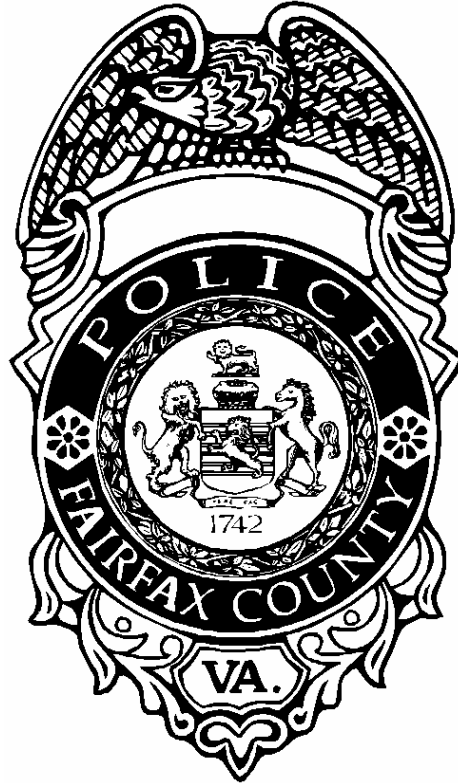

COUNTY OF FAIRFAX



POLICE DEPARTMENT REGULATIONS AND GENERAL ORDERS

VOLUME I - ADMINISTRATION

FOREWORD

The Regulations and General Orders of the Fairfax County Police Department are promulgated in this two volume document. The Regulations set forth the general responsibilities and standards of conduct expected of Department employees. Unless the content indicates otherwise, the Regulations apply to civilian as well as sworn employees. General Orders are statements of policy and procedure dealing with major operational and administrative areas.

While the manual does set forth specific procedures to which adherence is expected, it is not intended to address all situations encountered by members of the Department. The judicious exercise of discretion is often required; and, with this in mind, the manual serves as a supplement to individual training and experience.

This document will be periodically updated and amended to reflect changes in law and to meet the needs of its users in terms of policy and procedure. I urge all members of the Department to submit comments and recommendations for change in order to ensure that the manual remains a useful tool to all.

All Regulations and General Orders contained in this manual are issued under the authority of the Chief of Police and the County Executive serving upon the date of such issuance. The subsequent appointment of a new Chief of Police or County Executive does not invalidate a Regulation or Order issued by a predecessor unless specifically stated.

It is essential that all employees familiarize themselves with the provisions of both volumes of this manual, and seek guidance from supervisory personnel when necessary. We must all be mindful of the fact that individual action taken in violation of the Regulations or General Orders may be grounds for disciplinary action. The underlying purpose of the document is not to create a device merely for the imposition of punitive sanctions, but rather to achieve uniformity and an orderly approach to the accomplishment of our goals.

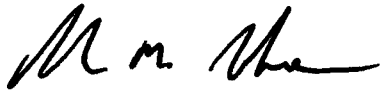


David M. Rohrer, Colonel
Chief of Police

DECLARATION

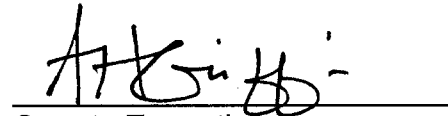
Pursuant to the provisions of Section 15.2-836 (formerly 15.1-769) of the Code of Virginia and the resolution of the Board of Supervisors of the County of Fairfax dated March 11, 1974, the following Manual of Regulations and General Orders for the Fairfax County Police Department is hereby promulgated.

ISSUED BY:



Chief of Police

APPROVED BY:



County Executive

DEPARTMENT'S MISSION STATEMENT

The Fairfax County Police Department protects persons and property by providing essential law enforcement and public safety services, while promoting community involvement, stability and order through service, assistance and visibility.

VISION

The administration and operation of the Fairfax County Police Department will be executed to provide essential law enforcement, public safety, and related services to the public while utilizing the most efficient and effective methods available, maintaining established professional standards, and optimizing community support.

VALUES

We believe....

- The highest moral and ethical standards are the cornerstone of the agency, and all members are expected to adhere to these standards.
- The agency, through all of our employees and volunteers, strives to uphold the public trust and maintain accountability to the public.
- Our employees are the most important asset of the Department, and only through teamwork, mutual respect, and cooperation can the community be best served.
- The role of the police is determined by the community it serves; through a partnership with the citizens, the Department improves the quality of life through control and reduction of crime.
- The police and the community share in the responsibility for crime control and public safety.
- The capability to accomplish our mission is determined by the dedication to public service, diversity and quality of the work force; therefore, we seek to recruit and retain individuals who possess those qualities.
- The agency must seek to collaborate with neighborhoods to better understand the nature of local problems and to develop meaningful and cooperative strategies to solve these problems.
- The agency must enhance the skills of all personnel to ensure motivation, creativity, dedication and professionalism, while creating an atmosphere of job satisfaction, enthusiasm, security and personal career development.
- Available resources, both personnel and financial, must be expended with maximum efficiency in order to provide optimum service to the citizens of Fairfax County.
- State-of-the-art technologies and continuous up-to-date training are essential for the maintenance and enhancement of police service delivery to the citizens of the community.
- Through the application of these commonly held values, we will achieve excellence in policing in Fairfax County.

COMMUNITY POLICING DEFINITION

Community Policing is a proactive and cooperative partnership between the Fairfax County Police Department and the community to improve the overall quality of life by:

- Fostering and maintaining mutual trust and respect.
- Recognizing and solving problems,
- Preventing crime and disorder,
- Identifying and arresting offenders

DEPARTMENTAL GOALS

I. STRENGTHEN COMMUNITY PARTNERSHIPS

To develop and sustain strong community partnerships, the members of the Police Department and the citizens of this community must build relationships built on mutual respect, understanding and trust. The community must have confidence both in the process of law enforcement and in the people who are sworn to administer it fairly and judiciously. The community is encouraged and empowered to identify neighborhood problems, speak out on issues of concern, and help to shape the delivery of police services. The Police Department will strive to provide real solutions to problems of crime and public safety in the community while continuously seeking substantive feedback from the community regarding the quality and methods of police service delivery.

II. ENHANCE COMMUNITY-BASED POLICE SERVICES

To the extent possible, police services will be based in the community and will be delivered by Police Department professionals who have an intimate knowledge of the people, neighborhoods and cultures of that community. The Police Department will provide citizens easy access to the people and services of the Police Department and responsiveness to community issues while preserving, where justified, the economies and efficiencies of centralization, which are sometimes necessary for highly specialized and complex services.

III. PROMOTE RESPONSIBILITY & ACCOUNTABILITY

The Police Department exists to fulfill the responsibilities of law enforcement by using the authority and resources vested to it by the community. The Department is accountable to the community for the efficient and effective use of those resources, and the fair, impartial and judicious exercise of that authority. The Department will achieve this goal through management practices which place responsibility and accountability, both individual and team, at the core of our organizational culture.

IV. MAXIMIZE OUR HUMAN RESOURCES

At the heart of every success is a dedicated and motivated person whose courage, resourcefulness and creativity have made the difference. The Police Department will seek and hire such individuals, give them the best possible training throughout their career, empower them to make a real difference in their community, provide them with the tools necessary to succeed, and reward and recognize their accomplishments.

V. HARNESS PROVEN TECHNOLOGY

The Police Department must harness and be proficient with modern technology; it is an integral part of our society and the most powerful tool available to law enforcement in the fight against crime. The Department will aggressively seek to obtain practical and proven technology at an affordable price, then utilize it effectively to reduce crime and support police services to the community.

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DEFINITIONS

Terms contained herein are organizational definitions applied throughout the Department. Definitions applicable to specific general orders can be found in the affected order and are not repeated in this section.

Administrative Staff

Majors and above, including civilian bureau directors.

Appointing Authority

The Chief of Police.

Appointment

The offer to and acceptance by a person of a position within the Fairfax County Police Department.

Assignment/Transfer

Any personnel placement made by competent authority.

Authority

Power to require and receive submission; the right to expect obedience. Superiority derived from a status that carries with it the right to command and give final decisions.

BLUENet

The FCPD intranet and primary source for documents, news, information and resources.

Bias-Based Policing

Stopping, detaining, searching, or attempting to search, or using force against a person based on his or her race, sex, sexual orientation, gender, national origin, ethnicity, age, or religion in violation of constitutional safeguards.

Chain of Command

The line of authority and responsibility along which orders or requests of superiors and/or subordinates are passed.

Civilian Personnel

Non-sworn employees of the Police Department.

Command

To direct authoritatively; to govern.

Command Staff

First Lieutenants and above, including civilian division commanders.

Command Post

A designated location where the primary command functions of an incident are performed.

Commanding Officer

Any police employee of supervisory rank.

Competent Authority

Authority rightfully belonging to or exercised by a person or group.

Confidential

Not publicly disseminated; not to be divulged to unauthorized persons.

County

County of Fairfax.

Criminal Profiling

A concise biographical description of a person or set of circumstances involved in committing or wanted for criminal acts.

Department

The Fairfax County Police Department.

Detective

A police officer assigned to conduct investigations.

Dismissal

Separation from County employment with cause.

Duty

Assigned participation in activity; obligatory tasks, conduct, service, or functions. Applies not only to tasks required by occupation, but also those tasks which are imposed by rank or status.

Duty Officer (DO)

A command level officer who is delegated operational command of the Department. Incident command authority shall remain with the DO until assumed by an Administrative Staff Command Officer, Deputy Chief of Police, Chief of Police or when relinquished to another commander most appropriate for the effective management of any incident or situation.

Emergency Equipment

Warning lights and siren installed on police vehicles.

Employee

An individual who is legally employed by the County and is compensated through the County payroll.

Employee Identification Number

A unique departmental identification number assigned to each Department member.

Finance Section (ICS related)

The section of the incident command system responsible for all issues related to compensation, cost, procurement and time/attendance.

First Line Supervisor

A police sergeant, second lieutenant or civilian in charge of a group of departmental members.

Function

Professional or official position; the acts of operation expected to be performed by a person as a result of his position or assignment.

I/LEADS

The FCPD Integrated Law Enforcement Automated Data System.

Incident Action Plan (IAP) (ICS related)

A written plan of action that provides responders management through a set of common incident objectives and procedures during an operational period.

Immediately

Denotes as soon as possible and without delay; occurring without loss of time.

Incident Commander

The person in charge of the overall management of all activities at an incident.

Incident Command System (ICS)

A standardized, on-scene, all-hazards incident management approach that:

- Allows for the integration of facilities, equipment, personnel, procedures, and communications operating within a common organizational structure.
- Enables a coordinated response among various jurisdictions and functional agencies, both public and private.
- Establishes common processes for planning and managing resources.

Incompetence

Lack of physical, intellectual, or moral ability; lack of legal qualifications or fitness.

Insubordination

Defiance of authority; disobedience of orders; or infraction of rules.

Logistic Section (ICS related)

The section of the incident command system responsible for all service support requirements needed to facilitate an operation.

Malfeasance

An act by a public employee under color of authority of their office, that is unwarranted, that the employee has contracted not to do, and that is legally unjustified.

May

The word “may” as used herein shall denote that the action indicated is permitted.

Member

The term “member” within the context of police policies and procedures, or rules and regulations, include all sworn personnel, civilian personnel, animal control officers, auxiliary police officers, volunteers in police service (VIPS) and police chaplains.

Misconduct

An act or omission by an employee which, if proven true, would normally result in some form of discipline or sanction. This includes:

- Commission of an unlawful act,
- Neglect of duty,
- Violation of any Department policy, procedure, rule, regulation, or training procedure, or
- Conduct which may reflect unfavorably upon the employee or agency.

Misfeasance

The performance by a public employee of a lawful action in a wrongful or improper manner; the improper performance of an act which might have been lawfully done.

National Incident Management System (NIMS)

A comprehensive, national approach to incident management that is applicable at all jurisdictional levels and across functional disciplines. It is intended to:

- Be applicable across a full spectrum of potential incidents, hazards, and impacts, regardless of size, location or complexity.
- Improve coordination and cooperation between public and private entities in a variety of incident management activities.
- Provide a common standard for overall incident management.

Neglect of Duty

Failure to attend to duty sufficiently or properly.

Nonfeasance

The substantial failure of a public employee to perform a distinct duty; the neglect or refusal, without sufficient excuse, to do that which is the employee's legal duty to do.

Off-Duty

The period of time during which members or employees would not normally be required to be actively engaged in the performance of their duties and functions.

Officer

Any employee of the Fairfax County Police Department serving in a sworn capacity.

Officer in Charge

Ranking member of the Department on-duty.

Operations Section (ICS related)

The section of the incident command system responsible for all incident-related operation activities.

Order

A rule or regulation made by competent authority; an authoritative mandate usually from a superior to a subordinate; a written or oral directive.

Patrol Officer

Uniformed, sworn employee, assigned to the Patrol Bureau.

Planning Section (ICS related)

The section of the incident command system responsible for planning, documenting and disseminating incident information.

Police Liaison Commander (PLC)

Assigned to the Department of Public Safety Communications (DPSC), and works in coordination with the supervisory and management structure at DPSC to provide operational oversight, direction, and technical expertise regarding the dispatching of emergency and non-emergency incidents to police personnel.

The PLC reports directly to and serves under the direction of the Duty Officer. In conjunction with the Duty Officer, the PLC will have operational command authority over police personnel and other Department resources at the DPSC and in the field.

Police Vehicle

Any motor vehicle, marked or unmarked, owned, leased, or rented by the County of Fairfax and assigned to the Police Department.

Privilege

A condition which is not a basic right but is granted at the convenience of the Department.

Probable Cause

Facts and circumstances which, taken together with rational inferences therefrom, would lead a prudent person to believe:

- to arrest- that a crime is being, has been or is about to be committed and that a particular person committed it; or
- to search- that evidence of a crime or contraband is in the place to be searched.

Promotion

Assignment of a member or employee, by the appointing authority, from one class to another which has a higher maximum rate of pay.

Racial Profiling

The unlawful detention, interdiction, or other disparate treatment of any person on the basis of their racial or ethnic status or characteristics.

Ranking Officer

The officer having the highest rank or grade. Officers of the same grade shall rank according to date of appointment (seniority) to that grade unless otherwise ordered by the Chief of Police.

Reasonable Suspicion

Facts and circumstances which, taken together with rational inferences therefrom, would cause an officer to reasonably suspect that a person:

- to "stop"- is, has been, or is about to be, involved in criminal activity;
- to "frisk"- may be armed and constitute a danger to the officer or other person; and
- to "frisk" or "search" other areas- the area within immediate control and access of a person which may contain weapons and that the person may use those weapons against the officer.

Regulations

Prescribed, suggested, or self-imposed guide for conduct or action; usually official directives by which the Department is governed. Regulations characteristically enjoy the full force and effect of a direct order from the Chief of Police and stand until cancelled or superseded by a written order from the Chief of Police.

Relief from Duty

An administrative action by a supervisor, whereby an employee's official authority is suspended, and the employee is temporarily relieved from performing the duties of their position.

Report

A communication which provides information, either in written or electronic format.

Report Writing Manual

Manual used to complete reports that provide an accurate and thorough account of any policy action. Provides standardization of documents and instructional guidance regarding departmental forms and reports.

Right

A power, condition of existence, or possession to which one is entitled by nature, legal or moral law, or prerogative. In reference to conditions of employment, it shall designate those conditions specifically outlined by law and administrative directives.

Safety Officer

Monitors and assesses safety hazards and unsafe working environments, both in training and in operations, and advises the incident commander on all matters related to safety.

Senior Officer

A sworn employee in any given rank with the longer service in that rank.

Serious or Fatal Injuries

Life-threatening injuries or injuries resulting in death.

Shall

The action prescribed is mandatory.

Shift

Scheduled period of work or duty.

Should

The action indicated is recommended or preferred.

Span of Control

The number of subordinates under the immediate control of a supervisor; to achieve effective direction, span of control should generally not exceed 12 employees.

Staging Area

The location where personnel and equipment are kept while awaiting tactical assignment.

Standby

Off-duty status, during which officers, supervisory and command personnel are held in reserve, ready for assignment, and may be required to report to duty in accordance with the standards imposed by the Chief of Police.

Standard Operating Procedures (SOP)

A comprehensive directive coordinated with Administrative Staff and issued under the signature of the Chief of Police, which specifically defines departmental procedure on certain administration and communication activities.

Superior Officer

All officers holding a higher supervisory or command position.

Supervisor

Any officer of the rank of sergeant or above, or any civilian appointed by the Chief of Police to command any section of the Department.

Suspension of Duty

Action ordered by the Chief of Police, whereby an employee is temporarily withdrawn from office and simultaneously barred from any privileges or functions inherent in that office.

Sworn Personnel

A member of the Department that has taken an oath of office, and who's authorized police powers are derived from the Code of Virginia.

Tele-Staff

An automated management system for staffing, time, and attendance.

Training Period

The period of time during which an employee is attending the Fairfax County Criminal Justice Academy for basic law enforcement training or is working under the direct supervision of a field training instructor/squad training instructor.

Warning Shot

Discharging a firearm with the intent of apprehension, but no intent to hit the target, and not necessarily in the direction of the target.

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: REVISIONS TO THE MANUAL OF
REGULATIONS AND GENERAL ORDERS

NUMBER: 001

CANCELS ORDER DATED: 7-1-02

DATE: 1-1-08

I. PURPOSE

To establish uniform procedures to be followed by all members of the Police Department when proposing changes to the Manual of Regulations and General Orders.

II. POLICY

The Manual of Regulations and General Orders contains directives of policy and procedures. Any proposed changes, additions or deletions to this document must be thoroughly reviewed to ensure that they withstand legal scrutiny, are operationally sound, conform to existing accreditation standards, and can be clearly and easily understood and adhered to by all affected personnel. To ensure General Orders reflect the Police Department's current organizational structure and are consistent with up-to-date policing strategies and practices, they are required to be reviewed and, if necessary, updated every three years. While amendments to a General Order may be proposed by all employees, the General Order itself can only be issued under the signatures of the Chief of Police and the County Executive, with concurrence by the Administrative Staff.

III. TERMINOLOGY

General Order: A comprehensive directive, coordinated with Administrative Staff and issued under the signature of the Chief of Police and the County Executive, which specifically defines the departmental policy, process, procedure or philosophy on stated actions or activities.

Policy: A guiding principle or course of action. While a General Order generally covers one broad issue, it also enumerates departmental policy on various aspects of that issue. Changes to an existing policy are made, via Command Staff memorandum, by the Chief of Police. While this amended policy may supersede a General Order, in whole or in part, the policy change becomes a General Order only when it is incorporated into the Manual of Regulations and General Orders, approved by Administrative Staff, and signed by the Chief of Police and the County Executive.

Procedure: The manner in which the policy will be executed. As in the case of "policy" described above, changes in departmental procedures may be made in

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: REVISIONS TO THE MANUAL OF REGULATIONS AND GENERAL ORDERS	NUMBER: 001
CANCELS ORDER DATED: 7-1-02	DATE: 1-1-08

order to alter “the way things are done.” It is entirely possible that changes to certain procedures may be made several times before they are officially incorporated in the General Orders package. Procedural changes are also made, via memorandum, under the signature of the Chief of Police.

Regulations: Prescribed rules of conduct.

IV. PROCEDURES

- A. Employees who identify a need to amend an existing General Order or to create a new one, or make changes to current policies or procedures, should review the matter with their immediate supervisor for the purpose of consultation, direction, and coordination.
- B. The Manual of Regulations and General Orders can be found on the County’s Enterprise Network in the K:/General Orders/Word folder. Individuals wishing to propose changes should access the K drive folder and download the appropriate document into their system.
- C. All new General Orders, or amendments to existing ones, should be prepared in Microsoft Word format.
- D. When amending an existing General Order, wording that is no longer applicable should be crossed out using the Microsoft Word “strike-through” technique; new wording should be highlighted by using the highlight option. This is also true when moving paragraphs or sections within an Order. The pertinent paragraph should appear twice: once, struck out, at its original position, and again, highlighted, at its new location. A sentence should be added at the point of insertion, indicating the original location of the paragraph (“MOVED FROM SECTION XXX, etc.”). If paragraphs or sections are moved from one General Order to another, this fact should also be clearly identified (“MOVED FROM GENERAL ORDER XXXX, Section XXX, etc.”).
- E. To facilitate ease of reading, all gender references in General Orders should be masculine; unless otherwise specified, any gender reference applies to both male and female employees.

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: REVISIONS TO THE MANUAL OF REGULATIONS AND GENERAL ORDERS NUMBER: 001

CANCELS ORDER DATED: 7-1-02 DATE: 1-1-08

- F. Each proposed new General Order should contain, as a minimum, the following subheadings. Other sections may be added as necessary.
1. Purpose: A brief statement regarding the need for the General Order.
 2. Policy: A statement of the department's policy and principles relating the subject of the General Orders.
 3. Procedure: Specific instructions on the implementation of the policies contained in the General Order.
 4. Legal References: A list of pertinent legal references for the General Order, to include the Code of Virginia and the Code of the County of Fairfax, Virginia.
 5. Accreditation Standards Reference: A listing of accreditation standards which must be satisfied in order to demonstrate departmental compliance.

Each new General Order should also be clearly identified with the statement: NEW GENERAL ORDER, at the top of the first page. This statement is also required on Orders that supersede existing ones: "NEW GENERAL ORDER; SUPERSEDES GENERAL ORDER XXX."

- G. All completed work products should be saved electronically and printed out in hard copy. Both the electronic and hard copy versions should be forwarded, through the chain of command, to the Chief's Office of Research and Support for review and processing.
- V. CHIEF'S OFFICE OF RESEARCH AND SUPPORT RESPONSIBILITIES:
- A. The Commander of the Chief's Office of Research and Support shall be responsible for staff review of all proposed or amended General Orders for legal issues, accreditation standards' compliance, and other relevant concerns. If the review process concludes that substantial changes are necessary, or the proposal does not withstand legal or accreditation requirements, the document will be returned to the originator with appropriate comments. If no change or clarification is necessary, the

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: REVISIONS TO THE MANUAL OF REGULATIONS AND GENERAL ORDERS	NUMBER: 001
CANCELS ORDER DATED: 7-1-02	DATE: 1-1-08

Chief's Office of Research and Support staff shall prepare the document for review by Administrative Staff.

- B. The Commander of the Chief's Office of Research and Support shall be responsible for reviewing General Orders annually and identifying those that have not been updated within three or more years. The Commander shall then identify the bureaus responsible for the selected General Orders and notify their commanders that a review will be required to ensure that the directives reflect the Police Department's current organizational structure and are consistent with up-to-date policing strategies and practices.
- C. All policy and procedural changes affecting a General Order and requiring immediate dissemination shall be prepared for distribution, via a Command Staff memorandum, by the originating entity following currently established procedures. The subject of the Command Staff memorandum shall be "Policy/Procedural Change," and the reference shall be the appropriate General Order. A statement indicating that the change supersedes the policy that is contained in the referenced General Order shall be included in the memorandum. A copy of the General Order or a specific section thereof, indicating the additions/deletions, will be attached to the Command Staff memorandum. The entire package, including the "Staffing and Decision Cover Sheet," shall be forwarded to the Chief's Office of Research and Support for the Chief's signature. Once signed, the package will be returned to the originating bureau for distribution. The Chief's Office of Research and Support staff will be responsible for ensuring that the changes are incorporated into the next quarterly revision of the Manual of Regulations and General Orders.
- D. Amendments to General Orders which do not require immediate dissemination throughout the agency shall be prepared and presented for Administrative Staff review and approval during the quarterly update to the Manual of Regulations and General Orders.
- E. The Chief's Office of Research and Support staff will, on a quarterly basis, compile all the amended/new General Orders into one package, present it for Administrative Staff review, obtain the required signatures, and ensure the printing and distribution of the document.

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: REVISIONS TO THE MANUAL OF REGULATIONS AND GENERAL ORDERS	NUMBER: 001
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CANCELS ORDER DATED: 7-1-02	DATE: 1-1-08
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- F. Only those General Orders, and amendments thereto, that have been reviewed by the Chief's Office of Research and Support, approved by Administrative Staff, and signed by the Chief of Police and the County Executive will be incorporated into the quarterly printing of the General Order update package.
- G. Concurrent with the distribution of the quarterly amendments to the General Orders, the Chief's Office of Research and Support staff shall also update the General Orders on the County's Enterprise Network.

VI. GENERAL RESPONSIBILITIES

Any member of the Department who proposes a new departmental General Order shall include a listing of accreditation standards and pertinent legal references to include the Code of Virginia and the Code of the County of Fairfax, Virginia. Any member of the Department who proposes a change or alteration to an existing accreditation standards and legal references to ensure they are still applicable. Additions and deletions to the list of accreditation standards and legal references shall be included with the proposal.

Bureau commanders who have been notified that a General Order has not been updated within three or more years shall work with Chief's Office of Research and Support staff to make necessary changes and, following procedures outlined in Section IV, bring the General Order forward to the Administrative Staff within 120 days for their review.

All members of the Department are to ensure that any proposed changes to departmental General Orders, or any suggested alterations to current policy or procedure, are forwarded, through the chain of command, to the Chief's Office of Research and Support for review and dissemination, or other action as appropriate.

VII. ACCREDITATION STANDARDS REFERENCE

VLEPSC
ADM.
04.01
07.02

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: REVISIONS TO THE MANUAL OF
REGULATIONS AND GENERAL ORDERS

NUMBER: 001

CANCELS ORDER DATED: 7-1-02

DATE: 1-1-08

- 07.04
- 07.05
- 09.01
- 09.02
- 09.03
- 10.01

This General Order becomes effective January 1, 2008 and rescinds all previous General Orders pertaining to the subject.

ISSUED BY:

APPROVED BY:

Handwritten signature of the Chief of Police in cursive script.

Chief of Police

Handwritten signature of the County Executive in cursive script.
County Executive

100 ORGANIZATION

101	Authority and Jurisdiction
102	Organization Structure
103	Office of the Chief of Police
104	Internal Affairs Bureau
105	Deputy Chief of Police for Investigations and Operations Support
106	Deputy Chief of Police for Administration
107	Deputy Chief of Police for Patrol
108	Patrol Bureau
109	Criminal Investigations Bureau
110	Operations Support Bureau
111	Resource Management Bureau
112	Administrative Support Bureau
113	Criminal Justice Academy
114	Information Technology Bureau
115	Chief's Office of Research and Support
	Organization Chart

101 AUTHORITY AND JURISDICTION

The Fairfax County Police Department was established by the Board of Supervisors pursuant to the authority of Chapter 361 of the Acts of the Virginia General Assembly of 1940. This law and its subsequent amendments have continued in effect.

Police officers are empowered to enforce the laws of the Commonwealth of Virginia and the ordinances of the County of Fairfax within the boundaries of the County and on all County-owned properties located outside the territorial limits of Fairfax County. Jurisdiction shall be restricted by law or policy with respect to certain areas within or adjacent to Fairfax County.

CITY OF FAIRFAX – During the course of an escort or procession through the City of Fairfax, enforcement by any County police officer would not routinely be exercised. However, enforcement action may be taken if a serious violation occurs in the presence of a County officer or probable cause exists in a felony case and immediate action is necessary.

CITY OF FALLS CHURCH – No jurisdiction.

TOWNS OF VIENNA AND HERNDON – Jurisdiction over violations of state law. However, enforcement is not to be exercised unless a serious violation occurs in the presence of a County officer or probable cause exists in felony cases and immediate action is necessary. The Department will assist the police department of either town at their request.

GEORGE WASHINGTON PARKWAY – Criminal jurisdiction only.

DULLES ACCESS AND TOLL ROADS, AND PORTIONS OF DULLES AIRPORT WITHIN THE COUNTY OF FAIRFAX – Concurrent jurisdiction with the Metropolitan Washington Airport Authority Police.

FORT BELVOIR – Jurisdiction on any state highway or County-owned property throughout the reservation; close pursuit onto the military reservation off a state highway is limited to the pursuit of a felon. There is no authority to pursue a misdemeanor or traffic violator onto any property on the military reservation which is not part of the state highway system or is not owned by Fairfax County. Concurrent jurisdiction at the Eleanor Kennedy Homeless Shelter (9155 Richmond Highway), and Fort Belvoir Elementary School (5970 Meeres Road, Building 1700). Investigations requiring in person contact with individuals on Fort Belvoir property shall be coordinated with the Provost Marshall's office.

COAST GUARD TELECOMMUNICATIONS AND INFORMATION SYSTEMS COMMAND – Concurrent jurisdiction with the applicable United States Coast Guard law enforcement entity. All traffic accidents, except those involving vehicles owned or leased by the County, shall be investigated by the United States Coast Guard. The Department will assist the Coast Guard at their request. Criminal violations of the Virginia state code and the code of the County of Fairfax which occur on the grounds of the Coast Guard facility, located at 7323 Telegraph Road, will be handled and investigated by this Department.

CENTRAL INTELLIGENCE AGENCY – Concurrent jurisdiction with the federal government. Under current agreement, officers may enter the property to patrol the grounds and parking areas.

COUNTY-OWNED AND OPERATED PROPERTY NOT LOCATED IN THE COUNTY – Officers shall have the authority to enforce local ordinances and state law on property owned and operated by the County. The District Court of the town, city, or county in which the offense occurs shall have jurisdiction for prosecution purposes.

UNITED STATES POSTAL SERVICE PROPERTY – Concurrent jurisdiction with Postal Inspector's Office, on property used for postal services.

GREAT FALLS PARK, WOLF TRAP FARM PARK, CLAUDE MOORE COLONIAL FARM, FORT HUNT, FORT MARCEY AND THE PORTION OF MANASSAS NATIONAL BATTLEFIELD LOCATED IN FAIRFAX COUNTY – Concurrent jurisdiction with the United States Park Police.

102 ORGANIZATION STRUCTURE

The main components of the organizational structure of the Department are as follows: Criminal Investigations Bureau, Patrol Bureau, Operations Support Bureau, Resource Management Bureau, Administrative Support Bureau, Internal Affairs Bureau, Information Technology Bureau, Chief's Office of Research and Support, and Criminal Justice Academy.

The decentralization of resources (i.e. investigation of property crimes, crime prevention, crime analysis, and crossing guards) to the district station level is intended to develop increased responsibility and accountability for the provision of police services to address the particular needs of the communities which comprise that geographic area.

103 OFFICE OF THE CHIEF OF POLICE

The Chief of Police is responsible for the overall management of the Department, including the major areas of personnel administration, training, planning and research, fiscal management, and policy formulation. As a department head, the Chief of Police reports directly to the County Executive. The Chief of Police is assisted in the management of the Department by a policy board comprised of the deputy chiefs and bureau commanders. In the absence of the Chief of Police, the authority for the management of the Department will be designated by the Chief of Police to one of the deputy chiefs for the period of the absence.

