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July 13, 2020

RE: **Derrick Thompson**  
**Unconstitutional Police Violence**

Attorney General Herring:

On April 20, 2019, Trooper Charles Hewitt ("Hewitt") of the Virginia State Police unconstitutionally assaulted Derrick Thompson ("Mr. Thompson") and, along with Hewitt's fellow Troopers, conducted an illegal search of Mr. Thompson's vehicle. This office represents Mr. Thompson in his claims against Hewitt and the other Troopers present.

## **I. Facts**

On April 20, 2019, a Virginia State Trooper stopped Mr. Thompson's vehicle. The Trooper alleged Mr. Thompson's inspection sticker was expired and that she detected an odor of marijuana. She announced her intent to search his vehicle. Mr. Thompson did not consent to the search, and the Trooper returned to her patrol vehicle to call for back-up. Fearful of police violence and alone in his vehicle, Mr. Thompson, placed his cell phone on his dashboard to film the interaction.

Approximately ten minutes later, two additional Virginia State Troopers arrived. Mr. Thompson requested each of the Troopers provide their name, badge number, and identification. One Trooper ignored Mr. Thompson's request entirely, while another claimed he had forgotten his name and badge number.

Mr. Thompson made the same request of Hewitt, indicating that he was a taxpayer and believed his request to be justified. Hewitt responded, "You pay about forty cents of state taxes".<sup>1</sup> Hewitt, after contacting dispatch to inform them "this one's a little snippy," did identify himself to Mr. Thompson.

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<sup>1</sup> Hewitt had no information whatsoever regarding Mr. Thompson's taxable income. This comment was, exclusively, a racist presumption. The comment does, however, appear to be consistent with Hewitt's beliefs.



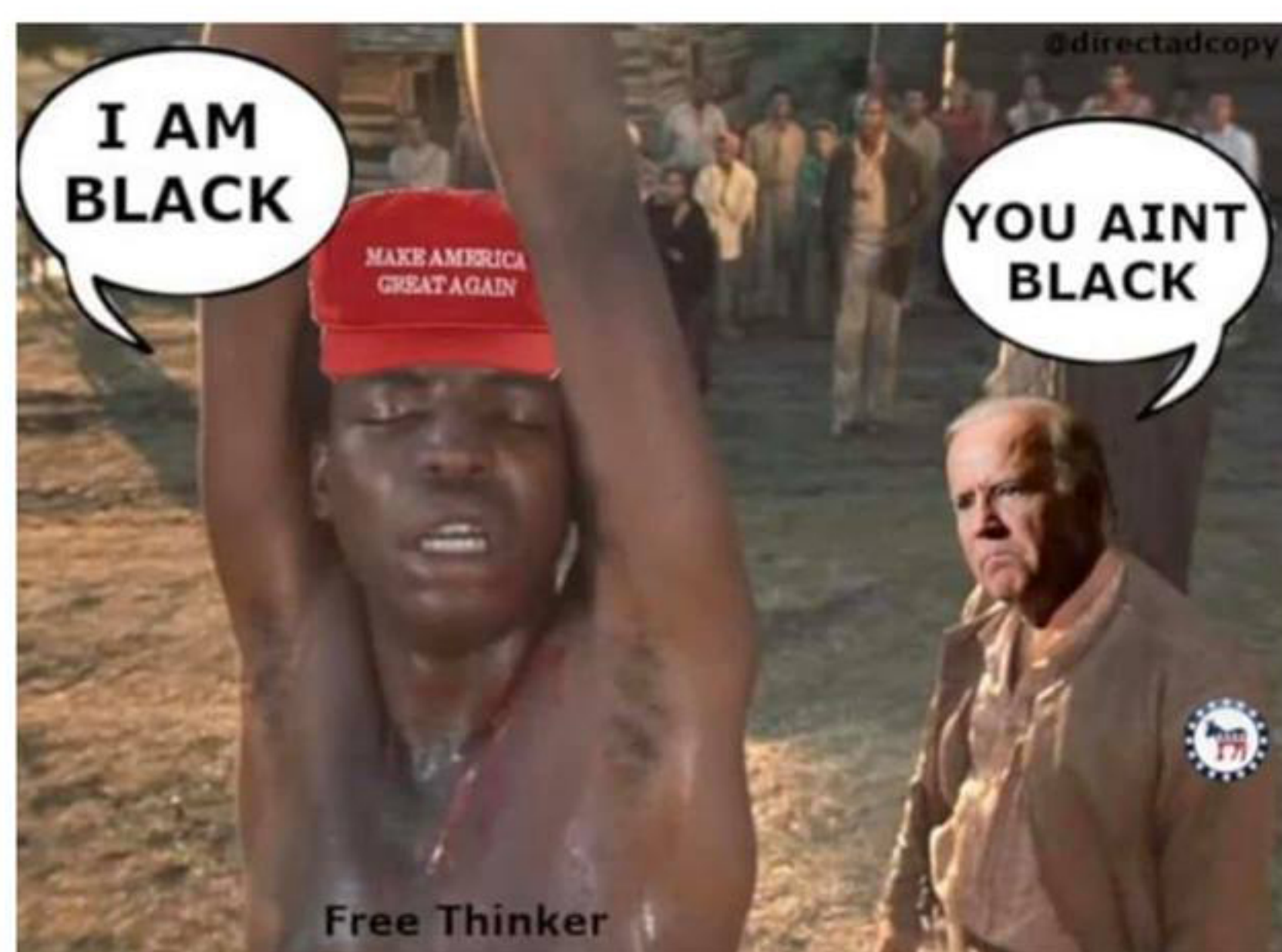
When Mr. Thompson told Hewitt he believed his detention and the search of his vehicle to be illegal, Hewitt responded:

Brother, how do you think this is going to end? Are you ready to go through all of this today, just for that? There's probably not even any weed in here.

