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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: DAVID MATTHEW MILLARD

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Monday, April 18, 2022

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Washington, D.C.

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The interview in the above matter was held 5480 O'Neill HOB, commencing at

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12:46 p.m.

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Members Present: Representatives Schiff.

1 Appearances:

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4 For the SELECT COMMITTEE TO INVESTIGATE
5 THE JANUARY 6TH ATTACK ON THE U.S. CAPITOL:

6

7 [REDACTED], INVESTIGATIVE COUNSEL

8 [REDACTED], INVESTIGATIVE COUNSEL

9 [REDACTED], INVESTIGATIVE COUNSEL

10 [REDACTED], PROFESSIONAL STAFF MEMBER

11 [REDACTED], CHIEF CLERK

12 [REDACTED], PROFESSIONAL STAFF MEMBER

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15 For SERGEANT MILLARD:

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17 LISA WALTERS, SENIOR COUNSEL, U.S. CAPITOL POLICE

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██████████ We will go on the record at 12:46 p.m., Eastern time.

Good afternoon. This is a transcribed interview of Sergeant David Millard conducted by the House Select Committee to Investigate the January 6th Attack on the United States Capitol, pursuant to House Resolution 503.

At this time. I'd ask the witness to please state your full name and spell your last name for the record.

Sergeant Millard. David Matthew Millard, M-I-L-L-A-R-D.

██████████ And thank you, Mr. -- or Sergeant Millard.

This will be a staff led interview and Members, of course, may choose to also ask questions. In the room today, we have ██████████ -- that's me -- investigative counsel; we have ██████████, investigative counsel; we have ██████████, investigator; we have ██████████, professional staff member; we have Ms. Lisa Walters, Office of the General Counsel, Senior Counsel for U.S. Capitol Police; and there are no Members in the room right now.

Before we begin, I'd like to describe a few ground rules for you. There is an official reporter, Ms. Barnes, transcribing the interview. Please wait until each question is completed before you start to answer, and I will do my best to wait until you're done answering before I ask my next question.

Additionally, the reporter cannot record non-verbal responses, such as shaking your head or making hand gestures, so just do your best to use words with your answers. If I notice you shaking your head or pointing to a part of your body, don't worry about it. I will annotate it for you on the record, but if you hear me saying "positive response" or "negative response" from the witness, that is simply what I'm doing.

We ask that you please provide complete answers based on your best

1 recollection. If you don't recall or know an answer, just simply say so. If you need me
2 to clarify a question for you, please just do say so as well, and I will clarify it for you.
3 Please let us know if you need any breaks throughout this interview.

4 Throughout the interview, I'll also be directing your attention to a couple of
5 exhibits on the screen. I'll share the screen and share the exhibit for you to watch it. If
6 you need to us to replay the exhibit, please just ask us to replay it, and we'll replay it for
7 you.

8 I tell every witness this, but I need to remind you that it is unlawful to deliberately
9 provide false information to Congress, and that doing so could result in criminal penalties.

10 So do you understand that as well?

11 Sergeant Millard. I do understand, yes.

12 [REDACTED] Okay. Thank you.

13 Ms. Walters, is there anything you'd like to put on the record before we start
14 questioning?

15 Ms. Walters. Nothing from me. Thank you.

16 EXAMINATION

17

BY [REDACTED]

18 Q Thank you. All right. Sergeant Millard, just tell us a little bit about
19 yourself. Where you currently live? How hold are you? How long have you been
20 doing your job?

21 A Sure. 39 years old. Currently live in LaPlata, Maryland. I'm from
22 Washington, D.C., born and raised. I joined Capitol Police in 2005. Prior to that,
23 graduated high school in 2000. Enlisted in the Army Reserves as a senior in high school.
24 Attended boot camp, and military occupationally trained in Fort Leonard Wood, Missouri,
25 for military police. Did that through 2001.

1 I was in school at Old Dominion University when the plane struck the Tower, and a
2 month later, I was in Fort Jackson, South Carolina, on active duty for supporting
3 Operation Noble Eagle.

4 The Reporter. I'm sorry. What was the operation?

5 Sergeant Millard. Operation Noble Eagle, Fort Jackson, South Carolina.

6 During that year of active duty, I primarily did force protection, had some minor
7 investigative experience, also joined the special reaction team while I was down
8 there -- had -- had training in that.

9 Came off active duty in February of 2003. Activated again to active duty and
10 deployed to Baghdad for Operation Enduring Freedom 1 -- OF1 -- Operation Iraqi
11 Freedom. I'm sorry -- for OIF 1. And was in Baghdad between '03 and '04 primarily
12 doing EPOW operations -- enemy prisoner of war operations -- in -- in a couple of the jail
13 facilities that were established. Returned home in April of 2004, and applied to Capitol
14 Police and began training in January of 2005.

15 Q Thank you for your service in the Army. I will save all my Army jokes for
16 a different time, but thank you for your service, especially doing force protection during
17 that time and in a very dangerous combat zone.

18 You just mentioned that you joined or applied for the Capitol Police, and joined in
19 2005. I guess coming off active duty in the military, what made you want to join Capitol
20 Police?

21 A Family of law enforcement. My grandfather was then FPS. He was a
22 Pentagon police back when FPS had it before Pentagon force took over. My father
23 was -- did 27 years for Metropolitan Police Department. Retired sergeant, traffic,
24 homicide. So it was kind of engrained in me to follow -- follow that pathway. My
25 mother is a civilian. Well, a retired civilian for the Secret Service.

1 When I went to go apply for jobs, I didn't have a college -- I didn't have any college
2 experience at the time. So at the time, Metropolitan Police was looking for an
3 associate's degree. My mother forbid me to work for the Secret Service, and that left
4 the Park Police, who wasn't hiring at the time; U.S. Marshals, who were currently in a
5 hiring freeze; and then the Capitol Police, as federal agencies. My father directed me
6 towards a federal path as far as me not going --

7 The Reporter. As far as?

8 Sergeant Millard. I said my father gave me the idea of pursuing federal law
9 enforcement, as opposed to state and local law enforcement.

10 BY [REDACTED]

11 Q So I only heard the jobs that you were considering, even after the high
12 school, was in serving in some capacity. Was that -- was that intentional on your --

13 A It was intentional, yes.

14 Q And just help us explain -- right -- so you're 18 leaving high school, you go
15 into the military, and then you get out of the military, and you go to the Capitol Police,
16 again, to serve. I guess, what did that mean to you even at an early age?

17 A Yes. While I did ROTC in high school, and I had ROTC instructors that were
18 all infantry, Special Forces, Ranger type people that were, you know, retired, and were
19 people that I followed through high school. And when I began discussing with them the
20 idea of joining the military, they just always said if you have the option to never walk
21 anywhere, don't do so, which led -- led to a couple of different careers.

22 I had a mechanical mindset. I liked doing things, such as maintenance, but
23 those -- thinking long term where I could end up after the military, the military police and
24 law enforcement was a viable career, so that's the route that I ended up going.

25 Q And you became an MP, right?

1 A Yes.

2 Q Can you walk us through -- so you've been in Capitol Police from 2005 until
3 currently in 2022?

4 A Until current, yes.

5 Q So can you walk through -- and it can just be high level --

6 A Sure.

7 Q But walk us through the positions you've held in Capitol Police from 2005
8 until 2022 -- well, right before January 6th?

9 A Sure. So 2005, I was -- went to Federal Law Enforcement Training Center in
10 Georgia for mixed basic police training program. Completed that in June of '05. Went
11 to midnights at the Capitol division, as my first assignment. Did that for a year for
12 probation. Completed probation, and signed up for the House Chambers, which is the
13 uniform in plain clothes element of the Capitol Police that provides protection for the
14 House Chamber, specifically.