104 INTERNAL AFFAIRS BUREAU

Reporting to the Office of the Chief, the Internal Affairs Bureau (IAB) oversees administrative investigations relating to the conduct of Department personnel and inspections of organizational components. The IAB also provides assistance to the Office of the County Attorney in the investigation of civil actions that are filed against the agency, Chief of Police, or other members of the Department acting in performance of their duties.

The Internal Affairs Bureau is comprised of two components: the Investigations Division and the Inspections Division. The Investigations Division is responsible for recording and investigating allegations of police misconduct generated from within the Department or outside sources. The Inspections Division is responsible for conducting detailed inspections of organizational components to include observation and analysis of departmental units, procedures and practices designed to ensure efficiency and effectiveness, as well as compliance with applicable regulations and policies. The Inspections Division is also responsible for processing subpoenas which request departmental records. The bureau commander reports the findings and progress of such investigations and inspections directly to the Chief of Police.

105 DEPUTY CHIEF OF POLICE FOR INVESTIGATIONS/OPERATIONS SUPPORT

The Deputy Chief of Police for Investigations/Operations Support is responsible for the development and management of major policy programs in support of the Criminal Investigations Bureau and the Operations Support Bureau. Responsibility consists of administrative and operational oversight for numerous specialized services including the coordination of resources and capabilities involving the National Capital Regional Intelligence Center, domestic intelligence, criminal forensics, major crime investigations, organized crime and narcotics, victim services, special operations, traffic and helicopter support. The Deputy Chief of Police for Investigations/Operations Support, together with the Deputy Chief of Police for Administration and the Deputy Chief of Police for Patrol, assist the Chief in the administering of the Department's budget, conducting public

relations activities, developing Department policy, and sharing the responsibility of personal representation of the Chief of Police, as necessary.

106 DEPUTY CHIEF OF POLICE FOR ADMINISTRATION

The Deputy Chief of Police for Administration is responsible for the supervision and the delivery of services provided by the Public Information Office, Resource Management Bureau, Administrative Support Bureau, Information Technology Bureau and the Fairfax County Criminal Justice Academy. The Deputy Chief of Police for Administration also assists in planning and is responsible for administration of the departmental budget, conducting public relations activities, and shares responsibility with the Deputy Chief of Police for Investigations and Operations Support and the Deputy Chief of Police for Patrol in personal representation of the Chief of Police, when necessary.

107 DEPUTY CHIEF OF POLICE FOR PATROL

The Deputy Chief of Police for Patrol supervises the three majors in charge of the Patrol Divisions, and leads, organizes, and directs, the main patrol functions of the Fairfax County Police Department. This position is responsible for envisioning, innovating, and leading all strategies for the Patrol Bureau to meet short and long-term objectives within its comprehensive strategic plan. The Deputy Chief of Police for Patrol is ultimately responsible for the control of expenditures for the Patrol Bureau's budget. It is incumbent on this position to maintain a high level of integrity, morale, and discipline within the Patrol Bureau, and ensuring the highest possible quality service to citizens. The Deputy Chief of Police for Patrol works closely with other administrative and operational bureaus within the Department to coordinate effective police solutions to public safety problems. The Deputy Chief of Police for Patrol also works closely with the Chief of Police to ensure all Department employees perform in accordance with the agency's values, vision, and mission.

108 PATROL BUREAU

The Patrol Bureau is comprised of Animal Control, Youth Services Division and eight district stations, divided into three separate divisions. Division I includes Animal Control, the Crime Analysis Unit, and the Reston, Fair Oaks and Sully District Stations. Division II contains the McLean and Mason District Stations, and the Youth Services Division. Division III includes the Court Liaison Section, the Duty Officer and Police Liaison Commanders, the Citizen Reporting Section, and the Mount Vernon, Franconia and West Springfield District Stations. District stations are responsible for providing emergency and routine police patrol response, and a wide range of community police services to the public on a continuous basis.

Operational and administrative decision making with respect to resource allocation, crime prevention activities, specific investigations, tactical response and crossing guards is the province of the Patrol Bureau and the district station commanders. Staff direction and support for the district station commanders is provided by the Patrol Bureau commanders in their roles as members of the Administrative Staff. Additional staff and administrative support for the School Resource Officers, School Education Officers, Gang Investigations Unit, and the Crime Prevention Officers is provided by the Youth Services Division. The Court Liaison Section is responsible for maintaining lines of communication between this agency and the Office of the Sheriff, Office of the Commonwealth's Attorney, the Clerk of the Court and judges. The Citizen Reporting Section assists the Patrol Bureau by processing investigation reports over the telephone or Internet for low-level criminal complaints where there are no investigative leads in lieu of the immediate dispatch of a police officer.

109 CRIMINAL INVESTIGATIONS BUREAU

The Criminal Investigations Bureau (CIB) is responsible for the investigation of major offenses which require a degree of specialization or a centralized investigative approach. The CIB is comprised of four components: 1) Major Crimes Division; 2) Organized Crime and Narcotics Division; 3) Investigative Support Division; and 4) Intelligence Division.

The Major Crimes Division consists of 10 specialized units which are designated Homicide, Cold Case, Robbery, Sex, Auto, Financial Crimes, Fugitive, Child Abuse, Child Exploitation, and Victim Services. The Major Crimes Division also includes the Victim Services Section, the Forensic Artist, and Crime Analysis. The Victim Services Section's function is to assist victims of felony crimes, domestic violence or other crimes causing injury or death, and help witnesses in prosecution cases to participate effectively in the criminal justice process.

The Organized Crime and Narcotics Division investigates violations related to the Drug Control Act, gambling, prostitution, pornography and organized crimes. The Organized Crime and Narcotics Division has two components: 1) Narcotics Investigations Section; and 2) Street Crimes Unit.

The Investigative Support Division encompasses the Crime Scene Section, the Northern Virginia Regional Identification System (NOVARIS), and the Special Investigations Unit. The Special Investigations Unit is comprised of the Electronic Surveillance Section, Computer Forensics Section and the Forensic Audio Video Section. The Crime Scene Section is responsible for providing specialized evidence collection techniques at crime scenes and within controlled technical workrooms isolated from crime scenes. NOVARIS provides a means to identify persons related to crimes through computer-aided biometric analysis and identification. The Electronic Surveillance Section provides specialized staff and technology in support of surveillance operations. The Computer Forensics

Section and Forensic Audio Visual Section use specific techniques to recover data able to be submitted as evidence in court.

The Intelligence Division consists of two specialized units which are designated the Regional Intelligence Center and the Criminal Intelligence Unit.

110 OPERATIONS SUPPORT BUREAU

The Operations Support Bureau (OSB) provides specialized support to all units of the Department. OSB is comprised of the Special Operations Division, Traffic Division, and the Helicopter Division.

The Special Operations Division consists of the following sections: Tactical, Canine, Explosive Ordinance Disposal, Marine Patrol (non-standing unit), and Underwater Search and Recovery (non-standing unit).

The Traffic Division is comprised of the Traffic Selective Enforcement Services Unit (Motorcycle Section, Motor Carrier Safety Section and the Crash Reconstruction Section), the Traffic Management Services Unit (Virginia Department of Transportation Liaison Officer, Parking Enforcement Section, Traffic Information Center, School Crossing Guard Services, and the Inoperative Vehicle Unit), and the Traffic Safety Services Unit (DWI coordinator, Alcohol Test Unit, Auxiliary Police and the Traffic Safety Unit).

The Helicopter Division provides support for police operations in traffic control, apprehensions, crime prevention, safety and searches, as well as medical evacuations for life threatening situations.

111 RESOURCE MANAGEMENT BUREAU

The Resource Management Bureau provides support in a variety of areas related to police operations and comprises two divisions: the Logistics and Property Division and the Records and Facilities Division.

The Logistics and Property Division includes the Property and Evidence Section, Quartermaster, and Fleet Management. The Property and Evidence Section is responsible for maintaining the security and storage of evidence, recovered, lost or stolen property in its care, and for maintaining the Department's inventory of capital equipment. The Quartermaster is responsible for the inventory and dispersal of the Department's uniforms, office equipment and sundry supplies. Fleet Management is responsible for the efficient use and maintenance of the Department's vehicle inventory and their diverse and necessary attachments.

The Records and Facilities Division includes the Central Records Section and the Facilities Section. The Central Records Section is responsible for continually auditing and evaluating the investigation recording system and field reporting

process; for the management, maintenance and security of arrest records, investigation reports, warrants and other related integral documents; and for the input of document information to the Department's database. The Facilities Section acts as the agency liaison and contact point with other County agencies on all issues pertaining to the maintenance, construction and improvement of Department facilities and equipment.

112 ADMINISTRATIVE SUPPORT BUREAU

Financial Resources and Personnel Resources fall under the purview of the Administrative Support Bureau (ASB). The Financial Resources Division provides support to existing employees in the areas of payroll and benefits. It is also responsible for providing fiscal and budgetary support to include budget development and monitoring, accounts payable and receivable, and procurement to all departmental entities. The Personnel Resources Division handles applicant/employment processing, polygraph services, health services (medical examinations and pathogenic exposures), worker's compensation and position classification/description/control, and provides support through aggressive applicant recruitment and testing. This entity also provides insight and counsel on issues involving minority affairs, and oversees the agency's mentoring efforts, career development, and promotional processes.

113 CRIMINAL JUSTICE ACADEMY

The Criminal Justice Academy is responsible for the administration of the Department's training. This includes basic recruit training, in-service training, firearms training, and drivers' training. Supplemental specialized courses are also scheduled for sworn law enforcement personnel.

All programs are monitored and evaluated to ensure that they are of the highest quality of training, as well as meeting or exceeding standards set by the Virginia Department of Criminal Justice Services Board and the Virginia Law Enforcement Professional Standards Commission.

114 INFORMATION TECHNOLOGY BUREAU

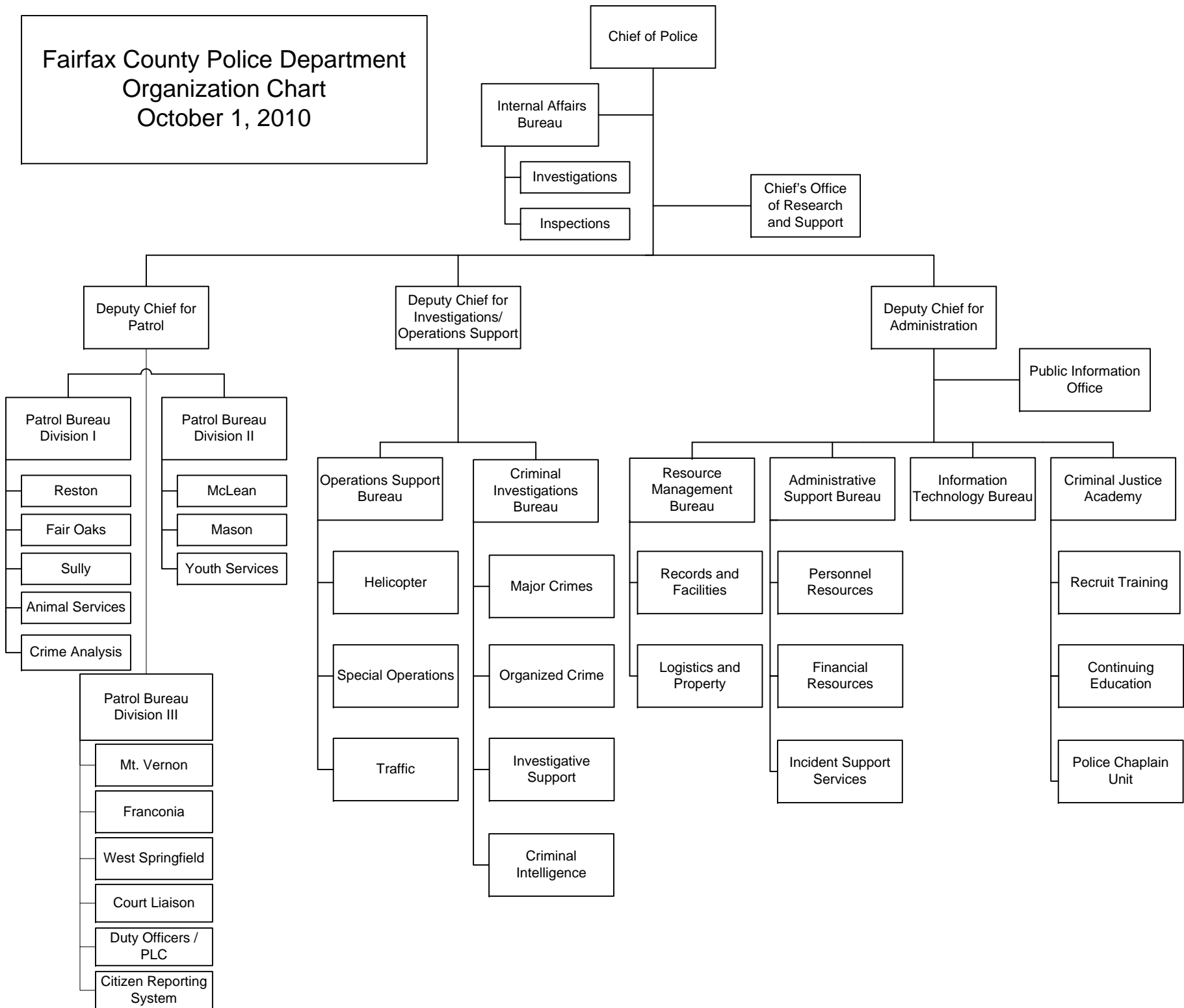
The Information Technology Bureau is responsible for the management of network and PC resources, development and maintenance of the records management system, coordination of information security, desktop applications development, wireless communications, Internet and intranet development, and IT strategic planning.

115 CHIEF'S OFFICE OF RESEARCH AND SUPPORT

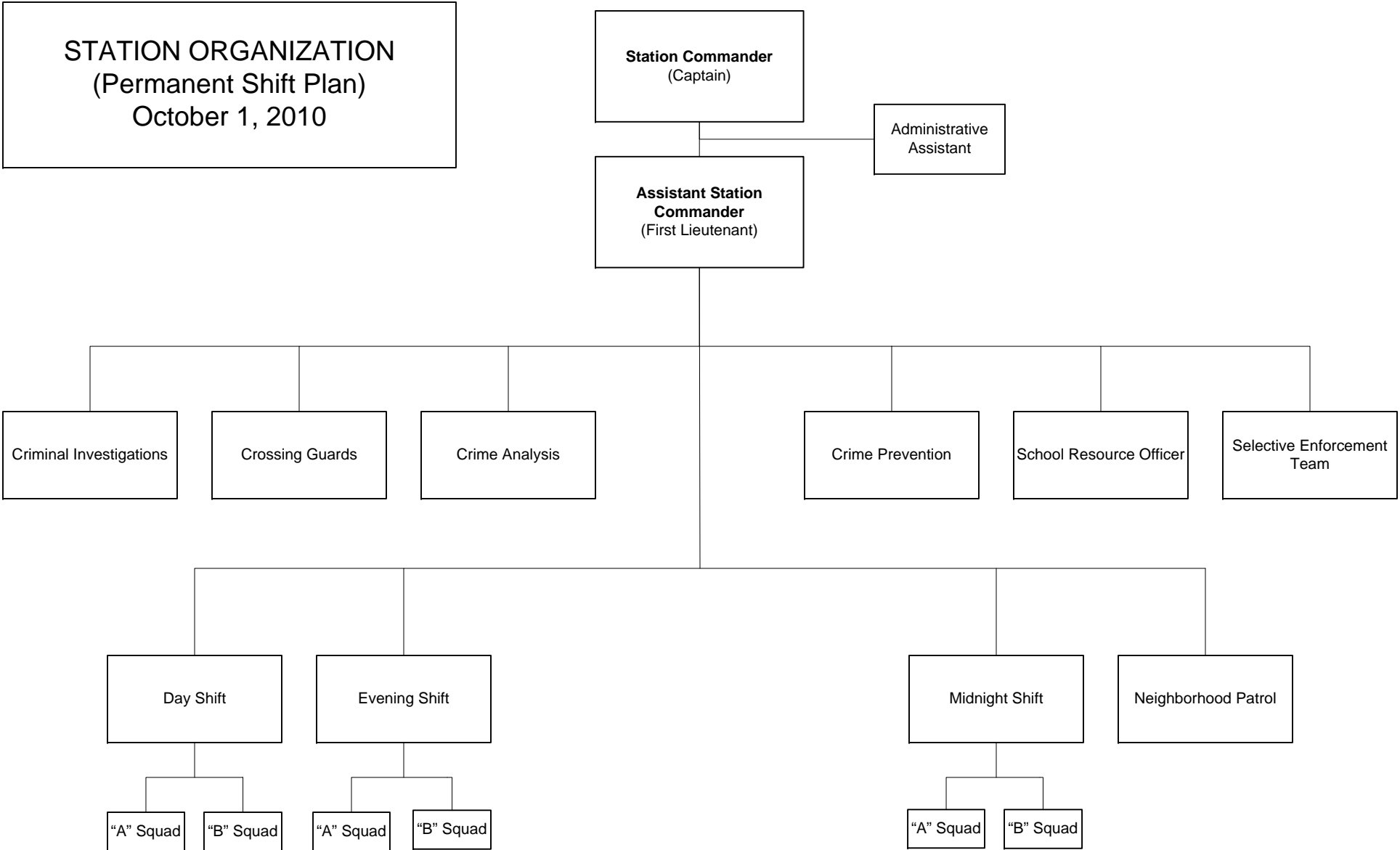
The Chief's Office of Research and Support (CORS) is comprised of civilian and sworn staff that are responsible for strategic planning, feasibility studies,

project/program evaluations, monitoring criminal justice legislation, coordination of items and correspondence between the Department and the Fairfax County Board of Supervisors, and the drafting and maintenance of the Manuals of General Orders and Standard Operating Procedures. The CORS also aggressively coordinates and monitors legislative matters, manages the Department's accreditation process, conducts surveys, maintains/publishes police-related research products, and provides analytical and research assistance to operational and administrative components of the Department concerning a wide range of criminal justice and management issues.

Fairfax County Police Department Organization Chart October 1, 2010



STATION ORGANIZATION
(Permanent Shift Plan)
October 1, 2010



200 REGULATIONS

201 GENERAL RESPONSIBILITIES

- 201.1 Knowledge of Regulations
- 201.2 County Personnel Regulations
- 201.3 Obedience to Laws and Regulations
- 201.4 Performance of Duty
- 201.5 Reporting Violation
- 201.6 Preservation of Peace and Protection of Life and Property
- 201.7 Standards of Conduct
- 201.8 Cooperation/Coordination
- 201.9 Assistance to Fellow Officers
- 201.10 Obligation to Duty
- 201.11 Reporting to Duty
- 201.12 Inspections
- 201.13 Human Relations
- 201.14 Unlawful Discrimination
- 201.15 Aid and Assistance to Citizens
- 201.16 Identification as a Law Enforcement Officer
- 201.17 Training
- 201.18 Standby Duty
- 201.19 Physical Fitness, Examinations
- 201.20 Establishing Elements of Violation
- 201.21 Truthfulness
- 201.22 Bias Based Policing

202 PROHIBITED ACTIVITIES

- 202.1 Loitering, Sleeping, Loafing on Duty
- 202.2 Malingering
- 202.3 Use of Tobacco Products On or Off Duty
- 202.4 Consumption and Purchase of Intoxicants
- 202.5 Use of Alcohol/Drugs
- 202.6 Intoxicants on Departmental Premises
- 202.7 Personal Publicity
- 202.8 Debts - Incurring and Payment
- 202.9 Accepting Special Favors, Privileges or Discounts
- 202.10 Other Transactions
- 202.11 Solicitation and Acceptance of Donations and Gifts on Behalf of the Department
- 202.12 Receiving and Reporting Gifts, Rewards, Material Benefits, Etc. By Employees

- 202.13 Commercial Testimonials
- 202.14 Membership in Organizations
- 202.15 Political Activity
- 202.16 Personal Preferment

- 203 PRISONER CARE AND CUSTODY
 - 203.1 Prisoner Safety
 - 203.2 Care of Property
 - 203.3 Transportation of Prisoners
 - 203.4 Interview Rooms
 - 203.5 Assisting Criminals
 - 203.6 Recommending Attorneys or Bondsmen
 - 203.7 Acting as Bailor Prohibited

- 204 ADMINISTRATIVE ACTIVITIES
 - 204.1 Submitting Reports
 - 204.2 Reports and Booking
 - 204.3 Alteration of Reports
 - 204.4 Security of Official Records
 - 204.5 Residence of Members
 - 204.6 Notification of Change of Address
 - 204.7 Requirement for Telephone
 - 204.8 Reporting Arrests and Court Actions Involving Employees
 - 204.9 Accepting Compensation for Damages
 - 204.10 Public Appearance Requests
 - 204.11 Civil Action, Court Appearances, Reporting Service of Process
 - 204.12 Civil Dispositions, Affidavits, and Subpoenas Duces Tecums
 - 204.13 Civil Cases
 - 204.14 Traffic Accidents Involving Privately Owned Vehicles

- 205 ORDERS
 - 205.1 Insubordination
 - 205.2 Unlawful Orders
 - 205.3 Manner of Issuing Orders
 - 205.4 Disobedience to Unlawful Orders
 - 205.5 Obedience to Improper Orders
 - 205.6 Conflicting Orders
 - 205.7 Reports and Appeals - Unlawful or Improper Orders
 - 205.8 Command Protocol

206

EQUIPMENT

- 206.1 Title to Equipment/Care and Maintenance
- 206.2 Uniforms, Equipment and Appearance
- 206.3 Manner of Dress on Duty
- 206.4 Civilian Attire
- 206.5 Replacement of Damaged Uniforms and Equipment
- 206.6 Damaged or Inoperative Property or Equipment
- 206.7 Care of Buildings
- 206.8 Defacing Notices
- 206.9 Alteration and Repair of Issued Weapons
- 206.10 Wearing of Police Uniform During Court Appearances
- 206.11 Wearing of Police Uniform While Suspended from Duty

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: REGULATIONS	NUMBER: 201
CANCELS ORDER DATED: 10-1-06	ISSUE DATE: 1-1-09

201 GENERAL RESPONSIBILITIES

201.1 KNOWLEDGE OF REGULATIONS

Every employee is required to establish and maintain a working knowledge of all laws and ordinances in force in the County and State, Regulations and General Orders of the Department, and the Fairfax County Police Department Standard Operating Procedures. In the event of improper action or breach of discipline, it will be presumed that the member was familiar with the law, Regulation or Order in question. Violation of any law, Regulation or Order may be grounds for disciplinary action.

201.2 COUNTY PERSONNEL REGULATIONS

Employees of the Department shall be governed by the County personnel rules unless they are specifically exempted. Each officer of the Department is required to be familiar with these rules.

201.3 OBEDIENCE TO LAWS AND REGULATIONS

All employees shall observe and obey all laws and ordinances, all rules and regulations of the Department, all General Orders of the Department, and all Fairfax County Police Department Standard Operating Procedures.

201.4 PERFORMANCE OF DUTY

All employees shall perform their duties as required or directed by law, departmental rule, policy, Order, Standard Operating Procedure, or by order of a superior officer. All lawful duties required by competent authority shall be performed promptly as directed, notwithstanding the general assignment of duties and responsibilities. Malfeasance, misfeasance and nonfeasance shall constitute a violation of this regulation.

201.5 REPORTING VIOLATION

Any employee who has knowledge of other employees, individually or collectively, who are knowingly or unintentionally violating any laws or statutes, ordinances, or rules and regulations of the Department, or who

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: REGULATIONS	NUMBER: 201
CANCELS ORDER DATED: 10-1-06	ISSUE DATE: 1-1-09

disobey orders, shall immediately bring any and all facts pertaining to the matter to the attention of a supervisory officer, Staff Duty Officer, DPSC supervisor or station/division commander. Supervisory or command personnel contacted shall then take appropriate action, in accordance with existing laws and regulations. An employee may bypass official chain of command and directly advise the Chief of Police of the violation(s).

201.6 PRESERVATION OF PEACE AND PROTECTION OF LIFE AND PROPERTY

It shall be the duty of each sworn officer of the Department to:

- Preserve the public peace;
- Protect life and property; and
- Enforce and uphold the laws of the Commonwealth of Virginia and the ordinances of the County of Fairfax.

201.7 STANDARDS OF CONDUCT

A) Unbecoming Conduct

Employees shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on the Department. Conduct unbecoming an employee shall include that which brings the Department into disrepute or reflects discredit upon the employee as a member of the Department, or that which impairs the operation or efficiency of the Department or employee.

B) Immoral Conduct

Employees shall maintain a level of moral conduct in their personal and business affairs which is in keeping with the highest standards of the law enforcement profession. Employees shall not participate in any incident involving moral turpitude which impairs their ability to perform their duties or causes the Department to be brought into disrepute.

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: REGULATIONS	NUMBER: 201
CANCELS ORDER DATED: 10-1-06	ISSUE DATE: 1-1-09

C) Associations

1. Employees shall avoid regular or continuous associations or dealings with persons whom they know, or should know, are persons under criminal investigation or indictment, or who have a reputation in the community or the Department for present involvement in felonious or criminal behavior, except as necessary to the performance of official duties, or where unavoidable because of other personal relationships of the employees.
2. No employee shall initiate or establish a personal, business, sexual, or dating relationship with a victim or suspect in an active criminal case in which the employee is directly involved in any phase of the investigative process. The prohibition on initiating or establishing relationships shall be in effect until the completion of the following:
 - a. If an arrest is made, until such time as all court proceedings relating to the incident are completed.
 - b. If there is no arrest made, until such time as the investigative process is completed.
3. Employees shall disclose to their commander any personal, business, sexual, or dating relationship they may have with an individual who they know is under criminal investigation or where the appearance of a conflict of interest may exist.

201.8 COOPERATION/COORDINATION

Employees shall coordinate their efforts with all other employees of the Department and County agencies, with the objective of ensuring maximum achievement and continuity of purpose through teamwork. All employees are charged with the responsibility of fostering and maintaining a high degree of cooperation both within the Department and all other agencies.

GENERAL ORDER

FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: REGULATIONS	NUMBER: 201
CANCELS ORDER DATED: 10-1-06	ISSUE DATE: 1-1-09

201.9 ASSISTANCE TO FELLOW OFFICERS

No officer shall fail to aid, assist, or protect a fellow officer to the full extent of his capability in time of need in accordance with established procedures.

201.10 OBLIGATION TO DUTY

Officers of the Department are always subject to duty, although periodically relieved from its routine performance. They shall at all times respond to the lawful orders of superior officers and other proper authorities as well as requests for police assistance from citizens. Proper police action must be taken whenever required. Officers assigned to special duties are not relieved from taking proper action outside the scope of their specialized assignment when necessary.

201.11 REPORTING TO DUTY

Employees shall report for duty at the time and place required by assignment or orders, and shall be properly uniformed, equipped, and prepared to assume duty. They shall give their undivided attention to orders, instructions, and any other information which may be disseminated.

201.12 INSPECTIONS

Inspections of employee's dress, uniform or equipment may be made at any time by competent authority. Such inspections shall include, but not be limited to, examination of lockers, desks, or any other space on departmental premises used by any employee.

Supervisors shall perform frequent inspections to ensure that officers have the mandatory equipment to perform their duties, to include only authorized equipment and weapons. If a deficiency is noted, the officer is responsible for remedying the situation within the timeframe provided by his supervisor.

201.13 HUMAN RELATIONS

A. Citizen Contacts

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: REGULATIONS	NUMBER: 201
CANCELS ORDER DATED: 10-1-06	ISSUE DATE: 1-1-09

Employees shall conduct themselves professionally at all times when representing the Department. They shall use respectful, courteous forms of address to all persons. Displays of bias towards any person on account of race, sex, ethnicity, religious preferences or sexual orientation shall be considered unbecoming conduct.

While in the performance of their duties, or while otherwise representing the Department, officers shall refrain from using offensive words and language. At times it may be appropriate to use raised voices to issue commands and to gain compliance, however, the use of cursing, obscenities and/or racial, ethnic, sexual, religious, or sexual orientation slurs will not be tolerated.

B. Employee Conduct

Each employee, regardless of rank, is responsible for promoting an image of professionalism at all times and is expected to adhere to the rules, regulations and policies of the County of Fairfax and this Department.

Each employee shall treat individuals, including subordinates, fellow employees and management, with respect, courtesy and tact. Employees are to conduct themselves in a manner that promotes teamwork and cooperation.

Employees with supervisory authority shall not abuse their authority by actions such as: gross favoritism, harassment or mistreatment of employees. Supervisors and Field Training Instructors are prohibited from having a sexual or other inappropriate personal relationship with any employee under their direct chain of command or control that would undermine the effectiveness of the supervisor or FTI towards the employee.

201.14 UNLAWFUL DISCRIMINATION

Unlawful discrimination is any action that unjustly results in unequal treatment of persons or groups based on personal characteristics such as age, race, gender, color, national origin, ethnicity, creed, religion, or

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: REGULATIONS	NUMBER: 201
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disability. Racial discrimination, sexual harassment, racial profiling, bias based policing, or any other form of unlawful discrimination, either by a specific act or omission, by or against any employee, is unlawful and will not be tolerated.

Commanders and supervisors have the responsibility to ensure that no Department employee is subjected to unlawful discrimination or sexual harassment, or actions which could be reasonably perceived as unlawful discrimination or sexual harassment, as a result of their own conduct or the conduct of other employees. A supervisor or commander shall take prompt action to investigate and respond to any allegation or act of unlawful discrimination or sexual harassment, either reported or observed.

Retaliation against any employee for filing a discrimination complaint or participating in an investigation also is unlawful and is strictly prohibited. No employee shall retaliate, or encourage others to engage in retaliation, against any person acting in good faith who:

- Opposes any conduct prohibited by this policy;
- Complies or encourages others to comply with this policy;
- Files a complaint concerning any violation of this policy;
- Testifies, assists, or participates in any investigation or hearing resulting from a complaint under this policy; or
- Exercises any right conferred under this policy.

Inappropriate behavior, even absent any specific intent of the actor, can have a discriminatory impact. In addition, inappropriate or offensive conduct by an employee, whether or not such conduct constitutes unlawful discrimination, may violate the Regulations of this Department, depending on the nature and circumstances of the specific incident. Such misconduct is a violation and must be addressed. In all cases of alleged misconduct, the reviewing authority is responsible for determining the appropriate charge and the necessary corrective action in light of all the facts and circumstances.

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A. Racial Discrimination

As noted above, discrimination on the basis of race, color, ethnicity or national origin is a violation of Title VII of the Civil Rights Act of 1964, as amended. Racial discrimination by the police is often characterized as the unjust and prejudicial application of law enforcement authority to an individual citizen or group of citizens on the basis of their race, color, ethnicity or national origin. However, racial discrimination also occurs through:

- verbal conduct: The use of innuendo, disparaging comments, slurs, or jokes which degrades or offends individuals on the basis of their race, color, ethnicity or national origin; and/or
- non-verbal conduct: The display or distribution of objects, pictures, photographs, graphic illustrations, or other visual or printed material which degrades or offends individuals on the basis of their race, color, ethnicity or national origin.

