

Office of the Independent Police Auditor

Mission

The Office of the Independent Police Auditor bolsters trust between the citizens of Fairfax County and the Fairfax County Police Department by providing accountability, fairness, transparency and trust in the complaint system and investigative process. The Office of the Independent Police Auditor also provides an accessible, safe, impartial, and responsive intake venue for complaints against the Fairfax County Police Department and its employees.

Focus

The Office of the Independent Police Auditor (OIPA) was established by the Fairfax County Board of Supervisors (BOS) on September 20, 2016, in response to recommendations from the Ad-Hoc Police Practices Review Commission. In creating the OIPA, the BOS mandated that the Auditor shall review Fairfax County Police Department (FCPD) use of force investigations that involve serious injury or death, including officer involved shootings, or which are the subject of a public complaint made to the FCPD or the Auditor.

The OIPA monitors and reviews internal investigations of all relevant use of force cases and in-custody deaths to determine the thoroughness, completeness, accuracy, objectivity, and impartiality of FCPD investigations. The OIPA issues a public report for each reviewed internal/administrative investigation (incident reports). The OIPA also produces an annual report, as well as additional reports on FCPD policy recommendations or data reviews. Through its reports, the Auditor makes public recommendations concerning revisions of FCPD policies, training, and practices.

Another core function of the OIPA is to serve as an independent intake venue for complaints against the FCPD. The OIPA processes citizen complaints concerning various issues including use of force, and those under the purview of the Fairfax County Police Civilian Review Panel (CRP), such as allegations of serious misconduct and abuse of authority. Citizens may submit complaints to the OIPA in lieu of submitting them directly to the FCPD. Citizens may request that the Auditor or the CRP review an already completed FCPD investigation if they remain unsatisfied with the results.

Since inception, the OIPA has provided ongoing administrative support to the CRP and delivers its annual reports to the BOS. Administrative support includes logistical support for CRP business meetings, outreach and community events, and producing meeting summaries and audio recordings of all public meetings. Administrative support has been transferred to the newly established Agency 43, Office of the Police Civilian Review Panel, in FY 2022. The OIPA will continue to provide administrative support until the new CRP office is fully staffed.

Budget and Staff Resources

Category	FY 2021 Actual	FY 2022 Adopted	FY 2022 Revised	FY 2023 Advertised
FUNDING				
Expenditures:				
Personnel Services	\$276,657	\$298,478	\$300,478	\$315,301
Operating Expenses	87,148	32,675	32,675	32,675
Total Expenditures	\$363,805	\$331,153	\$333,153	\$347,976
AUTHORIZED POSITIONS/FULL-TIME EQUIVALENT (FTE)				
Regular	3 / 3	3 / 3	2 / 2	2 / 2

**FY 2023
Funding
Adjustments**

The following funding adjustments from the FY 2022 Adopted Budget Plan are necessary to support the FY 2023 program:

Employee Compensation **\$16,823**
 An increase of \$16,823 in Personnel Services includes \$11,969 for a 4.01 percent market rate adjustment (MRA) for all employees and \$4,854 for performance-based and longevity increases for non-uniformed merit employees, both effective July 2022.

**Changes to
FY 2022
Adopted
Budget Plan**

The following funding adjustments reflect all approved changes in the FY 2022 Revised Budget Plan since passage of the FY 2022 Adopted Budget Plan. Included are all adjustments made as part of the FY 2021 Carryover Review, FY 2022 Mid-Year Review, and all other approved changes through December 31, 2021:

Carryover Adjustments **\$2,000**
 As part of the FY 2021 Carryover Review, the Board of Supervisors approved funding of \$2,000 in Personnel Services for a one-time compensation adjustment of \$1,000 for merit employees and \$500 for non-merit employees paid in November 2021.

Position Adjustments **\$0**
 As part of the FY 2022 Mid-Year Review, the Board of Supervisors approved the redirection of 1/1.0 FTE position from Agency 42, Office of the Independent Police Auditor, to Agency 43, Office of the Police Civilian Review Panel, to better align resources.

Position Detail

The FY 2023 Advertised Budget Plan includes the following positions:

OFFICE OF THE INDEPENDENT POLICE AUDITOR – 2 Positions			
1	Independent Police Auditor	1	Management Analyst III

**Performance
Measurement
Results**

The number of incidents reviewed depends on the volume and type of uses of force that occur within the County. The Auditor reviewed 21 investigations in FY 2020 and 19 in FY 2021. These numbers reflect the number of investigations reviewed or under review during the fiscal year and include investigation reviews subject to a complaint made to the FCPD. Upon completion of a review, the Auditor issued nine incident reports in each FY 2020 and FY 2021. It is anticipated the Auditor will conduct nine reviews and will have completed at least nine incident reports in FY 2022.

As specified in the BOS action item creating the OIPA, the Auditor must issue a public report within 60 days of having access to the complete investigation file. The Auditor met this deadline with 100 percent of reports published in FY2021, except for two reports delayed with good cause pending completion of a review by the CRP on the non-use of force allegations of the complaints.

In addition to the nine incident reports, the Auditor developed an annual report and one additional ad-hoc report in FY 2021. The Auditor anticipates publishing one ad-hoc report in FY 2022 in addition to an annual report.

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Through the publication of reports, the OIPA makes public recommendations on revisions to FCPD policies, training, and practices. The OIPA tracks its recommendations and whether they are ultimately adopted by the FCPD. As it takes time and resources to memorialize policy changes, OIPA anticipates recommendations made in one fiscal year may not be adopted during the same fiscal year. During FY 2020 and FY 2021, the Auditor provided a total of 11 recommendations to the FCPD, and the FCPD formally adopted six recommendations in FY 2020 and five in FY 2021. To date, only one OIPA recommendation was not adopted, or adopted with modifications, by the FCPD. It is anticipated that 10 recommendations will be adopted by the FCPD in FY 2022 and five in FY 2023.

The number of complaints processed each year depends on the number of County citizens who choose to submit complaints through the OIPA for Auditor or Panel review, rather than filing complaints directly to the FCPD. The OIPA processed five citizen complaints concerning uses of force in FY 2021 (i.e., those under the Auditor’s authority) and 29 complaints concerning issues under the CRP’s authority (i.e., allegations of serious misconduct and abuse of authority) that same year. The OIPA estimates receiving five complaints that fall under the Auditor’s authority and approximately 25 complaints that fall under the purview of the CRP in FY 2022.

Indicator	FY 2019 Actual	FY 2020 Actual	FY 2021 Estimate	FY 2021 Actual	FY 2022 Estimate	FY 2023 Estimate
Investigations reviewed	19	21	15	19	9	10
Reports published ¹	12	9	11	11	11	11
Policies/Practices/Training recommendations provided	6	4	5	7	4	5
Policies/Practices/Training recommendations adopted by FCPD	4	6	5	5	10	5

¹Reports include incident-specific reports, the annual report, and other ad-hoc reports such as those summarizing policy or data review.

A complete list of performance measures can be viewed at
<https://www.fairfaxcounty.gov/budget/fy-2023-advertised-performance-measures-pm>