



**OFFICE OF FINANCIAL AND PROGRAM AUDIT
NOVEMBER 2021 QUARTERLY REPORT**

**BOARD OF SUPERVISORS
AUDITOR OF THE BOARD**

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Fairfax County
Office of Financial and Program Audit



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REPORT ABSTRACT

Working under the guidance and direction of the Audit Committee (AC), the Auditor of the Board provides an independent means for assessing management's compliance with policies, programs and resources authorized by the Board of Supervisors (BOS). Further to this process, efforts are made to gain reasonable assurance that management complies with all appropriate statutes, ordinances and directives.

This agency plans, designs, and conducts studies, surveys, evaluations and investigations of County agencies as assigned by the BOS or the AC. For each study conducted, the agency focuses primarily on the County's Corporate Stewardship vision elements. The agency does this by developing, whenever possible, information during the studies performed which are used to maximize County revenues or reduce County expenditures.

To assist the Office of Financial and Program Audit (OFPA) with executing the responsibilities under our charge, members of the Fairfax County BOS submit study recommendations of which the findings and management responses are included in published studies. This process is utilized to provide the constituents, BOS and management reasonable assurance that fiscal and physical controls exist within the County.

Additionally, this agency conducts follow-up work on prior period studies. As part of the post study work conducted, we review the agreed upon managements' action plans. To facilitate the process, we collaborate with management prior to completion of studies. Through this collaboration, timelines for the implementation of corrective action and status updates are documented for presentation at the upcoming AC Meetings.

The results of studies may not highlight all the risks/exposures, process gaps, revenue enhancements and/or expense reductions which could exist. Items reported are those which could be assessed within the scheduled timeframe, and overall organization's data-mining results. The execution of the OFPA's studies are facilitated through various processes such as; sample selections whereby documents are selected and support documentation is requested for compliance and other testing attributes. Our audit approach includes interviewing appropriate staff and substantive transaction testing. OFPA staff employs a holistic approach to assess agencies/departments whereby the review is performed utilizing a flow from origination to closeout for the areas under review.

There are several types of studies performed by OFPA, e.g.; operational, financial, compliance, internal controls, etc. To that end, it is important to note; OFPA staff reserves the option to perform a holistic financial and analytical data-mining process on all data for the organization being reviewed where appropriate. This practice is most often employed to perform reviews for highly transactional studies.

FAIRFAX COUNTY POLICE DEPARTMENT
SEIZED & INVENTORIED PROPERTY REVIEW AND FOLLOW-UP STUDY

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FCPD SEIZED & INVENTORIED PROPERTY REVIEW AND FOLLOW-UP STUDY

OVERVIEW AND UPDATES

The results of this study may not highlight all the risks/exposures, process gaps, revenue enhancements and/or expense reductions which could exist. Items reported are those which could be assessed within the scheduled timeframe, and overall organization's data-mining results. **Office of Financial and Program Audit (OFPA's) studies** are facilitated through several processes such as: sample selections, compliance support documentation and various testing approaches. There are several types of studies performed by OFPA, e.g.: performance, operational, financial, compliance, etc. To that end, it is important to note OFPA staff reserves the option to perform a holistic financial and analytical data-mining process on all data for the organization being reviewed where appropriate. This practice is most often employed to perform reviews for highly transactional studies.

This study was originally performed by our office in September 2017. Several recommendations were made, implementation dates were extended and have passed. The physical and fiscal controls over seized and inventoried property are under the purview of the Fairfax County Police Department (FCPD). At the time of the previous study, FCPD staff provided an estimate of **~130,000** items stored at the main property room; actual dollar value of the items could not be determined. The inventoried items included a sundry list of seized properties, including firearms, contraband, and money.

