



ARLINGTON BRANCH #7047

NAACP

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October 3, 2020

Beth Arthur
Sheriff
Arlington County Sheriff's Office
1425 N. Courthouse Rd, Suite 9100
Arlington, VA 22201

Charles "Andy" Penn
Acting Chief of Police
Arlington County Police Department
1425 N. Courthouse Rd, Suite 9100
Arlington, VA 22201

Dear Sheriff Arthur and Acting Chief Penn:

Arlington Branch #7047 of the National Association for the Advancement of Colored People (NAACP) calls for a full AND independent investigation (to include policy, procedural, and criminal violations) into the death of Mr. Darryl Becton, 46, who died while in your custody on October 1, 2020, after he was found unconscious in his cell at the Arlington County Detention Facility.

Releasing the results of the investigation to the family and public immediately is paramount to promoting transparency and public trust in our community. The results of the autopsy by the Office of the Chief Medical Examiner determining the cause and manner of death should also be released to the public immediately. Any death in the custody of law enforcement officials should require an independent investigation with full public disclosure.

Any death while in the custody of law enforcement official is overly concerning. It has been reported that in Arlington there has now been at least three deaths in the past few years at the Arlington County Detention Facility. The Arlington Branch NAACP ask that you submit to us by October 19, 2020 the number of deaths at your facility during the past five years, the cause of death, demographics, and who performed the investigation. It is time to find out the reasons why people are dying in your custody. Transparency, accountability, and review are extremely critical. The public deserves to know what policies and procedures have been implemented to prevent any future deaths of inmate.

While we understand Arlington County Police Department will investigate the events surround Mr. Becton's death, we feel strongly that incidents of this nature should be investigated by an independent outside agency such as the state Attorney General's office or Virginia State Police.

Elected Officials

Julius D. Spain, Sr., President
Kent D. Carter, 1st Vice President
Keshia Tensley, Secretary
William C. White, Sr., Treasurer
Karen Nightengale, Executive Director
Roy Austin, Assistant Treasurer
Rosa Dunkley, Assistant Secretary

At-Large Executive Committee Members

Tim Dempsey, Jill Caiazza, Esq.,
James Younger, Esq.

Finally, we ask that your offices fully cooperate with our civil rights organization or any state or federal law enforcement agency to review the facts and conclusions of your investigations.

Your assistance with this matter is greatly appreciate.

Julius D. Spain Sr.

Julius D. "JD" Spain, Sr.
President, Arlington Branch NAACP and
Regional Vice President, Virginia State Conference NAACP

Kent D. Carter

Mr. Kent D. Carter
Vice President, Arlington Branch NAACP
Criminal Justice Committee, Chair

cc: Parisa Dehghani-Tafti, Commonwealth Attorney for Arlington County and the City of Falls Church



Charles A. Penn
ACTING CHIEF OF POLICE

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POLICE DEPARTMENT
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Beth Arthur
SHERIFF

OFFICE OF THE SHERIFF
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October 26, 2020

Mr. Julius D. "JD" Spain, Sr.
President, Arlington Branch NAACP and
Regional Vice President, Virginia State Conference NAACP

Mr. Kent D. Carter
Vice President, Arlington Branch NAACP
Criminal Justice Committee, Chair

Dear Mr. Spain Sr., and Mr. Carter:

Thank you for your letter of October 3, 2020, where you raised some specific concerns surrounding the death of Mr. Darryl Becton in the Arlington County Detention Facility on October 1, 2020. In the interest of providing a comprehensive response, we are writing together on behalf of both the Arlington County Sheriff's Office (ACSO) and the Arlington County Police Department (ACPD).

First, we want to stress how seriously we take our responsibility of caring for those who are in our custody. Both agencies are thoroughly committed to protecting everyone in our care/custody as well as safeguarding the constitutional rights of all.

In September 2019, Mr. Becton pled guilty to felony Unauthorized Use of a Motor Vehicle and was sentenced to nine days in jail and placed on supervised probation for a period of one year. Mr. Becton met with his probation officer on September 29, 2020, which resulted in his probation being revoked. Mr. Becton was transported to the Arlington County Detention Facility. He was being housed in the medical unit at the time of his passing.

