, would get over to either leadership or to
11 the operations side of the department?

12 A Before -- and you're saying this is before we -- the December 30th and up?

13 Q I would say outside of December 30th and January 4th, outside of those two
14 calls, it would in essence -- they would rely on you to get that information over.

15 A Yeah, for the most part. We also started having either Jack or Julie come
16 up to the command center for large events. So MAGA One, MAGA Two. They had a
17 seat in our command center in order to be able to be right there and be able to share
18 anything on the end date as well.

19 Q Okay. How did you conceive of IICD's role at this point? Was it an
20 intelligence-gathering operation? An intelligence-sharing operation? Merely an
21 intelligence consuming operation? Neither? All three? What did you see from it as
22 its main objective or goal?

23 A Going into January 6th or going into --

24 Q Yes.

25 A So I would say they were heavy on intelligence consumer role. We, for U.S.

1 Capitol Police, we don't have any type of sources or informants and stuff, so we're heavily
2 reliant upon some of our IC partners.

3 And then I would also say that they had a role in drafting of the intelligence
4 assessment, that product that was drafted. I believe we did three or four assessments.
5 All came out of IICD, analysts Jack, Julie reviewing them and pushing those out.

6 Q And is that how you conceived of it, in essence, that's descriptive of how it
7 was? Was that fine with you? Or did you believe or envision, you or others in the
8 department, in having a greater function or a larger role than that?

9 A Oh, absolutely. Before the 6th we were in discussions about how to
10 expand IICD, how to leverage some of our Federal partnerships with the intelligence
11 community, ODNI, how to put liaisons in different areas to better share, collect, and have
12 access to information from partnering agencies. So I would say we definitely were
13 talking.

14 Before the 6th, I had talked to Jack and Julie about a more aggressive posture, a
15 training plan for the analysts, anticipatory intelligence, how to further expand
16 partnerships.

17 So we definitely -- and that was part of the push to bring Jack and Julie on.
18 Originally, it was just Jack, and then we wanted to expand the capability, so we brought
19 both of them on to be able to move intelligence further.

20 Q Oh, did you finish your sentence, sir?

21 A Yes.

22 Q Oh, okay. And knowing that that, you know, from the hiring to January 6th
23 is about, you know, 72 days, did you feel that you had reached that sort of robust vision
24 of what IICD could be by the time we hit January 6th, or were you still short of that hope,
25 that expectation of trying to make it more aggressive, make it more robust?

1 A Yeah, I would say the goal of making it more aggressive, more robust
2 included additional training, bringing on additional analysts, bringing on additional
3 supervisors between the analysts and Jack and Julie, reorganizing the divisions within
4 IICD.

5 So I would say we envisioned this as probably, I think it would be safe to say, a
6 multiyear approach to redefining what IICD was.

7 Q And being in that state, you know, seeking to improve but not -- you know,
8 it's 2 months into that process, would you say that that had an impact on the preparation
9 for January 6th from an intelligence perspective?

10 A I would say I think it helped because we had, prior to January 6th, we had
11 brought Jack and Julie to meet some of the intelligence partners in the NCR -- Secret
12 Service, FBI, and those -- and tried to further the relationships and let them know, here is
13 our team, so you guys can communicate directly to them.

14 The change that we were trying to make with IICD was communicated to IICD, to
15 the analysts. They knew I was up front that we were doing the hiring process. I had a
16 few meetings with them to talk about, once we brought Jack and Julie on, why we
17 brought on them, what we were looking to do with expanding training, and expanding
18 some liaison roles, and stuff of that nature. So they knew change was coming.

19 Does that answer your question?

20 Q I guess I suppose, you know, knowing that that change hadn't been fully
21 realized, was that a gap? Was that something that was disadvantaged to Capitol Police
22 in preparing for January 6th?

23 A Yeah, I think that's safe to say there was a gap, because we were in the
24 process of expanding, changing. And that was widely supported by the Police Board, by
25 Chief Sund, and others. So, yeah, I think that's safe to say there.

1 Q All right. I would like to speak about that final threat assessment release
2 on January 3rd. I'm sure you have had an opportunity, you are quite familiar with that I
3 am sure. You have looked it over, I am sure, since it was over a year now it's been
4 released. But let me know if you either need it or if you don't have it before you.

5 Can you tell us what role, if any, you played in either drafting, editing, or
6 developing that document?

7 A Yeah. So when that document was -- you're talking about the final one,
8 correct, the January --

9 Q Yeah, the final January 3rd threat assessment.

10 A Yeah. So that January 3rd assessment was sent to me on January 3rd. I
11 had reviewed it and then asked Jack and Julie for a couple edits to the document. They
12 made those edits, and then it was distributed out the 3rd and then also again distributed
13 out, I believe -- and I don't have the exact date or time -- but I believe it was also
14 disseminated out again on the 4th. That's when it went to all sworn officials.

15 Q Do you recall what edits you asked them to make?

16 A I do. The edits were primarily to the overall analysis piece on the last page.
17 I don't have the document in front of me. I'm sorry. But the last piece -- the last page
18 contained the overall analysis.

19 So I believe I had read the document and then asked them to update it based on
20 the information that was being conveyed in the document leading up to that last page did
21 not match the overall analysis, the original overall analysis piece. I believe it was
22 maybe -- the overall analysis that was included in that was the same as like the previous
23 three assessments that they had done early December.

24 Q So if you could be specific, you say that the -- you know, the first third of the
25 assessment, did it match that last overall analysis. So what did you ask them to do in

1 terms of rewriting that analysis, that it should sound like what or it should say what?

2 A Well, I didn't tell them what it should say or what it should sound like. I
3 believe when I read through the entire assessment, I had asked them that the overall
4 analysis, I believe, needed additional work. Everything else in that assessment did not
5 correlate to what that overall analysis was.

6 And I don't have the original one, but I believe the overall analysis was the same
7 that we used in the December 30th and the December 16th where basically it stated that
8 they're not aware of any civil disobedience. There were indications -- and I am
9 paraphrasing now because I don't have the document -- but they're aware of the
10 potential for protesters to be armed and a potential for violence.

11 When you read through the first, whatever, however many pages that final
12 assessment was, there was a -- that overall analysis did not match everything else that
13 was included in the document. There wasn't one little paragraph earlier in the
14 document that I said didn't match. It was the totality of the entire document that did
15 not match that overall analysis.

16 Q Are you saying that the first part of the document was sharp, was
17 more -- gave more of a warning, and you wanted the overall analysis to match that, or it
18 gave less of a warning, and you wanted the overall analysis to match that?

19 A No, I would say the totality of the assessment prior to the overall analysis
20 gave more of a warning, and then the overall analysis was less. Does that make sense?

21 Q Sure. So is it fair to say you wanted the overall analysis to be sharper,
22 more -- stronger, stronger worded, like the previous parts of the assessment? Is that
23 fair?

24 A Yes, that's fair.

25 Q Okay. Can you tell me, generally, what pieces of intelligence that you saw

1 was used in sort of crafting the document? So what do you recall seeing that formed
2 the basis of that warning generally? What did you see generally?

3 A So information that was included in that analysis talked about, you know,
4 protesters, what they were seeing, some of the special media chatter that they were
5 seeing about people being armed, outnumbering police, some of the equipment that they
6 would be bringing, some of the concerns with the permitted groups, some of the White
7 supremacist groups, Proud Boys. I believe it referred to Oath Keepers and stuff.

8 So that type of information, in addition to whatever calls and communications
9 Jack and Julie had with some of their partners, would have formed the totality of that
10 assessment that came up.

11 Q Is there a reason the threat assessment was final by January 3rd and not
12 continually updated as more intelligence came in on the 4th, the 5th, and the morning of
13 the 6th?

14 A Yeah, I think, you know, in -- we are doing that currently now. We would
15 update an assessment and send out just what that additional information was. But at
16 the time, we did not do that.

17 Q I'm sorry. Did you give a reason why?

18 A The reason why it was not updated?

19 Q Yes.

20 A I'm not aware as to why it was not updated. We pushed that out on the
21 3rd and the 4th, and that stood as that final document. We've made those
22 enhancements now -- or I should say improvements now -- to continually update
23 documents.

24 Q Okay. So the overall analysis, as you've mentioned, it concluded, quote,
25 "This sense of desperation and disappointment may lead to more of an incentive to

1 become violent. Unlike previous post-collection protests, the targets of the pro-Trump
2 supporters are not necessarily the counterprotesters, as they were previously, but rather
3 Congress itself is the target on the 6th," end of the quote.

4 Do you think that warning, particularly that Congress itself was the target and not
5 counterprotesters, like the previous two MAGA marches, was properly heeded by the
6 leadership at Capitol Police?

7 A So it's tough, you know, looking back on what actually happened and stuff
8 like that. I think there were changes that were made, operationally, based on that
9 assessment that I'm aware of now that I wasn't aware of at the time. So I do believe
10 that that assessment did change some of the operational plans, if you will.

11 Q All right. So let's get into that. I'll start first, because you mentioned that
12 this is something you learned after the fact.

13 So let's go January 6th to before, and we're going to get into that conference call
14 on January 4th, you know, part of the threat assessment is that part about Congress itself
15 being the target.

16 Is it your representation that up until and through January 6th you couldn't tell me
17 if I asked you on January 6th what operationally changed based on that intelligence? Is
18 that fair?

19 A Can you say that one more time, please?

20 Q Sure. Just because you mentioned that only after the fact of January 6th
21 did you come to learn about the operational changes that came as a result of that
22 warning that the intelligence picture was portraying about Congress being the target and
23 not counterprotesters as at the previous two marches.

24 So I just want to make clear, if I asked you, let's say, on January 6th, you would not
25 have had visibility into what operational changes were made based on that intelligence.

1 Is that fair?

2 A Yes, I think that's fair.

3 Q And can we first -- maybe tell me why. Is it, as a, you know, function of
4 your rank and where you were, or, you know, who was included in those conversations?
5 Why was it that you as Deputy Chief of Protective Services Bureau wouldn't know how
6 that intelligence informed the operations on January 6th or before?

7 A So I would say where we were at the time going into January 6th and where
8 we are now is light years apart. There were silos, if you will, within the department.

9 So when we had sent that assessment out and we did the conference call and it
10 went to all the sworn supervisors, I was focused on what Protective Services Bureau was
11 doing. So what was our plan for Dignitary Protection and what was our plan for
12 Investigations Division operationally. And I then briefed that plan up to Chief Pittman
13 and Chief Sund.

14 On the operational side, as far as uniform operations and CDU and stuff of that
15 nature, I wasn't in meetings or calls of what changes were being made on that side.

16 Q And was it your understanding that Chief Pittman was involved or she was
17 also siloed from those discussions?

18 A I think that -- I don't want to allude to a perception of what I feel Chief
19 Pittman may or may not have been included on. I know that her, Chief Thomas, and
20 Chief Sund had a different -- had a way of communicating at the executive team level,
21 which was the two assistant chiefs and the chief. But I wasn't in any of those meetings,
22 so I'm not sure if she was included on the operational side or not.

23 Q Okay. And no one has since either told you -- obviously, you weren't in any
24 of those meetings -- but no one has since told you about whether she was included in
25 those conversations or not?

1 A Correct.

2 Q Okay. You did say that you did come at some point to learn what
3 specifically operationally was done in response to warnings, like Congress being the target
4 and not counterprotesters. Can you detail for us what those operational changes were,
5 and how you found out about them, who told them to you, and when?

6 A So some of them that I'm aware of were Chief Pittman, Chief Sund, and Chief
7 Thomas did a perimeter check, if you will. They went out in the field together to look at
8 where the physical security would be, bike racks and stuff of that nature. And I don't
9 have the exact date or time that they went out, but I believe it was somewhere around
10 the January 4th timeframe.

11 So I know that was one enhancement. I know we positioned some additional
12 officers at the tunnel entrances on the House and the Senate side. And we made quite a
13 few changes with our Dignitary Protection Division as far as some of the operational
14 enhancements we put in place with our congressional leadership.

15 Q All right. So is it fair to say one thing you've come to learn is that
16 there -- you said there was a perimeter check in terms of the bike racks that were set up
17 around the Capitol.

18 Is it just a check, or are you saying that more bike racks were placed, or that there
19 were not going to be bike racks before and now there are? What was the change other
20 than just checking the perimeter in terms of the bike racks?

21 A Yeah, I believe there were changes made to the bike racks where they were
22 pushed out a little bit further. I can't speak to exactly how far and stuff. I learned that
23 after January 6th in some discussions with Chief Pittman.

24 Q Okay. So in conversations with Chief Pittman you learned, in essence, that
25 the bike racks were pushed out. That was one operational change. And it was your

1 understanding that that came as a function of the intelligence?

2 A Correct.

3 Q Okay. And the second thing you mentioned is, you know, additional
4 officers posted at the tunnels, the underground tunnels. Is that fair?

5 A Yes, that's fair.

6 Q All right. And then it sounds like the -- you weren't too specific. When
7 you said changes of the Dignitary Protection Division, that that would sum up the third
8 area that you believe was operationally changed?

9 A Yes. You want me to provide specifics on DPD?

10 Q Sure.

11 Mr. DiBiase. Can I just clarify something, [REDACTED]

12 [REDACTED] Sure.

13 Mr. DiBiase. For DPD, these are ones that you are aware of because you were
14 involved in those decisions, correct?

15 Chief Gallagher. Correct.

16 Mr. DiBiase. So I just want to be clear, when we're talking operationally, at least
17 here in this call, Chief Gallagher is talking about sections other than his sections. That's
18 just how we refer to them. So DPD would not, technically, for this conversation be
19 considered an operational section nor would CID.

