



CHARLES A. PENN  
ACTING CHIEF OF POLICE

# ARLINGTON COUNTY POLICE DEPARTMENT

ARLINGTON COUNTY COURTHOUSE  
1425 NORTH COURTHOUSE ROAD  
ARLINGTON, VIRGINIA 22201

703-228-4040  
POLICE@ARLINGTONVA.US



MICHAEL G. DUNNE  
DEPUTY CHIEF

DANIEL J. MURRAY  
DEPUTY CHIEF

ADRIENNE C. QUIGLEY  
DEPUTY CHIEF

DARRIN CASSEDY  
ACTING DEPUTY CHIEF

January 4, 2021

**SENT VIA EMAIL: 7047@arlingtonnaacp.com**

Julius Spain, Sr.  
Arlington Branch NAACP #7047  
c/o Branch President  
PO Box 4528  
Arlington, Virginia 22204

RE: Virginia Freedom of Information Act Request **[2020-FOIA-0505]**

Dear Mr. Spain:

I am writing in response to your recent request for information under the Virginia Freedom of Information Act (FOIA) which my office received on December 29, 2020. You will find the following enclosed:

- |  |          |               |              |
|--|----------|---------------|--------------|
| • Call for Service                             |          | P203560070    | 1 recording* |
| • CAD – Detailed History for Police Incident   |          | P203560070    | 2 pages*     |
| • Dispatch                                     |          | P203560070    | 1 recording  |
| • Axon Body Worn Camera                        | Morado   | 2020-12210071 | Link* **     |
| • Axon Body Worn Camera                        | Williams | 2020-12210071 | Link* **     |
| • Axon Body Worn Camera                        | Freiert  | 2020-12210071 | Link* **     |
| • Email to/from Acting Chief Charles Penn      |          |               | 95 pages     |
| • 530.01 Preliminary & Follow-up Investigation |          |               | 12 pages     |

\*Pursuant to Virginia Code Section 2.2-3706 (D) any personal and private identifying information has been redacted out of privacy concerns.

\*\*Axon Body Worn Camera footage will be sent in separate links from Evidence.com.

Virginia Code Section 2.2-3704 (F) allows reasonable charges to cover the actual costs incurred in accessing, duplicating, supplying or searching for the records. The costs associated with fulfilling this request is **\$75.00**. Please remit payment to the **“Arlington County Police Department – Office of Professional Responsibility – Internal Affairs Unit – 1425 North Courthouse Road – Arlington, Virginia 22201”** within 30 days of the receipt of this letter.

If you have any questions or need additional information, please contact me at 703-228-4076 or [ACPDInternalAffairs@arlingtonva.us](mailto:ACPDInternalAffairs@arlingtonva.us).

Sincerely,

A handwritten signature in blue ink, appearing to read "L Chamberlain". The signature is fluid and cursive, with a prominent initial "L" and a trailing flourish.

Captain LaTasha Chamberlain  
Arlington County Police Department  
Office of Professional Responsibility

Detailed History for Police Incident #P203560070 As of 12/25/2020 09:45:23

Output for: EC200

Priority:2P Type:SUSV - SUSPICIOUS VEH  
 Location:SOUTHGATE RD/S ORME ST, AC <19/ 700>  
 Map:J2

Created:	12/21/2020 10:31:33	TY01	EC317
Entered:	12/21/2020 10:32:33	TY01	EC317
Dispatch:	12/21/2020 10:35:36	PD04	EC109
Enroute:	12/21/2020 10:35:36	PD04	EC109
Onscene:	12/21/2020 10:38:58	P106	1742
Closed:	12/21/2020 11:00:29	PD04	EC109

ICUnit: PrimeUnit:B35 Dispo:301 Type:SUSV - SUSPICIOUS VEH  
 Agency:AP Darea:PD2 Beat:35 RD:2508 Detail

10:31:33est CREATE EC317/TY01 Location:SOUTHGATE RD/S ORME ST, AC Type:SUSV Darea:PD2 RD:2508  
 TypeDesc:SUSPICIOUS VEH LocDesc: <19/ 700> Priority:2P Agency:AP  
 Map:J2 LocType:H GeoLong:-77.072749 GeoLat:38.868525

10:32:33 ENTRY Comment:PERSON TAKING PICUTRES OF GATE AND PEOPLE WALKING BY...SUBJ  
 IN BMW SIL UJE4207/VA...NO DESC OF SUBJ...BM EARLY 30S BEARD

10:32:33 VEH V#:1 Plate:UJE4207

10:34:34 INFO Name: Phone: ContctRP:I Comment:IS NOW OUT OF  
 CAR HEADING IN DIRECTION TOWARDS SHERATON WALKING CARRYING THE  
 CAMERA...TAG NEG ON A 2008 BMW 4D SIL TO A MARLON CRUTCHFIELD OUT OF  
 FREDERICKSBURG..HAS CCW PERMIT

10:34:34 -PREMIS Comment:PPR

10:34:37 NOMORE

10:35:16 SELECT EC109/PD04

10:35:16 -SGGEST Comment:Standard

10:35:36 DISPER B35 Operator:1742 OperNames:MORADO,RENATO

10:35:36 DISPER B37 Operator:1698 OperNames:WILLIAMS,ALEXANDER

10:35:36 -PRIU B35

10:35:36 -HOLD

10:38:58 \*ONSCN 1742/P106 B35

10:43:42 \*ONSCN 1698/P056 B37

10:48:42 BACKER EC109/PD04 B36 UnitID:B35 Location:SOUTHGATE RD/S ORME ST, AC Operator:1608  
 OperNames:FREIERT,ALEX

10:54:03 \*AVAIL 1608/P170 B36

10:54:03 \*CLEAR B36

10:54:13 \*AVAIL 1698/P056 B37

10:54:13 \*CLEAR B37

11:00:29 CLEAR EC109/PD04 B35 Dispo:301

11:00:29 -PRIU B35

11:00:29 -CLEAR

11:00:29 CLOSE

CONTACT INFO:

Name	Phone	Address	ContctRP	CallerInv	CallMode	Rpcont4
			I			

## Charles Penn

---

**From:** Charles Penn  
**Sent:** Sunday, December 27, 2020 5:28 PM  
**To:** Darrin Cassidy; Kirby Clark (kclark@arlingtonva.us); Ashley Savage; Latasha Chamberlain  
**Subject:** FW: ICYMI - Arlington Branch NAACP Response to Foxcroft Heights Video

Just FYI – We may get some inquiries based on this release.

Have a good night

andy

---

**From:** President and 1st Vice President, Arlington NAACP <[7047@arlingtonnaacp.com](mailto:7047@arlingtonnaacp.com)>  
**Sent:** Sunday, December 27, 2020 3:34 PM  
**To:** Adrienne Quigley  
**Subject:** ICYMI - Arlington Branch NAACP Response to Foxcroft Heights Video

**EXTERNAL EMAIL:** This email originated from outside Arlington County.



**FOR IMMEDIATE RELEASE**

December 27, 2020, 2:00 p.m.

Media Contact: Keshia Tensley, Secretary Phone: 1-877-501-6417  
Email: [7047@arlingtonnaacp.com](mailto:7047@arlingtonnaacp.com)

**Arlington Branch NAACP Response to Foxcroft Heights Video**

**Arlington, Virginia** Leadership of Arlington Branch NAACP were notified on the evening of December 25, 2020, of an incident which occurred on December 21, 2020, in the Foxcroft Heights neighborhood involving an African American male and the Arlington County Police Department. We are looking into this

incident. We spoke with the citizen who recorded the video and the Acting Chief of Police. Additionally, we have shared the public video with selected officials of the Arlington County Board, the Commonwealth's Attorney for Arlington County and the City of Falls Church, three elected leaders of the Virginia General Assembly representing Arlington County, and the County Manager. We have also issued a Virginia Freedom of Information Act request for all documents and police recordings related to this incident. Branch President Julius D. "JD" Spain, Sr. and 1<sup>st</sup> Vice President Kent D. Carter release the following joint public statement:

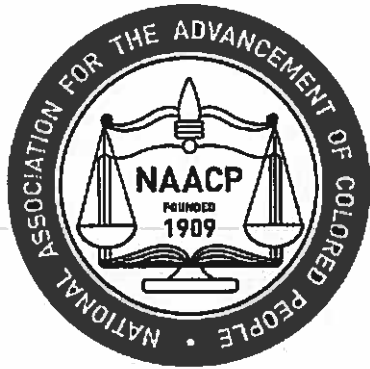
***"In Arlington, we can get complacent and think this could never happen here. But it did. Here in Arlington a Black man, hired to create memorable holiday photos in a client's home, is first accosted in his car by a white neighbor questioning his presence in their neighborhood. Then, when up to five police cruisers respond to a nonsensical call to police to investigate, the Black man is questioned by police, who refuse to accept his word about his lawful activities, and instead demand his identification. All of this occurred while he stood on the porch of the home where he was a guest, with the homeowner supporting him and asking police to leave her property. This must stop. It is not a crime to be Black, it is not a crime to be on any street in Arlington, and it is certainly not a crime to be an invited guest in another's home. Instead of holiday memories captured by a gifted professional photographer, the memories created here are those of anger, embarrassment, humiliation, silently practiced neighborhood racism and the sting of racial profiling. While police showed restraint and eventually deescalated their demands, it is all too easy to imagine how this could have been yet another tragic outcome for a person of color. It is a time to stop dispatching police to calls like these, where police become tools for anonymized racial animus. It is deeply concerning and appalling that***

***Black men and women are continually scrutinized when they are someplace, they have every right to be at. This incident and the initial call to police is an example of the everyday racism and bias which continues to plague our communities. Arlington residents must stop calling law enforcement officials without evidence of wrongdoing whenever an unrecognized person of color is in a neighborhood. This practice is racist, diverts county resources, wastes taxpayer dollars, puts police and citizens at risk and erodes the trust between Arlingtonians and the county. At a minimum, an apology is owed to the victim and homeowner, and a full review conducted to identify the obvious flaws in policies, training and dispatch that allowed this police over-response to occur. We should not be a county where one must produce identification or have your privacy violated simply because that is protocol. We implore law enforcement officials to thoroughly investigate all facts surrounding this incident and to consider if charges of filing a false police report are warranted. Creating accountability is one way to help begin to restore confidence in federal, state, and local law enforcement and thus restore the trust and integrity necessary to be effective, and to keep all of us safer."***

**#####**

*Founded in 1909 in response to the ongoing violence against Black people around the country, the NAACP (National Association for the Advancement of Colored People) is the largest and most pre-eminent civil rights organization in the nation. We have over 2,200 units and branches across the nation, along with well over 2M activists. Our mission is to secure the political, educational, social, and economic equality of rights to eliminate race-based discrimination and ensure the health and well-being of all persons*



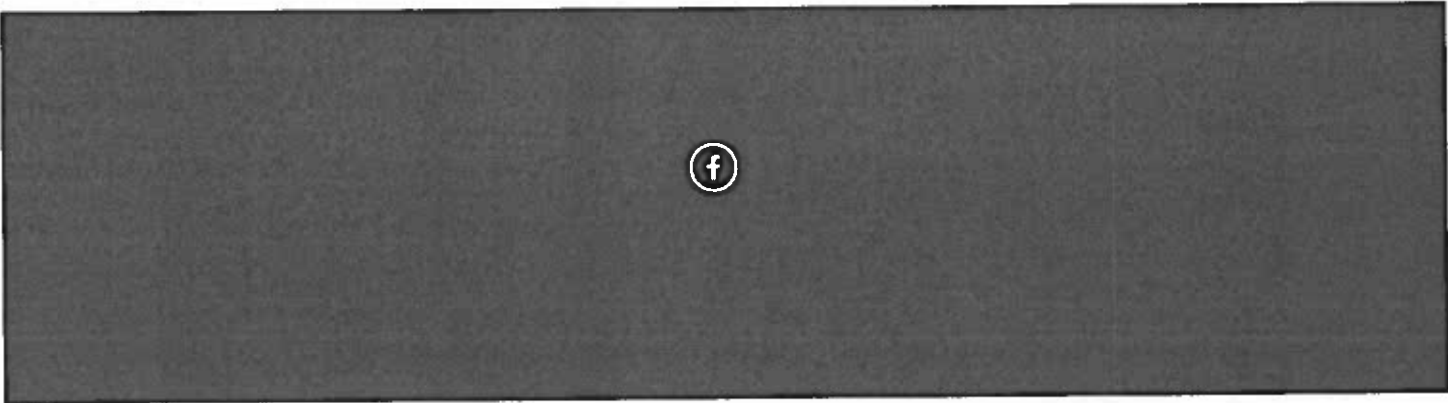


ARLINGTON BRANCH #7047

# NAACP



[Watch the Video](#)





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**Our mailing address is:**

P.O. Box 4528  
ARLINGTON, VA 22204

[Join Arlington Branch NAACP, Unit 7047-B](#)

Disclaimer: The National Association for the Advancement of Colored People (NAACP) is a 501(c)(3) nonprofit organization. As the nation's oldest and largest civil rights organization, since 1909 the NAACP actively works with our more than 2,000 branches worldwide to inform and encourage civic engagement.

Units of the NAACP are designated as 501(c)(4) organizations, only the National Office is a 501(c)(3) organization. A 501 (c) (4) organization is a nonprofit corporation operated exclusively for the promotion of social justice. Contributions and gifts are not deductible as charitable contributions for federal income tax purposes; however, they are deductible as an ordinary business expense. A portion of membership fees is tax deductible.

Want to change how you receive these emails?

You can [update your preferences](#) or [unsubscribe from this list](#).

## Charles Penn

---

**From:** Charles Penn  
**Sent:** Saturday, December 26, 2020 9:00 PM  
**To:** JD Spain  
**Subject:** Re: Corrected: ACPD Foxcroft Heights Incident of December 21, 2020 (2nd Email)

Thank you.

Enjoy the rest of the weekend...

Andy

Get [Outlook](#) for iOS

---

**From:** Mr. Julius D. Spain, Sr. <julius.d.spain@gmail.com>  
**Sent:** Saturday, December 26, 2020 8:56:57 PM  
**To:** Charles Penn <cpenn@arlingtonva.us>  
**Subject:** Fwd: Corrected: ACPD Foxcroft Heights Incident of December 21, 2020 (2nd Email)

**EXTERNAL EMAIL:** This email originated from outside Arlington County.

**CAUTION:** This external email also contains file attachments. Do not open files that you are not specifically expecting to receive, even from known senders.

Contact information attached.

----- Forwarded message -----

**From:** Libby Garvey <lgarvey@arlingtonva.us>  
**Date:** Sat, Dec 26, 2020 at 8:27 PM  
**Subject:** Re: Corrected: ACPD Foxcroft Heights Incident of December 21, 2020 (2nd Email)  
**To:** Charles Penn <cpenn@arlingtonva.us>, JD Spain <julius.d.spain@gmail.com>  
**Cc:** Mark Schwartz <mschwartz@arlingtonva.us>, Katie Cristol <kcristol@arlingtonva.us>, Christian Dorsey <cdorsey@arlingtonva.us>, Matt de Ferranti <mdeferranti@arlingtonva.us>, Takis Karantonis <tkarantonis@arlingtonva.us>, Parisa Dehghani-Tafti <pdtafti@arlingtonva.us>, kent.d.carter@gmail.com <kent.d.carter@gmail.com>, NAACP ARLINGTON BRANCH 7047 <7047@arlingtonnaacp.com>

Julius: Thank you for reaching out.

Andy: Thank you for your availability.

Libby

Libby Garvey Chair  
Arlington County Board  
2100 Clarendon Blvd., Suite 300  
Arlington, VA 22201  
703-228-3130

Check out our Public Health coronavirus webpage for up-to-date announcements, guidance and a situation report:  
<https://health.arlingtonva.us/2019-novel-coronavirus-what-you-need-to-know-from-arlington-county-public-health-division-acphd>

Any email sent to/from Arlington County email addresses may be subject to disclosure under Freedom of Information Act (FOIA) requests.

---

**From:** Charles Penn <[Cpenn@arlingtonva.us](mailto:Cpenn@arlingtonva.us)>  
**Sent:** Saturday, December 26, 2020 8:24:14 PM  
**To:** JD Spain <[julius.d.spain@gmail.com](mailto:julius.d.spain@gmail.com)>  
**Cc:** Mark Schwartz <[Mschwartz@arlingtonva.us](mailto:Mschwartz@arlingtonva.us)>; Libby Garvey <[Lgarvey@arlingtonva.us](mailto:Lgarvey@arlingtonva.us)>; Katie Cristol <[kcristol@arlingtonva.us](mailto:kcristol@arlingtonva.us)>; Christian Dorsey <[cdorsey@arlingtonva.us](mailto:cdorsey@arlingtonva.us)>; Matt de Ferranti <[mdeferranti@arlingtonva.us](mailto:mdeferranti@arlingtonva.us)>; Takis Karantonis <[tkarantonis@arlingtonva.us](mailto:tkarantonis@arlingtonva.us)>; Parisa Dehghani-Tafti <[pdtafti@arlingtonva.us](mailto:pdtafti@arlingtonva.us)>; [kent.d.carter@gmail.com](mailto:kent.d.carter@gmail.com) <[kent.d.carter@gmail.com](mailto:kent.d.carter@gmail.com)>; NAACP ARLINGTON BRANCH 7047 <[7047@arlingtonnaacp.com](mailto:7047@arlingtonnaacp.com)>  
**Subject:** Re: Corrected: ACPD Foxcroft Heights Incident of December 21, 2020 (2nd Email)

Julius - I would be happy to speak with you this evening or sometime tomorrow if that works better. Just let me know which you prefer.

Also - just FYI, I just received the first email you sent in a quarantined batch of emails. Not sure why the filter quarantined your original message to me, but it did.

Please let me know when you would like to talk.

Have a good evening.

