

FCPD and BOS Police Reform Tracker

Last Updated 9/28/21

The purpose of this matrix is to track progress and display transparency about the input received to the Chair of the Public Safety Committee as well as publicly display a response to those proposals. This matrix is maintained by the Fairfax County Police Department in coordination with the Board of Supervisor's Public Safety Committee Chair, Supervisor Rodney Lusk. For questions or comments, contact fcpdpolicy@fairfaxcounty.gov and bospublicsafetycommittee@fairfaxcounty.gov

Time Frame (Starting 6/1/2021)	#	Community Proposal	Status of Proposal	Response Date	Proposal Source	More Information from Source	Comments and Responses
Body Worn Cameras							
	BWC 9	Implement dash and body-worn cameras with accompanying policies that encourage public transparency in-keeping with ACLU model policy: <ul style="list-style-type: none"> o Ensure camera footage is available to individuals involved in police use of force (UoF) cases, or cases alleging police misconduct o Prohibit officers involved in alleged misconduct or excessive use-of-force from viewing video footage prior to making statements o Make it a felony to turn off cameras during altercation o Allow Civilian Review Panels unhindered access to camera footage for review 	The CRP and IPA have access to BWC. Axon BWC footage access. BWC SOP 18-056, with command approval and review from a FOIA compliance specialist, BWC video may be reviewed with a complainant upon request. General order 430.8 - In Car Video Program, Supervisors may, when warranted and during the course of their official duties, review pertinent ICV material with a complainant / community member.	6/1/2021	Virginia Coalition for Transforming Police		
Transparency and Community Trust							
	TCT 24	Work to expand transparency in the daily/weekend recaps, and explain the criteria for exclusion/inclusion. Important that all use of force incidents that would appear in the annual Use of Force report should be reported either in the daily recap or in a separate release	The FCPD calls for service summary recap. General Order 401 - Media Relations Bureau General Order 402 - Release of information, records, and documents.	6/1/2021	Ad Hoc Police Practices Review Commission	Ad Hoc Commission recommendations, COMM-2, COMM-5, https://www.fairfaxcounty.gov/policecommission/site	
	TCT 25	The Chief of Police and his Command leadership should be directed to maintain a neutral public posture pending an investigation of a police-involved UOF or other serious incident.	General Order 001 - Ethics and Integrity.	6/1/2021	Ad Hoc Police Practices Review Commission Member	A public-trust building response would be to indicate that the incident will be thoroughly investigated and related information will be released as soon as possible. Also, because suspects are innocent until proven guilty, neutral language is also the best policy when discussing the basis for a suspect's arrest.	
Use of Force							

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	UOF 5	Our current Use of Force Policy is silent on the limits on the use of kinetic impact weapons. For instance, other departments explicitly state that such weapons shouldn't be used within 6 feet and not used on a "skip-shot" basis which may cause the projectiles to scatter. These restrictions are not in Fairfax's Policy.	General Order 540.19- Kinetic Energy Impact Systems emphasizes that only large muscle groups below the waist of a person should be targeted. Kinetic weapons are only deployed by officers who have had specialized training and only in specific circumstances. The policy of regarding use of Kinetic Impact Systems will be reviewed in the coming months. (5/19/2021)	6/1/2021	Fairfax County Resident		
		As seen in the attached report, only one deployment occurred in 2019. PowerPoint Presentation (fairfaxcounty.gov)					
	UOF 9	Evaluate FCPD's implementation of its pursuit and vehicle stopping technique practices in relation to established department policies.			Ad Hoc Police Practices Review Commission Member	The Board should direct the FCPD to report to the Board and public on its pursuit and vehicle stopping techniques under the revised policies adopted as on January 1, 2019. The 2019 data shows that the percentage of pursuits based on traffic infractions has not decreased under the policy as implemented.	

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	UOF 10	Review civil disturbance policies and training.			Ad Hoc Police Practices Review Commission Member	The preparedness of the FCPD to handle domestic unrest and crowd control should be examined, including what training the Department provides for its officers and what the policies are on the use of less lethal force in such situations (including the types of projectiles that can be used). Command and supervisory responsibilities should be confirmed. General Oder 540 is vague and not focused on civilian protests. The Civil Disturbance Unit and its SOP (not public) should be reviewed.		
	Police Roles and Responsibilities							
	PRR 25	If the SRO program is maintained..Criminal and disciplinary records should not include references to potential gang membership, unless an offense based on gang membership is being charged.			6/1/2021	ACLU People Power Fairfax & Immigration Coalition		
PRR 26	What role do you think police should play in traffic safety? Before the pandemic, FCPD officers responded to an average of 100 car crashes per day. They also issue a lot of traffic citations (not sure about that	FCPD Traffic Safety Education FCPD Youth Driver Program FCPD Traffic Division		#####	Fairfax County Resident			

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Short Term	PRR 27	Likewise, I do not believe armed officers should be handling traffic violations, which is where we have seen so often minor violations leading to disproportionate use of force against people of color across the country. Because FCPD requires revenue from fees and fines to sustain its budget, officers are incentivized to find excuses to pull people over, leading to situations that escalate dangerously. While traffic enforcement is important, I believe officers involved with that capacity have no need to be wearing a sidearm, and ensuing fees and fines should be applied to road maintenance or other traffic safety budgets rather than FCPD.			Fairfax County Resident		
	PRR 28	Simultaneously, overtime should not be paid for officers to make court appearances in regards to traffic violations. This is a clear incentive for officers to pull people over for minor infractions that did not impinge on the safety of other drivers. Ending overtime pay for officers to make court appearances would likely save the county millions of dollars, and would also lead to a lighter load being placed on our court system. Research has shown that court fees for traffic offenses disproportionately impact minority and poor communities, so every opportunity should be taken to minimize the incentive for officers to issue these citations in this first place			Fairfax County Resident		
	PRR 32	I recognize the need to see the mentally needy and help not incarcerate them. Crisis Intervention Team (CIT) training for all.	<u>Crisis Intervention Training</u> and FCPD's commitment to ensuring every sworn officer receives CIT training.	6/3/2021	South County Task Force Town Hall		

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Time Frame (Starting 6/1/2021)	#	Community Proposal	Status of Proposal	Response Date	Proposal Source	More Information from Source	Comments and Responses
	PRR 33	Ask for regular updates on progress CIT training. Build relationships with disability community. Why are only 40% of FCPD officers currently trained in CIT techniques. This has been a priority since before the Ad Hoc Commission which was 5 years ago. Chief Roessler said in a recent public safety meeting that they were slowed down by the pandemic.	<u>Crisis Intervention Training</u> and FCPD's commitment to ensuring every sworn officer receives CIT training.	6/4/2021	Ad Hoc Police Practices Review Commission Member	Ad Hoc Commission Mental Health subcommittee recommendations: MH7a: IN PROGRESS including dispatch personnel; MH10a: IN PROGRESS The subcommittee strongly emphasizes the importance of data collection and its intimate linkage to measuring the progress and impact of CIT programs. MH24a IN PROGRESS Clarify mental health response protocols for first responders.	
	PRR 34	Please address how racist policies impact the mental of our black community.			Fairfax County Resident		

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	PRR 38	<p>Here is a study that shows alternatives to crime prevention in cities. "Drawing on a panel of 264 cities spanning more than 20 years, we estimate that every 10 additional organizations focusing on crime and community life in a city with 100,000 residents leads to a 9 percent reduction in the murder rate, a 6 percent reduction in the violent crime rate, and a 4 percent reduction in the property crime rate." Pretty impressive. [https://journals.sagepub.com/doi/abs/10.1177/0003122417736289] Politico wrote a great article of what happened regarding reform in Camden. You can find it here. [https://www.politico.com/news/magazine/2020/06/12/camden-policing-reforms-313750] Furthermore, here is a guide for law enforcement and police screening based on Camden's model published BY the DOJ. [https://www.niot.org/sites/default/files/Camden's%20Turn_A%20Sotory%20of%20Police%20Reform%20in%20Progress.pdf]</p>			NAACP			
	Police Accountability							
	PA 10	<p>Withhold pensions and don't rehire cops involved in excessive force: this decreases police funding, challenges the notion that police killings are exceptions rather than the rule, and reduces the ability of the police forces to re-engage with cops known for their use of violence.</p>				Fairfax County Resident		
PA 13	<p>The Board is keenly award of the reports of rampant retaliation and targeting within the FCPD much of which goes unreported due to an environment of fear that has been created by our Chief of Police. We have heard that when officers are brave enough to report these injustices, ramifications always follow and internal investigations are often unfair and biased. We ask that the Board pay for an external whistleblower hotline, such as NAVEX Global, to handle these reports of abuse and that investigations be addressed by individuals other than IA or our Commonwealth Attorney's office.</p>				Bolster the Blue			

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	Police Culture and Practices							
	Commonwealth's Attorney Role							
	Sheriff Office Reform							
	Civilian Oversight							
		CO 3	FCPD should implement annual review and community input on its UoF policy starting in the next 60 days		#####	Fairfax NAACP		
		CO 34	The BOS should direct the FCPD to report to the Board and public on its pursuit and vehicle stopping techniques under the revised policies adopted as on January 1, 2019.	<u>Pursuit and Vehicle Stopping Techniques analysis reports.</u>	6/6/2021	Ad Hoc Police Practices Review Commission Member	It appears that pursuits based on traffic infractions continued in 2019 at about the same level as in 2018. It is not clear why that would be given the 2019 policy revisions.	
	Body Worn Cameras							
		BWC 7	There is technology available today that turn on body worn cameras automatically when an officer reaches for his/her gun.	The FCPD is currently testing this technology - <u>Axon Signal Sidearm</u> . Axon Signal Sidearm is equipped with a sensor that automatically activates the BWC when an officer's firearm is removed from its holster.	6/6/2021	Fairfax County Resident		
		BWC 11	Provide and fund automatic turn-on technology for all body-worn cameras.	The FCPD is currently testing this technology - <u>Axon Signal Sidearm</u> . Axon Signal Sidearm is equipped with a sensor that automatically activates the BWC when an officer's firearm is removed from its holster.	6/6/2021	CRP Member		
	Transparency and Community Trust							
	TCT 11	Demand that police officers treat people of color with respect	<u>General Order 001 - Ethics and Integrity.</u>				Protocol for	

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		Demand that police officers treat people of color with respect, review body cam footage to make sure officers are doing this, and demote those who are not. Disproportionate disrespect leads to disproportionate use of force against people of color, as exhibited in the taser video. Neither can be allowed, period.	General Order 201 Regulation - 201.7 Standards of Conduct, 201.13 Human Relations, 201.14 Unlawful Discrimination, and 201.22 Bias Based Policing. Fairfax County Conduct and Discipline - Standard of Conduct.	6/6/2021	South County Task Force		reviewing BWC to identify problematic officer conduct needs to established -- Ad Hoc Police
	TCT 12	Police departments should be checked for abuse records every year and results should be made available to the public.	The IAB maintains the agency's <u>Early Intervention System (EIS)</u> . EIS reports are presented quarterly to the Chief of Police and Deputy Chiefs regarding employees who have met the established threshold in a three month period. IAB conducts an annual review of the EIS and submits a detailed memorandum to the Division Commander with any recommendations.	6/6/2021	fairfax County Resident		The current EIS should be evaluated by an outside consultant to determine if the EIS reflects "best prtactices" and is effective -- Ad Hoc Police Practices Review Commission Member
	TCT 16	How can we build a better union between the public and our county workforce hired to ensure public safety?			South County Task Force Town Hall		
	TCT 21	Evaluate officers on their efforts to engage members of the community and the partnerships they build.	The <u>FCPD Annual Reports</u> highlight community engagements.	#####	Indivisible Below the Beltway		
	TCT 22	Evaluate patrol deployment practices to allow sufficient time for patrol officers to participate in problem solving and community engagement activities	Through our partnerships with community groups, advocates, and volunteers we are able to maximize our resources. We look forward to the planned opening of our 9th district station in the Spring of 2023 which will allow patrol officers to have geographically smaller patrol responsibilities and allow more time for positive community engagement opportunities.	6/6/2021	Indivisible Below the Beltway		

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Medium Term	TCT 31	FCPD transparency could be enhanced by and benefit from the formation of Communications Review Committee similar to the UOF Technical Review and the Vehicle Pursuit Review Committees with at least two public members.			Ad Hoc Police Practices Review Commission Member	A Communications Review Committee would serve as a sounding board for the Department, and could also address such issues as the need for the County's FOIA regulations and the Department's general orders to be closely aligned, with information being withheld only as necessary for current investigative needs, personnel laws and regulations, and certain individual privacy considerations (e.g., minors and sex abuse victims).		
	Use of Force							
	Police Roles and Responsibilities							
	PRR 30	Identify violations or situations which are not best solved by an armed weapon e.g., traffic violations (think meter maids) because cameras do the job.	The FCPD is working with community advocates to create a framework to evaluate use of force policy, traffic stop policy, warnings, arrests, and related policy and lesson plans in accordance with <u>One Fairfax</u> .	6/6/2021	Indivisible Below the Beltway			
Police Accountability								

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	PA 4	Officer evaluation. It is a brave officer indeed who is willing to speak out against improper use of force or even racist banter. De-escalation, intervening in other officer misconduct and reporting misbehavior must be rewarded. High arrest numbers should not. Affiliations with hate groups, questionable posts and use of racist language must negatively impact an officers' rating.	General Order 201 Regulation - 201.7 Standards of Conduct, 201.13 Human Relations, 201.14 Unlawful Discrimination, and 201.22 Bias Based Policing.	6/6/2021	ACLU People Power Fairfax & Immigration Coalition			
	PA 12	Modify existing performance evaluation standards to reward positive police behaviors. Recognize and reward FCPD police officers who exhibit discretion and judgement, who demonstrate successful negotiation and de-escalation skills consistently. Develop metrics and evaluative approaches that capture an officer's performance in routine public interactions.	Currently governed by <u>Fairfax County Personnel Regulations</u> .	6/6/2021	Fairfax County Resident			
	Police Culture and Practices							
	Commonwealth's Attorney Role							
	Sheriff Office Reform							
	Civilian Oversight							
	CO 10	A protocol for use in the evaluation of potential FCPD racial /ethnic bias should be developed by the FCPD, the IPA and CRP.	The IAB maintains the agency's <u>Early Intervention System (EIS)</u> . EIS reports are presented quarterly to the Chief of Police and Deputy Chiefs regarding employees who have met the established threshold in a three month period. IAB conducts an annual review of the EIS and submits a detailed memorandum to the Division Commander with any recommendations.	6/6/2021	Ad Hoc Police Practices Review Commission Member	There is a need for a consistent approach in evaluating FCPD officer conduct for racial, ethnic or other bias. No such protocol exists, and there is a lack of clarity and depth in the FCPD evaluations of bias.		