15 I did that for about three months, and then was accepted into our dignatory
16 protection program. Shortly thereafter, in late 2007 -- I don't -- I don't have the exact
17 date, but permanently assigned to dignatory protection at the then Minority Whip of the
18 Senate detail. Completed that detail when the Member retired. Stayed with the
19 Minority Whip detail, did eight years with that protectee. Throughout that time, I -- I
20 was eventually assigned to become an instructor and trainer for dignatory protection.

21 Once that protectee and that detail ended, I ended up on the Speaker's protection
22 detail. I did that for three years until his retirement. Then transitioned over to threat
23 assessment as investigation -- investigator. Went into investigations, went back FLETC,
24 Georgia, for criminal investigation training program, and was in that position for about a
25 year and a half. And then got promoted in 2016, I believe, 2016. Became sergeant,

1 and was assigned to the Senate detail as an official.

2 I was there for approximately two months -- two and a half, maybe three months,
3 before a threat protection detail was established for a U.S. Senator. And then I was
4 assigned as -- as a supervisor for that protection detail, which lasted about 18 months.

5 Once that detail ended roughly October 2018, I was then assigned to the criminal
6 investigations section within the investigations division as their official over CIS.

7 Q And right before 2021, were you serving in the inauguration task force?

8 A I was. So roughly May, June of 2020, was assigned to the inauguration task
9 force full time where -- where our goal was to prepare for the Presidential
10 inauguration -- the upcoming Presidential inauguration, and I held many primary roles
11 within that task force.

12 Q Can you just give us -- and [REDACTED] may come in and ask more follow-up,
13 but I'm going to start off this line of questioning -- kind of the trainings you completed
14 that were relevant, in particular, in responding to January 6th? So what trainings did
15 you -- did you take as an -- as an officer?

16 A Through the -- through military police school, we had civil disturbance
17 training that -- that was primarily focused around the law enforcement mission or military
18 enforcement mission of prison -- prison missions and riots.

19 I had experience in Iraq with that. My battalion was assigned to Abu Ghraib and
20 a couple of the other Baghdad prisons, so whenever they had uprisings, our
21 company -- our headquarters company would respond to reenforce the staff at those
22 prisons. So I've had experience with -- with similar activity.

23 Basic law enforcement at U.S. Capitol Police Academy. Following the academy,
24 we do a week of civil disturbance training. That, for me, was in June of 2005, and that
25 was the last time that I did civil disturbance training.

1 Q So in your roles on protection details, like for the Senate Whip or the
2 Speaker, that's a different set of skills than maybe civil disturbance-type skill sets; is that
3 fair?

4 A Yes.

5 [REDACTED], did you have any follow-up on trainings, in
6 particular?

7 [REDACTED] No, not -- not at this time. Thank you.

8 BY [REDACTED]

9 Q Thank you. So then let's fast forward. I know you joined -- it sounds like
10 the inauguration task force in May or June of 2020.

11 A Yes.

12 Q You didn't have to work or respond to any rally, I guess, leading up to
13 January 6th; is that accurate?

14 A I did not.

15 Q Okay. So then let's -- let's go straight to January 6th or the days before.

16 In the days leading up to January 6th, do you recall any briefings or meetings you
17 attended particularly about January 6th? I know you were on the task force, so that's
18 why I just want to make sure we know.

19 A So through the inauguration task force, one of my primary responsibilities
20 was the Intelligence Subcommittee for the inauguration. That -- the committee chairs
21 were an FBI and Secret Service agent and Capitol Police were participants for the
22 Intelligence Committee -- Subcommittee. I was principally responsible for attending the
23 meetings that were supposed to begin in July, but really did not begin until much later in
24 the year. COVID really put a -- a damper on the planning.

25 As time started getting closer towards January, started pushing for more meetings

1 and eventually, the subcommittee held meetings for -- for -- the Intelligence
2 Subcommittee held meetings virtually.

3 Q So this Intelligence Subcommittee, did it -- who did it compose of it?

4 A Most of the federal agencies within the National Capital Region. Again, two
5 chairs were FBI and Secret Service. Capitol Police was there, Supreme Court. I mean,
6 it was represented by 30-some odd agencies -- D.C. Metropolitan Police.

7 Q Okay. But it was led by -- and when I said "led," at least the two chairs
8 were FBI and Secret Service?

9 A Correct.

10 Q And when did, I guess, these meetings -- you said later on in the year, as you
11 approached -- but when did they really start to become more regular, if they became
12 regular?

13 A I'd say August.

14 Q August.

15 A Is when we began having -- having frequent meetings, monthly, and then
16 they eventually became biweekly.

17 Q And were events, such as the rallies held in support of former President
18 Trump in November and December, were those topics during these meetings?

19 A They were, yes.

20 Q What do you recall being discussed about these two events in particular?

21 A These two particular events -- the inauguration was always not a topic,
22 which, for me, it caused -- my focus was for the inauguration. These meetings were
23 being used for situational updates and intelligence updates for whatever major event was
24 taking place in the city at the time.

25 I remember a lot of the preceding meetings prior to the one just before

1 January 6th always covering the demonstration or the protest that had just occurred,
2 whether it was the MAGA 1 or 2 rally, or the -- the Black Lives Matter protest. It was
3 always a follow-up or a recap to what took place during the preceding rally.

4 Q And do you recall, though, I guess -- so it's -- it was a follow-up, almost like a
5 debrief?

6 A Yes.

7 Q Okay. Do you recall anything of note that came out of the debriefing
8 meetings from -- you refer to them -- I assume November and December is MAGA 1 and
9 MAGA 2 rallies?

10 A Yes.

11 Q Do you recall anything of note coming out of those debriefings?

12 A They talked about the violence that had occurred and they talked about the
13 conflicts between the opposing groups and the number of people arrested and the
14 number of injuries that occurred. The -- the last meeting prior to January 6th, they were
15 discussing the number of arrests and the number of people that were assaulted during
16 the event. Those numbers were -- were relatively low from what I recall.

17 It was just information sharing. There were people in the room that would ask
18 questions, such as number of arrests, describing what was taking place during the events,
19 but it was -- there -- none of the information was a -- was for the following event or for
20 the upcoming event.

21 Q Do you recall -- it sounds like the debriefing was mostly about protestor,
22 counter-protestor type violence?

23 A Yes.

24 Q So it wasn't really about any actors being violent or actions towards law
25 enforcement; is that fair?

1 A They talked about skirmishes with law enforcement, but the primary or the
2 principal conflicts were surrounding around law enforcement keeping the opposing
3 factions apart. It was never a, these people are here to target law enforcement, at least
4 not that I can recall.

5 Q So with that in mind, what were your expectations heading into January 6th?
6 Like, what were you thinking that day was going to be?

7 A The last meeting was -- was somewhat unusual, just there was a
8 speaker -- and I don't recall exactly, but I believe it was a person from the DCH SEMA,
9 who said, I'm a little worried about this one because we're seeing information that there
10 are going to be more groups coming, and there were going to be more groups that were
11 intending to cause conflict with violence and potential for weapons to be drawn.

12 Q Where was this person from --

13 A I believe it was DCH SEMA, which is the Homeland Security Emergency
14 Management Committee. I believe that was his title as he spoke.

15 But it stood out to me because it prompted me to get in touch with our TFO,
16 who's -- who sits on the same squad with the FBI chair to say, hey, are you guys tracking
17 whatever information it is that is, you know, prompting these additional concerns?

