



Fairfax County
Police Civilian Review Panel
Annual Report 2023

Building Community Trust Through Accountability

Fairfax County Police Civilian Review Panel: Annual Report 2023



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MESSAGE FROM THE CHAIR

The dedicated volunteers of the Fairfax County Police Civilian Review Panel (“PCR” or “Panel”) continue to build upon the foundation our predecessors laid for this important work. All members of the Fairfax County community have a right to be treated with fairness and courtesy when interacting with officers and staff of the Fairfax County Police Department (“FCPD”).

I am proud of the commitment to achieving these principles that each member of the Panel exemplifies. With each year, the Panel has increased awareness of its visibility in the community and, hopefully, increased trust in law enforcement in Fairfax County. Similarly, we strive to maintain and improve the necessary working relationship we have with FCPD. As this system of “checks and balances” is designed, we believe that a strong relationship with FCPD benefits the community. We also know, however, that there is work to do and we welcome the challenge. The PCR is as determined to give voice to community members’ concerns in a respectful manner as it is to identifying and addressing shortcomings in FCPD policies and practices, when appropriate.

We welcome your observations, recommendations, and constructive feedback – we are here for you!

Sincerely,

A handwritten signature in black ink, appearing to read "Todd L. Cranford". The signature is fluid and cursive, with a long horizontal line extending to the left.

Todd L. Cranford

EXECUTIVE SUMMARY

The PCRCP joins hundreds of similar civilian oversight bodies across the country in working to foster better communication and trust between law enforcement and the communities they have sworn to serve. Through their efforts, civilian oversight also seeks to improve policing, directly and indirectly. This is certainly true of the PCRCP. Through the intentional steps the PCRCP takes in the Fairfax County community to increase awareness of its role and activities, as well as the cooperative working relationship it continues to build with the Fairfax County Police Department (FCPD), the PCRCP seeks to improve policing in Fairfax County. Building these relationships and creating a culture of respect and understanding does not, however, happen overnight. It takes time and effort. This Annual Report highlights the PCRCP's activities and successes during 2023 in furthering these foundational goals. Appropriate oversight by both public officials and community members is essential to creating a culture of transparency and cooperation. In Fairfax County, the nine-member PCRCP and the Office of the Independent Police Auditor (OIPA) provide civilian oversight.

HISTORY OF THE POLICE CIVILIAN REVIEW PANEL

The PCRCP was born out of frustration with the perceived lack of transparency by the FCPD in connection with officer involved shootings. The PCRCP's origins can be traced to the work of the late Nicholas Beltrante, Jr., a retired District of Columbia homicide detective who, more than a decade ago, created the Citizens Coalition for Police Accountability (CCPA). The CCPA and others in the community worked diligently to persuade the Fairfax County Board of Supervisors (Board of Supervisors) to establish a civilian oversight body following the November 2009 fatal shooting of David Masters by an FCPD officer. A lack of communication from FCPD and Fairfax County officials about the investigation into the shooting caused suspicion and unease among many community members. This resulted in a demand for greater transparency and accountability, including some level of civilian oversight. Neither the Board of Supervisors nor FCPD, however, took significant steps to incorporate any measure of civilian oversight at that time.

Frustration with the process by which officer involved shootings were investigated arose again in the wake of the August 2013 fatal shooting of John Geer by an FCPD officer. The officer shot Mr. Geer, who had his hands raised above his head while a holstered gun laid on the ground nearby. This time, community outrage, combined with significant media attention and a more receptive Board of Supervisors, led to the establishment in 2013 of the Ad Hoc Police Practices Review Commission (the Commission). The Commission, in a contentious environment, submitted recommendations to the Board of Supervisors in October 2015, which resulted in a hybrid civilian oversight model, which includes both the PCRCP and an Independent Auditor. In December 2016, the Board of Supervisors approved the creation of the PCRCP based on a 2015 Commission recommendation.

PURPOSE, STRUCTURE, AND SCOPE

PCRCP is comprised of nine (9) Fairfax County residents appointed by the Board of Supervisors and who represent a cross-section of the community. PCRCP members serve voluntarily for a three-year term. The PCRCP's Bylaws state that, its mission is to "enhance police legitimacy and to build and maintain trust between the FCPD, the Board of Supervisors, and the public." The PCRCP is empowered to review completed FCPD Internal Affairs Bureau (IAB) investigations of complaints alleging **abuse of authority** or **serious misconduct** by an FCPD officer or civilian employee. The PCRCP's scope of review of the IAB's investigatory files is limited to considering the accuracy, completeness, thoroughness, objectivity, and impartiality of the investigation. The Panel does not have independent investigatory authority and is governed both by the Board of Supervisors-approved Bylaws and a Code of Ethics adopted by the PCRCP.