Andy

Get [Outlook](#) for iOS

---

**From:** Mr. Julius D. Spain, Sr. <[julius.d.spain@gmail.com](mailto:julius.d.spain@gmail.com)>  
**Sent:** Saturday, December 26, 2020 8:01:28 PM  
**To:** Charles Penn <[Cpenn@arlingtonva.us](mailto:Cpenn@arlingtonva.us)>  
**Cc:** Mark Schwartz <[Mschwartz@arlingtonva.us](mailto:Mschwartz@arlingtonva.us)>; Libby Garvey <[Lgarvey@arlingtonva.us](mailto:Lgarvey@arlingtonva.us)>; Katie Cristol <[kcristol@arlingtonva.us](mailto:kcristol@arlingtonva.us)>; Christian Dorsey <[cdorsey@arlingtonva.us](mailto:cdorsey@arlingtonva.us)>; Matt de Ferranti <[mdeferranti@arlingtonva.us](mailto:mdeferranti@arlingtonva.us)>; Takis Karantonis <[tkarantonis@arlingtonva.us](mailto:tkarantonis@arlingtonva.us)>; Parisa Dehghani-Tafti <[pdtafti@arlingtonva.us](mailto:pdtafti@arlingtonva.us)>; [kent.d.carter@gmail.com](mailto:kent.d.carter@gmail.com) <[kent.d.carter@gmail.com](mailto:kent.d.carter@gmail.com)>; NAACP ARLINGTON BRANCH 7047 <[7047@arlingtonnaacp.com](mailto:7047@arlingtonnaacp.com)>  
**Subject:** Corrected: ACPD Foxcroft Heights Incident of December 21, 2020 (2nd Email)

**EXTERNAL EMAIL:** This email originated from outside Arlington County.

Facebook Video (Publically Accessible)

<https://www.facebook.com/1085790472/videos/10223631014058502/>

Acting Chief Penn,

Arlington Branch NAACP was notified on December 25, 2020 of this alarming incident which occurred on December 21, 2020 in the Foxcroft Heights neighborhood of Arlington.

I have had the opportunity to briefly speak with Mr. Crutchfield and need to speak with you or your community liaison official soonest.

Respectfully,

Julius D. "JD" Spain, Sr.  
President  
Arlington Branch NAACP &  
Regional VP, Virginia State Conference NAACP  
(703) 517-1703

## Charles Penn

---

**From:** Charles Penn  
**Sent:** Saturday, December 26, 2020 8:24 PM  
**To:** JD Spain  
**Cc:** Mark Schwartz; Libby Garvey; Katie Cristol; Christian Dorsey; Matt de Ferranti; Takis Karantonis; Parisa Dehghani-Tafti; kent.d.carter@gmail.com; NAACP ARLINGTON BRANCH 7047  
**Subject:** Re: Corrected: ACPD Foxcroft Heights Incident of December 21, 2020 (2nd Email)

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Andy

Get [Outlook](#) for iOS

---

**From:** Mr. Julius D. Spain, Sr. <julius.d.spain@gmail.com>  
**Sent:** Saturday, December 26, 2020 8:01:28 PM  
**To:** Charles Penn <cpenn@arlingtonva.us>  
**Cc:** Mark Schwartz <Mschwartz@arlingtonva.us>; Libby Garvey <Lgarvey@arlingtonva.us>; Katie Cristol <kcristol@arlingtonva.us>; Christian Dorsey <cdorsey@arlingtonva.us>; Matt de Ferranti <mdeferranti@arlingtonva.us>; Takis Karantonis <tkarantonis@arlingtonva.us>; Parisa Dehghani-Tafti <pdafti@arlingtonva.us>; kent.d.carter@gmail.com <kent.d.carter@gmail.com>; NAACP ARLINGTON BRANCH 7047 <7047@arlingtonnaacp.com>  
**Subject:** Corrected: ACPD Foxcroft Heights Incident of December 21, 2020 (2nd Email)

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Respectfully,

Julius D. "JD" Spain, Sr.  
President  
Arlington Branch NAACP &  
Regional VP, Virginia State Conference NAACP  
(703) 517-1703

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## Charles Penn

---

**From:** Charles Penn  
**Sent:** Saturday, December 26, 2020 7:05 PM  
**To:** Mark Schwartz; Bryna Helfer; Kirby Clark; Ashley Savage; James Schwartz; Darrin Cassedy  
**Subject:** RE: Facebook post- getting attention

Definitely would be necessary if the officer felt the situation warranted documenting the suspicious behavior, but given all circumstances here I am assuming the officer was comfortable that nothing concerning actually occurred. During the encounter with the individual in question, the homeowner came outside also and she confirmed that he was there to take photos for her. The officer asked for the ID early on in the encounter, but when the person protested he let it go. I don't want to say it is standard, because it depends on the circumstances.

---

**From:** Mark Schwartz <Mschwartz@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 6:58 PM  
**To:** Charles Penn <Cpenn@arlingtonva.us>; Bryna Helfer <bhelfer@arlingtonva.us>; Kirby Clark <kclark@arlingtonva.us>; Ashley Savage <Asavage@arlingtonva.us>; James Schwartz <Jschwa@arlingtonva.us>; Darrin Cassedy <Dcasse@arlingtonva.us>  
**Subject:** Re: Facebook post- getting attention

Very helpful. Can you clarify if it is standard practice to ask for ID when approaching someone in this situation? That seems to be what was asked for on the facebook post. Wondering if you want to add that in to the details?

---

**From:** Charles Penn <Cpenn@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 6:54 PM  
**To:** Mark Schwartz <Mschwartz@arlingtonva.us>; Bryna Helfer <bhelfer@arlingtonva.us>; Kirby Clark <kclark@arlingtonva.us>; Ashley Savage <Asavage@arlingtonva.us>; James Schwartz <Jschwa@arlingtonva.us>; Darrin Cassedy <Dcasse@arlingtonva.us>  
**Subject:** RE: Facebook post- getting attention

All - we have had the opportunity to review the call to ECC, call for service, body camera footage and facebook post. We discussed doing a release, but it does not seem as though the poster is targeting police, but speaking more in general. Seems as though a general release could really escalate this. Our plan is to share the below response with anyone that reaches out to us. I think this provides a general position, acknowledges the challenges with "suspicious" and provides clarity regarding this specific incident. As of now, we have had no inquiries from media. Happy to discuss if anyone has questions. Have a good weekend... Andy

### Planned Response:

The Police Department is aware of a video posted to Facebook, showing an interaction between officers and a person which was filmed during a call for service on December 21, 2020. Above all else, the Arlington County Police Department is committed to the principle that all individuals will be treated with dignity and respect. We strictly adhere to the protections afforded by the Constitution to assure everyone's rights are safeguarded. We take our responsibility to protect our diverse and inclusive community willingly and without reservation. The information below provides a summary of the dispatched call for service.

At approximately 10:35 a.m. on December 21, police were dispatched to the report of a suspicious person in the area of Southgate Road and Orme Street. The reporting party advised that the male subject had been taking photos of the Southgate entrance to Joint Base Myer Henderson Hall. The reporting party provided additional information that the



subject had left the area of the entrance and entered a nearby residence. Officers made contact with the subject, explained the reason for the call for service, and spoke briefly with the individual.

The Department recognizes community concerns when investigating calls for service involving suspicious persons, vehicles, and activity. In order to ensure public safety within our community, officers have a duty to respond to dispatched calls for service and fully investigate the circumstances surrounding them. We appreciate that what constitutes suspicious behavior can be ambiguous, but we must work together to ensure police are notified of suspicious behaviors that could represent a threat to our community while at the same time ensuring that the focus remains on the behaviors of a person and nothing else. We are committed to continuing to work collaboratively with the Arlington community to ensure we remain one of the safest communities in the Country.

While the behaviors described to ACPD were considered suspicious in nature given all of the circumstances, it was determined that no crime had been committed, officers cleared the call without taking further action, and the entire interaction with the individual lasted under four minutes.

---

**From:** Mark Schwartz <[Mschwartz@arlingtonva.us](mailto:Mschwartz@arlingtonva.us)>  
**Sent:** Saturday, December 26, 2020 12:26 PM  
**To:** Bryna Helfer <[bhelfer@arlingtonva.us](mailto:bhelfer@arlingtonva.us)>; Kirby Clark <[kclark@arlingtonva.us](mailto:kclark@arlingtonva.us)>; Ashley Savage <[Asavage@arlingtonva.us](mailto:Asavage@arlingtonva.us)>; James Schwartz <[Jschwa@arlingtonva.us](mailto:Jschwa@arlingtonva.us)>; Darrin Cassedy <[Dcasse@arlingtonva.us](mailto:Dcasse@arlingtonva.us)>; Charles Penn <[Cpenn@arlingtonva.us](mailto:Cpenn@arlingtonva.us)>  
**Subject:** Re: Facebook post- getting attention

Having now received two notes on this I would like a short prepared statement to send along to the Board. Please work together on a draft. Happy to discuss by phone.

[Get Outlook for iOS](#)

---

**From:** Bryna Helfer <[bhelfer@arlingtonva.us](mailto:bhelfer@arlingtonva.us)>  
**Sent:** Friday, December 25, 2020 6:23:51 PM  
**To:** Kirby Clark <[kclark@arlingtonva.us](mailto:kclark@arlingtonva.us)>; Ashley Savage <[Asavage@arlingtonva.us](mailto:Asavage@arlingtonva.us)>; Mark Schwartz <[Mschwartz@arlingtonva.us](mailto:Mschwartz@arlingtonva.us)>; James Schwartz <[Jschwa@arlingtonva.us](mailto:Jschwa@arlingtonva.us)>; Darrin Cassedy <[Dcasse@arlingtonva.us](mailto:Dcasse@arlingtonva.us)>; Charles Penn <[Cpenn@arlingtonva.us](mailto:Cpenn@arlingtonva.us)>  
**Subject:** Re: Facebook post- getting attention

Ty

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---

**From:** Charles Penn <[Cpenn@arlingtonva.us](mailto:Cpenn@arlingtonva.us)>  
**Sent:** Friday, December 25, 2020 2:10:39 PM  
**To:** Bryna Helfer <[bhelfer@arlingtonva.us](mailto:bhelfer@arlingtonva.us)>; Kirby Clark <[kclark@arlingtonva.us](mailto:kclark@arlingtonva.us)>; Ashley Savage <[Asavage@arlingtonva.us](mailto:Asavage@arlingtonva.us)>; Mark Schwartz <[Mschwartz@arlingtonva.us](mailto:Mschwartz@arlingtonva.us)>; James Schwartz <[Jschwa@arlingtonva.us](mailto:Jschwa@arlingtonva.us)>; Darrin Cassedy <[Dcasse@arlingtonva.us](mailto:Dcasse@arlingtonva.us)>  
**Subject:** Re: Facebook post- getting attention

Thanks. We looked at the call for service and we responded to a suspicious person call based on the caller reporting the male taking pictures of the Southgate entrance to Joint base and people walking by. Incident was on 12/21 and entire encounter was pretty brief.

Last I talked with Ashley we have received no inquiries from media.

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---

**From:** Bryna Helfer <[bhelfer@arlingtonva.us](mailto:bhelfer@arlingtonva.us)>  
**Sent:** Friday, December 25, 2020 8:47 AM  
**To:** Kirby Clark; Ashley Savage; Charles Penn; Mark Schwartz; James Schwartz  
**Subject:** Fwd: Facebook post- getting attention

Sharing in case you have not seen this...  
Sorry for sending this on Christmas— but Sharing now given the comments— calling to escalate w media

<https://www.facebook.com/1085790472/posts/10223631015018526/?d=n>

Get [Outlook](#) for iOS

## Charles Penn

---

**From:** Charles Penn  
**Sent:** Saturday, December 26, 2020 6:54 PM  
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**Subject:** RE: Facebook post- getting attention

All - we have had the opportunity to review the call to ECC, call for service, body camera footage and facebook post. We discussed doing a release, but it does not seem as though the poster is targeting police, but speaking more in general. Seems as though a general release could really escalate this. Our plan is to share the below response with anyone that reaches out to us. I think this provides a general position, acknowledges the challenges with "suspicious" and provides clarity regarding this specific incident. As of now, we have had no inquiries from media. Happy to discuss if anyone has questions. Have a good weekend... Andy

### Planned Response:

The Police Department is aware of a video posted to Facebook, showing an interaction between officers and a person which was filmed during a call for service on December 21, 2020. Above all else, the Arlington County Police Department is committed to the principle that all individuals will be treated with dignity and respect. We strictly adhere to the protections afforded by the Constitution to assure everyone's rights are safeguarded. We take our responsibility to protect our diverse and inclusive community willingly and without reservation. The information below provides a summary of the dispatched call for service.

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The Department recognizes community concerns when investigating calls for service involving suspicious persons, vehicles, and activity. In order to ensure public safety within our community, officers have a duty to respond to dispatched calls for service and fully investigate the circumstances surrounding them. We appreciate that what constitutes suspicious behavior can be ambiguous, but we must work together to ensure police are notified of suspicious behaviors that could represent a threat to our community while at the same time ensuring that the focus remains on the behaviors of a person and nothing else. We are committed to continuing to work collaboratively with the Arlington community to ensure we remain one of the safest communities in the Country.

While the behaviors described to ACPD were considered suspicious in nature given all of the circumstances, it was determined that no crime had been committed, officers cleared the call without taking further action, and the entire interaction with the individual lasted under four minutes.

---

**From:** Mark Schwartz <Mschwartz@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 12:26 PM  
**To:** Bryna Helfer <bhelper@arlingtonva.us>; Kirby Clark <kclark@arlingtonva.us>; Ashley Savage <Asavage@arlingtonva.us>; James Schwartz <Jschwa@arlingtonva.us>; Darrin Cassedy <Dcasse@arlingtonva.us>; Charles Penn <Cpenn@arlingtonva.us>  
**Subject:** Re: Facebook post- getting attention

Having now received two notes on this I would like a short prepared statement to send along to the Board. Please work together on a draft. Happy to discuss by phone.

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---

**From:** Bryna Helfer <[bhelper@arlingtonva.us](mailto:bhelper@arlingtonva.us)>  
**Sent:** Friday, December 25, 2020 6:23:51 PM  
**To:** Kirby Clark <[kclark@arlingtonva.us](mailto:kclark@arlingtonva.us)>; Ashley Savage <[Asavage@arlingtonva.us](mailto:Asavage@arlingtonva.us)>; Mark Schwartz <[Mschwartz@arlingtonva.us](mailto:Mschwartz@arlingtonva.us)>; James Schwartz <[Jschwa@arlingtonva.us](mailto:Jschwa@arlingtonva.us)>; Darrin Cassedy <[Dcasse@arlingtonva.us](mailto:Dcasse@arlingtonva.us)>; Charles Penn <[Cpenn@arlingtonva.us](mailto:Cpenn@arlingtonva.us)>  
**Subject:** Re: Facebook post- getting attention

Ty

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---

**From:** Charles Penn <[Cpenn@arlingtonva.us](mailto:Cpenn@arlingtonva.us)>  
**Sent:** Friday, December 25, 2020 2:10:39 PM  
**To:** Bryna Helfer <[bhelper@arlingtonva.us](mailto:bhelper@arlingtonva.us)>; Kirby Clark <[kclark@arlingtonva.us](mailto:kclark@arlingtonva.us)>; Ashley Savage <[Asavage@arlingtonva.us](mailto:Asavage@arlingtonva.us)>; Mark Schwartz <[Mschwartz@arlingtonva.us](mailto:Mschwartz@arlingtonva.us)>; James Schwartz <[Jschwa@arlingtonva.us](mailto:Jschwa@arlingtonva.us)>; Darrin Cassedy <[Dcasse@arlingtonva.us](mailto:Dcasse@arlingtonva.us)>  
**Subject:** Re: Facebook post- getting attention

Thanks. We looked at the call for service and we responded to a suspicious person call based on the caller reporting the male taking pictures of the Southgate entrance to Joint base and people walking by. Incident was on 12/21 and entire encounter was pretty brief.

Last I talked with Ashley we have received no inquiries from media.

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---

**From:** Bryna Helfer <[bhelper@arlingtonva.us](mailto:bhelper@arlingtonva.us)>  
**Sent:** Friday, December 25, 2020 8:47 AM  
**To:** Kirby Clark; Ashley Savage; Charles Penn; Mark Schwartz; James Schwartz  
**Subject:** Fwd: Facebook post- getting attention

Sharing in case you have not seen this...

Sorry for sending this on Christmas— but Sharing now given the comments— calling to escalate w media

<https://www.facebook.com/1085790472/posts/10223631015018526/?d=n>

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## Charles Penn

---

**From:** Charles Penn  
**Sent:** Saturday, December 26, 2020 6:10 PM  
**To:** Mark Schwartz  
**Subject:** Re: Facebook post- getting attention

I am waiting for final review by Kirby but am happy to talk anytime tonight or tomorrow sometime. Just let me know what is convenient for you

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---

**From:** Mark Schwartz <Mschwartz@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 5:46:57 PM  
**To:** Charles Penn <Cpenn@arlingtonva.us>  
**Subject:** Re: Facebook post- getting attention

Tomorrow is fine.

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---

**From:** Mark Schwartz <Mschwartz@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 2:34:47 PM  
**To:** Charles Penn <Cpenn@arlingtonva.us>  
**Subject:** Re: Facebook post- getting attention

Sure

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---

**From:** Charles Penn <Cpenn@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 2:34:09 PM  
**To:** Mark Schwartz <Mschwartz@arlingtonva.us>  
**Subject:** RE: Facebook post- getting attention

We are working on putting something together now. Hopefully have something in a couple hours. We should probably talk before we start sharing language, so I will text once we have draft to see when you may have 5 minutes to talk.

Andy

---

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**Sent:** Saturday, December 26, 2020 12:26 PM  
**To:** Bryna Helfer <bhelper@arlingtonva.us>; Kirby Clark <kclark@arlingtonva.us>; Ashley Savage <Asavage@arlingtonva.us>; James Schwartz <Jschwa@arlingtonva.us>; Darrin Cassedy <Dcasse@arlingtonva.us>; Charles Penn <Cpenn@arlingtonva.us>  
**Subject:** Re: Facebook post- getting attention

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---

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**Sent:** Friday, December 25, 2020 6:23:51 PM  
**To:** Kirby Clark <[kclark@arlingtonva.us](mailto:kclark@arlingtonva.us)>; Ashley Savage <[Asavage@arlingtonva.us](mailto:Asavage@arlingtonva.us)>; Mark Schwartz <[Mschwartz@arlingtonva.us](mailto:Mschwartz@arlingtonva.us)>; James Schwartz <[Jschwa@arlingtonva.us](mailto:Jschwa@arlingtonva.us)>; Darrin Cassedy <[Dcasse@arlingtonva.us](mailto:Dcasse@arlingtonva.us)>; Charles Penn <[Cpenn@arlingtonva.us](mailto:Cpenn@arlingtonva.us)>  
**Subject:** Re: Facebook post- getting attention

Ty

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---

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**Sent:** Friday, December 25, 2020 2:10:39 PM  
**To:** Bryna Helfer <[bhelfer@arlingtonva.us](mailto:bhelfer@arlingtonva.us)>; Kirby Clark <[kclark@arlingtonva.us](mailto:kclark@arlingtonva.us)>; Ashley Savage <[Asavage@arlingtonva.us](mailto:Asavage@arlingtonva.us)>; Mark Schwartz <[Mschwartz@arlingtonva.us](mailto:Mschwartz@arlingtonva.us)>; James Schwartz <[Jschwa@arlingtonva.us](mailto:Jschwa@arlingtonva.us)>; Darrin Cassedy <[Dcasse@arlingtonva.us](mailto:Dcasse@arlingtonva.us)>  
**Subject:** Re: Facebook post- getting attention

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**Sent:** Friday, December 25, 2020 8:47 AM  
**To:** Kirby Clark; Ashley Savage; Charles Penn; Mark Schwartz; James Schwartz  
**Subject:** Fwd: Facebook post- getting attention

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<https://www.facebook.com/1085790472/posts/10223631015018526/?d=n>

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## Charles Penn

---

**From:** Charles Penn  
**Sent:** Saturday, December 26, 2020 5:50 PM  
**To:** Kirby Clark  
**Subject:** RE: Kirby Clark shared "Info on FB Post" with you.

