

CNN's *The Arena with Kasie Hunt*

08/12/25

4:05:23 p.m.

10 minutes and 41 seconds

KASIE HUNT: And joining us now to discuss is the Democratic D.C. Attorney General, Brian Schwalb. Sir, thank you very much for being here. Really appreciate your time today.

D.C. ATTORNEY GENERAL BRIAN SCHWALB (D): Thank you for having me.

HUNT: So, you just heard what the mayor had to say today. Your initial statement on this called Trump's plan to take over the police "unprecedented, unnecessary, and unlawful." Is there daylight between you and the mayor on this?

SCHWALB: Well, I'd like to step back, Kasie, just to kind of frame where we are, because there is no question that violent crime has an adverse impact on any community, families, communities that are impacted by violent crime shouldn't happen anywhere, and certainly not here in the District of Columbia and that's why we're laser focused on trying to reduce violent crime. What the President said yesterday at the press conference is very different than the facts on the ground here in the District of Columbia. We have done very well in reducing crime over the last couple of years. There's a lot more work to be done. But the fact of the matter is that local policing and local government have made meaningful strides in reducing crime in the District of Columbia. Our view is that if the federal government really wants to work with the District of Columbia to keep us safe, we welcome that. We are working every day and have been working every day with federal law enforcement in terms of keeping the residents and the visitors of D.C. Safe. There was no need for a takeover of the MPD to do that. We can keep doing the work we've been doing in collaboration and cooperation with our federal partners

HUNT: What do you say to D.C. residents who simply don't feel like the city is safer now than it used to be?

SCHWALB: I tell them that I feel that as well, that we want all to work together to reduce crime to where there is no crime in our city. That's what we all aspire to do. One crime is one too many. But we also have to recognize that we have made meaningful strides on violent crime. In particular, since January 2023, when I was elected, violent crime has been reduced by more than 50 percent. Homicides are down, carjackings are down. And so, we do have more work to do, but we need to keep doing it in a smart, disciplined way and the most effective way to address local crime is through local policing and local leadership. D.C. is a unique place. There are many federal buildings, federal parkland, federal jurisdiction, so we are used to working collaboratively with our federal partners. The key is that there's no need for a federal takeover, and in fact, this provision of our home rule charter, Section 740, which has never in the more than 50 years of the District of Columbia, ever been invoked by a president, is something that is not necessary right now and I'm very concerned about making sure that the terms of the Home Rule Act are law passed by Congress. The law of the country is complied with.

HUNT: Are you going to sue?

SCHWALB: My focus right now is on the facts, on the ground, understanding exactly what is happening and making sure that command and control of MPD remains with the chief of police and the mayor, that it has not been overtaken by the government. The Home Rule Act is clear that the president does have limited powers to assert an emergency and to ask for the services of MPD. It's limited in the sense that there need to be special emergency circumstances. It needs to be limited in time, and it needs to be limited for a federal purpose, not local law enforcement. But under all of those circumstances, even if they did exist, command and control of MPD remains with the mayor and the chief of police. The president can ask for services. The mayor is required to provide those services, but they are provided under the command and control of our local police department.

HUNT: But if you've already said that this is unlawful, why not file a lawsuit now against the president?

SCHWALB: I'm focused on practical results and resolving problems. And oftentimes, if you can resolve things without being in court, it's for the best interests of everybody involved. Right now, my focus is on D.C. Residents making sure that D.C. residents, visitors, employees are safe.

HUNT: So let's talk about D.C. residents for a second, because these headlines — you know, and I was a resident of D.C. for over 20 years. I've lived in all but three D.C. Wards, okay? These headlines are different from when I first came to the city. "13 year old girl" — 13! — "sentenced to seven years for 2023, beating death of a D.C. man." "Teen sentenced in killing of Lyft driver who came to U.S. seeking safety." This was a guy who was a U.S. military interpreter who was shot and killed in an attempted carjacking, again by a 16 year old. Now, juveniles fall under you and the D.C. Attorney General, Jeanine Pirro — or D.C. Attorney Jeanine Pirro has focused in on this inability that she says she has to prosecute juveniles. The law allows people up to the age of 24 years old to potentially have more lenient sentences from judges. Is that working for people in D.C.?

SCHWALB: My office, since I've been the attorney general, is prosecuting juvenile cases and holding young people who hurt other people accountable every day at higher rates and higher numbers than long before the pandemic. So much so that our mayor had to issue an executive order expanding the capacity of our juvenile detention facilities to hold people that we are prosecuting.

HUNT: Should some of these people be prosecuted as adults?

SCHWALB: All of these young people that are prosecuted under the law can, in certain circumstances, be prosecuted as adults under our existing laws and can be prosecuted as juveniles under other circumstances and our laws are working. Our prosecution is working and you're exactly right. The U.S. Attorney's office in our city has jurisdiction over adults. The vast majority of crime that occurs in our city is committed by adults, not juveniles, and the jurisdiction to prosecute juveniles in our family court sits under our laws with my office, the

office of attorney general.