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	CO 33	The Auditor's responsibilities should be expanded to include: (i) monitoring and reviewing investigations of Sheriff Deputies involved in shootings, in-custody deaths, and any use of force incident resulting in death or serious injury; (ii) auditing the FCPD's use of BWCs and providing an annual report to the Board and the public setting forth the Auditor's findings and recommendations; and (iii) participation on the FCPD UOF Technical Review and the Vehicle Pursuit Review Committees.			Ad Hoc Police Practices Review Commission Member		
	CO 36	The Department's UOF Technical Review Committee and its Vehicle Pursuit Review Committee should meet regularly (with at least two public members each) and report on lessons learned and best practices annually to the BOS and public			Ad Hoc Police Practices Review Commission Member		
Body Worn Cameras							
	BWC 12	Mandatory Release of BWC Video			Ad Hoc Police Practices Review Commission Member	Adopt a policy which provides for the mandatory release of all officer BWC footage within five days of any incident in which FCPD officer(s) use deadly or serious force (subject to consent by the victim or the victim's family after review of the footage)	
Transparency and Community Trust							

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	TCT 1	<p>a. Data publication. (i) Immediately publish demographic data (disaggregating ethnicity for each race) for all police actions, including stops, misdemeanors (breaking out custodial arrests and summons), major crimes, traffic citations and geographic breakdowns. Also track marijuana fines. (ii) By January 2021, have a fully searchable online database analogous to FCPS's Equity Data Profile.</p>	<p>Overview of 2019 Arrest Data</p>	6/6/2021	ACLU People Power Fairfax & Immigration Coalition	<p>Published data fails to properly breakout Latinos.CPD collects data about race and ethnicity for most if not all arrests but does not post it on its website. It is provided to the FBI for most arrest types. We have obtained it under FOIA. Why not provide this to Fairfax residents? FCPD has charged us significant fees to get the data under FOIA, a practice which dissuades the public from asking. The 2018 FCPD Annual Report shows race/ethnicity data only for recruitment. Other reports online break out demographics for use of force, but not for Arrests, Major crimes, Misdemeanors, Traffic citations, Police stops.</p>	

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	TCT 2	<p>a. Data analysis. (i) A multi-year disproportionality analysis of key police actions should be published each year. (ii) An independent study by expert researchers of disparity in arrests and other actions should be contracted for immediately, completed by June 2021 and promptly made public in full.</p>			<p>ACLU People Power Fairfax & Immigration Coalition</p>	<p>In September 2017 we were advised that a study on racial profiling by FCPD officers was underway. It was not.</p> <ul style="list-style-type: none"> In May 2018 FCPD published a procurement notice for a study of racial disparity in USE OF FORCE.7 We were told the study's scope is "broader" than use of force, but FCPD was unwilling to share specifics. In February 2020, the Independent Police Auditor announced a contract award to study Use of Force. This is a welcome development, though late in coming. It is also insufficient. A much broader examination of racial disparity and racial profiling is required. 	<p>Ad Hoc Commission members and representatives of officer organizations should be involved in the group to be formed -- Ad Hoc Police Practices Review Commission Member</p>

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Long Term or Needs to be Designate	TCT 3	Establish a professional civilian deputy chief-level Director of Data			Ad Hoc Police Practices Review Commission Member	Consider creating a civilian Deputy Chief-level Director of Data position. The Director of Data should be authorized to hire (internal or external) a cadre of analysts. In consultation with the group examining racial bias and disparities, the Director should identify all the fields of data that should be collected moving forward. The Director could also be given responsibility for analyzing the collected data and reporting to the Board and FCPD on findings and recommendations for addressing racial disparities, training, and strategic utilization of FCPD resources.	
	TCT 5	Drive ““predisposition to release information” standard into incident reporting and regular daily communication; availability of data helps the community ask questions of those empowered to exercise force and deadly force.	The FCPD publishes <u>reports, data, and associated analysis.</u>		Ad Hoc Police Practices Review Commission Member		

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	TCT 6	Build capacity and capability to provide publicly accessible dashboard that provides regular tracking of data and associated analysis	The FCPD publishes <u>reports, data, and associated analysis</u> .	6/6/2021	Ad Hoc Police Practices Review Commission Member		
	TCT 7	Understand why there are disparities in police actions based on color. Develop an action plan for reducing these disparities.			Ad Hoc Police Practices Review Commission Member	Context is analysis of Fairfax police data demonstrating race-disparate use of force and other actions. Expedite University of TX analysis of 2018 use of force data and complete action plan to address findings; be prepared to be bold if, for example, racism is of the magnitude that policies, training, and individual officer accountability are not enough.	
	TCT 9	Within one month of each calendar quarter, FCPD must publish on its public website a statistical report covering all FCPD police stops, traffic citations, traffic stops, major crimes arrests, misdemeanors, stops of any other kind, frisks, citations, arrests, searches and consents to search (including waivers of consent), and use of force incidents by police stations, magisterial district. The race gender and ethnicity of each individual collected shall be analyzed and reported.	<u>See Complete Response</u>	6/6/2021	Fairfax NAACP		
	TCT 14	Reform FOIA regulations to remove restrictions on releasing data on all officers with disciplinary actions and complaints filed against them.			Virginia Coalition for Transforming Police		

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Long Term or Needs to be Designated	TCT 17	The FCPD should implement the Police Civilian Review Panel's recommendation of January 9, 2019, that the FCPD periodically summarize and publish all FCPD disciplinary actions across the entire FCPD without specifically identifying the disciplined officer by name.	The FCPD's <u>IAB Administrative Investigation and Use of Force Data Reports</u> include disciplinary actions summary.	6/6/2021	CRP Member		
	TCT 18	In all police investigations concerning allegations of racial bias or racial profiling, the FCPD should implement specific guidelines and processes to follow in order to address the unique issues in such cases. For example, the FCPD should do a thorough analysis by race, gender and ethnicity of the officer's stops (including field stops) in the past year, as well as the officer's arrests and involvement in use of force incidents. Such investigations should also include an investigation of the officer's public social media posts and interviews of witnesses. The FCPD should also confidentially disclose to panel members all previous complaints against the officer and the discipline rendered, if any, in response to each of the complaints.	The IAB thorough investigates allegations of racial profiling or unlawful discrimination. The analysis of the officer's stops, arrest, use of force, and social media checks are part of the investigative process.	6/6/2021	CRP Member		
	TCT 20	The Board of Supervisors should consider hiring an outside expert on implicit racial bias to conduct a thorough review of all police department training, practices and investigation techniques to identify areas for improvement. A report with recommendations should be published following such review.			CRP Member		
	TCT 23	Provide housing subsidies for police (to reduce need for 2nd jobs, overtime, live in communities they serve)			Indivisible Below the Beltway		

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Time Frame (Starting 6/1/2021)	#	Community Proposal	Status of Proposal	Response Date	Proposal Source	More Information from Source	Comments and Responses
	TCT 26					Ad Hoc Commission: COMM-18 The Board of Supervisors should publicly adopt a resolution (and forward it to the County's delegation in the General Assembly) to revisit FOIA laws with an eye toward expanding instead of limiting the public release of information related to police-involved shootings and other police practices and procedures. Progress Report lists as "In progress."	

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Signed		<p>The Ad Hoc Commission recommended that the Board of Supervisors and County Executive revisit the County's implementation of the Virginia FOIA provisions with an eye toward public release of much more information related to police activities. A special session of the General Assembly focused at least in part on criminal justice reform has been called to begin Aug. 18. This is an appropriate time to ask for comprehensive reform in FOIA as it applies to law enforcement. Even in the absence of reform at the state level, the county could establish policies that support the "predisposition to disclose." Virginia prohibits the release of only a few things, but unfortunately allows law enforcement to withhold almost anything and everything.</p>			Ad Hoc Police Practices Review Commission Member	<p>Ad hoc Commission: COMM-19a The County Executive should establish a countywide FOIA policy and procedure through issuance of a new procedural memorandum that would replace former County Executive Griffin's memo regarding FOIA compliance, which currently guides county staff. The new policy should encourage transparency and accountability by establishing a culture of disclosure. It should give guidance to all county staff custodians of public records to lean automatically toward releasing all public records upon request, changing the current practice of automatically withholding all exempt records. Progress Report lists as "In progress"</p> <p>COMM-21 Develop FCPD administrative guidelines for FOIA, even in the absence of FOIA reform at the state level.</p> <p>https://www.fairfaxcounty.gov/policecommission/progress-report</p>	<p>Very little at the state level prohibits the release of information; reform at the county level could mandate release of information except for specific narrow reasons. Still reform at the General Assembly level would be welcome.</p>

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Needs to be Des						<p>"Countywide Virginia Freedom of Information Act Policy" is posted online, 11 pages and dated Jan. 1, 2018. https://www.fairfaxcounty.gov/publicaffairs/sites/publicaffairs/files/assets/documents/countywide-foia-policy.pdf</p>	

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	TCT 27	Communications recommendations that were NOT implemented that should be revisited. COMM-5, COMM-14, COMM-20	<p><u>General Order 402</u> - Release of information, records, and documents.</p> <p>Final Report on Fairfax County Police Reform - Ad Hoc Police Practices Review Commission.</p> <p>The FCPD <u>calls for service summary recap.</u></p>	6/1/2021	Ad Hoc Police Practices Review Commission Member	<p>Communications recommendations that were NOT implemented. COMM-5 Facilitate unfettered access to blotter-type information, to include a list of every incident and call with the basic who/what/when/where/how information.*****COMM-14 FCPD should develop a continuous process of information declassification, to ensure proactive information release for cases that are no longer active.*****COMM-20 Where possible, release police reports with redactions rather than creating a summary document.*****QUESTION: in many other states, police reports are released to anyone who asks, or at least to defense attorneys and</p>	

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	TCT 28	Convene a new Ad Hoc Police Practices Review Commission			Ad Hoc Police Practices Review Commission Member	Consideration should be given to establishing a new Ad Hoc Police Practices Review Commission to provide assistance to the Board in determining which reform proposals to adopt.. The new Commission could address systemic racism issues, existing FCPD racial disparities/bias, police officer and command diversity/recruiting/promotion, development of an effective EIW system, and a review GO 540 once the Special Assembly legislation is finalized. Examination of the effectiveness of the 2015 recommendations could be undertaken, and evolving "best practices" could be identified and studied.	

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Long Term or Needs to be Designate	TCT 30	Fully realize FCPD and BOS commitment to Ad Hoc Commission recommendation: COMM-2 Adopt a "predisposition to disclose" approach with public records presumed to be public and exceptions strictly and narrowly construed. Commit to not withholding information, providing key details and news before being asked for it by the public and the media. Better balance privacy and the public interest. QUESTION: How would you measure predisposition to disclose"?	<p><u>The Fairfax County Police Department is fortunate to have a very robust relationship with our community and that's predicated on our strong belief in transparency, information sharing and trust. While Virginia FOIA law does allow the withholding of police records, the FCPD feels that an informed community is an engaged community and in conjunction with the Fairfax County FOIA office, we routinely use our discretionary authority to release information, reports and multimedia content as soon as that release no longer compromises a criminal investigation or judicial proceeding. Additionally, arrest data, crime incident narratives, public safety information and department policy updates are publicly released daily through the FCPD Public Affairs Bureau. Ongoing data can be found here as well as our social media channels.</u></p> <p><u>Crime statistics and IBR reports.</u></p> <p><u>The FCPD Annual Reports highlight community engagements.</u></p> <p><u>The FCPD utilizes multiple media platforms to highlight community engagements and meetings.</u></p>	6/1/2021	Ad Hoc Police Practices Review Commission Member	These Ad Hoc Commission Communications recommendations are listed as IMPLEMENTED, but questions remain: COMM-4 Annually report on the demographics of the subjects in all use-of-force incidents including race, gender, age, whether mental health status was a factor, previous involvement with FCPD and any other data.*****COMM-6 Include incident based reporting (IBR) categories of statistical crime information broken down by district stations and provided quarterly in accessible, comprehensive online reports. Provide quarterly information by district for all use-of-force	
	TCT 31	As we look at ways to reduce loss of life and assault during interactions with law enforcement officers either against or by officers, the resounding commonality is often that individuals do not obey instructions given to them by officers after repeated requests. Fairfax County has a unique opportunity to be the trailblazer in a national campaign to encourage individuals to comply with officers' requests understanding that an effective complaint and investigative process is already in place.			Bolster the Blue		
Use of Force							

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	UOF 1	Evaluate the use of force policy. If a citizen possesses no threat of "imminent" danger or loss of life, there is no need for excessive force. Especially in instances of an unstable mental state, what does tazing do to make that person calmer?	FCPD is working with NAACP to partner with several advocate groups to create a framework to evaluate use of force policy, traffic stop policy, warnings, arrests, and related policy and lesson plans. After that group meets, we can establish an annual review thereafter.	6/6/2021	Fairfax County Resident		All UOF policy/practice proposals should be evaluated by the group the Chief is to establish wwith the NAACP. Ad Hoc Commission members and representatives of officer organizations should be included -- Ad Hoc Police Practices Review Commission Member
	UOF 5	Our current Use of Force Policy is silent on the limits on the use of kinetic impact weapons. For instance, other departments explicitly state that such weapons shouldn't be used within 6 feet and not used on a "skip-shot" basis which may cause the projectiles to scatter. These restrictions are not in Fairfax's Policy.	General Order 540.19- Kinetic Energy Impact Systems emphasizes that only large muscle groups below the waist of a person should be targeted. Kinetic weapons are only deployed by officers who have had specialized training and only in specific circumstances. The policy of regarding use of Kinetic Impact Systems will be reviewed in the coming months. (5/19/2021) <u>As seen in the attached report, only one deployment occurred in 2019. PowerPoint Presentation (fairfaxcounty.gov)</u>	6/1/2021	Fairfax County Resident		

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	UOF 7	Review use of force policy.			NAACP	NAACP - "More restrictive state and local policies governing police use of force are associated with significantly lower rates of police shootings/killings by police. This is backed by 30+ years of research." - so, we are on the right track here asking for as much as we can. "We consulted legal experts, academics, and activists to identify a range of policies designed to impose common sense restrictions on how and when police use force against civilians. Then we reviewed the use of force guidelines of the nation's largest police departments to determine where these policies were currently in place and whether they were associated with fewer police-involved killings. We found all of the policies to predict lower rates of police-	