Lots of back and forth – what do you think of below:

The Police Department is aware of a video posted to Facebook, showing an interaction between officers and a person which was filmed during a call for service on December 21, 2020. Above all else, the Arlington County Police Department is committed to the principle that all individuals will be treated with dignity and respect. We strictly adhere to the protections afforded by the Constitution to assure everyone's rights are safeguarded. We take our responsibility to protect our diverse and inclusive community willingly and without reservation. The information below provides a summary of the dispatched call for service.

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The Department recognizes community concerns when investigating calls for service involving suspicious persons, vehicles, and activity. In order to ensure public safety within our community, officers have a duty to respond to dispatched calls for service and fully investigate the circumstances surrounding them. We appreciate that what constitutes suspicious behavior can be ambiguous, but we must work together to ensure police are notified of suspicious behaviors that could represent a threat to our community while at the same time ensuring that the focus remains on the behaviors of a person and nothing else. We are committed to continuing to work collaboratively with the Arlington community to ensure we remain one of the safest communities in the Country.

While the behaviors described to ACPD were considered suspicious in nature given all of the circumstances, it was determined that no crime had been committed, officers cleared the call without taking further action, and the entire interaction with the individual lasted under four minutes.

---

**From:** Kirby Clark <kclark@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 3:57 PM  
**To:** Charles Penn <Cpenn@arlingtonva.us>  
**Subject:** RE: Kirby Clark shared "Info on FB Post" with you.

Reworked what you started to format it consistently with other incidents.

The Department is aware of a video posted to Facebook, showing an interaction between officers and a subject, which was filmed during a call for service on December 21, 2020. Above all else, the Arlington County Police Department is committed to the principle that all individuals will be treated with dignity and respect. We adhere to the protections afforded by the Constitution to assure everyone's rights are safeguarded. We take our responsibility to protect our diverse and inclusive community willingly and without reservation. The information below provides a summary of the dispatched call for service.

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The Department recognizes community concerns when investigating calls for service involving suspicious persons, vehicles, and activity. Officers have a duty to respond to dispatched calls for service and fully investigate the circumstances surrounding them—evaluating whether the call for service involves a suspicious behavior or situation, or whether it involves factors such as a person’s race, ethnicity, national origin, beliefs, ideas, expressions, or other factors unrelated to criminal activity and not inherently suspicious. During this call for service, it was determined that no crime had been committed, officers cleared the call without taking further action, and the entire interaction lasted under four minutes.

**KIRBY CLARK**

Communications Specialist  
Arlington County Police Department  
1425 N. Courthouse Road  
Arlington, Virginia 22201  
[kclark@arlingtonva.us](mailto:kclark@arlingtonva.us)  
O: 703-228-4270

*Any email sent to/from Arlington County email addresses may be subject to disclosure under Freedom of Information Act (FOIA) requests.*

---

**From:** Charles Penn <[Cpenn@arlingtonva.us](mailto:Cpenn@arlingtonva.us)>  
**Sent:** Saturday, December 26, 2020 2:27 PM  
**To:** Kirby Clark <[kclark@arlingtonva.us](mailto:kclark@arlingtonva.us)>  
**Subject:** RE: Kirby Clark shared "Info on FB Post" with you.

On December 21, 2020 at approximately 10:31am a community member contacted the Department of Public Safety.... And reported a suspicious person who reportedly had been taking photos of the Southgate entrance to Joint Base Myer Henderson Hall. The reporting party provided additional information surrounding where the person had walked to and when officers arrived they were able to make to make contact with the person inside of a home. Officers spoke with the person and explained the reason for their contact with the entire interaction lasting under 4 minutes. ACPD recognizes the concern

---

**From:** Kirby Clark <[kclark@arlingtonva.us](mailto:kclark@arlingtonva.us)>  
**Sent:** Saturday, December 26, 2020 1:34 PM  
**To:** Darrin Cassedy <[Dcasse@arlingtonva.us](mailto:Dcasse@arlingtonva.us)>; Charles Penn <[Cpenn@arlingtonva.us](mailto:Cpenn@arlingtonva.us)>  
**Subject:** Kirby Clark shared "Info on FB Post" with you.






## Kirby Clark shared a file with you

Started writing this up.



Info on FB Post

 This link only works for the direct recipients of this message.

Open

## Charles Penn

---

**From:** Charles Penn  
**Sent:** Saturday, December 26, 2020 5:07 PM  
**To:** Bryna Helfer; Kirby Clark; Darrin Cassedy  
**Subject:** RE: Facebook post- getting attention

We are putting finishing touches on now. We plan to use one statement for the board, emails we receive, media, etc so we are trying to write for a very broad audience. Something pretty soon.

---

**From:** Bryna Helfer <bhelfer@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 4:10 PM  
**To:** Kirby Clark <kclark@arlingtonva.us>; Charles Penn <Cpenn@arlingtonva.us>; Darrin Cassedy <Dcasse@arlingtonva.us>  
**Subject:** Re: Facebook post- getting attention

Just checking in—  
Let me know if I can be helpful

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---

**From:** Kirby Clark <kclark@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 12:45:19 PM  
**To:** Bryna Helfer <bhelfer@arlingtonva.us>; Charles Penn <Cpenn@arlingtonva.us>; Darrin Cassedy <Dcasse@arlingtonva.us>  
**Subject:** Re: Facebook post- getting attention

Yes, I'll work with our team to draft. Thanks.

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---

**From:** Bryna Helfer <bhelfer@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 12:43:06 PM  
**To:** Kirby Clark <kclark@arlingtonva.us>; Charles Penn <Cpenn@arlingtonva.us>; Darrin Cassedy <Dcasse@arlingtonva.us>  
**Subject:** Fwd: Facebook post- getting attention

Kirby- since you all have more details than I do at this point ...do you all want to draft and send over... ? Otherwise—  
Andy, maybe we can huddle by phone ...Thanks  
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---

**From:** Mark Schwartz <Mschwartz@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 12:26 PM  
**To:** Bryna Helfer; Kirby Clark; Ashley Savage; James Schwartz; Darrin Cassedy; Charles Penn  
**Subject:** Re: Facebook post- getting attention

Having now received two notes on this I would like a short prepared statement to send along to the Board. Please work together on a draft. Happy to discuss by phone.

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**From:** Bryna Helfer <[bhelfer@arlingtonva.us](mailto:bhelfer@arlingtonva.us)>  
**Sent:** Friday, December 25, 2020 6:23:51 PM  
**To:** Kirby Clark <[kclark@arlingtonva.us](mailto:kclark@arlingtonva.us)>; Ashley Savage <[Asavage@arlingtonva.us](mailto:Asavage@arlingtonva.us)>; Mark Schwartz <[Mschwartz@arlingtonva.us](mailto:Mschwartz@arlingtonva.us)>; James Schwartz <[Jschwa@arlingtonva.us](mailto:Jschwa@arlingtonva.us)>; Darrin Cassedy <[Dcasse@arlingtonva.us](mailto:Dcasse@arlingtonva.us)>; Charles Penn <[Cpenn@arlingtonva.us](mailto:Cpenn@arlingtonva.us)>  
**Subject:** Re: Facebook post- getting attention

Ty

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---

**From:** Charles Penn <[Cpenn@arlingtonva.us](mailto:Cpenn@arlingtonva.us)>  
**Sent:** Friday, December 25, 2020 2:10:39 PM  
**To:** Bryna Helfer <[bhelfer@arlingtonva.us](mailto:bhelfer@arlingtonva.us)>; Kirby Clark <[kclark@arlingtonva.us](mailto:kclark@arlingtonva.us)>; Ashley Savage <[Asavage@arlingtonva.us](mailto:Asavage@arlingtonva.us)>; Mark Schwartz <[Mschwartz@arlingtonva.us](mailto:Mschwartz@arlingtonva.us)>; James Schwartz <[Jschwa@arlingtonva.us](mailto:Jschwa@arlingtonva.us)>; Darrin Cassedy <[Dcasse@arlingtonva.us](mailto:Dcasse@arlingtonva.us)>  
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Last I talked with Ashley we have received no inquiries from media.

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---

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**Sent:** Friday, December 25, 2020 8:47 AM  
**To:** Kirby Clark; Ashley Savage; Charles Penn; Mark Schwartz; James Schwartz  
**Subject:** Fwd: Facebook post- getting attention

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<https://www.facebook.com/1085790472/posts/10223631015018526/?d=n>

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## Charles Penn

---

**From:** Charles Penn  
**Sent:** Saturday, December 26, 2020 5:07 PM  
**To:** Latasha Chamberlain; Darrin Cassedy  
**Subject:** FW: Kirby Clark shared "Info on FB Post" with you.

Second version tweaked a bit. Please take a look at Kirby's and the one below to see which you believe works better.

The Police Department is aware of a video posted to Facebook, showing an interaction between officers and a subject, which was filmed during a call for service on December 21, 2020. Above all else, the Arlington County Police Department is committed to the principle that all individuals will be treated with dignity and respect. We strictly adhere to the protections afforded by the Constitution to assure everyone's rights are safeguarded. We take our responsibility to protect our diverse and inclusive community willingly and without reservation. The information below provides a summary of the dispatched call for service.

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**From:** Kirby Clark <kclark@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 3:57 PM  
**To:** Charles Penn <cpenn@arlingtonva.us>  
**Subject:** RE: Kirby Clark shared "Info on FB Post" with you.

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## **KIRBY CLARK**

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Arlington County Police Department  
1425 N. Courthouse Road  
Arlington, Virginia 22201  
[kclark@arlingtonva.us](mailto:kclark@arlingtonva.us)  
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**Sent:** Saturday, December 26, 2020 1:34 PM  
**To:** Darrin Cassedy <[Dcasse@arlingtonva.us](mailto:Dcasse@arlingtonva.us)>; Charles Penn <[Cpenn@arlingtonva.us](mailto:Cpenn@arlingtonva.us)>  
**Subject:** Kirby Clark shared "Info on FB Post" with you.



**Kirby Clark shared a file with you**

Started writing this up.



Info on FB Post

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## Charles Penn

---

**From:** Charles Penn  
**Sent:** Saturday, December 26, 2020 2:34 PM  
**To:** Mark Schwartz  
**Subject:** RE: Facebook post- getting attention

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Andy

---

**From:** Mark Schwartz <Mschwartz@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 12:26 PM  
**To:** Bryna Helfer <bhelper@arlingtonva.us>; Kirby Clark <kclark@arlingtonva.us>; Ashley Savage <Asavage@arlingtonva.us>; James Schwartz <Jschwa@arlingtonva.us>; Darrin Cassedy <Dcasse@arlingtonva.us>; Charles Penn <Cpenn@arlingtonva.us>  
**Subject:** Re: Facebook post- getting attention

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---

**From:** Bryna Helfer <bhelper@arlingtonva.us>  
**Sent:** Friday, December 25, 2020 6:23:51 PM  
**To:** Kirby Clark <kclark@arlingtonva.us>; Ashley Savage <Asavage@arlingtonva.us>; Mark Schwartz <Mschwartz@arlingtonva.us>; James Schwartz <Jschwa@arlingtonva.us>; Darrin Cassedy <Dcasse@arlingtonva.us>; Charles Penn <Cpenn@arlingtonva.us>  
**Subject:** Re: Facebook post- getting attention

Ty

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---

**From:** Charles Penn <Cpenn@arlingtonva.us>  
**Sent:** Friday, December 25, 2020 2:10:39 PM  
**To:** Bryna Helfer <bhelper@arlingtonva.us>; Kirby Clark <kclark@arlingtonva.us>; Ashley Savage <Asavage@arlingtonva.us>; Mark Schwartz <Mschwartz@arlingtonva.us>; James Schwartz <Jschwa@arlingtonva.us>; Darrin Cassedy <Dcasse@arlingtonva.us>  
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---

**From:** Bryna Helfer <[bhelfer@arlingtonva.us](mailto:bhelfer@arlingtonva.us)>  
**Sent:** Friday, December 25, 2020 8:47 AM  
**To:** Kirby Clark; Ashley Savage; Charles Penn; Mark Schwartz; James Schwartz  
**Subject:** Fwd: Facebook post- getting attention

Sharing in case you have not seen this...

Sorry for sending this on Christmas— but Sharing now given the comments— calling to escalate w media

<https://www.facebook.com/1085790472/posts/10223631015018526/?d=n>

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## Charles Penn

---

**From:** Charles Penn  
**Sent:** Saturday, December 26, 2020 2:29 PM  
**To:** Kirby Clark (kclark@arlingtonva.us)  
**Subject:** FW: Facebook post- getting attention  
**Attachments:** Call Notes Orme St.pdf

---

**From:** Albert Taber V <Ataber@arlingtonva.us>  
**Sent:** Friday, December 25, 2020 10:22 AM  
**To:** Charles Penn <Cpenn@arlingtonva.us>; David Giroux <Dgirou@arlingtonva.us>  
**Subject:** RE: Facebook post- getting attention

Chief,

Here is a copy of the call notes from ECC.

Respectfully,

AI

---

**From:** Charles Penn <Cpenn@arlingtonva.us>  
**Sent:** Friday, December 25, 2020 9:00 AM  
**To:** Albert Taber V <Ataber@arlingtonva.us>; David Giroux <Dgirou@arlingtonva.us>  
**Subject:** Fwd: Facebook post- getting attention

Below is the email I mentioned w the link.

Thanks and Merry Christmas!

Andy

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---

**From:** Bryna Helfer <bhelfer@arlingtonva.us>  
**Sent:** Friday, December 25, 2020 8:47 AM  
**To:** Kirby Clark; Ashley Savage; Charles Penn; Mark Schwartz; James Schwartz  
**Subject:** Fwd: Facebook post- getting attention

Sharing in case you have not seen this...

Sorry for sending this on Christmas— but Sharing now given the comments— calling to escalate w media

<https://www.facebook.com/1085790472/posts/10223631015018526/?d=n>

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## Charles Penn

---

**From:** Charles Penn  
**Sent:** Saturday, December 26, 2020 2:27 PM  
**To:** Kirby Clark  
**Subject:** RE: Kirby Clark shared "Info on FB Post" with you.

On December 21, 2020 at approximately 10:31am a community member contacted the Department of Public Safety.... And reported a suspicious person who reportedly had been taking photos of the Southgate entrance to Joint Base Myer Henderson Hall. The reporting party provided additional information surrounding where the person had walked to and when officers arrived they were able to make to make contact with the person inside of a home. Officers spoke with the person and explained the reason for their contact with the entire interaction lasting under 4 minutes. ACPD recognizes the concern

---

**From:** Kirby Clark <kclark@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 1:34 PM  
**To:** Darrin Cassedy <Dcasse@arlingtonva.us>; Charles Penn <Cpenn@arlingtonva.us>  
**Subject:** Kirby Clark shared "Info on FB Post" with you.



## Kirby Clark shared a file with you

Started writing this up.



Info on FB Post



This link only works for the direct recipients of this message.

Open

## Charles Penn

---

**From:** Charles Penn  
**Sent:** Saturday, December 26, 2020 11:39 AM  
**To:** Latasha Chamberlain; Darrin Cassedy  
**Subject:** FW:  
**Attachments:** IMG\_1239.PNG; IMG\_1240.PNG; IMG\_1242.PNG

---

Some comments Kirby got last night.

---

**From:** Charles Penn <Cpenn@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 11:31 AM  
**To:** Charles Penn <Cpenn@arlingtonva.us>  
**Subject:**

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## Charles Penn

---

**From:** Charles Penn  
**Sent:** Saturday, December 26, 2020 11:31 AM  
**To:** Charles Penn  
**Attachments:** IMG\_1239.PNG; IMG\_1240.PNG; IMG\_1242.PNG

---

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## Charles Penn

---

**From:** Charles Penn  
**Sent:** Saturday, December 26, 2020 10:59 AM  
**To:** Latasha Chamberlain; Darrin Cassedy  
**Subject:** FW: Facebook post- getting attention  
**Attachments:** Call Notes Orme St.pdf

---

See link below. The call for service is attached. We will need to discuss sometime today.

---

**From:** Bryna Helfer <bhelper@arlingtonva.us>  
**Sent:** Friday, December 25, 2020 8:47 AM  
**To:** Kirby Clark <kclark@arlingtonva.us>; Ashley Savage <Asavage@arlingtonva.us>; Charles Penn <Cpenn@arlingtonva.us>; Mark Schwartz <Mschwartz@arlingtonva.us>; James Schwartz <Jschwa@arlingtonva.us>  
**Subject:** Fwd: Facebook post- getting attention

Sharing in case you have not seen this...

Sorry for sending this on Christmas— but Sharing now given the comments— calling to escalate w media

<https://www.facebook.com/1085790472/posts/10223631015018526/?d=n>

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## Charles Penn

---

**From:** Charles Penn  
**Sent:** Friday, December 25, 2020 2:11 PM  
**To:** Bryna Helfer; Kirby Clark; Ashley Savage; Mark Schwartz; James Schwartz; Darrin Cassedy  
**Subject:** Re: Facebook post- getting attention

Thanks. We looked at the call for service and we responded to a suspicious person call based on the caller reporting the male taking pictures of the Southgate entrance to Joint base and people walking by. Incident was on 12/21 and entire encounter was pretty brief.