This quarter's study included a follow-up on the status of recommendations issued in the prior report and review areas not previously performed. FCPD utilizes two inventory systems to track collected evidence records, ILeads and Quetel. ILeads is the main system utilized by officers to input collected evidence. Quetel retains data records for older evidence migrated from BEAST (the legacy system). At the time of this study, the current inventory counts in record are:

- ILeads: **118,588** Collected Between **2010** to **2021**
- Quetel: **17,949** Collected Between **1961** to **2020**

OFPA performed onsite visits to the main property room, Sully District Station, and Fair Oaks District Station to test for physical existence, staging of property, record maintenance and potential security risks. Several interviews were conducted with FCPD staff to understand the nature of operations performed related to record maintenance, collections, and disposal/release of evidence.

Work Plan Review Areas:

- **Evidence Custody, Valuation, and Disposal**
- **Evidence Sales/Auctions and Revenue Recognition**
- **Vendor Contracting (Covanta) for FCPD & Other Agencies**
- **Follow-Up and New Reporting on Collected Evidence**

Additional Review Areas Covered:

- **Case Adjudication & Existing Inventory**
- **Inventory Records Maintenance**
- **Inventory Release**

OBSERVATIONS AND ACTION PLANS

The following tables detail the observations and recommendations for this study along with management's responses.

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PRIOR STUDY FOLLOW-UPS

Observation

Security Camera Coverage: The security cameras are now networked whereby all property room staff have access to view on their computers.

- *OFPA verified the cameras were networked on the system during an onsite visit at the main property room.*

Service Delivery of Disposition Vendor: FCPD informed our office Covanta is now operational.

- *Our review of current inventory still revealed a backlog of 2,664 collected evidence eligible for release or destruction.*

Sales/Auctions of Seized Property: Historically, seized property not released to defendants or other entities were either sold/auctioned.

- *Currently, seized items are not sold or auctioned. These items are transferred to the State of VA or retained by the agency.*

Court Case Status Tracking: Court case status for collected evidence was not tracked by FCPD within the lLeads and Beast systems at the time of the prior study.

- *At the time of this study, cases and collected evidence were not tracked in lLeads and the new system Quetel.*
- *31 cases and evidence items were tested in the current study. Court case status was not provided for 21 out of 31 (or 68%).*

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COURT CASE STATUS FOR COLLECTED EVIDENCE

Observation

We reviewed a sample of **31 out of 136,537** collected evidence items tracked in the *ILeads* and *Quetel* systems to identify court case status.

- Items included; contraband, firearms, money, jewelry, electronics, and clothing
- Items remained in inventory between **1982 to 2019 (or 14,527 to 938 days)** *based on offense or data entry date.*

The tables below summarize the information collected by FCPD for this review. Further details available upon request.

Adjudicated Case Status & Collected Evidence (ILeads & Quetel)			
Court Case Status	Count	Date Range	Property Type
Adjudicated	3	2009 to 2017	Money, Jewelery, Bullet, DNA, Clothing, Firearms, Cellphones, Drugs
Nolle Prosequi	4	2013 to 2018	Drugs, Money, Jewelery, Cellphones
Case Still Active	2	2013 to 2016	Drugs, Money, Jewelery, Clothing, Cellphones, Speakers
Prosecution Declined	2	2011 to 2015	Money, Drugs
Total:	11		

Note: Nolle prosequi is a legal notice or entry of record that the prosecutor or plaintiff has decided to abandon the prosecution or lawsuit.

Cases W/O Adjudication & Collected Evidence (ILeads & Quetel)			
Court Case Status	Count	Date Range	Property Type
No Status - Quetel	18	1982 to 2009	Drugs, Money, DNA, Jewelery, Electronics, Firearms, Cellphones, Clothing
No Status - ILeads	6	2012 to 2016	Firearms, Drugs, Money, Bullets, Clothing, DNA
Total:	24		
Grand Total:	35		

Court Case Status Review Results:

- Adjudicated Cases/Evidence In Inventory: 5 out of 31 (or 16%):
 - **Extrapolation** $136,537 \times 16\% = \sim 21,846$
- Evidence in Inventory Without Court Case Status: 21 out of 31 (or 68%):
 - **Extrapolation** $136,537 \times 68\% = \sim 92,845$
- Nolle Prosequi - Evidence in Inventory: 3 out of 31 (or 10%):
 - **Extrapolation** $136,537 \times 10\% = \sim 13,654$
- Active Cases - Evidence in Inventory: 2 out of 31 (or 6%):
 - **Extrapolation** $136,537 \times 6\% = \sim 8,192$

Summary Note:

Based on extrapolation, **68%** of the **136,537** cases (Provided by FCPD) or **~92,845** were without adjudication status. This count excludes **32%** or **42,692** cases designated as Adjudicated, Nolle Prosequi, or Active Cases, based on the same extrapolation process.

