



March 24, 2025

Pamela A. Smith
Chief of Police
Metropolitan Police Department
441 4th Street, NW,
7th Floor
Washington, DC 20001

Lindsey Appiah
Deputy Mayor
Office of the Deputy Mayor for Public Safety and Justice
John A. Wilson Building
1350 Pennsylvania Avenue, NW,
Suite 533
Washington, DC 20004

Re: Urging Policy Changes to Metropolitan Police Department General Orders to Prohibit the Reinstatement of Police Officers Convicted of Crimes

Chief Smith and Deputy Mayor Appiah,

On behalf of Advisory Neighborhood Commission 4B, and the community we serve, I am writing to express our deep concern regarding the recent reinstatement of two Metropolitan Police Department (MPD) officers, Terence Sutton and Andrew Zabavsky, following their convictions related to the death of Karon Hylton-Brown. We urge MPD to draft a general order or revise existing general orders explicitly prohibiting the reinstatement of police officers who have been convicted of crimes that directly impact the communities in which they serve, regardless of subsequent pardons. Maintaining public trust in law enforcement is essential to ensure all residents' safety, accountability, and justice.

In October 2020, Karon Hylton-Brown, an African American, 20-year-old resident, a son, and a young father, died during a police pursuit conducted by Officer Sutton. He saw Mr. Hylton-Brown on a scooter and chose to pursue him, ignoring MPD's general orders prohibiting such conduct, at such a high rate of speed it forced Mr. Hylton-Brown into oncoming traffic, where he was struck and killed. Officer Zabavsky was the Lieutenant at the time, responsible for managing the officers on duty and overseeing the management of this incident. Instead of helping an injured individual, these officers stood over Mr. Hylton-Brown's broken body. Instead of

following MPD's General Orders to render aid, they did nothing.; Instead of following procedures by calling for immediate medical help, these officers sat by idly. Officers Sutton and Zabavsky, who swore to protect and serve the District's residents and its visitors, let Mr. Hylton-Brown suffer while they conspired to cover up what they had done. What kind of message does this send to our community and the thousands of District residents and visitors who rely on the services of MPD and its officers every day?

The officers were convicted in 2022 for their roles in this tragic incident: Sutton was found guilty of second-degree murder, and both he and Zabavsky were convicted of conspiracy and obstruction of justice for attempting to cover up the circumstances of Hylton-Brown's death¹. We believe that this was more than just reckless policing. We believe this was not just a tragic mistake. We believe that this was cruelty, a total disregard for human life, and racism.

In January 2025, President Donald Trump granted full pardons to both officers. Subsequently, MPD reinstated both. This decision has caused alarm in our community and raised serious concerns about accountability within our police force.² Chairman Mendelson called the reinstatements "a mistake" and previously stated that the pardons were a "step backward for police accountability."³ The question now is what action(s) will MPD take, if any, to address this mistake, and move police accountability forward?

The District of Columbia does not have explicit laws that categorically prohibit the reinstatement of police officers convicted of crimes or found to have violated Metropolitan Police Department (MPD) general orders. The reinstatement process is influenced by internal MPD policies, collective bargaining agreements, and legal proceedings, including appeals and arbitration. MPD's disciplinary actions are guided by internal directives, notably [General Order 120.21](#), titled "Sworn Employee Discipline." This order establishes policies and procedures for handling sustained misconduct among sworn employees, aiming to administer disciplinary action appropriate to the member's past record and the seriousness of the offense, considering mitigating and aggravating factors.