Unlawful racial discrimination by employees in the workplace is also prohibited. Such misconduct may undermine the integrity of employee relationships, lower employee morale, or interfere with the efficiency of Department operations.

B. Sexual Harassment

Sexual harassment is a form of sex discrimination. Like other forms of unlawful discrimination, it may undermine the integrity of employee relationships, lower employee morale, or interfere with the efficiency of Department operations. Like discrimination on the basis of race, color, religion, national origin, age or handicap, it is a violation of Title VII of the Civil Rights Act of 1964, as amended. Sexual harassment is unlawful, is a violation of this regulation, and will not be tolerated.

Unwelcome sexual advances, requests for sexual favors, and other verbal and physical contact of a sexual nature constitute harassment when:

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1. Submission to such conduct is made a term or condition of an individual's employment; or
2. Submission to or rejection of such conduct forms the basis of an employment decision affecting such individual; or
3. Such conduct has the purpose or effect of interfering with work performance or creates an intimidating, hostile or offensive work environment.

Examples of such conduct include (but are not limited to):

- Sexual propositioning
- Sexual innuendo
- Sexually explicit language, comments, or stories
- Sexually oriented "kidding" or "teasing"
- Jokes about gender-specific traits
- Foul or obscene language or gestures
- Display of foul or obscene printed or visual material
- Physical contact, such as patting, pinching, or brushing against another's body.

Sexual harassment does not refer to occasional compliments or touching of a socially acceptable nature which is not unwelcome. It refers to behavior which is unwelcome, which is personally offensive, and which may debilitate morale or interfere with work effectiveness. Individuals who are subjected to inappropriate behavior have a responsibility to make it clear to the offending person, either directly or through the complaint process; that the behavior is offensive to them and will not be tolerated. Individuals who experience harassment of any kind should promptly report the incident to a supervisor or commander, or to the Internal Affairs Bureau, so that appropriate corrective action can be taken.

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Information and advice about unlawful discrimination and sexual harassment may be obtained by contacting the Internal Affairs Bureau, the Employee Relations Division in the Department of Human Resources, or the Office of Equity Programs in the Office of the County Executive. Additional information can also be found in County Procedural Memorandum 02-03, Policy and Procedure on Sexual Harassment.

201.15 AID AND ASSISTANCE TO CITIZENS

While on duty, employees shall aid and/or assist citizens within the County whenever such aid or assistance appears to be called for and is not in conflict with the general principles of law enforcement or in violation of legal statutes or departmental rules and regulations.

Officers shall provide general and emergency assistance to highway users to include, but not limited to:

- General information and directions.
- Jump starting of vehicles.
- Arranging for towing, gasoline delivery or mechanical help.
- Arranging for a locksmith or another party with keys to unlock vehicles. Officers shall not use a slim jim to unlock vehicles.
- Arranging for or providing transportation within the County (transports out of the County must be approved by a supervisor).

When rendering assistance, officers should remain on the scene until help has been requested, hazardous situations are neutralized, DPSC directs the officer to leave for an assignment, or at the direction of a supervisor. Additionally, the officer is required to render all possible assistance to citizens who wish to make any report in accordance with established policies and procedures of the Department. In an off-duty status, an employee has a professional obligation to act in a bonafide emergency situation which may be encountered or where assistance is requested.

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201.16 IDENTIFICATION AS A LAW ENFORCEMENT OFFICER

Officers shall identify themselves by wearing an approved police uniform with badge or by displaying the official badge and/or identification card before taking police action under the color of law.

Although it would seem reasonable that the presence of the uniform and the badge would provide sufficient evidence of the officer's position, the availability to purchase police uniforms and badges through police supply stores does create an opportunity for an individual to dress themselves as a law enforcement officer. Thus to ensure citizens who may have some concern over the legitimacy of a Fairfax County officer, all on-duty sworn employees shall carry their Department issued police credentials or identification card with them at all times, whether in a uniform or non-uniform position. The Department issued identification card, or facility pass, may be carried in lieu of the police credentials. When identification is requested for verification purposes, officers shall willingly display their Department issued credentials or identification card for review. Officers who are working off-duty employment shall adhere to the requirements of this order. This requirement may be temporarily suspended by commanders of officers who are working sensitive undercover assignments where the carrying of police credentials or an identification card would jeopardize the safety of the officer or the nature of the investigation.

201.17 TRAINING

All employees shall attend in-service training at the direction of the Chief of Police, or competent authority. Such attendance is considered a duty assignment.

Officers are required to receive training and maintain certification for any authorized weapons carried.

201.18 STAND-BY DUTY

- A. An officer or other employee who is placed on stand-by duty shall furnish the supervisor of the Department of Public Safety Communications or other designated person with the pager and/or telephone number where they can be contacted within the time

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parameters of their stand-by status.

- B. An officer or other employee who is placed on stand-by duty shall restrict their consumption of alcoholic beverages in such a manner as to be in compliance with all applicable laws and regulations.

201.19 PHYSICAL FITNESS, EXAMINATIONS

The role of a police officer often demands quick response to situations requiring physical exertion after long periods of sedentary activity. The safety of the general public and individual officers demands that officers maintain themselves in good physical condition regardless of assignment. Poor physical condition, such as obesity, is as much a detriment to the Department image as improper demeanor or unkempt uniform appearance. All officers are encouraged to keep fit and to undertake such programs of exercise as may be required to do so. All officers shall have physical examinations conducted by a designated County agency, as required.

201.20 ESTABLISHING ELEMENTS OF VIOLATION

The existence of facts confirming a violation of law, ordinance, rule or regulation is all that is necessary to support any allegation for a charge under this section. It is not necessary that formal complaints be filed or sustained.

201.21 TRUTHFULNESS

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

201.22 BIAS BASED POLICING

Investigative detentions, traffic stops, arrests, searches, and property seizures by officers will be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the U.S. Constitution. Officers must be able to articulate specific facts and circumstances that support reasonable suspicion or probable cause for investigative detentions, traffic stops, arrests, nonconsensual searches,

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and property seizures.

Except as provided below, officers shall not consider race/ethnicity in establishing either reasonable suspicion or probable cause. Similarly, except as provided below, officers shall not consider race/ethnicity in deciding to initiate even those nonconsensual encounters that do not amount to legal detentions or to request consent to search.

Officers may take into account the reported race or ethnicity of a specific suspect or suspects based on trustworthy, locally relevant information that links a person or persons of a specific race/ethnicity to a particular unlawful incident(s). Race/ethnicity can never be used as the sole basis for probable cause or reasonable suspicion.

Except as provided above, race/ethnicity shall not be motivating factors in making law enforcement decisions.

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202 PROHIBITED ACTIVITIES

202.1 LOITERING, SLEEPING, LOAFING ON DUTY

No employee shall loiter, sleep, or loaf on duty, or in any other manner shirk responsibilities in the performance of duty.

202.2 MALINGERING

An employee shall be absent from duty because of sickness only when suffering from a contagious disease when the attendance at duty jeopardizes the health of others, or when suffering from an illness or injury which would prevent the proper performance of duty. Employees shall not feign sickness or disability, nor attempt to deceive a supervisor concerning their physical or medical condition. Notification of the use of sick leave will be made to the employee's supervisor prior to the employee's scheduled reporting time.

202.3 USE OF TOBACCO PRODUCTS ON- OR OFF-DUTY

Sworn employees hired prior to March 12, 1984, and all civilian employees, shall not use any tobacco product while on-duty and in direct contact with the public, except that smoking is permitted in public view and at mealtimes. Sworn employees hired on or after March 12, 1984 shall not smoke at any time on- or off-duty. Sworn employees hired on or after October 1, 1989 shall not use any tobacco product at any time on- or off-duty.

Smoking shall be prohibited in all motor vehicles and buildings owned, leased, or used by the County for purposes of conducting County government business or functions.

202.4 CONSUMPTION AND PURCHASE OF INTOXICANTS

Employees shall not consume intoxicants while off-duty to the extent that evidence of such consumption is apparent when reporting for duty, or to the extent that the ability to perform duty is impaired. Employees, unless in the performance of official business, shall not consume or purchase any

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intoxicant while on-duty.

202.5 USE OF ALCOHOL/DRUGS

Employees shall never be intoxicated while on-duty, nor shall they ever be intoxicated in public view at any time.

Employees who are prescribed medication shall inquire whether the drug has any side effects that might interfere with their ability to safely perform their essential job tasks as defined in General Order 331, Section V.A. If the prescriber advises that there are such side effects, employees shall notify their supervisor prior to performing their duties, that in accordance with the prescriber's opinion, they cannot safely perform their duties. Employees shall inform their supervisor of the duration of time that they will be affected. Supervisors may require employees to obtain the prescriber's opinion in writing, however, the specific type of medication or illness cannot be requested.

202.6 INTOXICANTS ON DEPARTMENTAL PREMISES

Employees shall not bring onto or keep any intoxicants on departmental premises, except when necessary, in the performance of duty. Intoxicants shall not be transported in any County owned or leased vehicle, on-duty or off-duty, except as necessary in accordance with official duties.

202.7 PERSONAL PUBLICITY

Employees shall not use their position within the Department to enhance or promote any private enterprise, or to seek personal publicity. This provision is required to protect individual officers and the Department from potential conflicts of interest.

202.8 DEBTS – INCURRING ANY PAYMENT

Financial irresponsibility is contrary to the special public trust granted all employees of the Department. To protect this trust and the integrity of the Department, employees shall make every reasonable effort to pay all debts for which they are legally responsible.

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202.9 ACCEPTING SPECIAL FAVORS, PRIVILEGES OR DISCOUNTS

Employees shall not accept special favors, privileges or discounts under circumstances which might be construed by reasonable persons as influencing the performance of official duties.

202.10 OTHER TRANSACTIONS

Employees are prohibited from buying or selling anything of value from or to any complainant, suspect, witness, defendant, prisoner, or other person involved in any case which has come to their attention or which arose out of their departmental employment except as may be specifically authorized by the Chief of Police.

202.11 SOLICITATION AND ACCEPTANCE OF DONATIONS AND GIFTS ON BEHALF OF THE DEPARTMENT

Employees shall not solicit or accept any gift, donation, or property from any person or organization on behalf of the Department without approval of the Chief of Police. Any donated property shall be reported by e-mail with the circumstances surrounding the receipt to the Internal Affairs Bureau commander. The Internal Affairs Bureau commander shall inform the Chief of Police and a determination shall be made regarding the disposition of the gift and the need for any further action. County Donation Form (DPSM IMR01) shall be completed for property valued over \$5,000. The receipt of money, not specifically donated for an approved account, shall be immediately forwarded to the Financial Resources Division. The custodian of any departmental approved account (Special Olympics, Bike Patrols, CAC, etc.) shall document all donations and maintain records of all activity of the account.

202.12 RECEIVING AND REPORTING GIFTS, REWARDS, MATERIAL BENEFITS, ETC. BY EMPLOYEES

Employees shall not solicit or accept any gift, reward, compensation or material benefit from any person or organization in return for performing or refraining from performing an official act.

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The offer or receipt of any gift, reward or material benefit shall be reported by e-mail with the circumstances surrounding the receipt to the Internal Affairs Bureau commander. The Internal Affairs Bureau commander shall inform the Chief of Police and a determination shall be made regarding the disposition of the gift and the need for any further action. The employee shall be notified of the disposition as soon as practical.

202.13 COMMERCIAL TESTIMONIALS

Employees shall not permit their names or photographs to be used in endorsing any product or service connected with law enforcement without the permission of the Chief of Police, nor allow their names or photographs to be used in any commercial testimonial which alludes to their position or employment with the Department.

202.14 MEMBERSHIP IN ORGANIZATIONS

Except for Armed Forces Reserve components, employees shall not become affiliated with any organization which in any way exacts prior consideration, or which would prevent its members from rendering proper and efficient service to the Department.

202.15 POLITICAL ACTIVITY

Employees shall not use their position in the Department to endorse political candidates, nor shall they use their position to solicit, directly or indirectly, funds or other services in support of a political issue. Employees shall not use their official capacity in any manner to influence the outcome of any political issue. Nothing in this section is intended to prevent employees from exercising their rights under Section 3-1-19 of the *Code of the County of Fairfax*.

202.16 PERSONAL PREFERMENT

Employees shall not seek the influence or intervention of any person outside the Department for purposes of personal preferment, advantage, transfer, advancement or to gain favor or preferential treatment of any kind.

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203 PRISONER CARE AND CUSTODY

203.1 PRISONER SAFETY

Arresting officers are responsible for the safety and protection of prisoners while in their custody. The officers shall, as soon as possible, notify their superior of any injury, apparent illness, or other conditions which indicate that the prisoner may need emergency or special care.

Officers charged with the custody of prisoners shall observe all laws and departmental orders in connection with this activity. Prisoners shall be kept securely, treated in a humane manner, and shall not be subjected to unnecessary restraint or force. Profane or abusive language directed at prisoners is prohibited. The arresting officer is responsible for the custody of the prisoner until custody is assumed by other competent authority. This responsibility includes the prevention of acts by any other member of the Department which violate the law or Department regulations. Any Department employee, including the arresting officer, who has knowledge of any violations of this provision, shall immediately report the information to his supervisor or division/station commander.

203.2 CARE OF PROPERTY

Commencing with the time of arrest, the arresting officer is also responsible for the security of the prisoner's personal property. With the exception of vehicles, this responsibility shifts to the competent authority who assumes custody of the prisoner.

203.3 TRANSPORTATION OF PRISONERS

Officers transporting prisoners shall do so in accordance with departmental policy and as follows:

- All transport vehicles shall be searched for hidden weapons or contraband at the beginning and end of each shift, and prior to and after prisoner transport.

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- Prisoners should be handcuffed with the hands in the rear. When handcuffs are used, they shall be double locked. (This regulation does not require officers to handcuff all prisoners.) Injuries, handicaps, and age are among the considerations officers should use in determining whether or not to handcuff prisoners or use other restraining devices.

- All prisoners shall be searched for weapons or hidden contraband prior to transport. Whenever practical, cross sexual search should be avoided.

- The transporting officer(s) shall ride in the front seat of all transport vehicles except as provided for in transporting injured prisoners to a hospital in an ambulance.

- The transporting officer(s) shall not leave prisoners unattended.

- Transporting officers shall not routinely engage in other law enforcement activities while in the process of transporting prisoners, such as enforcing the traffic laws. When presented with non-emergency situations requiring police intervention, the transporting officer shall notify DPSC, who will then be responsible for assigning the incident to an available unit. Intervention, by transporting officers, into emergency situations requiring immediate police action does not violate the provisions of this regulation.

- In the event of a prisoner escape, the transporting officer shall immediately notify DPSC. DPSC will then be responsible for notifying the officer's first line supervisor. Requests for specialized units, such as the canine and the helicopter, are the responsibility of the first line supervisor. However, if the supervisor is not immediately available, the DPSC supervisor may make the request. The transporting officer shall complete an Incident Report describing in full the facts surrounding the escape and all actions taken.

- Prisoners will not normally be allowed to communicate with attorneys or others during transport.

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- Male officers may transport female prisoners or female officers may transport male prisoners. All reports, by prisoners, alleging officer misconduct shall be fully investigated in accordance with General Order 301, Internal Investigations.
- Transporting officers shall verbally communicate to the receiving authority the prisoner's escape or suicide potential, or other personal traits of a security or medical nature.
- Prisoners who are in need of medical attention shall be delivered to the appropriate hospital emergency facility by ambulance, unless in the judgment of the officer the delay for ambulance response will increase the risk of the health or safety of the prisoner. The arresting officer shall be responsible for the security of the prisoner until properly relieved by a guard officer, unless otherwise directed by a superior.
- Prisoners and their property shall be surrendered at the jail to custodial officers or as otherwise directed by competent authority.
- Any prisoner transported to a hospital in an ambulance shall be accompanied and guarded by an officer unless police needs dictate otherwise. Should a police guard be unavailable, arrangements will be made to provide one as soon as possible.
- Supervisory personnel assigning officers to extraditions from other states or jurisdictions are responsible for informing officers of their duties prior to departure. The differing modes of travel used and unique circumstances of each extradition require a case by case review of these regulations for their applicability.

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203.4 INTERVIEW ROOMS

In order to ensure the safety of the arresting officer and prevent possible harm to the arrestee or other persons, any officer utilizing a room to conduct an interview with a prisoner shall do so in accordance with departmental policy and the following:

- Prisoners shall be searched prior to being placed in an interview room.
- Before each use of an interview room, officers shall examine the room for weapons, contraband, unsafe conditions or any item a prisoner could use to barricade the room or cause self-inflicted injuries or harm to others.
- Prior to entering an interview room with, or occupied by a prisoner, officers shall secure all weapons.
- If the officer conducting the interview leaves the interview room, he shall ensure that the prisoner is under constant observation or monitoring. This may be accomplished by any means that provides for personnel close enough to intervene, in the event of an emergency within the interview room.
- If the interview room is equipped with locks or restraining devices of any kind, the personnel conducting the observation/monitoring shall have in possession of, or direct access to, any key, codes or other devices needed to gain immediate entry to the room or the ability to remove the prisoner from the room.

203.5 ASSISTING CRIMINALS

Employees shall not intentionally divulge in any manner, either directly or indirectly, any information which might assist persons suspected or guilty of criminal acts in escaping arrest or punishment, or which may enable them to dispose of or secrete money, merchandise, or other property unlawfully obtained, or other evidence of illegal activity.

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203.6 RECOMMENDING ATTORNEYS OR BONDSMEN

Employees shall not suggest, recommend, advise or otherwise counsel any person with whom they become acquainted as a result of police business, with regard to the retention of any attorney or bail bond broker. This section does not apply to a relative of the employee.

203.7 ACTING AS BAILOR PROHIBITED

Employees shall not act as bailors for anyone, with the exception that the employee may do so where a relative is involved.

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204 ADMINISTRATIVE ACTIVITIES

204.1 SUBMITTING REPORTS

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

204.2 REPORTS AND BOOKINGS

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

204.3 ALTERATIONS OF REPORTS

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

204.4 SECURITY OF OFFICIAL RECORDS

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

204.5 RESIDENCE OF MEMBERS

Officers' residence may be at any location. However, they may be restricted from certain assignments requiring standby duties (e.g., canine, Tactical Team, CIB, etc.) due to a necessary response time as established

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by the respective bureau commander.

204.6 NOTIFICATION OF CHANGE OF ADDRESS

All employees shall make certain that their current home address and telephone number is updated in I/LEADS. A change of address and/or telephone number must be reported within 24 hours.

204.7 REQUIREMENT FOR TELEPHONE

All employees shall have a telephone and shall ensure their phone number is listed in I/LEADS. An employee's phone number shall not be released to anyone outside the County government.

204.8 REPORTING ARRESTS AND COURT ACTIONS INVOLVING EMPLOYEES

A. Employee Responsibility

Employees shall report as soon as practicable, by memorandum, to their commanding officers in the event:

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

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

1. The date, time, location and jurisdiction of the alleged offense or domestic dispute or domestic violence incident;
2. The specific offense(s) charged;

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3. The name, identification number and department of the arresting or responding officer.

A copy of the traffic summons, citation, or other court documents shall be included as an attachment to the memorandum.

B. Commander/Supervisor Responsibility

Upon receipt of the employee's memorandum, the employee's commander shall assign a supervisor to conduct an inquiry or, with approval of the bureau commander, shall refer the matter to the Internal Affairs Bureau.

The investigating supervisor shall comply with the procedures established in General Order 301, Internal Investigations, Section XI, Criminal Investigations of Police Department Employees. As soon as reasonably possible, the investigating supervisor shall contact the arresting/responding officer and determine the facts of the incident. In addition to identifying the formal charges placed, the supervisor shall obtain the following information:

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

With this preliminary information the employee's commander shall make a determination regarding the necessity of an administrative investigation. If it is determined that a full administrative investigation is warranted, the investigating supervisor shall proceed according to General Order 301, Internal Investigations. If it is determined that no further investigation or administrative action is warranted, the information obtained by the investigating supervisor shall be documented in a PD206 and forwarded to the Internal Affairs Bureau for retention.

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204.9 ACCEPTING COMPENSATION FOR DAMAGES

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

204.10 PUBLIC APPEARANCE REQUESTS

All requests for public speeches, presentations, and the like will be routed to the affected squad supervisor for approval and coordination with the commander as needed. Employees directly approached with requests of this nature shall refer the party to their squad supervisor.

204.11 CIVIL ACTION, COURT APPEARANCES, REPORTING SERVICE OF PROCESS

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

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

An employee, prior to initiating civil action against any person as a result of

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a law enforcement related contact, shall inform the Chief of Police via memorandum through their commander.

204.12 CIVIL DEPOSITIONS, AFFIDAVITS, AND SUBPOENAS DUCES
TECUMS

Employees shall confer with their superiors before filing a deposition or affidavit in a civil case resulting from their performance of duty. The superior officer shall then contact the Internal Affairs Bureau, prior to giving the deposition or affidavit.

Employees who are served with subpoenas that compel them to release Department records shall advise their supervisor and immediately transmit the request to the Internal Affairs Bureau for processing. Employees shall not release such information without the approval of the commander of the Internal Affairs Bureau.

204.13 CIVIL CASES

Officers shall not serve civil process or assist in civil cases unless the specific consent of the Chief of Police has been obtained. They shall avoid entering into civil disputes, particularly while performing their duties, but shall still be responsible for enforcing any laws or ordinances which may become applicable to the situation.

204.14 TRAFFIC CRASHES INVOLVING PRIVATELY OWNED VEHICLES

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

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205 ORDERS

205.1 INSUBORDINATION

Except as otherwise stated herein, defiance of lawful authority or disobedience to orders constitutes insubordination.

205.2 UNLAWFUL ORDERS

No employee shall knowingly issue any order which is in violation of any law, statute, or ordinance, or departmental rules and regulations.

205.3 MANNER OF ISSUING ORDERS

Employees shall obey any lawful order of a superior, including any order relayed from a superior by an employee of the same or lesser rank. Orders shall be issued in a clear and civil tone, in an understandable manner, and in the interest of departmental business.

205.4 DISOBEDIENCE TO UNLAWFUL ORDERS

No employee is expected to or shall obey any order which he knows to be contrary to federal or state law, or County ordinance. At the time the unlawful order is issued, the employee shall advise the issuing authority of its illegality. Should that authority persist in demanding compliance, an employee of superior rank or status to all parties involved should be summoned to decide the controversy. Responsibility for refusal to obey rests with the employee, and each employee shall be required to justify their actions.

205.5 OBEDIENCE TO IMPROPER ORDERS

Employees who receive orders which they feel are unjust or contrary to departmental rules and regulations, are required to obey the order, but may then proceed to appeal that order at the earliest opportunity.

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205.6 CONFLICTING ORDERS

Upon receipt of an order that is in conflict with any previous order or instruction, the affected employee will respectfully advise the person issuing the superseding order of the conflict. Responsibility for countermanding the original instruction then rests with the individual issuing the superseding order. If the superseding command is held in force, it shall be obeyed, thereby rendering all previous orders ineffective. Orders will be countermanded only when in the best interests of the Department.

205.7 REPORTS AND APPEALS - UNLAWFUL OR IMPROPER ORDERS

An employee receiving an unlawful, unjust or improper order shall, at the first opportunity and prior to the conclusion of the tour of duty in which the order was given, report the fact in writing to the Chief of Police through official channels. This report shall contain the facts of the incident and the action taken. Appeals for the release from such orders may be made at the same time.

205.8 COMMAND PROTOCOL

In the absence of the Chief of Police or in the event of exceptional circumstances, the available senior ranking Deputy Chief (by time in grade) will assume command of the Department. This will happen only until designation of an Acting Chief of Police by the County Executive or his designee.

In the event no Deputy Chief is available to assume command of the Department, command will pass to the Department's senior ranking Major (by time in grade).

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SUBJECT: REGULATIONS	NUMBER: 206
CANCELS ORDER DATED: 1-1-99	DATE: 7-1-10

206 EQUIPMENT

206.1 TITLE TO EQUIPMENT/CARE AND MAINTENANCE

Title to all uniforms and equipment purchased for and issued to employees of the Department shall be vested in the County of Fairfax. Employees shall be held strictly accountable for the proper care, security, use, and maintenance of all articles, uniforms, and official equipment provided. If property is lost or intentionally damaged, the responsible employee may be subjected to reimbursement charges and/or disciplinary action. Uniforms and official equipment shall only be worn or used in accordance with SOP 04-002.

206.2 UNIFORMS, EQUIPMENT AND APPEARANCE

All employees shall maintain regulation uniforms in neat order and good repair. The uniform shall be worn in conformance with departmental policy. Employees shall be neat in appearance and well groomed. Leather items shall be polished. For specific regulations, see SOP 04-002.

206.3 MANNER OF DRESS ON DUTY

Normally, employees will be required to wear the issued duty uniform and equipment; however, commanding officers may prescribe other clothing and equipment as necessitated by the nature of the duty to which a particular employee is assigned. When reporting for or leaving work, employees will be dressed in presentable attire. "Presentable attire" is a complete uniform, civilian clothes, or a civilian shirt or jacket with uniform trousers. When not in full uniform, the service weapon will be worn in an inconspicuous manner.

206.4 CIVILIAN ATTIRE

Civilian clothing worn by employees during a tour of duty shall conform to standards normally found in private business. Commanding officers may prescribe other types of clothing as deemed necessary. For specific regulations, see SOP 04-002.

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206.5 REPLACEMENT OF DAMAGED UNIFORMS AND EQUIPMENT

Claims for damage to clothing and/or equipment, resulting from the performance of duty, shall be directed to an employee's division or station commander through the immediate supervisor.

206.6 DAMAGED OR INOPERATIVE PROPERTY OR EQUIPMENT

Employees shall immediately report to their superiors, on designated forms, any loss of, or damage to, departmental property assigned to or used by them. Moreover, the superior will be notified of any defects or hazardous conditions found in any departmental equipment or property.

206.7 CARE OF BUILDINGS

Employees shall not mar, mark, deface or destroy any surface on any departmental building, unless it is in the proper execution of duty with the consent of competent authority.

206.8 DEFACING NOTICES

Employees shall not mark, alter, or deface any posted notice of the Department unless ordered by competent authority. No inflammatory, discrediting, or derogatory notices will be posted at any time.

206.9 ALTERATION AND REPAIR OF ISSUED WEAPONS

No employee, except qualified personnel assigned to the Criminal Justice Academy Firearms Unit, shall alter or repair any weapon issued by the Department. No weapons issued by the Department shall be taken to an outside source for alterations or repairs of any form. Officers shall be responsible for the care, security and maintenance of Department issued weapons. Proper care and maintenance solely includes the cleaning of internal and external surfaces. The pistol grips may be removed only for the purpose of cleaning the portion of the weapon directly underneath.

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206.10 WEARING OF POLICE UNIFORM DURING COURT APPEARANCES

Officers shall not attend any court in any jurisdiction for the purpose of testifying, or appearing as a defendant, attired in a Fairfax County Police uniform, if the purpose of their attendance does not relate to acts which occurred during the performance of official duties.

206.11 WEARING OF POLICE UNIFORM WHILE SUSPENDED FROM DUTY

Officers shall not wear the police uniform while suspended from duty.

300 PERSONNEL ADMINISTRATION

301 Internal Investigations

310 Discipline

310.1 Oral Reprimand/Verbal Counseling

310.2 Disciplinary Actions and Appeals

310.3 Grievance Procedures for Sworn and Non-Sworn Employees

320 Uniforms/Personal Appearance

320.1 Police Uniforms, Personal Equipment and Civilian Clothing*

320.2 Personal Appearance and Grooming*

320.3 Hand Salute*

330 Reporting Personal Injuries

331 Restricted Duty

340 Off-Duty Employment

350 Awards System*

360 Stand By Duty

370 Random Drug Screening Program*

380 Competitive Promotion Process*

* Removed and reissued in the Fairfax County Police Department Manual of Standard Operating Procedures.

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I. PURPOSE

The purpose of this order is to establish procedures to be followed when it is necessary to investigate the actions or conduct of any employee of the Fairfax County Police Department. These procedures will ensure the complete examination of all facts and circumstances relevant to the incident investigated, and will safeguard the rights of employees who are the subject of such investigations.

II. POLICY

Any alleged or suspected acts of employee misconduct, notice of a civil claim filed against the Department or against a member as a result of actions taken in his official capacity, violations of Department rules or regulations and expressions of dissatisfaction with policy, procedure or practice shall be aggressively, impartially, and thoroughly investigated and documented by the appropriate entity. The disciplinary process shall be reasonable and fair. Law enforcement personnel and citizens shall be afforded all rights and protections provided to them by the Constitution, the Commonwealth, and the County. Integrity, honesty and professionalism are expected of all Department employees. The Department, through all of our employees, strives to uphold the public trust.

III. DEFINITIONS

Administrative Investigation: A non-criminal investigation conducted for the purpose of documenting the conduct, action(s) or performance of an employee(s) and to determine whether such conduct, action(s) or performance is in compliance with departmental policy or orders.

Complaint:

- An allegation of specific act(s) or omission(s) which, if proven true, would amount to employee misconduct, or
- An expression of dissatisfaction with a policy, procedure, practice, philosophy, service level or legal standard of the agency.

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Day: The term "day," as used herein, shall mean calendar day, exclusive of Saturday, Sunday, and legal holidays as annually approved by the Fairfax County Board of Supervisors.

Domestic Violence: Any criminal offense involving the use or threatened use of physical force in which the parties involved appear to have a covered relationship, in accordance with the Code of Virginia or General Order 601.4, Domestic Violence Policy.

Expression of Dissatisfaction: When someone notifies the Department of a situation or incident where he feels he was unfairly affected, or where he is displeased with a Department policy or action, and there is no reasonable suspicion of misconduct.

Misconduct: Act(s) or omission(s) by an employee which, if proven true, would normally result in some form of discipline or sanction. This would include:

- Commission of a criminal act
- Neglect of duty
- Violation of departmental policy, procedure, rule or regulation
- Conduct which may tend to reflect unfavorably on the employee or agency.

Relief from Duty: An administrative action, whereby an employee's official authority is suspended and the employee is temporarily relieved from performing the duties of his position.

IV. ADMINISTRATIVE INVESTIGATION PROCEDURES

A. Types of Incidents to be Investigated

The incidents which are to be handled in accordance with the provisions of this order are alleged or suspected acts of employee misconduct, notice of a civil claim filed against the Department or against a member as a result of actions taken in his official capacity, violations of departmental rules and

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regulations and expressions of dissatisfaction with a policy, procedure, practice, philosophy, service level or legal standard of the agency.

The incidents include:

1. Complaints from members of the general public concerning employee misconduct.
2. Alleged violations of departmental rules and regulations reported to supervisory or command personnel by members of the Department, or actions observed by supervisory or command officers which appear to be a violation of law or departmental regulation.
3. Incidents which do not constitute any reasonable suspicion of misconduct by an employee; however, the nature of the incident merits investigation for the purpose of documenting all relevant facts.
4. Notice or expression of dissatisfaction with a policy, procedure, practice, philosophy, service level or legal standard of the agency.

