Fairfax County
Police Civilian Review Panel
Independent Police Auditor

FAIRFAX COUNTY, VA

December 2018
Our Goal Today

- Who We Are
- What We Do
- Our Jurisdiction
- The Complaint Process
- How to File a Complaint
- What to Expect After Filing a Complaint
- 2018 Activity Update
Who We Are

- Panel approved by Board of Supervisors (Dec 2016)
- 9 members appointed by and report directly to Board of Supervisors (Feb 2017)
- Enhance police legitimacy and **build and maintain trust** between citizens, Board of Supervisors, and Police Department by reviewing certain police investigations to ensure investigations are:
  - Accurate
  - Complete
  - Thorough
  - Objective
  - Impartial
What We Do

- Provide an independent process for commencing an Initial Complaint against the FCPD or its officers
- Review completed investigations of complaints of abuse of authority or serious misconduct by a FCPD officer when requested
- Hold public meetings to hear from complainants and to review investigations
- Hold public meetings on issues within our jurisdiction and on law enforcement policies and practices
- Issue an annual report on our activities and recommendations on FCPD policies, training, and practices
- Meet with Auditor on recommendations on use of force cases
Our Jurisdiction: Abuse of Authority and Serious Misconduct

- Use of abusive racial, ethnic or sexual language or gestures
- Harassment or discrimination based on race, color, sexual orientation, gender, religion, national origin, marital status, age, familial status, immigration status or disability
- Acting in a rude, careless, angry, retaliatory or threatening manner not necessary for self-defense
- Reckless endangerment of detainee or person in-custody; violation of laws or ordinances
- Other serious violations of the county or FCPD policies or procedures, including the FCPD Cannon of Ethics, that occur on or off duty
What the Independent Auditor Does

- Monitors and reviews FCPD internal investigations of officer involved shootings, in-custody deaths and use of force cases in which an individual is seriously injured or killed.
- Monitors and reviews administrative investigations of public complaints of use of force.
- Issues public reports for each reviewed internal/administrative investigation and an annual report including those reviews.
- Makes public recommendations concerning revisions of Police Department policies, training, and practices.
- Provides administrative support to the Police Civilian Review Panel and delivers the Panel’s annual report to the Board of Supervisors.
Independent Auditor Jurisdiction

- Officer Involved Shooting
- In-Custody Death
- Use of Force
  - Any physical strike or instrumental contact with an individual, or any significant physical contact that restricts 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
How to File a Complaint

- Submit complaint forms via email, mail, or in-person
- Contact us for assistance or questions
Our Limitations

- Panel cannot review complaints if the:
  - Complaint is under IPA’s exclusive review
  - Incident occurred before Dec 6, 2016
  - Initial Complaint is filed more than 1 year after incident*
  - Review Request is filed more than 60 days after FCPD sends investigation completion notice to complainant*
  - Review Request is subject to pending criminal or civil proceeding in any trial court

- Panel has no jurisdiction to review Sheriff’s Office or Federal law enforcement (i.e., ICE)

- Panel cannot take testimony or receive evidence

* Absent good cause.
Complaint Process

Complaint Form Submitted

Initial Complaint
If FCPD has not yet conducted an investigation of alleged misconduct
- Complaint sent to FCPD to investigate alleged misconduct
  - FCPD conducts investigation and sends the findings to Complainant and Independent Police Auditor or Police Civilian Review Panel

Request for Review
If FCPD already conducted an investigation of alleged misconduct
- Independent Police Auditor reviews:
  a) Officer Involved Shooting
  b) In Custody Death
  c) Use of Force
- Police Civilian Review Panel reviews:
  a) Abuse of Authority
  b) Serious Misconduct

Complainant Receives Findings
What to Expect After Filing

- **Initial Complaint** – Forward to FCPD for investigation; FCPD to provide Investigation Report within 60 days*

- **Review Request** – Conduct initial review of the request
  - Initial Disposition Notice sent regarding jurisdiction (~30 days after receiving Investigation Report)
  - Suspend or defer review for pending criminal/civil proceeding
  - Panel Review Meeting may be convened to allow:
    - Complainant to state reasons for filing
    - Panel to ask questions regarding reasons
    - FCPD to answer questions about the investigation (i.e., evidence)
    - Invite anyone with investigation/incident information to contact FCPD
  - Issue public report on Panel’s findings within 90 days after receiving Investigation Report*

*Panel may extend the deadline for completion for good cause.*
2018 Panel Updates

- Total Initial Complaints Received in 2018: 23
- Total Request for Reviews Received in 2018: 3
- Total Outreach Events with Organizations in the Community: 18
- In the process of documenting Panel Procedures and Policies
- Updated Complaint Form
- Bylaw Amendments submitted to the Board of Supervisors and approved on October 16, 2018
2018 Auditor Updates

- Annual Report and 7 Incident Reports issued

- Report issued outlining analysis of 2015 UOF data

- 16 Panel Meetings and Community Outreach Events

- In the process of documenting IPA Procedures and Policies
Questions?
Resources

- Police Civilian Review Panel:  
  www.fairfaxcounty.gov/policecivilianreviewpanel/

- Independent Police Auditor:  
  www.fairfaxcounty.gov/government/board/policeauditor/

- Ad Hoc Police Practices Review Commission:  
  www.fairfaxcounty.gov/policecommission/

*Complaint forms can be found on the Panel and Auditor webpages.
How to Reach Us

- **Telephone:**
  - **Panel:** 703-324-2502 (TTY: 711)
  - **Auditor:** (703) 324-3459 (TTY: 711)

- **Email:** [PoliceCivilianReviewPanel@fairfaxcounty.gov](mailto:PoliceCivilianReviewPanel@fairfaxcounty.gov) or [IPAPoliceAuditor@fairfaxcounty.gov](mailto:IPAPoliceAuditor@fairfaxcounty.gov)

- **Address:**
  12000 Government Center Parkway, Suite 233A
  Fairfax, Virginia 22035
Thank You!