Last I talked with Ashley we have received no inquiries from media.

Get [Outlook](#) for iOS

---

**From:** Bryna Helfer <bhelfer@arlingtonva.us>  
**Sent:** Friday, December 25, 2020 8:47 AM  
**To:** Kirby Clark; Ashley Savage; Charles Penn; Mark Schwartz; James Schwartz  
**Subject:** Fwd: Facebook post- getting attention

Sharing in case you have not seen this...

Sorry for sending this on Christmas— but Sharing now given the comments— calling to escalate w media

<https://www.facebook.com/1085790472/posts/10223631015018526/?d=n>

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## Charles Penn

---

**From:** Charles Penn  
**Sent:** Friday, December 25, 2020 10:23 AM  
**To:** Albert Taber V; David Giroux  
**Subject:** Re: Facebook post- getting attention

Thank you!

Sorry to bother you both with this today!

Merry Christmas

Andy

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---

**From:** Albert Taber V <Ataber@arlingtonva.us>  
**Sent:** Friday, December 25, 2020 10:21:48 AM  
**To:** Charles Penn <Cpenn@arlingtonva.us>; David Giroux <Dgirou@arlingtonva.us>  
**Subject:** RE: Facebook post- getting attention

Chief,

Here is a copy of the call notes from ECC.

Respectfully,

Al

---

**From:** Charles Penn <Cpenn@arlingtonva.us>  
**Sent:** Friday, December 25, 2020 9:00 AM  
**To:** Albert Taber V <Ataber@arlingtonva.us>; David Giroux <Dgirou@arlingtonva.us>  
**Subject:** Fwd: Facebook post- getting attention

Below is the email I mentioned w the link.

Thanks and Merry Christmas!

Andy

Get [Outlook](#) for iOS

---

**From:** Bryna Helfer <bhelfer@arlingtonva.us>  
**Sent:** Friday, December 25, 2020 8:47 AM  
**To:** Kirby Clark; Ashley Savage; Charles Penn; Mark Schwartz; James Schwartz  
**Subject:** Fwd: Facebook post- getting attention

Sharing in case you have not seen this...

Sorry for sending this on Christmas— but Sharing now given the comments— calling to escalate w media

<https://www.facebook.com/1085790472/posts/10223631015018526/?d=n>

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---



## Charles Penn

---

**From:** Charles Penn  
**Sent:** Friday, December 25, 2020 9:00 AM  
**To:** Albert Taber V; David Giroux  
**Subject:** Fwd: Facebook post- getting attention

Below is the email I mentioned w the link.

Thanks and Merry Christmas!

Andy

Get [Outlook](#) for iOS

---

**From:** Bryna Helfer <bhelper@arlingtonva.us>  
**Sent:** Friday, December 25, 2020 8:47 AM  
**To:** Kirby Clark; Ashley Savage; Charles Penn; Mark Schwartz; James Schwartz  
**Subject:** Fwd: Facebook post- getting attention

Sharing in case you have not seen this...

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<https://www.facebook.com/1085790472/posts/10223631015018526/?d=n>

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## Charles Penn

---

**From:** Charles Penn  
**Sent:** Thursday, December 24, 2020 2:39 PM  
**To:** Ashley Savage; Latasha Chamberlain  
**Subject:** Re: Facebook video

Thanks.

Get [Outlook](#) for iOS

---

**From:** Ashley Savage <Asavage@arlingtonva.us>  
**Sent:** Thursday, December 24, 2020 1:55:08 PM  
**To:** Charles Penn <Cpenn@arlingtonva.us>; Latasha Chamberlain <Lchamberlain2@arlingtonva.us>  
**Subject:** Facebook video

FYI - this video has 1K views so wanted to pass along for your awareness.

<https://www.facebook.com/1085790472/posts/10223631015018526/>

Ashley Savage  
Public Information Officer  
Arlington County Police

## Charles Penn

---

**From:** Mr. Julius D. Spain, Sr. <julius.d.spain@gmail.com>  
**Sent:** Sunday, December 27, 2020 8:39 AM  
**Subject:** Fwd: Video: Police Called By "nosy neighbors concerned that a black man was parked in their neighborhood" in Arlington, VA | Blue Virginia

**EXTERNAL EMAIL:** This email originated from outside Arlington County.

Media

Video: Police Called By "nosy neighbors concerned that a black man was parked in their neighborhood" in Arlington, VA | Blue Virginia

<https://bluevirginia.us/2020/12/video-police-called-by-nosy-neighbors-concerned-that-a-black-man-was-parked-in-their-neighborhood-in-arlington-va>

**Charles Penn**

---

**From:** Bryna Helfer  
**Sent:** Sunday, December 27, 2020 6:24 PM  
**To:** Mark Schwartz; James Schwartz; Charles Penn; Darrin Cassedy; Kirby Clark; Ashley Savage  
**Subject:** Fwd: Arlington Branch NAACP Response to Foxcroft Heights Video

---

Fyi..

Get [Outlook for Android](#)

---

**From:** ARLINGTON BRANCH NAACP #7047 <7047@arlingtonnaacp.com>  
**Sent:** Sunday, December 27, 2020, 3:33 PM  
**Subject:** Arlington Branch NAACP Response to Foxcroft Heights Video

**EXTERNAL EMAIL:** This email originated from outside Arlington County.



**FOR IMMEDIATE RELEASE**

December 27, 2020, 2:00 p.m.

Media Contact: Keshia Tensley, Secretary Phone: 1-877-501-6417

Email: [7047@arlingtonnaacp.com](mailto:7047@arlingtonnaacp.com)

**Arlington Branch NAACP Response to Foxcroft Heights Video**

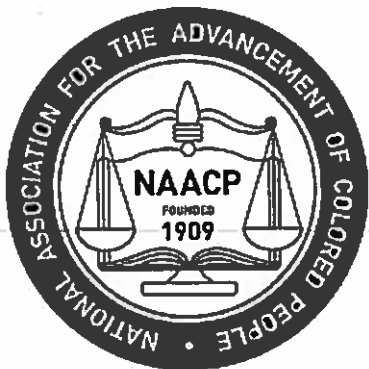
Arlington, Virginia- Leadership of Arlington Branch NAACP were notified on the evening of December 25, 2020, of an incident which occurred on December 21, 2020, in the Foxcroft Heights neighborhood involving an African American male and the Arlington County Police Department. We are looking into this incident. We spoke with the citizen who recorded the video and the Acting Chief of Police. Additionally, we have shared the public video with selected officials of the Arlington County Board, the Commonwealth's Attorney for Arlington County and the City of Falls Church, three elected leaders of the Virginia General Assembly representing Arlington County, and the County Manager. We have also issued a Virginia Freedom of Information Act request for all documents and police recordings related to this incident. Branch President Julius D. "JD" Spain, Sr. and 1<sup>st</sup> Vice President Kent D. Carter release the following joint public statement:

***"In Arlington, we can get complacent and think this could never happen here. But it did. Here in Arlington a Black man, hired to create memorable holiday photos in a client's home, is first accosted in his car by a white neighbor questioning his presence in their neighborhood. Then, when up to five police cruisers respond to a nonsensical call to police to investigate, the Black man is questioned by police, who refuse to accept his word about his lawful activities, and instead demand his identification. All of this occurred while he stood on the porch of the home where he was a guest, with the homeowner supporting him and asking police to leave her property. This must stop. It is not a crime to be Black, it is not a crime to be on any street in Arlington, and it is certainly not a crime to be an invited guest in another's home. Instead of holiday memories***

***captured by a gifted professional photographer, the memories created here are those of anger, embarrassment, humiliation, silently practiced neighborhood racism and the sting of racial profiling. While police showed restraint and eventually deescalated their demands, it is all too easy to imagine how this could have been yet another tragic outcome for a person of color. It is a time to stop dispatching police to calls like these, where police become tools for anonymized racial animus. It is deeply concerning and appalling that Black men and women are continually scrutinized when they are someplace, they have every right to be at. This incident and the initial call to police is an example of the everyday racism and bias which continues to plague our communities. Arlington residents must stop calling law enforcement officials without evidence of wrongdoing whenever an unrecognized person of color is in a neighborhood. This practice is racist, diverts county resources, wastes taxpayer dollars, puts police and citizens at risk and erodes the trust between Arlingtonians and the county. At a minimum, an apology is owed to the victim and homeowner, and a full review conducted to identify the obvious flaws in policies, training and dispatch that allowed this police over-response to occur. We should not be a county where one must produce identification or have your privacy violated simply because that is protocol. We implore law enforcement officials to thoroughly investigate all facts surrounding this incident and to consider if charges of filing a false police report are warranted. Creating accountability is one way to help begin to restore confidence in federal, state, and local law enforcement and thus restore the trust and integrity necessary to be effective, and to keep all of us safer."***

**#####**

*Founded in 1909 in response to the ongoing violence against Black people around the country, the NAACP (National Association for the Advancement of Colored People) is the largest and most pre-eminent civil rights organization in the nation. We have over 2,200 units and branches across the nation, along with well over 2M activists. Our mission is to secure the political, educational, social, and economic equality of rights to eliminate race-based discrimination and ensure the health and well-being of all persons.*



ARLINGTON BRANCH #7047

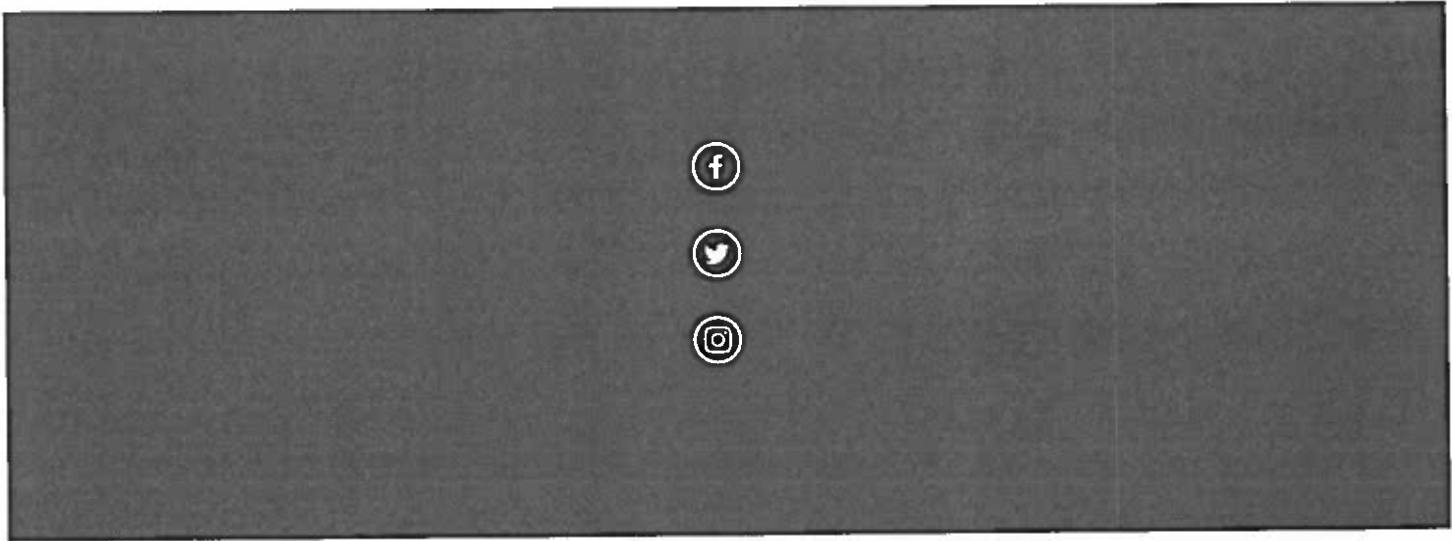
# NAACP



The mission of the National Association for the Advancement of Colored People (NAACP) is to secure political, educational, social, and economic equality of rights in order to eliminate race-based discrimination and ensure the health and well-being of all persons.



Watch the Video





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**Our mailing address is:**

P.O. Box 4528  
ARLINGTON, VA 22204

[Join Arlington Branch NAACP, Unit 7047-B](#)

Disclaimer: The National Association for the Advancement of Colored People (NAACP) is a 501(c)(3) nonprofit organization. As the nation's oldest and largest civil rights organization, since 1909 the NAACP actively works with our more than 2,000 branches worldwide to inform and encourage civic engagement. Units of the NAACP are designated as 501(c)(4) organizations, only the National Office is a 501(c)(3) organization. A 501 (c) (4) organization is a nonprofit corporation operated exclusively for the promotion of social justice. Contributions and gifts are not deductible as charitable contributions for federal income tax purposes; however, they are deductible as an ordinary business expense. A portion of membership fees is tax deductible.

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**Charles Penn**

---

**From:** Adrienne Quigley  
**Sent:** Sunday, December 27, 2020 4:12 PM  
**To:** Charles Penn  
**Subject:** Fwd: ICYMI - Arlington Branch NAACP Response to Foxcroft Heights Video

See the talk went well.....

Not exactly the facts

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---

**From:** President and 1st Vice President, Arlington NAACP <7047@arlingtonnaacp.com>  
**Sent:** Sunday, December 27, 2020 3:34 PM  
**To:** Adrienne Quigley  
**Subject:** ICYMI - Arlington Branch NAACP Response to Foxcroft Heights Video

**EXTERNAL EMAIL:** This email originated from outside Arlington County.



**FOR IMMEDIATE RELEASE**

December 27, 2020, 2:00 p.m.

Media Contact: Keshia Tensley, Secretary Phone: 1-877-501-6417

Email: [7047@arlingtonnaacp.com](mailto:7047@arlingtonnaacp.com)

**Arlington Branch NAACP Response to Foxcroft Heights Video**

**Arlington, Virginia** Leadership of Arlington Branch NAACP were notified on the evening of December 25, 2020, of an incident which occurred on December 21, 2020, in the Foxcroft Heights neighborhood involving an African American male and the Arlington County Police Department. We are looking into this incident. We spoke with the citizen who recorded the video and the Acting Chief of Police. Additionally, we have shared the public video with selected officials of the Arlington County Board, the Commonwealth's Attorney for Arlington County and the City of Falls Church, three elected leaders of the Virginia General Assembly representing Arlington County, and the County Manager. We have also issued a Virginia Freedom of Information Act request for all documents and police recordings related to this incident. Branch President Julius D. "JD" Spain, Sr. and 1<sup>st</sup> Vice President Kent D. Carter release the following joint public statement:

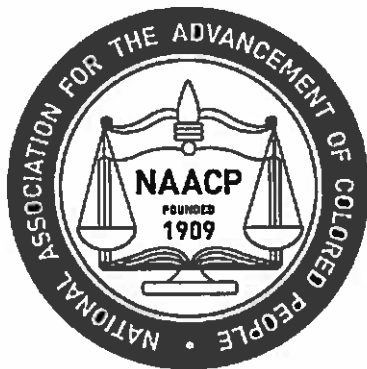
***"In Arlington, we can get complacent and think this could never happen here. But it did. Here in Arlington a Black man, hired to create memorable holiday photos in a client's home, is first accosted in his car by a white neighbor questioning his presence in their neighborhood. Then, when up to five police cruisers respond to a nonsensical call to police to investigate, the Black man is questioned by police, who refuse to accept his word about his lawful activities, and instead demand his identification. All of this occurred while he stood on***

*the porch of the home where he was a guest, with the homeowner supporting him and asking police to leave her property. This must stop. It is not a crime to be Black, it is not a crime to be on any street in Arlington, and it is certainly not a crime to be an invited guest in another's home. Instead of holiday memories captured by a gifted professional photographer, the memories created here are those of anger, embarrassment, humiliation, silently practiced neighborhood racism and the sting of racial profiling. While police showed restraint and eventually deescalated their demands, it is all too easy to imagine how this could have been yet another tragic outcome for a person of color. It is a time to stop dispatching police to calls like these, where police become tools for anonymized racial animus. It is deeply concerning and appalling that Black men and women are continually scrutinized when they are someplace, they have every right to be at. This incident and the initial call to police is an example of the everyday racism and bias which continues to plague our communities. Arlington residents must stop calling law enforcement officials without evidence of wrongdoing whenever an unrecognized person of color is in a neighborhood. This practice is racist, diverts county resources, wastes taxpayer dollars, puts police and citizens at risk and erodes the trust between Arlingtonians and the county. At a minimum, an apology is owed to the victim and homeowner, and a full review conducted to identify the obvious flaws in policies, training and dispatch that allowed this police over-response to occur. We should not be a county where one must produce identification or have your privacy violated simply because that is protocol. We implore law enforcement officials to thoroughly investigate all facts surrounding this incident and to consider if charges of filing a false police report are warranted. Creating accountability is one way to help begin to restore confidence in federal, state, and local law enforcement and thus restore the trust and integrity necessary to be effective, and to keep all of us*

safer.”

#####

Founded in 1909 in response to the ongoing violence against Black people around the country, the NAACP (National Association for the Advancement of Colored People) is the largest and most pre-eminent civil rights organization in the nation. We have over 2,200 units and branches across the nation, along with well over 2M activists. Our mission is to secure the political, educational, social, and economic equality of rights to eliminate race-based discrimination and ensure the health and well-being of all persons.



ARLINGTON BRANCH #7047

NAACP



Watch the Video



---

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**Our mailing address is:**

P.O. Box 4528

ARLINGTON, VA 22204

[Join Arlington Branch NAACP, Unit 7047-B](#)

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## Charles Penn

---

**From:** Mr. Julius D. Spain, Sr. <julius.d.spain@gmail.com>  
**Sent:** Saturday, December 26, 2020 8:57 PM  
**To:** Charles Penn  
**Subject:** Fwd: Corrected: ACPD Foxcroft Heights Incident of December 21, 2020 (2nd Email)  
**Attachments:** 123094251\_10223242201338427\_1974409507805701651\_n (1).jpg

**EXTERNAL EMAIL:** This email originated from outside Arlington County.

**CAUTION:** This external email also contains file attachments. Do not open files that you are not specifically expecting to receive, even from known senders.

Contact information attached.