B. Source of Complaints

A complaint can come from both an internal or external source. A complaint is an indication of a potential problem or misunderstanding. The openness of the Department to the acceptance of a complaint is a principal element of police professionalism, accountability to the public and community responsiveness.

A complaint can originate from any of the following sources:

- Individual aggrieved person
- Third party
- Anonymous
- Juvenile

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- Governmental agency
- Media report
- Any member of the Department
- Notice of civil claim

C. Receipt of Complaint

A complaint may be presented to the Department in person, by telephone, electronically, or by letter. No employee shall attempt to discourage, interfere or delay an individual from making a complaint. Every effort shall be made to facilitate the making of a complaint by ensuring that the process is convenient, courteous and prompt.

D. Acceptance of the Complaint

1. Complaints Received In-Person/Via Telephone

- a. The complaint shall be immediately referred to the most available supervisor. When appropriate, a supervisor shall be dispatched to the location of the complainant.
- b. If a supervisor is not immediately available, the employee receiving the complaint shall provide the complainant with a Citizen Complaint Form (PD28) and, if necessary, provide assistance to complete the form. The employee receiving the complaint shall forward the complaint to a supervisor as soon as possible.
- c. Should a supervisor not be available and the complainant cannot wait for his availability, contact information shall be obtained from the citizen, who shall be provided the name of the on-duty supervisor and division commander. When this occurs, the supervisor and/or commander shall contact the complainant when available.

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- d. A complaint shall be accepted at any police facility, or by any supervisor, regardless of assignment of the accused employee. The receiving supervisor shall obtain all practical information from the complainant and immediately forward the information to the appropriate investigative authority.
- e. Complainants **shall not** be required to:
- Appear in person
 - Go to another station or police facility
 - Return at another time
 - Prepare their own complaint form
 - Swear under oath to the truthfulness of their complaint
 - Agree to participate in certain investigative techniques, such as the polygraph, to have their complaint accepted.
 - Acknowledge that making a false complaint is a crime for which they may be prosecuted.
- f. When the complainant is intoxicated, or under the influence of drugs, the complaint shall be accepted and documented. The determination whether to proceed further should be based on the nature of the complaint and the believability of the complainant. The complainant should be re-interviewed as soon as practical after becoming sober.
- g. In all cases, the complainant shall be provided the name and telephone number of the assigned supervisor or commander.
- h. In all cases, a letter or electronic response shall be sent to the complainant acknowledging that his complaint has been

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received, which departmental entity will be investigating the complaint, and that a supervisor will be in contact with them.

2. Complaints Received In Writing/Electronically

- a. When the complaint is received by mail or electronically, the complaint will be forwarded to the appropriate investigative authority. If the authority is not known, the correspondence shall be forwarded to the Internal Affairs Bureau (IAB).
- b. In all cases, a letter or electronic response shall be sent to the complainant acknowledging that his complaint has been received, which departmental entity will be investigating the complaint, and that a supervisor will be in contact with them.

E. Withdrawal of Complaint

At various stages of the investigation, the complainant may indicate that he desires to withdraw his complaint. This request cannot be refused; however, it is the policy of the Department to continue the investigation as far as possible without the assistance of the complainant. This is done to ensure that all available information and evidence are obtained should the complaint be re-filed or becomes a civil action. The cooperation of the complainant is important and desired, but is not mandatory. Withdrawal of the complaint or the complainant's failure to cooperate with the investigating supervisor shall be documented in the administrative investigation report.

F. Investigative Responsibility

The Internal Affairs Bureau shall be responsible for oversight of the acceptance, investigation and adjudication of all complaints of police performance and conduct. The IAB is directly responsible to the Chief of Police.

- 1. The Internal Affairs Bureau shall be responsible for the following administrative investigations:
 - Use of Force as specified in General Order 540.1

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- Allegations of criminal misconduct of an employee
 - Use of the Precision Immobilization Technique (PIT)
 - Allegations of racial profiling or unlawful discrimination
 - Sexual harassment
 - Sexual misconduct of employees
 - Perjury complaints
 - Allegations of misconduct by supervisors
 - Corruption
 - Complex and time-consuming investigations
 - Incidents involving employees of the Department which include the likelihood of civil action
 - Workplace violence
 - Domestic violence
 - Other complaints or incidents directed by the Chief of Police or Internal Affairs Bureau commander
2. The division/bureau or station commander shall be responsible for the investigation of the following, unless otherwise assigned by the Chief of Police or Internal Affairs Bureau commander:
- Complaints concerning minor infractions of regulations and/or the manner in which employee duties are performed.
 - Complaints relative to differences of opinion between an employee and a citizen arising from the performance of duty.

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- Complaints concerning the manner in which an employee investigated a crime, accident or service complaint.
 - Complaints concerning an officer's authority to arrest or the propriety of a particular charge.
 - Complaints concerning the dissatisfaction with a policy, procedure, practice, philosophy, service level or legal standard of the agency.
3. The Internal Affairs Bureau shall investigate complaints that are not listed within the above categories. However, when extenuating circumstances exist, the bureau commander and the Internal Affairs Bureau commander may consult to determine the most appropriate investigating authority. If necessary, final determination of the investigating authority shall be made by the Chief of Police.
 4. Investigations of criminal violations or allegations of criminal misconduct occurring within the boundaries of Fairfax County, the Towns of Vienna and Herndon, and all County-owned properties located outside the territorial limits of the County, shall be investigated in accordance with Section XI of this order.

V. INVESTIGATIVE PROCEDURES

A. Complaint Review

1. Supervisors shall review all complaints received to determine the nature and extent of the complaint. Whenever possible, supervisors should review the complaint with the complainant.
2. The reviewing supervisor shall determine the nature of the complaint and the appropriate investigative entity. The Internal Affairs Bureau commander or Internal Affairs Investigations Division commander shall be notified of complaints that are designated for their investigation.

The Internal Affairs Bureau commander or Internal Affairs

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Investigations commander shall be **immediately** notified of incidents or complaints involving:

- Use of Force as specified in General Order 540.1
- Death or serious injury arising from any police action
- Use of the Precision Immobilization Technique (PIT)
- Criminal arrest of a Department employee
- Allegations of serious misconduct

The reviewing supervisor may seek direction from the appropriate station/division commander or the Duty Officer in determining the seriousness of injuries or misconduct.

3. If the complaint is received in person, or the supervisor is present at the scene of the complaint, the supervisor shall take action to ensure that all relevant information and evidence is obtained at that time. Relevant information/evidence would include, but not be limited to:

- Complete contact information on complainants, witnesses, departmental employees involved or others that would assist in the investigation of the complaint or incident
- Photographs of any alleged or actual injuries
- Copies of any documents concerning the complaint or injury
- Diagram of the scene
- Collection or safeguarding of evidence present at the scene
- Statement from complainant
- Statements from witnesses

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All information obtained during this time shall be forwarded to the assigned investigative body as soon as possible.

4. An initial review is conducted to establish the elements of the complaint and to determine the appropriate investigative entity if warranted. For a complaint to be valid, the complaint must be:
 - An allegation of specific act(s) or omission(s) which, if proven true, would amount to employee misconduct, or
 - An expression of dissatisfaction with a policy, procedure, practice, philosophy, service level or legal standard of the agency.

Note: A disagreement over the validity of a traffic/vehicle code summons or parking ticket is not grounds for a complaint. The complaining person shall be advised that this is a matter for adjudication by the proper court system.

5. In some cases, the initial review of the complaint will determine that the action(s) of the employee were in compliance with policy and that even if the allegation(s) against the employee were true, there would be no violation. The complainant should immediately be advised of this and provided with an explanation. The complaint shall be documented and forwarded to the appropriate station/division commander for review. Should the command review concur with the initial review, no further action will be taken.

Generally the initial review shall be documented on the Initial Review Form (PD 206). However, the documentation requirement may also be satisfied by completing the first page of the PD 206 and attaching a narrative format memorandum or copies of e-mail correspondence indicating the resolution of the complaint.

6. If the initial review determines that a specific allegation exists which, if true, would involve employee misconduct or involve conduct or actions that necessitate investigation by this order, an administrative investigation will be initiated in accordance with this order.

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7. The station/division commander shall maintain a file of initial reviews for a period of three years. A copy of each review shall be forwarded to the Internal Affairs Bureau.

B. Dissatisfaction with Service Complaints

At times the Department may receive complaints expressing dissatisfaction with a policy, procedure, practice, philosophy, service level or legal standard of the agency. The complaints do not involve allegations of misconduct, but only dissatisfaction with the agency.

Citizens shall be permitted to voice their dissatisfaction with the agency and be provided an explanation or response to their complaint. Commanders shall use the information to assist in ascertaining the level of community satisfaction within their command, or identify a need to review policies or procedures.

1. When a supervisor receives a 'Dissatisfaction with Service Complaint' he shall record all relevant information concerning the complaint. If an explanation is available that would address the complaint, the supervisor shall provide the information to the complainant.
2. The complaint, and any action taken, shall be documented and forwarded to the appropriate commander via the supervisor's chain of command.

Generally the complaint shall be documented on the Initial Review Form (PD 206). However, the documentation requirement may also be satisfied by completing the first page of the PD 206 and attaching a narrative format memorandum or copies of e-mail correspondence indicating the resolution of the complaint.

3. The affected commander shall review the dissatisfaction complaint and determine what, if any, action should occur. When possible the commander shall initiate action which could resolve, clarify or unfound the complaint.
4. The commander shall be responsible for ensuring that the complainant was contacted and the complaint was properly

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addressed.

5. An initial review of such incidents may reveal one or more minor performance issue which does not warrant an administrative investigation and discipline, but which should be brought to the attention of the employee for correction. The supervisor shall discuss the issue(s) with the employee and may document the counseling session on an Oral Reprimand Form.
6. The station/division commander shall maintain a file of dissatisfaction with service complaints for a period of three years. A copy of each complaint shall be forwarded to the Internal Affairs Bureau.

C. Investigations

1. The division commander, station commander, or assistant commander shall be responsible for directing any investigation concerning an employee within their command, unless the case has been referred to the Internal Affairs Bureau or Criminal Investigations Bureau. The division commander, station commander, or assistant commander will be responsible for assuring a complete and expeditious investigation of all cases directed to them. Assistance may be requested from other divisions as is deemed necessary. Investigations conducted at the station/division level should be completed within 30 days of receipt, unless circumstances develop which necessitate additional time to ensure a thorough investigation.
2. Should an investigation involve employees from different commands, the affected commanders shall consult with their bureau commander and/or Internal Affairs Bureau commander, to determine the investigative supervisor and who will direct the investigation.
3. The Police Officers' Bill of Rights requires that all officers questioned in connection with an administrative investigation be notified of the name and rank of the investigating officers, the identity of any persons present during questioning, and the nature of the investigation. To meet this requirement, a copy of the Sworn Employee Notice of Administrative Investigation will be provided to all sworn employees who are interviewed in connection with an administrative investigation.

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The employee shall receive a notice initialed by the investigating supervisor and a second initialed copy shall be retained in the investigative file.

4. The Non-Sworn Employee Notice of Administrative Investigation shall be used by supervisory or command personnel to notify non-sworn employees of the name and rank of the investigating officers, the identity of the persons present during questioning, and the nature of the investigation. The employee shall receive a notice initialed by the investigating supervisor and a second initialed copy shall be retained in the investigative file.
5. During administrative investigations there are times when it may be necessary to prohibit employees from discussing the investigation in order to safeguard the confidentiality of the investigation. When, in the judgement of the investigating authority this becomes necessary, a "Requirement for Confidentiality" memorandum shall be delivered to the employees (sworn and non-sworn) involved. The employee shall receive a notice initialed by the investigating supervisor and a second initialed copy shall be retained in the investigative file.
6. Utilizing the proper chain of command, the Chief of Police will be advised by the investigating authority of any new information developed during the course of an investigation, which may necessitate:
 - a. Reassigning an employee to other duties for the purpose of closer supervision or separation from the public or other employees.
 - b. Relieving an employee from duty and/or placing them on administrative leave.
7. When there are allegations that the employee complained against has been drinking, illegally using drugs or may be intoxicated, the employee may request an alcohol and/or drug analysis test. Additionally, if reasonable suspicion exists that an employee has been drinking, illegally using drugs or is intoxicated, a supervisor conducting an administrative investigation may require the employee to take an

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alcohol and/or drug analysis test. The time lapse between the initial report or observation and the time of the test will be included in the initiating supervisor's report, along with the result of the alcohol and/or drug test.

8. During the course of an administrative investigation, a compelled written or taped statement may be required from any employee.
 - a. Such statements are considered to be compelled testimony and are not admissible in any criminal proceeding in which the employee is a defendant, except as provided by law.
 - b. Written or taped statements may be taken from witnesses and complainants to preserve or document facts, observations, opinions, or other information regarding the incident under investigation. Statements need not be in the form of questions and answers, but may be in the form of a memorandum or narrative report. All taped statements shall be retained with the investigative file.
9. Should the complainant at any time during the investigation refuse to cooperate with the investigation or submit to interviews, the investigation shall continue for the purpose of establishing the facts of the matter. The complainant's initial complaint shall serve as his statement. The complainant's refusal to cooperate with the investigating supervisor shall be documented in the administrative investigation report.
10. Should a supervisor be unable to contact a complainant by telephone, or in person, for the purpose of investigating a complaint, the complainant shall be sent a letter explaining the need for an interview, and how and when the supervisor can be contacted. A reasonable period of time should be given for a response to the letter. Should no response be received, the complainant's initial complaint shall serve as his statement and the investigation continued without his cooperation.
11. During the completion phase of an administrative investigation, it is the assigned supervisor's responsibility to ensure the detailed and

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complete examination of all aspects of the personnel incident. The goal of the investigating supervisor is to re-create the incident for the reviewing authority through the use of written descriptions, diagrams, and any other appropriate aids. In cases involving an allegation of misconduct, it is only through the careful identification and presentation of relevant facts that the reviewing authority can render a proper decision. All incident investigations demand thoroughness and accuracy, as the information developed may be vital in defending the employee and the County in an unwarranted civil action.

Recommended procedures for completing an administrative investigation can be found in the Supervisor's Handbook for the Conduct of Administrative Investigations.

12. Some complaints and observed policy violations involve issues of a simple, straightforward nature, for which a full investigation may not be warranted. In such cases, with the approval of the affected employee's commander, the supervisor's investigation may be documented on the Administrative Investigation Short Form (PD 207). Guidelines for the use of the short form include:

- No dispute as to the employee(s) action, and
- No complex issues requiring in-depth investigation.

Examples of complaints or violations that may be documented on the PD 207 include, but are not limited to:

- Loss or damage to equipment
- Missed assignment
- Rudeness
- Operation of vehicle complaints
- Property damage cruiser accidents

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The PD 207 is processed in the same fashion as a standard-format administrative investigation.

D. Employee Responsibility

1. Each employee of the Department shall cooperate fully with personnel of the Internal Affairs Bureau or any other member of the Department conducting an administrative investigation. Supervisory or command personnel will initiate investigations into observed infractions or complaints received which fall into the scope of their authority.
2. Employees shall answer fully and truthfully any question pertaining to the administrative investigation of an infraction of law or regulation which is asked by the investigating authority. Employees shall not knowingly mislead or omit information regarding the administrative investigation.
3. During the course of an administrative investigation, employees do not have the right to refuse to answer any questions concerning their performance of duty or their adherence to departmental rules and regulations. However, those statements cannot be used against employees in a criminal prosecution except as provided by law.
4. An officer will be required to disclose financial information only when such information is necessary during the course of an administrative investigation and in accordance with Code of Virginia Section 9.1-503, "Personal Assets of Officers."
5. If, during the course of an administrative investigation, the investigating authority determines reasonable suspicion exists to justify an employee's submission to a medical, physical, psychiatric, or laboratory examination, the employee shall submit to such test or exam. The tests and exams may include, but are not limited to, breathalyser, blood and urine tests, photograph and physical lineups, voice and handwriting exemplars. Tests and exams will be performed in a reasonable manner.

The commander of the Internal Affairs Bureau will be responsible for consulting with the Chief of Police for approval of such tests or exams,

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except in those circumstances outlined in Section V. paragraph C, 7. If the Chief of Police is unavailable, the next ranking staff officer shall be consulted.

6. A polygraph examination may be used in an effort to confirm or disprove inconsistencies after all other reasonable methods have been exhausted. No employee shall be required to submit to a polygraph examination unless ordered, in writing, by the Chief of Police as part of an administrative investigation concerning allegations of misconduct. The polygraph will not be the sole basis for a disciplinary determination or establishing the elements of an allegation.

The analysis of any required polygraph examination will not be admissible in any disciplinary proceeding under General Order 310.3, over the objection of the employee or County.

VI. CLASSIFICATION OF ALLEGATIONS

After completion of an administrative investigation, each allegation shall be classified with one of the following findings:

1. Unfounded - The allegation is false, and did not occur.
2. In Compliance – The employee’s actions were in compliance with the rules and regulations of the Department.
3. Not Sustained - Insufficient evidence exists to either prove or disprove the allegation.
4. Sustained - The allegation is supported by a preponderance of the evidence. Only findings in this category will be included in an employee's personnel file.

If the finding is sustained, disciplinary action will be imposed in accordance with General Order 310.2, Disciplinary Actions and Appeals.

VII. REPORTING

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- A. After completion of the administrative investigation, an administrative investigation report shall be prepared and shall include:
 - 1. Classification of the allegation(s), if any, as specified in Section VI.
 - 2. If an allegation is sustained, a statement of:
 - a. The regulation violated.
 - b. The nature of the violation.
- B. The responsibilities of the reviewing authority are specifically established in General Order 310.2, Disciplinary Actions and Appeals, and General Order 310.3, Grievance Procedures for Sworn and Non-Sworn Employees. The conduct of all reviews and appeals of administrative investigations shall be conducted in accordance with these procedures.

After completion of the review/appeal process, the report will be forwarded to the Internal Affairs Bureau commander for recording and filing. The commander of the Internal Affairs Bureau shall be responsible for forwarding copies of disciplinary actions to the Personnel Resource Division and the County Department of Human Resources for inclusion in the employee's personnel file.
- C. Complainants shall be notified of the results of administrative investigations by letter from the Chief of Police.

VIII. CASE REVIEW PROCEDURES

The completed administrative investigation report shall be submitted for final review to the investigating authority's commander, unless otherwise directed. The commander shall examine the report of the administrative investigation and determine if it presents a full and complete examination of all facts and circumstances relevant to the incident in question. If it is determined that the matter requires additional investigation, the entire case file shall be returned to the investigating supervisor with specific direction as to the action required.

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Once the reviewing authority is satisfied that the administrative investigation report is accurate and complete, the commander shall include an affirmative statement of review and approval after the conclusion portion of the report.

IX. DETERMINATION OF RESULTS AND ACTIONS

After command review and approval, the case shall be assigned to a specific command authority for a determination of results and actions. The bureau commander of the subject employee shall make the assignment. Generally, the case will be assigned to the employee's immediate commander, unless otherwise directed by competent authority. In the event that the bureau commander was the investigating authority or was a principal in the case, a Deputy Chief of Police shall make the assignment. Thus, in many instances, the same command authority will prepare the command review and the determination of results and actions (Action Taken) portions of the report.

The assigned commander shall complete his review, including hearings and action taken, within 20 business days of receiving the completed administrative file. The affected bureau commander may authorize an extension of this review and action period based on special circumstances.

The assigned commander shall review the administrative investigation and shall reach a finding for each allegation as provided in Section VI. In the event that a violation is sustained, the assigned commander shall take appropriate disciplinary action in accordance with General Order 310.2, Disciplinary Actions and Appeals.

X. RELIEF FROM DUTY

A. Authority

When there is probable cause to indicate that the act complained of represents a criminal violation of law, or a violation of Department regulations, or when the accused employee has been drinking, illegally using drugs or is intoxicated, the employee may be relieved from duty immediately by any supervisory employee of the Department. Any sworn supervisor may immediately relieve from duty any sworn employee of subordinate rank, irrespective of the organizational assignment of either person, when it

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appears that such action is necessary or prudent to protect the interests of the Department. Any civilian supervisor has the same relief authority with respect to sworn subordinates under his command.

A civilian employee may be relieved in accordance with the provisions of Chapter 16 of the Fairfax County Personnel Regulations. The appeal procedure for non-sworn personnel is outlined in General Order 310.3, Grievance Procedures, as governed by Chapter 17 of the Fairfax County Personnel Regulations.

When necessary in the course of an administrative investigation, sworn personnel assigned to the Internal Affairs Bureau are authorized to relieve any sworn employee from duty, regardless of rank.

The period of relief shall continue until a hearing is held as provided below. The relieved employee shall remain available during this period.

B. Types of Relief from Duty

Relief from duty will usually be for one of the purposes, and subject to the conditions, listed below:

1. In conjunction with the imposition of disciplinary action, an employee shall be relieved from duty during any period of suspension without pay.
2. During an administrative investigation, when it appears that such action is necessary and prudent to protect the interests or integrity of the Department. In addition to being relieved of police authority, the employee may be placed on Administrative Leave or may be reassigned to non-enforcement duties within the Department.
3. As a matter of policy, when an employee is involved in a police shooting. The purpose for relief from duty in these situations is to allow for the conduct of the necessary investigations and to provide the involved employee an opportunity to use the resources of the Administrative Support Bureau's Incident Support Services Program. Additionally, employees who have deployed deadly force shall meet

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with the Department's Police Psychologist for an initial consultation and follow up as directed by command personnel.

4. During a criminal investigation, when a relief from duty is necessary to protect the interests and integrity of the Department. The decision to relieve an employee from duty will be based on the seriousness of the allegation(s) and any other factors that may be present.
5. Under any other circumstances when it appears that such action is necessary and prudent to protect the interests or integrity of the Department.

C. Procedures

The relieving supervisor shall complete a memorandum providing full details of the incident including the date and time of relief and alleged violation(s) which resulted in the relief. The memorandum shall be submitted through the chain of command to the Chief of Police, by the next day. A memorandum shall be given to the relieved employee prior to departure from the duty station. The memorandum shall serve as a notification of relief and the nature of the investigation. The memorandum shall also list all equipment removed from the relieved employee, and serve as a receipt for equipment relinquished. Copies of the memorandum shall be sent to the appropriate division or station commander and the Internal Affairs Bureau.

Unless the relief of duty occurs as imposition of disciplinary action, an inquiry presided over by the appropriate bureau commander shall be held within three days of the relief action. Both the relieved employee and the relieving supervisor shall attend the inquiry. The relieved employee and the Chief of Police shall be notified of the bureau commander's findings and action taken within 48 hours of completion of the inquiry. This inquiry shall not be substituted for any hearing provided an employee under General Order 310.2 or 310.3.

XI. CRIMINAL INVESTIGATIONS OF POLICE DEPARTMENT EMPLOYEES

Except for cases involving domestic violence, the Internal Affairs Bureau will be assigned to investigate suspected criminal violations or allegations of criminal

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misconduct involving Department employees, unless otherwise directed by the Chief of Police or as delineated in this order. This shall include incidents within the boundaries of Fairfax County, the Towns of Vienna and Herndon, and on all County-owned properties located outside the territorial limits of the County.

- A. When any employee reasonably suspects criminal misconduct by a Department employee, the situation shall immediately be reported to a supervisory officer, Duty Officer, Police Liaison Commander at the Department of Public Safety Communications Center, or station/division commander (See Regulation 201.5, Reporting Violation). With the exception of domestic violence, or other instances in which an immediate arrest is required, supervisory or command personnel receiving such a report shall contact the Internal Affairs Bureau (IAB). The initial allegations will be reviewed and evaluated by the IAB commander, or in his absence, the Investigations Division commander. The IAB commander will confer with the accused employee's deputy chief to determine if a criminal investigation will be initiated. If a determination is made that no criminal prosecution will be sought, the administrative investigation will move forward as any other administrative investigation.
1. In general, an immediate arrest shall be undertaken only if necessary to ensure public safety, safeguard the accused employee or to protect and/or collect evidence pursuant to the criminal investigation.
 2. In all cases of suspected domestic violence, or violation of a Juvenile and Domestic Relations Court protective order committed by a Department employee within the boundaries of Fairfax County, the Towns of Vienna and Herndon, and on all County-owned properties located outside the territorial limits of the County, a patrol supervisor shall respond to the scene and conduct an investigation. Prior to interviewing the Department employee, the supervisor shall advise the accused employee that the investigation is **criminal** in nature, and that the officer is not compelled to answer any questions. Miranda warnings should be given when appropriate. If probable cause is developed indicating that the accused employee is the primary physical aggressor and an arrest is warranted, the patrol supervisor shall make the arrest on the scene in accordance with the Code of Virginia. IAB may be requested by the arresting supervisor to provide investigative support.

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IAB shall investigate domestic violence cases in which:

- The suspected employee has fled the scene and his whereabouts are unknown.
 - A felony has been committed.
 - The victim has been transported to a hospital for immediate medical treatment.
3. Should exigent circumstances dictate the immediate arrest of a Department employee, such arrest shall not be delayed for the purpose of making supervisory or command notifications. If an immediate arrest becomes necessary, it shall be undertaken and the aforementioned notifications made as soon as the situation is stabilized.
 4. In cases of active criminal investigations in which an employee is later developed as a suspect, the original detective/officer will generally maintain responsibility for the case. In such cases, the IAB commander will confer with the investigating detective/officer's commander to ensure proper coordination of resources.

Regardless of the circumstances, the IAB commander shall be notified as soon as reasonably possible.

- B. In cases in which an immediate arrest is not made, the following guidelines have been established for the conduct of the criminal investigation:
 1. The criminal allegation will be assigned to the IAB criminal investigator. A second IAB investigator will be assigned as the administrative investigator. The criminal investigator will be deemed as the lead investigator.
 2. If at any time during the criminal investigation it is determined that no probable cause exists that a crime was committed, or based on the results of the investigation, that there is no longer a desire by the victim or by the employee's deputy chief to proceed with the

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prosecution of the employee, the criminal investigation will be concluded. The IAB criminal investigator will then have primary responsibility for conducting the administrative investigation.

3. Allegations of serious criminal misconduct made against a Department employee such as robbery, sex crimes, or felonious assaults will usually be jointly investigated by CIB and the IAB criminal investigator. A determination of the lead investigator will be made by the commanders of CIB and IAB.
 4. Department employees who are the subject of a criminal investigation into the facts and circumstances surrounding their conduct may be questioned by the investigating authority assigned responsibility for the criminal investigation. Such employees shall be informed that the questioning is not undertaken pursuant to an administrative investigation and that they are not being compelled to respond under any administrative authority. The investigating authority shall provide the employee with a Notice of Criminal Investigation.
 5. All criminal investigations of Department employees necessitate the opening of a parallel administrative investigation. The timing of the administrative questioning of employees suspected of criminal misconduct or charged with a criminal offense shall be determined by the IAB commander. Generally, an employee suspected of criminal misconduct or charged with a criminal offense shall not be subjected to administrative questioning or the production of a compelled statement in connection with any administrative investigation until the criminal investigation has been reviewed by the Commonwealth's Attorney's Office.
 6. It shall be the responsibility of the criminal investigator working the case to present the results of the criminal investigation to the Commonwealth's Attorney's Office for prosecutorial decisions.
- C. If, during the course of an administrative investigation, reasonable suspicion develops that the act complained of constitutes criminal misconduct, the IAB commander shall be notified. The IAB commander shall consult with the appropriate Deputy Chief of Police and proceed pursuant to Paragraph A above.

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- D. Police shootings which require a criminal investigation shall be reported and investigated by the Major Crimes Division pursuant to General Order 540.1, Use of Force.
- E. If it becomes known that a complainant is seeking issuance of a warrant for a Department employee, the IAB commander or Duty Officer shall be notified immediately. The IAB commander or Duty Officer will consult with the complainant and request a delay so that a criminal investigation may be conducted.
 - 1. If the complainant declines to permit a delay in the issuance of a warrant, the IAB commander or Duty Officer will ask the magistrate or the Commonwealth's Attorney for a delay to permit a criminal investigation.
 - 2. If the warrant has already been issued, the Central Records Division staff or other employee having knowledge of the warrant will notify the IAB commander or the Duty Officer if after regular business hours. The Duty Officer shall notify the IAB commander prior to executing the warrant. The timing and circumstances of the warrant service shall be dictated by the criteria established in Paragraph A. above.

XII. ADMINISTRATIVE PROCEDURES

- A. Responsibilities of the Internal Affairs Bureau (IAB)
 - 1. The Internal Affairs Bureau conducts and/or coordinates administrative investigations of complaints or allegations of misconduct against members of the Department.

The commander of the Internal Affairs Bureau is responsible for assuring a complete and expeditious investigation of all cases referred to the IAB. Assistance may be requested from other bureaus as is deemed necessary. Investigations should be completed within 60 days of receipt, unless circumstances develop which necessitate additional time to ensure a thorough investigation.

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2. The Internal Affairs Bureau shall maintain all files and records of administrative investigations. The IAB shall issue a unique file number to each administrative investigation and shall maintain a permanent record of all complaints.
 3. Access to the administrative investigations files maintained by the Internal Affairs Bureau will be prohibited to all personnel except:
 - a. The Chief or Deputy Chiefs of Police.
 - b. Bureau, district, or division commanders, when necessary in the performance of their duties.
 - c. The commanders and staff of the Internal Affairs Bureau.
 - d. Members of the County Attorney's Office when acting in official capacity as counsel to the Department.
 4. Investigations by the Internal Affairs Bureau may be initiated at the request of any member of the Department who feels threatened by a false accusation or a contrived situation involving false evidence.
 5. The IAB shall prepare a weekly Administrative Investigations Status Report for the Chief of Police or such person as designated by the Chief of Police.
 6. The IAB shall identify potential training needs through the course of administrative investigations and civil actions directed at the Department or departmental personnel. This information shall be forwarded to the director of the Criminal Justice Academy for evaluation and possible incorporation into recruit and in-service training.
- B. Case Tracking
1. Once a complaint is received and accepted, or when an administrative investigation is initiated without a complaint, the assigned supervisor shall complete a Case Management form. The form shall be emailed to the FCPD-IA Number mailbox with a copy to the affected

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division/station commander. A file number will be assigned by the Internal Affairs Bureau and provided to the supervisor and commander by return e-mail message.

2. Internal Affairs tracking numbers are required for all complaints and administrative investigations (including all cruiser accidents).

