


FAIRFAX COUNTY POLICE DEPARTMENT  GENERAL ORDER	SUBJECT: TRUTHFULNESS		NUMBER: 001
	EFFECTIVE DATE: September 1, 2021	REVIEW: August, 2024	
	TOPIC: PURPOSE, POLICY, AND DEFINITIONS		
RESPONSIBLE ENTITY: Planning and Research Bureau			
ACCREDITATION STANDARDS:	CALEA 1.1.2	<input type="checkbox"/> New Directive <input type="checkbox"/> Replaces <input checked="" type="checkbox"/> Revised: 10-03-13	
	VLEPSC ADM.01.02		

I. PURPOSE

This policy establishes the standards of truthfulness by which all officers, employees, and volunteers of the Department shall always abide by.

II. POLICY

Every action of the Department shall reflect the highest standards of truthfulness. All dealings, whether with the public, other members of the justice system or with each other shall require strict adherence to the standards set forth within this General Order.

III. DEFINITIONS

- A. Authority: The legally conveyed right to issue commands and/or take action to control the actions of members of the community. Our law enforcement authority is conveyed to us by the Clerk of the Court through the administration of the Oath of Office.
- B. Competent Authority: Authority rightfully belonging to or exercised by a person or group.
- C. Public Trust: Exercising public authority within the legal limits and according to the ends for which it was created, i.e., to serve the public interest.

IV. TRUTHFULNESS

When questioned by competent authority, employees shall give complete and honest answers to any question related to the performance of their official duties or their fitness to hold public office.

V. INVESTIGATIONS OF ALLEGATIONS RELATED TO TRUTHFULNESS

To ensure consistency in the application of this policy, all allegations of truthfulness violations shall initially be assigned to the Internal Affairs Bureau for investigation.

VI. DISCIPLINARY ACTIONS FOR TRUTHFULNESS

The United States Supreme Court decisions in **Brady v. Maryland**, 373 U.S. 83 (1963) and **Giglio v. United States**, 405 U.S. 150 (1972), hold that exculpatory evidence in a criminal case must be given to the defense during discovery. Exculpatory evidence includes information that can be used to impeach a witness' credibility. Sustained truthfulness violations can be used to impeach an employee's credibility, and must be shared with the defense during discovery, and may be used to discredit the employee's testimony.

Sustained truthfulness violations erode the public trust and shall not be tolerated.

The core job tasks of sworn officer positions require the employee to maintain the highest levels of truthfulness. A sustained truthfulness violation will discredit an officer and impair his/her ability to testify in a court of law. For employment, an officer must have the ability to perform all required job tasks. The department does not possess positions to accommodate continued employment as a sworn officer when a job task can no longer be performed.

A Department employee who receives a **sustained truthfulness violation shall be subjected to the presumptive disciplinary action of dismissal or unsatisfactory service separation**. Such a presumption shall be rebuttable. Officers and employees not in their probationary year who receive a presumptive disciplinary action of dismissal or unsatisfactory service separation are entitled to appeal rights as described in the County Personnel Regulations and the Manual of General Orders.

VII. LEGAL REFERENCES

A. Brady v. Maryland, 373 U.S. 83 (1963)

B. Giglio v. United States, 405 U.S. 150 (1972)

This General Order becomes effective on September 1, 2021 and rescind all previous rules and regulations pertaining to the subjects.

ISSUED BY:



Chief of Police

APPROVED BY:



County Executive