In Fairfax County, civilian oversight of FCPD operates under a hybrid model. The PCRCP reviews abuse of authority and serious misconduct complaints, while the Independent Police Auditor monitors and reviews internal investigations of FCPD officer-involved shootings, FCPD in-custody deaths, and use of force cases in which an individual is killed or seriously injured, or about which there is a public complaint.

Abuse of Authority and Serious Misconduct

The PCRP reviews complaints where a community member alleges that an FCPD officer or civilian employee has engaged in any of the following:

- Use of abusive racial, ethnic, or sexual language or gestures.
- Harassment or discrimination based on race, color, sexual orientation, gender, religion, national origin, marital status, age, familial status, immigration status, or disability.
- Acting in a rude, careless, angry, retaliatory, or threatening manner not necessary for self-defense.
- Reckless endangerment of a detainee or person in-custody; violation of laws or ordinances.
- Other serious violations of the county or FCPD policies or procedures, including the FCPD Canon of Ethics, that occur on or off duty.

The PCRP may hold public meetings on issues within the PCRP's jurisdiction and on law enforcement policies and practices at which community members are invited to provide comments to assist the PCRP in making recommendations for policy and practice changes to the Chief of Police and Board of Supervisors. The PCRP may also meet periodically with the Independent Police Auditor concerning its findings and conclusions in use of force cases so that the PCRP can provide its views to the Board of Supervisors and the Chief of Police as to changes in policies and practices that may be warranted.

INCREASING COMMUNITY IMPACT

In February 2022, the PCRP expanded its administrative capacity and ability to engage in community outreach with the Board of Supervisors' hiring of the PCRP's first Executive Director, Steven Richardson. Mr. Richardson and the Panel received additional support with the hiring of Sanjida Lisa, a Management Analyst I, who joined the Panel from the FCPD. Both hires significantly expanded the Panel's visibility and ability to engage with community members. The addition of full-time staff to support the Panel's work has improved the Panel's operational capacity. We continue to strive to bring greater awareness of the PCRP and its activities to the

community and build upon the good work of the Panel’s staff. This progress was, however, slowed in 2023 following Mr. Richardson’s resignation as our Executive Director. We thank him for his contributions to the Panel and the Fairfax County community. The Panel anticipates that the Board of Supervisors will hire a Panel Liaison, previously the Executive Director, to build upon the advances we have made.

In 2024, the Panel will continue to periodically hold some of its public meetings in locations around the county in addition to the Fairfax County Government Center to increase awareness of and accessibility to the Panel’s work.

YEAR IN REVIEW

PCRP Meetings

The PCRP conducts regular business meetings once per month and meets in subcommittee to conduct initial review of complaints. In addition to our meetings held at the Government Center, the following meetings were held in various locations around the community in 2023¹.

- March 16, 2023 at First Baptist Church of Vienna
- April 6, 2023 at George Mason University
- May 4, 2023 at the WISH Center in Alexandria
- June 1, 2023 at Temple Rodef Shalom
- July 6, 2023 at the Cathy Hudgins Community Center in Reston
- August 3, 2023 at the Woodrow Wilson Library

Complaint Intake and Case Review

The Panel processes complaints from the public and forwards them to the FCPD for investigation (see Appendix). In 2023², the Panel received 17 Initial Complaints from the public,

¹ Meetings are summarized for the term in which Chair Cranford served as Panel Chair: March 1, 2023-February 29, 2024.

² Complaints and Review Requests are summarized by calendar year.

which are complaints that are not yet investigated. When the FCPD completes its investigation into complaints, the public can request a review by the Panel if they are not satisfied with the outcome of the investigation. Three (3) of the 8 complainants who submitted their Initial Complaint to the Panel in 2023 and received the investigation results, have requested that the investigation be reviewed by the Panel.

In 2023, the PCRCP received 10 Request for Reviews from individuals who were not satisfied after receiving the results of an FCPD investigation into their complaint. The Panel conducted an Initial Review of 6 Request for Reviews using their subcommittee process. A three-person subcommittee reviewed the IAB investigative file and considered whether the complaint alleged serious misconduct or abuse of authority, and made a recommendation of whether the full Panel should review the investigation. In 2023, the full Panel did not believe that any of the complaints filed met the stated criteria for review.