20 So that's why I just want to make sure we're distinguishing between when he is
21 talking about operations and things he doesn't know about, it's USB, it's OSB. And when
22 he is talking DPD, the Protective Service Bureaus, these are things you didn't know about
23 at the time, just to help clarify. Because sometimes we say operational, you think,
24 basically, every guy who is [inaudible] who is carrying a gun, and that's not really how we
25 refer to them here.

1 [REDACTED] Okay. No problem. And I just want to, for the record,
2 acknowledge that Congressman Adam Schiff has joined us in the conversation.

3

BY [REDACTED]

4 Q So is it fair to say that the bike racks and the additional officers at the
5 tunnels, those were things that you were not aware of but made aware afterwards, and
6 you are making a distinction between the changes in DPD protections which you didn't
7 know at the time because they fell under your purview as Deputy Chief of Protective
8 Services Bureau. Is that fair?

9 A Yes that's correct.

10 Q Okay. And if you want to just very briefly outline these changes that you're
11 about to list which would be as a function of the intelligence. That's my question.

12 A So for DPD we provided residential coverage for our DPD leaders and our
13 successor details. We also enhanced the protective model. So outside of the Speaker
14 and the DPD, all of our other protective details operate with four-agent details. We
15 upped that to six agents, and that was to be able to get three agents with the protectee
16 no matter where they were.

17 We pushed out to the DPD teams that the team leader should be in very close
18 proximity to the protectees. We had evacuation vehicles, additional evacuation vehicles
19 that were staffed and were put in strategic locations. We assigned officials from DPD
20 over to the Capitol and to the east front Plaza where our DPD limos are staged.

21 We also enhanced some of our protective teams, our leader teams, to 24/7 for
22 that entire week. Some of them do not have midnights built in, so we included a
23 midnight team for that week.

24 We also assigned DPD agents to the House and Senate floor 24/7 for the day of
25 the 6th. There were two agents for each with 12-hour shifts with one official that we

1 assigned over there.

2 We also had some DPD agents staged at DCA Airport for any issues that would
3 occur over at the airport for Members of Congress coming in or departing.

4 And then on the Investigations Division side, we went to a 24/7 posture for the
5 entire week. We had enhanced countersurveillance teams. We had a PI team inside
6 the Capitol. And we had all of our TFOs that were active -- the non-TFOs that we had,
7 the Task Force Officers, that were active with our partnering agencies.

8 Q Was there full deployment of U.S. Capitol Police on the morning -- so before,
9 you know, reports of breaching on January 6th -- in response to this intelligence that was
10 being seen?

11 A So in my role with PSB, we had full deployment. As far as the overall
12 department, I believe there was -- I believe that we initiated a full deployment, but due to
13 COVID and stuff of that nature I don't think every sworn officer was actually working.

14 Q Okay. But it was, what, orders, it was a plan, it was that every single U.S.
15 Capitol Police Officer would be -- would respond on January 6th and work that day?

16 A Correct. To my knowledge, yes.

17 Q And so I kind of want to ask, you know, in terms of outside of, you know,
18 DPD, outside of your sort of bucket, and I know, you know, hindsight is difficult, it's going
19 to color your answer, but did you think that was sufficient, the pushing back of bike racks
20 and the additional officers at the tunnels? Were those operational changes sufficient in
21 the face of what you and people under you at IICD were warning?

22 A Yeah, as you mentioned, hindsight's, you know, 20/20. I would
23 emphatically say now, no, those operational changes were not sufficient.

24 Q Okay. I just wanted -- that final paragraph, that overall analysis Ms.
25 Farnam mentioned, you had asked her and Mr. Donohue to rewrite it, and that ultimately

1 the paragraph that was used was hers. Is that correct? Is that Ms. Farnam's words in
2 that overall analysis?

3 A Yes, that is correct.

4 Q Okay. That morning came on effectively the last substantive page of the
5 third assessment, right? It was page 13 of 15 where the last two pages were largely
6 footnote citations? In hindsight, do you think it would have had more of an effect if it
7 had appeared on the first page of the assessment?

8 A I think the -- we -- I think there was definitely an opportunity to include
9 some of that in the first page where the BLUF was.

10 But as far as our assessments, they've always included an overall analysis for years
11 at the last page of the assessment where it correlates the entire assessment.

12 So I think the majority, almost all operational commanders know that the overall
13 analysis piece is at the back of the assessment.

14 That first BLUF, bottom line up front, I don't believe we started even including that
15 until Jack and Julie came on. So I believe that might have been December 16th, the first
16 assessment for the 6th, where we ever started using a bottom line up front.

17 Q Okay. Well, and so, similarly, on the second page of the assessment, it
18 reads, quote, "The protest rallies are expected to be similar to the previous Million MAGA
19 March rallies in November and December 2020, which drew tens of thousands of
20 participants."

21 And then, of course, that's the second page. Part of the overall analysis on
22 page 13 is that it's fundamentally different this time, that it's not like the two previous
23 marches where there were skirmishes between counterprotesters. This time it's
24 different. The target itself is us, Congress, what we have purview over protecting.

25 So in hindsight, might that have undercut, particularly as it came early in the

1 document, whereas the warning came later in the document, would that undercut that
2 later warning that this third demonstration was meant to be or was being seen as
3 different from the previous two?

4 A Yeah, hindsight is, you know -- there is absolutely room to improve those
5 assessments, definitively.

6 Q How would you evaluate the ability of the Capitol Police leadership to be
7 consumers of intelligence?

8 So you mentioned that you thought it was well-known that the overall analysis,
9 that sort of the important part, that the meat is going to be at the end.

10 Do you think that that was widely known? Do you think that given the
11 reputation maybe of IICD previously, and maybe the lack of them having a voice at the
12 table, that their leadership in Capitol Police were primed to read intelligence in a way that
13 would be most fruitful in terms of operations or [inaudible] operations?

14 A Yeah, you know, it's a difficult question. It's a good question. But I think
15 in all of our leaders, every assessment we've done prior to December 16th the overall
16 analysis was at the back of the assessment. And that's -- that in my opinion was geared
17 to make you read the assessment and get to that last piece where it tried to correlate
18 everything.

19 I think every commander in Capitol Police knew that we had brought Jack and Julie
20 on. It was highly publicized. I had, before January 6th, I had set up meetings with all of
21 the different deputy chiefs to introduce Jack and Julie. Let Jack talk to them about his
22 background. Let him talk to them -- ask the deputy chiefs what gaps there are with
23 intelligence, what do they need in their specific bureaus.

24 So all of those discussions happened prior to January 6th, probably early
25 December, where we brought Jack and Julie to all the operational commanders and stuff.

1 So I think everybody knew that overall analysis piece was the meat and potatoes
2 of the assessment. I think, as you allude to, you know, IICD's reputation, it was kind of
3 widely known in Capitol Police -- maybe not "known" is the right word -- but widely
4 shared in Capitol Police, the reputation of IICD prior to.

5 But everybody knew we went out and got a 30-year vet from NYPD that was the
6 assistant chief of their intelligence. So it definitely raised the profile of IICD once we
7 brought Jack on.

8 Q And so in terms of which parts of the assessment the operation side is
9 paying attention to, I saw -- sent over the Civil Disturbance Unit Operational Plan that
10 came on January 5th, right? So after both the conference call on January 4th and the
11 threat assessment on January 3rd.

12 And on its first page, it lifted the paragraph that I referred to on the second page
13 of the assessment that said that January 6th was expected to be similar to the two
14 previous protests on -- in November and December 20th.

15 So that's where page 1, CDU Operational Plan, says, quote, "The protest rallies are
16 expected to be similar to the previous Million MAGA March rallies in November and
17 December of 2020." But nowhere in the 18-page CDU plan does it lift any part of the
18 later overall analysis, which said the opposite, right? And that's heart of it. It's going
19 to be different. Congress is the target. That's more of the warning.

20 Were you aware at the time of what, you know, was being highlighted in this Civil
21 Disturbance Unit Operational Plan and that it contained the, you know, the sort of earlier
22 part of the threat assessment and not the latter part that was maybe the most
23 important?

24 A No, I was not aware. The first time I saw this CDU plan was after January
25 6th -- a little bit -- well after January 6th. And that is some of those silos that we had

1 since broken down within our department where any time -- there is a whole operational
2 planning enhancements that we put in place.

3 But any time there is a CDU event or department plan that is being put out,
4 nobody is now cutting and pasting or trying to infer what should be in that plan. We
5 attach the entire assessment to those plans now.

6 But that I think goes back to some of those silos where we had the -- in hindsight,
7 we had a CDU operational plan that was not widely shared, that everybody didn't know
8 that there was no coordination with Jack or Julie. I may be mistaken, but I believe Jack
9 or Julie were not aware of the CDU plan as well.

10 Q So is it fair to say that might inform your thought process as to whether
11 everybody in the department were sophisticated enough readers of intelligence to know
12 that the overall analysis at the last page, that that's the real focal point, that, if anything,
13 that's what should be copy and pasted and not what was on the second page given that
14 this CDU plan was put together without that latter part, again, that was maybe the most
15 important part of your threat assessment? Is that fair?

16 A That's fair. And I think there was an earlier version of the CDU plan that I
17 saw post-January 6th that I believe was almost verbatim to this one here.

18 So I'm not -- I think it's fair to say -- well, you had mentioned that it shouldn't have
19 been a cut and paste. It should have been right to that overall analysis and use that as
20 the basis for any other operational plans.

21 Q All right. Let's talk about that conference call briefing that you mentioned
22 Julie Farnam and Jack Donohue holding on January 4th that highlighted the warning from
23 the January 3rd assessment.

24 I think you mentioned who was invited to attend. Do you know who actually
25 attended the call?

1 A I do have the details of who was on the call. I don't have it right in front of
2 me. But we do -- we did take attendance on that call.

3 Q And if you could just generally tell me like how high up? You know, was
4 Chief Sund on that call? Who [inaudible] was on that call? That sort of thing.

5 A Yeah. So both assistant chiefs were on the call. The operational deputy
6 chiefs were on the call. I believe all of the inspectors and captains were invited to that
7 call.

8 We did have a few that were not on the call for whatever reason, and I don't have
9 exactly who those were right in front of me.

10 But it was all of our operational commanders from the two assistant chiefs down
11 to our operational captains.

12 Q And you were certainly on that call. Is that fair?

13 A Yes.

14 Q Ms. Farnam provided some contemporaneous notes to the committee
15 regarding what was spoken at that briefing. I sent that over to you.

16 Do you recall -- I think you mentioned this, but did Ms. Farnam talk at the briefing,
17 or do you recall it was only Mr. Donohue? Who presented it?

18 A So I kicked the briefing off, and then I know I turned it over to Jack. I
19 believe when Jack was done he turned it over to Julie.

20 Q And do you -- oh, I'm sorry.

21 A No, I'm sorry. I don't have specifics of, you know, the verbiage and stuff
22 like that. But I know Jack talked at length and then turned it over to Julie, I believe, right
23 at the end.

24 Q And do you recall if anyone had any questions for them when they finished
25 their presentation?

1 A I don't believe so. I believe I followed up on one or two things with Jack.
2 And I believe -- it's tough to remember back that far now. But I believe Deputy Chief
3 Waldow may have had one question. But there were limited questions.

4 Q Okay. Did that strike you as odd, or did that concern you in any way?

5 A At the time it didn't strike me as odd. We were under the impression that
6 we had sent the assessment out the night before and then we re-sent it out that morning
7 of the 4th. It went to all sworn supervisors. I can't speak to, you know, the lack of
8 questions or why, though.

9 Q I know after where you figured out that there some changes, and you have
10 listed them for us, and that at the time, you just didn't have visibility into whether there
11 were operational changes.

12 Was that your expectation after giving this warning? Were you of the
13 expectation that something was going to change, that there would be operational
14 changes, or not?

15 Did you feel like this was a fresh sort of warning, an important enough warning
16 that it would have dictated changes? Or did you think this was sort of in line with what
17 maybe everyone had already been seeing and potentially in your mind, you know, on the
18 operations side, that Chief Sund had already known about?

19 How much of a change did you figure this would make?

20 A Yeah, I'm not sure I can speak to what additional changes would have or
21 should have occurred. Hindsight, there definitely should have been some. But at the
22 time, I believe, we were under the impression that we had all -- as much as, if not all, of
23 our staffing here. I know that probably only partially addresses your question, but --

24 Q No, I think it sounds like you answered the question, which is at the time, no,
25 it did not strike you that you thought there was going to be a big change. If anything,

1 because you just said you thought, basically, you guys were as fully, you know, up to the
2 max in terms of what you could do.

3 Is that a fair description of what you just said?

4 A Yes, that's fair.

5 Q I only have maybe like another 15 minutes with this line of questioning. I
6 want to run through some individual intelligence that was received by IICD.

7 We sent over an email that was forwarded to Jack Donohue, the Director of IICD,
8 by the NYPD official, December 28th, 2020, and noting that, quote, "I assume you have
9 this intelligence," is what the email says.

10 And then in that it's from sort of a site has aggregated together some social media
11 postings, which, for the record, you know, say certain things like that the
12 protesters -- these are people out there in the ether who are saying this -- protesters
13 should, quote, "start marching into the chambers," that they should, quote, "show up
14 with guns and threaten them with death?"

15 One user said of Trump's tweet that it was going to be wild, that, quote, I
16 [inaudible] that as arms.

17 Another one said that violent insurrection has, quote, "always been the plan,"
18 that, quote, "Trump can't exactly openly tell you to revolt. This is the closest he'll ever
19 get."

20 Quote, "There is not enough cops in D.C. to stop what is coming." Quote, "This is
21 war, and we're clearly in a post-legal phase of our society." Quote, "Be there on the 6th
22 ready for 1776." Quote, "Fun facts, no revolution has ever been won without violence."
23 And, lastly, quote, "Kill the opposition."

24 That's just some of the things that were being posted open source on social
25 media.

1 Do you recall seeing intelligence like this?

2 A I recall in talking with Jack and Julie different social media posts that they
3 were tracking, whether they were tracking it or they had been told about it.