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	UOF 8	Understand the degree to which FCPS use of force policy is reflected in street practices; if not, understand why not. Determine whether current policy needs to be strengthened or its enforcement from the line officer's duty to intervene to the chain of command's policy enforcement and reporting practices.			Ad Hoc Police Practices Review Commission Member	FCPD's use of force policy is one of the most progressive in the country, by emphasizing the sanctity of human life and de-escalation of response and by prohibiting egregious use of force practices, such as the choke hold. Key questions, however, need to be asked, such as: Are abuses occurring within permissive use of force policies, or does the policy framework provide the appropriate direction for police officer behavior, but is not adequately or effectively enforced? How are tendencies by individual officers toward use of force or disparate treatment of people of color monitored and addressed by supervisors and command.	
	UOF 12	Take away firearms and tasers from police			Virginia Coalition for Transforming Police		
	UOF 13	Standardize use-of-force guidelines across the state			Virginia Coalition for Transforming Police		

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	UOF 14	Set goal of eliminating the UoF racial disparity by 2023	<u>See Complete Response</u>	6/1/2021	Virginia Coalition for Transforming Police		
	UOF 16	Ban rubber bullets, tear gas and other chemical weapons	The FCPD's philosophy is to avoid the use of any force. The FCPD has strict standards to prevent the unnecessary use of force against those exercising their First Amendment rights.	6/1/2021	Virginia Coalition for Transforming Police		
	UOF 23	I cannot reach any conclusion other than the policies, practices, and General Orders of the FCPD are not only ineffective against reducing the disproportionate use of force by FCPD, but that they are actively supporting and protecting the existing culture that is leading to excessive use of force and discrimination. As a result, I do not believe the Department's policies, practices, and General Orders are capable	<u>Independent Police Auditor</u> <u>Police Civilian Review Panel</u>	6/1/2021	Fairfax County Resident		
	UOF 24	{In regard to General Orders and how they relate pointing of firearms at individuals} The only conclusion to be drawn is: The General Orders are not solving the problem. Something new needs to be done			Fairfax County Resident		
Police Roles and Responsibilities							
	PRR 1	Slash the FCPD budget and instead use those extraordinary resources towards funding what Black and Brown communities need to be safe and healthy: COVID19 relief, housing, healthcare, treatment, healing, cooperative businesses, community centers, community-led organizations and projects.			Form letter from a thousand + citizens	FCPD has been a waste of our resources. Last year, the Police Department cost the county \$176 424,490. While we've been spending extraordinary amounts on policing, we have not seen improvements to safety, homelessness, mental health, or affordability in our city. Instead, we see wasteful and harmful actions of our police.	

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	PRR 2	Finally, do not completely rule out the option of decreasing the budget of the FCPD. Fairfax County is a vibrant community with cultures from all over the world and we are lucky to live in such a great place. I know the concept of "defunding the police" can seem scary, but calls for it really do stem from a place of hurt. The call to reinvest in our communities instead of further giving in to militarizing our police forces is being heard across the nation, and I do think it is something that Fairfax County should look into			fairfax County Resident		
	PRR 3	Reduce the size of the police budgets and redirect that funding to social programs, Title I schools, counselors, minority scholarship programs, and affordable housing, drug court			Virginia Coalition for Transforming Police		
	PRR 4	Stop building additional police stations			Virginia Coalition for Transforming Police		
	PRR 5	Mandate that money earmarked for Sheriff's Office be contingent on the Office being subjected to Civilian Review Panel review			Virginia Coalition for Transforming Police		IPA may be an alternative to CRP -- Ad Hoc Police Practices Review Commission Member
	PRR 6	No increase in funding			Virginia Coalition for Transforming Police		
	PRR 7	I request defunding of the FCPD, including the disbanding off K-9 units. The dogs used by the police cannot give consent to labor and are thus being exploited. Any and all county monies redistributed from this should be used to fund social and mental health services, and public schools			Fairfax County Resident		

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	PRR 8	One of the things we've learned from the George Floyd video is that police are not afraid of body cams, and body cams do essentially nothing to stop police brutality. Sherrilynn Ifill made some compelling points on this subject on 60 Minutes recently. (https://www.cbsnews.com/news/naacp-sherrilyn-ifill-george-floyd-donald-trump-response-60-minutes-2020-06-07/). The answer to racial injustice isn't putting more money into the police department. It's defunding the police, deweaponizing the police. And putting more money into programs that actually create change, like education and mental health care.			Fairfax County Resident		
	PRR 9	Terminate the Memorandum of Understanding with National Park Police	The FCPD does not have an MOU with U.S. Park Police.	6/1/2021	Indivisible Below the Beltway	"Terminate Memorandum of Understanding with National Park Police" Sen Surovell, Del Krizek, Sen C. Peterson, Sen D, Marsden, Sen B Favola, Sen Ebbin, Sen Boysko, Del. P Hope, Del. K Tran, Dell V Watts, Del. M Levin letter to Mt Vernon Gazette 6/25/20. pp5-7	
	PRR 10	Once the County's Trust Policy is finalized, it should be transmitted to the School Board with the request that its provisions be adopted for all schools and education services.			ACLU People Power Fairfax & Immigration Coalition		

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	PRR 11	FCPS regulations should be revised to expressly state that ICE and other immigration enforcement agents are not permitted on school property (including the campus) without a criminal judicial warrant.			ACLU People Power Fairfax & Immigration Coalition		
	PRR 12	School directory publication process must be reassessed to ensure that address and contact information of students and families who may have an undocumented member are not included in the directory, unless the family expressly opts in.			ACLU People Power Fairfax & Immigration Coalition		
	PRR 10	Establish a legal advisor position within the FCPD. The advisor would not only advise the Department on legal issues but also ensure implementation of recommendations and timely implementation of policy changes.			Ad Hoc Police Practices Review Commission Member	The UOF Subcommittee recommended this position (UOF Recommendation 32). The Board determined not to approve such a position.	
	PRR 11	FCPD should (to the extent not already in place) establish a position to monitor the Department's implementation of the Commission's recommendations. The monitor could meet periodically with the Chair's and PSC Chair's staff to address any issues.			Ad Hoc Police Practices Review Commission Member		

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	PRR 16	Community Consensus as to FCPD Law Enforcement Role			Ad Hoc Police Practices Review Commission Member	Through listening sessions, public forums, meetings with the FCPD and active and retired police officers, and other means, the County should engage in a consensus-building process (i) to define the role it wants its police officers to perform (and assign to others roles they are better able to perform), (ii) to strengthen partnerships with other agencies, such as through Diversion First; and (iii) to implement systems to reinforce a more limited role or to strengthen interagency partnerships. Once a mutual understanding on the FCPD role is achieved, the Board, with the help of citizens and the FCPD, should develop constructive measurement systems that reflect the community's values and that promote officers and	
	PRR 18	Fairfax County Public Schools should end the school resource officer program and reconsider any use of police forces in school.			Fairfax NAACP		
	PRR 19	An article on whether or not School Resource Officers (SROs) are actually as helpful as they claim to be. I recall in high school the excessive use of force they would use on students. This is an area that needs to be heavily looked into.			fairfax County Resident	https://www.npr.org/2018/03/08/591753884/do-police-officers-in-schools-really-make-them-safer	

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	PRR 20	Support for removing SRO's from schools • We must remove the school to prison pipeline towards our children of color. <ul style="list-style-type: none"> • FCPS planning to investigate removing/remove SROs out of schools? • If SROs remain in the schools, why can't their role solely be to provide security, for example for active shooters, and no referrals from teachers, no interactions with students? • SROs were disruptive at Mount Vernon High when I taught there. • Children live up to how you treat them. And, with what we know about implicit bias, we really need to reconsider SROs. Counselors are more important. 			fairfax County Resident		
	PRR 21	The SRO program disparately impacts minorities and criminalizes youthful behavior. The funds should be shifted to schools to buttress the disciplinary process to include educational personnel (social worker/ psychologist/intervention specialist/ coach) steeped in positive behavior strategies. FCPS should also fund an independent study of disparity in discipline to ensure discipline is fair.			ACLU People Power Fairfax & Immigration Coalition		
	PRR 22	If the SRO program is maintained..Limit criminal investigations to serious violent actions that are not suitable for resolution through the disciplinary process. While SROs are no longer part of the disciplinary process, a criminal investigation can be initiated for anything that arguably is a crime, which has substantial overlap with disciplinary violations. The disciplinary process is put on hold until the criminal investigation is complete. This continues the criminalization of youthful behavior, and disproportionately impacts students of color.			ACLU People Power Fairfax & Immigration Coalition		
	PRR 23	If the SRO program is maintained..The diversion process must be made more accessible to families who may be reluctant to interact with schools, e.g., families with an undocumented member.			ACLU People Power Fairfax & Immigration Coalition		

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	PRR 24	If the SRO program is maintained..Diversion should be available even if the student is unwilling to admit guilt, e.g. because they are in fact innocent			ACLU People Power Fairfax & Immigration Coalition		
	PRR 31	We see before the Virginia State Senate a variety of bills aimed at police reform that ultimately will made the jobs of our officers more difficult. We ask that you repeal this legislation in the County of Fairfax. One such bill is the one that precludes our officers from making traffic stops if tail lights are broken. Law already exists that clearly defines that a main and secondary light must be out in order for an officer to make a stop, and quite frankly, most officers state that these stops typically result in no ticket but rather a helpful notification to the driver. Ensuring tail lights work properly is obviously integral to the safety of our families especially during night driving.			Bolster the Blue		
	PRR 40	I propose that Fairfax County create a fourth category of First Responders that I'll call Crisis Responders. The Fairfax County Crisis Responder (FCCR) organization would have it's own headquarters staff and it's own districts staff. I would personally advise that the HQ staff reside under the Deputy County Executive for Human Services Programs with a dotted line to the Deputy County Executive for Public Safety Programs. It's important that the CRs be able to do meaningful follow-up with the Department of Family Services or the Health Department.			fairfax County Resident	Lot's more detail in an email.	

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	PRR 41	In Dallas, Texas they have a pilot program where they triage mental health calls and then send a paramedic and social worker along with officers in order to deescalate situations and divert mentally ill persons away from hospitals and prisons (similar to the Diversion first, but might help further with de-escalation)			fairfax County Resident	The goal of RIGHT Care is to divert mental health patients from area emergency rooms and jails by stabilizing them on the scene and getting them to the appropriate preventive and intervention services that can meet their healthcare needs. https://www.parklandhospital.com/news-and-updates/right-care-team-responds-to-mental-health-crisis-c-1488	

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	PRR 42	Crime Data Analysis to Identify Geographic "Microplaces" for Targeting County Services			Ad Hoc Police Practices Review Commission Member	<p>The County should use its Geographic Information System and Mapping Service to identify place-based factors that provide police and social services agencies -- such as social workers, advocates for homeless persons, and mental health experts -- with stable and data-driven targets on which to focus their efforts.</p> <p>Beyond promoting efficiency and effectiveness in the use of County resources, such targeting would allow for a more sophisticated response to crime that extends beyond traditional policing as a first-resort solution. By addressing the causes of crime in a given hot spot (e.g., lack of economic and educational opportunity, gangs, homelessness, etc.), public safety activity can be focused on community engagement relationships.</p>	
	PRR 43	Reduce workloads for police			Indivisible Below the Beltway		

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	PRR 44	We should continue investing in our Fire Fighters, as well as collectively imagining what would be possible if there were Emergency Social Workers, Mental Health Experts, Trauma-informed Sexual Assault Survivor Advocates, and other trained professionals ready to address crime and violence. The police are asked to do all this and more—what if we addressed a houseless person sleeping on a park bench by calling a social worker to come and connect them to shelters? Calling an EMT trained in de-escalation for someone who seems to have mental illness and may pose a public threat? Restorative Justice practitioners for interpersonal violence, theft, or other instances of harm done? There is so much that is possible if we defund police and invest in community safety as so many Black leaders are envisioning and calling for, safety for all that does not come at the expense of some			Fairfax County Resident		
	PRR 45	The Oregon program of CAHOOTS may be a good model for us to try in Fairfax County. I understand that given the COVID-19 pandemic, our budget is likely to be tighter than previously projected. For this reason, I would support the use of a bond referendum (or other alternate funding sources) to raise funds for a CAHOOT-like initiative in addition to reallocating some funds previously planned for the police budget to community-building initiatives like social and health services and affordable housing.			Fairfax County Resident		

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Time Frame (Starting 6/1/2021)	#	Community Proposal	Status of Proposal	Response Date	Proposal Source	More Information from Source	Comments and Responses
	PRR 46	Narrow police functions. Police are asked to fulfill too many roles, which is unfair to them and to the public. The police should concentrate on serious crimes.b. Substitute social services for police force. Significant funds should be shifted to social services and mental health professionals to address expansion of their participatory roles			ACLU People Power Fairfax & Immigration Coalition	<p>FCPD police officers are using more force to achieve fewer arrests. ► In 2019, 88% of all officers were involved in 594 use of force incidents, 84 more incidents than the year before. ► Per year arrests are down by 5,000 since 2016. ► Most calls for service are for non-violent encounters. ► 60% - 75% of Fairfax arrests involve "morals and decency", use of alcohol or drugs, traffic or misdemeanor theft. ► Nationwide, only 5% of arrests involve violent crimes. There is a growing consensus that increased policing does not significantly decrease crime. To the contrary, mass incarceration is counterproductive and fosters distrust. It is more effective to focus on underlying equity issues and</p>	
	PRR 48	Diversion First. Expand the program as contemplated by the original 2021 Budget proposal. Focus on expanding the role of social service and mental health professionals.			ACLU People Power Fairfax & Immigration Coalition		

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	PRR 49	Alcohol-related arrests. Treat drunkenness as the public health problem it is. (i) Divert Drunk in Public cases (2,843 arrests/2019) to detox, in coordination with the Community Services Board (CSB) (per VA Code § 18.2-388 and Alexandria City example). (ii) Use summons in lieu of custodial arrest for misdemeanor DWIs (<p><u>Detoxification Diversion Outreach program.</u></p> <p><u>Virginia Code 19.2-74</u> - Governs the issuance and service of summons.</p>	6/1/2021	ACLU People Power Fairfax & Immigration Coalition		
	PRR 51	Record expungement. Expand expungement of criminal records (e.g. if acquitted, dismissed, nolle prosequi, minor offenses) and issue clear public explanation of policy			ACLU People Power Fairfax & Immigration Coalition		
	PRR 52	The Board has been aware since minimally June 2019 that there are enormous disparities in the pay of our officers versus those in surrounding jurisdictions where the cost of living is much less than in Fairfax County. Specifically we ask that the Board address detective pay bands and increase pay levels to meet the cost of living in Fairfax County.			Bolster the Blue		
	PRR 53	The Board made a decision last July to decrease pensions for our officers. We know that our officers rely heavily on their retirement for their families, as we all do. We ask that the Board reverse this decision and increase pensions for our officers to demonstrate to them the respect we have for their dedication and in many cases life-long commitment to serve and protect us all.			Bolster the Blue		
Police Accountability							