At approximately 4:19 p.m. on October 1, 2020, police were dispatched to the Arlington County Detention Facility for the report of a cardiac arrest. Upon arrival, it was determined that at approximately 4:15 p.m., an Arlington County Sheriff's Deputy and Department of Human Services caseworker located Mr. Becton unresponsive in his cell. Deputies and medical staff immediately began resuscitation efforts until the arrival of Arlington County Fire Department medics. Medics pronounced Mr. Becton deceased at 4:48 p.m. The Office of the Chief Medical Examiner for the Commonwealth of Virginia (OCME) has conducted an autopsy. Determination of cause and manner of death is pending laboratory analysis.

The death of Mr. Becton is tragic and we can assure you that a thorough and comprehensive criminal investigation into this matter will be conducted by the ACPD, followed by a comprehensive administrative investigation by ACSO to determine if all applicable policies and procedures were followed surrounding Mr. Becton's incarceration. Any findings outside of established policies and procedures can result in disciplinary action including termination.

Part of the criminal investigation includes the independent investigation conducted by the Virginia Office of the Chief Medical Examiner (OCME) to determine the cause and manner of Mr. Becton's death. It is anticipated that this report will be complete in approximately 6-8 weeks; however ACPD is only provided a courtesy copy of the document to supplement our investigation. Any official release of their findings would need to be coordinated through the OCME.

Upon completion of the criminal investigation, the entire investigative file will be forwarded to the Commonwealth's Attorney's Office for independent review. The Commonwealth's Attorney, Parisa Dehghani-Tafti, will issue a letter outlining her findings. Additionally, in accordance with Virginia Code § 53.1-69.1, the Virginia Board of Corrections also has the power to review any death occurring in a local correctional facility. In accordance with minimum standards, ACSO notified them of Mr. Becton's passing within the proscribed 24-hour time period and will submit a full report at the conclusion of the criminal and administrative investigations.

Regarding your requests for transparency, we both completely understand the need for our community to understand what happened in this incident, but we must balance the need to be as transparent as possible against Mr. Becton and his family's rights to privacy. Staff from ACPD are currently in communication with Mr. Becton's family. Once the investigation is complete, ACPD staff will coordinate a meeting for the family and whoever they wish to include to review the entire case and investigation.

As a point of information, several months ago ACPD took the lead in the region on discussions surrounding forming a regional Critical Incident Response Team (CIRT) with the specific purpose of investigating critical incidents involving law enforcement such as uses of force where any person is killed or sustains serious bodily injury, intentional and accidental shootings and death of a person in police custody. The goal of CIRT is to establish uniform procedures that allow for an objective investigation of a critical incident by an outside agency while mitigating concerns regarding potential conflicts of interest should the affected agency investigate the incident itself. We hope that the CIRT agreements are completed in the coming months so implementation efforts can begin soon thereafter.

Per your request, five deaths have been reported at the Arlington County Detention Facility within the last five years. The deaths were investigated by ACPD with an independent investigation into cause and manner of death conducted by the Virginia OCME. Below is a summary of those investigations:

- Mr. Anthony Gordon, Black male, age 48. On August 22, 2015, Mr. Gordon was found unresponsive in his medical unit cell by a deputy during a routine check. He was transported to an area hospital where he was pronounced deceased. An

autopsy conducted by the OCME concluded that Mr. Gordon died from natural causes.

- Mr. Edward Straughn, Black male, age 53. On October 10, 2015, Mr. Straughn was found unresponsive in his medical unit cell by a deputy during a routine check. He was transported to an area hospital where he was pronounced deceased. An autopsy conducted by the OCME concluded that Mr. Straughn died from natural causes.
- Mr. Bennie Turner, Black male, age 40. On April 20, 2017, Mr. Turner was found unresponsive in his cell by a deputy during a routine check. The investigation revealed Mr. Turner had been released on a court approved furlough to visit his ailing son and secreted narcotics on his person prior to re-entering the Detention Facility. An autopsy by the OCME concluded Mr. Turner died from a mixture of controlled substances in his system.
- Jitesh Patel, White male, age 43. On November 11, 2019, Mr. Patel was found deceased in his cell after he did not exit for breakfast. The investigation revealed Mr. Patel removed a blade from his jail issued razor without detection by jail staff. He subsequently used the blade to sever an artery, causing him to bleed to death. An autopsy by the OCME concluded the manner of death was suicide.
- Darryl Becton, Black male, age 46. On October 1, 2020, Mr. Becton was found unresponsive in his medical unit jail cell by a deputy and Department of Human Service caseworker. The OCME has conducted an autopsy. Determination of cause and manner of death is pending laboratory analysis. The investigation is ongoing.