XIII. LEGAL REFERENCE

Code of Virginia, Sections 9.1-500 through 9.1-507
Code of Virginia, Section 9.1-600
Code of Virginia, Section 16.1-253.2
Code of Virginia, Section 18.2-57.2
Code of Virginia, Section 19.2-81.3

XIV. ACCREDITATION STANDARDS REFERENCE

<u>VLEPSC</u>		
ADM		PER
05.03	18.04	09.03
18.01	18.05	09.05
18.02	18.06	
18.03		

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SUBJECT: INTERNAL INVESTIGATIONS	NUMBER: 301
CANCELS ORDER DATED: 4-1-05	DATE: 10-1-10

This general order becomes effective October 1, 2010 and rescinds all previous rules and regulations pertaining to the subject.

ISSUED BY:



Chief of Police

APPROVED BY:



County Executive

GENERAL ORDER
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SUBJECT: ORAL REPRIMAND/VERBAL COUNSELING	NUMBER: 310.1
CANCELS ORDER DATED: 1-1-97	DATE: 7-1-10

I. PURPOSE

To establish rules to be followed by supervisors with respect to the use of oral reprimand/verbal counseling forms.

II. POLICY

Section 16.5-1(d) of the Personnel Regulations provides that supervisors will maintain an informal record of oral reprimands and warnings, with the employee's knowledge of such a record.

Oral reprimand records are considered official records and, as such, employees must be provided the opportunity to review and rebut the contents of these records.

III. PROCEDURE

When a supervisor deems that an informal oral reprimand or warning is warranted, the supervisor shall maintain a record of the discussion, adhering to the following rules:

- A. The employee shall be advised at the time of the counseling that an informal written record of the reprimand is being kept and that the employee has the right to review the record.
- B. The employee shall be further advised of his right to file a statement, setting forth his position in 200 words or less, if he disagrees with the contents of the counseling record.
- C. Verbal counseling/oral reprimand forms shall not be attached to subsequent disciplinary actions. The fact and particulars of prior oral reprimands shall be included in advance notice letters or written reprimands, if relevant to future disciplinary action.

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- D. The record of the oral reprimand is to be maintained solely as evidence of the prior counseling, should the employee allege that it was not provided during possible appeals of future disciplinary actions.
- E. Oral reprimand forms shall not be included in the employee's agency personnel file or be sent to the Office of Personnel for inclusion in the official employee record.
- F. Oral reprimand forms shall be retained for a period of time not to exceed one year, except, in the event that subsequent disciplinary action is taken within that year, the form shall be retained for a period one year from the date of the most recent disciplinary action.

IV. ACCREDITATION STANDARDS REFERENCE

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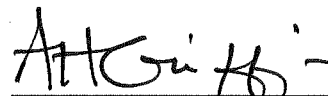
This general order becomes effective July 1, 2010 and rescinds all previous rules and regulations pertaining to the subject.

ISSUED BY:



Chief of Police

APPROVED BY:



County Executive

GENERAL ORDER

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SUBJECT: DISCIPLINARY ACTION AND APPEALS	NUMBER:	310.2
CANCELS ORDER DATED: 10-1-06	DATE:	7-1-10

I. PURPOSE

The purpose of this order is to establish specified procedures pertaining to disciplinary actions and appeals within the Department. The scope of authority is defined for those levels of command authorized to impose formal disciplinary action and the procedures required to register an appeal are established.

II. POLICY

It will be the policy of the Department to impose such disciplinary actions as deemed necessary in a fair and impartial manner and to provide adequate appeal procedures to ensure that the rights of all employees of the Department are protected.

III. APPLICABILITY

- A. Unless expressly stated otherwise herein, the provisions of this general order shall apply to all employees, except Sections IX through XI which shall apply only to sworn employees of the Fairfax County Police Department. Appeals for civilian employees shall be handled in accordance with Chapter 17 of the Fairfax County Personnel Regulations. Nothing contained in this general order shall prohibit the informal counseling of an employee by a supervisor regarding minor infractions of departmental policy or procedure which do not result in disciplinary action being taken.
- B. The appeal procedures of this order are not available to any sworn employee who is serving a probationary period for an original appointment.
- C. For appeals of disciplinary action, sworn employees may elect to use this order, or General Order 310.3, Grievance Procedures for Sworn and Non-Sworn Employees/Chapter 17 of the Personnel Regulations of the County of Fairfax, unless expressly exempted by 310.3.
- D. A sworn employee's decision to use the provisions of this order or General Order 310.3, Grievance Procedures for Sworn and Non-Sworn Employees /Chapter 17 of the Personnel Regulations of the County of Fairfax is final

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and binding. Sworn employees shall not be permitted to use the procedures of both this order and General Order 310.3.

IV. DEFINITIONS

Work day: The term "work day" as used herein, shall mean calendar day, exclusive of Saturday, Sunday, and legal holidays as defined by Va. Code 2.2-3300.

V. DISCIPLINARY ACTIONS

- A. To ensure consistency of application, the appropriate authority shall review past disciplinary matters as one factor in determining the proper disciplinary recommendation and/or action to prevent future misconduct. The reviewing authority is not limited to a specific time period; however, sustained violations should be reviewed and considered based on their relevance.
- B. If the classification of any alleged violation is sustained, the following types of disciplinary action may be imposed.
 - 1. Oral Reprimand - To be administered and documented as specified by General Order 310.1, Oral Reprimand/Verbal Counseling.
 - 2. Written Reprimand - To be prepared and presented to the employee by the commanding officer.
 - 3. Disciplinary Reimbursement - To be administered in concert with other disciplinary action and as specified in Section VII, Procedures.
 - 4. Suspension - Without pay. The Director of Human Resources, Fairfax County, shall be notified of each occurrence.
 - 5. Transfer for disciplinary reasons.
 - 6. Reduction in rank - To any lower level deemed appropriate. The Director of Human Resources, Fairfax County, shall be notified of each occurrence.

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7. Dismissal from the Department - The effective date of dismissal will be delayed for 20 work days to allow the accused employee the opportunity to exercise the right to appeal pursuant to General Order 310.2, Disciplinary Actions and Appeals or 310.3, Grievance Procedures for Sworn and Non-Sworn Employees /Chapter 17 of the Personnel Regulations of the County of Fairfax, unless the offense that led to dismissal was determined by competent authority to have such a grievous impact on either the Department or the public as to require an earlier dismissal date. In such cases, the date of dismissal will be no sooner than ten work days, however, the employee may be placed on administrative leave until the date of dismissal. The director of the Department of Human Resources for Fairfax County shall be notified of each occurrence.
- C. Disciplinary actions, except those specifically excluded under the provisions of this order, may preclude an employee's eligibility for promotion. This period of ineligibility will be 12 months from the date of issuance of an advance notice memorandum or written reprimand.

The following disciplinary actions will not affect an employee's eligibility for promotion.

- All oral reprimands
- Written reprimands relating to cruiser accidents
- Written reprimands relating to equipment loss or damage
- Written reprimands related to photo red light summonses

VI. DISCIPLINARY AUTHORITY

Deputy Chiefs, bureau, division, station commanders, and assistant commanders when given approval, may impose or recommend disciplinary action in accordance with the following guidelines:

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- A. Station/Division Commanders and Assistant Commanders
1. May impose oral or written reprimands.
 2. May impose disciplinary reimbursements in concert with other disciplinary action.
 3. After consultation with the affected bureau commander and the commander of the Administrative Support Bureau may make supervisory EAP referrals. K:\IA Case Review Documents\Disciplinary Diversion Procedures.doc.
 4. May impose additional training requirements.
 5. After consultation with the affected bureau commander, may recommend suspensions, demotions, disciplinary transfers, unsatisfactory service separations, or terminations.
- B. Bureau Commanders
1. May impose oral or written reprimands.
 2. May impose disciplinary reimbursements in concert with other disciplinary action.
 3. After consultation with the commander of the Administrative Support Bureau may make supervisory EAP referrals.
 4. May impose additional training requirements.
 5. May recommend suspensions.
 6. May recommend disciplinary transfers.
 7. After consultation with the affected Deputy Chief, may recommend demotions, unsatisfactory service separations, or terminations.

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- C. Deputy Chiefs
 - 1. May impose oral or written reprimands.
 - 2. May impose disciplinary reimbursements in concert with other disciplinary action.
 - 3. After consultation will the commander of the Administrative Support Bureau may make supervisory EAP referrals.
 - 4. May impose additional training requirements.
 - 5. May recommend disciplinary action consisting of suspensions, demotions, disciplinary transfers, unsatisfactory service separations, or terminations.
- D. The Chief of Police may impose all forms of disciplinary action as outlined in Section V.
- E. If, for any reason, the station, division or bureau commander believes it to be inadvisable for them to serve as the reviewing authority in a particular case, such authority shall be reassigned as directed by the Chief of Police or his designee.
- F. Administrative investigations resulting in discipline which is imposed at a level below the Chief of Police shall be reviewed by the bureau commander, Deputy Chief of Police, and Chief of Police. A disciplinary action may be vacated by higher authority if additional investigation of the incident or reconsideration of the imposed discipline is warranted.

VII. ADMINISTRATIVE PROCEDURES

- A. Oral Reprimand
 - 1. An oral reprimand shall be administered and documented as specified by General Order 310.1.

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2. The oral counseling/reprimand session shall be documented in the "Action Taken" portion of the investigative report.
3. The oral counseling/reprimand form shall be retained at the station or division level in accordance with General Order 310.1, Oral Reprimand/Verbal Counseling. The form will not be included in the employee's personnel file.
4. Oral reprimands will not affect an employee's eligibility for promotion.

B. Written Reprimand

1. If it is determined that an offense is of such a nature that a record should be placed in an employee's personnel file, a written reprimand will be prepared. The memorandum will contain:
 - a. a statement of charges in sufficient detail to enable the employee to understand fully the violation, infraction, conduct, or offense for which the employee is being disciplined;
 - b. a statement that it is an official written reprimand, and that it will be placed in the employee's permanent personnel file;
 - c. a statement of previous offenses in those cases where the letter is considered a continuation of constructive discipline;
 - d. a statement that similar occurrences could result in more severe disciplinary action;
 - e. notice of the sworn employee's right to appeal under 310.2, Disciplinary Actions and Appeals or 310.3, Grievance Procedures for Sworn and Non-Sworn Employees/Chapter 17 of the Personnel Regulations of the County of Fairfax and of non-sworn employee's right to appeal under 310.3, Grievance Procedures for Sworn and Non-Sworn Employees /Chapter 17 of the Personnel Regulations of the County of Fairfax.
2. The employee shall acknowledge the receipt of the memorandum by signature and date. If the employee declines to sign the

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acknowledgment, the reviewing authority shall write "refused" in the signature block, initial, and date the document.

3. The written reprimand, together with the administrative investigation file, shall be forwarded to the appropriate bureau commander for review.
4. After three years, the employee may submit a written request through the Department chain of command to the director of the Department of Human Resources for Fairfax County, to have the written reprimand removed from their personnel file, provided it has not been part of a subsequent disciplinary action. The written reprimand will become a part of the permanent case file in the Internal Affairs Bureau and will be a permanent part of the employee's prior disciplinary record.
5. Written reprimands relating to cruiser accidents, photo red light summonses, and equipment loss or damage will not affect an employee's eligibility for promotion.

C. Disciplinary Reimbursement

1. Disciplinary reimbursement may be imposed in the following cases:
 - a. Lost or damaged County property, excluding damage to County vehicles as a result of a preventable accident.
 - b. Lost or damaged property belonging to a citizen which comes into an employee's possession.
 - c. Vehicle impoundments whenever the originating officer is found to have violated Department general orders resulting in liability to Fairfax County.
 - d. Photo red light summonses, whenever the employee operating a Department vehicle is found to have violated Department general orders resulting in liability to Fairfax County.

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2. Disciplinary reimbursement shall be imposed in concert with other disciplinary action.
3. For the purpose of assessing appropriate and consistent discipline, the following formulas will be applied when assessing disciplinary reimbursement:
 - a. Value of item lost/damaged, or of accrued towing and/or storage fees less than \$50: Full replacement value or accrued fees.
 - b. Value of item lost/damaged, or of accrued towing and/or storage fees greater than \$50: \$50, plus ten percent (10%) of the value or fees in excess of \$50.
 - c. Photo Red Light Summonses: Full reimbursement of the statutory civil fine assessed against the County by the issuing jurisdiction.
 - d. Unless specifically approved by the Chief of Police, disciplinary reimbursement shall be limited to a maximum of \$500.
- D. Suspensions, Disciplinary Transfers, Demotions, Unsatisfactory Service Separations, or Terminations
 1. If the recommended discipline consists of demotion, suspension, disciplinary transfer, unsatisfactory service separation, or termination, then the employee shall be provided with advance notice of the recommendation.
 2. The employee shall be provided with a 20 work day advance notice memorandum of the proposed disciplinary action.
 3. The advance notice memorandum must include:
 - a. A statement of charges in sufficient detail to enable the employee to understand fully the violation, infraction, conduct or offense for which the employee is being disciplined;

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- b. A statement that disciplinary actions may preclude an employee's eligibility for promotion. Furthermore, the notice should state that the period of ineligibility will be 12 months from the date of issuance of this notice;
 - c. The type of disciplinary action recommended for imposition;
 - d. A statement that the disciplinary action, if imposed, will become a permanent part of the employee's official personnel file;
 - e. A statement that the employee may respond to the charges within five work days;
 - f. A statement of previous offenses, if any, which have been considered in arriving at the proposed disciplinary action;
 - g. The effective date of disciplinary action (no sooner than 20 work days from the date of the advance notice memorandum/ten work days for unsatisfactory service separation); and
 - h. Notice of the sworn employee's right to appeal under 310.2 or 310.3, Grievance Procedures for Sworn and Non-Sworn Employees/Chapter 17 of the Personnel Regulations of the County of Fairfax and of non-sworn employee's right to appeal under 310.3, Grievance Procedures for Sworn and Non-Sworn Employees/Chapter 17 of the Personnel Regulations of the County of Fairfax.
4. The employee shall acknowledge by signature and date, the receipt of the advance notice memorandum and the discussion of the relevant issues in sufficient detail to provide the employee with an understanding of the charge. The employee shall receive a copy of the memorandum. If the employee declines to sign the acknowledgment, the reviewing authority shall write "refused" in the signature block, initial, and date the document.

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FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: DISCIPLINARY ACTION AND APPEALS	NUMBER:	310.2
CANCELS ORDER DATED: 10-1-06	DATE:	7-1-10

5. The administrative investigation, conclusions, and disciplinary recommendation/action shall be reviewed by the employee's bureau commander, Deputy Chief, and the Chief of Police. Absent an appeal, the employee will be notified by memorandum of the findings of the Chief of Police and the disciplinary action(s) to be imposed.
6. The imposition of a disciplinary suspension shall be in accordance with General Order 301, Internal Investigations, Section X, paragraph C. Additionally, commanders shall consult with the Payroll Division concerning the dates of suspension to ensure, whenever possible, that the employee will not be responsible for the County's portion of the health insurance premium, and to avoid any other adverse impact, other than the monetary loss resulting from a term of suspension.

VIII. HEARING PROCEDURES

- A. If the reviewing authority determines that no violation of regulations is sustained, the employee will be notified of the results of the investigation. A notification memorandum shall be prepared and submitted with the administrative investigation file through the chain of command for review and signature by the Chief of Police.
- B. If the reviewing authority determines that the evidence presented supports the finding of a sustained violation, a disciplinary hearing shall be scheduled. The purpose of the disciplinary hearing is to provide the employee with an opportunity to hear the evidence obtained during the administrative investigation and to respond to that evidence. Reviewing commanders shall schedule the disciplinary hearing in advance with the employee and the investigating supervisor. This process will assist the reviewing authority with making a knowledgeable and fair decision in the matter. This initial disciplinary hearing is not an appeal, consequently, the employee has no right to be represented or accompanied by another person. Legal representatives shall not be permitted to attend this meeting.

There shall be no formal rules of evidence in the disciplinary hearing. The following guidelines should be used for the conduct of the meeting:

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1. The reviewing authority shall verbally rescind any previously issued order of confidentiality. The order may be reinstated at the conclusion of the meeting.
2. The investigating supervisor shall attend the hearing, unless the employee agrees to waive the supervisor's attendance. Such waiver shall be noted in writing by the reviewing authority as part of the documentation of the disciplinary hearing. The reviewing authority may invite additional persons to attend as desired.
3. The investigating supervisor shall present an oral summary of the results of their investigation and an explanation of any relevant regulations of law.
4. The employee shall be provided an opportunity to present statements and other evidence on their behalf.
5. Examination or cross-examination of the investigating supervisor or employee shall be conducted by the reviewing authority only. All questions pertaining to statements or evidence shall be directed to the reviewing authority.
6. The reviewing authority may pose questions from the employee, and/or the investigating supervisor, as may be necessary in order to determine the facts relevant to the matter in question.
7. If the employee requests the identity of other individuals interviewed in connection with the investigation, such information shall be provided, unless one or more of the following conditions exist:
 - a. The individual expressed a reasonable fear of retaliation from the employee, or other person, if their participation in the investigation became known.
 - b. Disclosure is prohibited by a specific law or court order.
 - c. Disclosure would reveal the identity of an individual providing information in confidence to the Department.

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- d. Disclosure would compromise the conduct of an ongoing criminal or administrative investigation.
8. The failure of any employee to provide full, complete, and truthful answers to any lawful question posed by the reviewing authority shall be considered misconduct. Appropriate disciplinary action may be imposed for such acts or omissions.
9. Prior to concluding the disciplinary hearing, the reviewing authority should, at a minimum, ask the following questions of the employee:
 - a. Are there any other witnesses to this incident that should be interviewed?
 - b. Are there any other investigative steps which you feel should be taken to obtain all the relevant facts surrounding this incident?
 - c. Do you have any concerns about the conduct of the investigation?
10. Should the reviewing authority conclude that additional investigation is required, the investigating supervisor shall be given appropriate direction. Upon completion of the investigation, the reviewing authority shall comply with the requirements of Section VIII, Paragraph A or B, as described herein.
11. The reviewing authority shall document the disciplinary hearing in the Action Taken section of the administrative investigation report. At a minimum, the report shall reflect the persons present at the hearing, any relevant information provided by the employee, and any additional actions taken as a result of the hearing.
12. Upon completion of the disciplinary hearing the reviewing authority shall summarize their conclusions in the Action Taken section of the administrative investigation report. This shall include the identification of the specific laws and/or regulations alleged to be violated and the appropriate classification as defined by General Order 301, Internal Investigations, Section VI, Classification of

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Allegations. The employee shall be notified of the reviewing authority's conclusion(s) by memorandum as required by Section VII of this general order. A copy of the memorandum shall be included in the administrative investigation file.

IX. APPEALS

Appeals by sworn employees to the Chief of Police for disciplinary actions taken at a level of command below the Office of the Chief of Police.

A. Written Reprimand

1. The accused employee shall have the option to appeal a written reprimand as authorized by Section V paragraph B of this order by submitting a Step 2 Grievance form to the employee's respective bureau commander within 20 work days from the date of receipt of the reprimand.
2. If the accused employee is not satisfied following the response from the respective bureau commander, the employee shall have five work days after receiving the response to submit a Step 3 form appealing the decision to the Chief of Police.
3. The Chief of Police or the designated representative shall hear the appeal and determine final disposition within 20 work days of appeal.
4. If the accused employee is not satisfied following the response from the Chief of Police, the employee shall request on the appropriate form to the County Executive a determination concerning the grievability of the complaint within ten work days of receipt of the Third Step reply. Written reprimands are only eligible to receive an advisory opinion from the Civil Service Commission.

B. Disciplinary Reimbursement

In cases involving disciplinary reimbursement in concert with other disciplinary action, the appeal of the disciplinary reimbursement will be in accordance with the appeal process of the related disciplinary action.

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Where the related disciplinary action is an oral reprimand, the appeal process for the disciplinary reimbursement shall be the same as for a written reprimand.

C. Suspension, Disciplinary Transfer, Demotion, Unsatisfactory Service Separation, or Termination

In cases involving a recommendation of suspension, disciplinary transfer, demotion, unsatisfactory service separation, or dismissal which is recommended at the district or division level, the employee shall have 20 work days after receiving the Advance Notice Memorandum to submit a completed Step 2 Grievance Form to their bureau commander. This will result in a grievance hearing with that bureau commander. Should the bureau commander not be available or where there is no bureau commander, the Deputy Chief responsible for the bureau shall coordinate the hearing.

If the accused employee is not satisfied following the response from their respective bureau commander, they shall have five work days after receiving the response to declare in writing to the Chief of Police their choice of the appeal procedures of this general order or General Order 310.3, Grievance Procedures for Sworn and Non-Sworn Employees/Chapter 17 of the Personnel Regulations of the County of Fairfax. The employee may be assisted by counsel at the employee's expense. Failure to respond within this time period will waive an employee's right to appeal as provided in this general order.

A sworn employee who elects to appeal under this general order must submit a memorandum to the Chief of Police within the five work day period following the employee's receipt of the Step 2 response. The memorandum must clearly state only one of the following options:

1. The recommended disciplinary action is appealed and a hearing panel is requested. Additionally, the memorandum shall include the name of the hearing panel member chosen by the appellant and the name, if any, of the appellant's attorney.
2. The recommended disciplinary action is appealed and no hearing panel is requested. The accused employee requests appeal to the

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Chief of Police. Additionally, the memorandum shall include the name, if any, of the appellant's attorney. The case shall be heard by the Chief of Police, and disposition shall be determined after reviewing any advisory recommendations submitted by bureau commanders and the Deputy Chiefs of Police.

A sworn employee who elects to appeal under General Order 310.3, Grievance Procedures for Sworn and Non-Sworn Employees/Chapter 17 of the Personnel Regulations of the County of Fairfax must submit to the Chief of Police a completed Step 3 Grievance Form within five work days of their receipt of the Step 2 response. This will result in a grievance hearing with the Chief of Police. More detailed information of these procedures can be found under Chapter 17 of the Personnel Regulations of the County of Fairfax.

X. HEARING PANELS

Virginia Code Section 9.1-504 establishes a hearing panel as an advisory body, recommendations from the hearing panel shall be advisory to the Chief of Police, but shall be accorded significant weight. The findings and recommendations of the hearing panel shall be consistent with all applicable laws and ordinances.

- A. A hearing panel shall be convened:
 - 1. Upon request of an employee after appealing the decision to the appropriate bureau commander as provided in IX.C.
 - 2. By direction of the Chief of Police.

- B. Hearing panels shall consist of three members, all of whom shall be sworn employees of the Department, except the following are specifically prohibited from serving on a hearing panel:
 - 1. Sworn employees who are related to the accused employee by blood or marriage.

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2. Sworn employees who are, or have been, involved in an administrative investigation for possible improper conduct involving the same or a related incident.
 3. Sworn employees who, during the last year, have been suspended, demoted, or transferred for punitive reasons.
 4. Sworn supervisors responsible for the investigation and/or review of the administrative investigation.
- C. Hearing panels shall be selected by the following procedure:
1. One member selected by the accused employee.
 2. One member appointed by the Chief of Police. Such member shall be of equal rank or rank no greater than two ranks above the accused employee. This member shall serve as chair of the hearing panel.
 3. One member selected by the other two members.
- In the event that such two members cannot agree on their selection, the Chief Judge of the 19th Judicial Circuit shall choose the third member.
- D. Hearing panels shall be convened no later than 14 calendar days following the date of request by the accused officer, unless a later date is agreed to by the accused officer and the Chief of Police.
- E. The commander of the Internal Affairs Bureau is responsible for the scheduling of the hearing panel and arranging for the recording of testimony.
- F. Conduct of the hearing panel

The hearing panel shall be conducted in accordance with the Law Enforcement Officers' Procedural Guarantees (Va. Code Section 9.1-500 *et al*) and the Department's Procedural Guidelines for the Conduct of Hearing Panels.

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XI. APPEALS TO THE COUNTY EXECUTIVE

- A. The appeal of a disciplinary decision made by the Chief of Police involving suspensions, disciplinary transfers, demotions, unsatisfactory service separations, or terminations shall be made in writing to the County Executive within ten work days of notification of such disciplinary decision. (Decisions resulting in oral or written reprimands are not appealable to the County Executive.) A copy of the appeal shall also be forwarded to the Chief of Police.
- B. If the decision of the Chief of Police was made following the recommendations of a hearing panel, the County Executive may consider the findings and recommendations of the hearing panel as well as the findings and actions of the Chief of Police.
- C. If the decision of the Chief of Police was made without referral to a hearing panel for its recommendation, then the County Executive shall direct the appointment of a Special Police Hearing Panel, unless the employee waives the right to such a hearing panel in writing.
- D. The Special Police Hearing Panel shall be selected and the hearing conducted as provided in Section X of this general order. The findings and/or recommendations of the Special Police Hearing Panel are to be given to the appellant or the appellant's attorney and the County Executive within five work days. The findings and recommendations are advisory to and not binding on the County Executive.

XII. LEGAL REFERENCE

Code of Virginia, 2.2-3002, Sections 9.1-500 through 9.1-507

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NUMBER: 310.2

CANCELS ORDER DATED: 10-1-06

DATE: 7-1-10

XIII. ACCREDITATION STANDARDS REFERENCE

VLEPSC

PER.

08.04

09.02

09.03

09.04

This general order becomes effective July 1, 2010 and rescinds all previous rules and regulations pertaining to the subject.

ISSUED BY:

APPROVED BY:

Handwritten signature of the Chief of Police, appearing as 'M. M. [unclear]'.

Chief of Police

Handwritten signature of the County Executive, appearing as 'A. H. [unclear]'.

County Executive

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: GRIEVANCE PROCEDURES FOR SWORN AND NON-SWORN EMPLOYEES	NUMBER: 310.3
CANCELS ORDER DATED: 7-1-01	DATE: 4-1-02

I. PURPOSE

The purposes of this Order are: to establish the grievance procedures available to sworn and non-sworn employees under Chapter 17 of the Personnel Rules of the County of Fairfax; to define for sworn employees the choice they have in certain cases to proceed under this Order or the provisions of General Order 310.2, and to detail the appellate avenues open to employees who proceed under this Order.

II. POLICY

It shall be the policy of this Department to provide fair, equitable and clearly defined means for the resolution of grievances, to ensure employees and their supervisors are accorded reasonable opportunity to present the facts bearing on a grievance, and to guarantee the opportunity to exercise the rights set forth in this Order.

III. COVERAGE OF PERSONNEL

- A. All regular, permanent employees (sworn and non-sworn) in the competitive service of the County are eligible to file complaints under this procedure.
- B. Excluded from the grievance procedure are the following:
 - 1. Temporary and exempt employees.
 - 2. Employees serving their initial probationary periods unless their complaints include allegations of discrimination as defined in Section IV. B. 4. of this General Order.
 - 3. Sworn police employees who have elected to proceed under the procedures set forth in General Order 310.2.
- C. Sworn employees shall declare in writing their choice between the procedures of this Order or of 310.2 at the following points:

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SUBJECT: GRIEVANCE PROCEDURES FOR SWORN AND NON-SWORN EMPLOYEES	NUMBER: 310.3
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CANCELS ORDER DATED: 7-1-01	DATE: 4-1-02
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1. In discipline cases at the station/division level, within twenty workdays of the time that the employee is notified by the station/division commander of the intention to impose discipline within the limits of station division authority, or to recommend disciplinary action within the limits of bureau authority.
 2. In discipline cases at bureau or higher levels, within twenty workdays of the time that the employee is notified by a bureau commander of the discipline recommendation which will be forwarded to the Chief of Police, or to impose disciplinary action within the limits of bureau authority.
- D. A sworn employee who elects to appeal under this General Order must submit, within the twenty workday period, a completed Step 2 Grievance Form (which will result in a grievance hearing by their respective Bureau commander).
- E. Parties to the grievance may by mutual agreement waive any or all intermediate steps or meetings, with the exception of the initial complaint, reducing the complaint to writing and the request for grievability determination.
- F. A sworn employee's decision to use the provisions of this Order or to proceed under General Order 310.2 is final and binding. In no case shall an employee be permitted to use both procedures for disciplinary cases.
- G. The provisions of this Order shall be the only procedures to be used by sworn employees for the processing of grievances arising from matters not involving discipline.

IV. TYPES OF COMPLAINTS

- A. Employee complaints will be classified at the point of grievability determination (see Section VI.D.) as one of the following:
1. Grievable, with a binding decision from the Civil Service Commission;

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2. Non-grievable but eligible for a hearing and an advisory decision from a hearing officer appointed by the Civil Service Commission;
 3. Non-grievable with no hearing.
- B. Grievable complaints which receive binding decisions from the Civil Service Commission include:
1. Terminations, unsatisfactory service separations, demotions and suspensions;
 2. Unfair application of specific personnel policies, procedures, rules and regulations;
 3. Acts of reprisal as a result of utilization of this procedure or of participation in the grievance of another County employee;
 4. Discrimination against an employee, including a probationary employee, on the basis of race, color, religion, political affiliation, age, handicap, national origin, sex or other specific non-merit factors;
 5. Intimidation because of participation or failure to participate in political activities.
- C. Non-grievable complaints eligible to receive advisory decisions from a hearing officer appointed by the Civil Service Commission include:
1. The physical plant;
 2. The methods and conditions of the specific job;
 3. Relations with fellow employees;
 4. Unfair application of County departmental rules;
 5. Performance appraisals;

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6. Written reprimands.

V. NON-GRIEVABLE COMPLAINTS

A. Complaints that are not grievable under this procedure include:

1. Salaries and wages;
2. Position classification;
3. Oral reprimands;
4. The contents of ordinances, statutes, or established personnel policies, procedures, rules and regulations;
5. Failure to promote, except where the employee contends that specific promotional policies or procedures were not followed or applied uniformly;
6. Discharge, lay-off or suspension from duties because of lack of work or reduction in work force, except where such actions affect an employee who has been reinstated within the previous six months by the Civil Service Commission as the result of the final determination of a grievance. In such cases, the agency must show that there was a valid business reason for the action and that the employee was notified of such reason in writing prior to the effective date of the action;
7. Management of County employees including the right to make personnel appointments in accordance with adopted selection policies and techniques, to establish rules and regulations governing work performance and performance evaluations, to transfer and assign employees within the County, to determine the need for shift operation and rotation of the workweek, to assign overtime, to determine job training and career development, and to determine duties or actions in emergency situations.

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- B. Appeals of position classification are handled in accordance with the criteria set forth in Section 3.7 of the County Personnel Rules.

VI. STEPS OF THE PROCEDURE

A. Step 1: Immediate Supervisor

An employee who has a complaint shall discuss the problem directly with their supervisor within twenty workdays of the date the employee should have reasonably gained knowledge of the event giving rise to the complaint. The complaint need not be reduced to writing until this step has been completed. The term "workday" as used herein shall mean any Monday through Friday that is not a County holiday.

A verbal reply by the supervisor shall be made to the complaint during the discussion or within five workdays following the meeting.

B. Step 2: Station/Division or Bureau Commander

If the complaint is not resolved after the first step meeting and where there is a station/division or a bureau commander, the employee may reduce the complaint to writing on "Complaint Form - Second Step." All grievance forms are obtainable from the Office of Personnel.