----- Forwarded message -----

**From:** Libby Garvey <Lgarvey@arlingtonva.us>  
**Date:** Sat, Dec 26, 2020 at 8:27 PM  
**Subject:** Re: Corrected: ACPD Foxcroft Heights Incident of December 21, 2020 (2nd Email)  
**To:** Charles Penn <Cpenn@arlingtonva.us>, JD Spain <julius.d.spain@gmail.com>  
**Cc:** Mark Schwartz <Mschwartz@arlingtonva.us>, Katie Cristol <kcristol@arlingtonva.us>, Christian Dorsey <cdorsey@arlingtonva.us>, Matt de Ferranti <mdeferranti@arlingtonva.us>, Takis Karantonis <tkarantonis@arlingtonva.us>, Parisa Dehghani-Tafti <pdtafti@arlingtonva.us>, kent.d.carter@gmail.com <kent.d.carter@gmail.com>, NAACP ARLINGTON BRANCH 7047 <7047@arlingtonnaacp.com>

Julius: Thank you for reaching out.  
Andy: Thank you for your availability.

Libby

Libby Garvey Chair  
Arlington County Board  
2100 Clarendon Blvd., Suite 300  
Arlington, VA 22201  
703-228-3130

Check out our Public Health coronavirus webpage for up-to-date announcements, guidance and a situation report:  
<https://health.arlingtonva.us/2019-novel-coronavirus-what-you-need-to-know-from-arlington-county-public-health-division-acphd>

Any email sent to/from Arlington County email addresses may be subject to disclosure under Freedom of Information Act (FOIA) requests.

---

**From:** Charles Penn <Cpenn@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 8:24:14 PM  
**To:** JD Spain <julius.d.spain@gmail.com>  
**Cc:** Mark Schwartz <Mschwartz@arlingtonva.us>; Libby Garvey <Lgarvey@arlingtonva.us>; Katie Cristol <kcristol@arlingtonva.us>; Christian Dorsey <cdorsey@arlingtonva.us>; Matt de Ferranti <mdeferranti@arlingtonva.us>; Takis Karantonis <tkarantonis@arlingtonva.us>; Parisa Dehghani-Tafti <pdtafti@arlingtonva.us>;

kent.d.carter@gmail.com <kent.d.carter@gmail.com>; NAACP ARLINGTON BRANCH 7047 <7047@arlingtonnaacp.com>  
Subject: Re: Corrected: ACPD Foxcroft Heights Incident of December 21, 2020 (2nd Email)

Julius - I would be happy to speak with you this evening or sometime tomorrow if that works better. Just let me know which you prefer.

Also - just FYI, I just received the first email you sent in a quarantined batch of emails. Not sure why the filter quarantined your original message to me, but it did.

Please let me know when you would like to talk.

Have a good evening.

Andy

Get Outlook for iOS

---

From: Mr. Julius D. Spain, Sr. <julius.d.spain@gmail.com>  
Sent: Saturday, December 26, 2020 8:01:28 PM  
To: Charles Penn <cpenn@arlingtonva.us>  
Cc: Mark Schwartz <Mschwartz@arlingtonva.us>; Libby Garvey <Lgarvey@arlingtonva.us>; Katie Cristol <kristol@arlingtonva.us>; Christian Dorsey <cdorsey@arlingtonva.us>; Matt de Ferranti <mdeferranti@arlingtonva.us>; Takis Karantonis <tkarantonis@arlingtonva.us>; Parisa Dehghani-Tafti <pdtafti@arlingtonva.us>; kent.d.carter@gmail.com <kent.d.carter@gmail.com>; NAACP ARLINGTON BRANCH 7047 <7047@arlingtonnaacp.com>  
Subject: Corrected: ACPD Foxcroft Heights Incident of December 21, 2020 (2nd Email)

**EXTERNAL EMAIL:** This email originated from outside Arlington County.

Facebook Video (Publically Accessible)

<https://www.facebook.com/1085790472/videos/10223631014058502/>

Acting Chief Penn,

Arlington Branch NAACP was notified on December 25, 2020 of this alarming incident which occurred on December 21, 2020 in the Foxcroft Heights neighborhood of Arlington.

I have had the opportunity to briefly speak with Mr. Crutchfield and need to speak with you or your community liaison official soonest.

Respectfully,

Julius D. "JD" Spain, Sr.  
President  
Arlington Branch NAACP &  
Regional VP, Virginia State Conference NAACP  
(703) 517-1703





## Charles Penn

---

**From:** Libby Garvey  
**Sent:** Saturday, December 26, 2020 8:27 PM  
**To:** Charles Penn; JD Spain  
**Cc:** Mark Schwartz; Katie Cristol; Christian Dorsey; Matt de Ferranti; Takis Karantonis; Parisa Dehghani-Tafti; kent.d.carter@gmail.com; NAACP ARLINGTON BRANCH 7047  
**Subject:** Re: Corrected: ACPD Foxcroft Heights Incident of December 21, 2020 (2nd Email)

---

Julius: Thank you for reaching out.  
Andy: Thank you for your availability.

Libby

Libby Garvey Chair  
Arlington County Board  
2100 Clarendon Blvd., Suite 300  
Arlington, VA 22201  
703-228-3130

Check out our Public Health coronavirus webpage for up-to-date announcements, guidance and a situation report:  
<https://health.arlingtonva.us/2019-novel-coronavirus-what-you-need-to-know-from-arlington-county-public-health-division-acphd>

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---

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**Cc:** Mark Schwartz <Mschwartz@arlingtonva.us>; Libby Garvey <Lgarvey@arlingtonva.us>; Katie Cristol <krcristol@arlingtonva.us>; Christian Dorsey <cdorsey@arlingtonva.us>; Matt de Ferranti <mdeferranti@arlingtonva.us>; Takis Karantonis <tkarantonis@arlingtonva.us>; Parisa Dehghani-Tafti <pdtafti@arlingtonva.us>; kent.d.carter@gmail.com <kent.d.carter@gmail.com>; NAACP ARLINGTON BRANCH 7047 <7047@arlingtonnaacp.com>  
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Have a good evening.

Andy

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---

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**Subject:** Corrected: ACPD Foxcroft Heights Incident of December 21, 2020 (2nd Email)

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Facebook Video (Publically Accessible)

<https://www.facebook.com/1085790472/videos/10223631014058502/>

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I have had the opportunity to briefly speak with Mr. Crutchfield and need to speak with you or your community liaison official soonest.

Respectfully,

Julius D. "JD" Spain, Sr.  
President  
Arlington Branch NAACP &  
Regional VP, Virginia State Conference NAACP  
(703) 517-1703

## Charles Penn

---

**From:** Mr. Julius D. Spain, Sr. <julius.d.spain@gmail.com>  
**Sent:** Saturday, December 26, 2020 8:25 PM  
**To:** Charles Penn  
**Cc:** Mark Schwartz; Libby Garvey; Katie Cristol; Christian Dorsey; Matt de Ferranti; Takis Karantonis; Parisa Dehghani-Tafti; kent.d.carter@gmail.com; NAACP ARLINGTON BRANCH 7047  
**Subject:** Re: Corrected: ACPD Foxcroft Heights Incident of December 21, 2020 (2nd Email)

**EXTERNAL EMAIL:** This email originated from outside Arlington County.

Anytime. 703.517.1703

Regards,

Julius D. "JD" Spain, Sr.  
Sent from Samsung Galaxy 4G

On Sat, Dec 26, 2020, 8:24 PM Charles Penn <Cpenn@arlingtonva.us> wrote:

Julius - I would be happy to speak with you this evening or sometime tomorrow if that works better. Just let me know which you prefer.

Also - just FYI, I just received the first email you sent in a quarantined batch of emails. Not sure why the filter quarantined your original message to me, but it did.

Please let me know when you would like to talk.

Have a good evening.

Andy

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---

**From:** Mr. Julius D. Spain, Sr. <julius.d.spain@gmail.com>  
**Sent:** Saturday, December 26, 2020 8:01:28 PM  
**To:** Charles Penn <Cpenn@arlingtonva.us>  
**Cc:** Mark Schwartz <Mschwartz@arlingtonva.us>; Libby Garvey <Lgarvey@arlingtonva.us>; Katie Cristol <kristol@arlingtonva.us>; Christian Dorsey <cdorsey@arlingtonva.us>; Matt de Ferranti <mdeferranti@arlingtonva.us>; Takis Karantonis <tkarantonis@arlingtonva.us>; Parisa Dehghani-Tafti <pdtafti@arlingtonva.us>; kent.d.carter@gmail.com <kent.d.carter@gmail.com>; NAACP ARLINGTON BRANCH 7047 <7047@arlingtonnaacp.com>  
**Subject:** Corrected: ACPD Foxcroft Heights Incident of December 21, 2020 (2nd Email)

**EXTERNAL EMAIL:** This email originated from outside Arlington County.

Facebook Video (Publically Accessible)

<https://www.facebook.com/1085790472/videos/10223631014058502/>

Acting Chief Penn,

Arlington Branch NAACP was notified on December 25, 2020 of this alarming incident which occurred on December 21, 2020 in the Foxcroft Heights neighborhood of Arlington.

I have had the opportunity to briefly speak with Mr. Crutchfield and need to speak with you or your community liaison official soonest.

Respectfully,

Julius D. "JD" Spain, Sr.  
President  
Arlington Branch NAACP &  
Regional VP, Virginia State Conference NAACP  
(703) 517-1703

## Charles Penn

---

**From:** ARLINGTON BRANCH NAACP #7047 <7047@arlingtonnaacp.com>  
**Sent:** Friday, December 25, 2020 11:25 PM  
**To:** Charles Penn  
**Subject:** Incident on December 21, 2020

**EXTERNAL EMAIL:** This email originated from outside Arlington County.

Acting Chief Penn,

I need to speak with you tomorrow regarding an incident which occurred in S. Arlington on or about S. Orme St. involving a retired AA male of the U.S.Military.

ACPD was dispatched to the scene.

R/

Julius  
President  
Arlington Branch NAACP  
703.517.1703

Sent from my Verizon, Samsung Galaxy smartphone  
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## Charles Penn

---

**From:** Mr. Julius D. Spain, Sr. <julius.d.spain@gmail.com>  
**Sent:** Saturday, December 26, 2020 8:01 PM  
**To:** Charles Penn  
**Cc:** Mark Schwartz; Libby Garvey; Katie Cristol; Christian Dorsey; Matt de Ferranti; Takis Karantonis; Parisa Dehghani-Tafti; kent.d.carter@gmail.com; NAACP ARLINGTON BRANCH 7047  
**Subject:** Corrected: ACPD Foxcroft Heights Incident of December 21, 2020 (2nd Email)

**EXTERNAL EMAIL:** This email originated from outside Arlington County.

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Julius D. "JD" Spain, Sr.  
President  
Arlington Branch NAACP &  
Regional VP, Virginia State Conference NAACP  
(703) 517-1703

## Charles Penn

---

**From:** Mr. Julius D. Spain, Sr. <julius.d.spain@gmail.com>  
**Sent:** Saturday, December 26, 2020 7:58 PM  
**To:** Charles Penn  
**Cc:** Mark Schwartz; Libby Garvey; Katie Cristol; Christian Dorsey; Matt de Ferranti; Takis Karantonis; Parisa Dehghani-Tafti; kent.d.carter@gmail.com; NAACP ARLINGTON BRANCH 7047  
**Subject:** ACPD Foxcroft Heights Incident of November 21, 2020 (2nd Email)  
**Attachments:** 123094251\_10223242201338427\_1974409507805701651\_n (1).jpg

**EXTERNAL EMAIL:** This email originated from outside Arlington County.

**CAUTION:** This external email also contains file attachments. Do not open files that you are not specifically expecting to receive, even from known senders.

Facebook Video (Publically Accessible)

<https://www.facebook.com/1085790472/videos/10223631014058502/>

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Julius D. "JD" Spain, Sr.  
President  
Arlington Branch NAACP &  
Regional VP, Virginia State Conference NAACP  
(703) 517-1703

## Charles Penn

---

**From:** Mark Schwartz  
**Sent:** Saturday, December 26, 2020 7:06 PM  
**To:** Charles Penn; Bryna Helfer; Kirby Clark; Ashley Savage; James Schwartz; Darrin Cassedy  
**Subject:** Re: Facebook post- getting attention

got it. Thanks. I will forward your summary to the Board. Sleep well.

---

**From:** Charles Penn <Cpenn@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 7:05 PM  
**To:** Mark Schwartz <Mschwartz@arlingtonva.us>; Bryna Helfer <bhelfer@arlingtonva.us>; Kirby Clark <kclark@arlingtonva.us>; Ashley Savage <Asavage@arlingtonva.us>; James Schwartz <Jschwa@arlingtonva.us>; Darrin Cassedy <Dcasse@arlingtonva.us>  
**Subject:** RE: Facebook post- getting attention

Definitely would be necessary if the officer felt the situation warranted documenting the suspicious behavior, but given all circumstances here I am assuming the officer was comfortable that nothing concerning actually occurred. During the encounter with the individual in question, the homeowner came outside also and she confirmed that he was there to take photos for her. The officer asked for the ID early on in the encounter, but when the person protested he let it go. I don't want to say it is standard, because it depends on the circumstances.

---

**From:** Mark Schwartz <Mschwartz@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 6:58 PM  
**To:** Charles Penn <Cpenn@arlingtonva.us>; Bryna Helfer <bhelfer@arlingtonva.us>; Kirby Clark <kclark@arlingtonva.us>; Ashley Savage <Asavage@arlingtonva.us>; James Schwartz <Jschwa@arlingtonva.us>; Darrin Cassedy <Dcasse@arlingtonva.us>  
**Subject:** Re: Facebook post- getting attention

Very helpful. Can you clarify if it is standard practice to ask for ID when approaching someone in this situation? That seems to be what was asked for on the facebook post. Wondering if you want to add that in to the details?

---

**From:** Charles Penn <Cpenn@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 6:54 PM  
**To:** Mark Schwartz <Mschwartz@arlingtonva.us>; Bryna Helfer <bhelfer@arlingtonva.us>; Kirby Clark <kclark@arlingtonva.us>; Ashley Savage <Asavage@arlingtonva.us>; James Schwartz <Jschwa@arlingtonva.us>; Darrin Cassedy <Dcasse@arlingtonva.us>  
**Subject:** RE: Facebook post- getting attention

All - we have had the opportunity to review the call to ECC, call for service, body camera footage and facebook post. We discussed doing a release, but it does not seem as though the poster is targeting police, but speaking more in general. Seems as though a general release could really escalate this. Our plan is to share the below response with anyone that reaches out to us. I think this provides a general position, acknowledges the challenges with "suspicious" and provides clarity regarding this specific incident. As of now, we have had no inquiries from media. Happy to discuss if anyone has questions. Have a good weekend... Andy

**Planned Response:**



The Police Department is aware of a video posted to Facebook, showing an interaction between officers and a person which was filmed during a call for service on December 21, 2020. Above all else, the Arlington County Police Department is committed to the principle that all individuals will be treated with dignity and respect. We strictly adhere to the protections afforded by the Constitution to assure everyone's rights are safeguarded. We take our responsibility to protect our diverse and inclusive community willingly and without reservation. The information below provides a summary of the dispatched call for service.

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The Department recognizes community concerns when investigating calls for service involving suspicious persons, vehicles, and activity. In order to ensure public safety within our community, officers have a duty to respond to dispatched calls for service and fully investigate the circumstances surrounding them. We appreciate that what constitutes suspicious behavior can be ambiguous, but we must work together to ensure police are notified of suspicious behaviors that could represent a threat to our community while at the same time ensuring that the focus remains on the behaviors of a person and nothing else. We are committed to continuing to work collaboratively with the Arlington community to ensure we remain one of the safest communities in the Country.

While the behaviors described to ACPD were considered suspicious in nature given all of the circumstances, it was determined that no crime had been committed, officers cleared the call without taking further action, and the entire interaction with the individual lasted under four minutes.

---

**From:** Mark Schwartz <[Mschwartz@arlingtonva.us](mailto:Mschwartz@arlingtonva.us)>  
**Sent:** Saturday, December 26, 2020 12:26 PM  
**To:** Bryna Helfer <[bhelfer@arlingtonva.us](mailto:bhelfer@arlingtonva.us)>; Kirby Clark <[kclark@arlingtonva.us](mailto:kclark@arlingtonva.us)>; Ashley Savage <[Asavage@arlingtonva.us](mailto:Asavage@arlingtonva.us)>; James Schwartz <[Jschwa@arlingtonva.us](mailto:Jschwa@arlingtonva.us)>; Darrin Cassedy <[Dcasse@arlingtonva.us](mailto:Dcasse@arlingtonva.us)>; Charles Penn <[Cpenn@arlingtonva.us](mailto:Cpenn@arlingtonva.us)>  
**Subject:** Re: Facebook post- getting attention

Having now received two notes on this I would like a short prepared statement to send along to the Board. Please work together on a draft. Happy to discuss by phone.

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---

**From:** Bryna Helfer <[bhelfer@arlingtonva.us](mailto:bhelfer@arlingtonva.us)>  
**Sent:** Friday, December 25, 2020 6:23:51 PM  
**To:** Kirby Clark <[kclark@arlingtonva.us](mailto:kclark@arlingtonva.us)>; Ashley Savage <[Asavage@arlingtonva.us](mailto:Asavage@arlingtonva.us)>; Mark Schwartz <[Mschwartz@arlingtonva.us](mailto:Mschwartz@arlingtonva.us)>; James Schwartz <[Jschwa@arlingtonva.us](mailto:Jschwa@arlingtonva.us)>; Darrin Cassedy <[Dcasse@arlingtonva.us](mailto:Dcasse@arlingtonva.us)>; Charles Penn <[Cpenn@arlingtonva.us](mailto:Cpenn@arlingtonva.us)>  
**Subject:** Re: Facebook post- getting attention

Ty

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**From:** Charles Penn <Cpenn@arlingtonva.us>  
**Sent:** Friday, December 25, 2020 2:10:39 PM  
**To:** Bryna Helfer <bhelper@arlingtonva.us>; Kirby Clark <kclark@arlingtonva.us>; Ashley Savage <Asavage@arlingtonva.us>; Mark Schwartz <Mschwartz@arlingtonva.us>; James Schwartz <Jschwa@arlingtonva.us>; Darrin Cassedy <Dcasse@arlingtonva.us>  
**Subject:** Re: Facebook post- getting attention

Thanks. We looked at the call for service and we responded to a suspicious person call based on the caller reporting the male taking pictures of the Southgate entrance to Joint base and people walking by. Incident was on 12/21 and entire encounter was pretty brief.

Last I talked with Ashley we have received no inquiries from media.

