



County of Fairfax, Virginia

MEMORANDUM

DATE: October 16, 2026

TO: Board of Supervisors

Bryan Hill
County Executive

Thomas Arnold
Deputy County Executive for Safety and Security

FROM: Eric W. Dugger
Independent Police Auditor

SUBJECT: Disposition of Independent Police Auditor Review of Complaint: IPA-23-13

This incident report documents my review of the Fairfax County Police Department (FCPD) Internal Affairs Bureau (IAB) investigation into a complaint made to the FCPD related to an arrest on July 17, 2023. The complaint was provided to the Office of the Independent Police Auditor in August 2023.

Complaint: On July 17, 2023, a community member ("E.C.") complained that officers assaulted him and placed him in a headlock when he was arrested.

Summary of Incident: On July 17, 2023, FCPD officers responded to a report of indecent exposure behind a home in Reston. When officers arrived, they encountered a naked man in the backyard of a residence. The man ran from the officers but stopped a short time later. Officers gave E.C. commands to sit down but E.C. did not comply. Officers then attempted to place E.C. under arrest for indecent exposure. When officers attempted to place handcuffs on E.C. he resisted and officers took E.C. to the ground and placed him on his stomach and handcuffed him.

The officers moved E.C. to a seated position and called for Fairfax County Fire and Rescue Department (FCFRD) to respond to evaluate E.C. The officers also called for a supervisor to respond due to the use of force.

FCFRD responded and spoke with E.C. While being evaluated by FCFRD, E.C. made demands for water and an attorney. Ultimately, E.C. refused medical treatment and was then transported by the FCPD to the Fairfax County Adult Detention Center (ADC).

During transport, E.C. was belligerent and yelled at the officer. Once at the ADC, the officer had to forcibly remove E.C. from the back seat of the vehicle since he refused to get out on his own.

The arresting officer reported that while inside the ADC, E.C. continued to resist officers and spat on one of them. Fairfax County Sheriff's Office personnel placed a spit hood on E.C. to prevent further spitting.

E.C. was then taken to see the magistrate and was charged with multiple misdemeanors, including assault on law enforcement officers and indecent exposure.

Observations: As part of my review of this incident, I reviewed all available body-worn camera (BWC) and in-car video (ICV) footage of the incident, along with the incident report and the IAB investigation.

When officers arrived, they encountered E.C. walking completely naked in the backyard of a residence. When E.C. saw the officers, he ran but stopped a short time later. E.C. did not listen to verbal commands from the officers and when they attempted to place him under arrest he actively resisted.¹ The officers took E.C. to the ground, where he was handcuffed.

Officers moved E.C. to a seated position and called FCFRD to respond to evaluate him. When FCFRD arrived, E.C. was provided with water and a hospital gown. FCFRD offered to take E.C. to the hospital for evaluation but he refused.

Officers also called for a supervisor to respond because they used force against E.C. When the supervisor spoke with E.C. he claimed the officers assaulted him and placed him in a headlock.

During transport to the ADC, E.C. repeatedly yelled at the officer but the officer only had a minimal response and remained professional throughout.

All aspects of the arrest until entering the ADC were captured on BWC and ICV. At no point during the arrest of E.C. did any officer place him in a headlock or use more force than what was reasonably necessary to effect the arrest.

None of the activities inside the ADC were recorded on BWC, although G.O. 509 allowed for, but did not require, the use of BWC inside the ADC² because E.C. previously resisted officers during his arrest and remained belligerent throughout transport.

¹ Active resistance is defined in General Order 540 Use of Force, III. 25. effective August 12, 2022, as "verbal and/or physical actions by an individual intended to prevent an officer from taking lawful action but are not intended to harm the officer."

² G.O. 509 Body-Worn Camera and In-Car Video Systems, IV. E. 5. d. effective April 11, 2022. The G.O. specifies that officers should de-activate their BWC and ICV systems when inside a jail or correctional facility "unless (1) a

E.C. did not make any allegations of excessive force against FCPD officers while in the ADC.

Conclusions: The IAB investigation determined the officers were Exonerated by Technology³.

I agree that the officers' use of open-hand techniques to control and place E.C. on the ground was necessary and that they used a reasonable amount of force to place E.C. in handcuffs.

My review concurs with the FCPD findings, and I concluded that the IAB investigation was complete, thorough, accurate, objective, and impartial.

use of force occurs or is reasonably anticipated, (2) while interacting with a suspect during an active criminal investigation, or (3) they are responding to an incident involving on-going violence"

³ G.O. 301 Internal Investigations, XIII. A.4. effective May 4, 2022, defines Exonerated by Technology as "the allegation and/or incident has been captured by technology, and a review of the technology has proven the actions of the employee were in compliance with Department rules and regulations."