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**Testimony of Meg Messier
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**Before the Committee on the Judiciary and Public Safety
Council of the District of Columbia**

Performance Oversight Hearing Regarding the Metropolitan Police Department

February 25, 2026

Legal Aid DC¹ submits the following testimony on the performance of the Metropolitan Police Department (“MPD”), with a focus on its response to domestic violence related matters, and issues that affect immigrants in the District. Our testimony addresses seven main areas of concern that have affected our client community over the past year: 1) MPD’s inaccurate reading of Court documents and laws; 2) MPD’s criminalization of domestic violence survivors when responding to incidents of domestic violence; 3) MPD’s handling of service and enforcement of Civil Protection Orders (“CPOs”) and Temporary Protection Orders (“TPOs”); 4) MPD’s handling of gun relinquishment by respondents; 5) MPD’s handling of evidence related to an incident of domestic violence; 6) MPD’s policy of not certifying U-Visas in cases closed by arrest; and 7) Lack of clarity surrounding MPD’s cooperation with U.S. Immigration and Customs Enforcement (“ICE”). We also include supplemental suggested oversight questions for MPD, as an appendix to our testimony.

Legal Aid’s Domestic Violence/Family Law Unit attorneys have continued to work with domestic violence survivors this year, helping applicants file Petitions for CPOs and representing clients in hearings. We are currently staffing the Domestic Violence Intake Centers at D.C. Superior Court and at the Big Chair in Southeast, D.C. We additionally staff the Family Law Assistance Network (“FLAN”) and the Child Support Resource

¹ Legal Aid DC is the oldest and largest general civil legal services program in the District of Columbia. The largest part of our work is comprised of individual representation in housing, domestic violence/family, public benefits, and consumer law. We also work on immigration law matters and help individuals with the collateral consequences of their involvement with the criminal legal system. From the experiences of our clients, we identify opportunities for court and law reform, public policy advocacy, and systemic litigation. For more information, visit www.LegalAidDC.org.

Center (“CSRC”). At these projects, we meet community members who are seeking advice, assistance, and representation in a variety of legal matters. We help hundreds of applicants a year at these centers and often provide same-day representation to people who need assistance.

Through our work, we support and assist survivors who are fleeing domestic violence, seeking protection, and who are confronting their abusers in judicial proceedings. We assist survivors in many different court cases, including civil protection orders, divorce, child custody, and immigration matters. These cases are vitally important; even for clients who do not pursue a civil protection order, they often seek safety and stability through the issuance of a custody order that eliminates the amount of time they have to spend with their abuser. We also engage in holistic services, connecting clients with additional supports to assist them beyond their legal needs. We are proud to assist clients throughout multiple stages as they escape violence and seek long-term stability for themselves and their families.

Legal Aid’s Domestic Violence/Family Law Unit attorneys have continued to work with domestic violence survivors this year, helping applicants file Petitions for CPOs and providing ongoing representation. Legal Aid’s Immigration Law Unit attorneys have continued to work with domestic violence survivors and other crime victims, helping applicants file for U-Visas, T-Visas and Violence Against Women Act (VAWA) petitions and providing ongoing representation.

For clients who choose to pursue a CPO, their first step is often to seek coordination with local law enforcement officers. We work with MPD to make sure that the relevant CPO documents are properly served on respondents and that all provisions of an order are enforced. We also work with MPD to collect evidence in their possession, including recordings of 911 calls, body-worn camera (“BWC”) footage, and photographs taken by MPD at the scene of a crime. As a direct legal services provider for people living at or below 200% of the federal poverty level, we regularly bear witness to the impact that MPD’s responses to domestic violence, family issues, and immigration issues have on survivors of domestic violence.

We thank the Committee for the opportunity to continue to work together to improve MPD’s response to incidents of domestic violence. We urge the Committee to use today’s hearing to explore the issues we raise with MPD representatives and to identify next steps that should be taken to improve how MPD officers work with survivors.

Issue 1: MPD Has Been Inaccurately Reading Court Documents and Laws, Causing Confusion and Spreading False Information

MPD is often a first point of contact for survivors once an incident of abuse has occurred. Survivors rely on MPD to provide accurate information when they are in stressful and oftentimes dangerous situations. While MPD is not a substitute for legal representation, the information they provide to survivors has a significant impact on what steps a survivor does and does not take, directly impacting their safety. It is imperative that residents get timely and accurate information, especially when their constitutional rights are at issue.

We have heard of instances where MPD misinformed District residents about the law. In CPO cases, a Petitioner is required to personally serve a respondent by having someone over the age of eighteen who is unrelated to the case hand the respondent, or someone of suitable age living in the respondent's home, a copy of the Petition, the Notice of Hearing, and the Temporary Protection Order, if any. We represented a domestic violence survivor who was trying to serve the respondent in her case with a copy of necessary documents. An MPD officer told our client to serve the respondent via text message or email, because that would be valid service. Unfortunately, this inaccurate advice delayed our client's ability to properly serve the respondent in her case.