The employee shall specify the relief sought through the use of this procedure. The fully completed Complaint Form shall be delivered by the employee to the division commander within five workdays of the first step meeting or the supervisor's reply, if given at a later date. The division commander shall meet with the employee within five workdays of receipt of the Complaint Form.

A written reply by the division commander shall be made to the complaint within five workdays following the meeting.

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CANCELS ORDER DATED: 7-1-01 DATE: 4-1-02

C. Step 3: Chief of Police

If the reply from the second step meeting is not acceptable to the employee, or where no division or bureau commander exists, the employee may appeal the last response to the Chief of Police.

"Complaint Form - Third Step" shall be completed by the employee and delivered to the Chief of Police within five workdays of receipt of the last response. The Chief of Police shall meet with the employee within five workdays of receipt of the Complaint Form.

A written reply by the Chief of Police shall be made to the complaint within five workdays following the meeting.

D. Step 4: Grievability Determination

1. When a complaint cannot be satisfactorily resolved pursuant to Steps 1 through 3 above, the employee shall request on the appropriate form a determination concerning the grievability of the complaint within ten workdays of receipt of the third step reply.
2. All requests for grievability determination shall be submitted to the County Executive. The County Executive will determine if the complaint is grievable, and if so, based upon the criteria set forth in Section IV, establish whether the decision rendered by the Civil Service Commission shall be binding or advisory. Decisions of the County Executive shall be made within ten workdays of receipt of such request.
3. Decisions regarding grievability are appealable only to the Fairfax County Circuit Court. Such appeals shall be made by filing a notice of appeal with the County Executive within ten workdays from the date of receipt of the decision.
4. The Circuit Court shall have a hearing de novo on the issue of grievability within thirty days of receipt of the appeal. The Court may affirm, reverse or modify the decision of the County Executive.

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SUBJECT: GRIEVANCE PROCEDURES FOR SWORN AND NON-SWORN EMPLOYEES	NUMBER: 310.3
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5. The decision of the Circuit Court is final and is not appealable. Procedures governing the review by the Circuit Court are found in Virginia Code Section 15.2-1507.
 6. In no case shall the County or Commonwealth's Attorney be authorized to decide the issue of grievability.
- E. Step 5: Appeal to the Civil Service Commission
1. If the complaint has been determined to be grievable, as provided herein, the employee may file a request for hearing on the appropriate form with the Fairfax County Civil Service Commission. The employee shall file the request within ten workdays following the receipt of the determination that the complaint is grievable.
 2. Appeals shall be heard by the Commission as soon as possible after receipt of the employee's appeal request. The Commission shall notify the employee and the Chief of Police in writing of the time and place of the appeal hearing. The Commission, in scheduling hearings on appeals, shall give priority on its docket to dismissal and unsatisfactory service separation cases.
 3. The jurisdiction and authority of the Civil Service Commission shall be confined exclusively to those complaints previously determined to be grievable as provided herein. While the Commission has authority to determine the appropriate application of an existing rule or policy, the Commission does not have the authority to add to, detract from, alter, amend or modify in any way County or Department policy or procedure and its findings shall be consistent with all applicable laws and ordinance.
 4. No member of the Civil Service Commission shall hear a grievance if they have a direct involvement with the grievance being heard by the Commission, or with the complaint or dispute giving rise to the grievance. The following relatives of a participant in the grievance process or a participant's spouse are prohibited from hearing said grievance: spouse, partner, child, descendants of a child, sibling, niece, nephew and first cousin.

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VII. REPRESENTATION

- A. Personal face-to-face meetings are required at all steps. The employee and County management may have a representative present at all steps. If the employee is represented by legal counsel, management likewise has the option of being represented by counsel.
- B. At all steps, appropriate witnesses also may be asked to provide information.
- C. In any complaint involving a charge of discrimination, at the request of any party to the grievance, the County's EEO Officer, or his designee, may attend step meetings.

VIII. GRIEVANT'S EXPENSES

- A. The grievant must bear any cost involved in employing representation or in preparing or presenting his or her case.
- B. Whenever possible, grievances will be handled during the regularly scheduled work hours of the parties involved. Civil Service Commission hearings are held in the evenings.
- C. The Civil Service Commission has no authority to award legal fees or punitive damages.

IX. EXTENSION OF TIME

- A. The parties to the grievance, by mutual agreement, or the County Executive upon the request of one of the parties, may extend any or all of the time periods established in this procedure.
- B. After the initial filing of a written complaint, failure of either the employee or the respondent to comply with all substantial procedural requirements of the grievance procedure without just cause shall result in a decision in favor of the other party on any grievable issue, provided the party not in

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compliance fails to correct the noncompliance within five workdays of receipt of written notification by the other party of the compliance violation. Such written notification by the grievant shall be made to the County Executive.

X. RESOLUTION PRIOR TO HEARING

Any grievance shall be considered settled at the completion of any step if all parties are satisfied. In fact, it is expected that the great majority of grievances will be settled at the first or second step. However, nothing in this procedure should be construed as limiting the employee's right to exhaust the remedies provided by this procedure.

XI. HEARINGS

- A. Hearings shall be conducted as described in Addendum 1 to Chapter 17 of the Personnel Rules of the County of Fairfax.
- B. Hearings shall be open to the public. However, upon request of either party, the hearing shall be private. The hearing officer or the Commission, by majority vote, may close a hearing to the public if the testimony about to be presented might impugn the personal reputation of a party or witness to said hearing, or if the right to privacy of such party or witness requires that the hearing be closed. Parties and their representatives shall be allowed to attend the hearing at all times. All witnesses shall be excluded from the hearing, except when testifying, at the request of either party.
- C. Failure of either party without just cause to comply with all substantial procedural requirements at the hearing, shall result in a decision in favor of the other party.
- D. The decision of the Commission shall be filed in writing by the Chairperson with the parties not later than ten workdays after the completion of the hearing. Copies of the decision shall be transmitted to

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the Director of Personnel, the employee, the Chief of Police and the County Executive.

- E. The majority decision of the Commission shall be final and shall be consistent with the provisions of law and written policies. The finding of the Commission shall be either binding or advisory to the County Executive based upon the classification of the grievance at Step 4 (Sections IV and VI.D).
- F. Either party may petition the Fairfax County Circuit Court for an order requiring implementation of a binding decision from the Commission.

XII. LEGAL REFERENCES

Code of the County of Fairfax, Virginia, Section 3-1-13(D) & (E)

Code of Virginia, Section 15.2-1507

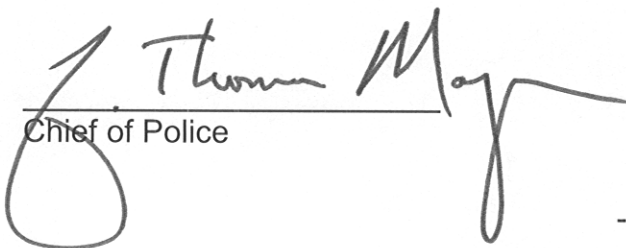
XIII. ACCREDITATION STANDARDS REFERENCE

- VLEPSC
- PER.
- 08.01
- 08.02
- 08.03
- 08.04

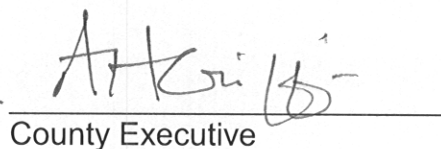
This General Order becomes effective April 1, 2002 and rescinds all previous General Orders pertaining to the subject.

ISSUED BY:

APPROVED BY:



Chief of Police



County Executive

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: POLICE UNIFORMS, PERSONAL EQUIPMENT AND CIVILIAN CLOTHING	NUMBER:	320.1
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CANCELS ORDER DATED: 4-1-03	DATE:	1-1-04
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General Order 320.1 has been removed and reissued as SOP 04-002. This document can be found in the Fairfax County Police Department Manual of Standard Operating Procedures.

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: PERSONAL APPEARANCE AND GROOMING	NUMBER:	320.2
CANCELS ORDER DATED: 1-1-02	DATE:	1-1-04

General Order 320.2 has been removed and reissued as SOP 04-003. This document can be found in the Fairfax County Police Department Manual of Standard Operating Procedures.

GENERAL ORDER
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SUBJECT: HAND SALUTE	NUMBER: 320.3
CANCELS ORDER DATED: 1-1-97	DATE: 1-1-04

General Order 320.3 has been removed and reissued as SOP 04-004. This document can be found in the Fairfax County Police Department Manual of Standard Operating Procedures.

GENERAL ORDER

FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: REPORTING PERSONAL INJURIES	NUMBER:	330
CANCELS ORDER DATED: 10-1-04	DATE:	7-1-10

I. PURPOSE

To ensure prompt and accurate reporting of any injury which may be covered under the provisions of the Worker's Compensation Act.

II. PROCEDURES

A. Law Enforcement-Related Injuries

1. Initial Reporting

- a. On-Duty Injuries - Department employees who sustain a personal injury during their normal tour of duty shall report the circumstances orally to their immediate supervisor. If the immediate supervisor is not available, the next level supervisor in the employee's chain of command shall be notified.
- b. Off-Duty Injuries - Law Enforcement Related - Any Department employee who sustains a personal injury during the performance of a law enforcement or rescue function shall notify an on-duty supervisor.
- c. In instances where the nature of injury requires medical treatment, the supervisor shall ensure that the employee's commander is immediately notified of the incident. If the commander is unavailable, the Duty Officer shall be notified.
- d. If high blood pressure is detected during a private physical examination, an appointment will be made as soon as possible with the Fairfax County Public Safety Occupational Health Center. This is to conduct a monitoring period at the end of which time a determination will be made as to the existence of a high blood pressure condition.

2. To report an on-duty or off-duty work related injury for purposes of Virginia Workmen's Compensation coverage, the employee or supervisor shall as soon as practical contact The Corvel Corporation

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using the telereporting system or the online injury reporting system. The telereporting system is a toll-free telephone claims reporting system available 24-hours a day. The telephone number for this service is 1-877-927-7871. The online claim reporting system is accessed through www.claimline.com/fairfaxcounty.

3. The supervisor will confer with the affected employee in the completion of the Report of Work Related Injuries/Illness Form, review the completed form for accuracy and completeness, and then ensure the information is conveyed promptly to the Corvel Corporation by no later than the end of the work day.
4. The Corvel Corporation sends the injured employee's information to the Virginia Workers' Compensation, who in turn, mails the injured employee forms required to file a claim. These forms contain a summary of the benefits the injured employee may be entitled to if the injury is determined to be compensable. A claim has not been filed until the employee has completed and returned these forms to the Virginia Workers' Compensation Commission.

NOTE: The injured employee should provide a copy of the completed claim to the Administrative Support Bureau for record keeping purposes. It is the responsibility of the injured employee to file a claim with the Virginia Workers' Compensation Commission within two years from (1) the date of the injury or (2) the date a doctor diagnoses an occupational disease.

5. The supervisor responsible for documentation and reporting an injury is required to submit a "Medical Status Report" form when applicable. This form is to be submitted when medical treatment is obtained. The treating physician will be requested to complete the "Physician's Initial Report" section.
6. The report form (either the Report of Work Related Injury/Illness Form or a copy of the online report form) and any related Medical Status Report shall be faxed within 24 hours of the initial injury to the Administrative Support Bureau at 703-273-6231.

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7. Emergency and follow-up medical treatment for law enforcement related injuries must be performed by one of the facilities or physicians approved by the Office of Risk Management. The names of approved physicians and facilities are available at each district station and DPSC. The eligible list is periodically updated by memorandum as changes occur. Employees must obtain prior approval for treatment rendered by a facility or physician not listed or they will be personally liable for any payments due.
8. Personnel who receive medical bills for job-related injuries/illnesses shall forward the bills to the Administrative Support Bureau who will forward the bills to Risk Management for payment.

B. Injury Leave Administration

1. Employees who are injured while performing the duties of their position without fault or negligence on their part will immediately be placed on injury leave, if the injury prevents a return to duty.

When possible, employees who have been injured, but are not totally disabled, will be placed in temporary assignments without loss of pay to perform duties that fall within the medical restrictions prescribed.

2. Commanders of employees who are on injury leave shall ensure that the Medical Status Report form reflects the injury leave data and the return to duty date signed by the attending physician.
3. Injury leave begins on the first day of injury and shall expire not later than 12 calendar months from the original injury date. Re-injuries do not extend the period of eligibility for injury leave. Temporary, seasonal and exempt employees are not eligible to receive injury leave. When assigned to injury leave status, no other leave benefits will accrue.

Extensions of injury leave beyond 12 calendar months may be granted by the Chief of Police. In evaluating such requests, the following elements shall be considered:

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- a. The circumstances in which the injury occurred, to include consideration of the nature and extent of the injury.
 - b. The nature and extent of treatment, providing that the employee has continued under the regular care of the authorized physician requiring an office visit at minimum intervals of at least once every three months; and providing that the medical records clearly substantiate a relationship between prescribed treatment and the original injury.
 - c. The likelihood of the employee's return to duty.
 - d. The employee's past injury, leave and service record.
 - e. The employee's compliance with injury leave policies and requirements.
4. Employees on injury leave are specifically prohibited from engaging in activities that may impair their recovery. These include:
- a. Engaging in strenuous recreational or other physical activities without the approval of the authorized physicians.
 - b. Being employed or self-employed to perform work of any kind without the prior written approval of the authorized physician and the Human Resources Director.
- C. Off-Duty Injuries - Not Law Enforcement Related

All Department employees, both sworn and civilian, shall report in writing to the Chief of Police the facts and circumstances of any personal injury sustained while off duty which may interfere with the performance of duty. Such report shall be made within 48 hours of the injury, or as soon as the employee is physically capable of doing so. If the off-duty injury renders the employee incapable of reporting to the next scheduled tour of duty, this shall be reported to the employee's immediate supervisor no later than the time scheduled for the beginning of the tour of duty. The employee, upon returning to duty, shall submit a "Medical Status Report" form indicating the employee's duty status and signed by the attending physician.

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III. LEGAL REFERENCE

Code of Virginia, Title 65.2

IV. ACCREDITATION STANDARDS REFERENCE

VLEPSC
PER.
03.03

This general order becomes effective July 1, 2010 and rescinds all previous rules and regulations pertaining to the subject.

ISSUED BY:

APPROVED BY:

Chief of Police

County Executive

GENERAL ORDER

FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: RESTRICTED DUTY	NUMBER:	331
CANCELS ORDER DATED: 1-1-98	DATE:	7-1-08

I. PURPOSE

The policies and procedures established herein are designed to ensure the Department responds efficiently and effectively to meet the police service needs of the citizens of Fairfax County. Additionally, this policy provides a guideline for balancing the requirements to meet police service demands with the needs of those non-probationary employees who due to injury, illness, or other disability become temporarily unable to perform all the essential task requirements of a police officer.

II. POLICY

The Department is committed to providing the citizens of Fairfax County with efficient and effective police service while adhering to the provisions of the Americans with Disabilities Act. This policy will be reviewed on a regular basis to ensure full compliance with ADA related administrative regulations adopted by the Fairfax County Office of Personnel and Office of Equity Programs.

III. APPLICABILITY

This policy establishes policy and administrative procedures relating to the physical and/or mental fitness required of all personnel holding sworn police positions within the Department. The fitness and duty requirements shall also apply to probationary police officer trainees and police cadets.

IV. DEFINITIONS

Essential Job Tasks: The mandatory core job tasks each sworn employee must be mentally and physically capable of performing with or without a reasonable accommodation to be eligible for hire and/or continued employment as a sworn police officer.

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Full Duty: A job status indicating that an employee is capable of performing the essential job tasks required of a police officer.

Medical Temporary Restricted Duty: A limited term duty status indicating that a sworn employee is not able to perform some essential police officer job tasks, but is able to perform useful law enforcement-related work and is medically approved to be assigned to an existing administrative or service position within the Department. In those instances where an assignment within the Department is not available, consideration will be given to placing an employee temporarily with another county agency for the duration of their incapacity.

During this period of incapacity, the agency will restrict the affected employee's use of marked police vehicles and require that only civilian attire be worn. This action is intended to limit the exposure of an injured or disabled employee to additional injury or stress, and to ensure that officers are not placed in a position which would represent a risk to themselves, other employees, or the public.

Reasonable Accommodation: Includes, but is not limited to, making existing facilities used by employees readily accessible to and useable by individuals with disabilities; job restructuring; part-time or modified work schedules; reassignment to a vacant position; acquisition or modifications of equipment or devices; appropriate adjustment or modifications of examinations, training materials or policies; providing readers or interpreters, etc.

Undue Hardship: Means, with respect to providing an accommodation, incurring a significant expense or significant difficulty by the agency in light of the nature and net cost of the accommodation; the overall financial resources involved in providing the accommodation; the effect on expenses and resources; the type and location of the operation; the impact of the accommodation upon operations, including the impact on the ability of other employees to perform their duties and on the facility's ability to conduct business.

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V. PROCEDURES

A. Essential Job Tasks

The position of sworn police officer, regardless of rank or assignment, requires the ability to perform certain essential job tasks. Essential job tasks for all sworn police officers shall include the ability to work shift work and to effectively and safely use, during both normal and emergency conditions, all standard issued police equipment. Such equipment shall include, but is not limited to: a standard police vehicle, MDT/CAD terminals and displays, report forms and documents, police radio equipment, service pistol, shotgun, baton, pepper spray, and handcuffs. Additionally, as mandated under Regulation 201.6, all officers are charged with the duty to: preserve the public peace; protect life and property; and enforce the laws of the Commonwealth of Virginia and the County of Fairfax. As such, all officers must be reasonably capable of making a forcible arrest and providing routine and emergency assistance to citizens and officers.

B. Medical Temporary Restricted Duty

1. Officers who are not able to perform essential job tasks due to a temporary injury, illness, or other disability may be granted a limited term of restricted duty. The initial determination that restricted duty status is indicated will be based upon a review of the individual circumstances on a case by case basis.
2. Priority for the granting of medical temporary restricted duty will be given to cases involving on-duty or employment related injuries, illnesses, and disabilities over cases which involve an off-duty or non-employment related causative factors.
3. Medical temporary restricted duty and placement in a temporary duty assignment will be limited to those cases where the incapacity is expected to be more than 14 days. If granted, such accommodation may include: reassignment to a location which places less physical or mental demands on an officer; job restructuring; scheduling adjustments; and modification and/or adjustments to office equipment/devices. Any reassignment or accommodation shall be made to an existing position within the department. The Department

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is not required to bear an undue hardship in making a reasonable accommodation, and may limit the number of such available positions based upon the needs of the agency.

4. Permanent restricted duty assignments or accommodation agreements shall not be made. Any restricted duty assignment or accommodation made for an illness, injury, disability, or other cause, which is required due to an employee's inability to perform all the essential job tasks required for a sworn position shall be limited to a maximum of 12 months. In cases of prolonged (excess of 9 months on restricted duty, with a prognosis indicating probability of work restrictions continuing beyond 12 months or 2080 hours) or in cases of a permanent injury, chronic disabling illness or other disability, an employee will be offered the following options: appointment to an existing non-sworn police department or general county position in which the employee can meet all of the essential job functions and qualifications; retirement; resignation; or involuntary separation.
5. Injuries or illnesses for which the employee needs accommodation for less than fourteen days from the date of occurrence/onset may be addressed at the station/division level. Division Commanders may seek to temporarily restrict officers under their command in their law enforcement authority as set forth in this section if circumstances indicate such limitations are in the best interests of the Agency due to the employee's inability to perform all essential tasks; alternately, the employee may elect to use sick, annual, or compensatory leave.
6. An employee in restricted duty is prohibited from engaging in any department approved, police-related, off-duty employment. This prohibition shall include voluntary overtime assignments which are outside the normal restricted duty assignment of the employee.
7. To ensure that officers who are unable to perform essential tasks are not placed in a position which would represent a risk to themselves, other employees or the public, all officers placed into restricted duty status shall not wear a police uniform and shall not operate a marked police vehicle unless said vehicle is clearly marked as being out of service. Service weapons or approved off-duty weapons must be concealed from view if worn. Any enforcement action taken must be

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in accordance with General Order 601, Arrest Procedures, Section X, Special Instances, Paragraph E, Off-duty Incidents. These restrictions will be documented in written form, with a copy provided to the affected officer. These restrictions are not a disciplinary action but are intended to relieve the employee of the responsibility of having to take enforcement action when they are physically unable to do so.

C. Notification requirements

1. The notification requirement of this order may be met by compliance with the existing injury reporting policy mandated under the established Risk Management Procedures for Claims, the provisions of the Virginia Workmen Compensation Law and General Order 330, Reporting Personal Injuries. However, if such a notification is not mandated under existing reporting requirements, a separate notification shall be made under this section.
2. Any officer experiencing an on-duty or off-duty injury, illness, or disability that has caused any restriction in the ability of the affected officer to perform all essential job tasks shall be reported immediately by the officer through their supervisor to their respective bureau commander.
3. The affected bureau commander shall promptly notify the Administrative Support Bureau of any officer becoming subject to the provisions of this general order.

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D. Documentation required

All reports and personnel actions (to include: transfers, temporary assignments, employee reclassifications, accommodation agreements, employee physical ability records, etc.) required to effectively administer the provisions of this general order will be documented in writing on approved forms. Copies will be maintained in the Administrative Support Bureau restricted duty file. Copies of actions involving an employee will be provided to the employee, and a copy placed in the affected employee's personnel file.

Medical information, such as detailed physicians reports, will be filed separately in the employee's medical information file.

E. Evaluation Criteria.

To ensure that this policy is administered in an objective, consistent and non-discriminatory manner, the determination of an employee's fitness and/or ability to perform the full range of essential police officer job tasks must be based on objective job-related criteria. The primary criteria to be used for a fitness for duty determination shall include one or more of the following:

- Results of a medical and/or psychological examination performed by a County physician or a physician approved by the Division of Risk Management, with the determination of fitness for duty being based upon the established Public Safety Position Medical Standards, police officer position description, and list of essential job tasks.
- An official report, training record, administrative investigation, performance evaluation, or request for accommodation.

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VI. ADMINISTRATION

- A. The administration of the provisions of this policy will be supervised and coordinated by the Commander of the Administrative Support Bureau and his/her designee. The Commander of the Administrative Support Bureau may form and utilize a "Restricted Duty Advisory Panel" which may, as deemed necessary, include staff or line representatives from within the Department, Office of Personnel, Office of Equity Programs, the Office of the County Attorney and Risk Management. This panel shall review and make advisory recommendations regarding the application of this policy and related administrative procedures to the commander of the Administrative Support Bureau.

- B. To ensure the equitable application of this policy and enhance the proper administration and control of those sworn personnel placed in a restricted duty status for more than 14-days, all such employees shall be placed under the direct administrative authority of the Commander of the Administrative Support Bureau. Any reassignment, transfer, accommodation agreement, job restructuring, or other personnel action involving such personnel shall be coordinated with and approved by the Administrative Support Bureau Commander or his/her designee. Where there is an occupational injury or illness for which an employee has filed a Workers' Compensation claim, established procedures as outlined in the Risk Management Manual will be followed including oversight/coordination of temporary modified duty/bridge assignments by the Fairfax County Rehabilitation Specialist.

- C. The commander of the Administrative Support Bureau shall maintain a tracking system and report on a monthly basis to the administrative staff all employees subject to the provisions of this general order due to their inability to perform all essential police officer job tasks and/or who are on restricted duty status. This report will include the employees current duty status, regular and temporary restricted duty assignments, types of leave applied, relevant dates (indicating the beginning of restricted duty status, personnel action dates, medical examination dates, date of expected return to full duty) and any other required information required to administer and coordinate the application of this general order.

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VIII. ACCREDITATION STANDARDS REFERENCE

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This General Order becomes effective July 1, 2008 and rescinds all previous General Orders pertaining to the subject.

ISSUED BY:

Chief of Police

APPROVED BY:

County Executive

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: OFF-DUTY EMPLOYMENT	NUMBER:	340
CANCELS ORDER DATED: 1-1-02	DATE:	1-1-03

I. PURPOSE

This policy is issued for the purpose of defining and establishing regulations pertaining to off-duty employment.

II. POLICY

Employees of the Fairfax County Police Department shall be permitted to engage in off-duty employment activities to the extent that such activities:

- Enhance public safety and further the mission of the Department.
- Do not violate the Virginia State and Local Government Conflict of Interests Act (Code of Virginia Title 2.2-3100 thru 3127), or otherwise conflict with the responsibilities or duties of an employee of the Fairfax County Police Department.
- Are in compliance with the administrative regulations and General Orders of the Department.
- Are consistent with the training and legal authority of the employee.
- Do not adversely affect on-duty efficiency of the employee.

III. DEFINITIONS

Off-duty employment occurs when an employee receives compensation for work performed during non-assigned duty hours. As used in this policy, the term “off-duty employment” shall include general off-duty employment, secondary law enforcement employment, departmental overtime, and supplemental overtime as defined below.

- A. General Off-Duty Employment: Any employment during “off-duty” hours that is not dependent upon the uniform and/or authority granted to the employee by the Commonwealth of Virginia or the County of Fairfax. This employment will not require the use, or potential use of law enforcement powers by the off-duty employee.

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- B. Secondary Law Enforcement Employment: Off-duty employment which may require the employee exercising their law enforcement authority granted by the Commonwealth of Virginia and the County of Fairfax.
- C. Departmental Overtime: Overtime incurred by an employee which is a direct result of the employee's duty to complete a critical work assignment (e.g., mandatory shift extension, court attendance for official duties, call back, and other emergency related events).
- D. Supplemental Overtime: Assignments for which employees receive monetary compensation from the County of Fairfax in order to provide police services to other County agencies or to the Police Department. This type of overtime is voluntary (e.g., backfill staffing, School Board events, etc.). All supplemental overtime shall be regulated by this Policy.
- E. Police Service Area: The area located within the boundaries of Fairfax County, excluding the area within the boundaries of the cities of Fairfax and Falls Church and the towns of Herndon and Vienna.
- F. Training Period: That period of time during which an employee is attending the Fairfax County Criminal Justice Academy for basic law enforcement training or is working under the direct supervision of a field training instructor.
- G. Employer Permit: A permit of specific duration, not to exceed 24 months, granted to an employer by the Police Department, upon application of a prospective employer, to allow authorized employees of the Police Department to work in an off-duty capacity. Upon issuance of the permit, the premises of the applicant become an "authorized work location" for the purpose of this Policy.
- H. Employee Permit: A permit of specific duration, not to exceed 24 months, which may be granted by the Police Department, upon application of an employee, to perform off-duty employment.
- I. Day: For the purposes of this policy, a day is a period of time which starts at 0600 hours and concludes twenty-four hours later at 0600 hours.

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IV. REGULATIONS

The following regulations are applicable to all off-duty employment:

- A. Off-duty employment will not be permitted if it constitutes a conflict of interest as defined by Personnel Regulation 4.15 or the Code of Virginia.
- B. Police recruits, officers and other employees shall not work off-duty in any capacity during their initial training period, during any period in which they are on light or restricted duty, or during any period in which their law enforcement powers are suspended.
- C. Sworn and civilian first-line supervisors shall not work supplemental overtime assignments in place of patrol officers, PCA's, PSC's (ex: patrol officer, desk officer, call takers, dispatchers, etc.). Exceptions to this regulation shall only be made with the approval of the Chief of Police, and when staffing by non-supervisors is not possible.
- D. With the exception of departmental overtime, employees shall not work more than 16 hours per day. The 16 hours includes any combination of regular hours, secondary employment, supplemental overtime, and scheduled court attendance (on overtime) which is assigned by a supervisor. Approval to exceed these limitations shall only be granted by a Bureau Commander or Staff Duty Officer and such approval shall be documented and forwarded to the affected employee's commander. The following overtime is not included in the 16 hour restriction: departmental related overtime and court dates such as preliminary hearings, Circuit Court, and subpoenas on non-scheduled court dates. Court attendance (on overtime) which is scheduled in advance by the employee's supervisor shall be included in the 16 hour per day restriction. To allow employees the opportunity to schedule supplemental and secondary employment assignments during periods of scheduled court dates and remain within the 16 and 120.5 hour limits, a scheduled court date shall be counted as 2 hours, regardless of the actual time spent at court.
- E. The total number of regular duty hours, supplemental overtime, and secondary employment shall not exceed 120.5 hours in any pay period.
- F. There must be at least 8 continuous hours of no employment either:

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- (1) at the end of the regular work shift and before the start of the off-duty shift, or
- (2) after the off-duty shift and prior to the beginning of the regular work shift.

The eight hours of no employment is not based upon the 0600-0600 day, but on the actual shift worked. The following are examples of this regulation as applied to patrol shift configurations:

<u>Shift</u>	<u>Affected Overtime Periods</u>
0530-1700	Prior to shift 2130-0530 or following shift 1700-0100, but not both.
1330-0100	Prior to shift 0530-1330 or following shift 0100-0900, but not both.
1930-0700	Prior to shift 1130-1930 or following shift 0700-1500, but not both.

- G. Employees shall not work more than 12 consecutive days in a pay period. This shall include regular duty hours, supplemental overtime, secondary employment, and/or any combination of such hours.
- H. Secondary off-duty law enforcement employment is restricted to the police service area.
- I. Persons above the rank of second lieutenant shall not engage in off-duty employment without the specific approval of the Chief of Police or his designee.
- J. Organizations employing five or more officers for secondary or supplemental employment assignments at the same time at the same site, will be required to hire at least one first-line supervisor in addition to the five officers, to provide direct supervision of the assigned officers. An additional command or supervisory officer shall be required for each multiple of five officers assigned to such sites.

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- K. The minimum salary required for officers working secondary employment assignments shall be \$25.00 per hour. Supervisory or command personnel shall receive the same rate of compensation as officers at the same work location. Supplemental overtime assignments, and any other overtime where compensation is through the County payroll system, will be based upon the employee=s regular overtime rate, or a designated pay rate for the individual assignment (e.g., school functions, special events, direct billing etc.)

- L. Commanders shall ensure that the departmental sign-up procedures are administered at their respective commands. The departmental sign-up policy permits PI's – PIII's, PSC's and PCA's to sign up at their assigned stations on the 15th of each month for supplemental overtime and secondary law enforcement assignments. First-line supervisors shall be permitted to sign-up for secondary law enforcement assignments on the 15th of the month, and approved supplemental assignments on the 20th day of the month. On the 20th of each month vacant secondary and supplemental assignments shall also be made available to all qualified employees regardless of their duty assignment. On occasions where an approved assignment is made available after the designated sign-up date, commanders shall, whenever possible, implement procedures that reflect the departmental policy of allowing non-supervisors the first opportunity to sign-up before making the assignment available to first-line supervisors.

Employees who wish to work secondary law enforcement employment/ supplemental overtime shall indicate their commitment to work such an assignment by placing their name on a Station Sign Up Form (PD 197). The following rules apply to overtime sign up:

1. An employee who signs up to work an off-duty law enforcement overtime assignment shall be subject to regulation 201.11, Reporting to Duty. These functions are considered a duty assignment.
2. An employee shall not sign up another employee for an overtime assignment without the specific approval of a commander. Such approval shall be documented and noted on the sign up form.
3. An employee may cancel their overtime assignment no less than 7 calendar days before the event. The employee shall place a single

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line through their name on the sign up sheet with their initials and date beside their name. When this is accomplished, the slot is then available for any eligible employee.

