


FAIRFAX COUNTY POLICE DEPARTMENT  GENERAL ORDER	SUBJECT: PUBLIC AFFAIRS BUREAU		NUMBER: 401
	EFFECTIVE DATE: April 21, 2023	REVIEW: April, 2026	
RESPONSIBLE ENTITY: PUBLIC AFFAIRS BUREAU			<input type="checkbox"/> New Directive <input type="checkbox"/> Replaces: <input checked="" type="checkbox"/> Revised: 12-10-18
ACCREDITATION STANDARDS	CALEA: 54.1.3	VLEPSC: ADM. 22.0, ADM .22.02	

I. PURPOSE

The purpose of this policy is to establish guidelines and procedures for the Public Affairs Bureau (PAB).

II. POLICY

It is the policy of the Fairfax County Police Department (FCPD) to embrace openness and transparency by keeping the community and Department informed about crimes, traffic, public safety, and public interest events. The PAB shall be responsible for ensuring the timely release of information, records and documents in accordance with [FCPD General Order 402](#), Release of Information, while embracing a culture of maximum disclosure with minimum delay and commitment to keeping the community and the Department’s internal stakeholders informed. News outlets and social media platforms serve as important conduits for informing the public. Consistent with the FCPD’s policy of embracing openness and transparency, the Department shall make information on crimes and other incidents generally available to the public unless the information jeopardizes an investigation and/or tactics, is legally privileged or prohibited by state or federal law, would violate the constitutional rights of those involved, or is otherwise specifically prohibited in this or any other Department or County directive or policy.

III. DEFINITIONS

- A. Information: Specific content contained within FCPD records and documents that may be subject to public release.
- B. Information Releasing Authority: Personnel authorized by the Chief of Police to release official department information to the community without prior approval. The Director of the PAB, Chief of Police, or their respective designees, are considered to be primary information releasing authorities.

- C. Personnel Information: Internal or otherwise private information regarding an employee of the FCPD, such as home address, telephone number, disciplinary actions, performance evaluations, age, date of birth, and other information not considered releasable under Department policy or established law.
- D. Police-Affiliated Critical Incident (PACI): Any sudden, powerful, and often traumatic event in which an individual suffers serious injury or death during their contact with an officer and the officer's actions may be subject to criminal liability or a criminal investigation. This can include, but is not limited to, the deployment of deadly force, less-lethal force, Precision Immobilization Technique, vehicle pursuit, cruiser crashes, in-custody deaths, or any other intentional or unintentional action that results in serious injury or death of an individual.
- E. Public Affairs Bureau (PAB): Department entity primarily responsible for the release of information to the general public via news conferences, social media platforms, and/or news releases.
- F. Public Information Officer (PIO): Any authorized PAB employee representing the Chief of Police or the Department for public information releases.
- G. Public Interest Event: Any event the public may have an interest in.
- H. Records and Documents: All writings and recordings that consist of letters, words or numbers, or their equivalent, set down by handwriting, typewriting, printing, Photostatting, photography, magnetic impulse, optical or magneto-optical form, mechanical or electronic recording or other form of data compilation, however stored, and regardless of physical form or characteristics, prepared or owned by, or in the possession of the FCPD or its officers, employees, or agents in the transaction of public business. Records that are not prepared for, or used in the transaction of public business, are not considered public records.
- I. Recording: Actual images, audio, and/or video of events that have been captured on a recording device.
- J. Social Media: Websites and applications that enable users to create and share content or participate in social networking.
- K. Virginia Freedom of Information Act (VFOIA): The [Code of Virginia](#) sections that govern the rights of citizens of the Commonwealth of Virginia and representatives of the media that circulate or broadcast into the Commonwealth, the right to access public records or documents in FCPD custody or its officers and employees, unless otherwise exempt from mandatory disclosure.