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Time Frame (Starting 6/1/2021)	#	Community Proposal	Status of Proposal	Response Date	Proposal Source	More Information from Source	Comments and Responses
	PA 1	Address the discrepancy between the police policies and the police actions.			South County Task Force Town Hall		Ad Hoc Commission members and representatives of officer organizations should be involved in the group to be formed -- Ad Hoc Police Practices Review Commission Member
	PA 5	Internal Affairs. The internal review system must be independently evaluated. Of 594 investigations of use of force in 2019, there were NO violations found. This is not credible.	Independent Police Auditor Police Civilian Review Panel	###	ACLU People Power Fairfax		
	PA 7	Reform/Repeal the Law-Enforcement Officers Procedural Guarantee Act, enact state cause of action against criminal police behavior, and empower an independent prosecutor to charge police officers with crimes other than Commonwealth's attorneys			Virginia Coalition for Transforming Police		
	PA 9	If standards are not met, implement oversight and consequences, such as withholding of funds or leadership changes.			Fairfax County Resident		
	PA 11	Require cops to be liable for misconduct settlements: this saves community budgets a lot of money, rejects the notion that the costs of policing are essential to safety, and creates financial pressure for police to be accountable for their actions.			Fairfax County Resident		

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	PA 14	The Chief should have the authority to immediately suspend officers, with pay or without pay, pending an internal investigation.	Currently governed by <u>Fairfax County Personnel Regulations</u> .	6/1/2021	Richard Schott, Independent Police Auditor	The current requirement that officers (as well as other county employees) be placed on Administrative Leave (paid) pending investigation and due process requirements, does not inspire the belief among community members that there is true accountability. I recognize this proposed change may require a county-wide personnel regulation change, but that process seems to be worth exploring at this time.	
	PA 15	Instead of police officers accused of abuse being put on administrative leave, they should be suspended, especially if their records show many negative incidents.	Currently governed by <u>Fairfax County Personnel Regulations</u> .	6/1/2021	fairfax County Resident		
	PA 16	The FCPD should develop Social Media usage policy unique to members of the FCPD. Building on a recent PCRP recommendation, the policy should mandate that all public social media accounts and postings made by members of the PD are subject to inspection by the department, whether or not it is done in relation to any specific allegation or investigation. This inspection of social media comments should begin during the hiring process and continue throughout an officer's employment with the department.	<u>Open-source social media is reviewed during the background process. Additionally, General Order 201.7 covers FCPD employee conducts, both on and off duty. GO includes but is not limited to verbal, written, and electronic communications, including social media activities, text messages, online posts, etc.</u>		Richard Schott, Independent Police Auditor		
PA 17	Make background checks more robust to include checking social media; contracted to third party	Social media checks are already part of the background investigation. We are currently looking into services that would run open-source social media checks for us.		Virginia Coalition for Transforming Police			

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Long	PA 18	Payment of legal settlements. Legal settlements should come from the FCPD budget to create a financial incentive to reduce misconduct.			ACLU People Power Fairfax & Immigration Coalition		
	PA 19	With hold legal counsel services for officers who choose to invoke a qualified immunity defense in cases, especially ones involving use of force			fairfax County Resident		
	PA 20	Develop stipulations that limit the flexibility for use of the obstruction of justice charge, especially when use of force is deployed			fairfax County Resident		
	PA 21	Offer reparations to victims of police violence and their families from police budget			Virginia Coalition for Transforming Police		
	PA 22	Require police to pay for Errors & Omissions Insurance			Virginia Coalition for Transforming Police		
	PA 23	Mandate psychological evaluations every quarter; track evals in a statewide and nationwide database	General Order 201.19 - requires mandatory mental health checks that coincide with the physical check up. BlueTeam for early intervention.		6/1/2021	Virginia Coalition for Transforming Police	
	PA 24	Mandate therapy and counseling multiple times/year	General Order 430.3 - Incident Support Services. Fairfax County Employee Assistance Program.		1-Jun	Virginia Coalition for Transforming Police	
	PA 26	As Governor Cuomo says, we need to have police abuse cases investigated and prosecuted outside the offices of local prosecutors.	Independent Police Auditor. Civilian Review Panel. Office of the Fairfax Commonwealth's Attorney.		#####	fairfax County Resident	There is way too much conflict of interest in those relationships and it has
	PA 27	Prohibit County Attorney offices from interfering in criminal investigations and the release of evidence to victims of police misconduct			6/1/2021	Virginia Coalition for Transforming Police	
Police Culture and Practices							

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Time Frame (Starting 6/1/2021)	#	Community Proposal	Status of Proposal	Response Date	Proposal Source	More Information from Source	Comments and Responses
	PC&P 4	Outsource police recruiting to an outside firm experienced in recruiting diverse candidates and set recruitment benchmarks and hold recruiters accountable for meeting goals.	<u>The Chief's Diversity Council has reviewed outsourcing the police recruitment process but determined it was cost prohibiting. The Chief's Diversity Council is made up of community leaders, who provide strategic direction to increase diversity within the FCPD. The FCPD recruiting goal is to recruit a more diverse workforce which mirrors the community we serve. We are currently expanding our recruiting efforts by having assigned FCPD ambassadors at our district stations.</u>	6/1/2021	NOVA EAC	Increase racial diversity in Fairfax County Police Department (FCPD) to ensure the police department is reflective of the communities it serves. Recent data shows only 8% of department is Black, 5% Asian, and 6% Latinx. 2012 Census data indicates Fairfax County is 9% Black, 18% Asian, and 16% Latinx.	
	PC&P 5	I also suggest that inquiry could be made at the PSC meeting as to what the FCPD has done in terms of training and internal oversight to address the racial disparities that do exist.			Ad Hoc Police Practices Review Commission Member		
	PC&P 10	Include outside trainers, and "best and brightest" from within FCPD, to address key issues such as ► de-escalation ► implicit and explicit bias and ► duty to intervene and report. No "fear based" or "warrior training" should be included. While diversity in hiring is critical, training should address the pressure minority officers face to toe the "blue line".	The FCPD continues to enhance its adjunct instructor staff by working with County, State, Federal, and community subject matter experts in accordance with One Fairfax.	6/1/2021	ACLU People Power Fairfax & Immigration Coalition		
	PC&P 15	Mandate at least 40 hrs of implicit bias training for incoming recruits, and 8 hrs annually.	The FCPD's current curriculum covers hate crimes and biases. New lesson plans are being developed in include implicit and explicit biases in accordance with One Fairfax.	6/1/2021	Virginia Coalition for Transforming Police		

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Form or Needs to be Designated	PC&P 16	Training must be conducted by an outside organization. The goal will be to teach the history of racism in America and the problematic history of the relationship between police and the African American community	The FCPD Criminal Justice Academy hires outside vendors and uses community resources to accomplish this goal. We continue to develop our partnerships in the region with diverse advocates, enhancing our cultural learning through visits and engagement with historical and cultural institutions.	6/1/2021	Virginia Coalition for Transforming Police		
	PC&P 17	Mandate visit to National Museum of African American History and Culture	The FCPD command staff has attended a tour of the museum. FCPD recruits and other staff will continue to visit historical and cultural institutions to enhance our cultural learning experience.	6/1/2021	Virginia Coalition for Transforming Police		
	PC&P 18	Mandate de-escalation, and crisis intervention training	<u>General Order 540.2.</u> <u>Crisis Intervention Training.</u>	####	Virginia Coalition for Transforming		
	PC&P 21	Use body-worn camera footage to train officers and evaluate policies.	The FCPD continues to enhance its training and policies by working with County, State, Federal, and community subject matter experts in accordance with One Fairfax. <u>The Virginia Department of Criminal Justice Services' Compulsory Minimum Training Standards and Requirements.</u>	6/1/2021	CRP Member		
	PC&P 22	Hire an outside expert on implicit racial bias to conduct an analysis of all training for new recruits and police officers to determine whether training in some areas undermines implicit racial bias training in other areas.	The FCPD's current curriculum covers hate crimes and biases. New lesson plans are being developed in include implicit and explicit biases in accordance with One Fairfax. <u>The Virginia Department of Criminal Justice Services' Compulsory Minimum Training Standards and Requirements.</u>	6/1/2021	CRP Member		
	PC&P 23	Require that implicit bias training be conducted in person by experienced professionals and not on-line. Make such training more frequent and shorter (i.e. once every six months for 2-3 hours)				CRP Member	
	PC&P 24	Measure the effects of all training by evaluating outcomes for	The FCPD ensures all of its officers receives mandated training in a timely manner.	2021			

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Long Term		officers who have already undergone training compared to those who have not received it.	The Virginia Department of Criminal Justice Services' Compulsory Minimum Training Standards and Requirements.	6/1/2021	CRP Member		
	PC&P 25	Greater emphasis needs to be made on the use of de-escalation strategies as a baseline approach in all cases, not just "where possible"	General Order 540.2. Crisis Intervention Training.	####	Fairfax County Resident		
	PC&P 26	Police Hiring: Better training and internal policies have not been sufficient to stop aggressive police behavior and curtail racial bias. Are we getting people who are the most suitable for the work ? Does the department use tools to screen out applicants whose temperament is unsuitable for police-public interactions. For example, applicants who are attracted to police work more for the authority it confers, or who don't have demonstrated interpersonal or negotiation skills to de-escalate situations, who react provocatively when challenged, who have identifiable bias, who lack patience & empathy, or over-react in stressful situations. These personality types can be tested for. The FCPD should consider extending the probationary period for a police recruit to 2 years. This allows the department to have more time to observe any negative behaviors that are incompatible with effective policing.	The FCPD thoroughly reviews and investigates all candidates' biases, prejudices, and interpersonal skills before hiring.	6/1/2021	Fairfax County Resident		
	PC&P 35	How will the FC Board of Supervisors be responding to the letter that the Fairfax County Police Association recently published. It seems like we, the people, and the police (or their association) aren't even on the same plane of understanding. http://www.thefcpa.org/news/fbclid=IwAR3az7lQibuOhMO58Fr9GtLqIRmJgOqAacHlurf7rKZJCLb3G759Zc1iE1Y			South County Task Force Town Hall		
	PC&P 36	Can someone tell us how the police union in Fairfax county is relating to accountability of officers?			South County Task Force Town Hall		

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Proposals to be Designated	PC&P 37	Review/Reduce/End Police Union Contracts	Virginia is a right to work state, prohibiting collective bargaining under <u>Virginia Code 40.1-57.2</u> . There are no contractual agreements.	6/15/2021	Virginia Coalition for Transforming Police		NAACP- Here [https://static1.squarespace.com/static/559fbf2be4b08ef197467542/t/5773f695f7e0abbdfe28a1f0/1467217560243/Campaign+Zero+Police+Union+Contract+Report.pdf] you can see an analysis of some information you already know regarding police bill of rights and union contracts. They discuss that these structures create, "...significant legal and structural barriers to accountability, transparency, and fairness." A good organization regarding this can be found here. [https://www.checkthepolice
	PC&P 38	Prohibit elected officials from taking police union donations			Virginia Coalition for Transforming Police		

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Long Term or Nee	PC&P 40	Increase cultural diversity by outsourcing police recruiting to outside firms and/or include civilian community boards	During the last seven years the Chief's Diversity Council has reviewed outsourcing the police recruitment process but determined it was cost prohibiting. The Chief's Diversity Council is made up of community leaders, who provides strategic direction to increase diversity within the FCPD.	6/1/2021	Virginia Coalition for Transforming Police		
	PC&P 41	Increase cultural diversity by setting recruitment benchmarks to recruit individuals with more diverse racial education and professional backgrounds.	FCPD Chief's Council on Diversity Recruitment Score Card.	6/1/2021	Virginia Coalition for Transforming Police		
	PC&P 42	Examine the practice of calling for back up. The presence of more officers likely increases the fear response of the resident, allows "tougher" officers to initiate force and creates a dangerous "piling on" of multiple officers for take downs.			ACLU People Power Fairfax & Immigration Coalition		
	PC&P 43	Ban automatic license plate readers			Virginia Coalition for Transforming Police		
	PC&P 44	Standardize the process for civilians being labeled as gang members or being entered into gang databases	Virginia Code 18.2-46.1 - Gang defined.	6/1/2021	Virginia Coalition for Transforming Police		
	PC&P 49	End the criminalization of Black and Brown youth and communities through gang task forces. Divest from and dismantle the Northern Virginia Gang Task Force (NVGTF) and invest in culturally responsive programs informed by the needs of youth and created in partnership with them.	<u>The Road DAWG program.</u> <u>The Teen Police Academy.</u> <u>The Future Women Leaders in Law Enforcement program.</u> <u>The Public Safety Cadets program.</u> <u>The Police Leaders of Tomorrow program.</u>	6/1/2021	Form Letter		
	PC&P 50	Fairfax should withdraw from the Task Force, which is fraught with racial profiling, secrecy and ICE involvement	General Order 604 Immigration status, citizenship, and national origin - Prohibits officers from participating in, or facilitate, civil immigration investigations.	6/1/2021	ACLU People Power Fairfax &		

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		racial profiling, secrecy and ICE involvement.	General Order 201 Regulation - 201.7 Standards of Conduct, 201.14 Unlawful Discrimination, and 201.22 Bias Based Policing.	6/1	Immigration Coalition		
	Commonwealth's Attorney Role						
	CWA 1	The funding of two independent criminal investigators who will report to and be used by the CWA to promote impartiality and objectivity.			Ad Hoc Police Practices Review Commission Member	Ad Hoc Commission UOF Recommendation No. 2.	
	CWA 2	The possibility that the criminal prosecution of an FCPD officer involved in a "Death or Serious Injury" case (including the decision to charge) could be handled by the CWA of a different count/city.			Ad Hoc Police Practices Review Commission Member	Ad Hoc Commission UOF Recommendation No.6	
	CWA 3	The CWA should issue timely and comprehensive public reports in criminal cases against an FCPD officer involving a "Death or Serious Injury" when no criminal charges are filed.			Ad Hoc Police Practices Review Commission Member	Ad Hoc Commission UOF Recommendation No.7	
Sheriff Office Reform							

