


| Office of the Independent Police Auditor Procedural Memorandum | |
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| No: 05 | Subject: Monitoring and Reviewing Investigations |
| Approval Date: November 30, 2023 | Review Date: November 30, 2026 |
| Signed by Richard Schott, Independent Police Auditor |  |

Purpose: This procedure describes when the OIPA monitors or reviews FCPD Administrative Investigations, and provides parameters for IPA monitoring and reviewing activities.

Monitoring Versus Reviewing Investigations

The IPA monitors FCPD investigations when alerted to an incident shortly after it occurs and when the investigation is ongoing/active. The cases that are monitored include:

- Cases that are opened Automatically¹ by the OIPA (i.e., use of force resulting in serious injury or death, officer-involved shootings, and in-custody deaths).
- Complaints submitted by the public to the FCPD or to the OIPA that have not yet been investigated or have not had an investigation completed.

The IPA reviews FCPD investigations when the FCPD has already completed its investigation into the incident or complaint. FCPD investigations are completed when the file contains the Investigations Findings and the Supervisor Review and Conclusions, and the Chief of Police (or his/her designee) has reviewed and signed off on the investigation.

How Monitoring Cases are Received

As described in *OIPA Procedure 04 Case Intake and Public Reports*, the OIPA receives monthly updates from IAB on any complaints made regarding use of force incidents.

After certain critical incidents such as an officer-involved shooting (OIS), the IPA is notified (typically within 24 hours) by IAB or the Chief of Police.

The OIPA also receives regular updates from the FCPD Public Affairs Bureau, and monitors the media and FCPD news for use of force incidents that may fall under OIPA authority.

IPA Monitoring Activities

For OISs the IPA is verbally apprised by IAB of the status of the investigation (typically within 2 days of the OIS), to include the name of the investigator assigned.

The IPA maintains an open line of communication with the investigator assigned. This may include attending Performance Review Board meetings and/or discussing developments in the investigation with the investigator and/or with the IAB Commander.

¹ See *Procedure 04: IPA Case Intake and Pubic Reports*.

The IPA does not participate in interviews while they are being conducted but views recordings of interviews after they are conducted.²

The IPA may review investigative documents as they are prepared. IAB makes the DRAFT Findings Memo prepared by the investigator available to the IPA after it has been peer-reviewed.

The IPA may provide input to the investigator and/or to the IAB Commander with suggestions for improving the investigation as part of the monitoring process. IPA input during an ongoing investigation may include, for example, a suggestion to seek physical/digital evidence, to interview or re-interview certain individuals, or to review a reported court opinion. If the IPA's input is not incorporated into the completed investigation, the IPA documents the potential deficiency in the IPA's final published report.

IPA Reviewing Activities

When an administrative investigation is completed, the IPA reviews all components of the investigation. The following are typically included in a completed administrative investigation:

- FCPD incident reports
- BWC and ICV footage
- Photographs, diagrams, and/or maps
- Department of Public Safety Communications data
- Computer-aided dispatch data
- Data from other departments involved in the response (e.g., Fairfax County Fire and Rescue Department (FCFRD))
- Interviews of FCPD officers and staff (e.g., subject matter experts)
- Interviews of complainants/involved FCPD officers
- Interviews of witnesses, to include FCPD officers and personnel from other departments (e.g., FCFRD)
- Officer training records

The IPA reviews the Investigations Findings Memo and the Supervisor Review and Conclusions Memo.

² Sitting in on or actively participating in interviews may be considered an investigative activity, and the IPA does not have investigative authority.

If conducted (e.g., for an OIS), the IPA also reviews the results of any FCPD criminal investigation and the findings/reports generated by the Office of the Commonwealth's Attorney.

IPA Conclusions

Whether a case is monitored and reviewed, or only reviewed following a completed investigation, the IPA's mandate is to issue a public report³ with a determination of whether the FCPD administrative investigation was complete, thorough, accurate, objective and impartial. The OIPA also provide recommendations for improved policies, training, and practices in published incident reports.

³ See *Procedure 04*.