4 The majority of what they were -- with social media and stuff like that, we knew
5 there was a lot of calls for bringing weapons, coming armed, various threats to law
6 enforcement, and stuff of that nature.

7 So, yes, as far as the uptick in social media and some of the concerning posts,
8 there is a number of sites that they were tracking, I believe, Parler, Telegram, and stuff of
9 that nature, about all of the uptick in social media and some of the threats to law
10 enforcement and groups coming armed and stuff of that nature.

11 Q So is it fair to say nothing that I have read strikes you as new or different
12 from what you knew people were saying before January 6th?

13 A I would say, in looking at this, I would say some of it we did have and some
14 of it does strike me as new.

15 Q And when you say, "we," you know, the email was obviously sent to Jack
16 Donohue, head of IICD. Do you mean yourself, that it's new to you?

17 A Myself, yes. I'll speak for myself, yes.

18 Q Because certainly you have no idea, obviously, if Mr. Donohue opened the
19 email, read it, but at least some of this does appear to be new to you?

20 A Yes. Some of this, I would say, in looking at it now, does appear to be new.

21 Q Can you tell me, in your view, why didn't the January 3rd assessment list
22 specific threats like these to flesh out what was forming the basis of that overall analysis,
23 that warning there?

24 A I'm not sure on that. I don't have a good articulation for that. I know that
25 Jack and Julie, when we set up those -- the briefings, the one in -- the operational

1 commander briefings, the one in December and the one in January, that they went over
2 the assessment, that they went over the uptick in social media, that they spoke about
3 some of the threats to law enforcement, bringing weapons and stuff of that nature.

4 As I mentioned earlier, that overall analysis piece, that was done January 3rd at
5 night after -- you know, the first one, I believe, was maybe two or three sentences.

6 Q So -- and this might be obvious because some of this -- some of these
7 specific threats are pieces you hadn't seen yourself, do you think that leadership, outside
8 of yourself, of course, or operational side of the department, were aware of like the
9 specifics like this? Or can you imagine that some of this didn't get its way over either up
10 to leadership or to the operational side?

11 Mr. DiBiase. If you know.

12 Chief Gallagher. Yeah, that -- I don't know if the operational commanders were
13 aware of some of this information or not. I know there was a multitude of discussions
14 going on with everybody.

15 [REDACTED] Well, let me ask it this way. You said outside of the two calls, the
16 December 30th and January 4th, it would be you, the person who would be the facilitator
17 between the intelligence received in IICD and what got out to leadership or the
18 operational side of your department. And I know there were silos, that you mentioned
19 silos.

20 So knowing that it's either those conference calls or yourself and that some of
21 these are things that are new to you, does that make sense that there wouldn't be a third
22 way for these sorts of things to get either to leadership or to the operational side?

23 Mr. DiBiase. Well, let me just clarify something, [REDACTED] You're asking about
24 specific written emails or product, and you're asking about phone calls that happened.

25 What I want to ask Chief Gallagher is, are there other ways information is

1 communicated amongst leadership, other than emails, other than conference calls?

2 Chief Gallagher. Correct, yes. There was a lot of discussions and in-person
3 meetings and stuff of that nature. So that's why, you know, it's tough for me to say, no,
4 they did not have some of this information.

5 And I don't have a breakout, a breakdown of exactly, you know, what Jack and
6 Julie went over on that January 4th call where some of this was included in Jack's
7 verbiage. I know they talked about the uptick in social media. I know they talked
8 about some threats. I know they talked about the protesters being armed and stuff of
9 that nature.

10

BY [REDACTED]

11 Q All right. So my question is just, in essence, if it's new to you as we sit here
12 today and you were present for all the conference calls, and you would be the facilitator
13 between intelligence over to the operational side of the leadership of Capitol Police, is
14 there another way that these specific threats or these specific lines of intelligence would
15 have gotten to them other than yourself or the conference call?

16 A Just if there was verbal discussions between other people.

17 Q In which you would not be involved, right?

18 A Correct.

19 Q So I also sent over an email to you that was sent to -- by you -- to Chief
20 Pittman on January 5th, 2021, at 4:10 p.m., that the washingtontunnels.com had been
21 receiving a dramatic uptick in new visits; that the site, TheDonald.win, had been active in
22 promoting photos of the tunnel system; and that the U.S. Capitol Police had identified
23 numerous open-source comments by groups of their intention of finding tunnel entrances
24 and confronting or blocking Members of Congress, including setting up a perimeter to
25 block entry or escape.

1 That same day, January 5th, a little later, 4:55, Ms. Pittman -- Chief Pittman,
2 excuse me -- forwards the intelligence to Chief Sund and said that they should hold a call
3 regarding the intelligence. And later correspondence with counsel, Capitol counsel,
4 appears to indicate that that call never happened.

5 You mentioned that the tunnels -- you found out later that there was a sort of
6 perimeter check on January 4th and are pushing farther out of bike racks.

7 But first, I guess, tell me if I'm wrong, it appears that this is the first time that you
8 found out about this tunnel intelligence since you're forwarding it to Chief Pittman,
9 warning about it, saying that is a concern for you. Is that fair?

10 Mr. DiBiase. [REDACTED], can I just correct one thing?

11 [REDACTED] Okay.

12 Mr. DiBiase. In this email, it's only me asking whether this call happened or not.
13 I don't think there is a response from Chief Pittman, at least in the one that I am looking
14 at.

15 [REDACTED] No, and I think my characterization is just that there
16 was -- counsel, which is you, you appear to indicate that this never happened. You ask it
17 in the negative, right? You say, this call never happened, right?

18 Mr. DiBiase. But I don't think I ever got a response, is my point. So I --

19 [REDACTED] Yeah. So I didn't characterize the response.

20 BY [REDACTED]

21 Q So, Chief Gallagher, if you could just explain, yeah, is that the first time that
22 you heard of the tunnels?

23 A I believe earlier on that day there was a discussion with, it was either Jack or
24 Julie, and that's how the tunnel came up, the tunnel information had come up. And
25 that's what precipitated me sending out that information.

1 Q Yeah. So my question is just was that the first time you heard about it, that
2 January 5th?

3 A I don't have in front of me all my information, but I believe so.

4 Q Certainly the -- you're forwarding it to Chief Pittman as new information or
5 something that you figure is new to her, right?

6 A Yeah. What I can't remember is if we had discussed that earlier, either that
7 day or whenever we were notified.

8 Q Okay. And then in terms of -- and, obviously, the traffic between Chief
9 Pittman to Chief Sund saying that they should hold a call about that particular
10 intelligence, the tunnels, in order to talk about it, to do something about it. This being
11 January 5th at 5 p.m.

12 I would assume you have -- I don't know if you do -- visibility into whether that call
13 happened and what -- and I guess you talked about later finding out about a particular
14 response. But that was, you said, on January 4th when they did a perimeter check.

15 Tell me how that maybe can be reconciled.

16 A Yeah, I'm not exactly sure. I think I stated I don't know the exact date and
17 time that they did their perimeter check. I wasn't in the vehicle with them. That was
18 Chief Sund, Pittman, and Thomas. So I am not sure who was the fourth or the fifth.
19 And I do not know if that call or in light of a call if any verbal discussions happened
20 between Chief Pittman, Sund, and Thomas.

21 Q Okay. And in terms of the response, I think you said this, I just want to
22 make clear, the only way you know that the bike racks were moved out in response to
23 this tunnels was because Chief Pittman told you that that is what happened as a result of
24 that intelligence. Is that fair?

25 A Chief Pittman had mentioned after January 6th, it was probably a week,

1 2 weeks, it was sometime after January 6th, that she had did a ride-around, if you will, of
2 where the bike racks should be, and stuff like that, with Chief Sund and Chief Thomas.

3 Q Okay. I wanted to talk about another email. I have it here as sort of 21A.
4 And it's some intelligence that is shared with Ms. Farnam, who forwards it to you, from
5 Metropolitan Police Department. It's from a tip that came in to them.

6 The tip says -- this is a civilian who says he lives right outside of D.C. -- "I found a
7 website planning terroristic behavior on January 6th. During the rally, agitators from
8 out of state will arrive and will try to stir up trouble in D.C. There are detailed plans to
9 storm Federal buildings, dress incognito, and commit crimes against public officials. I
10 strongly encourage that the D.C. Police Department look at the links below."

11 And then it includes a link from TheDonald.win purporting to be a detailed plan on
12 storming the Capitol in D.C. on January 6th.

13 Do you recall being forwarded that particular piece of intelligence?

14 A I recall now seeing this in the exhibit that you had emailed over.

15 Q And do you know if this had any effect -- well, first, I guess, and you may not
16 know again, do you have a sense of why this -- something particular like this, storming the
17 Capitol, was not included in the January 3rd assessment?

18 A That I do not know.

19 Q Okay. And do you have any visibility into whether this particular piece of
20 intelligence made its way to leadership or the operational side of the department and
21 whether it affected their plans in terms of preparing for January 6th?

22 A That I do not know, no. But I believe with this one that this website -- I'm
23 trying to -- TheDonald.win, I'm sorry -- that Jack and Julie were monitoring a multitude of
24 things on that website that were discussed as far as threats to Members. I believe they
25 talked about burning down some of the leadership residences which enabled us to post

1 those residences 24/7.

2 And our TFOs, I believe, were active in what the FBI was doing to further run-outs
3 on this information that was populated on that site as far as some of the guardians that
4 they had.

5 Q Do you recall if you, yourself, shared this particular piece of intelligence with
6 leadership or the operational side of the department?

7 A I do not recall, no.

8 Q I wanted to -- there is another email. I have it here as No. 3, exhibit 3. It
9 was on December 28th, 2020, from a civilian who calls herself an internet expert of sorts,
10 tracking online far-right extremism. She mentions that she's seen tweets for people
11 organizing to storm the Capitol on January 6th.

12 Do you recall seeing intelligence like that?

13 A Yeah, I do. This, I believe, is the first time that I have seen that.

14 Q Okay. And I see that it's sent to the Public Information Office, or officer,
15 inbox at U.S. Capitol Police.

16 Can you tell me how -- again, I know you know -- this is the first time you've seen
17 it -- you don't know whether this piece made its way to either IICD or whenever it made
18 its way. But who was meant to be monitoring this inbox? And what should that
19 person do in terms of forwarding this?

20 A Sure. So the PIO email address is for our civilian communications director
21 who does the communications and media for the department.

22 I don't know if -- I don't believe, because it's not a 24/7 office, that the inbox is
23 monitored 24/7. But the expectation would be it would have been routed over to Jack
24 or Julie and IICD.

25 Q Where is that public information officer in the hierarchy of -- what division is

1 he or she a part?

2 A Yeah. So the public information officer, she reports to the Chief of Police.
3 Her office is up on the 7th floor of our headquarters in the Chief's suite.

4 Q Okay. The last sort of particular email I want to point to is -- I have it here
5 as exhibit 26.

6 So December 31st of 2020, Ms. Farnam raises a concern, I believe to you and
7 others, of course, that the permit request for One Nation Under God and Bryan Lewis
8 were potentially proxies for Stop the Steal and that she was concerned that Stop the Steal
9 was generally more violent.

10 So can you just talk a little bit about what you know -- what you know, and what
11 was made of that warning?

12 A Yeah. So when Ms. Farnam had brought this concern up, it was notated in
13 our -- that January 3rd assessment. I don't have the assessment in front of me, but I
14 know when she speaks about these groups there is an analyst comment in there that
15 talks about the potential for these groups to be proxies, if you will.

16 I'm not sure if that's her exact verbiage, but it is included in the January 3rd
17 assessment. And we did -- I did discuss the ability to cancel permits with Chief Sund and
18 Mr. DiBiase.

19 Our department has never done that before no matter what the groups are, what
20 their causes are. I don't believe the Capitol Police has ever denied a Capitol permit.

21 So we talked through that process of Julie's concerns as well as the potential to
22 deny any permits.

23 Q Was that your recommendation, or were you just talking about was that
24 even a possibility? Was that what you were recommending to Chief Sund, that you
25 thought it should have been denied?

1

2 [4:30 p.m.]

3 BY [REDACTED]:

4 Q Was that your recommendation or were you just talking whether or not that
5 was even a possibility? Or was that what you were recommending to Chief Sund that
6 you thought it should have been denied?

7 A I would say we put it on the table as far as here's the concerns, can we deny
8 a permit based on -- on what Julie's concerns are.

9 Q And what was the result?

10 A So the result was, based on what was provided, no, that wouldn't be
11 sufficient to deny the permit.

12 Q And was that concerns of, like, that this was a First Amendment activity,
13 concern that just historically the Capitol had never done that before? What was the
14 basis of that not being sufficient, if you recall?

15 Mr. DiBiase. I think [REDACTED] on that, we're starting to get into a little bit of
16 attorney-client. So I'm going to have -- not have Chief Gallagher answer on that
17 because, as he just mentioned, part of what he did was consult with me.

18 So I think we have to be very careful. I think he's happy to tell what the final
19 result was, which was the permit was not canceled, but to go into too much detail about
20 why it was not canceled, I believe starts to cover attorney-client privilege.

21 BY [REDACTED]:

22 Q Well, did -- okay. Outside of what your attorney or the Capitol Police's
23 attorney advised to you, did you come away with an opinion as to whether the permit
24 should have been denied or not? What did you think, I guess, in the end, after
25 everything had been discussed, whether you thought -- and if your answer is just legally it

1 was a no-go, that's fine. But I guess I'm wondering, what was your perspective as to
2 whether that's something that should be done?

3 A Yeah. I think in hindsight absolutely. If there was a way to do it, then we
4 should have done it. And I think in the conversations that we were having about it was
5 more it -- the groups were coming, no matter if they had a permit or no permit. So I
6 think we were trying to put the option on the table to see what legally what can we do as
7 a department.