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Long Term or Needs to be Designated	SOR 1	The Independent Police Auditor should be authorized to monitor and review investigations of Sheriff Deputies involved in shootings, in-custody deaths, and any UOF resulting in death or serious injury.			Ad Hoc Police Practices Review Commission Member	The Final Report on Implementation of the Ad Hoc Commission's Recommendations (October 10, 2018). As to the Sheriff's Office, the Commonwealth Attorney's Office has some leverage which it could exert. First, it is important to note that the FCPD Major Case Division conducts the criminal investigations of potential Deputy Sheriff misconduct, and the Sheriff's office conducts the internal administrative investigations. That process was subject to much criticism in the death of Natasha McKenna. One suggestion for reform is that the CWA's office could set certain investigative criteria that it would want met before it made a prosecution determination.	
	SOR 2	Under Virginia law, Sheriffs have the power to hire and fire their deputies. But contrary to conventional wisdom, the Board of Supervisors is vested with the power to set law enforcement standards that the Sheriff, like other County law enforcement, must follow. This includes transparency of data and standards governing use of force. We will provide a separate legal analysis on this issue.			ACLU People Power Fairfax & Immigration Coalition		
Civilian Oversight							

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	CO 1	Strengthen the Civilian Review Panel (CRP). Current CRP policies make the body weak and with limited ability to ensure civilian oversight and accountability. a. Remove the requirement for a FCPD member to serve on the CRP b. Empower the CRP to review information not evaluated in the police investigation c. Empower the CRP to recommend punitive and corrective actions			NOVA EAC		The Board Action Item establishing the CRP precludes FCPD members from serving on the Panel - Ad Hoc Police Practices Review Commission Member
	CO 2	Strengthen the Civil Review Panel. Fairfax County's CRP should be given independent investigatory power, including the authority to review UoF complaints; it should not be beholden to IAB investigators, and it should have its own counsel who is independent of conflicts associated with defending the police ; the CRP should be permitted to petition the BoS independently and publicly ; and it must be given access to all relevant documents electronically.	The CRP and IPA have access to information pertaining to the investigation including BWC footage. <u>Axon BWC footage access.</u>	6/1/2021	Fairfax NAACP		Ad Hoc Commission members and representatives of officer organizations should be involved in the group to be formed -- Ad Hoc Police Practices Review Commission Member
	CO 4	Report officer misconduct. To the extent permissible under state law FCPD should make accessible to the public a database showing when an officer is found to have violated FCPD policy or the law, committed official misconduct or resigned under investigation for these offenses. An annual review of reported misconduct by outside source shall be conducted and made public. To the extent FCPD believes such a database of FCPD officer misconduct is not permitted under Virginia or other law, it should advocate for change of such laws			Fairfax NAACP		

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<p>ing Term or Needs to be Designated</p>	<p>CO 5</p>	<p>Hire an executive director to provide staff support to the CRP</p>			<p>Ad Hoc Police Practices Review Commission Member</p>	<p>The CRP budget should be increased to allow for the hiring of an executive director. The amount of time that is required of Panel members is well beyond what should be expected of citizen volunteers, and the Panel is at a point of critical need. In addition to administrative tasks, the executive director would undertake initial reviews of IAB investigative files and summarize the facts and issues for the Panel, assist in conducting the review meetings and in the drafting of Panel reports, work with the IAB as to any supplemental investigation, review and summarize the Auditor's UOF reports for Panel consideration, and implement effective community outreach. The executive director should be an experienced attorney or</p>	

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LO	CO 6	Reassess CRP selection requirements to better ensure diversity of its members.			Ad Hoc Police Practices Review Commission Member	The process for the selection of Panel members needs to be reviewed to ensure that the Panel represents the diverse population and geography of Fairfax County. As currently constituted, the Panel is not diverse in terms of geography, income, race/ethnicity, and age. Perhaps, a process which would allow citizens to apply for Panel membership could be considered.	
	CO 7	I suggest that the Board reinstitute its practice of holding public forums that provide members of the public with an opportunity to express their views as to the work of the FCPD, the implementation of the Commission's recommendations, and possible areas for improvement.			Ad Hoc Police Practices Review Commission Member	The forums held in the past have been quite informative and helpful. In addition to the Board, the Chief, the Sheriff, the Independent Police Auditor, and the Chair of the Civilian Review Panel have attended, spoken and answered questions.	

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To be Designated	CO 8	The CRP should be authorized to retain a criminal investigative consultant to assist it with the fulfillment of its responsibilities			Ad Hoc Police Practices Review Commission Member	Ad Hoc Commission recommendation (IOI Recommendation NO. 18(d)). The investigative consultant could be hired in the role of an executive director for the CRP (with staff as needed). An executive director could handle the CRP's administrative tasks, undertake an initial review of the IAB file and summarize the facts and issues for the Panel, assist in conducting the review meeting, work with the IAB as to any supplemental investigation, and assist with the drafting of review and annual Panel reports	
	CO 9	The CRP should be able to discuss prior relevant officer misconduct in the Panel review meeting and in its review report.			Ad Hoc Police Practices Review Commission Member		
	CO 11	Make disciplinary records of officers publicly available and searchable			Fairfax County Resident		

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Long Term or Needs to	CO 16	Independent Police Auditor (IPA) & Civilian Review Panel (CRP). CRP is toothless. It is suspect that neither the IPA nor the CRP has rejected a determination of internal affairs. (i) Use of force cases should be reviewed by the CRP. Combining the two offices may be warranted. (ii) The office(s) must be given authority to conduct independent investigations including having subpoena power and to make decisions (or recommendations to the Board) for discipline. We believe the Board has authority to do this, and will address the issue by a separate memorandum. (iii) The CRP's composition needs to reflect the demographic and geographic diversity of the community. (iv) Independent legal counsel should be hired.			ACLU People Power Fairfax & Immigration Coalition		
	CO 17	Mandate creation of local Civilian Review Panels with subpoena power and authority to recommend punishment for misconduct <ul style="list-style-type: none"> o Mandate Civilian Review Boards/Panels be involved in every phase of policing ■ Review hiring practices ■ Review candidates ● Ability to inquire about rejected and accepted candidates ■ Member of CRB/CRP sits on officer promotion panels ■ Member of CRB/CRP sits on disciplinary review board ■ Members will be elected by community in local elections o Mandate officers provide information about Civilian Review Panel to citizens during every interaction 			Virginia Coalition for Transforming Police		
	CO 18	Independent Statewide Investigation unit to ensure police do not conduct their own investigations			Virginia Coalition for Transforming Police		
	CO 19	I think Fairfax County should re-establish the Ad Hoc Police Practices Review Commission every five years. (IOI-24 "Not implemented"). It is timely to review the current policies and practices, given a) that the current Progress Report has not been updated in two years and b) the increased public concerns this year with the George Floyd killing (and others) and the Black Lives Matter movement and protests.			Fairfax County Resident		

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Designated	CO 20	Support state legislation to allow local jurisdictions in Virginia to choose the model of civilian oversight that best meets the needs of their communities. Local jurisdictions should be allowed to implement civilian oversight that authorizes panels and/or independent auditors to investigate, interview witnesses, hear and receive sworn testimony and evidence, and issue subpoenas.			CRP Member		
	CO 21	Support state legislation that would eliminate legal impediments to the direct hiring of independent legal counsel by a civilian review panel and/or independent auditor. The County Attorney, who represents police departments, should not hire or supervise the independent legal counsel of a civilian review panel or independent auditor.			CRP Member		
	CO 22	Authorize the Police Civilian Review Panel to hire an experienced criminal investigative staff person to assist with the fulfillment of the panel's responsibilities, including reviewing the police investigative file, questioning the complainant and the representative of the police department at review meetings, and drafting review reports. (See Recommendation 18(d) of the Ad Hoc Police Practices Commission).			CRP Member		
	CO 23	Expressly authorize the Police Civilian Review Panel to review anonymous complaints.			CRP Member		
	CO 25	Authorize the Police Civilian Review Panel and the Independent Police Auditor to hire consultants to administer community surveys biennially to obtain feedback from community members on police practices and the effectiveness of civilian oversight.			CRP Member		
	CO 27	Use external and independent prosecutors in cases of police use of force resulting in death, officer-involved shootings resulting in injury or death, or in-custody death			Indivisible Below the Beltway		
	CO 28	Fund for Communities to establish and evaluate the efficacy of crisis intervention team approaches and hold agency leaders accountable for outcomes.	The FCPD supports Crisis Intervention Training and is working to expand the number of our officers who receive this training. You can learn about our training by clicking.	6/1/2021	Indivisible Below the Beltway		

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Long Term or Needs to be	CO 30	We oppose establishing another commission (or resuscitating the old one), as it will delay action on key issues that need to be addressed now. We are also concerned that it will end up focusing too much on the details of police procedures, rather than focusing on big picture issues such as diverting police responsibilities and funding to social and mental health services. This is not to negate further coproduction on technical issues, nor the valuable input of the members of the prior Ad Hoc Committee.			ACLU People Power Fairfax & Immigration Coalition		
	CO 35	Current UOF does not conform to best practices. The duty to intervene in particular is too weak, only applying if UOF is "clearly beyond" reasonable standards. Duty to intervene must be subject to discipline	Use of Force General Order 540 was rereleased on March 1, 2021 to be in compliance with new legislation. De-escalation is addressed in 540.2 and Duty to Intervene is 540.3. All officers are required to abide by laws, regulations and training per Regulation 201.3.	6/1/2021	ACLU People Power Fairfax & Immigration Coalition		
	UTSA Recommendations						
	UTSA 1	Add "Other" option in the drop-down list; provide text field to describe "Other" in Reason For Use of Force			UTSA Use of Force Study		
	UTSA 2	Add "Other" option in the drop-down list; provide text field to describe "Other" in Service Being Rendered			UTSA Use of Force Study		
	UTSA 3	Replace Lighting Condition drop-down list with the following: <ul style="list-style-type: none"> • Well-lighted • Dimly-lighted • Dark Add field for Location: <ul style="list-style-type: none"> • Indoors • Outdoors 			UTSA Use of Force Study		

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	UTSA 4	Replace Weather Condition drop-down list with the following: <ul style="list-style-type: none"> • Clear • Cloudy • Foggy • Mist • Rain • Snow 			UTSA Use of Force Study		
	UTSA 5	Add field for Wind <ul style="list-style-type: none"> • None • Light • Moderate • Strong 			UTSA Use of Force Study		
	UTSA 6	Add a text field for Estimated Temperature			UTSA Use of Force Study		
	UTSA 7	In field for Citizen Taken to Hospital, add field Refused Medical Attention <ul style="list-style-type: none"> • Yes • No • N/A Add field EMS Treated and Released <ul style="list-style-type: none"> • Yes • No • N/A 			UTSA Use of Force Study		
	UTSA 8	For More than 1 Citizen Involved, Replace with text field: Number of Citizens Involved			UTSA Use of Force Study		
	UTSA 9	Add field Citizen's Weight			UTSA Use of Force Study		
	UTSA 10	In Distance to Citizen field, this is not a static measure during a use of force encounter. Recommend that distance be captured when each type of stand-off weapon is initially deployed (e.g. firearm, OC spray, Taser, less lethal projectile weapon)			UTSA Use of Force Study		

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	UTSA 11	Create Citizen Demographics as: Age <ul style="list-style-type: none"> • Text field for age in years Gender <ul style="list-style-type: none"> • Male • Female Race* <ul style="list-style-type: none"> • White • Black/African-American • Asian • American Indian or Alaska Native Hispanic, Latino, or Spanish origin* <ul style="list-style-type: none"> • Yes • No 			UTSA Use of Force Study		
	UTSA 12	In field Employee Taken to Hospital, Add field Refused Medical Attention <ul style="list-style-type: none"> • Yes • No • N/A Add field EMS Treated and Released <ul style="list-style-type: none"> • Yes • No • N/A 			UTSA Use of Force Study		
	UTSA 13	In Employee injury field, Replace drop-down for Employee Injury with the following (see accompanying text for explanation): <ul style="list-style-type: none"> • Minor • Moderate • Severe • Critical – survival uncertain • Fatal 			UTSA Use of Force Study		

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	UTSA 14	<p>Collect the following data from the officer for each use of force event: Add the following fields:</p> <ul style="list-style-type: none"> Age <ul style="list-style-type: none"> • Text field for age in years Gender* <ul style="list-style-type: none"> • Male • Female Race* <ul style="list-style-type: none"> • White • Black/African-American • Asian • American Indian or Alaska Native Hispanic, Latino, or Spanish origin* <ul style="list-style-type: none"> • Yes • No Years of Service <ul style="list-style-type: none"> • Text field for years of service with FCPD Rank <ul style="list-style-type: none"> • Drop down list of rank at time of incident Assignment <ul style="list-style-type: none"> • Drop down list of applicable assignments (e.g. Patrol, Investigator, Special Operations, etc.) Education <ul style="list-style-type: none"> • H.S. diploma or GED • Some college 			UTSA Use of Force Study		

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	UTSA 15	<p>In Force Type, In Force Type field, change Intentional Vehicle Contact to Intentional Vehicle Contact with Person</p> <p>Remove Tactical Vehicle Intercept from Force Type field</p> <p>Remove Deadly Force Against Animal and OC Defend Animal from Force Type field</p> <p>Add field for Vehicle Involvement</p> <ul style="list-style-type: none"> • Intentional vehicle-to-vehicle contact <ul style="list-style-type: none"> • Tactical Vehicle Intercept • Add field for Animal Involvement <ul style="list-style-type: none"> • OC defend against animal • Deadly force against animal <p>Re-label Force Type field as Level of Control and align with GO 540.4. Add the following drop down options:</p> <ul style="list-style-type: none"> • Soft empty-hand control • Hard empty-hand control <ul style="list-style-type: none"> • Impact Weapons <ul style="list-style-type: none"> • OC Spray • Electronic Control Weapon <ul style="list-style-type: none"> • PepperBall System • Patrol Dog • Kinetic Energy Impact System • Deadly Force Add new field for Weapon Type (OC spray, Baton, Taser, Projectile Weapons, Firearms), add the following drop-down options under each weapon type: 			UTSA Use of Force Study		

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	UTSA 16	<p>In Citizen Resistance Field, Align Citizen Resistance levels with GO 540.4</p> <ul style="list-style-type: none"> • Passive Resistance • Defensive Resistance • Aggressive Resistance • Lethal/Potentially Lethal Resistance (recommended revision to 540.4) <p>Add new field for every Weapon Type listed (Automatic Weapon, Handgun, Knife/Cutting Instrument, etc.), and add the following dropdown options:</p> <ul style="list-style-type: none"> • Point/Threaten • Used <p>Add Injurious Thrown Object to weapon types</p>			UTSA Use of Force Study		
	UTSA 17	In Taser Usage (all) field, Eliminate Force was Effective field			UTSA Use of Force Study		
	UTSA 18	<p>In General Order 540.1, change language to "Any physical strike or instrumental contact with an individual, or any significant physical contact beyond a firm grip used to overcome resistance or restrict an individual's movement. Force does not include escorting or handcuffing an individual who is exhibiting minimal or no resistance. Merely placing an individual in handcuffs as a restraint in arrest or transport activities, simple presence of officers or patrol dogs, or police issuance of tactical commands does not constitute a reportable action."</p>			UTSA Use of Force Study		