The safety of all individuals in law enforcement care/custody remains a top priority. All of the aforementioned deaths are tragic and are taken seriously by ACPD and ACSO. Thorough investigations into these deaths have resulted in policy changes and implementations at the Detention Facility. For example, in November of 2019, the ACSO installed a full body scanner in the processing area of the facility. The scanner is designed to locate drugs, paraphernalia and weapons that an individual may hide on their person or in a body cavity. This scanner complements preexisting security measures, such as pat searches, and helps to ensure individuals do not enter the facility in possession of prohibited items.

We hope that the information within this letter addresses your specific concerns. We're happy to set up a time to meet with you in person to discuss any additional questions or concerns.

Sincerely,



Beth Arthur
Sheriff



Charles A. Penn
Acting Chief of Police



Beth Arthur
Sheriff

ARLINGTON COUNTY, VIRGINIA

OFFICE OF THE SHERIFF

COURTHOUSE

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ARLINGTON, VIRGINIA 22201
(703) 228-4460



DETENTION FACILITY

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(703) 228-7286

Dear Community Member:

Thank you for taking the time to reach out to the Arlington County Sheriff's Office with your questions, concerns and thoughts. The recent deaths of Mr. George Floyd, Mr. Rayshard Brooks have sparked a national conversation around policing in America. In the Sheriff's Office, we remain committed to building strong partnerships with the community while doing our jobs in a way that earns and keeps the public's trust. As an elected official, I have continued to work with the community to hear concerns, build a diverse workforce, train our deputies to de-escalate situations, and ensure accountability.

WHAT WE DO:

The Arlington County Sheriff's Office (ACSO) is responsible for the management and operation of the Arlington County Detention Facility (ACDF); providing courthouse/courtroom security and court support services; service/execution of civil and criminal warrants and court orders; and transportation of inmates. In all of these areas the Sheriff's Office is, and has always been, committed to ensuring that all individuals in our jail as well as those encountered in Court and on the street, are treated equally and with dignity and respect.

I take the training of Sheriff's Office staff very seriously and ensure that staff are trained in accordance to the law, policy and best practices. My staff receive approximately 800 hours of formal training at the Northern Virginia Criminal Justice Training Academy that include 4 weeks of Deputy school. Upon successful completion of the academy, staff receive an additional 496 hours of field training where they work with field training deputies to ensure they are prepared to work on their own without direct supervision. Annually, sworn staff attend almost 20,000 hours of training. This training consists of but is not limited to: legal issues/review; cultural diversity; implicit and/or unconscious bias, ethics, verbal judo, conflict resolution, communications, control tactics, firearms, investigations, and other topics related to the daily responsibilities of my staff. The training that staff receive is constantly reviewed and updated to ensure that the knowledge they gain is applicable in today's society and addresses current events.

Several members of my Command Staff have attended Challenging Racism courses hosted by Offender Aide and Restoration (OAR). Two members of Command Staff are also participating in the County's Restorative Justice initiative and are serving on committees. In addition, we have been working with Challenging Racism organization to offer training, first to supervisors and then line staff but unfortunately COVID-19 placed this on hold but we are currently working to see if this course could be offered virtually.

- ACCREDITED -

A.C.A. COMMISSION ON ACCREDITATION FOR CORRECTIONS
PRISON RAPE ELIMINATION ACT (PREA) ACCREDITED

In addition, our office is committed to our Crisis Intervention Training program (CIT). This training is designed to equip deputies with the knowledge and skills necessary to deal with a situation involving a person in a mental crisis. De-escalation of all situations is specifically covered during this training portion, regardless of the mental status of parties involved.

Currently, 71% of my staff are certified. I am committed to ensuring that 100% of staff become CIT certified.

We are accredited by the American Correctional Association (ACA) and the Prison Rape Elimination Act (PREA) since its inception and inspected annually by the Virginia Department of Corrections (DOC). Achieving and maintaining these accreditations ensure that we are held to the highest standards. Being accredited requires a constant review of our policies and practices that help to ensure that staff operate at the highest level and that all inmates are treated equally and with dignity and respect.

I will continue to have frank and honest discussions on how law enforcement and our communities can work together to resolve issues and concern to ensure everyone's safety. Thus, as Sheriff, I am committed to listening and learning to ensure the Arlington County Sheriff's Office is always reviewing our training, policies and procedures to ensure we are following best practice knowing that they are ever evolving

I understand we **MUST** do and be better.

Sincerely,



Beth Arthur
Sheriff