8 Q Outside of just denying a permit, though, did that potential intelligence, that
9 idea that the groups that are coming to the Capitol might actually be far more violent
10 than expected and potentially not disorganized separate groups but maybe just even one
11 group under Stop the Steal, you know, that sort of idea of a proxy, did that threat
12 intelligence, was anything, as far as you know, changed? Or was there a response to
13 that possibility in terms of the planning for January 6th?

14 A So I would say, you know, I had conversations with Chief Sund about the
15 concerns with some of these groups. We talked through the ability, if you will, or
16 inability to cancel a permit. And we included the concerns about the groups in the
17 assessment. As far as where -- what happened operationally or if there were
18 discussions, you know, with -- between Chief Sund and Chief Thomas and the other
19 assistant chief, I wasn't privy to those discussions.

20 Q So is it fair to say, unlike the other two operational changes that you came to
21 find out later, as you sit here today, you have not -- no one has told you that there was
22 some sort of operational change based on that particular part of those concerns, that
23 particular intelligence? Is that fair?

24 A Yes, that's fair.

25 Q Okay. I'm going to -- my last set of questions are actually just if you have

1 any visibility into the use of the D.C. National Guard and whether -- their use potentially
2 by Capitol Police.

3 I know -- or Ms. Farnam has recounted to us a conversation that she says she had
4 with you about the use of the National Guard, and that you had answered that there
5 was -- they were coming to assist, and obviously MPD, but coming to assist with traffic
6 stop and street closures, and whether that, you know -- she said she communicated to
7 you her opinions as to whether she thought that was a proper use of those resources.

8 If you could, do you recall that conversation? And outside of that conversation,
9 did you have other conversations about the role of the D.C. National Guard with either
10 leadership or -- and their proper usage for January 6th?

11 A Sure. As far as Ms. Farnam, I can't remember a conversation with her
12 about D.C. National Guard. That's not saying that it couldn't have come up in some, but
13 I don't recall that at all.

14 I believe that I briefed at our PSB commanders meeting that Metropolitan Police
15 have the D.C. National Guard to work some traffic boxes downtown, and maybe that's
16 what Ms. Farnam was alluding to. But I don't ever recall any conversations with her
17 about D.C. National Guard.

18 Q Did you have any other conversations with anyone about the role of D.C.
19 National Guard in assisting the U.S. Capitol Police that day?

20 A I'm sorry. Go ahead.

21 Q Oh, no worries. Did you have any other conver -- did you have any
22 conversations with anyone that you recall about the usage of the D.C. National Guard in
23 supporting the Capitol Police that day?

24 A Yes. So the only other conversation that I had internally was with Chief
25 Sund. And I believe that was on January 3rd when we were here for the -- we had a long

1 day for the swearing-in ceremonies for the new Member-elects. And I had received a
2 text message from a lady named Carol Corbin, asking about D.C. Guard.

3 So I had -- Chief Sund was right outside his office with -- standing there with
4 myself and Chief Pittman, and I had showed him the text. And he said along the lines of
5 no -- he knows Carol Corbin from previous events that we've done when he was with
6 Metropolitan Police. And he alluded to the fact, no, but he may start having some
7 discussions about D.C. Guard.

8 Q I'm sorry. I missed that. He's responding no to what?

9 A To Carol Corbin -- I don't have her text right now. But she was asking about
10 Capitol Police's -- is Capitol Police requesting D.C. National Guard. So I had showed
11 Chief Sund that text message off my phone. He had asked who it was from. I said
12 Carol Corbin. He knew Carol. And then he said, no, but I may discuss it or I may talk
13 about it or something like that nature.

14 Q Okay. And did you --

15 [REDACTED] I'm sorry. [REDACTED], can I jump in here?

16 [REDACTED] Yes. Go ahead.

17 [REDACTED] All right.

18

BY [REDACTED]

19 Q Is Carol Corbin from the Department of Defense, Chief Gallagher?

20 A Yes, ma'am.

21 Q Okay. And was that text message directly to you offering -- was it an offer
22 of the D.C. National Guard or was it asking whether the Capitol Police would be
23 requesting the D.C. National Guard?

24 A Yeah. So that's a good point. I don't have the text in front of me, but I
25 don't believe it was an offer at all of the D.C. National Guard. I believe it was, would

1 Capitol Police be asking for any DOD -- D.C. National Guard assets.

2 Q And apart from the conversation you just described with Chief Sund, was it a
3 larger leadership discussion or was it just a receipt of the text and you'd consulted with
4 Chief Sund?

5 A So I received the text. I spoke with Chief Sund. Chief Pittman was just off
6 to the side. And then, you know, further after January 6th, I understood that Chief Sund
7 was having further discussions with the Police Board the following day on the D.C. Guard.

8 Q That was going to be my next question. Were you aware of any of the we'll
9 call them soft asks or just questions to Mr. Irving or Mr. Stenger by Chief Sund about the
10 potential for the request for D.C. National Guard?

11 A I was not aware of any of those requests, calls, or discussions with the Police
12 Board until days after January 6th.

13 Q The ask from Carol Corbin, was it just one on January 3rd or was there an
14 additional one, that you remember?

15 A I believe it was the January 3rd one. Well, I think she might have sent it on
16 January -- I don't have it in front of me, so I may be off on the dates. But I believe she
17 sent something on January 2nd. And then January 3rd, when we were all here for the
18 swearing-in ceremonies, is when I showed it to Chief Sund.

19 Q So just so I'm clear, though, I think from the DOD timeline, they say they
20 have two requests or questions to the Capitol Police whether they need the D.C. National
21 Guard assistance. So I'm just wondering whether you remember that to be two
22 inquiries to Capitol Police or just one from DOD.

23 A I would have to go back and look. I don't know off the top of my head.

24 Q Okay. No problem.

25 And did you -- what was Carol Corbin's position in the -- and why did she have

1 your text message -- why was she able to text you that inquiry?

2 A So I don't -- I don't know her official title. I know she works with DOD's
3 policy office. How Carol Corbin knows myself and Chief Sund very well is from some of
4 the national specialist security events where they stand up a executives steering
5 committee. Carol is usually on all those steering committees.

6 [REDACTED] That's helpful. Thanks, [REDACTED]

7

BY [REDACTED]

8 Q All right. My last question to you, you know, you mentioned you were at
9 the command center on January 6th. In terms of the swearing in of the National Guard,
10 did you have any visibility into how long that took, that process took? Or, you
11 know -- yeah, can you talk to me about that process? Do you have visibility into that?

12 A Are you asking the visibility of the D.C. Guard on January 6th?

13 Mr. DiBiase. I think you said the swearing in, [REDACTED]?

14

BY [REDACTED]

15 Q Yes, I did. Right. So, you know, once ultimately, we -- you know,
16 authority was given for the D.C. National Guard to come and assist with Capitol Police, I
17 don't know if you were a part or were watching or were involved in, you know, getting
18 them sworn in and whether you know how long that took.

19 A I was -- I wasn't aware of even the request being made on January 6th for
20 the D.C. Guard. And I wasn't aware of the swearing-in process or any of that. I know,
21 you know, after January 6th, I believe Deputy Chief Tim Bowen was coordinating some of
22 those assets that were coming in and how they're getting sworn in and stuff of that
23 nature. But I don't have any idea of how long it took or any of that.

24 [REDACTED] Okay. Thank you very much. I don't have any other questions
25 about intelligence. So unless [REDACTED] has something, then I'll go back to

1

2 Thank you so much, Chief Gallagher.

3 Chief Gallagher. Thank you.

4 [REDACTED] I have one question, [REDACTED], before you -- sorry.

5 BY [REDACTED]:

6 Q Chief Sund testified at a hearing soon after, I think in February, about
7 January 6th, Chief Gallagher, about how the Federal partners had failed Capitol Police in
8 not providing the intelligence that something like an assault on the Capitol would occur.
9 And I know my colleague just spent a lot of time on that January 3rd special assessment,
10 which was pretty accurate, was prescient in terms of what did happen.

11 How do you -- what's your response to Chief Sund's -- Chief Sund's statement?
12 Do you agree with that or did you have the intelligence internally?

13 A So it's kind of a difficult question, if you will. I think -- definitely I think
14 there could have been more information and intelligence and sharing of information from
15 some of our Federal partners. I don't -- I'm not aware of any type of bulletins or threat
16 assessments or anything from DHS or FBI or any of the ones that routinely would provide
17 information.

18 Post-January 6th, I'm aware of numerous -- in my role with Investigations Division,
19 after January 6th, I'm aware of numerous, almost -- you know, I don't want to throw a
20 number out but well over 50 different type of Guardian cases that the FBI had that they
21 were working on and then they closed out.

22 Some of them pertains to information that the Capitol Police had that the FBI had
23 run out, assigned it to either their domestic terrorism or their criminal squads, run it out,
24 and then put a notation on it. Capitol Police was notified this assessment does not
25 warrant further investigation and stuff of that nature.

1 So I think sharing of the investigative and intelligence information without a doubt
2 could have been better on all sides, even the Capitol Police side. We did not share this
3 January 3rd assessment with some of our external partners that we now do. So I think
4 there's definitely room for improvement on all sides, Capitol Police and on our Federal
5 and State partners.

6 The -- as to, you know, where Chief Sund had mentioned, you know, about the
7 Federal partners, I know where he was coming from because of some conversations after
8 January 6th. And it was more of the threat assessments and the overall picture.

9 Attempting to defend a little bit our IICD, you know, we're a consumer of
10 intelligence. We take in information, but we don't have the ability to investigate, you
11 know, travel across the country and plans all across the country and stuff. Like, we are
12 very dependent upon our Federal partners for -- for items of that nature.

13 Q Do you think that if -- if the FBI and DHS had issued a joint intelligence
14 bulletin, would that -- what impact would that have had on Capitol Police's posture?

15 A It's tough to say what that would have done now in hindsight. But I do
16 believe it would have formulated a picture from all across the country of what they were
17 seeing, especially in some of the stuff that you've seen post-January 6th of different
18 information and stuff that agencies had.

19 ██████████ Great. Thanks, ██████████.

20 ██████████ to you.

21 Thanks, Chief.

22 Chief Gallagher. Thank you.

23 BY ██████████

24 Q Thanks, Chief Gallagher.

25 So appreciate you entertaining my colleagues' questions. We've been going for

1 about a good almost 2 hours, 2.5 hours. I probably have another hour-ish, maybe hour
2 and 15 minutes worth of questions. Did you want to take a break or do you want to
3 press? Totally up to you.

4 A You know, we're here now. I'd rather just press through.

5 Q Okay. Excellent.

6 Well, we're going to shift the focus now from January 6th and what happened on
7 January 6th and the events leading up to it, and we're going to shift to the conclusion part
8 of my questioning which deals with the recommendations that were proposed by the
9 Office of Inspector General.

10 And I'll start by asking: Are you familiar with the Office of Inspector General
11 flash reports that were published post-January 6th?

12 A Yes.

13 Q Okay, great. So what I'd like to do, sir, is sort of go through some of the
14 recommendations as it pertains to the divisions and units that are under you in your
15 current position. So if I -- if I have them right, you now are the assistant chief
16 counsel -- excuse me -- assistant chief of police for is it Uniformed Operations?

17 A Yes. The Acting Assistant Chief of Uniformed Operations.

18 Q Acting Assistant Chief of Uniformed Operations. Thank you.

19 And underneath you are Command and Control Bureau, Operation Services
20 Bureau, and Uniformed Services bureau? Do I have that right?

21 A Yes, correct.

22 Q Okay, great. So we're going to talk about the recommendations with
23 respect to those units that fall under your current area of responsibility. And what I'd
24 like to do just by way of setting the stage is, as we talk through -- let me back up.

25 So what I'm really interested in is, from your perspective, as we talk about the

1 recommendations -- and we'll talk about individual recommendations, we'll talk about
2 them in groups as they make sense. You know, have you adopted the
3 recommendation? What steps, if any, have you taken to implement them? You know,
4 if there are policy changes, you know, are there accountability measures that are put in
5 place? Are there milestones that have been set?

6 Just sort of to get a sense of where just from your vantage point, understanding
7 that you only are in charge of one division within Capitol Police, but those
8 recommendations that fall under your area of responsibility, sort of where they stand, if
9 that makes sense. That work for you, sir?

10 A Yes, sir.

11 Q All right. So let's start our discussion with the Containment Emergency
12 Response Team, CERT, which I understand is essentially Capitol Police's version of SWAT.
13 Is that correct?

14 A That is correct, yes.

15 Q All right. So some of the recommendations I'm going to lump into a bucket
16 that we're going to call operational. And these are sort of what I think are operational
17 recommendations by the OIG about how CERT might operate better.

18 The first is realigning CERT from its Operation Services Bureau division to the
19 Protective Services Bureau. The second is adding additional opportunities for CERT to
20 train with other Federal partners. And then the third is developing and implementing
21 recurrent training between CERT and other operational units within Capitol Police, such
22 as DPD, civil -- which is the Dignitary Protective Division, Civil Disturbance Unit, First
23 Responders Unit, Crisis Negotiations, et cetera.

24 So, with that said, what are your thoughts? Share with us your thoughts about
25 where you -- whether or not you've chosen to implement these recommendations and

1 sort of where you are in the process.

2 A Absolutely. Thank you.

3 So the first recommendation, realigning our CERT team from Operational Services
4 Bureau over to our Protective Services Bureau, we fundamentally disagree on that with
5 the inspector general. And I've had conversations, one-on-one meetings with
6 Mr. Bolton and his team about where they were coming from, making that
7 recommendation, what they were looking for, and also the gaps that that would create
8 for U.S. Capitol Police.

9 So Mr. Bolton was coming from his background with the U.S. Secret Service. And
10 when their protective teams, POTUS and VPOTUS, travel, they have a SWAT team, their
11 CAT team that travels with them.