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	UTSA 19	Change 540.2 to De-escalation is the result of a combination of communication, tact, empathy, patience time, distance, cover, and other sound officer safety tactics. The ultimate goal is to help achieve a positive outcome by reducing the need for force. When possible, officers should seek to utilize de-escalation strategies to prevent situations from escalating or deteriorating to the point where they would need to use force. Officers should attempt to gain voluntary compliance and reduce the need for and the level of force required in a situation through patience and nonconfrontational verbal and non-verbal communication efforts. If force is required, officers will use only the minimum amount of force reasonably needed to overcome an individual's resistance and to gain control.			UTSA Use of Force Study		
	UTSA 20	In General Order 540.4, expanding the levels of resistance to distinguish aggressive or assaultive resistance not intended to cause death or serious injury from aggravated resistance clearly intended to bring about that result.			UTSA Use of Force Study		
	UTSA 21	We suggest capturing injuries to civilians and officers using the Abbreviated Injury Scale. The general orders applicable to documenting (GO 540.21) and investigating (GO 540.7 & 540.9) the use of force should likewise define injury or complaint of injury using the AIS (or similar) categories and definitions to make clear the responsibility for appropriately documenting and investigating what constitutes an "injury" or potential injury			UTSA Use of Force Study		
	UTSA 22	We strongly urge the FCPD to amend GO 540.8 to incorporate an imminency requirement in all cases of deadly force.			UTSA Use of Force Study		

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	UTSA 23	Consider combining and streamlining use of force policies			UTSA Use of Force Study		
	UTSA 24	Review the use of patrol dogs (GO 540.18) to ensure compliance with best practices and minimization of injury			UTSA Use of Force Study		
	UTSA 25	Consider adopting a policy on foot pursuits			UTSA Use of Force Study		
Addressed	BWC 1	Ensure camera footage is available to individuals involved in police use of force (UoF) cases, or cases alleged police misconduct	<u>BWC SOP 18-056</u> - BWC may be reviewed by complainant.	#####	NOVA EAC		
	BWC 2	Fully fund and implement police body-worn cameras department-wide in 2021	<u>BWC phase-in accelerated for FY2021 Implementation</u>	#####	NOVA EAC		
	BWC 3	Adopt ACLU Model Rules on BWC Requires use whenever a law enforcement officer is responding to a call for service or at the initiation of any other law enforcement or investigative encounter, prohibits surreptitious use or use to gather intelligence of actions protected by First Amendment.	<u>BWC SOP 18-056</u> , restricts BWC for the use of information gathering related to First Amendment protected speech, association, or religion.	6/1/2021	Ad Hoc Immigration Coalition (ACLU People Power Fairfax, CAIR Coalition, CASA, Edu-Futuro, Justice Forward VA, LAJC, NAKASE C, VACOLAO)	https://www.aclu.org/other/model-act-regulating-use-wearable-body-cameras-law-enforcement	

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	BWC 4	I believe that it is imperative that the County's SWAT teams be promptly equipped with BWC.	<p><u>BWC phase-in accelerated for FY2021 Implementation.</u> Special Operations Division, which includes SWAT, was originally part of FY2023 implementation but as part of FY2021 adopted budget, the entire department will be equipped with BWC. Added 4/27/2021 - SWAT will be equipped with BWC along with the remainder of the department by July 2021</p>		Ad Hoc Police Practices Review Commission Member	<p>SWAT teams often are at the point in barricade situations and frequently serve search and arrest warrants in problematic situations where there is a potential for violence. The importance of SWAT team BWC was made clear in the recent situation in Louisville where a SWAT team killed an innocent woman during a no-knock raid at 1:00 am. The Louisville police department is using BWCs, but their policy did not require the SWAT team to wear them. I suggest the Board ought to take up this issue at the PSC meeting so that any Department concerns (such as the protection of confidential tactics and sources) can be addressed and BWC can be implemented by County SWAT teams. (Such concerns could be readily addressed</p>	

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	BWC 5	The county BoS must find the resources to continue the roll-out of BWC's without the planned one year delay. The BWC standard operating procedure(SOP) must be revised to permit zero tolerance, for any officer whose BWC is not turned on during any officer interaction with the public. SWAT teams should be equipped with BWCs	<u>BWC phase-in accelerated for FY2021 Implementation.</u> Special Operations Division, which includes SWAT, was originally part of FY2023 implementation but as part of FY2021 adopted budget, the entire department will be equipped with BWC.		Fairfax NAACP	The study at the below link was done in DC talks about the effects of body worn cameras. Essentially, "...we show that BWCs have very small and statistically insignificant effects on police use of force and civilian complaints, as well as other policing activities and judicial outcomes." So, just to set our expectations, I'm for body worn cameras for accountability purposes, and the study shows it does not reduce violence etc. from police. [https://www.pnas.org/content/116/21/10329.short?rss=1&_cf_chl_jschl_tk_=f862c3437d0fdbb1faef0a0cf4b49db738d6898a-1593543315-0-AX0fVY6-2iGxRZ5QSD2-uqauVyTNSi3iUPh4UCcL8djQVq3XRgotl22EZbdACZSHjInF5nP_8LEut1hUL7YJp6i1mXdGOGnr0tt0Tedmd-N8_00zx0c6lpSIpew-]	Chief's response does not address SWAT - Ad Hoc Police Practices Review Commission Member
	BWC 6	Research done by the NJJ on the use of body-worn cameras. I am aware Fairfax County is currently piloting these. There is a huge debate over whether or not body-worn cameras decrease complaints against officers or decrease the rate at which officers use force (lethal or nonlethal). It seems that strict guidelines need to be set into place where officers are required to have their cameras on the second they receive a call.	<u>BWC SOP 18-056.</u>	6/1/2021	Fairfax County Resident	https://nij.ojp.gov/topics/articles/research-body-worn-cameras-and-law-enforcement	

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Addressed	BWC 8	We should ensure that there are body-worn cameras when we evict low income minority victims of evictions and foreclosures.	Evictions are not a function of FCPD.	#####	Fairfax County Resident			
	BWC 10	Provide the means to review all body-worn camera video on a regular basis by the Commonwealth Attorney's Office or other county office that is independent of the FCPD. Add technology, as required, to facilitate review of video, like tagging footage by incident number. This would allow reviewers to associate each stop in the databases with the relevant BWC footage from that stop.	<u>See Complete Response</u>	6/1/2021	CRP Member			
	BWC 13	A Data Control Board made up of representatives from FCPD, Commonwealth Attorney, and the public should be established to oversee access to the massive amount of digital data collected from dashboard and body-worn cameras. Maintaining FCPD as the sole control of access to this data can readily undermine public confidence in the integrity of the data, or if digital data shows up missing.	<u>See Complete Response</u>	6/1/2021	Ad Hoc Police Practices Review Commission Member			
	Transparency and Community Trust							
	TCT 4	Disclosure of officer misconduct. Publish demographic and geographic breakouts of complaints (internal and external), as well as the extent officers intervene in and report fellow officers' misbehavior. Disclose details to the extent permitted by law.	The <u>IAB Administrative investigation and Use of Force Data</u> .	6/1/2021	ACLU People Power Fairfax & Immigration Coalition			
	TCT 8	Require FCPD to publicize annual use of force data to include the race of individuals subjected to the use of force	<u>Annual UOF data report.</u>	6/1/2021	NOVA EAC	Eliminate the UoF racial disparity that demonstrates that African Americans in Fairfax County account for between 40-50% of UoF cases despite only being roughly 9% of the population.		
		Recommendation No. 33 of the Use of Force Subcommittee of the Ad	<u>2019 Arrest Data.</u>	##	Ad Hoc Police	The FCPD, however, only		

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Addressed	TCT 10	Hoc Commission (which was agreed to by the FCPD and approved by the Board) recommended that the FCPD publish a statistical report	<u>2019 Traffic Citations and Warnings Data.</u> <u>IAB Use of Force Data Report.</u>	#####	Practices Review	reports on UOFs. I suggest that the Board direct the	
	TCT 13	Mandate each police department and detention center publish use-of-force data including disaggregated self-identified racial, ethnic, sexual, and gender identity data on it's website; and updated at least quarterly	<u>FCPD Annual UOF Data Report.</u>	6/1/2021	Virginia Coalition for Transforming Police		
	TCT 15	The Progress Report from the Ad Hoc Police Practices Review Commission does not appear to have been updated since June 2018. The text at the top of the web page says it will be updated quarterly. When do you plan to update it again? I would be interested to know the status of the "in progress" or "under review" recommendations. This would align with the recommendations COMM-36.a. and COMM-38 that would provide communications and transparency to keep the community informed.	Progress report ws updated in April 2021	6/1/2021	Fairfax County Resident		
	TCT 19	The FCPD should consider conducting customer-service audits after routine stops. This would be a valuable tool in tracking police-community interactions and identifying both positive and negative experiences with police. Findings should be published annually.	<u>The Fairfax Community Survey (fairfaxcounty.gov). The FCPD is in the process of conducting another survey.</u> <u>Limited information is requested during traffic stops.</u> <u>Collecting phone numbers or email addresses is not current practice.</u> <u>We are always open to feedback, constructive criticism, and compliments</u> <u>https://www.fairfaxcounty.gov/police/complimentsandcomplaints</u>	6/1/2021	CRP Member		
	TCT 29	These Ad Hoc Commission Communications recommendations are listed as implemented, but questions remain; reports should be public. COMM-4, COMM-6, COMM-7, COMM-7b, COMM-8, COMM-30, COMM-36	<u>The FCPD publishes reports, data, and associated analysis.</u> <u>Last updated on 4/21/21</u> <u>The IAB Administrative investigation and Use of Force Data.</u>	6/1/2021	Ad Hoc Police Practices Review Commission	Some use-of-force committee recommendations included communications and reporting. Review:	

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Time Frame (Starting 6/1/2021)	#	Community Proposal	Status of Proposal	Response Date	Proposal Source	More Information from Source	Comments and Responses	
	TCT 32	Replace all use of the term "excited delirium" with a more medically and physiologically accepted term. Police and medical examiner want to use this phrase, but the disability community and most doctors do not recognize this.	The FCPD is aware of excited delirium is a medical condition and anytime an officer observes potential symptoms or signs, they must contact medical personnel immediately. Any determination of excited delirium following a use of force incident would be determined by a medical doctor and in fatal cases, by the Office of the Office of Chief Medical Examiner, not FCPD.	6/1/2021	Ad Hoc Police Practices Review Commission Member	UOF-19 NOT IMPLEMENTED: General Order 540.1, USE OF FORCE - replace all use of the term "excited delirium" with a more medically and physiologically descriptive term.		
	Use of Force							
	UOF 2	We need to have nationwide standards that define excessive use of force, and ban chokeholds and neck restraints throughout the country, as well.	FCPD Use of Force policy summaries.	#####	Fairfax County Resident			
UOF 3	To me, the Objectively Reasonable standard is too subjective and this policy should be improved to forbid any striking of a fully handcuffed or similarly restrained suspect.	United States Supreme Court GRAHAM v. CONNOR (1989) Defined the Objective Reasonableness standard.	#####	Fairfax County Resident				

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Time Frame (Starting 6/1/2021)	#	Community Proposal	Status of Proposal	Response Date	Proposal Source	More Information from Source	Comments and Responses
	UOF 4	Our current Use of Force Policy requires that police officers only render medical aid in the case of firearm injuries but that is the only required case. In all other cases, our policy only requires the officers call the EMTs. While it's surely a gray area as to how much medical assistance an officer can provide, not requiring some action on their part invites a video of officers standing around while a severely injured citizen needs immediate medical attention.	<p>Officers can provide access to but not compel any person to receive medical treatment because of the right to refuse treatment by the Informed Consent doctrine. The Fire and Rescue Department is often dispatched simultaneously and have resources throughout the county resulting in excellent response times. Officers are trained in providing some critical first aid until the arrival of paramedics when necessary. Each of their vehicles is equipped with a Tactical Emergency Casualty Care kit. In 2020 officers utilized these kits to provide care to patients in 56 cases in the field prior to the arrival of medics.</p> <p><u>Virginia Administrative Code 12VAC5-20-100</u>. Informed Consent.</p>	6/1/2021	Fairfax County Resident	Our current Use of Force Policy allows the use of batons, tasers, and pepper spray against handcuffed suspects. I can envision a circumstance where a taser or pepper spray may be needed against a violent handcuffed suspect, but don't think a handcuffed person should ever be struck with a baton. Captain Fried points out that sometimes suspects are partially handcuffed and that the standard is "Objectively Reasonable."	