18 Q What does a TFO stand for? A threat --

19 A Task -- task force officer.

20 Q Task force officer.

21 A These are Capitol Police agents that are assigned to various task forces
22 through the FBI and the Secret Service.

23 Q So you reached out to your TFO within the Inauguration Committee?

24 A So he was also -- he was also a participant within the Inauguration
25 Committee, and I just happened to know him. We were in recruit class together, so he

1 was somebody that I could -- I could easily call to have a conversation with.

2 Q And when do you recall this meeting with the Homeland Security D.C.
3 individual? Do you recall what date this was on?

4 A I don't recall, but it was the weekend -- the weekend. It was the weekday
5 prior to the weekend before January 6th, so it was several days.

6 Q With the holidays, right?

7 A Yes.

8 Q It was the last workday technically before the week of January 6th?

9 A Correct, yeah.

10 The Reporter. Can I --

11 [REDACTED] Yes, go ahead.

12 The Reporter. I'm sorry. It just --

13 [REDACTED] We can take a quick recess in place.

14 [Recess.]

15 [REDACTED] We will go back on the record at 1:09 p.m., Eastern time, and I
16 will turn it over to [REDACTED].

17 We can't hear you. We can't hear you. You're on mute, [REDACTED].

18 BY [REDACTED].

19 Q Sorry about that. Sergeant, I had one question. When you mentioned
20 that you were a part of those task forces there, and listening to the briefings up until
21 January 6th, and the inauguration, you said the main focus was not on the inauguration
22 there, but just other, I guess, protests that happened prior to then, and discussing the
23 briefing information concerning those protests.

24 My question is this. Was there any information that you had learned from the
25 previous protests that could potentially assist and/or help before the inauguration and/or

1 the incident on January the 6th that you passed along to higher ups or anybody within
2 your shop?

3 A No, sir. Specifically for January 6th, that was not a topic. We were in hold
4 mode until the actual election -- the election was determined -- or we were waiting for
5 the outcome of the election to actually start making concrete plans about January 6th.
6 The information for -- I'm sorry -- about the inauguration.

7 The information that was provided, which was the same for all of the preceding
8 meetings, which was there were no significant or credible threats directed at the
9 inauguration or the event itself or to the NCR. That was always the outcome or the
10 disposition from the intelligence side of things. But then the gathering was used to
11 highlight the updates and the debrief from the previous events.

12 Q I'm more focused or at least asking the question from the standpoint of this:
13 Tactically, from your experience being there on several different protective details, was
14 there anything that you may have heard in those briefings that the protesters were doing
15 that could have assisted in the planning or whatever for events there on January the 6th
16 and/or as the inauguration to kind of help bolster the security, and, again, was that
17 information passed up?

18 A No, sir, there was never any actionable information during these -- during
19 these meetings.

20 Q So there was no -- there was no discussion of the amount of protesters
21 that were at these previous rallies and how they were interacting with police or
22 interacting with other individuals out in the crowd, as far as pro or against whatever the
23 rally supported?

24 A No, not to any specificity. No, sir.

25 Q Okay. All right.

1 A One thing -- one thing that was covered, as an alibi to this, they did discuss
2 hotel occupancy in the area. So that was another piece of the intelligence that was
3 shared by Metropolitan through their resources. As far as identifying -- you know, the
4 time period centered around these protests -- how many hotels in the region were
5 occupied and what their staffing was, and it was never anything at 100 percent. It was
6 always, you know, 40, 50, 60 -- normal for the -- for the time period.

7 Q For your position that you held at that time, and the information that you
8 were looking at gathering for the Capitol Police, what information -- what would have
9 been that information to help support what you were doing? Does that make sense?

10 A The question does make sense. So why were we having these meetings,
11 and that was a good question.

12 Q For -- for Capitol Police.

13 A For Capitol Police or for the group itself to be centered around the
14 inauguration, and I had a conversation with the chair separately to ask about these intel
15 meetings, and if this was a normal thing that the inauguration just happened to be a part
16 of, or were these meetings somehow now occurring because of the inauguration.

17 And my understanding is, is that the intelligence group that was gathered was
18 taking advantage of this planned time for inauguration planning to also discuss events
19 that were occurring relevant to the time period we were in the meetings.

20 The inauguration planning portion for it -- again, because of COVID -- and I hate
21 using this as an excuse as everybody else hates hearing it. But we really could not make
22 any -- any decisions on what was needed. So the purpose of these meetings were to
23 hash out manpower requirements surrounding what was known for inaugural planning.
24 The number of agencies that we would be bringing in, uniform -- because, if you recall
25 previous inaugurations, we bring in uniformed officers from throughout the country to

1 help support the million-person gathering that's normal for the inauguration.

2 Well, COVID has kind of put a pause on all of this planning because, again, cities
3 were still on lock down, major events were not occurring. But, if we remember, right
4 around that October, November time frame, numbers were, once again, starting to dip,
5 so there was still consideration on whether or not an inauguration was going to take
6 place and it was going to be in person or not.

7 So that really -- that was really the driving factor around the conversation
8 surrounding all of the intelligence, which is, hey, from a law enforcement perspective,
9 these are the resources we would be needing to be bring into play; what would the FBI be
10 giving to support Capitol Police; what would Secret Service be giving to support Capitol
11 Police for the even taking place on our grounds.

12 And none of that was occurring because we didn't actually know what the event
13 was going to look like, and even leading up to that last week in December, going into
14 January, we still did not have an answer for what was going to take place three or four
15 weeks from then.

16 [REDACTED] [REDACTED], I just want to step in to say that Representative
17 Adam Schiff has joined. I just want to make that for the -- make it clear for the record,
18 and back to you, [REDACTED].

19 BY [REDACTED]

20 Q And -- and I see your point as far as the planning piece as far as numbers.
21 More than anything, I was trying to get your perspective as far as, tactically, looking or
22 listening to the briefs from the previous -- the previous protest or rallies, how did
23 that -- and -- and you kind of answered it there a little bit as far saying it effected -- it
24 didn't -- you couldn't get the numbers and figure out a number of how many people that
25 you need. But, tactically, up on Capitol Hill, as far as assets or anything else you may

1 have needed, how does it impact that?

2 A It -- the meetings did not impact any determination for this. I was not
3 carrying forward and the Capitol Police team was not carrying forth any information that
4 would have been actionable by -- by our commanders -- by our command staff. It
5 just -- it wasn't -- it wasn't present.

6 And, I mean, the gatherings that were occurring -- the protests and the
7 demonstrations that were occurring wasn't -- they weren't major rallies, like what
8 was -- what was scheduled for January 6th. So the information leading up to them was
9 just detailing the skirmishes that were occurring between the different groups and the
10 outcome of arrests and injuries from the confrontations.

11 Q So some of that information would not have been vital to you preparing and
12 outlaying plans for the Capitol either on the 6th and/or doing it for the inauguration?

13 A That's correct.

14 Q Okay. Good deal. Thank you.

15 A Thank you, sir.

16 [REDACTED] Thank you, [REDACTED].

17

BY [REDACTED]

18 Q You also mentioned, Sergeant Millard, that during these briefings, you were
19 receiving reports of more groups -- I think is the term you used -- that might be coming to
20 the city for January 6th, and had the potential for conflict. What does that mean, or can
21 you just explain what you were receiving reports about?

22 A So the -- the reports that were highlighted were that there were groups
23 opposed to the election results that were looking to come to this rally, and those -- those
24 groups -- these people were intending to travel. Again, we were in the middle of COVID.
25 Masked gatherings weren't really occurring, so that was a highlight in and of itself that,

1 hey, there are actually going to be people that are planning to come to the District, and
2 that these numbers are going to be bigger than what we've seen in the preceding year,
3 which was next to nothing due to the public health emergency.