12 What I tried to bring up to Mr. Bolton was how us taking our CERT team and
13 moving it over to Protective Services and making it more of a protective team would open
14 up severe gaps on the campus to protect the campus from multiple active shooters,
15 critical incidents. Our CERT team is not big enough.

16 So when the Secret Service use their SWAT team with their protection details,
17 they still have a dedicated emergency response team at the White House for the grounds
18 and at the Naval Observatory. We would lose that capability just due to how many
19 protective teams we have, even if we just prioritized it with the Speaker and the PPT, our
20 two successors. The amount of travel that they do would deplete all of our CERT team,
21 and we would open up a gap here on the campus.

22 So we have not made that recommendation yet. And when I say we, I believe
23 I'm speaking for Chief Manger, as well as some discussions with our executive team here
24 on how we disagree with that.

25 What we're trying to do to implement some of this recommendation and kind of

1 meet the IG halfway is involve CERT a little bit more in our Dignitary Protection Division
2 training. We currently have a MP7 assault weapon that is specifically utilized by our
3 Dignitary Protection Division agents. I believe almost 60 to 70 percent of our entire DPD
4 is trained on that weapon. It came out about after the Congressional Baseball Game
5 shooting. And that -- and the implementation of that weapon system for DPD, the
6 submachine gun for DPD, is incorporated into their protective model.

7 So how can we assist DPD by training CERT? We include CERT on large
8 congressional retreats where we're taking, you know, the House Democrats or the House
9 Republicans offsite to a codel, a retreat, funerals, stuff of that nature, where we have a
10 large volume of Members going somewhere. We all the time deploy our CERT team.

11 So what we're trying to do now is incorporate CERT into our DPD training, give
12 DPD a little bit more tactical training, building clearing training, some of the training that
13 CERT brings to the table. In addition to those times where we are utilizing CERT, involve
14 them in the advance. Let them come out with our Dignitary Protection Division advance
15 agents. Let them see the site. Let them dictate their own operational plan in support
16 of the protection plans.

17 Just moving CERT out of Operational Services and into Protective Services, it
18 doesn't achieve value added, if you will. It enhances some of the protection details, but
19 they already have submachine guns with them. But it opens up a big liability and
20 vulnerability on the campus.

21 Q Thank you, sir.

22 And before I continue, I just want to acknowledge that Representative Murphy has
23 rejoined us for our conversation here.

24 Sir, let's back up a little bit. So you said that you spoke with the OIG about the
25 realignment. And they were coming from a different vantage point, their background,

1 or the inspector's background -- inspector general's background with the Secret Service.
2 And you've explained operationally sort of why it didn't work. How was that received by
3 OIG?

4 A I would say Mr. Bolton, he was receptive to hearing me out as to, you know,
5 the vulnerabilities it would create. His take was we need to -- and I don't want to -- my
6 impression from my meeting with him was we need to further expand our CERT numbers,
7 continue expanding it until we can move CERT into Protective Services Bureau and still
8 have a team here on the campus that can support the vulnerability that that would
9 create.

10 Q And in terms of that meeting you halfway, is that something that you all are
11 considering implementing or is that -- are there obstacles in the way of sort of thrusting
12 up the CERT team?

13 A Yeah. There's -- I'll be honest with you, [REDACTED] there's certainly some
14 obstacles in place with expanding anywhere in the department right now because of our
15 current vacancies that we have in the sworn officers.

16 So for us to expand CERT, K-9 is another one that I met with Mr. Bolton on,
17 Dignitary Protection and our threat assessment agents, anywhere in those specialty units
18 that we want to serve some staffing, it all comes out of our Uniformed Services Bureau.

19 So our uniformed officers that are at those four divisions, right now they have -- as
20 Chief Manger testified to, we're over 450 vacancies in our department for sworn officers.
21 In addition to that, we have over 200 officers out on some type of COVID, whether they're
22 positive or contact and trace.

23 So our ability right now, until we get our sworn staffing back under control and get
24 on the other side of attrition where we start bringing in more officers and filling those
25 vacancies, it's very tough for us. We have to really, really prioritize where we're going to

1 send some staffing to pull out a USB.

2 And right now, it wouldn't be here to CERT. It would -- if I had to prioritize, it
3 would be to our threat assessment section where we have those 9,000 cases against
4 Members of Congress. And it would be to our K-9 section because of the amount of
5 sweeps and the impact that is having on the dogs.

6 Q Understood, sir.

7 You also mentioned that you were taking steps to include CERT in training with
8 other operational components like DPD within the department. In terms of that
9 process, has that been codified in anyway? In other words, has it been memorialized in
10 a policy or an SOP or a training manual? I guess I'm curious to know sort of how you all
11 are tracking it and sort of preserving it so that, you know, future generations, you know,
12 know what to do in this regard.

13 A Absolutely. So there's -- it has not been codified yet in a SOP. Right now,
14 what we do is we have our CERT training instructors meeting with our Dignitary
15 Protection training instructors. So they're working together to try to come up with a
16 plan that would be mutually beneficial for CERT and DPD operationally.

17 We have included CERT in training with our CDU units already. We've sent some
18 of our tactical teams and our counter-snipers out to some of the CDU training that we've
19 done post-January 6th.

20 And we're also in discussions, while we're on the topic of CERT and training, we're
21 in the process of developing an incident response plan for spontaneous events on Capitol
22 Grounds. And what we're doing with that is working closely with the U.S. Secret Service,
23 their SOD, their Uniformed Division, Special Operations Division. We had our CERT
24 commander, our deputy chief that runs our Operational Services Bureau, go down to
25 meet with the Secret Service and their Emergency Response Team and their CAT teams to

1 go over the plan that they recently put in place for spontaneous events on the White
2 House grounds. We look to incorporate, modify that plan for Capitol Grounds.

3 We invited Secret Service, their leads that develop their plan down there at the
4 White House, came up here to the Capitol. They did a complete campus walk-through.

5 So those ongoing incident response plans are ongoing right now with Secret
6 Service in developing that joint training and stuff of that nature.

7 Q I appreciate that, sir.

8 And I'm glad you mentioned the Secret Service. So is that the only external
9 partner so far that CERT's been working with, and do you all have any plans to work with
10 others in the future?

11 A So right now, CERT has done quite a few training schools, and they've been
12 contracted-out schools. So Secret Service right now and -- is the only Federal partner
13 that CERT has trained with. Deputy Chief Jason Bell is on the D.C. Council of
14 Governments tactical subcommittee. So it's all of the NCR agencies that have any type
15 of tactical team, SWAT team, if you will.

16 And they're working, again, to come up with multiple agency training scenarios
17 where one month it would be up here on Capitol Grounds for an event. The next month
18 it might be downtown with MPD, working with MPD. The next month it might be with
19 Pentagon and stuff of that nature.

20 Q Thank you, sir.

21 So I want to move on to sort of a second smaller bucket of operational
22 questions -- or recommendations, and this sort of falls into the category of training.

23 And so oversimplifying it a bit, generally speaking, one of the areas that the OIG
24 pointed to was an inability to account for CERT training that was required, right? So I
25 don't think the report said that the training wasn't conducted. I think, if I understand

1 correctly, is that there were records to codify and hold accountable sort of when that
2 training was done, whether it was recurrent training, who had completed that training.

3 One, is that something that you're familiar with, that particular recommendation?
4 And if so, what, if anything, have you all done in that regard?

5 A I am familiar with that one, and we have prioritized that and completed and I
6 believe closed out that recommendation. So all of the training, the mandatory mission
7 critical training that CERT does has been codified. It has been inputted into we call it
8 APEX. It's basically the department's, how would you say --

9 Mr. DiBiase. Training database.

10 Chief Gallagher. Training database.

11 Mr. DiBiase. It shows what everyone on the department has done trainingwise.

12 Chief Gallagher. And Deputy Chief Bell has assigned representatives from CERT
13 to be assigned to those internal controls, whether it's inputting the required attendance
14 and certifications into APEX, and also the internal controls with the equipment
15 checks -- the mandatory equipment checks that are monthly and codifying that into a
16 report as well.

17

BY 

18 Q I appreciate that, sir. I thought of some -- colleague of mine reminded me
19 of something going back to one of my earlier questions.

20 You mentioned that there were a number of contractor-led trainings that CERT
21 was a part of. Has the department looked at any trainings that are being provided by
22 other Federal entities as a way to also augment their training?

23 A Yeah. So Chief Bell, as I mentioned, he's on this tactical subcommittee for
24 training. So he has been in discussions with not only the Secret Service. I know he has
25 spoken with FPS, Pentagon police about some additional training. To date, CERT has not

1 participated in additional Federal training.

2 And I know, if I could just -- I know we had a -- Mr. Bolton identified an issue with
3 some of the contractor -- a previous contractor that CERT used. So we have put a plan
4 in place for not only CERT but any contractor that the department would hire to do
5 training, whether it's on the civilian side or the sworn side, and would be vetted through
6 our IICD basically doing an assessment on the vendor to attempt to identify any of that
7 information that was prevalent with that one vendor that CERT used.

8 Q I appreciate that, sir.

9 Let's shift focus to the third bucket which I'm going to call policies. And in this
10 bucket, there's sort of a number of different categories that the IG spoke to, and they
11 hover around sort of a couple of main ideas: one, either updating policies that haven't
12 been updated in a while; two, creating new policies to account for changes in the
13 department; and, three, getting rid of policies that are no longer applicable.

14 So just like before, are you familiar with those groups of concerns, and sort of
15 what has the department done to address those?

16 A I am. So we have a policy division. We call it OPL, Office of Policy. And
17 one of the things that we are doing now, because we have all these flash reports, and the
18 majority, as you know, the majority of the recommendations pertain to policies, whether
19 they were outdated, whether they conflicted with another policy, or they just needed to
20 be revised.

21 So now because we have so many policies throughout the department, we have a
22 specific team that is working on these IG reports. And we have the professional writers
23 from our policy division that are going to go bureau by bureau to update all the policies.
24 So they'll spend some time, probably a month, month and a half working with
25 Operational Services Bureau.

1 And all the policies, not only the ones that have been identified by the IG, but
2 every policy within Operational Services Bureau, will undergo a review, validation
3 assessment, and be republished or rescinded if not needed, and stuff of that nature.

4 And that will be our effort to go through the entire department's operational
5 policies and have them all updated for every bureau in the very near future.

6 Q And, sir, you mentioned a couple of times a gentleman who I believe his last
7 name is Bell?

8 A Yes.

9 Q Okay. And who is that, sir? What -- who is he and what is his position?

10 A So Deputy Chief Jason Bell, he is the commander of Operational Services
11 Bureau. So his role right now is the commander of OSB, which all of our CDU falls under
12 when we activate CDU. It's uniformed officers. But we give the command and control
13 and the equipment, the less than lethal falls under OSB, our CERT, our K-9, our bomb
14 squad, our hazardous material response teams, and our Special Operations Division,
15 which is basically the marked cruiser with the officer that patrol the outer perimeter of
16 the Capitol grounds.

17 Q Understood, sir.

18 And last set of questions with respect to CERT and then we'll move on to the First
19 Responders Unit. Who within your division is responsible for making sure folks who are
20 part of CERT are, in fact, meeting the qualification requirements and, you know, being
21 held accountable for any equipment or weapons or things that are issued to them?
22 Because those are also two areas that the IG pointed to. So is there a specific person
23 that's now in charge of that? Sort of how have you closed that gap?

24 A Yeah. So what we've done to address some of the deficiencies that we've
25 had in CERT is, a few months ago, we re -- we assigned a new lieutenant, which is a

1 commander of our CERT. So the lieutenant command CERT, he reports up to, you know,
2 our captain inspector and ultimately the deputy chief.

3 So what we did was we had a lieutenant who previously was in CERT. So he was
4 a technician in CERT and sworn operator. He went through all the training. He was
5 also a bomb tech where we have CERT kind of working with HDS on some events. So we
6 moved him back over to CERT to address some of those deficiencies. So he would be
7 the ultimate one that is responsible for maintaining the qualifications, making sure
8 everybody gets their mandated mission critical training. That training is all included -- or
9 inputted into our database and stuff of that nature. All those internal controls will be
10 his responsibility.

11 Q Understood, sir.

12 And would those responsibil- -- or are those responsibilities part of the new
13 commander's performance plan so that you have a way to sort of measure whether or
14 not its goals are being met and milestones are being met? Or sort of what
15 accountability mechanisms, if any, do you have to make sure that the issue is being
16 addressed?

17 A So there -- I'll have to check his performance, his PETS (ph) form. But I
18 know Chief Bell has implemented some internal controls by his captains, that they're
19 randomly going in and making sure that they're doing the oversight of the lieutenants,
20 whether it's the CERT lieutenant, the K-9 lieutenant, to make sure all those internal
21 controls are getting done in the method that they should be done per the standard
22 operating procedure.

23 Q Thank you, sir.

24 A You're welcome.

25 Q So let's move on from CERT and turn our attention to First Responders Unit.

1 And you defined CERT sort of as the SWAT for Capitol Police. Can you briefly tell us
2 what is the role of the First Responders Unit and what are their primary responsibilities?

3 A Sure. Our First Responder Unit is -- they're assigned to the Capitol division
4 which is the Uniformed Services Bureau. And they are basically the exterior of the
5 Capitol Grounds, Capitol square, if you will. They perform a multitude of fixed static
6 posts. They also perform entry checks at the barricades coming into the U.S. Capitol
7 building, and they also have control responsibilities outside on the Capitol square.

8 Q Yes, sir. And are the -- are the bike division officers part of the First
9 Responders Unit?

10 A Yes. So I'm glad you brought up the bike officers. So we have totally
11 revamped the bike, mountain bike squads. We call them BRTs, Bike Response Teams.
12 This is something that we've done post-January 6th, completely new. We have now a
13 hundred certified and trained bike riders through IPMBA, which is kind of the national
14 certification for mountain bikes.

