


<b>FAIRFAX COUNTY POLICE DEPARTMENT</b>  <b>REGULATION</b>	SUBJECT: <b>ADMINISTRATIVE ACTIVITIES</b>		NUMBER: <b>204</b>
	EFFECTIVE DATE: <b>September 5, 2022</b>	REVIEW: <b>September 2025</b>	
RESPONSIBLE ENTITY: PLANNING AND RESEARCH BUREAU			<input type="checkbox"/> New Directive <input type="checkbox"/> Replaces: <input checked="" type="checkbox"/> Revised:10-11-11
ACCREDITATION STANDARDS:	CALEA 41.3.9, 82.2.1	VLEPSC	

### **204.1 SUBMITTING REPORTS**

Employees shall promptly submit any reports required as a part of the performance of their duties or by competent authority.

### **204.2 REPORTS AND BOOKINGS**

No employee shall knowingly falsify any official report, or enter, or cause to be entered, any inaccurate, false or improper information into the official records of the Department.

### **204.3 ALTERATIONS OF REPORTS**

Employees shall not alter or request any other person to alter or withdraw any report, letter, request, or other written communication that is or has been conducted through official channels. This restriction shall not preclude the correction of grammatical errors. No employee shall advise, counsel, order or otherwise dissuade any other employee from submitting any lawful report.

### **204.4 SECURITY OF OFFICIAL RECORDS**

Employees shall not reveal police information except as provided elsewhere in this manual or as required by law or competent authority. Specifically, information contained in police records, other official correspondence, other information ordinarily accessible only to employees, and names of informants, complainants, witnesses, and other persons known to the police, all are considered confidential in nature. Indiscriminate and unauthorized disclosure of this and similar information reflects gross misconduct.

#### **204.5 RESIDENCE OF MEMBERS**

Officers' residences may be at any location. However, they may be restricted from certain assignments requiring standby duties (e.g., Canine, SWAT Team, Major Crimes Bureau) due to a necessary response time as established by the respective bureau commander.

#### **204.6 NOTIFICATION OF CHANGE OF ADDRESS OR TELEPHONE NUMBER**

All employees shall make certain that their current home address and telephone number is updated in FOCUS and the Department's current Records Management System (RMS). A change of address and/or telephone number must be reported within 24 hours. Employee addresses shall not be released to anyone outside of the Fairfax County Government.

#### **204.7 REQUIREMENT FOR TELEPHONE**

All employees shall have a telephone and shall ensure their phone number(s) is listed in FOCUS and the current RMS. An employee's personal phone number shall not be released to anyone outside of the Fairfax County Government.

#### **204.8 REPORTING ARRESTS AND COURT ACTIONS INVOLVING EMPLOYEES**

Employees shall report as soon as practicable, and prior to the start of their next shift, by memorandum and via electronic mail, to their commander in the event:

1. The employee has been arrested or issued a traffic summons.
2. Court action has been initiated against the employee, and/or
3. The employee was the subject of a contact and/or investigation with law enforcement officers of another agency resulting from a domestic dispute or domestic violence incident.

When reporting an arrest, traffic summons, or domestic violence/dispute contact, the memorandum shall contain, at a minimum:

1. The date, time, location and jurisdiction of the alleged offense or domestic dispute or domestic violence incident.
2. The specific offense(s) charged.
3. The name, identification number and department of the arresting or responding officer.

A copy of the traffic summons, citation, or other court documents shall be

included as an attachment to the memorandum. Upon receipt of the employee's memorandum, the employee's commander shall assign a supervisor to conduct an initial review or, with approval of the bureau commander, shall refer the matter to the Internal Affairs Bureau (IAB). The investigating supervisor shall comply with the procedures established in [FCPD General Order 301](#), Internal Investigations. As soon as reasonably possible, the investigating supervisor shall contact the arresting/responding officer and determine the facts of the incident. In addition to the identifying of any formal charges placed, the supervisor shall obtain the following information:

1. Any other violations observed or suspected which did not result in arrest.
2. Any extenuating or aggravating circumstances of which the Department should be aware.
3. A transcript of the employee's DMV record or criminal record as appropriate to the incident under investigation.