4 Q So the reports that you were receiving, it was -- and I'm comparing it to
5 some of the earlier debriefings where it was counter-protestor and protestor -- this one
6 was individuals opposed to the election results. Is that kind of how it was highlighted
7 for you?

8 A Yes.

9 Q And so getting back to the original question, what was your expectation
10 heading into January 6th having received these reports?

11 A My expectation was that there was going to be an event that took place.
12 There -- everything was very generalized, like there was going to be a protest, there was
13 going to be a rally, they're here to protest the election results.

14 You know, there was this -- there was other talks of groups potentially being
15 armed from militia-type groups that would potentially try to enter the city to participate
16 in these events. It's always been a thing where you have militia groups that, you know,
17 are politically aligned with certain aspects that want to attend these similarly themed
18 rallies or protests.

19 So for us it's always, okay, if they're going to come into the city with weapons, you
20 know, before they get to the Capitol, they have to actually enter the city, and that's
21 not -- that's not principally a U.S. Capitol Police responsibility. That's going to be on
22 Metropolitan Police or even federal authorities to determine if these people are actually
23 coming and if they are actually bringing weapons.

24 Q So, I guess, what was your personal reaction to the thought of individuals
25 possibly bringing weapons in the city on January 6th?

1 A It wasn't the first time that I had heard similar type groups wanting to come
2 to D.C. to -- to protest and demonstrate in that matter. I always thought that it would
3 be crazy, because if you have weapons, you know what the laws are in the District of
4 Columbia, and that's -- from a law enforcement reaction perspective, you see somebody
5 with a weapon, I mean, you're -- you're going to take law enforcement action to it. It's
6 not a matter of do you allow it or not. Like, you don't -- you no longer have to establish
7 probable cause if you have people with guns within the city that aren't law enforcement,
8 you know, that's -- that's a felony.

9 So my reaction to it is, it wasn't the first time hearing this, but there was no
10 further information that established it, beyond any -- this is social media chatter, this is
11 online chatter, this is -- that indicated that, you know, there were intelligence sources
12 involved that gave this any credibility.

13 Q So let's then go to January 6th.

14 A Yes.

15 Q Where were you that morning? Where did you report for duty?

16 A Assigned to the ITF.

17 Q And that's the inauguration task --

18 A Inauguration task force. We were housed out of the GPO Building off of
19 500 North Capitol. I parked in -- parked where I normally parked, and was at the
20 building working on my other primary tasks, watching the social media, listening to
21 the radio -- our Capitol Police radio, and really just started just monitoring for the day.
22 What was supposed to be a long 24- to 36-hour operational period for the department?
23 We were expecting Congress to be in session for overnight at this point to handle the
24 certification.

25 Q And just for the record, Mr. Schiff is no longer in the room.

1 But so you all were expecting for it to be, I mean, possibly an overnight kind of
2 congressional session?

3 A Leading up to the Joint Session beginning, we knew that there were
4 approximately a dozen challenges to the election results. And simple mathematics -- if
5 nobody yields back any time, that takes the process overnight into following day.

6 So having been at the department 17 years, you automatically know that if
7 Congress is in full session, you're not running your midnight staffing. You have to
8 actually hold people over or bring people in early in order to sustain those operations
9 leading into the overnight hours, because they're in full session. Joint Session for this
10 purposes is a full session for Congress. Your staffing requirements -- you have to keep
11 more doors open at a minimum. You have to keep more officers on staff, and there's
12 just not that many people assigned to midnight, so you have to flex that. You have to
13 flex your day shift and your swing shift staff in order to support those midnight hours.

14 Q So you were not on the Capitol grounds the morning of --

15 A I was not. I was primarily focused on working on media credentialing.
16 My -- my subtask was to coordinate construction -- media construction, credentialing of
17 the media compound.

18 Q For inauguration?

19 A For inauguration. So I was working with the media staff from the House
20 and Senate galleries, as well as the civilian staff to get names, and conducting name
21 checks and record checks, and getting people authorized and approved to be in the
22 compound area to facilitate construction.

23 Q And were -- it sounds like you were following the events on social media, but
24 were you and your colleagues watching the rallies that were taking place on January 6th?

25 A Oddly enough, the TV in the -- in our -- our room was down that day, so I

1 don't know if that -- but we were in the process of getting the TV restored. So we were
2 watching it through Twitter feeds on our desk tops, which -- which, you know, gave us
3 firsthand knowledge of what was taking place during -- during the speech and during the,
4 you know, proceeding march.

5 Q So I know that from this point you're describing now to just -- what -- a
6 couple of hours later, we know that you arrived at the Capitol. Walk us through what
7 parts of the rally, if any, stood out to you that made you go into alert, and then walk us
8 through the decision to then report back to the Capitol?

9 A You know, during the speech --

10 Q This is the President's speech?

11 A The President's speech -- the former President's speech, I remember him
12 telling the crowd, go down and stop this process. And I looked over at my coworker,
13 and it really did -- it caused a shock, because I said, did I really just hear that? And at
14 that point, things had already started happening on the radio with the pipe bomb
15 discovery and everything else. So that really caused all of us in the room -- and this is all
16 officials. These were people that I had been on dignitary protection, I trained with, I was
17 trainers with. It caused us pause, because we said this has the potential to start getting
18 really bad real quick.

19 So we all started making our own personal preparations -- that's pulling out body
20 armor, making sure you were going to the bathroom, grabbing a bottle of water, you
21 know, the things that you would do as if you were getting ready to have to take action.

22 So we all started doing that in the room. And then at the same time, we're
23 listening to the radio to what's now taking place down at the Pennsylvania Avenue
24 walkway and priorities getting called. Any time a law enforcement officer hears an
25 officer in distress -- a priority call -- that's like -- that's -- that's a red line for us. It's -- it's

1 time to go, but we -- we held off because we knew that, you know, CU squads were on
2 duty. They were going to respond. They were going to handle -- they were -- we were
3 prepared to handle a crowd -- a demonstration or a protest.

4 And we really -- we waited and we discussed at what point are we going to go to
5 the Capitol. Because then we started seeing on social media feeds that the crowd was
6 now on the platform. That for me was a big red flag, because I had just spent months
7 coordinating access control for construction workers to even have access to this platform.
8 So I -- we know -- we started talking and discussing in the room, hey, at what point are we
9 going to go do something about this?

10 Q So I want you to continue. So at that point, though, the protestors had
11 already presumably broken through the outer perimeter and now were on the west
12 front?

13 A The west front. So everywhere around the west front, and the reason why
14 I know this, part of my investigative responsibilities was to track any unlawful entry or
15 arrest that occurred surrounding that perimeter into the west front. So I know that
16 there's postings every 15, 20 feet that say, "Area Closed By Order of the Capitol Police,"
17 and that's through snow fencing, that's through bicycle racks. It's -- it's posted
18 everywhere around that perimeter that this area is closed by order of the Capitol Police.
19 You don't get past that point.

20 So the only point where this breach has started to occur at -- we're at the walkway
21 where uniformed officers were. So knowing that they had essentially been -- the police
22 line had failed, and that these people were now climbing over the walls, cutting the snow
23 fencing, or walking past these areas where postings and markings are clearly showing this
24 area closed.

25 Q And I would also like to note for the record, that [REDACTED],

1 investigative counsel, has joined.

2 So you're tracking this from your desk --

3 A Yes.

4 Q -- within the task force. You see protestors now on the west front. What
5 do you do next?

6 A You know, again, we're -- we're there. I remember walking into the ITF
7 commander's office, and I said, hey, are you seeing all this that's going on? And he
8 came into the office and he's looking at the Twitter feed. By that time, we finally got
9 the -- the TV back working, and we're looking at the live stream of this group now on the
10 platform -- the inaugural platform.