Adjudication status could be used in assessing if and how long items can be held in inventory, released, sent for destruction, manage inventory backlog, and the reduction of held inventory. *This list if not*

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exhaustive. Without this information, warehoused inventory could continue to unduly encumber inventory storage resulting in the use of makeshift alternatives.

FCPD Officers are responsible for updating the inventory records related to evidence custody.

Recommendation

This area of improvement has been discussed with Major Thea Pirnat (the commander of the Resource Management Bureau). We recommend FCPD staff work with the appropriate parties to identify court case functionality through a system enhancement if feasible. If determined that an automated solution is not feasible, we recommend that a reporting standard be employed for persons responsible for maintaining accurate records, *including but not limited to*, requiring timely data entry of related information by FCPD Officers.

Additionally, we recommend FCPD implement periodic reviews for the evidence records at a frequency (*deemed appropriate by management*) to assess the completeness and accuracy of the evidence records. Also, evidence inventory related to misdemeanor court cases, past the one-year SOL, should be reviewed for appropriate action (***considering complexities and companion cases***). The application of these enhancements could reduce inventory maintained to free areas in the property room to reduce the number of items stored temporarily. There are costs, other than sunk costs, associated with the storage of inventory where efforts should be made to reduce. At the time of this study, these costs could not be identified for inclusion. The compilation of these costs will be performed under another study.

Action Plan

Point of Contact	Target Implementation Date	Email Address
Thea Pirnat (Major, FCPD)	Outstanding Warrant & Evidence Purge Overlap 1/1/2022	Thea.Pirnat@fairfaxcounty.gov
Anne Rizza (Lt., FCPD)		Anne.Rizza@fairfaxcounty.gov
Joanna Culkin (Lt., FCPD)		Joanna.Culkin@fairfaxcounty.gov

MANAGEMENT RESPONSE:

Based on the statute of limitations, other legal considerations such as civil litigation, and the limitations of our existing Record Management System and court information, Management believes the onus of updating and purging property should remain with the case officer/detective and not staff with the Property and Evidence Section as the case officer/detective will have the most complete information surrounding the status of cases and the need to retain evidence.

The Department also has a policy in place to ensure that officers review their property lists on a quarterly basis to determine if evidence status can be updated, to ensure that evidence is not being held unnecessarily. In addition to this quarterly review, when an officer retires or resigns, they are

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required to do a final check of any evidence/property that they may be the case officer for, and they must either purge (release/destroy) or transfer the property to another officer who is taking over any cases that will remain active.

Action:

To further enhance efforts to purge unnecessary property and evidence, the Judicial Services Division will overlap efforts to purge warrants with associated evidence. The Warrant Desk Section conducts quarterly reviews with the Commonwealth Attorney's Office of unserved warrants to ensure they are still viable for prosecution based on the age of the warrant, the availability of officers, victims, or witnesses, and the type of offense. Effective **January 1, 2022**, the Property and Evidence Section and case officers will be notified of all warrant purge decisions to evaluate the need for continued retention of associated evidence and property.

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INVENTORY RECORDS MANAGEMENT

Observation

We identified several data fields in the *ILeads*, and *Quetel* systems whereby collected evidence information was incomplete and/or missing, such as:

- Disposition officer, property category, disposition code, disposition date, and property make/model (for ILeads)
- Disposition code, disposition/storage category, and evidence value (for Quetel)

ILeads Analysis: Total of **80,356** *evidence items* with two or more missing data fields. Some data fields will not be populated until the officer changes property status.

- A total of **389,739** *data fields* were **blank** of which **160,712** *fields removed and deemed not critical* resulting in **229,027** data fields identified as reportable. Data fields removed were Property Make/Model and Property Value.

