

United States Senate
WASHINGTON, DC 20510

May 13, 2021

Ms. Yogananda D. Pittman
Acting Chief of Police
U.S. Capitol Police
Washington, D.C. 20515

Dear Acting Chief Pittman:

Thank you for responding to my April 22, 2021 letter regarding the death of U.S. Capitol Police (USCP) Officer Brian Sicknick. Unfortunately, your incomplete response, signed by USCP General Counsel Thomas DiBiase, failed to address the majority of the questions in my letter.

Instead, the May 6, 2021 response generally stated that because “there are currently pending criminal charges against two defendants for assaulting Officer Sicknick [USCP is] limited in what our Department can provide to you in terms of information.” This is not a legitimate justification for refusing to respond to questions that do not appear to be materially related to the criminal case against the two defendants charged with assaulting Officer Sicknick.

Therefore, without information from your office regarding the specific questions you are unable to answer, I write to reiterate my questions and information requests from my April 22, 2021 letter and expect a complete response to each question by May 20, 2021. If you believe that you are, in fact, limited in providing a complete answer to a specific question, please indicate which question you are unable to answer and how the pending criminal charges prevent your office from answering that question.

1. Please provide a full timeline and description of Officer Sicknick’s work activities from January 6, 2021 to the time of his death. Please include when and where Officer Sicknick collapsed, who reported it, who received that report, and what actions were taken.
2. In the May 6, 2021, Mr. DiBiase stated, “we can assure you . . . that when we released our press statement on January 7th, we believed that Officer Sicknick had died from injuries sustained while on-duty[.]”
 - a. How did USCP come to the belief that Officer Sicknick “passed away due to injuries sustained while on-duty”?¹
 - b. Please provide all documents and communications relating to the development of the January 7, 2021 press release.

¹ Press Release, Loss of USCP Officer Brian D. Sicknick, U.S. Capitol Police, Jan. 7, 2021, <https://www.uscp.gov/media-center/press-releases/loss-uscp-colleague-brian-d-sicknick>.

3. On February 26, 2021, USCP stated that “Officer Sicknick’s family has asked for privacy during this difficult time and that the spreading of misinformation stop regarding the cause of his death.”²
 - a. What did the USCP consider to be misinformation regarding Officer Sicknick’s death?
 - b. How did the USCP become aware of misinformation regarding Officer Sicknick’s death?
 - c. How did the USCP determine that certain reports regarding Officer Sicknick’s death were misinformation?
 - d. What actions, if any, did the USCP take to address misinformation regarding Officer Sicknick’s death?
 - e. When did the USCP become aware that Officer Sicknick was not struck with a fire extinguisher?
4. Please describe what, if any, information the USCP has shared with Officer Sicknick’s family regarding his death.
5. According to Senate testimony on March 2, 2021, FBI Director Christopher Wray said, “There is an ongoing investigation into [Sicknick’s] death” and [the FBI is] not at a point where [the FBI] can disclose or confirm the cause of [Sicknick’s] death.”³ What, if any, materials has the USCP provided to the FBI? I respectfully request that you make any information provided to the FBI available to my office.
6. Have you directed the Office of Professional Responsibility and/or the Office of Inspector General to investigate how the January 7, 2021 USCP press release was developed and approved for release? If not, why not?
 - a. Is the USCP investigating whether members of the USCP provided inaccurate information to the *New York Times* in connection to its January 8, 2021 article about Officer Sicknick’s death?⁴

² Press Release, Statement on Officer Sicknick, U.S. Capitol Police, Feb. 26, 2021, <https://www.uscp.gov/media-center/press-releases/statement-officer-sicknick>.

³ Bart Jensen, ‘*We all want to know*’: FBI, Capitol police remain mum on what killed Officer Brian Sicknick, USA Today, March 2, 2021, <https://www.usatoday.com/story/news/politics/elections/2021/03/02/brian-sicknick-fbi-capitol-police-mum-officers-death-riots/6886706002/>.

⁴ Marc Santora, Megan Specia, and Mike Baker, *Capitol Police Officer Dies From Injuries in Pro-Trump Rampage*, NY Times, Jan. 8, 2021, <https://www.nytimes.com/2021/01/08/us/brian-sicknick-police-capitol-dies.html>.

- b. On February 12, 2021, the *New York Times* “quietly” updated its January 8, 2021 article regarding whether Officer Sicknick was struck with a fire extinguisher.⁵ If USCP became aware that Officer Sicknick was not struck by a fire extinguisher before February 12, 2021, did USCP contact the *New York Times* to request a correction? If not, why not?
7. In USCP’s May 6, 2021 response, Mr. DiBiase wrote, “I am not aware of any contact between the House impeachment managers and the Department on the issue of Officer Sicknick’s death.”
 - a. To what extent did Mr. DiBiase investigate whether the House impeachment managers contacted USCP in an effort to confirm Officer Sicknick’s cause of death?
 - b. If USCP became aware before or during the February 2021 Senate impeachment trial that Officer Sicknick was not struck with a fire extinguisher or did not die from related injuries, why did USCP not contact, or attempt to contact, the House impeachment managers to address the claim in their trial memorandum that stated, “insurrectionists killed a Capitol Police officer by striking him in the head with a fire extinguisher”?⁶

Once again, thank you for your attention to this matter.

Sincerely,



Ron Johnson
U.S. Senator

⁵ Daniel Chaitin, *New York Times quietly updates report on fire extinguisher striking Capitol Police officer*, Wash. Examiner, Feb. 14, 2021, <https://www.washingtonexaminer.com/news/new-york-times-capitol-police-officer-brian-sicknick-fire-extinguisher>.

⁶ *Trial Memorandum of the United States House of Representatives in the Impeachment Trial of President Donald J. Trump*, U.S. House of Representatives Managers at 28, Feb. 2, 2021, https://judiciary.house.gov/uploadedfiles/house_trial_brief_final.pdf.