Additionally, [General Order 120.24](#), "Revocation/Restoration of Police Powers," outlines the procedures for revoking and restoring police powers of sworn members under special circumstances, such as administrative or criminal investigations. During the March 11, 2025, performance oversight hearing, Chief Smith stated that after the pardon, "[MPD] completed their administrative review...and looked at the policy violation, in this case, the pursuit violation...MPD's history with pursuit is we have never terminated anyone for pursuit violations...there was no cover-up...based on the investigation conducted by the Department..."⁴

¹ [2 DC police officers involved in moped driver's death reinstated after Trump pardons - WTOP News](#)

² [Trump pardons two police officers convicted in murder of Black man in Washington | Reuters](#)

³ [D.C. police officers pardoned in fatal pursuit reinstated to full duty - The Washington Post](#)

⁴ March 11, 2025, Metropolitan Police Department Performance Oversight Hearing

Allowing officers with criminal convictions to return to duty, even after a pardon, undermines public confidence in the integrity of MPD and the broader justice system. This situation highlights a critical gap in MPD policies regarding police accountability and reinstatement procedures. Unfortunately, past cases have demonstrated that gaps in the system have allowed unethical officers to return to the force, eroding public trust. A 2022 [DC Auditor Report](#) revealed that MPD was compelled to rehire approximately three dozen officers accused of misconduct, highlighting ongoing challenges in maintaining accountability within the department. These instances illustrate systemic issues within MPD's disciplinary processes, emphasizing the need for MPD action to prevent the reinstatement of officers with criminal convictions.

While DC participates in the National Decertification Index (NDI)⁵ it isn't enough if the MPD's general orders don't call for the decertification of officers for misconduct. We urge MPD to take immediate action by considering development or amendment to current general orders which:

1. **Prohibits the reinstatement of police officers convicted of crimes**, regardless of subsequent pardons, from serving as a sworn officer or any other role within MPD.
2. **Requires greater transparency in police disciplinary and reinstatement processes** to ensure public confidence in law enforcement hiring and retention practices.
3. **Strengthens police accountability measures** by reviewing existing policies on officer discipline and ensuring that individuals entrusted with public safety adhere to the highest standards of conduct.

For example, in Virginia, legislation enacted in 2013 stipulates that individuals entering law enforcement positions must not have been convicted of or pled guilty or no contest to specific offenses, including misdemeanors involving moral turpitude, misdemeanor sex offenses, or domestic assault. This effectively prevents individuals with such convictions from being appointed or reinstated as police officers in the state. See Code of Virginia Chapter 17 §15.2-1707 – Chapter 17 § 15.2-1708.

MPD must ensure that its law enforcement agencies remain committed to professionalism, integrity, and community trust. We seek reassurance from MPD leadership that the officers convicted of crimes in our community will not be (re)assigned, once reinstated, to the very community in which these crimes occurred. Furthermore, we look forward to your leadership on this critical issue and request an overview of current or potential efforts being considered to address this concern.

⁵ A national registry of law enforcement officers who have had their certifications or licenses revoked due to misconduct. Managed by the International Association of Directors of Law Enforcement Standards and Training (IADLEST).

Thank you for your attention to this matter. Please do not hesitate to contact me at 4B06@anc.dc.gov or 202.271.3710 to discuss this issue further.

This letter was adopted by voice vote at a regular public meeting of Advisory Neighborhood Commission 4B (notice of which was properly given, and at which a quorum of nine members were present) on March 24, 2025, by a vote of __ yes, __ no, __ abstentions. This letter has also been uploaded to the DC government's Advisory Neighborhood Commission Resolutions Portal, available at <https://resolutions.anc.dc.gov/ViewResolution.aspx?Id=JhgAAA> [LINK], and we ask that any response be uploaded to the Portal, as well.

Sincerely,



Tiffani Nichole Johnson
Vice Chair – ANC 4B
Commissioner - ANC 4B06

cc: Mayor Muriel Bowser
Commander Nikki Lavenhouse – Metropolitan Police Department, 4th District
Councilmember Brooke Pinto – DC Council Committee on the Judiciary and Public Safety
Councilmember Lewis George – Ward 4 Councilmember
Emily Cassometus – Senior Counsel, Office of Councilmember Janeese Lewis George
Director Michael G. Tobin - Office of Police Complaints