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---

**From:** Bryna Helfer <bhelper@arlingtonva.us>  
**Sent:** Friday, December 25, 2020 8:47 AM  
**To:** Kirby Clark; Ashley Savage; Charles Penn; Mark Schwartz; James Schwartz  
**Subject:** Fwd: Facebook post- getting attention

Sharing in case you have not seen this...

Sorry for sending this on Christmas— but Sharing now given the comments— calling to escalate w media

<https://www.facebook.com/1085790472/posts/10223631015018526/?d=n>

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## Charles Penn

---

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**Sent:** Saturday, December 26, 2020 6:58 PM  
**To:** Charles Penn; Bryna Helfer; Kirby Clark; Ashley Savage; James Schwartz; Darrin Cassedy  
**Subject:** Re: Facebook post- getting attention

Very helpful. Can you clarify if it is standard practice to ask for ID when approaching someone in this situation? That seems to be what was asked for on the facebook post. Wondering if you want to add that in to the details?

---

**From:** Charles Penn <cpenn@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 6:54 PM  
**To:** Mark Schwartz <mschwartz@arlingtonva.us>; Bryna Helfer <bhelfer@arlingtonva.us>; Kirby Clark <kclark@arlingtonva.us>; Ashley Savage <asavage@arlingtonva.us>; James Schwartz <jschwa@arlingtonva.us>; Darrin Cassedy <dcasse@arlingtonva.us>  
**Subject:** RE: Facebook post- getting attention

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---

**From:** Mark Schwartz <Mschwartz@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 12:26 PM  
**To:** Bryna Helfer <bhelper@arlingtonva.us>; Kirby Clark <kclark@arlingtonva.us>; Ashley Savage <Asavage@arlingtonva.us>; James Schwartz <Jschwa@arlingtonva.us>; Darrin Cassedy <Dcasse@arlingtonva.us>; Charles Penn <Cpenn@arlingtonva.us>  
**Subject:** Re: Facebook post- getting attention

Having now received two notes on this I would like a short prepared statement to send along to the Board. Please work together on a draft. Happy to discuss by phone.

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---

**From:** Bryna Helfer <bhelper@arlingtonva.us>  
**Sent:** Friday, December 25, 2020 6:23:51 PM  
**To:** Kirby Clark <kclark@arlingtonva.us>; Ashley Savage <Asavage@arlingtonva.us>; Mark Schwartz <Mschwartz@arlingtonva.us>; James Schwartz <Jschwa@arlingtonva.us>; Darrin Cassedy <Dcasse@arlingtonva.us>; Charles Penn <Cpenn@arlingtonva.us>  
**Subject:** Re: Facebook post- getting attention

Ty

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---

**From:** Charles Penn <Cpenn@arlingtonva.us>  
**Sent:** Friday, December 25, 2020 2:10:39 PM  
**To:** Bryna Helfer <bhelper@arlingtonva.us>; Kirby Clark <kclark@arlingtonva.us>; Ashley Savage <Asavage@arlingtonva.us>; Mark Schwartz <Mschwartz@arlingtonva.us>; James Schwartz <Jschwa@arlingtonva.us>; Darrin Cassedy <Dcasse@arlingtonva.us>  
**Subject:** Re: Facebook post- getting attention

Thanks. We looked at the call for service and we responded to a suspicious person call based on the caller reporting the male taking pictures of the Southgate entrance to Joint base and people walking by. Incident was on 12/21 and entire encounter was pretty brief.

Last I talked with Ashley we have received no inquiries from media.

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---

**From:** Bryna Helfer <bhelper@arlingtonva.us>  
**Sent:** Friday, December 25, 2020 8:47 AM  
**To:** Kirby Clark; Ashley Savage; Charles Penn; Mark Schwartz; James Schwartz  
**Subject:** Fwd: Facebook post- getting attention

Sharing in case you have not seen this...

Sorry for sending this on Christmas— but Sharing now given the comments— calling to escalate w media

<https://www.facebook.com/1085790472/posts/10223631015018526/?d=n>

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## Charles Penn

---

**From:** Kirby Clark  
**Sent:** Saturday, December 26, 2020 6:42 PM  
**To:** Charles Penn  
**Subject:** Re: Kirby Clark shared "Info on FB Post" with you.

I think this looks great.

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---

**From:** Charles Penn <Cpenn@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 5:50:27 PM  
**To:** Kirby Clark <kclark@arlingtonva.us>  
**Subject:** RE: Kirby Clark shared "Info on FB Post" with you.

Lots of back and forth – what do you think of below:

The Police Department is aware of a video posted to Facebook, showing an interaction between officers and a person which was filmed during a call for service on December 21, 2020. Above all else, the Arlington County Police Department is committed to the principle that all individuals will be treated with dignity and respect. We strictly adhere to the protections afforded by the Constitution to assure everyone's rights are safeguarded. We take our responsibility to protect our diverse and inclusive community willingly and without reservation. The information below provides a summary of the dispatched call for service.

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The Department recognizes community concerns when investigating calls for service involving suspicious persons, vehicles, and activity. In order to ensure public safety within our community, officers have a duty to respond to dispatched calls for service and fully investigate the circumstances surrounding them. We appreciate that what constitutes suspicious behavior can be ambiguous, but we must work together to ensure police are notified of suspicious behaviors that could represent a threat to our community while at the same time ensuring that the focus remains on the behaviors of a person and nothing else. We are committed to continuing to work collaboratively with the Arlington community to ensure we remain one of the safest communities in the Country.

While the behaviors described to ACPD were considered suspicious in nature given all of the circumstances, it was determined that no crime had been committed, officers cleared the call without taking further action, and the entire interaction with the individual lasted under four minutes.

---

**From:** Kirby Clark <kclark@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 3:57 PM  
**To:** Charles Penn <Cpenn@arlingtonva.us>  
**Subject:** RE: Kirby Clark shared "Info on FB Post" with you.

Reworked what you started to format it consistently with other incidents.

The Department is aware of a video posted to Facebook, showing an interaction between officers and a subject, which was filmed during a call for service on December 21, 2020. Above all else, the Arlington County Police Department is committed to the principle that all individuals will be treated with dignity and respect. We adhere to the protections afforded by the Constitution to assure everyone's rights are safeguarded. We take our responsibility to protect our diverse and inclusive community willingly and without reservation. The information below provides a summary of the dispatched call for service.

At approximately 10:35 a.m. on December 21, police were dispatched to the report of a suspicious person, who had reportedly been taking photos of the Southgate entrance to Joint Base Myer Henderson Hall. The reporting party provided additional information that the subject had left the area of the entrance and entered a nearby residence. Officers made contact with the subject inside the residence, explained the reason for the call for service, and spoke with the subject.

The Department recognizes community concerns when investigating calls for service involving suspicious persons, vehicles, and activity. Officers have a duty to respond to dispatched calls for service and fully investigate the circumstances surrounding them—evaluating whether the call for service involves a suspicious behavior or situation, or whether it involves factors such as a person's race, ethnicity, national origin, beliefs, ideas, expressions, or other factors unrelated to criminal activity and not inherently suspicious. During this call for service, it was determined that no crime had been committed, officers cleared the call without taking further action, and the entire interaction lasted under four minutes.

## **KIRBY CLARK**

Communications Specialist  
Arlington County Police Department  
1425 N. Courthouse Road  
Arlington, Virginia 22201  
[kclark@arlingtonva.us](mailto:kclark@arlingtonva.us)  
O: 703-228-4270

*Any email sent to/from Arlington County email addresses may be subject to disclosure under Freedom of Information Act (FOIA) requests.*

---

**From:** Charles Penn <[Cpenn@arlingtonva.us](mailto:Cpenn@arlingtonva.us)>  
**Sent:** Saturday, December 26, 2020 2:27 PM  
**To:** Kirby Clark <[kclark@arlingtonva.us](mailto:kclark@arlingtonva.us)>  
**Subject:** RE: Kirby Clark shared "Info on FB Post" with you.

On December 21, 2020 at approximately 10:31am a community member contacted the Department of Public Safety.... And reported a suspicious person who reportedly had been taking photos of the Southgate entrance to Joint Base Myer Henderson Hall. The reporting party provided additional information surrounding where the person had walked to and when officers arrived they were able to make contact with the person inside of a home. Officers spoke with the person and explained the reason for their contact with the entire interaction lasting under 4 minutes. ACPD recognizes the concern

---

**From:** Kirby Clark <[kclark@arlingtonva.us](mailto:kclark@arlingtonva.us)>  
**Sent:** Saturday, December 26, 2020 1:34 PM

To: Darrin Cassedy <Dcasse@arlingtonva.us>; Charles Penn <Cpenn@arlingtonva.us>  
Subject: Kirby Clark shared "Info on FB Post" with you.



## Kirby Clark shared a file with you

Started writing this up.



Info on FB Post

 This link only works for the direct recipients of this message.

Open



## Charles Penn

---

**From:** Mark Schwartz  
**Sent:** Saturday, December 26, 2020 5:47 PM  
**To:** Charles Penn  
**Subject:** Re: Facebook post- getting attention

Tomorrow is fine.

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---

**From:** Mark Schwartz <Mschwartz@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 2:34:47 PM  
**To:** Charles Penn <Cpenn@arlingtonva.us>  
**Subject:** Re: Facebook post- getting attention

Sure

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---

**From:** Charles Penn <Cpenn@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 2:34:09 PM  
**To:** Mark Schwartz <Mschwartz@arlingtonva.us>  
**Subject:** RE: Facebook post- getting attention

We are working on putting something together now. Hopefully have something in a couple hours. We should probably talk before we start sharing language, so I will text once we have draft to see when you may have 5 minutes to talk.

Andy

---

**From:** Mark Schwartz <Mschwartz@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 12:26 PM  
**To:** Bryna Helfer <bhelfer@arlingtonva.us>; Kirby Clark <kclark@arlingtonva.us>; Ashley Savage <Asavage@arlingtonva.us>; James Schwartz <Jschwa@arlingtonva.us>; Darrin Cassedy <Dcasse@arlingtonva.us>; Charles Penn <Cpenn@arlingtonva.us>  
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---

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**Sent:** Friday, December 25, 2020 6:23:51 PM  
**To:** Kirby Clark <kclark@arlingtonva.us>; Ashley Savage <Asavage@arlingtonva.us>; Mark Schwartz <Mschwartz@arlingtonva.us>; James Schwartz <Jschwa@arlingtonva.us>; Darrin Cassedy <Dcasse@arlingtonva.us>; Charles Penn <Cpenn@arlingtonva.us>  
**Subject:** Re: Facebook post- getting attention

Ty

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---

**From:** Charles Penn <[Cpenn@arlingtonva.us](mailto:Cpenn@arlingtonva.us)>  
**Sent:** Friday, December 25, 2020 2:10:39 PM  
**To:** Bryna Helfer <[bhelfer@arlingtonva.us](mailto:bhelfer@arlingtonva.us)>; Kirby Clark <[kclark@arlingtonva.us](mailto:kclark@arlingtonva.us)>; Ashley Savage <[Asavage@arlingtonva.us](mailto:Asavage@arlingtonva.us)>; Mark Schwartz <[Mschwartz@arlingtonva.us](mailto:Mschwartz@arlingtonva.us)>; James Schwartz <[Jschwa@arlingtonva.us](mailto:Jschwa@arlingtonva.us)>; Darrin Cassedy <[Dcasse@arlingtonva.us](mailto:Dcasse@arlingtonva.us)>  
**Subject:** Re: Facebook post- getting attention

---

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Last I talked with Ashley we have received no inquiries from media.

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---

**From:** Bryna Helfer <[bhelfer@arlingtonva.us](mailto:bhelfer@arlingtonva.us)>  
**Sent:** Friday, December 25, 2020 8:47 AM  
**To:** Kirby Clark; Ashley Savage; Charles Penn; Mark Schwartz; James Schwartz  
**Subject:** Fwd: Facebook post- getting attention

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<https://www.facebook.com/1085790472/posts/10223631015018526/?d=n>

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## Charles Penn

---

**From:** Bryna Helfer  
**Sent:** Saturday, December 26, 2020 5:08 PM  
**To:** Charles Penn; Kirby Clark; Darrin Cassedy  
**Subject:** Re: Facebook post- getting attention

That sounds right! Thanks

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---

**From:** Charles Penn <Cpenn@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 5:07:28 PM  
**To:** Bryna Helfer <bhelper@arlingtonva.us>; Kirby Clark <kclark@arlingtonva.us>; Darrin Cassedy <Dcasse@arlingtonva.us>  
**Subject:** RE: Facebook post- getting attention

We are putting finishing touches on now. We plan to use one statement for the board, emails we receive, media, etc so we are trying to write for a very broad audience. Something pretty soon.

---

**From:** Bryna Helfer <bhelper@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 4:10 PM  
**To:** Kirby Clark <kclark@arlingtonva.us>; Charles Penn <Cpenn@arlingtonva.us>; Darrin Cassedy <Dcasse@arlingtonva.us>  
**Subject:** Re: Facebook post- getting attention

Just checking in—  
Let me know if I can be helpful

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---

**From:** Kirby Clark <kclark@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 12:45:19 PM  
**To:** Bryna Helfer <bhelper@arlingtonva.us>; Charles Penn <Cpenn@arlingtonva.us>; Darrin Cassedy <Dcasse@arlingtonva.us>  
**Subject:** Re: Facebook post- getting attention

Yes, I'll work with our team to draft. Thanks.

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---

**From:** Bryna Helfer <bhelper@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 12:43:06 PM  
**To:** Kirby Clark <kclark@arlingtonva.us>; Charles Penn <Cpenn@arlingtonva.us>; Darrin Cassedy <Dcasse@arlingtonva.us>  
**Subject:** Fwd: Facebook post- getting attention

Kirby- since you all have more details than I do at this point ...do you all want to draft and send over... ? Otherwise—  
Andy, maybe we can huddle by phone ...Thanks

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---

**From:** Mark Schwartz <[Mschwartz@arlingtonva.us](mailto:Mschwartz@arlingtonva.us)>  
**Sent:** Saturday, December 26, 2020 12:26 PM  
**To:** Bryna Helfer; Kirby Clark; Ashley Savage; James Schwartz; Darrin Cassedy; Charles Penn  
**Subject:** Re: Facebook post- getting attention

Having now received two notes on this I would like a short prepared statement to send along to the Board. Please work together on a draft. Happy to discuss by phone.

---

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**From:** Bryna Helfer <[bhelfer@arlingtonva.us](mailto:bhelfer@arlingtonva.us)>  
**Sent:** Friday, December 25, 2020 6:23:51 PM  
**To:** Kirby Clark <[kclark@arlingtonva.us](mailto:kclark@arlingtonva.us)>; Ashley Savage <[Asavage@arlingtonva.us](mailto:Asavage@arlingtonva.us)>; Mark Schwartz <[Mschwartz@arlingtonva.us](mailto:Mschwartz@arlingtonva.us)>; James Schwartz <[Jschwa@arlingtonva.us](mailto:Jschwa@arlingtonva.us)>; Darrin Cassedy <[Dcasse@arlingtonva.us](mailto:Dcasse@arlingtonva.us)>; Charles Penn <[Cpenn@arlingtonva.us](mailto:Cpenn@arlingtonva.us)>  
**Subject:** Re: Facebook post- getting attention

Ty

---

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---

**From:** Charles Penn <[Cpenn@arlingtonva.us](mailto:Cpenn@arlingtonva.us)>  
**Sent:** Friday, December 25, 2020 2:10:39 PM  
**To:** Bryna Helfer <[bhelfer@arlingtonva.us](mailto:bhelfer@arlingtonva.us)>; Kirby Clark <[kclark@arlingtonva.us](mailto:kclark@arlingtonva.us)>; Ashley Savage <[Asavage@arlingtonva.us](mailto:Asavage@arlingtonva.us)>; Mark Schwartz <[Mschwartz@arlingtonva.us](mailto:Mschwartz@arlingtonva.us)>; James Schwartz <[Jschwa@arlingtonva.us](mailto:Jschwa@arlingtonva.us)>; Darrin Cassedy <[Dcasse@arlingtonva.us](mailto:Dcasse@arlingtonva.us)>  
**Subject:** Re: Facebook post- getting attention

Thanks. We looked at the call for service and we responded to a suspicious person call based on the caller reporting the male taking pictures of the Southgate entrance to Joint base and people walking by. Incident was on 12/21 and entire encounter was pretty brief.

Last I talked with Ashley we have received no inquiries from media.

---

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---

**From:** Bryna Helfer <[bhelfer@arlingtonva.us](mailto:bhelfer@arlingtonva.us)>  
**Sent:** Friday, December 25, 2020 8:47 AM  
**To:** Kirby Clark; Ashley Savage; Charles Penn; Mark Schwartz; James Schwartz  
**Subject:** Fwd: Facebook post- getting attention

Sharing in case you have not seen this...  
Sorry for sending this on Christmas— but Sharing now given the comments— calling to escalate w media

<https://www.facebook.com/1085790472/posts/10223631015018526/?d=n>

---

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## Charles Penn

---

**From:** Bryna Helfer  
**Sent:** Saturday, December 26, 2020 4:10 PM  
**To:** Kirby Clark; Charles Penn; Darrin Cassedy  
**Subject:** Re: Facebook post- getting attention

Just checking in—  
Let me know if I can be helpful

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---

**From:** Kirby Clark <kclark@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 12:45:19 PM  
**To:** Bryna Helfer <bhelper@arlingtonva.us>; Charles Penn <Cpenn@arlingtonva.us>; Darrin Cassedy <Dcasse@arlingtonva.us>  
**Subject:** Re: Facebook post- getting attention

Yes, I'll work with our team to draft. Thanks.