Quetel Analysis: Total of **17,800** *evidence items* with *missing data fields*. Some data fields will not be populated until the officer changes the property status.

- A total of **64,755** *data fields* were **blank** of which **17,800** *fields removed and deemed not critical* resulting in **46,955** data fields identified as reportable. Data field removed was Property Value.

The total number of **evidence items** with three or more missing data fields, for the combined reports totaled **98,156**.

The total number of **missing data fields**, for the combined reports were **275,982**.

The ILeads report was run on **10/22/2021**. The Quetel report was run on **10/12/2021**. The tables below summarize our analyses:

ILeads Current Inventory Records Review: <i>(Blank Data Fields)</i> Data File Provided: 10/22/2021 Item Date Range: 2010 to 2020 Item Count: 80,356		
List	Blank Data Fields	Count
1	Recording Disposition Officer, Property Category, Recommended Disposition Code, Recommendation Disposition Date, Property (Make & Model)	2,617
2	Recording Disposition Officer, Recommended Disposition Code, Recommendation Disposition Date, Property (Make & Model)	70,410
3	Recording Disposition Officer, Recommended Disposition Code, Recommendation Disposition Date	7,329
Total Number of Collected Evidence w/Missing Data Fields in the Inventory Records:		80,356
		Total Number of Collected Evidence: 99,496
		Percentage of Collected Evidence w/Missing Data Fields: 81%
Note: The three lists in this table are exclusive of each other.		

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Quetel Current Inventory Records Review: <i>(Blank Data Fields)</i>		
Data Files Provided: <i>10/12/2021</i>		
Item Date Range: <i>1961 to 2020</i>		
Item Count: <i>17,800</i>		
List	Blank Data Fields	Count
1	Disposition Code, Disposition Category, Storage Category, Evidence Value	11,355
2	Disposition Code, Disposition Category, Evidence Value	6,445
Total Number of Collected Evidence w/Missing Data Fields in the Inventory Records:		17,800
Total Number of Collected Evidence:		17,949
Percentage of Collected Evidence w/Missing Data Fields:		99.17%
<i>Note: The two lists in this table are exclusive of each other.</i>		

Recommendation

Maintaining complete and accurate data (*for line items where applicable*) is an integral part of inventory management. We recommend review and cleanup efforts are employed (*going forward*) to stratify the missing data to assess the cause and responsible parties. The report should also be stratified to identify data fields deemed no longer collectable or *not needed*.

For areas where data is deemed not collectable due to officers no longer employed, no historical source data retained and/or other insurmountable instances, we recommend FCPD leadership liaise with the Office of the County Attorney and/or the Commonwealth Attorney, to make determinations as the continued storage of these items. This should include the handling of evidence that fall under the past SOL status designation. This information can be used to identify areas for enhancement.

There are costs, other than sunk costs, associated with the storage of inventory where efforts should be made to reduce. At the time of this study these costs could not be identified for inclusion. The compilation of these costs will be performed under another study.

Action Plan

Point of Contact	Target Implementation Date	Email Address
Thea Pirnat (Major, FCPD)	Policy Update 7/1/2022	Thea.Pirnat@fairfaxcounty.gov
Anne Rizza (Lt., FCPD)	Training 10/1/2022	Anne.Rizza@fairfaxcounty.gov
Joanna Culkin (Lt., FCPD)	New RMS TBD 2024-2026	Joanna.Culkin@fairfaxcounty.gov

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MANAGEMENT RESPONSE:

Action:

The Department is currently exploring a new Record Management System which will likely incorporate the evidence/property storage database. The Property and Evidence Section will expand upon existing polices within our Report Writing Manual to provide officers clear guidance on appropriate data fields based on category of evidence with an implementation date of **July 1, 2022**, ensure updated training is completed to further this guidance with an implantation date of **October 1, 2022**, and work with the Police Information Technology Bureau on enhancements to the new Record Management System. The Property and Evidence Section will recommend all data fields have a Not Applicable drop down for situations where they should remain blank to avoid empty fields. The projected date of the new Record Management System is **two to four years away**.

