



M. DOUGLAS SCOTT  
CHIEF OF POLICE

## ARLINGTON COUNTY POLICE DEPARTMENT

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June 6, 2007

Keith W. McCammon  
2536 Banship Drive  
Herndon, Virginia 20171

Dear Mr. McCammon:

I am writing in response to the issues you raised concerning your interaction with Detective Frank Malara on May 5, 2007. The purpose of this letter is to provide responses to the specific information that you requested. In the interest of brevity, I will address each request individually, with your request in regular print and my response in bold/italic print:

Request: A copy of any and all notes, reports, or other documents including my personal information that are in any way related to this incident.

***RESPONSE: I have been unable to locate any documents in response to this request. I consulted with Detective Malara to ensure that there were no applicable documents pertaining to this request and he confirmed that there are not.***

Request: A point of contact at any other agency or office to which this incident has been reported.

***RESPONSE: It is my understanding that the internal security point of contact at the government installation in question is Mr. John Campbell who can be reached at (571) 218-4660.***

Request: The full name and badge number of the officer involved.

***RESPONSE: Officer Frank. Malara #0922***

Request: The badge number of his commanding officer (Capt. Kevin Reardon).

***RESPONSE: Officer Malara's commanding officer is Captain Tonya Vincent and her badge number is #0867.***

Request: A copy of the code section or operating procedure authorizing officers in Arlington County to collect and report information about individuals and/or groups who are witnessed photographing 3701 N. Fairfax Drive or other such locations.

***RESPONSE: While there is no specific ACPD policy which directly addresses your request, I am enclosing our policy which most closely addresses your request, based on my understanding of your request from our conversations and your letter. Should you require additional information on this specific request, please contact me.***

Request: A comprehensive list of locations within Arlington County that 1) may not be photographed and 2) display no indicators to this effect.

***RESPONSE: I am unaware of any documents which would be responsive to this request.***

If you have any questions or need additional information, please feel free to contact me at (703) 228-4161.

Sincerely,



Andy Penn  
Sergeant  
Internal Affairs Section

## 522.10 – Terrorism Intelligence and Prevention

- I. **Policy** - It has become evident in the aftermath of the tragedies of 9/11/01 that certain assets within Arlington County are perceived by terrorists as major targets. As a result, our community may be at heightened risk for future terrorist attacks.

Therefore, it is essential that the Arlington County Police Department cooperates closely with federal, state, and regional authorities wherein terrorism-related planning, intelligence gathering, and security operations are concerned.

To this end, ACPD command officials shall maintain close working relationships with their counterparts from these other entities, and shall also coordinate closely with other agencies of the Arlington County Government to ensure optimal readiness in the event of a terrorism incident.

In addition, all ACPD officers and civilian employees shall remain alert for suspicious persons and/or suspicious situations with potential terrorism significance. Where such persons or situations are encountered, they shall be reported in accordance with the procedures set forth in this directive.

II. **Procedure**

A. **Patrol and Intervention**

1. **General Criteria**

Officers on routine patrol shall be alert for suspicious persons (or situations) whose activities suggest a potential link to terrorism.

A precise definition of all of the types of behavior that qualify for such scrutiny is impossible, given the inherent difficulty in predicting terrorist acts. However, the following individuals are among those who would likely warrant an officer's attention:

- persons with an unusual or inexplicable interest in, or presence near, military facilities, government buildings, transportation assets, utility assets, and other critical infrastructure
- persons in possession of sophisticated or unusual weaponry, explosives, or suspected biological or chemical agents that might be used to carry out an attack
- persons in possession of maps, engineering blueprints, photographs of government facilities, binoculars, cameras, unusual communications equipment, or similar items that might be useful in gathering information about potential targets
- persons who express or imply threats, profess agreement with terrorist aims, or whose overheard conversations suggest possible involvement with terrorist planning or activity

Officers are cautioned that most of the above factors, by themselves, do not imply terrorist involvement. For example, someone photographing the Pentagon might be a legitimate tourist. Therefore, officers shall exercise appropriate discretion when investigating persons matching the above criteria.

## 2. Attention to Critical Facilities

Beat officers shall familiarize themselves with the location and usual condition of unattended water facilities, power generators, bus lots, and other potential terrorism targets within their beats, and shall periodically check these facilities during their tour of duty.

## 3. Reporting Suspicious Persons and Non-Imminent Threats

Any officer who encounters suspicious persons (or identifies suspicious circumstances) that he believes may be linked to terrorism shall submit an Incident Report or Field Observation Report regarding his suspicions.

The officer shall write "**HOMELAND SECURITY**" in bold letters at the top of the report in order to alert the Department's crime analyst that the report requires particular scrutiny.

In addition, in any case where the officer believes urgency is involved, he shall contact his supervisor for guidance as to whether a federal or state agency should be immediately notified by telephone.

Photocopies of all Incident Reports are delivered to the Department's crime analyst on the day following their submission. The analyst shall review these reports to identify any with a potential terrorism dynamic.

Following this review, the analyst shall provide photocopies of terrorism-relevant reports to the Vice/Narcotics Section. A detective specializing in criminal intelligence shall then share the information with outside agencies, and/or initiate internal ACPD surveillance and investigation, as appropriate.

## 4. Initial Response to an Imminent Threat

Any officer who encounters suspicious persons (or identifies suspicious circumstances) that he believes may be linked to an imminent terrorist threat shall take all appropriate steps to prevent or limit loss of life and/or destruction of property.

In addition, the officer shall request the assistance of other officers and Fire Department units, where appropriate, and request that a supervisor respond to his location.

Upon arrival, the supervisor shall initiate any required notifications within the Department, and also determine whether any federal or state agencies should be immediately notified and/or requested.

Depending upon the nature of the threat, further procedures and command protocols shall be established in accordance with applicable contingency plans (e.g., Emergency Management Plan and/or the Disaster and Civil Disturbance Manual, etc.).

Except where necessary to affect a successful resolution of an incident, the word "terrorism" or similar references should be avoided in radio transmissions.

5. Inter-agency Planning and Preparedness

The Chief of Police shall designate a specific individual (or individuals) to participate in terrorism-related, inter-agency planning and coordination.

At the County level, the Chief of Police shall designate one individual to serve as the Department's primary representative in the planning and implementation of countywide emergency preparedness measures. This individual may also perform other emergency management functions on behalf of the County Government, if so instructed by the County Manager.

Planning consultations shall also be maintained with such Federal agencies as the FBI and Defense Department, such state agencies such as the Virginia Emergency Operations Center and the Virginia State Police, and regional entities such as the Washington Metropolitan Council of Governments.