11 And again, we're -- we're all just -- we're ready to go, we're waiting, we're
12 listening, we're trying to figure out if -- you know, at what point we were going to take
13 ourselves into the problem. And we all collectively decided that if the building gets
14 breached at this point, is when we would self-deploy. Self-deploying is always a
15 problem for law enforcement, especially from an investigative standpoint. You never
16 want to self-deploy, because you end up -- you create more problems than you do
17 solutions sometimes when you do that.

18 So we discussed, okay, at what point is it going to get too bad to where our not
19 being there is -- is now -- more beneficial than staying back. And we all collectively
20 agreed, okay, if there is a breach of the building, that means that outside forces have
21 failed, and, you know, you need to get there to reenforce people that were in a -- in a
22 struggle, and that's what we did.

23 Q So you all deployed back when you saw a breach of the building; is that
24 correct?

25 A That's correct.

1 Q So at approximately a little after 2:00 o'clock or after -- yeah, after
2 2:00 o'clock is when --

3 A I don't recall the exact time frame, but it was definitely after 1:30.

4 Q Okay. And I just want to also just backtrack just a little bit. Look, you had
5 been on the Capitol Police force for over 15 years at this point. You had served as an
6 MP in Baghdad and stateside in the United States Army. What are you thinking at this
7 point when you were seeing the individuals get to the west front of the Capitol when you
8 know that it had been restricted?

9 A Well, I knew that they had pushed through police lines. I didn't know how
10 many officers were out there. I didn't know the status of the police officers, but I knew
11 that our efforts to keep them out, at that point, were not successful. And listening to
12 the radio, listening to the priority calls, listening to the calls for, you know, reenforcement
13 at certain points, you could just -- you could automatically tell.

14 The field manager for the day, I thought he was trying to manage it as best as he
15 could. He was trying to provide some direction, but I could clearly hear through the
16 radio that folks were overwhelmed by the sheer number of people. Does that answer
17 your question?

18 Q I guess, what -- what I'm trying to get at is what were you personally feeling
19 in that moment?

20 A I felt concerned for the officers that were there dealing with it. I was -- I
21 was concerned for the platform, because I knew that these people were opposed to this
22 election, and I really had thoughts of them setting the platform on fire. It's all wood. I
23 thought that this platform was going to be burning ash, and that was my responsibility to
24 keep it safe.

25 Because, again, my -- my focus at the time was making sure that only authorized

1 people and people without, you know, offending criminal histories, and people that didn't
2 have connections to, you know, suspected terrorist organizations weren't infiltrating the
3 platform. This is -- this is -- I was concerned about the platform, and that this group was
4 there to protest, and a version of their protest would have been burning down that stage.

5 Q So you get back to the -- so it sounds like after 1:30 at least, you and your
6 colleagues report back to the Capitol?

7 A We all jumped into our vehicles, which took a tremendously long period of
8 time. I had the car ready to go, backed into the loading dock to the GPO Building
9 waiting for more people, I had my captain with me, the task force commander. I had
10 two more people in the back, and as soon as -- as soon as I had a car full of people,
11 we -- we responded over to the Hart loading dock, which is how I knew to get into the
12 building.

13 I knew that, at that point, things had been locked down, barricades had been shut
14 down. You're only going to get into the middle perimeter of the grounds through a
15 couple of different points, and I knew where that point was because I had worked there.

16 Q So you went to the Hart loading dock?

17 A Yes.

18 Q And then where did you report to after that?

19 A From there, we walked over through the tunnel. I don't know. Like I said,
20 we all walked into the tunnel. It just so happened that wherever the second car from
21 the ITF folks went, we all merged in the tunnel together. So I think there were seven or
22 eight of us, and we walked through the basement.

23 And I remember seeing the crowd on the platform, because that's the closest
24 point to the platform, is that lower west terrace door. That door had just been
25 renovated and had just been upgraded to the hardened features that it has -- the ballistic

1 glass, the steel reenforced doors. So when that door was still secure -- there were a
2 couple of officers, but it's like, all right. Where is the next breach? Well, the breach is
3 now upstairs on -- on one of the Senate wings.

4 So we then all proceeded up those stairs, and that's where we entered the crypt.

5 Q So you entered the crypt. At that point, protestors hadn't broken the
6 police lines in the crypt when you arrived?

7 A They had just -- we arrived at the -- almost at the same time.

8 Q Okay. So I'm going to play a clip, then.

9 A Sure.

10 [REDACTED] Can we play Exhibit 1, please, [REDACTED], and can we go about a
11 minute, minute and a half into the clip, and you can actually jump a little further than
12 this. Keep going, a little more, okay.

13

BY [REDACTED]

14 Q So at this point, you can see there's the Capitol Police line and they're trying
15 to keep protestors from advancing in the crypt.

16 A Correct.

17 Q Towards the House Chamber side; is that correct?

18 A That's correct.

19 Q Okay. When you all came into the room, where did you come in from,
20 from this angle?

21 A So I'm standing with the group of people looking at this picture at the far end
22 of the line of officers. As you were fast forwarding, you can see a guy there standing
23 with a blue shirt and khaki pants. I'm standing right next to his -- his left. He was also
24 a task force member that came over with me. So I'm at that far end over in that corner.

25 Q And what are -- when you get in, what are -- do you hear any chants? Do

1 you hear anybody saying anything to you? What's the -- I guess, what's the atmosphere
2 inside the crypt?

3 A Tension is very high. I'm there. I commend Captain Mendosa and Captain
4 Graves, because they were standing there next to me. They're saying, hey, watch these
5 guys' hands, because hands in law enforcement, is what kills you.

6 Q Right. And then by the way, they're breaking through the police line right
7 now. I just wanted to --

8 A So they're shouting, they're yelling. You know, a couple of people are
9 talking about I'm here to see my congressman, I'm here to see my representative.
10 Others are saying, you're not stopping this. We're here to stop the steal. Several of
11 them tell you that, you know, your boss told me to come here and be here -- referring to
12 the former President. You know, he's the one who told us to be here. He's the one
13 who told us to do this. You know, you're disobeying orders by stopping us -- a lot of
14 that.

15 You know, did I specifically receive any -- any threats at this point? I didn't. In
16 fact, as I'm standing there, there were a couple of people that were apologizing, saying,
17 hey, sorry we had to do this, but we had to come and take back our government. You
18 know, we support you. We're doing this for you. It was really -- yeah, it was really
19 surreal, honestly.

20 [REDACTED] Thank you, [REDACTED]. You can take that down.

21 BY [REDACTED]

22 Q So the chants -- and I just want to make sure we understand what's being
23 said, because the hard part of this surveillance is we can't hear anything. It was election
24 related, is what people were talking about?

25 A Yes.

1 Q Okay. And I don't want -- I'm just going to ask. So was it about the Joint
2 Session that was about to happen, is that what the reference to the members are, or, I
3 guess, just help us understand where these people were trying to go?

4 A They were saying that we're here to stop the steal. That is what they were
5 saying. They were saying, we're here. Your boss told us to be here. You know,
6 people not understanding how the government works, sure, the President tells you to do
7 something, he's everybody's boss.

8 But that was one of the themes that was consistently repeated, which is, your
9 boss said to come here, and stop this, and that's what we're doing. You know, you guys
10 are not following orders by attempting to stop us. It was -- of course, it doesn't make
11 sense to me. He's not my boss, but these people took it. I took it -- with my
12 background being in threat assessment and talking to people with mental illness, I really
13 believe that people thought that what they were doing was -- was right, and I'm
14 accustomed to talking with people with mental illness.