15 And they're also included in our CDU training now. So they have equipment that
16 they would wear, have with them. They do formations to assist our CDU when we train.
17 Our CDU has a multitude of different formations that they would use, and the bike teams
18 now support them.

19 So it's a standard activation. When we do activate CDU next week, we've got a
20 number of demonstrations that we're activating CDU, and our bike teams are a part of
21 that. The majority of all those bike riders are from our First Responder Unit, and some
22 of them are from the Capitol division as well.

23 Q Appreciate that, sir. And so a couple of questions about bikes. First of all,
24 you mentioned CDU. Is that Civil Disturbance Unit?

25 A Yes. I'm sorry. Civil Disturbance Unit.

1 Q And does that also fall under your purview as the Acting Assistant Chief for
2 Uniformed Operations?

3 A Yes, it does.

4 Q Okay. And briefly sort of what's the responsibility of the CDU?

5 A So our CDU is a collateral assignment. Anytime we have a demonstration
6 that we have concerns about, we activate our Civil Disturbance Units. So it's part of the
7 revamped operational planning process that we have in place now. But when we
8 activate our Civil Disturbance Units, those are uniformed officers from the four
9 divisions -- Library of Congress, House, Senate, and Capitol -- which FRU falls underneath
10 the Capitol division.

11 Where we would activate them, say we activate two or three platoons, and they
12 would be assigned to the demonstration. So they'd be included in the planning.
13 They'd be told what equipment to bring, what time to come in, where they're going to
14 post up, and what their mission is for that demonstration, if you will.

15 Q Understood. And so the BRT, the Bike Response Teams, would have as a
16 collateral duty CDU. Do I have that right?

17 A So our -- not exactly. So when we -- next week, one of the demonstrations
18 we activated CDU. So we have three platoons activated. Each platoon is 40 officers.
19 And we have two Bike Response Teams squads activated, which is 20 officers. Each bike
20 squad is 10 officers. So that's how we activate our CDU.

21 So the platoons that get activated, one of them will be a hard platoon where they
22 have all their riot gear. The other two we call crowd management platoons. So they'd
23 be deployed with their helmet, their PR-24, the respirator. But they would be a much
24 more visible presence. So that would be the platoons that you would see, you know, on
25 a bike rack and stuff like that. The hard platoon would be suited up, ready if any -- there

1 were any concerns or there was any escalation by the group.

2 The bike teams are in addition to those officers that are doing CDU, but they're
3 part of the CDU team. They assist it, if you will.

4 Q So the BRT is sort of a subset of the CDU?

5 A Correct.

6 Q Got it. I had it backwards. Thank you.

7 And what kind of equipment does -- do CDU folks normally use in the course of
8 their duties? Because there was a -- there are some recommendations around that.
9 But before we talk about the specific recommendations, I just want to get an
10 understanding of what equipment is used by folks with the CDU responsibility.

11 A Sure. So are you asking, like, on January 6th, now or --

12 Q So let's -- I guess let's start with pre-January 6th and then now. So what
13 sort of -- what was -- what are -- what was sort of the standard issue equipment
14 pre-January 6th and then what is the standard issue equipment?

15 A Okay. So the issues for -- that were prevalent on January 6th were that
16 when we -- when the department activated CDU, the officers that had equipment
17 couldn't get to it. It was on a bus. The bus was locked. We didn't have extra shields
18 onsite. There's a whole host of issues with our equipment that was being provided to
19 officers or not being provided.

20 What we've done since is we had a -- we collaborated with probably about 10 or
21 12 different agencies from across the country on what CDU gear that they outfit their
22 officers with. We formed a working group with officers included. We included the
23 FOP and a number of officers to test and evaluate different CDU gear that some agencies
24 were using, and we have since purchased all new state-of-the-art CDU gear for every
25 sworn officer.

1 That gear is starting to arrive now. We are in the process of sizing our officers
2 and issuing out the gear probably within the next 2 to 3 weeks. The delay in getting that
3 gear -- I don't want it to just look like we've waited a year to order the gear. The delay
4 was we needed to get the supplemental funding in order to purchase the gear. So as
5 soon as we got the supplemental funding, I believe the first thing that we did purchase
6 was the CDU gear for the officers. And that's starting to come in later this month, early
7 February, and get distributed out.

8 So every officer -- every sworn officer on the department will have brandnew,
9 state-of-the-art CDU gear. It'll be a helmet. It'll be the uniform, fire-retardant uniform
10 underneath the gear. It'll be the external protection, gloves.

11 Mr. DiBiase. Respirator.

12 Chief Gallagher. Absolutely. Respirator so that they can use their radio with
13 the enunciator built into the respirator, and balaclava that they can wear underneath
14 their helmet. And the lenses for the respirators and the eye goggles are laser resistant,
15 which was something that was prevalent a little bit on January 6th for some of the
16 officers.

17 So going forward, every officer will have brandnew, state-of-the-art CDU
18 equipment.

19 BY [REDACTED]

20 Q Well, that's good. I really appreciate that, because that answers one of
21 the -- or addresses one of the concerns, which is, I'm sure as you know, the IG pointed out
22 that some of the equipment -- I guess "old" is not really the right word. It sort of was
23 worn out because of how it had been stored over time. It had become brittle. It had
24 become nonusable. It sounds like, by replacing that equipment, you've addressed
25 that -- at least part of that issue.

1 Tell me, sort of with respect to maintenance and care, what -- what things is the
2 department doing now differently to sort of prevent what happened on January 6th with
3 shields shattering and that sort of thing?

4 A Absolutely. So one of the things that we've broken down with the CDU
5 equipment and the shields is some of the silos that were there previously. So the sworn
6 element, all our sworn officers and commanders, we pick up the gear from property and
7 we store the gear, and that's basically it. When you need it, you go and get it and get
8 ready. There was not a collaboration between our sworn operational commanders and
9 our civilians with our facilities and logistics.

10 On the life cycling, on the preparation for, okay, the gear, the shields are coming
11 up on their life expectancy. Let's make sure we have the operational component
12 working with the facility's component at least a year ahead of time to get ready for a
13 budget submission. Let's include the officers, test out some different shields. Let's
14 look at what partnering agencies are now ordering. Let's look at what is new that is
15 certified on the market now. All of our gear is upwards of 10 years old right now on
16 CDU.

17 So all this new gear, we want to continually stay in front of it with the life cycling,
18 the internal controls of where it's being stored. They're doing monthly checks now of all
19 the shield locations that we have within -- on campus. And we have quite a few shields
20 staged off campus that we bring forward for larger demonstrations.

21 Another thing we're doing to address a lot of the concerns that the officers had
22 with not being able to be provided shields is we have shields staged and all over the
23 campus now at strategic locations inside the office buildings and doors, inside the Capitol
24 Building if we had to refortify a door using shields. We also now bring forward shields in
25 mobile vans to be able to immediately get it to officers if they're deployed for CDU,

1 additional shields. And we do the same thing with the munitions to support the less
2 than lethal teams in the field.

3 Q I appreciate that, sir.

4 And you mentioned just now that you have shields strategically and other
5 equipment placed around the Capitol complex. I also understand that there are
6 lockboxes where this equipment is also stored or at least was stored pre-January 6th.
7 And one of the issues identified by the IG was the remote locking mechanisms for those
8 weren't working and so people couldn't get in to get the equipment. How has the
9 department addressed that issue?

10 A Yeah. We have removed that equipment from those locations. We've
11 totally revamped where we're storing all of our shields. So now we have them forward
12 deployed at various doors. We have some in barricades in the kiosk, if you will, at
13 certain barricades. And then we have mobile capability.

14 What we had on the 6th when we, you know, went back and looked at our CDU,
15 was we couldn't get to some of the equipment because the person that had the keys was
16 off doing something else on the 6th and nobody else had another set of keys. We also
17 had equipment on a bus that got kind of overtaken by the route that the protestors were
18 bringing and stuff of that nature.

19 Now what we're doing is, when we forward deploy shields or additional
20 equipment, we're having CDU commanders be -- when I say commanders, sergeants or
21 lieutenants be assigned to those mobile locations. And we have multiple mobile
22 locations. So there's not one instance where somebody could set a backpack down and
23 now we have a suspicious package and we can't get to our gear. So we store it in
24 multiple locations to be able to immediately surge it forward and provide it to the
25 officers.

1 Q Copy that, sir.

2 Switching back to -- so switching away from the CDU part of the First Responders
3 Unit, one of the other recommendations that was made by the IG dealt with the training
4 or additional or advanced training for emergency medical technicians. And I guess, if
5 you could first explain to me sort of what role do emergency medical technicians, or
6 EMTs, play in the First Responders Unit? And what, if anything, has the department
7 done to sort of augment that capability?

8 A Sure. So right now, what we have is all the sworn officers are trained on
9 what we call TCCC, which is basically tactical containment care -- critical care. So they
10 have TCCC bags that they're deployed with that they can wear on their duty belt which
11 will give them some immediate capabilities to be able to address that issue.

12 One of the big things that we've done as a department for this is we've entered
13 into an MOU with HHS for tactical medical teams. And we've utilized that multiple times
14 where we bring forward additional tactical medical teams that are embedded with our
15 hazmat technicians to be able to provide all of the critical care and even basic routine
16 medical care, in addition to decon, for the officers.

17 So on September 18th, we basically had, like, almost a mini hospital, if you will, set
18 up at the Botanic Gardens where we had strike teams from HHS to be able to be behind
19 the lines of the officers and look for any officer, if he was hit with something, he can pull
20 him or her off the line. We had the emergency medical technicians inside the Botanic
21 Gardens where they can do, you know, check pulse, give fluids, IVs. And also one of the
22 biggest capabilities is the enhanced emergency decontamination that we can do now.

23 Q And is that -- that MOU, is that something that's in perpetuity? In other
24 words, you can access it at sometime in the future? It's not sort of a one-and-done
25 thing.

1 A That's correct, yes, sir.

2 Q Okay. Excellent.

3 So I think I'm done with my questions on First Responder Unit and CDU, and I'd
4 now like to move the discussion to the K-9 Unit. And, first, as I've done previously, just
5 ask you to explain: What is the K-9 Unit and what role does it play in the operation?

6 A Sure. Our K-9 Unit is comprised of our regular bomb dogs, and then we
7 also have what we call PBIED dogs, which is Person-Borne Improvised Explosive Device
8 dogs. So those -- they're basically a Vapor Wake Team, if you're familiar with that term.
9 I know TSA and some others have Vapor Wake Teams. Those teams are specific to -- the
10 dogs and the technician -- the handler work in conjunction with plainclothes officer from
11 our Tiger Team.

12 The plainclothes officer we call is a subject interdiction officer. So they go
13 through enhanced training on subject behaviors and behavioral indicators for suicide
14 bombers and stuff of that nature.

15 So the PBIED dogs and the Tiger Team work as one unit. They're routinely
16 deployed in highly concentrated areas where you may see a lot of people coming from
17 metros, crowds forming, march routes. We would deploy them before the march was
18 able to get there where you have high concentration of people kind of dedicated in
19 certain areas.

20 For the concerts that we routinely had pre-COVID where we're queueing up large
21 groups of people, prescreening, we would have those PBIED and those subject
22 interdiction officers working heavy in those areas.

23 The other side of the K-9, which is the largest side, is our regular bomb dogs,
24 explosive ordnance dogs. And they do all of the sweeps, whether it's for a special event,
25 whether it's for access control. And we surge them forward with what we call Atlas,

1 where we activate our Atlas teams, which is all of our K-9s. They go to certain areas and
2 just randomly come and do a show of force with some other elements of the department
3 and sweep everything in that area, high visibility.

4 But those are the two elements of our K-9. And K-9 is in our Operational
5 Services Bureau, which they're run by a lieutenant and they have three sergeants and
6 they report up to a captain inspector and then the deputy chief of Operational Services
7 Bureau.

8 Q Thank you, sir. And would the recommendations here -- and we're going
9 to -- we'll put the policy recommendations aside, because I think you've addressed those
10 globally about how they're being addressed across the department. And so I don't know
11 that we need to sort of go in it with each individual sort of subdivision.

12 So I'll just sort of focus on the operational recommendations, a couple which
13 were, one, making sure that officers who are assigned to K-9 are meeting the
14 requirements in accordance with the standard operating procedure; two, making sure
15 that regular maintenance and training is being done with respect to trainers and K-9s; and
16 then, three, increasing the number of trainers, K-9 trainers, in order to increase
17 capabilities.

18 So, with that said, what are your thoughts about where the department is in
19 addressing those concerns?

1

2 [5:29 p.m.]

3 Chief Gallagher. Yes, I think we're on a path to addressing those concerns. We
4 have put a lot of work into our K-9 unit in the last few months. And as far as the
5 policies, all of the polices in K-9 are undergoing a review, assessment, and re-editing.

6 As far as the amount of training, that's where it's difficult for us. K-9 right now
7 should be receiving about 16 hours of training monthly. Because of the number, how
8 much our sweeps have increased throughout the past few years, as well as some of the
9 vacancies they have in K-9, it's tough for us, very tough, because they're working routine
10 overtime just to meet our written requirements.

11 We have hired an additional K-9 trainer, a civilian trainer. He used to be former
12 Capitol Police and in our K-9 unit. We do have a current vacancy that's out right now for
13 a K-9 trainer as well to keep increasing the number of trainers that we have.

14 And then we just approved earlier this week an authorized increase of our K-9
15 teams. So we have -- right now we have 42. We have an active vacancy that's almost
16 at the finish now. It's been open for about two and a half months.

17 This past weekend, a number of officers just went through the physical fitness test
18 for the K-9 vacancy. They have interviews scheduled for later this month. And then
19 we'll have an active list where we can start to -- begin to pull and increase the number of
20 teams.