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Time Frame (Starting 6/1/2021)	#	Community Proposal	Status of Proposal	Response Date	Proposal Source	More Information from Source	Comments and Responses
essed	UOF 6	<ul style="list-style-type: none"> Are the police officers in the Fairfax County Police Department being trained to de-escalate altercations by using peaceful conflict resolution strategies? Are the police officers in the Fairfax County Police Department forbidden from using carotid restraints (chokeholds, strangleholds, etc.) and hog-tying methods? Furthermore, are they forbidden from transporting civilians in uncomfortable positions, such as face down in a vehicle? Are the police officers in the Fairfax County Police Department required to intervene if they witness another officer using excessive force? Will officers be reprimanded if they fail to intervene? Are the police officers in the Fairfax County Police Department forbidden from shooting at moving vehicles? Is there a clear and enforced use-of-force continuum that details what weapons and force are acceptable in a wide variety of civilian-police interactions? Are the officers in the Fairfax County Police Department required to exhaust every other possible option before using excessive force? Are the officers in the Fairfax County Police Department required to give a verbal warning to civilians before drawing their weapon or using excessive force? Are the officers in the Fairfax County Police Department required to report each time they threaten to or use force on civilians? Are the officers in the Fairfax County Police Department thoroughly vetted to ensure that they do not have a history with abuse, racism, xenophobia, homophobia / transphobia, or discrimination? Are the officers in the Fairfax County Police Department trained to perform and seek necessary medical action after using excessive 	A brief description of the FCPD's Use of Force policies can be found here: Use of Force Sheet More in depth information can be accessed from this site.	6/1/2021	Fairfax County Resident	Statistics have indicated that by enforcing these policies, there is a significant decrease in civilian complaints and injury due to excessive force. If any of the policies are not currently in place, then what is being done to ensure that they are going to be enforced in the near future?	
	UOF 11	Decertify officers fired for using excessive force or gross misconduct and prohibit them from being re-hired in other jurisdictions	See the Virginia Code effective March 1, 2021 regarding decertifying law enforcement officers. § 15.2-1707. (Effective March 1, 2021) Decertification of law-enforcement officers.	6/1/2021	Virginia Coalition for Transforming Police		
	UOF 15	Ban the use of chokeholds	FCPD Use of Force policy summary - Chokeholds not sanctioned.	6/1/2021	Virginia Coalition for Transforming Police		

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Time Frame (Starting 6/1/2021)	#	Community Proposal	Status of Proposal	Response Date	Proposal Source	More Information from Source	Comments and Responses
Addr	UOF 17	Our current Use of Force Policy allows the use of batons, tasers, and pepper spray against handcuffed suspects. I can envision a circumstance where a taser or pepper spray may be needed against a violent handcuffed suspect, but don't think a handcuffed person	<p><u>United States Supreme Court GRAHAM v. CONNOR (1989)</u> Defined the Objective Reasonableness standard.</p> <p><u>General Order 540.12</u> - Force Options.</p>	6/1/2021	Fairfax County Resident		
	UOF 18	Our current Use of Force Policy requires that police officers only render medical aid in the case of firearm injuries but that is the only required case. In all other cases, our policy only requires the officers call the EMTs. While it's surely a gray area as to how much medical assistance an officer can provide, not requiring some action on their part invites a video of officers standing around while a severely injured citizen needs immediate medical attention.	<p>Officers can provide access to but not compel any person to receive medical treatment because of the right to refuse treatment by the Informed Consent doctrine. The Fire and Rescue Department is often dispatched simultaneously and have resources throughout the county resulting in excellent response times. Officers are trained in providing some critical first aid until the arrival of paramedics when necessary. Each of their vehicles is equipped with a Tactical Emergency Casualty Care kit. In 2020 officers utilized these kits to provide care to patients in 56 cases in the field prior to the arrival of medics.</p> <p><u>Virginia Administrative Code 12VAC5-20-100</u>. Informed Consent.</p>	6/1/2021	Fairfax County Resident		
	UOF 19	While it states that chokeholds are not sanctioned, the Policy is silent on specifying any other empty-hand tactics that are forbidden. It seems that this section could be improved by specifying other extreme tactics.	<p>Only those force options trained or authorized by FCPD shall be used, unless it is necessary for officers to protect themselves or others from imminent threat of death or serious bodily injury, and the officer's most appropriate tools and training have not worked or are not available.</p> <p><u>General Order 540.12</u> - Force Options.</p>	6/1/2021	Fairfax County Resident		
	UOF 21	Ensure Fairfax Police follows standards for use of force and racial profiling, including but not limited to the "8 Can't Wait" policies.	<u>FCPD policy aligns with all the tenants of "8 Can't Wait" Use of Force Sheet</u> More in depth information can be accessed from this site.	1/1/21	Fairfax County Resident		
	UOF 22	Please go one step further: a rule which says a police officer may never shoot at a person running away (unless that person poses an immediate and deadly threat to another police officer or person). We've got to stop shooting people for running away	<u>General Order 540</u> - 540.8 Deadly Force.	6/1/2021	Fairfax County Resident		
	Addr						

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Time Frame (Starting 6/1/2021)	#	Community Proposal	Status of Proposal	Response Date	Proposal Source	More Information from Source	Comments and Responses
Addressed	Police Roles and Responsibilities						
	PRR 9	Terminate the Memorandum of Understanding with National Park Police	The FCPD does not have an MOU with U.S. Park Police.	6/1/2021	Indivisible Below the Beltway	<p>"Terminate Memorandum of Understanding with National Park Police"</p> <p>Sen Surovell, Del Krizek, Sen C. Peterson, Sen D, Marsden, Sen B Favola, Sen Ebbin, Sen Boysko, Del. P Hope, Del. K Tran, Dell V Watts, Del. M Levin letter to Mt Vernon Gazette 6/25/20. pp5-7</p>	
	PRR 12	The BoS and FCPD must establish local restrictions to prevent the department from purchasing or using military weaponry	<u>BOS item 28, September 26, 2017.</u> The FCPD does not use military surplus.	6/1/2021	Fairfax NAACP	<p>This study here shows how "...the receipt of military equipment increases multiple dimensions of LEA (law enforcement agencies) militarization (material, cultural, organizational, and operational) and that such increases lead to more violent behavior..." - and clearly those violent behaviors disproportionately target blacks.</p> <p>https://journals.sagepub.com/doi/full/10.1177/2053168017712885</p>	

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Time Frame (Starting 6/1/2021)	#	Community Proposal	Status of Proposal	Response Date	Proposal Source	More Information from Source	Comments and Responses
	PRR 13	Here is a study done in Maryland about how the militarization of police we see in this country is harmful both to citizens and the reputation of the police. Additionally it talks about how it puts POC in higher danger because the more heavily armed units are typically sent to their neighborhoods more often. I would love to see similar type research replicated in Fairfax County.	The FCPD avoids the use of special operations equipment for normal calls for service. Special operations equipment are typically used for hostage barricades and active shooters situations.	6/1/2021	Fairfax County Resident	The increasingly visible presence of heavily armed police units in American communities has stoked widespread concern over the militarization of local law enforcement. Advocates claim militarized policing protects officers and deters violent crime, while critics allege these tactics are targeted at racial minorities and erode trust in law enforcement. Using a rare geocoded census of SWAT team deployments from Maryland, I show that militarized police units are more often deployed in communities with large shares of African American residents, even after controlling for local crime rates. https://www.pnas.org/content/115/37/9181	
	PRR 14	Cap overtime pay for military exercises and withdraw participation in police militarization programs: this saves our communities money, rejects the idea that we need cops trained for "counterterrorism", and stops police from increasing their capacity/reach over our daily lives.	BOS item 28, September 26, 2017. The FCPD does not use military surplus.		Fairfax County Resident		
	PRR 15	Limit military/tactical gear		6/1/2021	Virginia Coalition for Transforming Police		

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Time Frame (Starting 6/1/2021)	#	Community Proposal	Status of Proposal	Response Date	Proposal Source	More Information from Source	Comments and Responses
	PRR 17	FCPD should fully disclose information about inventory of equipment like armored vehicles, command center busses, robots, drones, etc. Full inventory database	The FCPD audits and submits the Department's inventory to the <u>Department of Procurement and Material Management.</u> <u>Fairfax County Purchasing Resolution - Property Management</u>	6/1/2021	Ad Hoc Police Practices Review Commission Member		
	PRR 29	The status of many of the Mental Health recommendations is "in progress". What are the status of these? Many of the recommendations had target dates of Jan 1, 2016 for implementation, and as of the 2018 report were still not implemented.	These items were updated on the webpage in April 2021	6/1/2021	Fairfax County Resident		

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Time Frame (Starting 6/1/2021)	#	Community Proposal	Status of Proposal	Response Date	Proposal Source	More Information from Source	Comments and Responses
	PRR 36	Would it be possible to rethink and employment the SWAT team concept and perhaps rebrand this team as the Community Incident Response Team (CIRT) or more encompassing, less threatening nom de guerre than "SWAT", and all it connotes to the local community and residents when such teams are deployed to respond to a crisis.	<p>The FCPD avoids the use of SWAT for normal calls for service. The use of SWAT is based on known risks after a completion of the Warrant Risk Assessment Matrix (WRAM) and the Tactical Analysis Worksheet (TAW). Both the WRAM and TAW are reviewed by the requesting commanders, followed by another review through the Operation Support Bureau commander to ensure the need for SWAT is warranted.</p> <p>The name of SWAT was changed to be in compliance with the Metropolitan Washington Council of Government to denote a level of proficiency and equipment among regional departments' interoperability.</p>	6/1/2021	Fairfax County Resident	<p>Could the rebranded CIRT team be provided with additional training to handle situations such as the recent Hybla Valley use of force incident? Could officers first on the scene be trained to evaluate the situation and establish a perimeter to ensure the safety of the individuals and nearby residents and call for a CIRT team response? Is there other technology that such team require to better respond to and control such situations? For example the military has technology that lets them "see" inside walls to help ID/locate bad actors before entering a building see https://www.businessinsider.com/military-device-see-through-walls-2015-12.</p>	<p>Need to examine SWAT utilization since adoption of Ad Hoc Commission recommendations approved -- Ad Hoc Police Practices Review Commission Member</p>

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Time Frame (Starting 6/1/2021)	#	Community Proposal	Status of Proposal	Response Date	Proposal Source	More Information from Source	Comments and Responses
Addressed	PRR 37	Oversight of SWAT Teams. SWAT teams by definition represent a de facto escalation of any incident whether their deployment was planned in advance or resulted from police intervention in a specific incident.. The training of officers in SWAT tactics, in conjunction with the use of military equipment and combat dress , can promote an elite military-like ethos that is contrary to the concept of civilian policing. All SWAT deployments should be subject to some kind of joint police administrative and civilian review to assess their appropriateness and execution within the law.		6/1/2021	Fairfax County Resident		
	PRR 39	We need specialized teams to respond to issues of domestic violence, that are not police. Police simply do not have, and cannot receive the extensive, rigorous training that specialized experts on deescalating domestically violent situations and helping victims escape their abuser require. This takes years of training and education, it's one of many issues that police are simply not fit to handle, like they are expected to today. And I don't just want to see woman officers respond to these calls, because they are still police officers who are not fit to deal with these situations, in terms of the training and education they have.	The Lethality Assessment Program (LAP) is a screening process to determine the level of risk a person faces. LAP help connect victims to local community-based domestic violence service program.	6/1/2021	Fairfax County Resident	In a study of abused women, over 80% said they would not call the police again because they were scared that their abuser would only get a "slap on the wrist," and that they would come back and hurt them. Seeing that abused women do not feel safe calling the police to help them escape situations of domestic violence, should we cater to these women and create a new task force? The answer is yes.	Coordinated community domestic violence is county responsibility
			The <u>FCPD Victim Services</u> provides immediate and direct support to victims, their families, and witnesses. VSS help victims cope with trauma and lessen inconveniences associated with participation in the criminal justice process.	6/1/2021			
			The <u>FCPD Domestic Violence Detective</u> is a specialized position assigned to each District Stations. Detectives provides investigative follow up on domestic violence incidents and coordinate services between the victim and Victim Services.	6/1/2021			
PRR 47	Low level offenses. (i) Establish alternatives to prosecuting low level offenses likedisorderly conduct, panhandling and trespassing that criminalize people who are mentally illor homeless. (ii) Review minor categories listed as "other crimes" and "non-IBR reportable"(7,673	<u>Fairfax County Diversion First.</u>	6/1/2021	ACLU People Power Fairfax & Immigration			
		<u>Fairfax County Alternative Accountability Program.</u>					
		<u>Virginia Code 19.2-74</u> - Govern issuance and service of summons.					

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Addressed	PRR 50	Diversion without admission of guilt. Diversion should not require a guilty plea.	<u>Diversion First</u> is utilized in lieu of placing criminal charges. A guilty plea is not required prior to diversion.	6/1/2021	ACLU People Power Fairfax & Immigration Coalition		
	Police Accountability						
	PA 2	Establish, "You see it, you own it" policies in police departments where officers can begin to feel more comfortable reporting abuse by other officers. If they see it and don't report it, they will be vulnerable to being charged with complicity. Strengthen whistleblower protection policies in police departments.	<u>General Order 201.5</u> - Reporting Violation.	6/1/2021	Fairfax County Resident		

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Time Frame (Starting 6/1/2021)	#	Community Proposal	Status of Proposal	Response Date	Proposal Source	More Information from Source	Comments and Responses
	PA 3	Duty to intervene & report misconduct generally. GO 540.3 includes a duty to intervene and report in all situations where an officer is "acting in violation of laws, orders, policies, or ethical conduct." This broader duty should be set forth in a generally applicable GO, and rewritten to make clear that it is subject to discipline.	General Order 001 - Ethics and Integrity.	6/1/2021	ACLU People Power Fairfax & Immigration Coalition		Review duty to intervene standard. The policy states: "any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances" must insert himself. Is "clearly beyond" too strict? -- Ad Hoc Police Practices Review Commission Member
			General Order 201 Regulation - 201.5 Reporting Violation, 201.7 Standards of Conduct, 201.13 Human Relations, 201.14 Unlawful Discrimination, and 201.22 Bias Based Policing.				
	PA 6	Mandate officers report wrongdoings by other officers; and establish stronger whistleblower protections for officers to report wrongdoings	General Order 201.5 - Reporting Violation.	6/1/2021	Virginia Coalition for Transforming Police		
	PA 8	Duty to Intervene is only as effective as the cultural norms that support officers in exercising this obligation. In many police forces, strong cultures of loyalty to fellow officers are a significant impediment to accountability, whistleblower complaints, and critical internal discourse around the use of force as well as racial bias.	General Order 001 - Ethics and Integrity. General Order 201 Regulation - 201.3 Obedience to Laws, Regulations, and Training, 201.5 Reporting Violation, 201.7 Standards of Conduct, 201.13 Human Relations, 201.14 Unlawful Discrimination, and 201.22 Bias Based Policing.	6/1/2021	Fairfax County Resident		

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Addressed	PA 24	Due to the nature of the law enforcement model, too many police have undiagnosed or untreated PTSD. It is unacceptable for any police to demonstrate or cover for other police demonstrating the symptoms of PTSD: hyper-vigilance (expressed as excessive force),	General Order 201.19 - requires mandatory mental health checks that coincide with the physical check up. BlueTeam for early intervention. General Order 430.3 - Incident Support Services.	6/1/2021	Fairfax County Resident			
	Police Culture and Practices							
	PC&P 1	Incorporate scientific mechanisms such as polygraphs, voice stress analysis, and nervous response system tests to evaluate recruits' racial biases, and honesty related to their cases involving use of force cases resulting in death or serious bodily injury.	The Chief of Police can order a polygraph interview as part of an administrative investigation per <u>Virginia Code 40.1-51.4:4</u> . The polygraph interview thoroughly reviews a candidate's biases and prejudices.	6/1/2021	NOVA EAC		A co-production group of stakeholders should examine officer recruiting and training to propose changes based on "best practices" -- Ad Hoc Police Practices Review Commission Member	
	PC&P 2	Mandate racial and disability awareness training instructed by an outside organization is made part of officer cadet training, and also an annual training requirement.	The FCPD's current curriculum covers hate crimes and biases, with new lesson plans being developed in accordance with One Fairfax. The FCPD continues to develop our partnership in the region with diverse advocates, enhancing our cultural learning through visits and engagement with historical and cultural institutions.	6/1/2021	NOVA EAC			
PC&P 3	Require police recruits that are former military war veterans to undergo additional psychological examinations to identify traits that may make them more prone to use excessive force	All applicants, regardless of whether they served in the military, undergo extensive psychological screening and testing. Additionally, our Incident Support Services program is designed to provide information, education and overall support to Department personnel who may be involved in traumatic events during the course of their duties. General Order 430.4 - Incident Support Services.	6/1/2021	NOVA EAC				