With this preliminary information the employee's commander shall make a determination regarding the necessity of an administrative investigation. If it is determined that a full administrative investigation is warranted, the investigating supervisor shall proceed according to [FCPD General Order 301](#), Internal Investigations. Where it is determined that no further investigation or administrative action is warranted, the information obtained by the investigating supervisor shall be documented as an inquiry in the current IAB RMS and forwarded to the IAB for retention.

#### **204.9 ACCEPTING COMPENSATION FOR DAMAGES**

Employees shall not seek, file suit against, solicit, nor accept from any person or agency any money or other compensation for damages or expenses incurred in the line of duty, or for which the employee has received sick leave pay, without previously notifying their commander in writing of the employee's intended course of action. Such notification shall also occur upon the final disposition of any suit in which an employee is awarded compensation for damages or expenses incurred in the line of duty.

#### **204.10 PUBLIC APPEARANCE REQUESTS**

All requests for public speeches and/or presentations will be routed to the affected squad supervisor for approval and coordination with the commander as needed. Employees directly approached with these requests shall refer the party to their squad supervisor.

#### **204.11 CIVIL ACTION, COURT APPEARANCES, AND SERVICE OF PROCESS**

Employees shall not testify in civil actions unless served with a legal subpoena. This shall not apply to cases in which the employee is a party or where the employee is related to the defendant by blood or marriage. Employees shall not enter into any financial agreement regarding appearances as witnesses in any civil action except as authorized by the Chief of Police or their designee.

Any employee named as a defendant who is served with a civil process, and any employee who is served with a subpoena to testify as a witness in a civil action where another employee is named as a defendant, shall immediately notify their commander in a brief memorandum indicating the fact that a civil process or subpoena was served and state the method of service and the date of service. A copy of the civil process or subpoena shall be attached to the memorandum.

An employee, prior to initiating civil action against any person as a result of a law enforcement related contact, shall promptly inform their commander via Department memorandum.

#### **204.12 CIVIL DEPOSITIONS, AFFIDAVITS, AND SUBPOENAS DUCES TECUMS**

Employees shall confer with their commander before participating in a deposition or signing an affidavit in a civil case resulting from their performance of duty. The commander shall then contact the IAB prior to the employee giving the deposition or signing the affidavit. Employees who are served with subpoenas that compel them to release Department records shall advise their supervisor and immediately transmit the request to the IAB for processing in coordination with Public Affairs Bureau FOIA Compliance. Employees shall not release such information without the approval of the IAB commander.

#### **204.13 CIVIL CASES**

Officers shall not serve civil process or assist in civil cases without the approval of their commander. They shall avoid entering into civil disputes, particularly while performing their duties, but shall still be responsible for enforcing any laws or ordinances which may become applicable to the situation.

#### **204.14 TRAFFIC CRASHES INVOLVING PRIVATELY OWNED VEHICLES**

Any reportable traffic crash involving a privately-owned vehicle operated by a sworn officer that occurs within Fairfax County shall be investigated by an on-duty sworn supervisor. An officer of equal or greater rank shall investigate any such crash involving a sworn supervisor or staff officer. The investigation shall be consistent with the requirements set forth in the [Police Department's Report Writing Manual](#) for completion of the Accident Report.

#### **204.15 TRAFFIC CITATIONS WHILE OPERATING COUNTY-OWNED VEHICLE**

Employees who receive a traffic citation while operating a County-owned or leased vehicle, either by a police officer, parking enforcement officer, or after having been identified as the operator of a County-owned or leased vehicle that was issued a citation through photographic imagery, shall be financially responsible for all costs, fines, and penalties. An administrative investigation will be conducted as directed by the affected station/division commander who will also ensure coordination with the Financial Resources Division regarding payment processing, and/or waiver requests.

Regulation 204 becomes effective on the above date and rescinds all previous rules and regulations pertaining to this subject.

ISSUED BY:



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Chief of Police