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PHYSICAL INVENTORY MANAGEMENT

Observation

FCPD seized inventory is warehoused as: evidence, releasable, and destruction in the *ILeads* and *Quetel* inventory systems. During our onsite visits, we visually identified a large number of collected evidence marked for destruction or release which was purported by staff as backlogged. These backlogged items reduce the available storage space in the facility, resulting in items being temporarily staged.

- ILeads: **1,384** items marked for release and still in inventory, between **2016** and **2021**.
- ILeads: **1,199** items marked for release (w/o release dates) and still in inventory, between **2016** and **2021**.

ILeads Items Marked for Release Designated by Officer or Past 60 Day Property Owner Pickup Window Full Population: 1,384			
Release Year	Count	Percentage	Release Year Range
= 2021	146	10.5%	Jan 2021 to Sep 2021
<= 2020	39	2.8%	2016 to 2021
No Date	1,199	86.6%	N/A
Total:	1,384	100%	2018 to 2021
Items Marked for Release with No Release Date Designated by Officer Count: 1,199			
Data Entry Year	Count	Percentage	Data Entry Year Range
= 2021	956	79.7%	Jan 2021 to Oct 2021
<= 2020	243	20.3%	2013 to 2021
Total:	1,199	100%	2013 to 2021

Third-party vendors used for destruction are, Covanta Fairfax Inc and Veolia Environmental Services.

- ILeads & Quetel: **1,272** items marked for **destruction** and still in inventory, between **1995** and **2021**
- ILeads: **1,011** firearms marked for **destruction** (w/o destruction **dates**) still in inventory between **2018** and **2021**
- ILeads: **518** (out of **1,218** or **43%**) of firearms still in inventory marked for **destruction** between **2018** and **2021**
- Quetel: **54** items marked for **destruction** and still in inventory, between **1995** and **2010**

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ILeads Items Marked for Destruction Designated by Officer or Past 60 Day Property Owner Pickup Window Full Population: 1,218			
Destruction Year	Count	Percentage	Destruction Year Range
= 2021	183	15.0%	Jan 2021 to Sep 2021
<= 2020	24	2.0%	2018 to 2021
No Date	1,011	83.0%	N/A
Total:	1,218	100%	2018 to 2021
Items Marked for Destruction with No Destruction Date Designated by Officer Count: 1,011			
Data Entry Year	Count	Percentage	Data Entry Year Range
=2021	685	67.8%	Jan 2021 to Oct 2021
<= 2020	326	32.2%	2013 to 2021
Total:	1,011	100%	2013 to 2021

Quetel Items Marked For Destruction or Release Designated by Officer or Past 60 Day Property Owner Pickup Window Full Population: 17,949			
Disposition Category	Count	Percentage	Offense Year
Marked For Destruction	54	0.30%	1995 to 2010
Marked For Release	8	0.04%	2005 to 2009
No Category	17,887	99.65%	1961 to 2020
Total:	17,949	100%	1961 to 2020
Note: Disposition date data field not part of Quetel file			

The delays in the release and destruction of **firearms** and other items with those disposition designations have an adverse impact on the storage space and staging of active evidence.

Purported by staff, firearms evidence marked for destruction backlog contributed to the lack of available evidence storage space. This is a result of delays in firearm testing for inclusion in the crime tracking system and the completion of the facility to store these firearms. The estimated completion date of the facility is August 2022.

Recommendation

OFPA recommends staff improve on the completeness of collected evidence records to assist with expediting the release and destruction of inventory still being warehoused. Additionally, following completion of construction of this storage facility, OFPA recommends that FCPD expedite the firearm testing process for inclusion of these firearm in the crime tracking system when appropriate. Upon the completion of the storage facility a process aligned with the testing procedures should be employed to facilitate the proper storage of these items.

We also recommend FCPD implement a periodic review process (*frequency deemed appropriate by management*) to be performed on the firearm testing and storage procedures going-forward to minimize

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future backlogs. These enhancements should assist in reducing the number of firearms pending destruction and increase available storage capacity at the property room.