IV. RESPONSIBILITIES

A. The PAB shall be responsible for the following:

1. Informing the public on a variety of public interest events which may include human interest stories, criminal events, crashes, traffic, statistics, department news (ex: accreditation, awards), use of force incidents, officer-involved shootings, crime prevention tips, public safety messages, and PACIs.
2. Processing all VFOIA requests in accordance with [FCPD General Order 402](#), Release of Information.
3. Publicly releasing records and documents to aid in informing the public.
4. Maintaining FCPD social media accounts which fall under the purview of the Fairfax County Office of Public Affairs. These social media accounts enable the Department to provide timely information on multiple platforms and receive feedback for improvement of police services, programs, policies, and practices.
5. Coordinating news conferences as well as facilitating access to Department personnel for interviews. Additionally, PAB staff will approve and provide guidance to Department personnel and those requesting an interview regarding interview guidelines that conform to Department policy.
6. Internal communications.
7. Serving as primary point of contact for all media outlets and requests.

V. PROCEDURES

A. Unless otherwise provided in this General Order, the Chief of Police, through PAB, maintains the sole authority to publicly release official Department information, records, and documents.

B. The Director of the PAB or their designee, must approve any request for a Department employee to be interviewed by any media outlet in their official capacity as a Fairfax County employee.

1. Per the [Fairfax County Code of Ordinances](#), employees shall not engage in political activities, as defined by the [Code of Virginia](#) and [County ordinance](#), while (1) on duty, (2) in uniform, or (3) on the premises of their employment with Fairfax County. Employees may attend or participate in a candidate

forum or debate sponsored by a non-partisan organization held on County premises; and provided further that employees who are not on-duty and not in uniform may engage in political activities on County-owned or leased premises under the same circumstances and subject to the same terms and conditions that apply to members of the general public.

- C. At any scene of police activity where the Department has primary jurisdiction, only the PAB may provide incident information regarding police activity. Where an incident involves another County, City/Town, State, or Federal agency, the PAB will work to coordinate the release of any information with the affected agency.
- D. **Death Investigations:** In all death investigations, investigative authorities of the Department shall ensure that the next of kin has been notified pursuant to [FCPD Standard Operating Procedure \(SOP\) 16-052](#), Next of Kin Notifications, and the release of any information about the death, or the incident (to include the release of the decedent's name) in accordance with [FCPD General Order 402](#), Release of Information.
1. In instances where the decedent victim of any crime is a minor, written consent shall be required per the [Code of Virginia](#) before any information can be publicly disclosed that directly or indirectly identifies the decedent minor victim unless the information released is of the site of the crime, required by law, necessary for law enforcement purposes, or permitted by court order.
 2. In instances where public disclosure of a decedent minor victim's identity is sought, either by next of kin or the FCPD, the PAB will first ensure that an Authorization for Public Release of Information Form has been signed by the next of kin. The signed form shall be made part of the criminal case file.
- F. **Other Agency Member Critical Incidents:** In instances where the Department investigates a deadly force deployment, in custody death, or any other criminal matter involving law enforcement personnel from another agency, the Department will coordinate with the chief law enforcement officer (or their designee) of the affected agency for press releases in accordance with [FCPD General Order 402](#), Release of Information. PAB will not be responsible for releasing the following:
1. Any names (unless the individual was arrested).
 2. Any video and/or audio recordings relating to the incident.
 3. The status of any internal administrative investigations, and
 4. Any information regarding personnel actions relating to the case.

The public will be informed that the Department shall conduct a complete, thorough, and comprehensive criminal investigation. The completed criminal investigation will be presented to the Office of the Commonwealth's Attorney in the jurisdiction where the deadly force deployment, in-custody death, or other criminal matter occurred.

- G. Investigative authorities and Department personnel shall work cooperatively to ensure the PAB is prepared for inquiries on any notable police matter that may generate public interest while ensuring investigative integrity and providing respect at all times to any victim(s).
- H. Exceptions to information requests for other agency member critical incidents shall be determined at the discretion of the Chief of Police or their designee.