HUNT: *The Washington Post* wrote a very lengthy piece that they put on — on their front pages, titled “Empty Desks.” The truancy rate of nearly 30 percent among middle school students And they wrote that it’s fueling a crime wave. Why is that happening? Is that not a failure of the mayor who is in charge of the school system?

SCHWALB: Look, we need young people to be in school. We need young people to be engaged in their learning. There are so many contributing factors that often get in the way that are barriers to kids getting into school, and we need to address those, and we are doing that as best we can. Certainly, young people should be in school learning, and all of us, the community members, the government, everybody around needs to make sure that that’s a high priority. It’s certainly a high priority for me in my office.

HUNT: One other thing I wanted to ask you about is this cashless bail that the President brought up from the podium. Does that policy make it harder for D.C. officials to hold repeat offenders, people that the city knows have been behind previous crimes in the city? And do there need to be any changes to that policy?

SCHWALB: Yeah. Let’s be clear. The District of Columbia has had a cashless bail system since the early 90s. This is nothing new. And the answer to your question is no. If a defendant in a criminal case is a flight risk, if we’re worried about them leaving the jurisdiction or they pose a threat to the public pending trial, courts can and do hold them pretrial. The notion of holding people without bail because they can’t afford to make bail is something that our country, our city, and many other jurisdictions around the country confronted long ago. That is a vestige of recent ancient history, not what really is fueling issues today.

HUNT: Yeah. Fair enough. How do you look at the connection if — if you think there is one between violent crime and a perceived acceptability of petty crime? I don’t know if you’ve tried to buy a razor blade or some deodorant at a CVS in the District of Columbia lately, but it’s a lot harder than it used to be. They’re all under lock and key. There have been some CVS pharmacies that have closed in various parts of the city because this is such a problem. Would you like to see federal resources help fight petty crime to try to send a message?

SCHWALB: I think that we’re ever additional resources can be brought to holding people accountable. We ought to look for ways to do that. I believe in respecting the law, laws matter, accountability matters and whether it’s a petty crime or a violent crime, people need to know that the rules matter and that they’re going to be fairly and uniformly enforced. And certainly, when we’re talking about communities and businesses that are adversely impacted by petty theft causing them, perhaps, as you suggest, to leave the neighborhoods, that has huge adverse impacts on people. So, my view is, if the federal government wants to assist and partner with the District of Columbia, we are welcome to it does not require a federal takeover or the kind of invocation of the Home Rule Act that, as I noted in the more than 50 years of our city, has never been invoked by any president.

HUNT: Finally, before I let you go. Obviously, the system here in D.C. is different than the states, and we are impacted more by Congress, and we have fewer of our own resources to prosecute people. What do — what would you like to see? How would you like to see the system here changed to allow D.C. officials to do more, to fight crime?

SCHWALB: Well, look, our democracy recognizes the importance of local representation on local issues like crime that local communities and their elected officials know better. They're closer to the streets, closer to the community trusted. We need to move the District of Columbia to where we have more authority under the Home Rule Act to have control over our criminal justice system and our prosecution system. We're the only jurisdiction in the country where the federal U.S. Attorney is prosecuting local crime. I'd like to see us move to a place where local crime is prosecuted by local prosecutors and the federal U.S. Attorney appointed by the president, does what U.S. attorneys around the country do, which is to prosecute federal crime.

HUNT: I know I said I was going to let you go, but I do have one more question for you.

SCHWALB: Okay.

HUNT: And I'd like to play something that the D.C. Police union chairman had to say and just get you to respond to it, because I know we've — we've — we've been talking quite a bit about this. Let's watch that and then we'll talk to you.

GREGGORY PEMBERTON [on FBN's *Varney & Co.*, 08/12/25]: Crime in the District is out of control and something needs to be done about it. This concept that crime is down is really an old trope. [SCREEN WIPE] Our rank and file officers know that we're going call to call to call for armed carjacking, stabbings, robberies, shootings, homicides —

ASHLEY WILLIAMS [on FBN's *Varney & Co.*, 08/12/25]: Oh!

PEMBERTON [on FBN's *Varney & Co.*, 08/12/25]: — and the crime isn't going anywhere. And so, we welcome the assistance And whether that's federal agents or the National Guard, we'll use it again.

HUNT: Again, the police union chairman, what do you say to him?

SCHWALB: Yeah. With due respect to Mr. Pemberton, I think his facts are wrong. I think his talking points are wrong. We know what's happening in our city. We have more work to do. We need to all work together to reduce crime to a zero number, but we are going in the right direction, under local control, local policies, and local leadership, and we need to stay the course.

HUNT: All right. D.C. Attorney general Brian Schwalb, thank you very much. Really appreciate your time today.

SCHWALB: Thank you for having me.