Action Plan

Point of Contact	Target Implementation Date	Email Address
Thea Pirnat (Major, FCPD)	Firearms 4/1/2022	Thea.Pirnat@fairfaxcounty.gov
Anne Rizza (Lt., FCPD)	General Release/Purge 4/1/2022	Anne.Rizza@fairfaxcounty.gov
Joanna Culkin (Lt., FCPD)		Joanna.Culkin@fairfaxcounty.gov

MANAGEMENT RESPONSE:

The destruction of expired releasable items was paused for approximately a year (March 2020-March 2021) due to the pandemic. The number of items being processed for release were also limited due to the pandemic as physical contact with the public was limited for safety reasons.

Action:

The Property and Evidence Section negotiated with the Crime Scene Section on their destruction expectations for firearms. They have rescinded their order to hold all firearms and the Property and Evidence Section will proceed with the destruction of firearms that are not deemed eligible for NIBIN analysis. As a result, the Property and Evidence Section anticipates being able to rectify the backlog of firearms marked for destruction and address the overflow storage issue it has created by **April 1, 2022**.

The Property and Evidence Section continues to work through catching up on the backlog of property and evidence marked for release and destruction. Since October 22, 2021, more than 800 expired releasable items have been destroyed. The Property and Evidence Section anticipates improved workflow once the two property and evidence vacancies are filled and the employees on extended leave return to work around **April 1, 2022**.

STAGING OF INVENTORY

Observation

We performed walkthroughs of the main property room, Sully District Station, and Fair Oaks District Station to identify areas of potential risk. While no areas were identified at the district stations, we did observe some notable areas at the main property room:

Active Evidence Stored with Items Marked for Destruction

We observed two instances of inventory stored together, evidence and destruction items. Staff purported this is due to lack of storage capacity. Per International Association for Property and Evidence, Inc. (IAPE) Professional Standards, storing firearms, drugs, and money for destruction/transfer in an area away from active evidence provides a method to better track and visually monitor items pending destruction. These standards also highlight items pending release or destruction are most vulnerable and have the greatest likelihood of being pilfered from storage. These standards have been acknowledged by nine Public Safety agencies across the country (*east and west coasts*).

The two locations we identified were (*Based on warehouse walkthroughs and interview with staff*). *During with the walkthrough, an actual count could not be obtained but appeared significant enough to report*):

- **Money Room:** Firearms marked for destruction stored in active money evidence room
- **Gun Room:** Firearms marked for destruction stored in active gun evidence room
- **Drug Room:** Drugs marked for destruction stored in active drug evidence room

Evidence Racks in Hallway

We observed storage racks staged on the first and second floors of the facility. Property room staff informed us that this **active evidence** stored in the hallways on these racks are DNA swabs. The backlog of collected evidence marked for release and destruction appear to have a direct impact on the lack of space in the facility. We observed the following:

- **1st Floor of Facility:** 15 Storage Racks With Physical Evidence Recovery Kits (PERK)
- **2nd Floor of Facility:** 11 Storage Racks With DNA Swabs and Other Evidence

Recommendation

As mentioned above, International Association for Property and Evidence, Inc. (IAPE) Professional Standards, storing firearms, drugs, and money for destruction/transfer in an area away from active evidence provides a method to better track and visually monitor the quantity of items pending destruction. We recommend that consideration is given to this practice by FCPD whereby **active evidence** is segregated from items marked for destruction, into different areas.

While FCPD is not required to follow these standards, consideration should be given for some of these practices as they do provide guidance for good governance and have been acknowledged by nine Public Safety agencies across the country (*east and west coasts*). Noted by this report on Property and Evidence Professional Standards, firearms, drugs and money marked pending destruction/transfer have the greatest likelihood of being pilfered from storage.

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The use of temporary staging areas for **active evidence** in racks in hallways (such as DNA) unduly exposes these items to contamination or destruction. The recommendation to reduce the backlog of items for release and destruction included in the Physical Inventory Management observation should assist in reducing the use of makeshift storage areas.