We have also heard of instances where MPD officers encourage survivors to file for CPOs even when the incident they report is not an intrafamily offense, as is required by law. We recognize that domestic violence is extremely broad and includes a myriad of behaviors to exert power and control over survivors. Under District law, however, CPOs may only be granted where a Respondent has committed or threatened to commit an intrafamily offense against a Petitioner. When MPD incorrectly recommends that survivors file a Petition for a CPO without any legal basis, they are not protecting survivors. Instead, these inaccurate recommendations create safety and trauma risks for survivors. When a survivor calls MPD but does not report an intrafamily offense, MPD should refer the survivor to other resources that would better address their immediate safety concerns. MPD officers should have a better understanding of what behaviors can form the underlying basis for viable CPOs before making recommendations to survivors after responding to an incident of domestic violence. We are concerned about all instances where MPD officers may be misinforming District residents about their rights and responsibilities.

Issue 2: MPD Has Increasingly Arrested Survivors of Domestic Violence When Responding to Calls for MPD Intervention

When survivors are experiencing an incident of abuse by their abuser, MPD is often the first responder to the incident. Survivors may call 911 while an incident of abuse is still happening to request immediate intervention by MPD for their safety, or immediately

after an incident of abuse has occurred. Either way, survivors rely on MPD to identify the primary aggressor and take steps to keep them safe.

Unfortunately, we have noticed that survivors are increasingly being arrested when MPD officers respond to an incident of domestic violence, sometimes along with or instead of their abusers. Over the past year, at least seven (7) Legal Aid DC clients who had been experiencing domestic violence from a current or former partner were arrested following an incident where *they* were the victims of domestic violence. In a recent case, both our client and her abusive partner called MPD during an incident of severe abuse perpetuated against our client. Due to the severity of her injuries, the client was transported by ambulance to the hospital and was no longer on scene when MPD arrived. Our client and her abuser were both later arrested and detained. While no criminal charges were brought against her, our client was traumatized by the arrest.

We know that survivors are less likely to turn to police when they feel they will not be believed or that the police can't do anything to stop or prevent the abuse.² An arrest following an incident of domestic violence does not strengthen survivors' trust in MPD. Survivors should be able to rely on MPD for protection when they call 911.

The issue is further complicated when MPD officers make surface-level determinations regarding who perpetrated violence without considering important context surrounding the incident, which can lead to the misidentification of a survivor as an abuser. In cases where survivors are criminalized for use of force, self-defense is the most frequent explanation as to why a survivor resorted to force.³ In cases where survivors believe the legal system will not protect them, resorting to violence of some kind can seem like the only way to protect themselves, even when that violence pales in comparison to that of their abuser.⁴ We are concerned about MPD's interactions with survivors when responding to incidents of domestic violence.

Issue 3: Our Clients Continue to Face Issues with the Service and Enforcement of Civil Protection Orders

² Thoennes, Nancy & Tjaden, Patricia, Extent, Nature, and Consequences of Intimate Partner Violence (2000), [Extent, Nature, and Consequences of Intimate Partner Violence \(NCJ 181867\)](#).

³ See Goodmark, Leigh, *Gender-based Violence, Law Reform, and the Criminalization of Survivors of Violence*, 1 Int. J. for Crime Justice, and Soc. Dem. 13 (2021), [Gender-based violence, law reform, and the criminalization of survivors of violence](#).

⁴ *Id.*

Once a Petitioner files for a CPO, the next step in the process is serving the respondent. A Petitioner cannot move forward with obtaining a CPO until the respondent is properly served. If a Petitioner knows the respondent's address in Washington, D.C., they can include that address on their CPO petition and request MPD's assistance with service. While CPOs can be served by any person over the age of eighteen who is not involved in the case, survivors often rely on MPD's assistance to avoid risking their safety or the safety of their family and friends by serving a respondent.

Petitioners are routinely required to seek continuances at their first CPO hearing due to lack of service, often because MPD has not yet tried to serve the respondent by the hearing date. This failure unnecessarily lengthens the court process, placing an additional burden on survivors seeking to obtain a CPO. This failure also poses issues with the use of TPOs. TPOs are meant to protect survivors before their CPO hearing date. TPOs cannot be enforced against respondents until the respondent has been served, so delays in service caused by MPD directly impact the protection provided by TPOs.