15 So that exchange is, hey, I understand that this is how you feel, but you're not
16 allowed to be here. You're breaking the law. This is wrong. You guys need to leave.
17 You need to stop before somebody gets hurt. This is what everybody amongst that line
18 is repeating back to them.

19 Q And the protestors' justification is just to make sure we -- to button it up -- is
20 they were citing to the former President saying to be here. Is that what they were
21 saying to you all?

22 A Multiple times.

23 Q Multiple times. This next -- this is fairly obvious, and I mean this in the
24 most sincere way, but we just have to understand. At this point, you have rioters
25 pushing through your lines. Is that accurate to say?

1 A Yes.

2 Q Okay. Why wasn't any force taken or any weapons drawn or anything like
3 that?

4 A Well, we were overwhelmed. I mean, at that point, you really have to -- if
5 you look at this -- and if I apply this from a training perspective and a use of force
6 perspective, I don't believe we got to the point where deadly force was the -- the result of
7 what they were doing. Yes, they had unlawfully entered the building. They were
8 intending on disrupting the process, but at that point, it hadn't become, we're here to kill
9 you, or we're here to -- I understand there are -- there are avenues of that mixed in, and
10 others have -- had had that experience. But at that particular moment, it wasn't
11 a -- I'm -- I'm here facing an imminent threat of death, and therefore, that was my -- my
12 response to it.

13 This was an empty-handed controls, numbers problem. Many of us did fight it in
14 that instance, many of us did engage in hand-to-hand controls to try to repel these
15 people, but when you're outnumbered five to one, I guess, it's reasonable to expect that,
16 okay, we could have taken it to the next level of force, which for many of us, would have
17 been batons, OC spray, and then deadly force, which would have, in my opinion, would
18 have been the only other effective force level that would have changed the course of
19 what happened there. And I think that -- I think the officers showed tremendous
20 restraint in not going to that level of force, with the expectation that maybe we could
21 hold this police line until we couldn't anymore.

22 And then when we were -- when we were pushed, and we were -- to me,
23 honestly, once they pushed through that line and I was pinned against that wall, I couldn't
24 secure my weapon. You have a lot of bad thoughts just start going through your head as
25 a police officer, and you have an adversary and you have no physical control or ability to

1 control your weapon.

2 But we survived that moment, and I think it kind of triggers in you that -- all right,
3 they're not here to kill. They're just here to stop whatever it is they're here to stop.
4 They're here to disrupt this process. They here to avert congressional action. They
5 weren't here to actually hurt or kill us, because, honestly, each and every one of us in that
6 room, if that had been their intention, it would have happened right then, because I was
7 not physically able to -- to stop it at that point.

8 Q Right. So you viewed -- from what you perceived from the protestors, it
9 was almost like you were an obstacle in their way --

10 A Yes.

11 Q -- to do what they came to do?

12 A Yes.

13 Q As you were pinned on that wall -- I guess, how long were you pinned?
14 And I'm sorry to hear -- I have to say that upfront. I know these experiences are not
15 pleasant and traumatic in many ways, but, I guess, how was that? Or how long did it
16 last?

17 A It wasn't long enough where I passed out, but I had difficulty breathing for
18 the time period that I was pinned to when I could actually maneuver and to where I could
19 actually create enough space to slip into that hallway and led upstairs to the second floor.

20 Q And when going upstairs, it would have taken you to Statuary Hall?

21 A Yeah.

22 Q So I guess that leads me to my next question is, where did you go after -- it
23 looks like the room kind of -- it becomes -- it clears out a little bit, like the rioters walk
24 through and there's more space after they walk through. Where did you report after
25 leaving the crypt?

1 A So my exact sequence is -- I don't remember the exact sequence. But I
2 found myself in that hallway leading to the office of attending physicians hallway, which is
3 just off the crypt. There's a hallway where there's a set of stairs, there's a restroom, and
4 then you end up in the hallway that leads you down towards these OAP suites. And
5 there's another elevator there. And I end up -- me and I guess a couple of the other
6 officers that were there, end up holding them there at that elevator, and that's when I
7 attempted to start deescalating what was happening.

8 And, again, this is -- you want to know what the crowd was thinking, what they
9 were saying. The main guys that I was engaged with in that conversation were -- we're
10 here to do this for you, this government is corrupt, you know, they stole this election
11 from us. This isn't democracy, we're here to take this back. We're here to stop this
12 process. And then they added justification to it by, oh, yeah, your boss, the President,
13 told us to come here and do this, therefore we must be right, and you have to allow us to
14 do this.

15 Q How long did this exchange -- I know it's tough to put time in --

16 A So this went on for several minutes -- several minutes. And then one of the
17 officers that I was with tells me, he says, hey, we've got reinforcements. There's a CDU
18 squad around the corner. We just need to get these guys there, and then we can push
19 them out the building.

20 Q And where was this CDU squad --

21 A Nowhere, nowhere, nowhere. They didn't exist.

22 Q But this was on the second floor where they were supposed to be?

23 A No, so this is -- I don't know where they were.

24 Q Okay.

25 A There should not -- there should not have been anybody inside the building.

1 Q Right.

2 A That would have -- that wouldn't have been normal, but from -- I'm playing
3 with hindsight here. If the building had been breached at some point, then those
4 squads would have come in to reenforce whatever breach. So it is completely
5 reasonable that there were, at some point, people that came inside the building to -- to
6 reenforce this thing.

7 Q Right.

8 A But I just know that as we walked down that hallway backwards and around
9 that corner, there was nobody there. We didn't have that support.

10 Q So when you left the OAP hallway, where did you go from there?

11 A I was at the west hallway.

12 Q The west hallway. Okay. And approximately how long were you there?

13 A I think I ended up coming back to this point a couple of times. The first
14 time we got to that door, we attempted to expel the crowd through the door. The door
15 was already alarmed, which is a tell-tale sign that it had already been breached at some
16 point. So myself and another ITF member, we attempted to compel the crowd back out
17 the door. Some people went out the door, some people left. Some said, hey, this is
18 enough. I'm done. I came here to do my point, and they left. Some people went
19 outside that door, realized that that was not where they wanted to be, and we ended up
20 getting into a physical confrontation trying to prevent them from coming back in the
21 door.

22 Q When you say west door, can you just give us a little description of which
23 door you're --

24 A This is going to be the upper terrace, so this is an off of the first floor off of
25 the -- the backside of the crypt.

1 Q Okay. Got it. All right. So you did engage in hand-to-hand it sounds
2 like?

3 A Yes.

4 Q In this hallway?

5 A Yes.

6 Q And what was the context of this hand-to-hand altercation?

7 A We were physically trying to throw them out of the building.

8 Q And they were resisting it, I'm assuming?

9 A Yes.

10 Q Were you outnumbered at this point, too?

11 A Yes, at least three to four to one.

12 Q Were you successful in keeping individuals from breaching this point?

13 A No.

14 Q And then where did you go? Or how did you respond after the line -- or
15 after you and your group of officers were -- were not successful --

16 A Shortly thereafter is when shots fired was called out over the radio, and we
17 collectively made a decision that we needed to get to the House Chamber to reenforce
18 that. We could no longer sustain what we were trying to do at that point. I think I
19 even went over the radio, because we needed a key in order to reset that back lock,
20 called for somebody with a key. But when shots fired were called, we knew that we
21 needed to get to the House Chambers because we needed to collapse around -- with our
22 numbers, we just needed to get to a strong point.

23 Q So shots were fired. It sounds like you went straight -- it would have been
24 straight upstairs basically towards the House Chambers, Speaker's Lobby area?