Action Plan

Point of Contact	Target Implementation Date	Email Address
Thea Pirnat (Major, FCPD)	Firearms 4/1/2022	Thea.Pirnat@fairfaxcounty.gov
Anne Rizza (Lt., FCPD)	Drugs Design: 12/31/2022 Building: 12/31/2025	Anne.Rizza@fairfaxcounty.gov
Joanna Culkin (Lt., FCPD)	Storage Racks: Ongoing	Joanna.Culkin@fairfaxcounty.gov

MANAGEMENT RESPONSE:

Action:
Firearms

This halt to the normal destruction proves for firearms, albeit only temporary, did result in an overflow of firearm storage required beyond what is normally expected. Unfortunately, this did result in overflow firearms marked for destruction being stored within the same room as currency and the same room as firearms being held as evidence. The Property and Evidence Section employees did safeguard these firearms by ensuring the ones marked for destructions were segregated within the space to uphold the best practice standards required under the Commission on Accreditation for Law Enforcement (CALEA).

Additionally, the Property and Evidence Section negotiated with the Crime Scene Section on their destruction expectations. They have rescinded their order to hold all firearms and the Property and Evidence Section will proceed with the destruction of firearms that are not deemed eligible for NIBIN analysis. As a result, the Property and Evidence Section anticipates being able to rectify the backlog of firearms marked for destruction and address the overflow storage issue it has created by **April 1, 2022**.

Action:
Drugs

The Property and Evidence Section currently has one room with the enhanced security features and temperature controls necessary to store narcotics. As such, both evidentiary narcotics and narcotics marked for destruction are stored in the same room but segregated within the room and clearly marked. The security enhancements and segregation methods within the room meet the requirements of

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CALEA. There is no immediate remedy to this with the current space limitations. However, the Department's future Judicial One building, which will include a new property and evidence storage facility, is in the pre-design phase. The Department's Facilities and Security Director and the Property and Evidence Staff have already shared this recommendation provided to Capital Facilities for design considerations. The Department is confident that the facility's design will incorporate either a dual room storage method for narcotics or an enhanced segregation design if dual rooms are cost prohibitive. The final design to be submitted for approval is anticipated by **December 31, 2022**, however, the build will not likely be completed until **fall of 2027**.

Evidence Racks in the Hallway

The PES agrees the utilization of hallways for storage is not ideal and will be remedied with the future build of the Judicial One. The PES will make an **ongoing** effort to reduce and remove the existing evidence storage in the hallways through appropriate property and evidence purge efforts to make room in alternative locations wherever possible. The purge results are expected to be more substantial in 2022 as court hearings begin to resume at paces closer to pre-pandemic standards.

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FIELD REPORTS FOR CRIME SCENE EVIDENCE COLLECTIONS

For Consideration By FCPD Leadership

Prior to the use of body worn cameras, Crime Scene evidence collected was documented in notepads carried by the officers. The onus was and is on the officer to maintain the notes, which is maintained offsite in the custody of the officer. In Virginia, no statute of limitations exists for felony cases. Based on limited available FCPD case status data, our analytics revealed cases open aged past **2013**. We did data mine the full collected evidence inventory data which revealed inventory aged past **1961**. Due to the limitations related to incomplete data, which should be populated by officers, the status of a large count of the cases is not available. Also, the files used for datamining these cases does not delineate between felony or misdemeanor cases, so the actual count of only felony cases was not available for this study.

This observation is to merely open the discussion of how and where these field notes, which could be used to support open cases, should be housed.

Commentary by Leadership:

The Police Department provides officers with pocket size notebooks and notepads for writing down daily notes in the field. All pertinent information should be transferred from the officers' notebooks to the official police incident report. These notebooks are not intended to be the sole repository for the details of an incident which include an officer's actions, observations, or other information gathered via witness, victim, or suspect statements.