We continue to see cases where MPD officers incorrectly complete Returns of Service forms after service has been accomplished. A Petitioner cannot move forward with their CPO case unless the Court has proof that the respondent has been properly served. After the officer serves the respondent with the necessary documents, the officer must complete the court-generated Return of Service form by writing their initials next to each document that was served, identifying who was served and where service was accomplished, and by signing the form. The officer must then return the form to the Petitioner or file it directly with the court. Returns of Service forms from MPD sometimes fail to indicate all the documents that were served, or have missing or incorrect information about the respondent, location, or date of service. Without a properly completed Return of Service, the Court usually requires Petitioners to serve respondents again. MPD's repeated attempts at proper service delay the court process, burdening and risking the safety of domestic violence survivors who rely on MPD officers to serve respondents.

Issue 4: MPD Does Not Have a Proactive Process for Ensuring Gun Relinquishment by Respondents Subject to TPOs and CPOs

When a Petitioner is granted a TPO, one of the TPO's provisions is the mandatory relinquishment of any firearms possessed by the respondent. The respondent is prohibited from possessing, purchasing, or receiving any firearms or ammunition while the TPO is in effect. The Court also has discretion to grant this same relief while a longer-term CPO is in effect.

Firearm relinquishment is extremely important to survivors' safety and survival. An abuser's access to a firearm makes it five times more likely that the survivor will be killed.⁵ A study involving intimate partner homicides found that there is a link between laws mandating the relinquishment of firearms by abusers once they are prohibited from possessing firearms and an up to 16% reduction in intimate partner gun homicides.⁶ We hear significant safety concerns from survivors whose abusers have access to or active possession of firearms. Given the relationship between possession of firearms by abusers and lethality risk for survivors, the full enforcement of firearm possession prohibitions in CPOs is crucial for survivors' safety and survival. Full enforcement includes a proactive process for gun relinquishment, which MPD currently lacks.

Currently, MPD officers do not ask respondents about firearms or relinquish firearms when serving or enforcing TPOs or CPOs. The responsibility is on respondents to self-identify firearms and voluntarily relinquish them at a police station within 24 hours of being served. Respondents may fail to relinquish firearms, putting survivors' lives at risk. MPD officers must do more to enforce firearm relinquishment requirements in TPOs and CPOs, to save survivors' lives.

Issue 5: MPD Does Not Turn Over Evidence Related to a Survivor's CPO Case While a Related Criminal Case is Pending, Impeding Survivors' Successful Pursuit of CPOs

When MPD arrives at the scene of an incident of domestic violence, they will often document and collect evidence that could serve to support the prosecution of a crime. This can include taking photos of injuries or damaged property and preserving body-worn camera footage of the response to the scene. After reporting to the police, a survivor may seek to obtain a CPO against their abuser. To obtain a CPO, a Petitioner has the burden of proving that the respondent committed an intrafamily offense against them. At the same time, the government may decide to bring criminal charges against the abuser for the same incident, and prosecutors rely on evidence collected by MPD during

⁵ Giffords Law Center, Who Can Have A Gun: Domestic Violence and Firearms, Giffords.org, [Domestic Violence & Firearms | GIFFORDS](#) (last visited February 9, 2026) (citing J.C. Campbell, et al., "Risk Factors for Femicide in Abusive Relationships: Results from a Multisite Case Control Study," *American Journal of Public Health* 93, no.7 (2003): 1089–1097).

⁶ Giffords Law Center, Who Can Have A Gun: Domestic Violence and Firearms, Giffords.org, [Domestic Violence & Firearms | GIFFORDS](#) (last visited February 9, 2026)(citing April M. Zeoli, et al., "Analysis of the Strength of Legal Firearms Restrictions for Perpetrators of Domestic Violence and Their Association with Intimate Partner Homicide," *American Journal of Epidemiology* 187, no. 11 (2018)).

an initial investigation. This evidence may also be useful for Petitioners seeking to prove the respondent committed an intrafamily offense against them, as required to obtain a CPO. However, MPD routinely does not release any evidence obtained during an investigation while a related criminal investigation or case is pending.

This practice has negative consequences for Petitioners in several ways. Not all CPO Petitioners collect their own evidence related to the intrafamily offense they are seeking to prove. In some instances, this is due to the mistaken belief that they will have access to the evidence collected by MPD, such that taking photos themselves would be unnecessary. This leaves Petitioners without access to critical evidence as they seek to move forward with their CPOs. Some Petitioners do not want criminal charges to be brought against respondents, and instead only want the protection provided by CPOs. In these cases, evidence is being withheld from the very same victims who are the subject of the criminal case in which the evidence is used. This approach is not survivor-centered and oftentimes delays Petitioners from obtaining the long-term protection they seek from a CPO.