4. If an employee desires to cancel an overtime assignment within 7 days of the event, it shall be the responsibility of the employee to find a replacement for the assignment. When a replacement is found, the employee shall note the date and reasons for the change on the sign up form followed by their initials. Should no replacement be available and the assignment cannot be covered, the employee shall notify the employer as soon as possible, but not less than 24 hours prior to the scheduled reporting time, that the assignment cannot be covered. This notification process shall be documented and forwarded to the commander of the district responsible for the assignment.
5. An employee's excessive deletion of their name from the sign up forms, or a significant pattern of an employee's failure to work their scheduled overtime assignments, may be cause for the suspension or revocation of their work permit.

M. Attire:

1. The wearing of plainclothes on any secondary law enforcement employment assignment is prohibited without the direct approval of the Chief or Deputy Chief of Police. Employees scheduled to work secondary law enforcement overtime shall wear their uniform and be equipped the same as they would be for a regular patrol duty assignment. The Chief or Deputy Chief may grant approval for the wearing of business attire at certain locations that do not pose a high degree of enforcement potential. Requests for approval shall be submitted in writing and forwarded through the appropriate station and bureau commanders.
2. Employees shall not wear their Department uniform or insignia for any off-duty employment other than approved secondary law enforcement employment.

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- N. Serving as an employment agent and/or receiving compensation for procurement of off-duty law enforcement employment is prohibited and may constitute a violation of the Code of Virginia.
- O. The following types of employment are prohibited unless specifically approved by the Chief of Police or his designee:
1. Those that violate the Virginia State and Local Government Conflict of Interests Act, or otherwise conflict with the responsibilities or duties of a Department employee. The Chief of Police nor his designee cannot under any circumstances, approve employment that would violate the Virginia State and Local Governments Conflict of Interests Act.
 2. Those that adversely reflect on the Department or on the individual officer.
 3. Providing security for the interests of a private business or site which does not directly benefit the Department or community as a whole. Commanders may, however, approve short, limited-term duration secondary law enforcement employment at these locations in specific response to problems which affect the surrounding community or public safety.

Examples of secondary law enforcement employment which may be considered include:

- County/County sponsored functions
- Crowd control
- Assignments which require traffic control on state highways
- Housing/apartment complex security assignments
- Shopping center security assignments

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4. When an employment site is an establishment in which alcoholic beverages are sold and consumed, during hours in which the establishment is open for business.
 5. Personal protection/bodyguard.
 6. Process server, bill collector or reposessor.
 7. Private parties at which alcohol is served.
 8. Protection of management property during strikes, labor disputes, demonstrations, picketing, etc.
 9. Working in any capacity that involves private investigation or any type of investigative work (whether on a self-employment basis or for attorneys, insurance companies or security firms) in Fairfax County.
- P. Whenever an employee utilizes sick leave for personal illness, they are prohibited from working any secondary assignment, regardless of funding, for that 24-hour period, e.g., an officer working 1930-0700 shift calls in sick for a personal illness, the officer is then prohibited from working any secondary employment until after 1930 hours the next day (regardless of whether it is a scheduled work day). Any employee who misses an assignment due to illness must report the fact immediately to the on-duty supervisor responsible for the district the employment site is located. Furthermore, employees who utilize sick leave which causes them to miss an overtime assignment shall notify the employer of their illness and whether the assignment will be covered. These notifications shall be documented by the employee and forwarded to the station commander responsible for the overtime site.
- Q. Employees who work secondary law enforcement employment and/or supplemental overtime assignments shall complete and submit a Secondary Employment/Supplemental Overtime Report Form (PD196). The completed form shall be attached to the employee's Time and Attendance Report and retained at the employee's work location (District Station or Division). The employee's immediate supervisor shall initial the form, prior to the attachment to the T&A form. The purpose of this reporting procedure is to provide first-line supervisors with a method to determine the amount of

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additional hours an employee is working, and to assist in monitoring compliance to this policy. It is the responsibility of the employee to ensure that all hours are reported accurately and that the form is complete prior to submission to the first-line supervisor.

- R. Off-duty employment shall include discounted residential or free housing made available to an officer in exchange for the officer's presence or other services related to his employment as a Fairfax County police officer. Off-duty employment shall also include other goods or services made available to an individual officer at a cost less than that available to the general public in exchange for the officer's presence or other services related to his employment as a Fairfax County police officer. They are regulated by all portions of this General Order including IV. D, E, K, and V. Discounted goods, services and reduced housing costs received in return for services by sworn officers must meet the minimum threshold of payment (i.e. the monetary amount by which the rent is reduced divided by the number of hours worked in return cannot equal less than \$25.00 per hour).

V. ADMINISTRATION

A. Permit Process

- 1. The administration of off-duty employment by officers and employees of the Police Department is through a system of employer and employee permits.
- 2. Prospective employers are required to submit a permit application to the district station commander responsible for the geographic area in which the work site is located
 - a. Employer applications must be received at least fourteen (14) days prior to the initial date of employment. Commanders may only waive this requirement in the event of an emergency.
 - b. Employer permits are valid for a period of 24 months from the date of issue.

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- c. There is no fee for the issuance of employer permits.
 - d. No off-duty employment request shall be granted guaranteeing police personnel resources without approval of the Chief of Police or a Deputy Chief of Police.
 - e. The requirement for a permit application may be waived to provide security for sensitive sites in the event of a crisis or other emergency. These assignments shall generally be of short duration, and shall be strictly limited to the term of the emergency.
3. Police Department employees who engage in general off-duty employment, including personal business ventures (self-employment), shall submit a memorandum to the Chief of Police for approval to engage in such employment or self-employment. The memorandum shall describe in detail the nature of the employment or self-employment, including job duties, the location of such employment or self-employment, the hours of work which will be required or expected, and an affirmative statement that the employee has read and understands the contents of all General Orders that may be applicable to such employment. If the Chief of Police approves such employment or self-employment, he shall specify a duration for the approval not to exceed 24 months; in the event no duration is specified, the approval shall be for only 24 months. Once approved, the memorandum will serve as the employee's work permit. Employees shall promptly submit a memorandum if they discontinue such employment or self-employment.
- B. The Off-Duty Employer Tracking System
- 1. Deputy Chief of Patrol
 - a. The Deputy Chief of Patrol shall have overall control of the automated file of all approved off-duty employment.

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- b. The Inspections Division will semiannually review the off duty employer tracking system files to ensure accuracy and compliance.
2. Division/Station Commanders
- a. Check the off duty employer tracking system prior to approving/disapproving any employer permit application.
 - b. In the event that a prior application has been denied, the Division/Station Commander must consider the reasons for the prior denial and any additional information before granting a permit application.
 - c. Ensure the accurate and complete entry of approved off-duty employment information (both employers and employees) into the off duty employer tracking system or the Employee Index System.
 - d. Update appropriate files when changes occur.
 - e. Maintain a file with all original employee and employer permits for their district/division.
 - f. Ensure that a copy of an approved employee permit is placed in the employee's Police Department personnel file.
- C. Injuries
- 1. Employees must recognize that injuries incurred during secondary law enforcement employment from causes other than the exercise of law enforcement powers may not be covered under Fairfax County Workers' Compensation or give rise to service-connected disability retirement. Additionally, employees must recognize that injuries sustained while engaged in general off-duty employment or self-employment, other than those sustained during the exercise of law enforcement powers, are not covered under Fairfax County Workers' Compensation and will not give rise to service-connected disability retirement. Absence from duty due to injury or illness incurred

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during any off-duty employment may necessitate the employee's use of sick, annual, or compensatory leave.

2. Employees engaging in general off-duty employment are solely responsible for ensuring that the employer has sufficient worker's compensation and liability insurance coverage. For secondary employment sites commanders shall ensure appropriate coverage prior to approving the permit application.
3. Workers= Compensation Covered Injuries
 - a. Incidents in which an officer is injured during off-duty employment while engaging in law enforcement or rescue activities as required or authorized by General Orders, are normally considered to be compensable under Workers= Compensation. Virginia Code Section 65.2-102 provides that law enforcement officers engaged in such activities while not on duty shall be deemed to be acting in the course of their employment for workers= compensation benefits. This includes use of injury leave.
 - b. Injuries incurred during Fairfax County School functions or any other employment approved by the Chief or Deputy Chiefs of Police in which an agreement has been made to provide a specific number of employees, who are compensated through the County payroll system, shall be considered duty related and treated accordingly.
4. Employees injured during off-duty employment shall comply with all requirements of General Order 330 pertaining to the reporting of such injuries.

D. Arrests

1. With respect to arrests made during the course of off-duty law enforcement employment, it is not necessary for an officer to report such arrests to an on duty supervisor, unless otherwise required by General Orders or other Department policy.

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2. Officers making arrests during an off-duty law enforcement assignment shall ensure that all necessary arrest documents and investigative reports are filed with the Police Department within 24 hours of the arrest.
3. Court dates for arrests made during off-duty law enforcement employment shall be scheduled for the officer's usual court dates (i.e., adult criminal, adult traffic and juvenile traffic). All other court appearances which result from actions taken during off-duty law enforcement employment shall be compensated by the off-duty employer. Under no circumstances shall an employee receive paid compensation for any court appearance from both an off-duty employer and the County of Fairfax.

E. CAD System

1. All officers working secondary law enforcement employment/ supplemental overtime shall be required to log on to the CAD system at the beginning of their assignment and to log off of the CAD system at the conclusion of the assignment.
 - a. All officers working secondary law enforcement employment/ supplemental overtime shall use the assigned CAD designator for off-duty employment. CAD designators are as follows:

"Z" + station number + consecutive number beginning at 01 through 99.
 - b. Specific designators shall be assigned by the station commander to each approved off-duty assignment located within a district station's boundaries. Officers shall use the location's assigned designator to sign-on. The assigned designators may be "permanently" assigned by the station to specific work locations, however, officers shall be made aware that the designator in itself has no recognizable attributes to PSCC until the complete information for the off-duty employment site is entered via CAD on a daily basis. When assignments require more than one officer to work the

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location at the same time, each officer shall be assigned a separate, sequential designator.

Example: Football game at West Springfield High School

- 1st Unit working off-duty would be Z701.
- 2nd Unit working off-duty would be Z702.
- 3rd Unit working off-duty would be Z703.

c. The "Z" designator shall be used for the following activities:

- All secondary law enforcement employment
- All supplemental overtime assignments.

2. Event Entry

a. The officer working the off-duty assignment shall ensure that the event is entered from the station terminal using the event type "OFFDUT". The event mask is displayed using the shifted F1 function key. All pertinent event information is then entered into the event entry. The following fields must be completed for the CAD system to accept the entry:

Type: OFFDUT

Location: Exact street address/ intersection/ common place name

Name: Officer's EIN

SC?: "N"

The remarks section shall reflect pertinent information regarding the off-duty assignment; to include the scheduled hours, cruiser and radio assigned, the officer's EIN and unit designator, whether the assignment is being worked in

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uniform or plainclothes and the business name/type (i.e., McDonalds).

Once the event mask has been completed, press the /SEND MSG/ function key to enter the event into the system. CAD will provide location verification and route the event to the appropriate dispatcher.

The affected unit will log on and self-dispatch via the MDT using the last four digits of the case number. Non-MDT units will use this event number to advise the dispatcher of what assignment they are enroute to.

- b. When on an OFFDUT event, the officer will be considered out of service and will not be recommended by CAD for dispatch.

3. MDT Equipped Units

- a. All MDT equipped units are required to log on the MDT at the beginning of the off-duty assignment. Log on shall include portable radio identifiers.
- b. After log on, the unit will self dispatch to the event number which was generated via the station terminal.
- c. All status updates shall be done via the MDT.
- d. The officer must mark in service when clearing the OFFDUT assignment to close the event.
- e. Upon returning to the station, the officer shall log off of the MDT.

4. Non-MDT Equipped Units

- a. The officer working the off-duty assignment shall ensure that a log on is completed at the station using the "Z" designator assigned. The format for logging on a unit is:

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Command: PL Unit-ID #EIN [R=ptt] [,comment]

Example: PL Z405 #001030 R=0195, Parameters

PL: CAD Command to log on a unit

Unit-ID: Unit designator

#EIN: Employee identification number. This field is 6 digits long so the EIN must be preceded by 2 zeros. The pound sign must be specified.

R=ptt: Portable radio ID. Must be specified so that CAD can recognize the unit if the officer cannot transmit clearly or should have a need to use the emergency button on the portable.

Comment: Any relevant information (i.e. Annandale Football Game). Optional field.

- b. The officer shall notify the dispatcher by radio or telephone of what event number they are enroute to. The dispatcher will then dispatch the unit on the event.
- c. When the unit is in service from the off duty assignment, they shall notify the dispatcher by radio or telephone that the assignment is complete.
- d. The dispatcher will clear the "OFFDUT" event by placing the unit in service.
- e. When the officer arrives back at the station or contacts the station PCA by telephone, the unit shall be logged off of the CAD system as follows:

Command: PLO Unit-ID

Example: PLO Z401

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5. Supervisory Responsibility

The dispatcher shall notify the PSCC Supervisor of those officers who fail to clear their assignment as scheduled. The PSCC Supervisor shall then notify an on duty patrol supervisor in the district where the assignment is located. The on duty patrol supervisor is responsible for clarifying the status of the units and clearing the CAD event that is active. The on duty patrol supervisor shall ensure that a unit responds to the off duty site and attempts to locate the officer involved. The patrol supervisor may request the PSCC supervisor to assist in contacting the officer utilizing the PERP file. The PSCC supervisor shall forward their findings to the patrol supervisor.

VI. LEGAL REFERENCES

Code of Virginia, Title 2.2-3100 through 3127, State and Local Governments Conflict of Interests Act

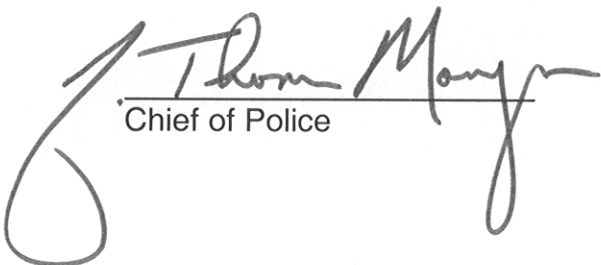
VII. ACCREDITATION AND STANDARDS REFERENCE

VLEPSC
PER.
04.01
04.02

This General Order becomes effective January 1, 2003 and rescinds all previous General Orders pertaining to the subject.

ISSUED BY:

APPROVED BY:



Chief of Police



County Executive

GENERAL ORDER
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SUBJECT: AWARDS SYSTEM
CANCELS ORDER DATED: 10-1-02

NUMBER: 350
DATE: 1-1-04

General Order 350 has been removed and reissued as SOP 04-005. This document can be found in the Fairfax County Police Department Manual of Standard Operating Procedures.

GENERAL ORDER

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SUBJECT: STAND BY DUTY / TAKE-HOME VEHICLES	NUMBER:	360
CANCELS ORDER DATED: 1-1-97	DATE:	6-1-08

I. PURPOSE

Providing effective and efficient law enforcement services in Fairfax County requires that the Fairfax County Police Department maintain the constant availability of personnel with diverse specialized, technical, investigative or command responsibilities. While many agencies choose to ensure this staff availability through 24-hour scheduling, these practices are inefficient and costly. Through the use of stand by scheduling and deployment of take-home vehicles, the Police Department leverages personnel resources and expertise, ensures the timely availability of personnel, enhances operational readiness, and maintains a visible presence, while limiting the fiscal impact of such resources.

II. POLICY

It is the policy of the Fairfax County Police Department to enhance operational readiness by ensuring the availability, on an as-needed basis, of the services of specialized, technical, investigative or command personnel in support of operations by assigning the necessary personnel to stand by status.

Take-home vehicles are authorized for those on stand by and other critical personnel, as approved by the Chief of Police, to support mission essential operations. This authorization is necessary to ensure the availability and operational capacity of senior and critical staff for response to emergency/critical incidents. Take-home vehicles are in accordance with County policy, and are in support of the Department's mission, the National Incident Management System (NIMS), and the Incident Command Structure (ICS).

Only sworn police officers employed by the Department, who are authorized by law to carry firearms, execute search warrants, and to make arrests (other than merely citizen's arrests) and who regularly carry such firearms (except where it is not possible to do so because of requirements of undercover work), are generally allowed to use such vehicles for the purposes and within the limits described.

The use of a take-home vehicle by non-sworn Department personnel or any use by sworn personnel which exceeds the limits described requires written authorization by the Chief of Police and compliance with Section V., E. or F. respectively of this General Order.

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III. DEFINITIONS

On-Call Vehicle – Any vehicle authorized by the Chief of Police to personnel based upon the criticality of their duty assignment and highly specialized skills and who are designated and compensated in accordance with County policy for being “On-Call” during a specified period or on a rotating basis. Personnel assigned to On-Call status understand that they are the first responder associated with their highly specialized skill or position, and are expected to be en route to a callback assignment within 30 minutes of notification.

Personnel assigned vehicles under this classification may periodically shift between the On-Call, Constant Stand by, and Special Exemption Vehicle categories.

Constant Stand by Vehicle – Any vehicle authorized by the Chief of Police to personnel based upon their duty assignment and highly specialized skills. Given the limited number of personnel in highly specialized assignments, the Department relies upon a pool of critical personnel to augment on-call staff when needed to meet routine and emergency service demands. Under this category, authorized commanders are also provided vehicles because of the nature of their assignment and their designated responsibility for critical incident management and response. The Constant Stand by Vehicle category provides sufficient resources required by the Department to effectively respond to service demands.

Personnel assigned vehicles under this classification may periodically shift between the On-Call, Constant Stand by, and Special Exemption Vehicle categories.

Special Exemption Vehicle – Any vehicle specifically authorized by the Chief of Police to personnel who are designated because of the unique nature of their assignment and/or the purpose and design of the vehicle. Examples include undercover detectives and supervisors, K-9 officers and supervisors who need to transport dogs.

Personnel assigned vehicles under this classification may periodically shift between the On-Call, Constant Stand by, and Special Exemption Vehicle categories.

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IV. PROCEDURE

A. On-Call Vehicles

Department members with specialized, technical, investigative or command responsibilities may be placed in an On-Call status, as directed by the Chief of Police.

1. General On-Call Vehicle Provisions

- a. The Chief of Police shall maintain the number and type of positions eligible to be placed On-Call.
- b. Personnel who are assigned On-Call status shall be equipped with a 24-hour use vehicle and shall furnish their supervisor, or other designated person, with the pager and/or telephone number where they can be immediately contacted. Should it become necessary for an employee to be removed from On-Call status due to unscheduled leave, travel from the immediate area, illness, family emergency, or other reason, the employee shall immediately notify their affected supervisor.
- c. On-Call vehicles must be maintained in a manner to enable assigned personnel to respond in an expeditious manner. Communications devices and equipment must be operational in the vehicle.
- d. While on- or off-duty, On-Call sworn personnel shall monitor the police radio frequency for the district in which the vehicle is being operated; abide by Regulation 201.15, Aid and Assistance to Citizens; and render appropriate assistance in the event of a call of a serious nature or critical incident in close proximity to their location.
- e. On-Call personnel are expected to make telephone or radio contact with the Department of Public Safety Communications (DPSC), or other designated person, within 15 minutes of receiving a notification and to be en route to a callback assignment within 30 minutes of notification.

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2. On-Call Unmarked Vehicles

- a. On-Call personnel may use assigned unmarked vehicles for personal use within the County provided they are prepared to render appropriate assistance or aid or to take immediate action if required and such use does not interfere with the ability to be en route to a callback assignment within 30 minutes of notification.
- b. To maintain operational availability and readiness to respond, on-call personnel may, incident to their law enforcement functions, use unmarked vehicles for limited personal use outside the County within 30 miles of the County border provided such use does not interfere with the officer's ability to be en route to a callback assignment within 30 minutes of notification and provided the on-call person is prepared and able to respond directly to the assignment without first returning to their residence. Any other personal use of an assigned vehicle is prohibited outside of the County.
- c. Distance to residence shall not exceed 30 miles from the County border. All personnel residing outside of the authorized distance shall park their On-Call vehicle at an authorized secure County facility.

3. On-Call Marked Vehicles

This provision applies to clearly marked vehicles that have painted insignia or words (other than by mere marking on a license plate) that make it readily apparent the vehicles are police vehicles.

- a. On-Call marked vehicles shall not be driven home outside of the County without authorization from the Chief of Police.
- b. On-Call personnel may use assigned marked vehicles for personal use within the County provided such use does not interfere with the officer's ability to be en route to a callback assignment within 30 minutes of notification.

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- c. Any personal use of marked vehicles outside of the County is prohibited.
 - d. For authorized personnel distance to residence shall not exceed 30 miles from the County border. All personnel residing outside of the authorized distance shall park their On-Call vehicle at an authorized secure County facility.
- B. Constant Stand by and Special Exemption Vehicles

Department personnel with specialized, technical, investigative or command responsibilities and/or personnel in unique assignments may be authorized use of a Constant Stand by or Special Exemption vehicle, as directed by the Chief of Police. This authorization is required to enhance or augment the allotted on-duty or On-Call staffing levels by ensuring additional operational commanders and other critical personnel are able to respond to critical incidents in an expeditious manner. The Special Exemption authorization is also required in other instances such as to protect the identity and safety of undercover detectives or the welfare of service animals.

The following general provisions shall apply to all Constant Stand by and Special Exemption Vehicles:

1. The Chief of Police shall maintain the number and type of positions eligible to be assigned Constant Stand by or Special Exemption vehicles.
2. Personnel who are assigned Constant Stand by vehicles shall furnish their supervisors or other designated person with the pager and/or telephone number where they can be reasonably contacted.
3. While on- or off-duty, sworn personnel when operating Constant Stand by or Special Exemption vehicles shall monitor their issued communication device(s) and monitor the police radio frequency for the district in which the vehicle is being operated; abide by Regulation 201.15, Aid and Assistance to Citizens; and render appropriate assistance in the event of a call of a serious nature or critical incident in close proximity to their location.

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4. For sworn personnel residing within the County personal use of assigned Constant Stand by or Special Exemption vehicles within the County is authorized provided they are prepared and able to render appropriate assistance or aid or to take immediate action if required.
5. For personnel residing outside of the County any personal use, other than travel to and from home to a duty assignment or for incidental errands along the way, is prohibited.
6. Authorization may be granted by the Chief of Police for specific sworn personnel, e.g., undercover detectives, for personal use outside of the County in specific cases only if an articulable officer safety or other demonstrable need exists, but would require affected personnel not on-call to comply with Section V., F. of this General Order.
7. No marked vehicle (as defined in Section IV., A. 3.) classified as a Constant Stand by or Special Exemption vehicle shall be driven home outside the County without written authorization from the Chief of Police.
8. Distance to residence shall not exceed 30 miles from the County border. All personnel residing outside of the authorized distance shall park their Constant Stand by or Special Exemption vehicle at an authorized secure County facility.

V. SPECIAL PROVISIONS

- A. In those instances where the Chief of Police has approved On-Call duty for a particular duty assignment or number of employees within a duty assignment the responsible division, station or bureau commander shall make specific employee assignments to On-call duty. Individual bureaus and divisions shall establish internal procedures concerning supervisory and command notifications pertaining to changes in On-Call duty.
- B. All sworn personnel operating any assigned take-home vehicle while off-duty shall be in possession of an issued or approved handgun, badge, and issued police credentials.

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- C. While operating a take-home vehicle off-duty all personnel should be dressed in an appropriate manner to function as a police officer or otherwise render aid and assistance.
- D. All personnel assigned a take-home vehicle shall be responsible for the proper care and maintenance of the vehicle and associated equipment.
- E. All Department non-sworn personnel authorized an On-Call, Constant Stand by, or Special Exemption vehicle must comply with all applicable IRS and County regulations as it pertains to reportable income. Personal use of any assigned vehicle by non-sworn personnel other than to and from home and work or an assignment and incidental use on the way is prohibited.
- F. All Department sworn personnel authorized an On-Call, Constant Stand by, or Special Exemption vehicle must comply with all applicable IRS and County regulations as it pertains to reportable income for any non-qualified personal use (use exceeding the limits of this General Order).
- G. All personnel operating an assigned On-Call, Constant Stand by, or Special Exemption Vehicle shall comply with all applicable laws and regulations.
- H. Other persons, such as family members, may be transported in a take-home vehicle provided all occupants wear a safety belt or are properly secured in a child restraint system.
- I. On-Call, Constant Stand by, or Special Exemption Vehicles may not be used for vacation or recreational trips.
- J. Personnel assigned to temporary assignments may be provided vehicles based on availability of vehicles and in strict accordance with County and Department policy.
- K. The Chief of Police or his designee may waive some provisions of this General Order in the event of an emergency, significant threat, or other articulable need. Provisions requiring compliance with law, County compensation policies, or IRS regulations may not be waived.

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VI. ACCREDITATION STANDARDS REFERENCE

VLEPSC
OPR.
01.01
01.02
01.03

This General Order becomes effective June 1, 2008, and rescinds all previous General Orders pertaining to the subject.

ISSUED BY:

APPROVED BY:

Chief of Police

County Executive

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: RANDOM DRUG SCREENING PROGRAM	NUMBER: 370
CANCELS ORDER DATED: 7-1-98	DATE: 1-1-04

General Order 370 has been removed and reissued as SOP 04-006. This document can be found in the Fairfax County Police Department Manual of Standard Operating Procedures.

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SUBJECT: COMPETITIVE PROMOTION PROCESSES	NUMBER:	380
CANCELS ORDER DATED: 7-1-01	DATE:	1-1-04

General Order 380 has been removed and reissued as SOP 04-007. This document can be found in the Fairfax County Police Department Manual of Standard Operating Procedures.

400 GENERAL ADMINISTRATION

- 401 Public Information
 - 401.1 Release of Information
 - 401.2 Public Safety Communications Center Information
 - 401.3 News Media Credentials

- 410 Expenditures
 - 410.1 Travel Expenditures – Training*

- 420 Visitor Control Procedures*

- 430 Departmental Programs
 - 430.2 Police Cadets
 - 430.3 Ride-Along Program
 - 430.4 Peer Support Program
 - 430.5 Physical Fitness Training Program*
 - 430.6 Volunteers in Police Service (VIPS) Program
 - 430.7 Police Chaplains
 - 430.8 Mobile In-Vehicle Video Program

- 440 Administration of Investigations
 - 440.1 Citizen Reporting Unit Operations
 - 440.2 Serious or Habitual Offender Comprehensive Action
 - 440.3 Polygraph Examinations/Criminal Investigations
 - 440.4 Physical and Photographic Lineup Procedures*
 - 440.5 Investigative Hypnosis Procedures
 - 440.6 Custody of Prisoners Assisting in Investigations

- 450 Use of Fairfax County Electronic Communications Systems*

- 460 Management of the Personal Computer Resources*

* Removed and reissued in the Fairfax County Police Department Manual of Standard Operating Procedures.

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: PUBLIC INFORMATION	NUMBER: 401
CANCELS ORDER DATED: 8-1-95	DATE: 1-1-97

I. PURPOSE

The purpose of this Order is to establish the Department's public information policies and to describe procedures and responsibilities for the release of information to the news media.

II. POLICY

- A. Since the prevention of crime and most effective performance of all other aspects of the Police Department's mission necessitates a cooperative effort by the police and the citizens, and since the Department was created for and exists to serve and protect the public and is responsible to the public, the public has the right to be informed about police activities and operations.
- B. The news media serve as important conduits of information to the public. A relationship of trust, cooperation and mutual respect between the police and the news media is essential to realization of their common objective of serving and informing the public. It is the policy of this Department to make information on crimes and other incidents generally available to the news media, unless such information is legally privileged, would violate the constitutional rights of an accused, or is otherwise specifically prohibited in this or any other departmental directive. All members of this Department will extend courtesy and cooperation to the media at all times, within the guidelines and limitations defined in this Order, with the understanding that successful accomplishment of the police mission takes precedence. The Department will disclose information as promptly as circumstances permit. At no time will information be released prematurely or withheld for the exclusive benefit of any individual reporter or segment of the news media, except that specific queries of an exclusive nature will be respected.
- C. The provisions of this Order shall be applicable to all official information of the Fairfax County Police Department, including, but not limited to, statistical data, records, complaints, cases and statements of departmental position.

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SUBJECT: PUBLIC INFORMATION	NUMBER: 401
CANCELS ORDER DATED: 8-1-95	DATE: 1-1-97

III. PROCEDURES AND RESPONSIBILITIES

- A. Authority to release official Department information of any type shall be limited to the Chief of Police, Deputy Chief of Police, and the Public Information Officer (hereinafter referred to as information releasing authorities) or individuals specifically designated by them, except as expressly provided elsewhere in this Order. Except as noted, no employee shall release any official information to a representative of the news media without specific prior authorization from one of the information releasing authorities. The Public Information Officer shall serve as the primary point of contact for news media representatives and may, upon their request and his concurrence, request officers or other employees with firsthand knowledge of a particular police activity to provide that information to the media. While employees are encouraged to comply with such requests, no employee will be expected to provide information to news media representatives against his or her will, unless fulfilling one of the specific information releasing responsibilities defined in this Order.

- B. The following release of information without prior approval of an information releasing authority is specifically authorized:
 - 1. District station and division commanders may release information regarding activities exclusively within their geographical or operational purview. A copy of any written information, poster or other material prepared and distributed for public exposure will be forwarded by the originator to the Public Information Office.

 - 2. Public Safety Communications Center supervisors shall provide information to the news media in accordance with directives promulgated by information releasing authorities.

 - 3. In the absence of the Public Information Officer at the scene of a police activity, the senior police official present should, if possible, provide a brief synopsis of the situation to any news media representatives on the scene. If time permits, the presence of the Public Information Officer should be requested.

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- C. When an incident involves another county, state or federal agency, the Public Information Officer will coordinate the release of any information with the agency or the Fairfax County Director of Public Affairs, as appropriate. In instances where this Department does not have primary jurisdiction and is assisting another agency, responsibility for release of information shall rest with the agency having primary jurisdiction. When this Department has primary jurisdiction, it shall retain responsibility for release of all police related information, except as may be specifically directed by the Chief of Police.
- D. All commanders are responsible for ensuring that the Public Information Office is advised of all interesting or newsworthy events occurring within their purview.
- E. The Public Information Office has the responsibility of developing informational and public education programs for dissemination to the news media and the general public.
- F. Members of the Department will first notify the next of kin and obtain an identification of a deceased victim of a criminal act or accident prior to releasing the name and address to the news media. Notification of the next of kin of a living and seriously injured victim of a criminal act or accident will be made before releasing the name and address to the news media. However, if the next of kin has not been located after a reasonable length of time, as determined by an information releasing authority, this information may be released.
- G. Any requests for exceptions to releasing information specifically permitted herein will be brought to the immediate attention of an information releasing authority along with all pertinent circumstances. A decision will then be made on whether to grant such exception or "no publicity" request.