Throughout his interaction with Hewitt, Mr. Thompson repeatedly asserted that his detention was illegal.

Eventually, Hewitt indicated toward Mr. Thompson's cell phone camera and shouted:

Hewitt is unsettlingly comfortable with racist language and imagery. On Facebook, he is a fan of two different pages related to "Team Chepo," a racist comic and meme group. For example, on May 24, 2020, Team Chepo posted this image of a black man:



On June 28, 2020, Team Chepo posted this racist and misogynist image:



These pages are also rampant with transphobic and homophobic images. You can see for yourself at: <https://www.facebook.com/thechepoteam/> and <https://www.facebook.com/chepoteam/>.



This is going to get posted to YouTube. This is going to get posted, after all of this, and I guarantee. . . Look at this, everybody who is going to see this, I guarantee, they are going to say, you sir, you got the coolest cop in the whole nation. The most coolest, calmest, collected cop. Because I ain't even trying to be here to do that to you, man. And all the comments, there's going to be two thousand comments saying, "You, what a dumbass."

Hewitt reached through Mr. Thompson's driver's-side window, unlocked the door, and opened it. He commanded that Mr. Thompson step out of his vehicle. Once again, Mr. Thompson stated his detention was not lawful. Mr. Thompson also stated Hewitt's command that he step out of his vehicle was also not lawful. Hewitt then leaned forward into Mr. Thompson's face and yelled:

Take a look at me, I AM A FUCKING SPECIMEN RIGHT HERE  
BUDDY, YOU HAVE GOTTEN ON MY LAST NERVE, ALRIGHT?

Mr. Thompson, engaging in only passive resistance stated, "I have my hands up," to which Hewitt responded:

YOU ARE GOING TO GET YOUR ASS WHOOPED IN FRONT OF  
FUCKING LORD AND ALL CREATION.

I AM GOING TO GIVE YOU ONE MORE CHANCE. YOU CAN  
BRING THAT WITH YOU, I'LL LET YOU FILM THE WHOLE  
THING.

Mr. Thompson said, "I am not resisting, my hands are up." Hewitt then said Mr. Thompson was now under arrest for disobeying a lawful command, before yelling into Mr. Thompson's face:

I AM GIVING YOU TO THE COUNT OF THREE.  
ONE, TWO . . .

Then Hewitt looked directly into Mr. Thompson's cell phone camera, smiled, and said:

**Watch the show, folks.**

Hewitt lunged into the vehicle and wrapped his right arm around Mr. Thompson's neck, securing it with his left arm and forming a chokehold. Mr. Thompson yelled, "My life is in danger!" as Hewitt pulled Mr. Thompson out of his vehicle by his neck while yelling:



HOW DO YOU LIKE THAT MOTHERFUCKER?  
HOW DO YOU LIKE THAT?

Off camera, Mr. Thompson can be heard crying out for help, shouting:

Get off me! My hands are behind my back! My hands are behind my back! I am not resisting, sir! Sir, please get off my neck! I am not resisting! Get off my neck, sir, you are harming me! You are harming me! You are harming me, sir! You are harming me, sir! I am being harmed! I am being harmed! I am being harmed! I am being harmed!

Hewitt forcibly threw Mr. Thompson face-down onto the pavement, causing cuts and abrasions to his face and left leg. Hewitt placed either his elbow or knee on Mr. Thompson's neck while he secured both of Mr. Thompson's arms behind his back and placed him in handcuffs.

Mr. Thompson's face bled profusely. When Hewitt raised Mr. Thompson, handcuffed, to his feet, he asked for medical assistance, Hewitt replied, "you're not even hurt."

The other Troopers then searched Mr. Thompson's vehicle. No evidence of any crime was found in Mr. Thompson's vehicle.

Hewitt sat Mr. Thompson, still handcuffed, in the front passenger seat of his patrol vehicle. Hewitt attempted to explain what had just happened and insisted it had nothing to do with Mr. Thompson's race. Hewitt told Mr. Thompson that his own wife is black and, therefore, he could not possibly be racist.<sup>2</sup> Mr. Thompson, injured and upset at the events that had just occurred, told Hewitt there was no way in hell a black woman would marry him.

Mr. Thompson made at least one additional request for medical assistance. He was ignored. No medical assistance was provided to Mr. Thompson prior to, or following, his arrival at the Fairfax County Adult Detention Center.

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<sup>2</sup> Upon information and belief, Hewitt is not married to a black woman.