21 We have done a best practice review of our K-9 based off Pentagon's K-9, FPS, and
22 U.S. Secret Service. And we know that our sweeps dwarf all the sweeps that these other
23 agencies are doing.

24 So Chief Manger and myself, we just approved an incremental upgrade to our K-9
25 from the current number of 42 up to 62. That will probably occur over the next 2 years.

1 That coincides with the sworn hiring that we're -- the mass hiring that we're doing, and
2 stuff like that.

3 So you'll see probably in the next month, month and a half a number of officers
4 get assigned to K-9 and start going through their training with their dog, and then,
5 incrementally, we'll continue to surge that number up.

6 [REDACTED] Thank you, sir. And to what do you attribute the increase in the
7 sweeps that you all now have to do? You mentioned that it dwarfs, you know, Pentagon
8 and Federal Protective Service and Secret Service. What do you attribute to this uptick
9 in sweeps for Capitol Police?

10 Chief Gallagher. Yeah, I think it's just -- it's -- there's probably a number of things
11 driving it up. But I believe it's the uptick in our mission, how much more mission has
12 been put on us.

13 The last time K-9 was increased was 2008. So we have done that assessment.
14 It's been a long time. And as you all can probably appreciate, the mission that the
15 Capitol Police had in 2008 to 2022 is very different and expanded.

16 Some of the additional sweeps are related to their supporting our Dignitary
17 Protection Division a lot. So any of the events that we're doing off campus here in D.C.
18 and the NCR, it's mandatory to bring in a K-9 and a bomb tech to do the sweeps before
19 the Members would arrive.

20 So we've really, really expanded the amount of sweeps we're doing to support
21 Member protection, not only on Capitol Grounds, but heavy off Capitol Grounds as well.

22 Mr. DiBiase. After January 6th, too.

23 Chief Gallagher. Yes. Absolutely. As Tad mentioned, after January 6th with
24 the pipe bombs that were placed and the bomb threats that continue to come in, they're
25 doing mandatory sweeps of the RNC, the DNC, and the Senate equivalent, the DSCC and

1 the RSC. So there's a lot of additional requirements that have been placed on K-9.

2

BY [REDACTED]

3 Q I appreciate that, sir. So it sounds like there's clearly, as you said, increased
4 mission, increased responsibility.

5 It raises in my mind a more general question, which is with respect to K-9 and CDU
6 and BRT -- I'm using all these acronyms that I have now learned -- and CERT.

7 What methodology does the Capitol Police use to determine how many of these
8 assets it needs, but particularly in light of your comment that your mission has grown
9 over time, and your responsibility has increased, and you're in a position where you are
10 now in sort of a mass hiring?

11 Can you talk to me a little bit about what methodology do you use to determine
12 we need this many CERT officers, we need this many BRTs, we need this many K-9s, that
13 sort of thing?

14 A Sure. So one of the things that we're trying to do with how we're
15 evaluating the need for operations is not continuing to do things as we've always done
16 them in the past. One of the biggest impediments, though, is the sworn staffing
17 vacancies that we do have.

18 But for CERT, for K-9, it's taking that jointed approach to looking at what is the
19 mission, how many officers do they have assigned, what are the mandated training
20 requirements that they have, in addition to not losing sight of what is the overtime burn
21 rate, that average overtime in that section per officer.

22 Because we need to be able to staff up at some point to be able to get these
23 officers back into routine schedules, if you will, without relying so heavily on mandated
24 overtime just to meet our mission requirements.

25 So that's kind of the approach. We're doing the best practice review as much as

1 we can with K-9, with CERT, with Dignitary Protection Division. We just had Secret
2 Service come in and audit the entire training program for DPD.

3 So we're really trying to branch out and look at what are our partner agencies
4 doing, what standards do we have in place, what do we want to get to for the mandated
5 mission overtime per officer that coincides with getting them days off, and what is our
6 mission requirements or policy to meet as far as training standards.

7 Q Copy that, sir.

8 One of the terms that I have heard used with respect to planning strategic
9 operations is being intelligence driven. In other words, intelligence driving not just
10 tactical response, but sort of strategic planning about how organizations like your security
11 organizations allocate resources and staffing.

12 Is that something that the department engages in? And does it use, like, IICD, for
13 example, to help them do that? Or how does that work?

14 A Yeah, absolutely. So that's one of the -- probably the biggest improvement
15 that I'm the most proud of that the department has done since January 6th is a complete
16 revamping of our operational planning.

17 Now, I had mentioned earlier in the meeting that we were doing some of the silos
18 that were in place. And that was evident to me on January -- January 6th I had the PSB.
19 Another deputy chief had OSB. Another deputy chief had USB. And I knew what the
20 PSB plan was definitively and I put stuff in place for PSB. But I didn't really know what
21 the USB commander was doing for USB and the OSB commander.

22 So everyone was kind of I don't want to say was doing their own thing, but
23 everyone kind of focused within their bureau, within their chain of command, without
24 that somebody really wrapping their hands around the entire department and looking for
25 any identified gaps.

1 And that's what we're doing now. So when we go into any type of event -- this
2 week, tomorrow, we have former Senator Reid lying in state in the Capitol. Next week,
3 we have three large demonstrations that we're doing.

4 But when going into any of these events, the operational planning now is now
5 being led by our Command and Coordination Bureau. And it forces every commander
6 from across the department to sit at the table and be part of that planning.

7 We have revamped and made it mandatory for participation in those events.
8 One of my goals in my current role is, whatever event we go into, a commander
9 anywhere in the department can understand what everywhere in the department is
10 doing.

11 So we have duplicity in our incident command. We have an area commander
12 identified. We have an incident commander. So we're really taking to the incident
13 command structure. We know if the incident commander is involved in something,
14 there's a deputy incident commander. So that's the person that's going to pick up the
15 planning.

16 We have redesigned -- on the 6th, we didn't have an operational plan, a written
17 operational plan. So we have new incident action plans for every single event that we
18 do.

19 We also follow up those incident action plans with mandatory after-action
20 reviews. So every officer is able to -- a bulletin goes out. Every officer, every civilian in
21 the department can submit. What we have done is made it mandatory that every
22 official for your area of responsibility, you have to provide feedback.

23 We now allow -- we now align the intelligence into that planning process. So
24 Julie, as the acting director, will do an initial assessment, which will get the ball rolling for
25 those interagency collaboration meetings. Julie will provide her briefing: This is what

1 we have. We'll continue to update that assessment.

2 Our CCB team has been working with DHS to model our planning process and
3 assignment of resources after the SEAR process, the Special Event Assessment Rating
4 process. Obviously, ours has to be a little bit different because we're talking assignment
5 of CDU or the bike teams and stuff. But we now are coming up with a process of here is
6 what the event is, here is the resources that they need to draw up internally in the
7 department.

8 We have mandatory either guided discussions or for larger events tabletop
9 exercises internally in Capitol Police where we're exercising or utilizing emergency
10 planners to test the planning that we have set up.

11 Larger events where we have some external agency support we do an external
12 agency tabletop exercise where we get all the commanders and the executives together
13 in the room or virtually, we will go through a bunch of different scenarios, almost
14 resembling the National Special Security Event planning process in the internal-external
15 coordination.

16 All of the intelligence assessments now when they're sent out go to every single
17 officer. They get them on the phone. They also at the same time are going to every
18 external agency. So from DOD, Federal agency, State, local, all partners are getting the
19 same picture from the Capitol Police.

20 And then we also developed a Critical Incident Response Plan for the U.S. Capitol
21 Police. So it's the first of its kind for us and it addresses some of the issues
22 pre-January 6th where we now have a plan in place to bring in -- a coordinated plan to
23 bring in additional resources in essence from external agencies, whether it's for a planned
24 event like September 18th, we utilized it to bring in -- we brought about 200 CDU officers
25 forward, or even a no-notice event.

1 So if something was to happen tonight, an active shooter, if we needed additional
2 tactical teams, our command center, the chief or his designee, would be able to activate
3 that Critical Incident Response Plan.

4 And we have worked with upwards of 28 to 30 different agencies for months on
5 that Critical Incident Response Plan. We now have it formalized. And that is part of
6 the plan also that Congress, when they appropriated the supplemental funds to be able
7 to allow -- and I might have this term wrong -- allow Capitol Police to pay for these
8 agencies to come forward.

9 That's built into that Critical Incident Response Plan where we have an MOU with
10 those agencies. We discuss ahead of time use-of-force guidelines, methods to pay
11 them, the swearing-in process, the certification process, all that stuff.

12 Q I appreciate that really detailed response, sir. And it's a good segue into
13 what I want to talk about next. Because you mentioned the Command and
14 Coordination Bureau and, specifically, incident management, sort of some of the changes
15 that are happening there.

16 If we back up a second, sort of tell me, what's the general -- what function does
17 Incident Management serve within CCB? What are they supposed to do, and how are
18 they supposed to do it?

19 A So our CCB, Command and Coordination Bureau, it has our command center,
20 it has our communications, and it also has our special events and our Continuity Working
21 Group, which is more the classified stuff.

22 Our command center is kind of the, for lack of a better term, the quarterback, if
23 you will, for the department. They're up there, they've got all the camera views, any
24 time when we have a larger event. Next week we'll have reps from all different
25 participating agencies, executive decisionmakers in the command center.

1 So the command center is typically where the area commander will be and the
2 incident commander will be out in the field. There's also a deputy incident commander
3 out in the field, the CDU command. And we drill it down pretty far in that incident
4 commander structure. So that's kind of how that incident command focus fits into CCB.

5 Q So would it be fair to say, sir, that when an incident happens the CCB
6 Incident Management Team, sort of their responsibility is to, for lack of a better term,
7 manage that incident, as you mentioned, sort of as the quarterback, so the rest of the
8 department can do what else it needs to do, but you sort of have a dedicated team to the
9 incident itself?

10 A Yes. So we would, if an incident happens, we would have an incident
11 commander in the field go to an incident command post and start setting up there.

12 CCB has a team that would go out to the incident command post and begin a log
13 and a tracker and set up the bridge from the incident command post to our command
14 center.

15 Our command center should be quarterbacking the entire operation for that event
16 and making sure we're not assigning too many assets to one area and making sure we're
17 keeping certain teams in certain areas.

18 And we're also bringing on -- we have entered into an agreement to purchase
19 iTAK, which is -- are you familiar with iTAK?

20 Q Yes, sir.

21 A We'll be able to have force tracking and be able to see where all of our
22 assets are from our command center. And up in our command center, we'll have the
23 window version, WinTAK, where we can be able to see campus-wide where our tactical
24 teams are, where our countersurveillance, where our CBU, and stuff of that nature.

25 So the command center should be kind of quarterbacking the entire operation and

1 managing all the department's assets. And the incident commander's specific duty,
2 actual incident, making sure he's getting it swept, making sure he's setting up a
3 perimeter, to making sure he's got the right assets coming there to deal with whatever
4 that incident is.

5 Q Copy that. Was there an incident manager on January 6th?

6 A No. The department didn't have an operational plan in place for
7 January 6th. And the only -- post-January 6th, the only thing that I was aware of was
8 Deputy Chief Waldow was commanding our CDU teams. But we did not have any type
9 of formal what we do now, formal incident command structure in place.

10 Q Copy that.

11 You mentioned two positions within Incident Management, the incident manager,
12 or the IM, and the deputy incident manager, or the DIM.

13 Briefly, what are their responsibilities?

14 A Sure. So what we have is the incident commander, and that incident
15 commander is kind of the overall field operations coordinator for the event.

16 What we started to do post-January 6th is assign a deputy incident commander.
17 So, for instance, the incident commander gets involved in something, isn't able to get on
18 the radio, isn't able to respond to the command post to give direction, we have a deputy
19 incident commander already identified, so that we have the duplicity of somebody will be
20 there to take command.

21 And then we also have the area commander, which is if it morphs into a larger
22 incident where you're talking unified command and we have different agencies coming
23 up with multiple events, that's where the area commander would start to come in to kind
24 of command all of the moving parts of the department.

25 Q Copy that.

1 One of the recommendations -- and part of the reason why I asked those
2 background questions is because I think it's helpful for what I want to ask next or talk
3 about next, which is one of the areas of recommendation the OIG had was ensuring that
4 people who are part of the incident management, so people who are on tap to be IMs or
5 DIMs or otherwise part of the incident management structure, are, one, receiving their
6 initial training, and then, two, they're receiving their recurrent training, and that is being
7 tracked and people are able to account for it, which they found wasn't necessarily the
8 case.

9 What are your thoughts about that, and how has the department sort of
10 addressed that issue?

11 A Yeah, we're in full support of that. What we have done is we're moving
12 towards -- and we used to do it years and years ago. When I was an officer, every year
13 you would have to take the online courses in incident command, the basic ones, as an
14 officer.

15 So where we're transitioning now to is mandated yearly training. So the officers
16 will get a certain level, ICS 100, ICS 200. All of the command staff will go through ICS
17 100, 200, and then the expanded, enhanced ICS classes as well.

18 Our CCB team has taken the initiative. They went and met with FEMA about the
19 online incident command, NIMS training and stuff of that nature. As soon as -- the
20 process is in the review phase now -- or the policy is in the review phase now -- and we
21 will track all of that training through that APEC (ph) system, which is the training database
22 system.

23 Our Training Services Bureau and our CCB have been working jointly together to
24 revamp this training and get it back on board for Capitol Police.

25 Q Copy that, sir. And I think we're at our last sort of area before I just have

1 some closing questions, and then I will open it up to other folks who may have additional
2 questions.

3 So we talked about Command and Coordination Bureau with specific reference to
4 incident management. Can you just sort of briefly describe for me what are the
5 responsibilities for the Command and Control Bureau, generally speaking?