VI. RECORDING ACCESS

- A. Officers who encounter any member of the media, or any community member that attempts to record ongoing police activity shall act in strict accordance with [FCPD General Order 607](#), Public Recording of Police Activity.
- B. For safety reasons, individuals recording police activity and any associated equipment (including vehicles) should never be allowed into a hot or warm zone.
- C. For scenes where the Department assumes primary jurisdiction, such as a homicide, the Department may impose more stringent restrictions (expand crime scene to protect its integrity) for recording access than was previously implemented.
- D. In accordance with the [Code of Virginia](#), media representatives may enter, at their own risk, any area closed where life, limb, or property may be endangered, provided such entry does not in any way directly hinder police investigations or otherwise obstruct ongoing medical or law enforcement operations.
- E. No individual in police custody shall be permitted to be interviewed by an individual outside of law enforcement, except as provided by law.

VII. DUTY OFFICER AND POLICE LIAISON COMMANDER RESPONSIBILITIES

- A. The PLC may provide information on traffic conditions to any individual inquiring through the Department of Public Safety Communications (DPSC).
- B. For instances where individuals call the PLC to request information on in-progress police activity, the PLC will obtain the individual's contact information,

obtain a brief synopsis of the information requested, and will then relay the information to on-call PAB personnel. The PAB will then have the discretion as to immediately return the phone call or wait until normal business hours.

VIII. PAB CALL-OUT PROCEDURES

- A. After hours and on weekends, a PIO and PAB supervisor shall be on-call for emergencies and significant breaking news events. The following are examples of incidents that may require a PIO consult or PAB call-out:
1. Homicides.
 2. Unusual Vehicle Crashes.
 3. Officer-Involved Shootings (OIS).
 4. Shootings with Life-Threatening Injuries and/or Public Safety Threat.
 5. Mass-casualty events.
 6. Barricades.
 7. Sexual Assaults Involving a Stranger.
 8. Violent Crimes.
 9. Multiple Media Inquiries of Breaking News or Public Threats.
 10. As Directed by a PAB Director or Commander, or Duty Officer.
- A. PAB will generally not respond to non-fatal car crashes, routine arrests, crimes not resulting in death or critical injury, or cases being investigated by other agencies with the Department's assistance. PAB shall always be available for consults regarding Department information release procedures and protocols.
- B. PAB will gather pertinent information related to active newsworthy events such as details of the event, photographs, and what information may be released to the public without jeopardizing a police investigation or violating the law. This information must be collected expeditiously and validated by the investigative entity's Commander or the Duty Officer. When information has been vetted, it may be transmitted to the public via the appropriate social media platforms in accordance with [FCPD General Order 402](#), Release of Information.
- C. PAB should be contacted for the instances described above. As on-call personnel change on a weekly basis, media members should be directed to call the after-hours media line (703-877-3702) or DPSC (703-691-2131) and speak with either the PLC or DPSC Bridge supervisor.
- D. In those instances where the PLC receives inquiries from traditional media outlets, the PLC is encouraged to speak broadly and not provide specific facts about an on-going incident. Any inquiries for more detailed incident information or requesting interviews shall be forwarded to on-call PAB personnel.

IX. LEGAL REFERENCES

- A. [Va. Code Ann. § 2.2-3704](#), Public records to be open to inspection; procedure for requesting records and responding to request; charges; transfer of records for storage.
- B. [Va. Code Ann. § 2.2-3705.1](#), Exclusions to application of chapter; exclusions of general application to public bodies.
- C. [Va. Code Ann. § 2.2-3706](#), Disclosure of law-enforcement and criminal records; limitations.
- D. [Va. Code Ann. § 15.2-1512.2](#), Political activities of employees of localities, firefighters, emergency medical services personnel, and law-enforcement officers and certain other officers and employees.
- E. [Va. Code Ann. § 15.2-1714](#), Establishing police lines, perimeters, or barricades.
- F. [Va. Code Ann. § 19.2-389](#), Dissemination of criminal history record.
- G. [Va. Code Ann. § 19.2-11.2](#), Crime victim's right to nondisclosure of certain information; exceptions; testimonial privilege.
- H. [Code of the County of Fairfax § 3-1-19](#), Protection of legitimate political activity of employees; restrictions.
- I. [Code of the County of Fairfax § 82-8-7](#), Use of accident reports made by investigating officers.

General Order 401 becomes effective on the above date and rescinds all previous rules and regulations pertaining to the subject.

ISSUED BY:

APPROVED BY:



Chief of Police



County Executive