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---

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**Sent:** Saturday, December 26, 2020 12:43:06 PM  
**To:** Kirby Clark <kclark@arlingtonva.us>; Charles Penn <Cpenn@arlingtonva.us>; Darrin Cassedy <Dcasse@arlingtonva.us>  
**Subject:** Fwd: Facebook post- getting attention

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---

**From:** Mark Schwartz <Mschwartz@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 12:26 PM  
**To:** Bryna Helfer; Kirby Clark; Ashley Savage; James Schwartz; Darrin Cassedy; Charles Penn  
**Subject:** Re: Facebook post- getting attention

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---

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**Sent:** Friday, December 25, 2020 6:23:51 PM  
**To:** Kirby Clark <kclark@arlingtonva.us>; Ashley Savage <Asavage@arlingtonva.us>; Mark Schwartz <Mschwartz@arlingtonva.us>; James Schwartz <Jschwa@arlingtonva.us>; Darrin Cassedy <Dcasse@arlingtonva.us>; Charles Penn <Cpenn@arlingtonva.us>  
**Subject:** Re: Facebook post- getting attention

Ty

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---

**From:** Charles Penn <Cpenn@arlingtonva.us>  
**Sent:** Friday, December 25, 2020 2:10:39 PM  
**To:** Bryna Helfer <bhelper@arlingtonva.us>; Kirby Clark <kclark@arlingtonva.us>; Ashley Savage <Asavage@arlingtonva.us>; Mark Schwartz <Mschwartz@arlingtonva.us>; James Schwartz <Jschwa@arlingtonva.us>; Darrin Cassedy <Dcasse@arlingtonva.us>  
**Subject:** Re: Facebook post- getting attention

---

Thanks. We looked at the call for service and we responded to a suspicious person call based on the caller reporting the male taking pictures of the Southgate entrance to Joint base and people walking by. Incident was on 12/21 and entire encounter was pretty brief.

Last I talked with Ashley we have received no inquiries from media.

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---

**From:** Bryna Helfer <bhelper@arlingtonva.us>  
**Sent:** Friday, December 25, 2020 8:47 AM  
**To:** Kirby Clark; Ashley Savage; Charles Penn; Mark Schwartz; James Schwartz  
**Subject:** Fwd: Facebook post- getting attention

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<https://www.facebook.com/1085790472/posts/10223631015018526/?d=n>

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## Charles Penn

---

**From:** Kirby Clark  
**Sent:** Saturday, December 26, 2020 3:57 PM  
**To:** Charles Penn  
**Subject:** RE: Kirby Clark shared "Info on FB Post" with you.

---

Reworked what you started to format it consistently with other incidents.

The Department is aware of a video posted to Facebook, showing an interaction between officers and a subject, which was filmed during a call for service on December 21, 2020. Above all else, the Arlington County Police Department is committed to the principle that all individuals will be treated with dignity and respect. We adhere to the protections afforded by the Constitution to assure everyone's rights are safeguarded. We take our responsibility to protect our diverse and inclusive community willingly and without reservation. The information below provides a summary of the dispatched call for service.

At approximately 10:35 a.m. on December 21, police were dispatched to the report of a suspicious person, who had reportedly been taking photos of the Southgate entrance to Joint Base Myer Henderson Hall. The reporting party provided additional information that the subject had left the area of the entrance and entered a nearby residence. Officers made contact with the subject inside the residence, explained the reason for the call for service, and spoke with the subject.

The Department recognizes community concerns when investigating calls for service involving suspicious persons, vehicles, and activity. Officers have a duty to respond to dispatched calls for service and fully investigate the circumstances surrounding them—evaluating whether the call for service involves a suspicious behavior or situation, or whether it involves factors such as a person's race, ethnicity, national origin, beliefs, ideas, expressions, or other factors unrelated to criminal activity and not inherently suspicious. During this call for service, it was determined that no crime had been committed, officers cleared the call without taking further action, and the entire interaction lasted under four minutes.

### **KIRBY CLARK**

Communications Specialist  
Arlington County Police Department  
1425 N. Courthouse Road  
Arlington, Virginia 22201  
[kclark@arlingtonva.us](mailto:kclark@arlingtonva.us)  
O: 703-228-4270

*Any email sent to/from Arlington County email addresses may be subject to disclosure under Freedom of Information Act (FOIA) requests.*

---

**From:** Charles Penn <cpenn@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 2:27 PM  
**To:** Kirby Clark <kclark@arlingtonva.us>  
**Subject:** RE: Kirby Clark shared "Info on FB Post" with you.

On December 21, 2020 at approximately 10:31am a community member contacted the Department of Public Safety.... And reported a suspicious person who reportedly had been taking photos of the Southgate entrance to Joint

Base Myer Henderson Hall. The reporting party provided additional information surrounding where the person had walked to and when officers arrived they were able to make to make contact with the person inside of a home. Officers spoke with the person and explained the reason for their contact with the entire interaction lasting under 4 minutes. ACPD recognizes the concern

---

**From:** Kirby Clark <kclark@arlingtonva.us>

**Sent:** Saturday, December 26, 2020 1:34 PM

**To:** Darrin Cassedy <Dcasse@arlingtonva.us>; Charles Penn <Cpenn@arlingtonva.us>

**Subject:** Kirby Clark shared "Info on FB Post" with you.




## Kirby Clark shared a file with you

Started writing this up.



Info on FB Post

 This link only works for the direct recipients of this message.

Open



## Charles Penn

---

**From:** Mark Schwartz  
**Sent:** Saturday, December 26, 2020 2:35 PM  
**To:** Charles Penn  
**Subject:** Re: Facebook post- getting attention

Sure

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**From:** Charles Penn <Cpenn@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 2:34:09 PM  
**To:** Mark Schwartz <Mschwartz@arlingtonva.us>  
**Subject:** RE: Facebook post- getting attention

We are working on putting something together now. Hopefully have something in a couple hours. We should probably talk before we start sharing language, so I will text once we have draft to see when you may have 5 minutes to talk.

Andy

---

**From:** Mark Schwartz <Mschwartz@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 12:26 PM  
**To:** Bryna Helfer <bhelper@arlingtonva.us>; Kirby Clark <kclark@arlingtonva.us>; Ashley Savage <Asavage@arlingtonva.us>; James Schwartz <Jschwa@arlingtonva.us>; Darrin Cassedy <Dcasse@arlingtonva.us>; Charles Penn <Cpenn@arlingtonva.us>  
**Subject:** Re: Facebook post- getting attention

Having now received two notes on this I would like a short prepared statement to send along to the Board. Please work together on a draft. Happy to discuss by phone.

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**From:** Bryna Helfer <bhelper@arlingtonva.us>  
**Sent:** Friday, December 25, 2020 6:23:51 PM  
**To:** Kirby Clark <kclark@arlingtonva.us>; Ashley Savage <Asavage@arlingtonva.us>; Mark Schwartz <Mschwartz@arlingtonva.us>; James Schwartz <Jschwa@arlingtonva.us>; Darrin Cassedy <Dcasse@arlingtonva.us>; Charles Penn <Cpenn@arlingtonva.us>  
**Subject:** Re: Facebook post- getting attention

Ty

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---

**From:** Charles Penn <Cpenn@arlingtonva.us>  
**Sent:** Friday, December 25, 2020 2:10:39 PM  
**To:** Bryna Helfer <bhelper@arlingtonva.us>; Kirby Clark <kclark@arlingtonva.us>; Ashley Savage <Asavage@arlingtonva.us>; Mark Schwartz <Mschwartz@arlingtonva.us>; James Schwartz <Jschwa@arlingtonva.us>;

Darrin Cassidy <[Dcasse@arlingtonva.us](mailto:Dcasse@arlingtonva.us)>

**Subject:** Re: Facebook post- getting attention

Thanks. We looked at the call for service and we responded to a suspicious person call based on the caller reporting the male taking pictures of the Southgate entrance to Joint base and people walking by. Incident was on 12/21 and entire encounter was pretty brief.

Last I talked with Ashley we have received no inquiries from media.

---

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**From:** Bryna Helfer <[bhelfer@arlingtonva.us](mailto:bhelfer@arlingtonva.us)>

**Sent:** Friday, December 25, 2020 8:47 AM

**To:** Kirby Clark; Ashley Savage; Charles Penn; Mark Schwartz; James Schwartz

**Subject:** Fwd: Facebook post- getting attention

Sharing in case you have not seen this...

Sorry for sending this on Christmas— but Sharing now given the comments— calling to escalate w media

<https://www.facebook.com/1085790472/posts/10223631015018526/?d=n>

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**Charles Penn**

---

**From:** Darrin Cassedy  
**Sent:** Saturday, December 26, 2020 1:48 PM  
**To:** Kirby Clark; Charles Penn  
**Subject:** Re: Kirby Clark shared "Info on FB Post" with you.

Thanks Kirby. Andy and I just discussed the response. I believe he will be sharing his thoughts in a bit.

Thanks...Darrin

---

**From:** Kirby Clark <kclark@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 1:33:45 PM  
**To:** Darrin Cassedy <Dcasse@arlingtonva.us>; Charles Penn <Cpenn@arlingtonva.us>  
**Subject:** Kirby Clark shared "Info on FB Post" with you.



**Kirby Clark shared a file with you**

Started writing this up.



Info on FB Post

 This link only works for the direct recipients of this message.

Open

**Charles Penn**

---

**From:** Kirby Clark  
**Sent:** Saturday, December 26, 2020 1:34 PM  
**To:** Darrin Cassidy; Charles Penn  
**Subject:** Kirby Clark shared "Info on FB Post" with you.



## Kirby Clark shared a file with you

Started writing this up.



Info on FB Post

 This link only works for the direct recipients of this message.

Open

## Charles Penn

---

**From:** Bryna Helfer  
**Sent:** Saturday, December 26, 2020 12:51 PM  
**To:** Kirby Clark; Charles Penn; Darrin Cassedy  
**Subject:** Re: Facebook post- getting attention

👍 thanks

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---

**From:** Kirby Clark <kclark@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 12:45:19 PM  
**To:** Bryna Helfer <bhelper@arlingtonva.us>; Charles Penn <cpenn@arlingtonva.us>; Darrin Cassedy <Dcasse@arlingtonva.us>  
**Subject:** Re: Facebook post- getting attention

Yes, I'll work with our team to draft. Thanks.

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---

**From:** Bryna Helfer <bhelper@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 12:43:06 PM  
**To:** Kirby Clark <kclark@arlingtonva.us>; Charles Penn <cpenn@arlingtonva.us>; Darrin Cassedy <Dcasse@arlingtonva.us>  
**Subject:** Fwd: Facebook post- getting attention

Kirby- since you all have more details than I do at this point ...do you all want to draft and send over... ? Otherwise—  
Andy, maybe we can huddle by phone ...Thanks

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**From:** Mark Schwartz <mschwartz@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 12:26 PM  
**To:** Bryna Helfer; Kirby Clark; Ashley Savage; James Schwartz; Darrin Cassedy; Charles Penn  
**Subject:** Re: Facebook post- getting attention

Having now received two notes on this I would like a short prepared statement to send along to the Board. Please work together on a draft. Happy to discuss by phone.

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---

**From:** Bryna Helfer <bhelper@arlingtonva.us>  
**Sent:** Friday, December 25, 2020 6:23:51 PM  
**To:** Kirby Clark <kclark@arlingtonva.us>; Ashley Savage <Asavage@arlingtonva.us>; Mark Schwartz <mschwartz@arlingtonva.us>; James Schwartz <jschwa@arlingtonva.us>; Darrin Cassedy <Dcasse@arlingtonva.us>; Charles Penn <cpenn@arlingtonva.us>  
**Subject:** Re: Facebook post- getting attention

Ty

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**From:** Charles Penn <Cpenn@arlingtonva.us>  
**Sent:** Friday, December 25, 2020 2:10:39 PM  
**To:** Bryna Helfer <bhelper@arlingtonva.us>; Kirby Clark <kclark@arlingtonva.us>; Ashley Savage <Asavage@arlingtonva.us>; Mark Schwartz <Mschwartz@arlingtonva.us>; James Schwartz <Jschwa@arlingtonva.us>; Darrin Cassedy <Dcasse@arlingtonva.us>  
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---

Thanks. We looked at the call for service and we responded to a suspicious person call based on the caller reporting the male taking pictures of the Southgate entrance to Joint base and people walking by. Incident was on 12/21 and entire encounter was pretty brief.

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**From:** Bryna Helfer <bhelper@arlingtonva.us>  
**Sent:** Friday, December 25, 2020 8:47 AM  
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## Charles Penn

---

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---

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---

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**Subject:** Re: Facebook post- getting attention

Ty

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---

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**Sent:** Friday, December 25, 2020 2:10:39 PM  
**To:** Bryna Helfer <bhelper@arlingtonva.us>; Kirby Clark <kclark@arlingtonva.us>; Ashley Savage <Asavage@arlingtonva.us>; Mark Schwartz <Mschwartz@arlingtonva.us>; James Schwartz <Jschwa@arlingtonva.us>; Darrin Cassedy <Dcasse@arlingtonva.us>  
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## Charles Penn

---

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---

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Charles Penn <Cpenn@arlingtonva.us>  
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Ty

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---

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**To:** Bryna Helfer <bhelper@arlingtonva.us>; Kirby Clark <kclark@arlingtonva.us>; Ashley Savage  
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---



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---

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## Charles Penn

---

**From:** Bryna Helfer  
**Sent:** Saturday, December 26, 2020 12:41 PM  
**To:** Mark Schwartz; Kirby Clark; Ashley Savage; James Schwartz; Darrin Cassedy; Charles Penn  
**Subject:** Re: Facebook post- getting attention

Will do

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---

**From:** Mark Schwartz <Mschwartz@arlingtonva.us>  
**Sent:** Saturday, December 26, 2020 12:26:11 PM  
**To:** Bryna Helfer <bhelper@arlingtonva.us>; Kirby Clark <kclark@arlingtonva.us>; Ashley Savage <Asavage@arlingtonva.us>; James Schwartz <Jschwa@arlingtonva.us>; Darrin Cassedy <Dcasse@arlingtonva.us>; Charles Penn <Cpenn@arlingtonva.us>  
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**Sent:** Friday, December 25, 2020 2:10:39 PM  
**To:** Bryna Helfer <bhelper@arlingtonva.us>; Kirby Clark <kclark@arlingtonva.us>; Ashley Savage <Asavage@arlingtonva.us>; Mark Schwartz <Mschwartz@arlingtonva.us>; James Schwartz <Jschwa@arlingtonva.us>; Darrin Cassedy <Dcasse@arlingtonva.us>  
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<https://www.facebook.com/1085790472/posts/10223631015018526/?d=n>

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## Charles Penn

---

**From:** Bryna Helfer  
**Sent:** Friday, December 25, 2020 6:24 PM  
**To:** Kirby Clark; Ashley Savage; Mark Schwartz; James Schwartz; Darrin Cassedy; Charles Penn  
**Subject:** Re: Facebook post- getting attention

Ty

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---

**From:** Charles Penn <Cpenn@arlingtonva.us>  
**Sent:** Friday, December 25, 2020 2:10:39 PM  
**To:** Bryna Helfer <bhelper@arlingtonva.us>; Kirby Clark <kclark@arlingtonva.us>; Ashley Savage <Asavage@arlingtonva.us>; Mark Schwartz <Mschwartz@arlingtonva.us>; James Schwartz <Jschwa@arlingtonva.us>; Darrin Cassedy <Dcasse@arlingtonva.us>  
**Subject:** Re: Facebook post- getting attention

Thanks. We looked at the call for service and we responded to a suspicious person call based on the caller reporting the male taking pictures of the Southgate entrance to Joint base and people walking by. Incident was on 12/21 and entire encounter was pretty brief.

Last I talked with Ashley we have received no inquiries from media.

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**From:** Bryna Helfer <bhelper@arlingtonva.us>  
**Sent:** Friday, December 25, 2020 8:47 AM  
**To:** Kirby Clark; Ashley Savage; Charles Penn; Mark Schwartz; James Schwartz  
**Subject:** Fwd: Facebook post- getting attention

Sharing in case you have not seen this...

Sorry for sending this on Christmas— but Sharing now given the comments— calling to escalate w media

<https://www.facebook.com/1085790472/posts/10223631015018526/?d=n>

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## Charles Penn

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**From:** Albert Taber V  
**Sent:** Friday, December 25, 2020 10:22 AM  
**To:** Charles Penn; David Giroux  
**Subject:** RE: Facebook post- getting attention  
**Attachments:** Call Notes Orme St.pdf

---

Chief,

Here is a copy of the call notes from ECC.

Respectfully,

Al

---

**From:** Charles Penn <Cpenn@arlingtonva.us>  
**Sent:** Friday, December 25, 2020 9:00 AM  
**To:** Albert Taber V <Ataber@arlingtonva.us>; David Giroux <Dgirou@arlingtonva.us>  
**Subject:** Fwd: Facebook post- getting attention

Below is the email I mentioned w the link.

Thanks and Merry Christmas!

Andy

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**From:** Bryna Helfer <bhelfer@arlingtonva.us>  
**Sent:** Friday, December 25, 2020 8:47 AM  
**To:** Kirby Clark; Ashley Savage; Charles Penn; Mark Schwartz; James Schwartz  
**Subject:** Fwd: Facebook post- getting attention

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## Charles Penn

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**From:** Mark Schwartz  
**Sent:** Friday, December 25, 2020 9:37 AM  
**To:** Bryna Helfer; Kirby Clark; Ashley Savage; Charles Penn; James Schwartz; Stephen MacIsaac  
**Subject:** Re: Facebook post- getting attention

Available for discussions if needed. Will not be using email today.

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**From:** Bryna Helfer <bhelper@arlingtonva.us>  
**Sent:** Friday, December 25, 2020 8:47:06 AM  
**To:** Kirby Clark <kclark@arlingtonva.us>; Ashley Savage <Asavage@arlingtonva.us>; Charles Penn <Cpenn@arlingtonva.us>; Mark Schwartz <Mschwartz@arlingtonva.us>; James Schwartz <Jschwa@arlingtonva.us>  
**Subject:** Fwd: Facebook post- getting attention

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<https://www.facebook.com/1085790472/posts/10223631015018526/?d=n>

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## Charles Penn

---

**From:** Bryna Helfer  
**Sent:** Friday, December 25, 2020 8:47 AM  
**To:** Kirby Clark; Ashley Savage; Charles Penn; Mark Schwartz; James Schwartz  
**Subject:** Fwd: Facebook post- getting attention

---

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<https://www.facebook.com/1085790472/posts/10223631015018526/?d=n>

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## Charles Penn

---

**From:** Latasha Chamberlain  
**Sent:** Thursday, December 24, 2020 2:01 PM  
**To:** Ashley Savage; Charles Penn  
**Subject:** Re: Facebook video

Thanks for sharing

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**From:** Ashley Savage <Asavage@arlingtonva.us>  
**Sent:** Thursday, December 24, 2020 1:55:08 PM  
**To:** Charles Penn <cpenn@arlingtonva.us>; Latasha Chamberlain <Lchamberlain2@arlingtonva.us>  
**Subject:** Facebook video

FYI - this video has 1K views so wanted to pass along for your awareness.