25 A Yes.

1 Q All right. So, I guess, describe what you saw or what you did once you
2 arrived at the House Chamber?

3 A Got up to the Rotunda. People were standing on the statues, people were
4 yelling, loud, boisterous.

5 Q What were the chants? Similar to what you were hearing before?

6 A Similar to what we heard before. I don't remember what the prevailing
7 chant was, but it was all centered around, you know, stopping the steal, stop the steal.
8 In fact, that might have been exactly what they were chanting and screaming.

9 And then trying to make my way towards the chamber, and I was stopped.
10 There were -- at some point, there were a line of officers there that were preventing the
11 crowd from flowing. I ended up engaging with people that were trying to push past
12 them.

13 Q Where were you stopped, specifically?

14 A There was -- this was in the Rotunda at the archway that leads to the House
15 Chamber. Just off the Rotunda, there was a line of officers there that were holding the
16 police line, preventing people from walking that direction.

17 Q Before you could even get to Statuary Hall?

18 A So, no, Statuary Hall is -- Statuary Hall is the first floor down on the House
19 side.

20 Q Okay.

21 A So this is on the second floor.

22 Q Okay.

23 A Leading into the -- by the chandelier. If you recall where the chandeliers
24 are?

25 Q Okay. Yeah.

1 A So this was before you get to that point.

2 Q So there was a line of officers stopping you there. So you were -- were
3 your successful in getting back to the Speaker's Lobby?

4 A I eventually made my way back there. I think -- I don't recall which route I
5 ended up going. I think I ended up having to go back downstairs, because I went back
6 downstairs, walked then back into the Statuary Hall where I saw them treating the
7 gunshot victim down on the -- down on the first floor. And then I made my way up the
8 back staircase up to the Speaker's Lobby, where they were still barricading the doors shut
9 at that time.

10 So there was no more -- right as I got up to the staircase at the primary crime
11 scene, there weren't any -- there was nobody else attempting to break it. There was
12 nobody else attempting to breach that doorway. Officers on the inside already had it
13 secure.

14 So at that point, I started -- I believe at that point, I made my way back towards
15 the -- not the Speaker's Lobby, but back towards the Rotunda towards the hallway that
16 leads to the actual Speaker's office.

17 Q Got you. Yep.

18 A Again, I don't recall exactly, but my route was very -- that was the general
19 route that I took. At that point, I started moving towards the -- back towards the
20 Rotunda, back towards where the crowd -- the bulk of the crowd was.

21 Q And I guess at what point did you start to feel that your efforts were starting
22 to become successful with pushing rioters out of the Capitol?

23 A There was a couple of points where I engaged people in a crowd, and I
24 remember specifically, I told one guy. I said -- I said, you can't be here. I said, there
25 are people being shot over there. I don't know who's doing what. I said, I can't

1 protect you because I don't know what's -- what's going on here, and I'm asking you to
2 leave. And the guy looked me straight in my face, and he said, are you telling me to
3 leave? And I said, yes, and he said, how do I get out of here? And I walked him to an
4 exit.

5 So at what point do I think I was successful? That was the first time I had
6 success, but that was just one example of --

7 Q As a force, though, when did you start to feel the tide change?

8 A Oh, the tide didn't change until the reenforcements got there. The tide
9 didn't change really until -- I know Metropolitan was really the first group, because they
10 were with the crowd that was outside as part of the demonstration march. So they had
11 officers probably first in the building. I didn't feel as though we had regained control,
12 honestly, until Virginia State got there.

13 Q Approximately what time, if you remember, did Virginia --

14 A I do not know.

15 Q Okay.

16 A I met them in the tunnel and walked them over to the -- it was dark. It was
17 dark by the time that that occurred. So I'm imagining December -- or January, it had to
18 have been 5:00 o'clock.

19 Q Right. How long did you stay in the Capitol or Capitol grounds that day?

20 A From the time I got there until 10:00 o'clock.

21 Q Okay. Did I miss anything about that day, in particular, that we should have
22 covered?

23 [REDACTED] Hey, [REDACTED]. Can you hear me?

24 [REDACTED] We can. [REDACTED] has a follow-up.

25

BY [REDACTED]

1 Q Hey. I appreciate it. Again, I apologize, one, for being late,
2 Officer -- Officer Millard. I was coming from another appointment, and I apologize for
3 only being on audio.

4 But I just had a couple of follow-up questions for you, sir, and I apologize if these
5 have already been covered in my absence, but I'm going to ask them. If they have, you
6 can just let me know, and I can always circle back with my colleague later for the answer.

7 But one of the things you referenced often was communicating back and forth to
8 get various pieces of information to understand sort of where people were and what they
9 were doing. What was the radio communication like during that time? Was it -- was it
10 easy to communicate by radio? Was it difficult? Like, how did you find your ability to
11 talk to folks, you know, during the riot, as you're moving, for example, from the ITF office
12 through the crypt to the different points in the Capitol complex?

13 A Well, initially, on our response, there was no response, there was no
14 communication on our behalf. There was a lot going on. There were units calling for
15 help. We were not close to those units, so we didn't communicate the fact that we
16 were -- were responding to the Capitol. That's just not the appropriate time to get on
17 the radio with essentially an administrative message at that point. The communication
18 that was taking place mainly from the field commander trying to direct his people to
19 positions of advantage, from what I could hear, to minimize their exposure to the crowd.
20 That's one thing I recall hearing over the radio.

21 I was on the radio, I believe, twice during the entire event. The first time where I
22 called for a reset key to that west terrace door where I remember dispatching
23 acknowledging the request, but not hearing anybody answer up that they were coming.
24 The preceding time that I was on the radio is when -- was when I was in the crypt when
25 we were trying to coordinate where to actually push these people.

1 I'm standing in the crypt, or it's possible I was even in the Rotunda at this point,
2 but people were like which way are we going to push them? I said, push everybody
3 north, because they were trying to get south. Push everybody back north to the Senate
4 side, back out the building, and I think I went over the radio, and, I think, I said, hey, if you
5 have somebody, push everybody north. I don't recall hearing a lot of instruction and
6 direction from either dispatch or unit seven or the field commander at that point.

7 At some point in time, I did hear the radio. I did hear a woman on the radio
8 shouting more demonstration messages, which at that point, your communications are
9 compromised. It's no longer an effective tool. You now go down to field-level task
10 management, which is managing the people within earshot that you could control.
11 Once your communications are compromised, and I actually was in a bad place because I
12 had left both of my phones in the car, which prompted me to actually have to respond
13 back to the car at some point in time to get my phones. But the radio communications
14 were minimal.

15 [REDACTED] I appreciate that, Officer Millard. That's very helpful. And the
16 next question I'm going to ask you, and understand from this, I'm asking for your opinion,
17 and that's fine. That's what I'm looking for -- your personal perspective. But prior to
18 the insurrection itself, from your perspective as a Capitol Police officer, your time in
19 threat assessment, you also mentioned that you worked with people with mental issues
20 or mental disorders, did it ever occur to you that the people might actually breach the
21 Capitol Building? In other words, is that something that as an individual, you thought
22 about it, or that as a department, or you and your individual squad sort of thought about,
23 like, the possibility that people would actually come into the Capitol Building, or was
24 it -- did it strike you as such a foreign concept that when it happened, it was totally
25 unexpected.