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Addresse	PC&P 6	Mandatory counseling and early intervention	<u>General Order 201.19</u> requires mandatory mental health checks that coincide with the physical check up. BlueTeam for early intervention.	6/1/2021	NAACP/ACLU People Power Fairfax	Require mandatory counseling or early intervention for any officer involved in violent confrontation or incident	The FCPD must require counseling and other appropriate early intervention for any officers involved in violent confrontations or other incidents.
	PC&P 7	We would like to see the department, or perhaps the civilian review board and auditor, review not only incidents of police physical aggression, but also incidents where police are being disrespectful	<u>Independent Police Auditor.</u> <u>Civilian Review Panel.</u> <u>Axon BWC footage access</u>	#####	South County Task Force		
	PC&P 8	Does the Police training curriculum include information about white supremacy and white privilege?	The FCPD's current curriculum covers hate crimes and biases. New lesson plans are being developed in include implicit and explicit biases in accordance with One Fairfax.	6/1/2021	South County Task Force Town Hall		
	PC&P 9	FCPD should not hire someone fired for misconduct elsewhere, affiliated with a white supremacist organization or who posted offensive social media posts.	No applicant is hired who was fired for serious misconduct from another agency, nor would they be hired if they are proven to have affiliations with hate or extremist groups. Open-source social media checks are conducted on all applicants.	6/1/2021	ACLU People Power Fairfax & Immigration Coalition		
	PC&P 11	Field training and modeling of behavior. Proper training is of little use if new officers in the field are taught that "every encounter with a citizen is fraught with danger and could be fatal." Officers who have been the subject of complaints should not serve as field trainers.	All potential Field Training Instructors are vetted through a competitive process.	6/1/2021	ACLU People Power Fairfax & Immigration Coalition		
	PC&P 12	Require unannounced urinalysis several times per year	The FCPD has a random drug screening Program.	6/1/2021	Virginia Coalition for Transforming Police		

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Time Frame (Starting 6/1/2021)	#	Community Proposal	Status of Proposal	Response Date	Proposal Source	More Information from Source	Comments and Responses
Addressed	PC&P 13	Require recruits have a minimum of an associate's degree	<u>Code of Virginia § 15.2-1705 requires a high school diploma or GED as a minimum qualification for a police officer. However, many of our officers have completed higher levels of education.</u>	<u>6/1/2021</u>	Virginia Coalition for Transforming Police		
	PC&P 14	Increase the number of hours required for training and/or implement a mentorship program where new officers have paired with veteran officers for a certain number of hours	The FCPD has a formalized mentorship program and recruits are assigned a mentor upon hiring.	<u>6/1/2021</u>	Virginia Coalition for Transforming Police		
	PC&P 19	Mandate all officers read/review the Constitution at least once a year	All FCPD officers are required to trained with legal updates in accordance to Virginia law and the United States Constitution. <u>The Virginia Department of Criminal Justice Services' Compulsory Minimum Training Standards and Requirements.</u>	<u>6/1/2021</u>	Virginia Coalition for Transforming Police		
	PC&P 20	Require police to take recertification trainings every two years	The DCJS requires annual training for recertification but FCPD holds additional mandated training, exceeding the standard set by DCJS. <u>The Virginia Department of Criminal Justice Services' Compulsory Minimum Training Standards and Requirements.</u>	<u>6/1/2021</u>	Virginia Coalition for Transforming Police		
	PC&P 27	Use virtual reality equipment—to train officers in simulated incidents in which they will have to make decisions.	The FCPD uses simulation technologies to train officers in use of force and decision making.	<u>#####</u>	Indivisible Below the Beltway		

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essed	PC&P 28	Set goal of eliminating the racial disparity within the next three years	For items PC&P 28-33 we feel it is important to share the following information. First, our policies relevant to these concerns can be viewed here:	6/1/2021	NOVA EAC		A co-production group of stakeholders should examine racial bias and disparities in FCPD policies and practices and make recommendations based on "best practices" -- Ad Hoc Police Practices Review Commission Member
	PC&P 29	The racial disparity in arrests is unacceptable" 3 times higher for Blacks, and 2 times higher for Latinos.			ACLU People Power Fairfax & Immigration Coalition	I am pleased that the Independent Auditor in 2020 contracted for an independent study of use of force, but Roessler has been promising us a study on racial disparity in arrest since 2017. The reasons he has given us for disparity do not hold water. A group of non-experts meeting to discuss this issue is no substitute for an independent expert analysis.	
	PC&P 30	Ban racial profiling and stop and frisk			Virginia Coalition for Transforming Police	<u>General Order 201 Regulation 201.7- Standards of Conduct, 201.14 Unlawful Discrimination, and 201.22 Bias Based Policing</u>	

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Addr	PC&P 31	With all the sensitivity to race in policing in the country right now, I would like to see our county NOT put out race when describing a suspect unless there are better qualifying features like what they're wearing, what they're driving, age, or anything.	<u>General Order 603.4 Police Community Contacts.</u>		Fairfax County Resident		
	PC&P 32	Address racial disparities and bias in policing. The County should use the co-production model which Chief Roessler and the Ad Hoc Commission successfully used. As applied to the FCPD racial disparities and bias issues, a group of stakeholders would meet to identify the scope of work (i.e., what issues need to be addressed, what the "best practices" are, and how those practices could be modified to address the issues in Fairfax County.) Subcommittees could be set up to address key issues (e.g., recruiting and vetting, training, UOF policies, internal monitoring to identify inappropriate officer conduct, the officer discipline process, and the civilian oversight process (IPA and CRP)). The stakeholders would then issue a final report with recommendations to the Board, including a recommendation for a protocol for evaluating FCPD officer conduct for racial, ethnic or other bias.	The IPA has selected <u>the University of Texas San Antonio</u> to conduct a study of FCPD's Use of Force which is currently ongoing.		Ad Hoc Police Practices Review Commission Member	Stakeholders could include, among others, FCPD and County personnel (including Karla Bruce and officer organization representatives); representatives from the NAACP, the ACLU Peoplepower, Black Lives Matter, and the Hispanic and Asian communities; members of academia with relevant expertise; members from relevant professional interest groups (e.g., mental health, homelessness); Ad Hoc Commission members; and members of the general public. It would be critical to have a chair of recognized stature (say someone like Colin Powell) with a vice-chair (COO-type role) and strong subcommittee chairs. Stakeholders and subcommittee meetings would be open to the public, and citizens not formally in	

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Time Frame (Starting 6/1/2021)	#	Community Proposal	Status of Proposal	Response Date	Proposal Source	More Information from Source	Comments and Responses
essed	PC&P 33	Line officers won't change if their leaders maintain racial bias is an aberration. Police officials need to acknowledge that something is wrong when: ► Black and brown people are afraid of police, and it appears that many police are afraid of them. ► Black people account for 46% of those subject to force by FCPD but less than 10% of the County's population. ► Blacks are 4 times as likely, and Latinix 2 times as likely, to be arrested than white people. ► With the exception of pornography charges, whites are under-represented in every individual category of crime.	<u>Finally, the FCPD is working with community advocates to create a framework to evaluate use of force policy, traffic stop policy, warnings, arrests and related policy and lesson plans in accordance with One Fairfax. The FCPD recruiting goal is to recruit a more diverse workforce which mirrors the community we serve.</u>		ACLU People Power Fairfax & Immigration Coalition	The County spent years trying to address the problem, forming a large task force that made over 200 recommendations in 2015. While changes such as Diversion First have been beneficial, systemic racism is getting worse. The disproportionality in arrest rates for Blacks has increased from 2.5 in 2016 to 4 in 2019. Study of the Use of Force is too narrow.	
	PC&P 34	I note that today the City Council in Louisville took action to forbid future no-knock raids Should the County do likewise?	Legislation change on March 1, 2021 banned no knock search warrants in Virginia. See Virginia Code section 19.2-56 for more information		Ad Hoc Police Practices Review Commission Member		Does use of a no-knock search/entry require a court order in Virginia? -- Ad Hoc Police Practices Review Commission Member
	PC&P 39	How many African Americans are on the Police Chief's Leadership Staff?	<u>FCPD Sworn Diversity Scorecard</u> - Command Staff.	6/1/2021	South County Task Force Town Hall		
	PC&P 44	Standardize the process for civilians being labeled as gang members or being entered into gang databases	<u>Virginia Code 18.2-46.1</u> - Gang defined. <u>Virginia Code 52-8.6</u> - Criminal street gang reporting.	#####	Virginia Coalition for Transforming		
	PC&P 45	Reduce the number of justifications for pretextual stops	See PCP-48 below.	6/1/2021	Virginia Coalition for Transforming Police		

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Addr	PC&P 46	Require that police officers have a legal basis for making contact, or a stop.	United States Supreme Court <u>TERRY v. OHIO (1967)</u> - Established that officers must have reasonable suspicion to initiate a stop.	6/1/2021	Virginia Coalition for Transforming Police	Legal Basis for Contact – § 52-8 and § 52-22 – amending to require that officers have a legal basis for making any contact throughout the enforcement of criminal laws of the Commonwealth, including arrests and seizures.	
	PC&P 47	Legalize marijuana, removing the prohibition, zero penalty decriminalization	New legislation is effective July 1, 2021 involving possession of small amounts of marijuana for persons 21 years of age and above. Currently this is only a civil offense.	6/1/2021	Virginia Coalition for Transforming Police		
	PC&P 48	Monitor use of Pre-textual Traffic Stops/interventions. Limit the use of pre-textual traffic stops and police interventions (eg. taillight out, jaywalking, loitering, etc.) as a fishing expedition in search of a more serious violation. Johnathon Banks in the Case Western Law Review cites pre-textual stops as an example of police -public interactions that " fundamentally erode good faith between police and community." Almost all police stops are inherently discretionary. So why or how do police officers make their decisions on who they stop ? The department should monitor/analyze all police stops that evolve from a minor violation into a use of force situation. Identify and red flag police officers whose interactions suggest a pattern of escalation	<p>The IAB maintains the agency's <u>Early Intervention System (EIS)</u>. EIS reports are presented quarterly to the Chief of Police and Deputy Chiefs regarding employees who have met the established threshold in a three month period. IAB conducts an annual review of the EIS and submits a detailed memorandum to the Division Commander with any recommendations.</p> <p>Here are some traffic codes that have had some recent changes in legislation and how they are applied:</p> <p><u>§ 46.2-1094. Occupants of front seats of motor vehicles required to use safety lap belts and shoulder harnesses; penalty.</u></p> <p><u>§ 46.2-1054. Suspension of objects or alteration of vehicle so as to obstruct driver's view.</u></p> <p><u>§ 46.2-1052. Tinting films, signs, decals, and stickers on windshields, etc.; penalties.</u></p>	6/1/2021	Fairfax County Resident		

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Addressed		https://www.cato.org/sites/cato.org/files/articles/blanks-cwrlr-v66n4.pdf https://trustandjustice.org/resources/guide/procedural-justice-and-pretextual-stops	<u>§ 46.2-1012. Headlights, auxiliary headlights, taillights, brake lights, auxiliary lights, and illumination of license plates on motorcycles or autcycles.</u> <u>§ 46.2-1014. Brake lights.</u> <u>§ 46.2-1014.1. Supplemental high mount stop light.</u> <u>§ 46.2-923. How and where pedestrians to cross highways.</u> <u>§ 46.2-810.1. Smoking in vehicle with a minor present; civil penalty.</u>					
	Commonwealth's Attorney Role							
	Sheriff Office Reform							
Addressed								
	Civilian Oversight							
Addressed	CO 12	Make arrest records of officers publicly available and searchable	Arrest records of officers are publicly available.	#####	Fairfax County Resident			
	CO 13	Who knows the racial make-up of the Civilian Review Board? Does it need changing? Do we need less former law enforcement and more actual civilians.	<u>The Civilian Review Panel and members' biographies.</u> <u>Civilian Review Panel Bylaws</u>	#####	South County Task Force Town Hall			

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Address	CO 14	To what extent has FCPD actually implemented the recommendations of the Ad Hoc Committee agreed upon by the Department in 2018?	<u>Ad Hoc Police Practices Review Commission</u> : The BOS approved accelerated implementation of BWC addressing the four in-progress items. Website updated 4/21/21	6/1/2021	Fairfax County Resident		June 2018 Progress Report should be updated each year, and the FCPD should report annually to the Board of Supervisors on implementation and any issues or concerns -- Ad Hoc Police Practices Review Commission Member
	CO 15	FCPD insists it "co-produces" standards with the community. It points to Body Worn Cameras, and yet some groups listed as participants deny they were consulted, and most "stakeholders" are other Fairfax agencies or outside corporations. True co-production requires that representatives of affected residents be involved, and that advance disclosure be made of who is selected.	<u>BWC Project information and Proposed Unmanned Aircraft Systems Program did include other contributors.</u> <u>Future contributors to our programs will be requested to allow us to publish their names and organizations. Click for Body-Worn Camera Pilot Project information.</u> <u>Click for Proposed Unmanned Aircraft Systems Program information</u>	6/1/2021	ACLU People Power Fairfax & Immigration Coalition		
	CO 24	Authorize the Independent Police Auditor to monitor and review all use of force incidents, regardless of whether they involve serious bodily injury or death.	The Independent Police Auditor has this ability. See https://www.fairfaxcounty.gov/policeauditor/about-us .	6/1/2021	CRP Member		
	CO 29	Establish a hotline outside of FCPD to report police misconduct.	<u>Independent Police Auditor.</u> <u>Police Civilian Review Panel.</u>	####	ACLU People Power Fairfax		

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Addressed	CO 31	The BOS should reinstitute its practice of holding public forums that provide members of the public with an opportunity to express their views as to the work of the FCPD, the implementation of the Commission's recommendations, and possible areas for improvement.	The Chair of the Public Safety Committee has committed to doing these meetings yearly.	6/1/2021	Ad Hoc Police Practices Review Commission Member	The forums held in the past have been quite informative and helpful. In addition to the Board, the Chief, the Sheriff, the Independent Police Auditor, and the Chair of the Civilian Review Panel have attended, spoken and answered questions. The CWA could be invited to attend	
	CO 35	Current UOF does not conform to best practices. The duty to intervene in particular is too weak, only applying if UOF is "clearly beyond" reasonable standards. Duty to intervene must be subject to discipline	<p><u>Use of Force General Order 540 was rereleased on March 1, 2021 to be in compliance with new legislation. De-escalation is addressed in 540.2 and Duty to Intervene is 540.3. All officers are required to abide by laws, regulations and training per Regulation 201.3.</u></p> <p><u>Use of Force General Order 540</u></p>	6/1/2021	ACLU People Power Fairfax & Immigration Coalition		