

APPENDIX A

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

KRISTI L., et al.,

Plaintiffs,

v.

NATIONAL AIR AND SPACE MUSEUM,
et al.,

Defendants.

Civil Action No. 23-0335 (ABJ)

DECLARATION OF [REDACTED]

I, [REDACTED], pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am currently employed with the Smithsonian Institution's Office of Protection Services ("OPS") as a [REDACTED]. I have held this position since [REDACTED], 2023. Prior to that, I held the position of [REDACTED] for OPS from [REDACTED] 2018 to [REDACTED], 2023. I have been employed with the Smithsonian since [REDACTED] 2016. I make this Declaration based on my personal knowledge.

2. On January 20, 2023, I was stationed at the National Air and Space Museum ("NASM"). I had only recently been [REDACTED] on [REDACTED], 2023. NASM was a new location for me at that time, as I moved from the National Museum [REDACTED] [REDACTED] to NASM when [REDACTED].

3. People visiting NASM have to go through security screening before they can enter the museum. On January 20, 2023, the only entrance to NASM open to museum visitors was located on the Independence Avenue side of the museum, close to the intersection with Sixth Street. The security screening area is typically staffed with both OPS and Allied Universal security personnel.

4. To the best of my memory, I reported to the security screening area in the mid-afternoon on January 20, 2023, to assist with overseeing the security screening while another OPS officer was on break. While I was in the security screening area, an Allied Universal officer (I did not know [REDACTED] name) asked me whether a group of visitors from the March for Life could enter the NASM with their hats on. I responded, “you can ask them to take their hats off,” or words to that effect. I also believe I requested at least one group of visitors to remove their hats when I was in the security screening area.

5. Lt. [REDACTED] OPS Lieutenant who was stationed at NASM on January 20, 2023. [REDACTED].

6. Later that afternoon on January 20, 2023, Lt. [REDACTED] approached me and informed me that we do not ask visitors to remove hats or clothing. The Smithsonian policy on demonstrations applies to placards, signs, and banners but not clothing.

7. I know now that my direction for visitors to remove their hats upon entering the NASM was a mistake, and I regret that mistake. I will not make that mistake again. In addition to the correction from Lt. [REDACTED], I have since received additional training on the Smithsonian’s policy on demonstrations (OPS Policy 61 (Demonstrations and Protests)), including on January 21, 2023 and several times since then. I have also been trained on OPS Training Bulletin TB-17 (OPS-61 Demonstrations & Protests: Paid Protesters & Inside SI Buildings & Gardens).

8. My direction for visitors to remove their hats was not based on the content of the pro-life message on their hats. I, personally, am pro-life and believe in the pro-life cause.

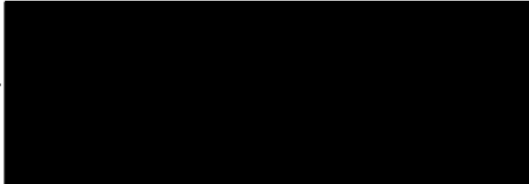
9. Rather, I was concerned about the size of the group entering on January 20, 2023 and ensuring an orderly process for the visitors passing through security at the NASM entrance.

10. I never directed, or saw any visitors directed, to leave the NASM because they were wearing pro-life hats.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: December 12, 2023
Washington, D.C.

By



Office of Protection Services
Smithsonian Institution