1 Sergeant Millard. So personal opinion, I worked midnights in the Capitol when I
2 first joined. This was at the height of ISIS, Al-Qaeda, and we always had a thing within
3 the midnight crew, which was, it wouldn't take much to take the building when it's
4 closed. There are only a handful of us here to protect it. You know, how could
5 we -- you know, you did a lot of brainstorming and a lot of preplanning for those type of
6 scenarios. And that was really just amongst officers -- amongst the people that were on
7 the teams -- to say, hey, how are we going to, you know, do our job with limited
8 resources under those circumstances? Again, this is going back 10-plus years to when
9 we would process this, but this is something that your officer level -- you consistently talk
10 about and debate it, because it's required as far as performing your functions of your job.

11 But for this particular event, I do not think that it was within our preplanning that
12 the building would be breached. That morning of, unit 400 had sent an administrative
13 message to all of his officials. Because I had an official in ITF, they shared it with all of us
14 in the group, which was, hey, if the building happens to go into a lock down, our
15 accessible point of the entry is going to be, you know, the Memorial door on the east
16 front. So that was an this administrative message that I shared with all of investigations
17 division. So I don't think that there was a thought that this group was going to actually
18 enter the building.

19 We thought that maybe they would come up on the plaza, they would disrupt the
20 flow of people coming into the building, but I don't recall a point where -- you know,
21 where there was information leading us to believe people were actually going to breach
22 the building. And I know there's a lot of intelligence questions out there. A lot of that
23 information was recycled and very nondescript as far as specifics on what adversarial
24 groups were planning.

25 Again, I sat on the intelligence briefings, the committees. I saw this suspected

1 memo that became a part of discussion. All that information was shared weeks prior to
2 January 6th, but it never contained actionable information. It always
3 contained -- everything had an analytical note that this stuff is uncorroborated, unvetted,
4 unverified, and that it's up to individual agencies to further apply analytical processes to
5 determining its likelihood.

6 So, no, I'm going to answer to say that I did not think the building was going to be
7 breached that day, and I didn't see information that there were groups planning on
8 breaching the building that day.

9 [REDACTED] I appreciate that, Officer Millard.

10 [REDACTED], I don't have any other questions at this time. Thank you.

11 [REDACTED] Thank you, Mr. [REDACTED].

12

BY [REDACTED]

13 Q So did you sustain any injuries at all?

14 A One broken finger.

15 Q Broken finger. Okay. Anything else or -- that was a negative response,
16 although the witness had said that he had previously broke his finger on January 6th.

17 I guess, in closing, I just want to -- we've seen reporting and we've heard in some
18 of our interviews that January 6th was not violent. I just want to get your response to
19 that assertion that there was no violence or very little violence on that day.

20 A I had a blue line flag, which is representative of law enforcement -- the thin
21 blue line -- thrown at me and my officers when we were going through this. There is no
22 doubt in my mind that this was a violent encounter, and just because you didn't intend to
23 physically kill police officers that day, doesn't mean that your actions weren't violent.
24 You broke the law by entering a restricted space to disrupt a congressional process. In
25 the same breath that you were saying, thank you for your service, you were also crushing

1 me and my colleagues against the wall to get to your objective. It doesn't -- it doesn't
2 add up. These two things don't equal a nonviolent protest.

3 Q And I guess, sitting here today, how do you approach your job differently
4 than you might have approached your job pre-January 6th, 2021, if there is a difference?

5 A Ask more questions about the relations that our guys have with the entities
6 are gathering intelligence. I think the department has done an improved job of getting
7 information out there. I think the assessment of that information is an ongoing process.

8 But I approach my job with the same vigor as I did before. I'm less appreciative
9 of people when they say thank you for your service, because I had that given to me while
10 also having people fight me. It's caused me to personally take a hard step back from
11 politics, because I have -- I've now seen firsthand how it can corrupt being -- being
12 partisan anyway. So -- and that -- that affects my job because I deal with people in
13 politics every day.

14 [REDACTED] -- yeah -- do any of you all
15 have any follow-up questions?

16 BY [REDACTED]

17 Q One final question from me, Mr. Millard, and it's just this -- sort of along the
18 lines of what [REDACTED] has asked you. And, again, I do realize -- recognize I'm asking for
19 your opinion, but -- and we've asked a lot of folks this, and we may even -- I may
20 even -- maybe even asked you this when we chatted the last time.

21 But from your perspective, taking in the totality of the circumstances into
22 consideration, and the totality of your experience, what, if anything, do you think
23 we -- the collective we, not just the Capitol Police, but we the federal government -- can
24 do to help prevent something like this from happening again, and better -- specific to
25 Capitol Police -- better prepare you all in the event that the Capitol is ever breached again

1 in this manner?

2 A Well, I mean, logistics is a matter of math and facts. You cannot invent
3 more people. This is an ongoing process to establish our staffing at the point where it
4 would have been effective, even then. You know, having observed a lot of the hearings
5 and heard a lot of the testimony by former chiefs, I don't think that -- if you take any one
6 element away from this occurrence -- this perfect storm, so to speak, I think you don't
7 have the same outcome that you did. I think that the political atmosphere in this
8 country is just very -- it was very toxic then, and it -- it was just a recipe for disaster.

9 As far as planning is concerned, I don't think that we were short on intelligence.
10 I know that there was a big -- a big to-do about this so-called memo that was released.
11 That memo was shared amongst officers that probably shouldn't have had it days
12 beforehand.

13 And I think when you look at it from, okay, what did we do? What didn't we do?
14 There are a lot of pieces that are just irrelevant. How -- how you fix -- again, outside of
15 saying, yeah, hire -- hire 1,500 more people on and bring them in the Capitol Police. I
16 mean, sure that's -- that is an on-paper solution to the problem, but you still have all the
17 underlying pieces that -- that drove this thing to be what it was. So I don't think that
18 you can actually -- I don't think you can actually solve the problem with just sheer
19 numbers alone.

20 Our processes have improve within Capitol Police. They've made strides as far as
21 intelligence sharing, training, preparation, equipment. I mean, these are all things that
22 would have been helpful on January 6th, but I don't think, again, any single thing that
23 we've done would have turned and changed the -- changed that. I think that the
24 training that we've done, our legal counsel training, the fact that our department has
25 sustained that they would support us in use-of-force encounters is very helpful. I don't

1 think that this would occur again. I would hope that the -- I would hope that it -- we are
2 not put into that position, because I think there is going to be a drastic outcome -- a
3 drastic -- a different outcome than what occurred on the 6th.

4 I don't know if that answers your question. I think, internally, we're taking care
5 of what we need to take care of as far as building the systems, putting the people in place
6 to gather more information, and have people be more prepared. But that hard outcome
7 as far as how do we prevent this from ever happening again? I don't think that this is
8 ever going to be able to address it.

9 [REDACTED] I appreciate your candor, and I appreciate your service, Officer
10 Millard.

11 [REDACTED], that's all the questions I have for today. Thank you.

12 [REDACTED] Okay. Thank you.

13 Sergeant Millard, I just wanted to say thank you for taking the time to meet with
14 us the first time you did informally and now in this transcribed interview. It's incredibly
15 helpful for the Committee to hear your viewpoints leading up to January 6th, and on
16 January 6th.

17 I also want to say thank you for your service both in the United States Army and
18 the United States Capitol Police for all that you did for your 15-plus year career so far in
19 the Capitol Police, and for responding to the Capitol the way you did on January 6th and
20 assisting your brothers and sisters in the Capitol Police in trying to secure the building,
21 so the Joint Session could continue.

22 And I hope -- I know you said you only suffered a broken finger, but it's still a
23 broken finger. So I hope that any physical injuries are on the up and up and healed, and
24 that you're able to continue with your service the way you were beforehand -- before
25 January 6th.

1 And with that, we'll go off the record at 2:15 p.m., Eastern time.

2 [Whereupon, at 2:15 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