



# COMMONWEALTH OF VIRGINIA

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DEPARTMENT OF STATE POLICE

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## **Criminal Investigation Concluded into April 2019 Fairfax County Traffic Stop; Virginia State Police Advances to Next Phase of Investigation**

On October 2, 2020, the Office of the Fairfax County Commonwealth's Attorney notified the Virginia State Police that it will not seek criminal charges against Trooper C. Hewitt related to his actions during a 2019 traffic stop in Fairfax County. In his email, Deputy Commonwealth's Attorney Robert E. Frank stated "...this Office has determined that there is no basis for a criminal charge arising from this incident."

Upon receipt of the July 13, 2020 social media post featuring cell phone video taken during the April 20, 2019 traffic stop, the Virginia State Police initiated the criminal investigation into the matter. The following week, the criminal investigative file was turned over to the Fairfax County Commonwealth's Attorney for review and final adjudication.

"Even though criminal charges are not being brought forth in this incident, Trooper Hewitt's conduct is still inexcusable and not reflective of our department, our personnel, or our standards of conduct," said Colonel Gary T. Settle, Virginia State Police Superintendent. "Now begins the next phase of investigation. The Office of Internal Affairs will immediately conduct a comprehensive review of the entire traffic stop, including the cell phone video provided by Mr. Thompson, to determine if Trooper Hewitt's actions violated Department policy or procedures. As with all administrative investigations, I accept nothing less than a thorough accounting and reporting of the facts of the situation."

The declination of prosecution concludes the criminal investigation into the matter, thus enabling the department to initiate, in accordance with agency policy, an administrative investigation. The State Police Office of Internal Affairs conducts administrative investigations for the purposes of identifying violations of Department policies and procedures. During this final phase of the process, Hewitt will continue to remain on administrative leave, as is required by the Virginia Department of Human Resources.

Prior to the July 2020 release of the video, state police had not received any complaint concerning this incident or any of the individuals involved. The Virginia State Police adheres to strict policies regarding employee conduct and requires our employees to perform their duties with exceptional professionalism and integrity, and to treat the public with fairness and respect at all times.

### **Background:**

The April 20, 2019 traffic stop occurred at 4:15 p.m. when a Virginia State Police trooper initiated a traffic stop on a vehicle traveling north on Interstate 495 at the 51 mile marker in Fairfax County for an expired inspection decal. During the course of the traffic stop, the trooper confirmed that the driver – Mr. Derrick T. Thompson of Woodbridge, Va. – was driving on a suspended driver's license. The trooper also detected a strong odor of marijuana coming from inside Thompson's car. Additional troopers responded to assist the trooper with the traffic stop.

Thompson refused to comply with the trooper's repeated requests to exit his vehicle. Approximately 10 minutes later, Trooper Hewitt informed Thompson that he was under arrest. Thompson still refused to exit his vehicle. Thompson was then forcibly removed from the vehicle and taken into custody. Thompson was transported to the Fairfax County Adult Detention Center where he underwent a medical evaluation for a minor abrasion to his forehead. Thompson was charged with obstruction of justice, driving on a suspended license and for the expired inspection decal.