Issue 6: MPD Continues to Decline Certification of U-Visas in Cases That are Closed by Arrest

U-visas are a form of immigration protection available to victims of crime, including domestic violence survivors. The U-visa was created by Congress in order to strengthen law enforcement's ability to investigate and prosecute crimes. Congress recognized that immigrant crime survivors were especially vulnerable targets of serious crimes because they were often too afraid or even coerced into not reporting crimes due to their vulnerable immigration status. The U visa was specifically created to encourage victims to cooperate with law enforcement. This protection offers crime victims temporary legal status, including work authorization. In order to file a petition for a U-visa, crime victims must obtain a certification from a law enforcement entity that the victim has been helpful in either the investigation or prosecution of a crime. The purpose of the U-visa is to strengthen law enforcement's abilities to investigate and prosecute serious crimes with the help and cooperation of non-citizens who are the victims of those crimes.

MPD is authorized to certify U-Visas for crime victims and survivors, yet they continually decline to do so. MPD has the discretion to sign a U visa certification, whether or not there is an arrest or prosecution. It is our experience that even where a victim has been fully cooperative with MPD, they refuse to exercise their discretion and authority to sign U Visa certifications in many cases where another law enforcement agency is involved. This forces crime victims and survivors to request certification from the United States Attorney's Office ("USAO") instead, a practice that is not client-centered. MPD's refusal to certify in many cases has led to both backlogs and an unnecessary delegation of

MPD's certification authority to the USAO. In 2025, the USAO paused all U visa certifications without providing an adequate reason. Despite this, MPD continued to refuse to certify in cases where a prosecution was involved. While the USAO has apparently reversed this policy in 2026, it led to a year long delay to file U visa cases for many domestic violence survivors, putting them at risk of deportation and harm.

Issue 7: The Lack of Clarity Surrounding MPD's Cooperation with ICE Discourages Immigrant Survivors from Reporting Crime and Providing Information to MPD

The presence of ICE in the District has caused immigrant community members in the District to fear for their wellbeing and, as a result, to distrust law enforcement. The lack of clarity as to whether MPD continues to cooperate with ICE, and at what level, has detrimental impacts on community safety. Because of the possible immigration-related risks, survivors, witnesses, and even suspects are afraid to provide any information to MPD. As a result, survivors and crime victims do not seek the protection they need to keep themselves and their families safe.

One of our immigration clients was suffering repeated sexual, physical, and verbal abuse at the hands of her ex-partner. After reporting the abuse, our client obtained a CPO and her ex-partner was convicted of assaulting her in a related criminal case. However, several months later, her ex-partner continued to violate her CPO. Though she wanted to take action against him, she was afraid to report anything to MPD because of their active cooperation with ICE. One day, our client's ex-partner assaulted her and her young daughter in their home. She had to make the difficult decision to call MPD to intervene, knowing that MPD's intervention could risk interactions with ICE in the future and negatively impact her immigration case. Immigrant survivors like our client should be able to interact with MPD to ensure their safety without fear of immigration-related consequences.

The lack of clarity about MPD's cooperation with immigration enforcement can also be used by abusers as a further means of silencing and exerting control over survivors. We have seen cases where abusers threaten to report survivors to ICE or call the police on survivors. When survivors are not sure whether MPD will cooperate with ICE, this threat takes on a new meaning and reinforces abusers' control. Our immigrant community should know, clearly, whether MPD is cooperating with ICE so that they can make informed decisions about interacting with MPD.

Conclusion

It is important that survivors, attorneys, and other stakeholders have a clear understanding of the policies and procedures that MPD has in place to continue to assist

them in an effective manner. When policies and procedures fail survivors, it is important that we have an open dialogue to amend them, to continue to serve survivors as they need. Our testimony intends to bridge the gap and ensure that MPD is aware of the issues that District residents are having, and can come up with solutions that benefit them, create trust in the community, and continue to serve the community.

Appendix: Supplemental Suggested Oversight Questions

- Is there guidance or regular training for officers on how they should interpret legal documents (e.g., filings and Court Orders) and what laws apply in specific situations?
- Could MPD use the 24/7 OAG Consultation Hotline model to create a method to consult with OAG about what laws apply in CPO cases and how to interpret custody orders?
- Is there a legal liaison that District residents can speak to when officers are attempting to interpret or enforce a court document?
- What training or education do MPD officers receive about primary aggressors and how to identify them when responding to a domestic violence incident? Following a primary aggressor analysis, or where a dual arrest is made in response to a domestic violence call, who reviews the incident report for quality control?
- What are MPD's current protocols for enforcing firearm relinquishment by respondents subject to TPOs and CPOs?
- What is MPD's current policy regarding release of evidence collected when responding to an incident of domestic violence, including when a related criminal case is pending?
- What is MPD's current policy regarding the certification of U-Visas? If it is MPD's policy to decline certifying U-Visas in cases closed by arrest, what is the justification for that policy?
- Can MPD provide clear information about the ways in which they continue to cooperate with ICE? What, if any, policies, procedures, or agreements are in place to protect identifying information provided by immigrant survivors or witnesses from being shared with ICE?