<https://www.facebook.com/1085790472/posts/10223631015018526/>

Ashley Savage  
Public Information Officer  
Arlington County Police

## Charles Penn

---

**From:** Ashley Savage  
**Sent:** Thursday, December 24, 2020 1:55 PM  
**To:** Charles Penn; Latasha Chamberlain  
**Subject:** Facebook video

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<https://www.facebook.com/1085790472/posts/10223631015018526/>

Ashley Savage  
Public Information Officer  
Arlington County Police

## Charles Penn



---

**From:** Ashley Savage  
**Sent:** Thursday, December 24, 2020 1:55 PM  
**To:** Charles Penn; Latasha Chamberlain  
**Subject:** Facebook video

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<https://www.facebook.com/1085790472/posts/10223631015018526/>

Ashley Savage  
Public Information Officer  
Arlington County Police

	Administrative Written Directive	Chapter 5 Procedures	<b>PAGE 1 OF 12</b>
	<b>Arlington County Police Department Directives Manual</b>		<b>DISTRIBUTION: ALL EMPLOYEES</b>
			<b>DATE: MARCH 1, 2005</b>
			<input type="checkbox"/> NEW <input type="checkbox"/> AMMENDS <input type="checkbox"/> RESCINDS
			By Authority of the Chief of Police   Chief M. Douglas Scott

**530.01 Preliminary & Follow-up Investigations**

I. **Policy** - The reduction of crime through police action depends in large part on the success of the criminal investigation process, which should identify, cause the arrest and conviction of the perpetrator of crimes, and recover stolen property.

II. **Procedure**

A. **Supervisor's role** - The role of the supervisor in the investigation process is very important. First, the supervisor must ensure proper use of resources by:

- assigning for investigation criminal cases that have the potential for closure.
- not assigning for investigation criminal cases that have little potential for closure.
- ensuring that personnel assigned to conduct each investigation have the skills, knowledge, and abilities required for that assignment.

Second, the supervisor must ensure mutual cooperation, understanding and exchange of information among all department units.

The decision to assign a case for follow-up investigation, or to continue an investigation, is a management prerogative based in part on the following criteria:

1. the degree of seriousness of the offense
2. the presence or absence of solvability factors, including:
  - can a suspect be named?
  - can a suspect be identified?
  - can a suspect vehicle be identified?

- is there a witness to the crime?
- is there significant evidence?
- is there traceable property involved?
- was a unique M.O. employed?
- was there a minimum delay in reporting?
- investigative workload
- agency and unit experience with similar cases

B. **Preliminary investigation** - The preliminary investigation begins when the first police unit arrives at the scene or makes contact with the complainant or victim by telephone or other means, and ends when an arrest is made or transfer of investigative responsibility may be made without jeopardizing the successful completion of the investigation.

The preliminary investigation is a critical step in the overall criminal investigation process. Often, the success or failure of the entire case hinges on the quality of this phase of an investigation. Each officer must ensure that a preliminary investigation is adequate and complete.

1. **Officer's responsibility** - Except in those cases where the presence of a uniformed officer would obviously hinder a proper investigation, or specific expertise is required, the preliminary investigation shall be conducted by the uniformed patrol officer assigned to the call. The responding officer shall:

- Provide aid to the injured
- Protect the crime scene to ensure that evidence is not lost or contaminated
- Observe and record all conditions, events and remarks
- Determine if an offense has actually been committed, and if so, the exact nature of the offense
- Determine the identity of the suspect or suspects and effect an arrest, if it can be accomplished either at the scene or through immediate pursuit
- Through the police radio dispatcher, furnish other field units with descriptions, method and direction of flight, and other relevant information concerning wanted persons or vehicles
- Obtain complete identification of all witnesses
- Determine what information is known by the victim and each witness
- Arrange for the collection of evidence and crime scene processing
- Determine in detail the exact circumstances of the offense
- Obtain written statements from victims and witnesses, and from suspects if such statements can be obtained legally

- Accurately and completely record all pertinent information
- Make appropriate NCIC/VCIN entries, and clearances, if applicable
- When necessary, brief the investigators who may assume the follow-up investigation as to the known facts of the case.

The assigned patrol officer shall initiate and complete as many of the activities listed above as are necessary. The individual circumstances of the incident will determine how many of the activities are required.

The patrol officer assigned shall be responsible for initiating action to inform other appropriate department units that a serious crime or one requiring immediate on-the-scene follow-up investigation exists.

The prescribed reports shall be completed in detail by the officer and submitted for review. This submission should be made at the earliest possible time, consistent with workload demands and public safety concerns. In no case will the original report be retained by the reporting officer beyond the officer's daily tour of duty.

Telephone Reporting Office and Customer Service Counter personnel will submit reports to their supervisor for review or, in the supervisor's absence, to the on duty patrol section supervisors. Patrol supervisors will review reports at the end of their tour of duty. Late reports will be submitted to an on duty patrol section supervisor for review. All reports will then be forwarded to the Records Management Unit for processing.

- C. **Follow-up investigation** - The follow-up investigation should be an extension of the activities of the preliminary investigation and not a repetition of it. The purpose of the follow-up investigation in a non-criminal case is to gather additional information or to carry out actions which will lead to closure of the case. In a criminal case, the purpose of the follow-up investigation is to gather additional evidence and information to prove the elements of a particular crime in order to effect an arrest and support prosecution of the perpetrator and/or to recover stolen property.

**1. Criminal case procedures**

- Reviewing and analyzing reports of preliminary investigations
- Recording information obtained during follow-up investigation
- Reviewing department records for investigative leads
- Seeking additional information from other officers, informants, contacts in community, other investigators and agencies
- Interviewing victims and witnesses
- Interrogating suspects
- Arranging for the dissemination of information such as teletypes and lookouts as appropriate
- Planning, organizing and conducting searches
- Collecting physical evidence
- Recovering stolen property
- Arranging for the analysis and evaluation of evidence
- Reviewing results from laboratory examinations
- Identifying and apprehending the perpetrator
- Checking for suspect(s) criminal history
- Determining if other crimes may have been committed by the suspect
- Determining if suspect meets habitual criminal criteria
- Consulting with the Office of the Commonwealth's Attorney in preparing cases for court presentation and assisting in the prosecution
- Notifying victims and witnesses when their presence is required in court
- Testifying in court
- Preparing grand jury folders as required.

**2. Non-criminal case procedures**

- Interviewing complainants and witnesses
- Locating missing persons
- Determining if information or suspicious activity relates to criminal activity
- Distributing information to the proper persons or agencies
- Locating lost property and returning same to the owner
- Investigating deaths, overdoses, suicides and injuries to determine if a crime was committed
- Making necessary notifications and conducting necessary inspections
- Recording information obtained

- Reviewing any property submitted to the Property Unit to determine if it should be kept, released or destroyed.

### III. Responsibilities

#### A. Criminal Investigations Division

1. **Vice Control Section** – The Vice Control Section is responsible for follow-up investigations of the below-listed categories of offenses, including attempts. Follow-up for the below-listed felonies—including attempts—where an arrest has been made is also the responsibility of Vice Control Section personnel.
  - a. The Narcotics and Drug Unit shall be responsible for investigating:
    - Narcotic drug laws (including prescription fraud cases with or without arrest)
  - b. The Gambling/Prostitution/Intelligence Unit shall be responsible for investigating:
    - Prostitution and commercialized vice
    - Gambling violations
    - Obscene material
    - Liquor law violations
2. **Criminal Investigations Section** - The Criminal Investigations Section is responsible for follow-up investigation of the below-listed categories of offenses, including attempts. Follow-up for the below-listed felonies—including attempts—where an arrest has been made is also the responsibility of Criminal Investigations Section personnel.
  - a. **Homicide/Robbery Unit**
    - Abduction
    - Abortion
    - Aggravated assault
    - Arson
    - Assault and Battery (non-domestic)
    - Blackmail and extortion
    - Homicide
    - Kidnapping
    - Malicious wounding
    - Medical examiner cases (including traffic related deaths)
    - Threatening Phone calls
    - Robbery (including banks)



- Suspicious persons/circumstances
  - Weapons offenses
  - Warrant function
    - Fugitive cases
    - Probation/parole violations
    - Warrant tracking (including juvenile detention orders and emergency protective orders)
  - The Critical Accident Team
  - The following non-criminal cases:
    - Accidental deaths (including industrial accidents)
    - Accidental and intentional overdoses and injuries
    - Mental detention orders
    - Missing adults
    - Suicide and attempts
- b. **Sex Crimes/Youth/Domestic Violence Unit**
- Contribution to the delinquency of a minor
  - Juvenile delinquency
  - Offenses against family and child
  - Obscene phone calls
  - Rape
  - Sex offenses
  - Crime analysis function
  - Domestic assaults
- c. **Burglary/Larceny/Pawn Unit**
- Burglary
  - Burglary tools (possession)
  - Larceny
  - Pawn tracking
  - Stolen property (buying/ receiving)
- d. **Financial Crimes Unit**
- Bigamy and polygamy
  - Bribery
  - Credit card offenses
  - Embezzlement
  - Forgery and counterfeiting
  - Fraud
  - Perjury and contempt of court

- e. **Auto Crimes Unit**
  - Motor vehicle theft/recovery
  - Larceny from Auto
  - Hit & Run Accidents

IV. **Guidelines** - Section supervisors will review all reports and forms for accuracy, completeness, and conformity with department standards. Case status and disposition will be indicated for all cases that are closed on their face by arrest where no follow-up is required.

Supervisors will not make a determination as to case status or disposition on any other cases. Should supervisors be uncertain as to either case status or disposition, both should be left blank. Supervisors will then sign all reports in the appropriate space. The reports will then be sent to the Records Management Unit.

It is of paramount importance that CID investigators become involved as soon as possible in felony arrest cases where they are responsible for follow-up. Therefore, when Operations Division personnel make a felony arrest for a CID category offense, the CID unit supervisor or a unit investigator, must be notified as soon as possible.

During CID normal working hours, the arresting officer is responsible for making this notification either by telephone or in person.

After CID normal working hours, the arresting officer's supervisor will determine if the appropriate off duty CID unit supervisor should be called at home or if notification can wait until the following workday.

Patrol officers should not hesitate to request assistance and advice from CID or Vice investigators whenever specialization or expertise would benefit their investigative efforts.

Requests for assistance from on duty CID investigators will be made by patrol supervisors to CID supervisors. In the absence of the patrol supervisor, the assigned patrol officer may make the request directly. Requests for assistance from off duty CID investigators will be made by patrol supervisors through the appropriate CID unit supervisors or section commanders.

Supervisors from the Criminal Investigations Division who feel that a particular case requires expertise not available in their unit, or that it is in the department's best interest for another unit to follow-up on a case assigned to their unit, are free to contact other supervisors to provide a workable exception to the above procedure.

Responsibility for follow-up investigation of cases involving juveniles will be according to the same guidelines as for adults.

With prior supervisory approval, patrol officers may move about within the County to conduct follow-up, maintaining radio contact with the ECC while they do so. However, District and beat responsibilities have priority.

Patrol officers may find it necessary to conduct follow-up investigation of assigned arrest cases outside their beat area or outside the County. Follow-up investigations outside County boundaries require prior supervisory approval. Officers should wear regular police uniforms and use marked police vehicles on these occasions. However, supervisors may approve plain clothes or unmarked vehicles as appropriate. A patrol officer may, with prior supervisory approval, work overtime on specific investigations.

When there is an immediate need to continue an investigation at the end of a shift, and it is obvious that the investigation can be continued by the oncoming patrol section, an on duty supervisor will contact an oncoming supervisor who will make the necessary arrangements. Transfer of information to an oncoming patrol section for assistance in investigations will be via word of mouth, notes or a copy of the original incident report. The original incident report shall then be turned in for processing. Actions taken by the oncoming patrol section should be documented as appropriate and returned to the section requesting the assistance.

Duplication of all reports must be in accordance with established Records Management Unit procedures. A copy of the incident report will be used on prolonged overtime investigations.

Investigators from any division, section, or unit may, with prior supervisory approval, work overtime on specific investigations when there is a need.

In instances when a case requires immediate attention, but the Operations Division is experiencing personnel shortages or high workload demands (as determined by the Operations Division Section Commander, Acting Section Commander or Watch Commander), the Operations Division may request assistance or refer a preliminary investigation to CID. This should occur only in situations in which there are extreme personnel shortages for regular assignments, such as during hostage situations or disasters.

Criminal warrants or summonses secured as a result of a Criminal Investigations Division follow-up investigation, but which cannot be immediately served, will be processed through the warrant investigation or staff member in CID. Patrol officers will accompany investigators on all out-of-area extradition trips when staffing levels permit; otherwise, officers from other sections may be used. Coordination of these trips will be handled through the Operations Division Commander's Office.

Subsequent to the initial contact by the preliminary investigating officer, a second contact will be made with the victim or complainant before an investigation is suspended. This contact will be by letter or telephone.

It shall be the assigned investigating officer's responsibility to contact the complainant/victim in every case (by mail if necessary) and to inform them:

- if an arrest has been made and when their presence is required in court.
- if lost or stolen property has been recovered and, if so, when, where and how it can be retrieved.
- if a suspended case is reopened or closed by the arrest of a suspect apprehended in another crime.

If new information is discovered on a suspended or unassigned case, the appropriate unit supervisor will reactivate it.

If a case investigator believes it to be beneficial to a specific case, a polygraph examination, with approval from the examiner, may be performed. Testing will be conducted under conditions which are generally accepted in the field of polygraph. A polygraph examination shall be used in conjunction with, not as a substitute for, a thorough investigation.

The polygraph examiner must be appointed by the Chief of Police, complete certified training courses that have been approved by the Commonwealth of Virginia's Department of Commerce, and maintain a current license to practice in the Commonwealth of Virginia.

## V. **Administration**

- A. **Case Folders** - CID investigators will maintain their own individual case folder filing system and will be held accountable for all cases assigned to them.
- B. **Supplements** - Additional details of an incident and progress of an investigation will be completed on a supplemental incident report. When necessarily, appropriate IBR supplements will also be submitted.

Supplemental reports will be accurate, clear, concise and contain complete information of the investigation, including victim/witness contacts, leads developed, suspects identified, resources utilized, property recovered and returned, and all actions taken in the investigation of the case.

A first supplemental report will be submitted within 30 calendar days from date of assignment. Additional supplements will be required only if additional information is added or changes to the case status or disposition are made. CID supervisors will maintain records to ensure that supplemental reports are submitted as required.

If a supplemental report is required in cases where an arrest is made, a copy will be forwarded to the case folder. It should include information on trial dates, names of defendants, defense attorneys, prosecuting Commonwealth's Attorney, judge, and final disposition.

An investigation may be suspended when the assigned case officer and unit supervisor agree that no additional information or leads are likely for a successful conclusion of the case.

Case officers are responsible for NCIC/VCIN entries and clearances in regard to their assigned cases. All information contained in NCIC/VCIN entries, such as names, dates of birth, numeric identifiers, physical descriptors, and aliases must be documented in associated reports and/or supplementals. NCIC/VCIN entries must be cleared as soon as possible after a wanted subject has been arrested or warrants withdrawn or a missing person or property has been located. Documentation of the entries and clearances must also be included in original reports or supplementals and will include the terminal operator's department identification (DID) number.

- C. **Grand Jury Folders** - Investigators assigned are responsible for the preparation of grand jury folders.

Grand jury folders will be forwarded to the Office of the Commonwealth's Attorney no later than five (5) work days prior to the preliminary hearing and so indicated in a supplement.

- D. **Lab Reports** - The investigator assigned a case for follow-up investigation will be responsible for assuring that evidence requiring analysis is transported to and from the crime laboratory and that lab returns are filed with the courts in accordance with department procedure. The chain of custody should be kept as short as possible to reduce the number of officers required in court.

Officers desiring to have their evidence transported to and from the lab by the Property Management Unit must submit a completed "Request for Laboratory Examination" form to the Property Management Unit.

#### E. **Responsibilities of Supervisors**

1. **Operations Division** - Patrol section supervisors must review all initial and supplemental reports prepared by officers under their supervision and either approve or return reports to the reporting officers with recommendations for further action.

Supplements should be checked with original incident reports to ensure that all leads have been explored and that incident report numbers are correct. The reviewing supervisors must sign each report in the appropriate space.

2. **Criminal Investigations Division**

- a. **Case Review Supervisor** - The Criminal Investigations Division case review supervisor will review all incident reports received and will separate and forward them to unit supervisors responsible for the particular crime category.

- b. **Unit Supervisors** - The CID unit supervisors will review the reports, make case assignments and appropriate computer entries.

The CID unit supervisors will review and either approve or return for further action all supplemental reports submitted by investigators under their supervision. Supplemental reports should be checked with original reports to ensure that all leads have been explored and to verify incident report numbers. The supplemental reports will then be forwarded to the CID section commanders for further review.

The unit supervisors will be responsible for the management of cases assigned to their respective personnel.

#### F. **Support Functions**

1. **Information Systems Unit** - The Information Systems Unit is responsible for the day-to-day operation and maintenance of the Department's Automated Computer Systems. This unit works in conjunction with the County's Office of Technology and Information Services (OTIS).

2. **Emergency Communications Center** - The Emergency Communications Center is responsible for prioritizing calls for police services according to ECC procedures.

Officers will maintain radio contact with the ECC while conducting follow-up investigations within Arlington County. All emergency calls for service will receive top priority, and will be answered immediately by officers. For an in progress call, an investigator in the immediate vicinity should offer appropriate assistance and notify the ECC.

The ECC shift supervisor shall not call an investigator or other support personnel to the scene unless directed by a patrol supervisor. In the patrol supervisor's absence, the patrol officer may make the request. Patrol supervisors are responsible for determining the need for off duty call-ups of specialized investigators, but may request that ECC personnel make the call. The request must be made through the supervisor of the off duty personnel affected.

3. **Records Management Unit** - The Records Management Unit is responsible for supplying necessary records information to authorized personnel upon request. They are responsible for providing training in the execution of established procedures within the Records Management Unit.

The Records Management Unit will store all original police reports and arrest records. Use and dissemination of the data contained therein shall be in accordance with established guidelines and laws.

The Records Management Unit is responsible for the coding of offenses and insertion of reporting area and beat numbers which are missing. Additionally, the Records Management Unit is responsible for compiling and completing the Incident Based Reporting statistics required by law.

4. **Planning and Research Unit** - The Planning and Research Unit is responsible for providing to the Division Commanders, on request computer printouts listing criminal incidents, officers assigned, case status and other information supportive to investigations management and coordination.