6 A Sure. So, generally, on a day like today, our command center is operating.
7 We have liaisons up there from the House, Senate, and AOC. They're tracking anything
8 that's going on, not only on Capitol Grounds, but they're also -- they have the dedicated
9 lines to our Federal, State, and local partners.

10 They also have -- I guess I'll be brief on this -- the air management, if you will, any
11 type of air threat. That's quarterbacked out of our command center. We also have
12 reps out at the NRCC 24/7.

13 And then our communications, obviously, is 24/7. That's our dispatchers for U.S.
14 Capitol Police.

15 And then the other arm of CCB is Special Events. So they're the ones that talk to
16 all the organizers, any type of event that's going on, whether it's a demonstration,
17 whether it's a congressional event. They're meeting with either the protocol office and
18 the staff that are coordinating the event, coming up with a timeline, making sure
19 everything is in line with our timelines and our policies and permits and applications.
20 Any external agencies that want to come up on Capitol Grounds, that's routed to Special
21 Events.

22 Then we have our Emergency Planning Section and then our Continuity Working
23 Group. So our Continuity Group is all the classified stuff that we have in place.

24 Our Emergency Planning Section is working day in and day out with our new
25 operational planner that we brought on from Secret Service. And they are busy enough

1 because we have so many events all the time up here that they're continually working
2 one event to the next. They're the ones that do all the after-action review and push
3 that out and take in all that information, correlate it into a document. They're the ones
4 that draft up the operational -- the incident action plan that we need to have in place
5 now.

6 Any event, all the other divisions, whether it's DPD, CDU, K-9, they all do what's
7 called an ISP, which is an incident strategic plan for that unit. All those plans come to
8 CCB. They take all those plans, and that's where they formulate the overall IAP for the
9 department.

10 Q Understood, sir.

11 So one of the recommendations or sort of category of recommendations with
12 respect to CCB deals with I think the communications piece and the flow of information
13 from the top of the organization down through the line officer level. And I think you
14 talked a little bit about this with [REDACTED] with specific reference to intelligence.

15 But, I guess, describe for me what the process was like for getting information
16 from your level down to the line officer level and how, if at all, that has changed
17 post-January 6th.

18 A Sure. So leading up to and on January 6th the only ability that we had to
19 talk to to get information to line officers was at roll calls or if we had a sergeant physically
20 go around post by post and drop off a bulletin. You know, we have numerous bulletins
21 almost every day, be on the lookout for whatever it is, subject, car. We would have to
22 physically take that around to every post from an official in the department.

23 What we have now is, incidentally, we have the ability to share all information
24 with the officers. So every day the officers are getting an intelligence report, a daily
25 intelligence report on their phones. All of our incident action plans, that overall

1 department operational plan, that's being sent to every sworn member of the
2 department. All of the assessments that we do, any type of products that come out of
3 IICD, all the officers are getting it on the phone.

4 The results of being able to share that information with these phones has been
5 overwhelmingly positive. Now, we do have some that are saying, "Hey, stop, we're
6 getting too much." But it's been night and day with sharing information. Officers are
7 able to question things. They have a feedback where they can email directly to IICD if
8 they have questions on an assessment or a product or anything of that nature. So it's
9 significantly enhanced our ability to share information.

10 Notwithstanding just -- not relying solely on the phones, for large events,
11 September 18th, and stuff of that nature, I have mandated that we have in-person
12 briefings before the event. So before, like, the September 18th demonstrations we
13 went out to every roll call, we brought in the officers an hour early, and we went through
14 the plan from A to Z. We opened up the entire playbook for all the officers.

15 And it was dual purpose. One, you want them to have the information. But,
16 two, you also want to start inspiring confidence in the officers that, hey, the department
17 really has a good plan in place, allow them to ask questions about it, stuff of that nature.
18 So we've also implemented that as well.

19 Q I appreciate that, sir.

20 Just two last questions before I see if any of my other colleagues have any
21 questions. Thank you for your time. I know it's been a long day.

22 You obviously have a lot of change occurring under you with respect to
23 responding to these numerous IG recommendations. What mechanisms are you using
24 to make sure that the folks below you are on track? How are you holding folks
25 accountable? Are you setting milestones?

1 What mechanisms do you have from your position to make sure -- understanding
2 that you can't obviously do everything by yourself -- to make sure that the
3 implementation of the recommendations as we have discussed today are being carried
4 out?

5 A Absolutely. And it's a whole team effort to put all of these
6 recommendations in place and stuff. And there is an exorbitant amount of change that
7 has already occurred and continues to occur.

8 So we have mandatory command staff meetings now, which is something new, we
9 didn't have that prior to January 6th, where we have all the operational commanders
10 getting together. And there's no bureau by bureau. It's everybody sitting together
11 going over recommendations. We're going over -- so not only like K-9 knows what
12 they're doing as far as the recommendations, but somebody in DPD will also hear and
13 understand what's going on with some of the improvements in other areas of the
14 department.

15 We've also pulled an inspector, Kimberlie Bollinger, out of her assignment and
16 given her priority assignment in small team, working on these IG recommendations, so
17 that we can kind of prioritize them, because you can't pull the car over and stop it in
18 order, you've got to continue do it, meet the day-to-day mission requirements.

19 So we pulled Inspector Bollinger and the small team out, and they're going bureau
20 by bureau working through these recommendations and codifying all the
21 recommendations. Not only just the recommendations, but also the training plan and
22 the communication plan so everybody understands what's going on.

23 Q I appreciate, that, sir. And my last question before I open it up to others,
24 we ask this of all of the folks that we spend time with in an interview setting.

25 Given your experience and given the events of January 6th, and particularly your

1 vantage point with the IG recommendations, what recommendations, sort of outside of
2 what we've talked about, if any, do you have, globally speaking, that you think might be
3 helpful in preventing something like this from happening again?

4 A That's a great question.

5 I think, in my perspective, every commander within Capitol Police, no matter what
6 your rank, if you're a captain all the way up to the Chief of Police, should be able to look
7 back and say, "You know what? I wish I didn't do this, this, or this pre-January 6th."

8 But it's also extremely important to me, I think, for everybody to say, "What am I
9 doing now to make sure nothing like that ever happens?" And excelling in your current
10 role, where making a difference if you're in CCB, if you're in OSB, if you're a CDU
11 commander, or if you're an acting assistant chief or even the new chief, and trying to put
12 the department in the best possible stance so that never happens again.

13 So I feel the external coordination that we are doing now is night and day from
14 what it was pre-January 6th. And it's even for small events. It's just routine briefings.
15 Everybody is talking. Everybody has different entities responding to each other. We
16 now have representatives from other agencies sitting in our command center for all of
17 our events that we're doing, where MPD, U.S. Park Police, DOD for larger events, and
18 stuff of that nature.

19 There has been a lot of change. I think if we can get our staffing situated and get
20 these additional officers hired and be able to give our officers time off, we can then really
21 start to revamp our training that we're doing too, getting back to where we're doing
22 in-service training and not just training new officers to come on.

23 And we're starting to move in that direction. We purchased these VirTra
24 machines, which are 360-degree simulators. That should be arriving in a month,
25 2 months. They will be on campus to be able to give us the ability to expand their

1 training. It's not just -- right now, all we can basically do with our in-service training is
2 qualify at the range and some of the online training.

3 So we're going to start moving to deescalation training, enhanced CDU training,
4 and stuff of that nature. It's just really hard with the staffing shortages that we have
5 and the mandated overtime and stuff of that nature.

6 So I think, you know, the additional funding to continue to hire more officers and
7 get our vacancies filled and then participate in numerous calls, almost pertaining to the
8 exact question you asked, with the National Security Council and with some of our
9 Federal partners about what can we collectively all put together so we're never in that
10 position again.

11 Q I appreciate that, sir.

12 [REDACTED] I will first ask, [REDACTED], any additional questions for Chief
13 Gallagher?

14 BY [REDACTED]:

15 Q Yeah. Two questions. I am just very cognizant of time. Thank you for
16 taking this much time out of your day.

17 One is you mentioned a lot about the staff shortages that are happening in the
18 Capitol Police. And there's been many press reports about overall the morale. I'm just
19 wondering if you could just generally speak briefly on that and how the officers are doing
20 now 1 year out.

21 A Yeah, sure. So the moral is -- it's a tough question because it's in the eye of
22 the beholder. So there's been a lot of positive changes, a lot of different things that
23 we're doing as a department that has gotten to the officers that they appreciate.

24 The biggest thing, you know, I talk to our command staff to try to put yourself in
25 the officer's position. If you're getting drafted over and over without notice, and if

1 you're working 6 days a week, 12 hours a day, the morale sucks because you can't see
2 your family, you can't get time off, you can't do what's important to you outside of this
3 place.

4 So the staffing, I think, if we can right the ship with our staffing. And I think
5 we're on the direction. We're hiring 288 officers this year and we're going to do that for
6 the next 3 years. We're implementing a lateral hiring program. We are looking at a
7 Federal annuitant program for retirees and also looking at implementing a temporary
8 contractor security measure.

9 So I think those four initiatives, the primary one, obviously, being to hire more
10 sworn officers, that will significantly improve morale, because they'll start to be able to
11 get some days off and some time with their family.

12 One of the things that I mentioned a little bit earlier was trying to inspire
13 confidence from the officers too. So I think the added emphasis that I have been trying
14 to put in place is get out and talk to the officers, get out and go to some roll calls.

15 Now, we recently just scaled back our roll calls because of the surge in COVID.
16 But getting out and letting them see officials, letting them see high-ranking officials come
17 to roll call, without an agenda, just open up the floor. I can't tell you how many texts
18 and stuff I get after those. "Hey, it was great. I really appreciate."

19 So just allowing them to have a seat at the table and be able to ask questions and
20 stuff like that goes an extremely long way.

21 Q And then my final question is, as you mentioned, there wasn't a
22 department-wide plan going into January 6th.

23 Now, again, like one year, one year later in hindsight, and now that it sounds like
24 you have operationalized department-wide plans for big events from what you discussed
25 with [REDACTED] so how much of an impact would that have made if there were -- all

1 these different units had been on the same page, particularly about the intel as well?

2 A You know, hindsight, of course, I think it would have made a difference.
3 Now, would it have stopped what was happening? I don't think so. I think we needed
4 not only additional officers onsite, outside of Capitol Police, but I think we needed a
5 fence. And even if we had a fence, I think that fence would have toppled. But it still
6 would have gave us time, distance, and stuff like that.

7 But I think if we had these type of training exercises before an event, mandatory
8 commanders meetings where everyone is sitting at the same table and going over -- this
9 table right here -- and going over the entire plan and were forcing people to speak to your
10 area. So USB, what are you doing? CCB? And we still have somebody that's trying to
11 wrap their head -- well, that doesn't sound right. I'm doing this. It kind of conflicts
12 with this. So I think it definitely would have made a difference.

13 [REDACTED] Thank you.

14 [REDACTED], I don't have anything else.

15 [REDACTED] Thank you, [REDACTED]

16 [REDACTED], any further questions from you, sir?

17 [REDACTED]. Yeah. Just one quick question. And I know this preceded your
18 time. You were talking about training. And I was just wondering if you had any
19 visibility into the hiring of Northern Red to do some training for the United States Capitol
20 Police. I don't know if you figure -- or you have an idea you could share with the
21 committee how that was approved, how that happened basically.

22 Chief Gallagher. Yeah. So I did speak to that. I wasn't aware of that until
23 after January 6th. So I wasn't -- I didn't have oversight of CERT or the uniform side prior
24 to.

25 But what we have mandated now to put in place so that never happens again is

1 we have an intelligence assessment of any type of contractor with the U.S. Capitol Police,
2 whether it's even our CDU equipment, who we are buying it from, whether it's an
3 operational training, or whether it's even a contractor on our civilian side, it all gets
4 routed through IICD for a scrub of -- an assessment, if you will -- of the contractor, what's
5 out there, so that we can make a -- and then it comes up to the command staff to make
6 the decision on approving it.

7 That way it's not at a lieutenant or a captain level approval. We have an
8 assessment done on the contractor, and then it escalates up the chain of command for
9 final approval, because we are expending funds, and we want a higher level to look at
10 what does that assessment say so that we are not in that position again.

11 [REDACTED] And is that your understanding of what -- of how that got
12 approved, that, number one, it was at a sort of lieutenant or commander level that those
13 trainings could move forward, and number two, that it wasn't necessary -- it wasn't
14 mandated or expected that there would be intelligence looking into the group that is
15 putting on the training? Are those your understanding of how that sort of happened?

16 Chief Gallagher. Yes. I can't say definitively who approved it or how it went.
17 CERT is commanded by a lieutenant. So I'm sure it came up through that lieutenant.
18 But I don't know at what point it stopped, because that was a few years ago.

19 But now we have the process in place. There was no look by intelligence at any
20 training group, contractors, or anything previously, and now we've implemented that
21 process.

22 [REDACTED] Anything else, [REDACTED]?

23 [REDACTED]. No, not from me. Thank you so much.

24 [REDACTED] Thank you.

25 Well, Chief Gallagher, I did not anticipate on keeping you three and a half hours,

1 but I appreciate your time.

2 Tad, I appreciate your time as well and your forthrightness with the committee.
3 This has been very, very helpful. And as I said earlier at the beginning, once we get the
4 transcript, we'll make it available for Tad's review.

5 Before we close, any final questions or comments or concerns from anyone on the
6 line?

7 And, of course, thank you to your awesome court reporters for hanging with us for
8 the last three and a half hours as well. Much appreciated.

9 [REDACTED] Thank you all.

10 [REDACTED] Thank you, gentlemen. Have a good evening.

11 Mr. DiBiase. Thank you all. You too. Be safe.

12 [Whereupon, at 6:10 p.m., the interview was concluded.]

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Certificate of Deponent/Interviewee

I have read the foregoing ____ pages, which contain the correct transcript of the answers made by me to the questions therein recorded.

Witness Name

Date