Training

Panel members participated in a Community Workshop on Use of Force hosted by the FCPD on April 29, 2023, where they learned about FCPD procedures, training, and use of force options, participated in interactive scenarios, and viewed force demonstrations to gain a better understanding of FCPD officer responses to critical incidents.

In November, 2023, several Panel members, along with the Independent Police Auditor and staff, attended the National Association for Civilian Oversight of Law Enforcement (NACOLE) conference in Chicago, IL. The NACOLE conference brings together civilian oversight bodies, citizen watchdog groups, and law enforcement agencies from around the world. NACOLE is a non-profit organization “that works to create a community of support for independent, civilian oversight entities that seek to make their local law enforcement agencies, jails, and prisons more transparent, accountable, and responsive to the communities they serve.”

INCREASED EFFICACY IN PCRP REVIEW OF COMPLAINTS

The Panel and staff constantly consider ways in which the Panel can be more efficient and effective in its review of complaints. In 2023, the Panel initiated a review of its policies and practices relating to complaint review by subcommittees and the full Panel. This review resulted in changes to Panel procedure that include increased opportunities for community feedback in public forums and codifying opportunities for complainants to address the Panel during public meetings. The goal of these and similar changes is to increase access to and understanding of Panel procedures.

ACKNOWLEDGEMENTS

The Panel thanks the Board of Supervisors, and in particular, Chairman Jeff McKay and Safety and Security Committee Chairman Rodney Lusk, for their continued leadership and support. The PCRP extends its gratitude to our community partners. The PCRP thanks County Executive Bryan Hill and Deputy County Executive for Public Safety Thomas Arnold, FCPD Chief Kevin Davis, Majors Todd Billeb and John Lieb, the IAB team, and the men and women of FCPD, for their support of the Panel's work. Finally, we also recognize and thank our OIPA colleagues, Richard Schott and Rachelle Ramirez, who, in the absence of an Executive Director, were instrumental in assisting Ms. Lisa and the Panel to ensure that the Panel's work proceeded. They are valued partners in this work of civilian oversight.



APPENDIX A: COMPLAINTS AND REQUESTS FOR REVIEW RECEIVED BY THE PANEL, 2019 – 2023

Prepared January 31, 2024

	2019	2020	2021	2022	2023	All Years
Number of All Complaints filed against the FCPD (includes Initial Complaints & Review Requests)	29	35	28	24	27	143

Number of Initial Complaints Filed with the Panel	20	21	14	21	17	93
Number of Initial Complaints received that year that were later requested to be reviewed by the Panel (data as of 1/31/2024)	5	11	9	3	3	31
Number of Initial Complaints in progress at end of 2023 (Active Initial Complaint Cases as of 12/31/2023) (FCPD investigation ongoing as of 12/31/2023)	N/A	N/A	N/A	N/A	9	9

Number of Review Requests Filed with the Panel*	9	14	14	3	10	50
Number of Review Requests Reviewed by a Subcommittee in year (Initial Review)	8	9	9	5	6	37
Number of Review Requests Reviewed by Full Panel in year	3	5	0	1	0	9
Number of Review Requests in progress at end of 2023 (Active Review Request Cases as of 12/31/2023)	N/A	N/A	N/A	N/A	4	4

Allegations[#]	2019	2020	2021	2022	2023	All Years
Bias - race/ethnicity	6	4	6	3	3	22
Bias - other discrimination	1			1	4	6
False arrest/Malicious prosecution	3	4	2	1	3	13
FCPD communication issue	1	4			3	8
Harassment	3	4	2	1	2	12
Hostile/threatening manner	2	3	2	2	5	14
Illegal search	1	1	1			3
Illegal stop						0
Failed to File Report or Investigate/Incomplete investigation	1		4	1	2	8
Law/FCPD policy violation	6	9	7	19	7	48
Misconduct					1	1
Negligence	4				1	5
Officer did not identify		1	1			2
Officer had unprofessional manner	1	9		4	6	20
Officer was untruthful	4	5		3	4	16
Other	4	1	2			7
Use of Force	1	3		8	2	14
Grand Total	38	48	27	43	43	199

Notes:

* Some Review Requests are denied due to being time-barred and do not go to an Initial Review subcommittee.

In 2023, 1 Review Request was denied due to pre-dating the Panel's inception in 2016.

There may be multiple allegations associated with a single complaint.