For serious cases, officers and detectives include copies of their notes within case files that are subsequently archived at the conclusion of all police and related court adjudications. Those case files are then retained for a length of time determined by the Library of Virginia based on case type. It's important to note that the Department receives regular court orders requiring expungement of case details. The Expungement Division notifies the affected officers/detectives of the expungement order, and they are required to locate and destroy all notes related to the expungement order. This practice of having the case officer identify and destroy their own notes is simpler than attempting to have staff locate the relevant pages of handwritten notes from different officers which will all utilize different note taking styles.

For these reasons, management believes that notebooks and notepads should remain housed with the officers.

Fairfax County
Office of Financial and Program Audit

ADDENDUM SHEET

OFPA (November 2021 /Agency Report and/or Debriefing)

11/23/2021

The table below lists discussions from the Audit Committee.

<i>Location in Report</i>	<i>Comments</i>

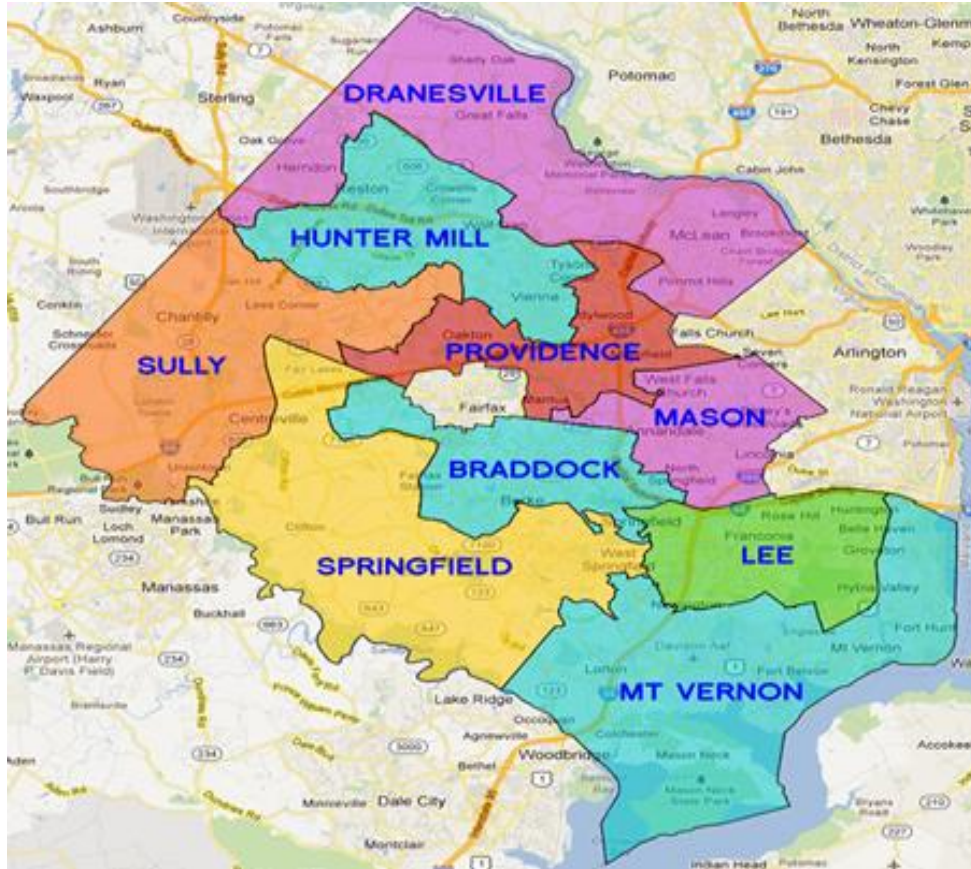
~End~

**Fairfax County
Office of Financial and Program Audit**

LIST OF ACRONYMS

AC	Audit Committee
ATF	Bureau Alcohol, Tobacco, Firearms, and Explosives
BOS	Board of Supervisors
FCPD	Fairfax County Police Department
IAPE	International Association for Property and Evidence, Inc.
NIBIN	National Integrated Ballistic Information Network
OFPA	Office of Financial and Program Audit
PERK	Physical Evidence Recovery Kit
PSTOC	Public Safety and Transportation Operation Center
SOL	Statute of Limitations

**Fairfax County
Office of Financial and Program Audit**



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