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IV. NEWS MEDIA ACCESS

- A. All members of this Department shall extend every courtesy to accredited news media representatives who are actively covering an incident at the scene. These courtesies shall include permission of closer access to the scene than that which may be granted to the general public. News media vehicles and equipment may be located at points nearer the scene than permitted by normal traffic control, but such locations shall not be permitted to interfere with police operations or the general flow of traffic.
- B. Members of the Department will take no action either to discourage or encourage the media in photographing or televising anything within their view at a crime scene or the scene of any police operation. This shall include but not be limited to the photographing or televising of a suspect being taken into custody or being transported, or of a victim or of evidence. However, media camera persons will not be permitted any closer access than any other media representatives. Evidence may be covered or removed, witnesses removed, and other precautions taken to preserve the scene or protect the integrity of the investigation prior to admitting news media to the scene.
- C. No officer shall knowingly and unnecessarily obstruct news media representatives in the performance of their duties; however, media representatives are neither implicitly nor expressly exempt from any state or federal statute or County ordinance.
- D. The Department is not a public arbiter of good taste. Restrictions on news media representatives should be based only on the responsibilities and principles contained herein and not on any individual member's view of what constitutes an acceptable standard of journalism or news photography.
- E. Responsibility for the conduct of public information activities normally is assumed on the same basis as responsibility for public safety response to the incident. Thus, the Police Department is responsible for the control of news media access and release of information at incidents which involve

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crime and criminal investigation. The Fire and Rescue Department is generally responsible for control of news media access at fires or incidents in which rescue is the immediate concern. In certain such instances where Fire and Rescue Services may have primary responsibility initially, that responsibility may pass to the Police Department if it is conducting an investigation following the cessation of fire suppression or rescue efforts. When necessary to preserve evidence, either for investigation of the cause of an accident or when a crime may have been committed, the Police Department may impose access restrictions more stringent than those normally required by Fire and Rescue Services. Such additional restrictions shall be no more stringent than the need to protect evidence requires. The police have no standing to invite the media into private premises without the consent of the owner or person in charge of the premises.

- F. News media representatives shall not be permitted to interview a person in police custody. Following incarceration, any such arrangements are the responsibility of the Sheriff's Department.
- G. If a police officer at the scene of a police event has reason to question the status or actions of any person who claims to be a news media representative, instructions should be sought from a supervisory officer or the Police Public Information Officer, if available, or, if appropriate, the Fire and Rescue Department Public Information Officer or County Director of Public Affairs.
- H. Any employee having a complaint regarding the conduct of any news media representative should forward such complaint to the Deputy Chief for Administration, who will receive and record the complaint and make such investigation as may be deemed appropriate. If the complaint is found to be valid, the Chief of Police will forward a letter to the news media representative specifying the complaint made and substantiated and requesting that representative to avoid such conduct in future contact with the Department. A second substantiated complaint against the same representative will be brought to the attention of appropriate management personnel of the news media organization.

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- I. Duly authorized representatives of any news media may enter any area closed because of a menace to the public health or safety after producing valid media credentials, and being advised of the dangers present, provided such entry does not in any way hinder police or other public safety operations. The decision to assume the risk of possible danger remains with the individual newsperson involved, and it is not the responsibility of Department members to provide for the safety of those representatives of any news media who voluntarily choose to subject themselves to danger.

V. ACCREDITATION STANDARDS REFERENCE

CALEA

VLEPSC

41.2.4

ADM.

46.1.5

22.01

54.1.1

22.02

54.1.3

This General Order became effective December 1, 1974 and rescinded all previous rules and regulations pertaining to the subject.

ISSUED BY:

APPROVED BY:

Handwritten signature of M.D. Scott in cursive.

Chief of Police

Handwritten signature of A.H. Guitierrez in cursive.

County Executive

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: RELEASE OF INFORMATION	NUMBER: 401.1
CANCELS ORDER DATED: 8-1-95	DATE: 1-1-97

I. PURPOSE

The purpose of this Order is to establish guidelines for the public release of official Police Department information in accordance with the policies and procedures delineated in General Order 401.

II. RELEASE OF INFORMATION

- A. The following information should be made available to news media in criminal matters, subject to restrictions contained elsewhere in this Order or in General Order 401.
1. The arrested's name, if over 18 years old, age, sex, residence, employment and similar biographical information.
 2. The substance or text of the charge or charges.
 3. The identities of the investigating and arresting agencies and the length of the investigation.
 4. The circumstances immediately surrounding an arrest, including the time and place, resistance, pursuit, use of weapons and nature of any injuries sustained. A description of any physical evidence seized at the time of the arrest, other than a confession, admission or statement, unless release of such description would hinder the investigation.
 5. The identity of crime victims, except as specified herein.
 6. The general circumstances surrounding a crime.
 7. The type of weapon used and general nature of any injuries sustained.

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SUBJECT: RELEASE OF INFORMATION	NUMBER:	401.1
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8. In the case of juvenile offenders, age, sex and general area of residence only.
 9. When rape or sex offenses are involved, the age and sex of the victim and general location of the offense only, unless more specific geographic information would not jeopardize the anonymity of the victim.
 10. Any information contained in a public record (e.g., executed search warrants filed with a court).
 11. That an investigation is in progress and the general scope of that investigation.
- B. The following information will not be released to the news media in criminal matters:
1. Information which may jeopardize the successful conclusion of an investigation.
 2. Statements related to the character, reputation or prior criminal record of an arrested person or a prospective witness, or any opinion as to the guilt or innocence of the accused.
 3. The existence or contents of any admissions, confessions or statements attributable to an accused person, or failure to make a statement.
 4. The performance or the results of any examinations or tests, or the refusal of the accused to take any examinations or tests or participate in a lineup.
 5. Statements concerning the identity, credibility or anticipated testimony of prospective witnesses.

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6. The possibility of a plea of guilty to the offense charged or to a lesser offense, or any other disposition.
 7. Opinions concerning evidence or any argument in the case whether or not it is anticipated that the evidence or argument will be used at trial.
 8. Name, address and current location of any victims of sex offenses.
 9. Names and addresses of witnesses of crimes.
 10. Identity of a person charged with a crime but not yet arrested, unless public assistance is sought in locating the individual, or to warn the public of any dangers the individual may present.
 11. Names, addresses or other information which would lead to the specific identity of juvenile offenders.
 12. The existence or contents of any suicide note.
 13. The amount of money taken in any robbery (except for general descriptors, such as "small amount" at the discretion of any information releasing authority as defined in General Order 401).
 14. Names and precise addresses of residential burglary victims (unless specifically authorized by an information releasing authority).
 15. Names or other information which would lead to the identity of persons who have attempted to commit suicide.
- C. Non-crime related information in the following categories may be released:
1. With review and approval of the Chief or Deputy Chief of Police, organizational or policy changes, or major personnel changes, providing that the information has been previously released to members of the Department.

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SUBJECT: <i>RELEASE OF INFORMATION</i>	NUMBER: 401.1
CANCELS ORDER DATED: 8-1-95	DATE: 1-1-97

- 2. Human interest stories concerning the Department or its personnel.
- 3. Accidents, natural disasters, other calamities, or other incidents of public interest.
- D. Home addresses or telephone numbers of Police Department employees will not be released.
- E. Subject to legal restrictions and adequate notification, photographs of newsworthy events may be provided to news media by the Public Information Office.

III. ACCREDITATION STANDARDS REFERENCE

CALEA

1.2.2	54.1.1
41.2.4	55.1.3

This General Order became effective March 1, 1989 and rescinded all previous rules and regulations pertaining to the subject.

ISSUED BY:

APPROVED BY:



Chief of Police



County Executive

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: PUBLIC SAFETY COMMUNICATIONS CENTER INFORMATION RESPONSIBILITIES	NUMBER: 401.2
CANCELS ORDER DATED: 8-1-95	DATE: 1-1-97

I. PURPOSE

The purpose of this Order is to establish responsibilities and define procedures relating to the release of information to the news media by the Public Safety Communications Center supervisors and the circumstances when PSCC supervisors shall contact the Public Information Officer.

II. PROCEDURE

A. The Public Safety Communications Center supervisors shall be responsible for releasing current routine information to the news media other than between 0630 and 2330 Monday through Friday and on holidays. Any information so released shall be in accordance with the guidance received from the Public Information Officer. Any questions shall be resolved immediately by consulting with the Public Information Officer or other information releasing authority as defined in General Order 401.

A Public Safety Communications Center supervisor receiving inquiries from the media shall provide the following information if more complete details are not available: "There is a reported (incident) at (location). It (has)/(has not) been confirmed and there are no details available at this time."

Public Safety Communications Center supervisors or individuals designated by them shall be responsible for providing timely information regarding traffic conditions to the news media upon request.

B. It is the responsibility of the Public Safety Communications Center supervisor to notify the Public Information Officer when certain events occur. The notification shall be made in accordance with policies/procedures established in the P.S.C.C. Notification Manual.

C. The Public Information Office has the responsibility of serving as a conduit for notification of appropriate Headquarters personnel regarding events

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SUBJECT: PUBLIC SAFETY COMMUNICATIONS
CENTER INFORMATION RESPONSIBILITIES

NUMBER: 401.2

CANCELS ORDER DATED: 8-1-95

DATE: 1-1-97

occurring during weekday working hours, as well as for timely notification of the news media.

- D. With the sole exception of requests originating from the Organized Crime Division of the Criminal Investigations Bureau, the Public Safety Communications Center supervisor will advise the Public Information Officer whenever the designator "Not For Press Release" is requested on any daily activity report item. While the designator may be used on the report as distributed, the Public Safety Communications Center supervisor will follow the guidance of the Public Information Officer regarding what information actually may be given to media calling the PSCC supervisor. For example, while it may be necessary to withhold names, a general synopsis of an incident can be released. The "Not For Press Release" designator shall be used only when requested by a supervisor and that supervisor shall be designated by unit number on the report.

III. ACCREDITATION STANDARDS REFERENCE

<u>CALEA</u>	<u>VLEPSC</u>
41.2.4	ADM.
54.1.1	22.01
	22.02

This General Order became effective March 1, 1989 and rescinded all previous rules and regulations pertaining to the subject.

ISSUED BY:

APPROVED BY:



Chief of Police



County Executive

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: NEWS MEDIA CREDENTIALS	NUMBER: 401.3
CANCELS ORDER DATED: 8-1-95	DATE: 1-1-97

I. PURPOSE

The purpose of this Order is to establish procedures and define responsibilities for the issuance of credentials by the Police Department to representatives of the news media.

II. POLICY

The Department shall issue police news media passes to accredited news media personnel upon request of a media agency executive and upon determination to the satisfaction of the Department that each individual to be issued a pass has a bona fide need to gain access as defined in General Order 401 Section IV. Freelance reporters or photographers may make applications as individuals and must demonstrate evidence that they furnish stories or photographs to at least one bona fide news media organization.

III. PROCEDURES

- A. The following procedures shall govern the issuance of news media credentials by the Department:
1. All applications for media credentials will be made to and processed by the Public Information Office, which will ascertain the veracity of the application and the need for credentials by the applicant and recommend issuance of credentials to the Chief of Police.
 2. The Public Information Office will maintain a current record of all passes issued.
 3. Each pass will contain the name, employing news media agency, and photograph and physical description of the person to whom it is issued. Passes will be laminated by the Department.

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SUBJECT: NEWS MEDIA CREDENTIALS	NUMBER:	401.3
CANCELS ORDER DATED: 8-1-95	DATE:	1-1-97

4. Passes expire one year from the date of issue or at such prior time as the bearer leaves the sponsoring agency. Media agency executives are responsible for ensuring that passes of separated employees are returned to the Department, and the Department may refuse to issue credentials to new employees of a media agency until credentials of former employees have been returned.
5. All applicants for media passes will be required to sign a statement acknowledging that the applicant has received, read and comprehends the contents of General Order 401.
6. The Chief of Police shall be advised if the Public Information Officer finds cause to deny an applicant credentials. Upon concurrence of the Chief, a letter shall be prepared to be signed by the Chief specifying the reason(s) for denial.
7. News media passes may be revoked by the Department for just cause, which will include, but not be limited to, repeated violations of the provisions of General Order 401.

IV. ACCREDITATION STANDARDS REFERENCE

CALEA
41.2.4

VLEPSC
ADM.
22.02

This General Order became effective March 1, 1989 and rescinded all previous rules and regulations pertaining to the subject.

ISSUED BY:



Chief of Police

APPROVED BY:



County Executive

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: TRAVEL EXPENDITURES - TRAINING

NUMBER: 410.1

CANCELS ORDER DATED: 1-1-97

DATE: 1-1-04

General Order 410.1 has been removed and reissued as SOP 04-008. This document can be found in the Fairfax County Police Department Manual of Standard Operating Procedures.

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SUBJECT: VISITOR CONTROL PROCEDURES

NUMBER: 420

CANCELS ORDER DATED: 4-1-03

DATE: 1-1-04

General Order 420 has been removed and reissued as SOP 04-009. This document can be found in the Fairfax County Police Department Manual of Standard Operating Procedures.

GENERAL ORDER

FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: POLICE CADETS	NUMBER:	430.2
CANCELS ORDER DATED: 1/1/97	DATE:	7/1/00

I. PURPOSE

This General Order is issued to set forth the policy and procedures pertaining to the Fairfax County Police Cadet Program.

II. POLICY

The policy of this Department is to maintain a police cadet program for the purpose of providing training and experience in the field of law enforcement to persons 18 to 21 years of age, that have an interest in pursuing a career with the Fairfax County Police Department.

III. PROCEDURES

Fairfax County Police cadets shall govern their conduct and job performance according to the standards provided by the Fairfax County Personnel Rules and Regulations and General Orders of the Fairfax County Police Department. In addition, cadets shall adhere to the following specific directives:

A. Administration

1. All cadets are assigned to the Criminal Justice Academy and are subject to temporary assignment to any organization within the Department.
2. During their probationary period, Cadets will be evaluated according to County procedures on a bi-monthly basis. Upon completion of the probationary period, Commanders shall ensure that all cadets temporarily assigned to their organization are evaluated by supervisory personnel at 90-day intervals and at the time of the cadet's transfer from the organization. A copy of this evaluation shall be submitted to the Cadet Coordinator at the Criminal Justice Academy.
3. Injuries to cadets shall be reported in accordance with the provisions of General Order 330. A copy of all correspondence related to the

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SUBJECT: POLICE CADETS	NUMBER:	430.2
CANCELS ORDER DATED: 1/1/97	DATE:	7/1/00

injury shall be forwarded to the Criminal Justice Academy Coordinator.

B. Equipment and Uniforms

1. Cadets shall wear civilian clothing or the cadet uniform, as directed by the Criminal Justice Academy Coordinator or the division/station commander of their current assignment.
2. Cadets shall wear the issued cadet uniform while accompanying uniformed officers on patrol assignments.

C. Vehicle Use

1. Cadets shall not operate marked cruisers under any circumstances.
2. Cadets may operate unmarked cruisers and utility vehicles for administrative duties, as directed by supervisory or command personnel.
3. The Criminal Justice Academy Coordinator shall ensure that all cadets attend the Preventive Maintenance course of instruction by the Police driver training instructors.
4. Commanders shall ensure that cadets assigned to their command fully understand General Orders 510.1, 510.2, and 501.1 prior to operation of any police vehicle.

D. Ride-Along Procedures

1. All ride-alongs must be approved by the supervisor of the squad with which the cadet will be riding.
2. Any cadet planning to participate in a ride-along must notify the Cadet Coordinator of the Criminal Justice Academy at least two (2) days prior to the ride-along.

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SUBJECT: POLICE CADETS	NUMBER:	430.2
CANCELS ORDER DATED: 1/1/97	DATE:	7/1/00

3. Cadets shall not participate in more than three (3) ride-alongs each month. Cadets may receive a maximum of 12 hours compensation each month for the ride-along assignment.
4. In order to expose the cadet to the different patrol areas in the County, no cadet shall participate in more than two (2) successive ride-alongs at one station. Cadets are encouraged to ride-along at each of the district stations.

E. Cadet Rotation Policy

1. Cadets should be rotated into 90-day assignments which are prioritized as follows:

Property Section – two positions
Front Desk – two positions
Chief’s Reception
PIO
Crime Scene
Patrol
CIB
OSB
PSCC

2. Cadets who are assigned to a patrol assignment are not authorized to perform duties of a sworn officer. They should not be placed in situations where they are guarding prisoners or backing up officers on scenes or on traffic stops as lone officers. As in all assignments, their patrol experience is intended to familiarize them with police protocol. Therefore, Commanders shall ensure their safety is uncompromised and that they are not placed in any situations we would not place a civilian onlooker. Activities which would not be suitable to them would include:
 - a. Transporting marked cruisers for any purpose.
 - b. Directing traffic in any manner other than directed by the Chief of Police.

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SUBJECT: POLICE CADETS	NUMBER:	430.2
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c. Acting as a back up to any uniformed officer.

F. College Tuition Reimbursement

Cadets desiring to attend Northern Virginia Community College and register for classes in the Associates Degree in Administration of Justice will have reimbursement assistance provided they meet the following criteria:

1. Cadets shall pay for all courses, books and fees. Receipts shall be forwarded to the Cadet Coordinator for record keeping purposes.
2. Cadets will be eligible for reimbursement at the conclusion of each course if they have received a "B" or higher grade.
3. Cadets may take only two reimbursable courses per semester. These courses shall not be one which recruits will be receiving credit for upon completion of the Criminal Justice Academy Basic School.
4. Upon completion of a class, all books become the property of the Criminal Justice Academy and are intended for use by future cadets, provided the same book is being utilized.

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SUBJECT: POLICE CADETS

NUMBER: 430.2

CANCELS ORDER DATED: 1/1/97

DATE: 7/1/00

This General Order becomes effective July 1, 2000 and rescinds all previous General Orders pertaining to the subject.

ISSUED BY:

APPROVED BY:

J. Thomas Menger

Chief of Police

A. H. Giblin

County Executive

GENERAL ORDER

FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: RIDE-ALONG PROGRAM	NUMBER:	430.3
CANCELS ORDER DATED: 7-1-99	DATE:	4-1-04

I. PURPOSE

This General Order establishes guidelines to regulate the conditions under which citizens are permitted to participate in the Fairfax County Police Department's Ride-Along Program.

This General Order does not affect the Ride-Along policies established for auxiliary police officers or cadets in General Orders 430.1 and 430.2, respectively or the Standard Operating Policies of the Police Explorer Program.

II. POLICY

It is the policy of this Department to provide a Ride-Along Program. This program allows interested citizens to accompany officers during their patrol duties in order that participants may gain a realistic view of the Fairfax County Police patrol officer's job. In order to do this in a safe and responsible manner, the following procedures are set forth.

III. PROGRAM ELIGIBILITY

Applicants for the Ride-Along program must meet one of the following criteria to participate in the program:

1. Resident of District Station area receiving application.
2. Be a member of a civic organization or employee of a business located within Fairfax County.
3. Be employed by Fairfax County in a position that would be facilitated by a knowledge of departmental procedures and functions.
4. Be a police employee applicant with the Fairfax County Police Department, or have current employment in the law enforcement field with another agency.
5. Be enrolled as a student in an accredited law enforcement program, traffic safety program or a police related program of study.

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SUBJECT: RIDE-ALONG PROGRAM	NUMBER:	430.3
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6. Be a family member of an employee of the Fairfax County Police Department.
7. Demonstrate a special interest for participation that would benefit the police department, county government, or its citizens.
8. A person sponsored by a Fairfax County Police Officer and approved by the officer's commander or assistant commander.

IV. PROCEDURES

No person shall accompany a police officer throughout the course of their duties without completing the following procedure and receiving approval:

A. Application

1. A Ride-Along application (PD Form 165) shall be completed prior to the Ride-Along, and retained on file for one year at the station or division where the Ride-Along will occur. This completed application must be submitted to the Police Department at least five (5) working days prior to the expected Ride-Along date.
2. A record check and F3MN inquiry must be made on all applicants. The resulting printouts must be attached to the application form.
3. No application for Ride-Along will be approved if the individual has participated in a Fairfax County Police Department Ride-Along within the previous year.
4. **Applicants must be at least 18 years of age.** Members of the Law Enforcement Explorers or other accredited law enforcement educational programs may participate in accordance with their written procedures and with the approval of the station/division commander. Minimum age requirement for members of accredited law enforcement educational programs to participate is 17 years of age. Persons riding under this provision must have the parent/guardian section of the PD165 completed and signed.

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SUBJECT: RIDE-ALONG PROGRAM	NUMBER: 430.3
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5. All applicants will be interviewed by the station/division commander or assistant commander. The commander will be responsible for reviewing the record check and cases listed under F3MN.
6. Final approval or denial of the application will be based on the commander's discretion.
7. In the absence of the station/division commander or assistant commander, the shift supervisor may approve or deny the Ride-Along application and then notify the commander appropriately.

B. Conduct/responsibilities

1. Supervisors are to ensure that any individual participating in a Ride-Along is advised of, and in compliance with, the instructions given on the Ride-Along application (PD 165). This shall be accomplished at the onset of the Ride-Along.
2. The officer assigned to the Ride-Along is responsible for the safety and conduct of the Ride-Along participant. The officer shall explain what action the Ride-Along is expected to take in the event of an emergency; at the officer's discretion the Ride-Along may be required to exit the cruiser prior to responding on selected emergencies. When possible, civilian passengers should not be allowed to remain in an emergency vehicle during pursuits. The Ride-Along shall be required to wear a seat belt at all times when in the cruiser.
3. Any misconduct on the part of the Ride-Along participant shall be reported to a supervisor immediately. The supervisor or responsible officer may terminate the individual's privilege to Ride-Along at any time.
4. Ride-Along participants are not permitted to be involved in any police action (i.e., search, arrest, interview suspects, etc.) unless specifically requested for assistance in accordance with Code of Virginia Section 18.2-463:

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SUBJECT: RIDE-ALONG PROGRAM	NUMBER: 430.3
CANCELS ORDER DATED: 7-1-99	DATE: 4-1-04

S 18.2-463. Refusal to aid officer in execution of his office. -- If any person on being required by any sheriff or other officer refuse or neglect to assist him: (1) in the execution of his office in a criminal case, (2) in the preservation of the peace, (3) in the apprehending or securing of any person for a breach of the peace, or (4) in any case of escape or rescue, he shall be guilty of a Class 2 misdemeanor. (Code 1950, Section 18.301; 1960, c. 358; 1975, cc. 14, 15.)

5. Ride-Along participants shall not be permitted to remain with prisoners in the absence of officers.
6. All Ride-Along participants shall wear, and in visible location, identification which is approved and provided by the Department. They are to identify themselves, when asked to do so, as an authorized citizen observer or a Ride-Along. Department personnel need not wear the identification if they are in proper uniform or wearing their Police Department employee identification card.
7. Participants are not permitted to ride along with a police officer with whom they have or have had any personal relationship (e.g., boyfriend, girlfriend, spouse, former spouse).

C. Field Investigation Report

A Field Investigation Report (PD 42) shall be completed and submitted on all Ride-Along, and will document any extraordinary circumstances (e.g. pursuits, injuries sustained by participant, etc.).

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SUBJECT: RIDE-ALONG PROGRAM	NUMBER: 430.3
CANCELS ORDER DATED: 7-1-99	DATE: 4-1-04

V. RULES AND REGULATIONS

1. The shift supervisor will designate with whom the applicant will ride.
2. The shift supervisor or their superior may terminate the participant's Ride-Along at any time, if in their opinion, the continued participation presents an undue risk or the participant's conduct, deportment, or sobriety, is such that continued participation is not in the best interests of the department. A Field Investigation Report (PD 42) will be completed, stating the reason(s) for termination.
3. The hours of the participant's Ride-Along will be established prior to the approval of the application. These time limits may be terminated at the request of the applicant. Extensions of ride along time limits may only be made with the approval of the shift supervisor or their superior.
4. Ride-Along participants are prohibited from carrying with them, during the Ride-Along, any flashlight, camera, radio of any type, tape recorder or player, binoculars, or any similar device unless authorized by the commander or shift supervisor.
5. **RIDE-ALONG PARTICIPANTS WILL NOT BE PERMITTED TO CARRY WEAPONS, CONCEALED OR OTHERWISE, OR RESTRAINING DEVICES OF ANY KIND. EXCEPTIONS MAY BE MADE FOR SWORN LAW ENFORCEMENT OFFICIALS FROM THIS STATE, OR FEDERAL OFFICERS. THE CARRYING OF CONCEALED WEAPONS BY SWORN LAW ENFORCEMENT OFFICIALS FROM THIS STATE AND BY FEDERAL OFFICERS WILL BE GOVERNED BY STATE CODE. THE LAW ENFORCEMENT OFFICERS WILL BE IDENTIFIED BY A BRIGHTLY COLORED ARM BAND ISSUED FROM THE STATION FROM WHICH THEY ARE ASSIGNED TO RIDE.**
6. Ride-Along participants are prohibited from using any type of tobacco product during the Ride-Along.
7. Participants are observers. They will not exit a police vehicle during any police activity unless directed to do so by a police officer. They will refrain from direct involvement in police functions or conversation with violators,

GENERAL ORDER
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SUBJECT: RIDE-ALONG PROGRAM	NUMBER: 430.3
CANCELS ORDER DATED: 7-1-99	DATE: 4-1-04

suspects, arrestee, witnesses, complainants, or other members of the public encountered during the source of the official duties of the police officer with whom the participant is riding

8. Participants may be asked to temporarily interrupt their Ride-Along during hazardous or unusual circumstances. Participants will immediately comply with such requests and otherwise obey the directions of the police officer with whom the participant is riding.
9. During the course of the Ride-Along, the participant may be exposed to privileged information. The participant **WILL NOT** divulge any of the privileged information they are exposed to.
10. Participants are required to dress in casual business attire during their Ride-Along. Acceptable dress for men includes suit; sport coat and slacks, collared shirt and slacks. Women may wear the preceding or a dress or pants suit. Jeans, shirts without collars or tee shirts are not permitted.

IV. ACCREDITATION STANDARDS REFERENCE

VLEPSC
ADM.
20.01

This General Order becomes effective April 1, 2004 and rescinds all previous General Orders pertaining to the subject.

ISSUED BY:

APPROVED BY:



Chief of Police



County Executive

GENERAL ORDER

FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: PEER SUPPORT PROGRAM

NUMBER: 430.4

CANCELS ORDER DATED: 1-1-97

ISSUE DATE: 4-1-97

I. PURPOSE

The purpose of the Peer Support program is to provide information, education, and support to Department personnel affected by traumatic incidents.

II. TYPES OF INCIDENTS

The Peer Support Team Coordinator or their designee shall respond to the following types of incidents:

- A. Any incident which results in the death or serious injury of a person by a Department employee.
- B. Any incident in which an employee is killed or seriously injured in the line of duty.
- C. Any traumatic incident that the on-scene supervisor deems appropriate.

III. SERVICES

The Peer Support Team will provide the following services:

- A. Information concerning Department policies and procedures.
- B. Post Shooting Syndrome education.
- C. Stress Reaction education.
- D. Immediate support services as needed, including contacting family members, arranging transportation, providing food, etc.
- E. Liaison with Employee Assistance Program (EAP) and other health care resources.

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FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: PEER SUPPORT PROGRAM	NUMBER: 430.4
CANCELS ORDER DATED: 1-1-97	ISSUE DATE: 4-1-97

- F. Continuing employee support over time, as may be requested by the employee.

IV. PEER SUPPORT TEAM

- A. The Peer Support Team will consist of a volunteer representative from each station and section chosen by their peers or the Peer Support Team Coordinator, and approved by their station or division commander. The Peer Support Team Coordinator will report directly to the Patrol Bureau Commander (Division Two) on administrative matters concerning the program. Peer Support Team members will be trained in areas pertinent to traumatic incidents and will be required to attend periodic training meetings.
- B. Recognizing that Public Safety Communications Center personnel have unique needs inherent with their profession, the Peer Support Team members of the PSCC shall receive the same training and comply with the same policies and procedures as outlined. Response criteria for PSCC traumatic incidents shall be modified in a manner consistent with the PSCC working environment and approval by the Director of Public Safety Communications.

V. NOTIFICATION AND RESPONSE

- A. The Peer Support Team Coordinator or their designee shall be notified promptly of any Internal Affairs Bureau or Criminal Investigations Bureau response to a shooting incident involving a Fairfax County officer.
- B. The incident commander or on-scene supervisor may request the response of a Peer Support Team member through the PSCC Supervisor. Upon receipt of such a request, the PSCC Supervisor shall promptly notify the Peer Support Team Coordinator or their designee.
- C. This policy does not preclude any Department employee from informally contacting any Peer Support Team member for personal assistance.

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SUBJECT: PEER SUPPORT PROGRAM
CANCELS ORDER DATED: 1-1-97

NUMBER: 430.4
ISSUE DATE: 4-1-97

VI. CONFIDENTIALITY

- A. Each Peer Support Team member will treat each contact with the utmost level of confidentiality. Unauthorized disclosure of information concerning specific incidents or employee involvement in such incidents learned as a result of Peer Support Team intervention shall not occur unless such disclosure is required by exigent circumstances, a court of competent jurisdiction or at the direction of the Chief of Police.
- B. Peer Support Team members involved in a criminal or administrative incident or investigation giving rise to a request for Peer Support Team intervention shall not be assigned to provide Peer Support services to other involved employees.
- C. Peer Support Team members will not be routinely interviewed by investigative authorities concerning matters in which the Peer Support Team member may have gained knowledge of through Peer Support Team intervention. Absent exigent circumstances, requests to interview Peer Support Team members shall be directed to the Chief of Police.
- D. Employees receiving Peer Support Team services shall be advised as to the limits of this confidentiality prior to any discussion.

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SUBJECT: PEER SUPPORT PROGRAM

NUMBER: 430.4

CANCELS ORDER DATED: 1-1-97

ISSUE DATE: 4-1-97

This General Order becomes effective April 1, 1997 and rescinds all previous General Orders pertaining to the subject.

ISSUED BY:

APPROVED BY:

A handwritten signature in black ink that reads "M.D. Scott".

Chief of Police

A handwritten signature in black ink that reads "Art Giffi".

County Executive

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: PHYSICAL FITNESS TRAINING PROGRAM	NUMBER:	430.5
CANCELS ORDER DATED: 7-1-01	DATE:	1-1-04

General Order 430.5 has been removed and reissued as SOP 04-010. This document can be found in the Fairfax County Police Department Manual of Standard Operating Procedures.

GENERAL ORDER

FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: VOLUNTEERS IN POLICE SERVICE (VIPS) PROGRAM	NUMBER:	430.6
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CANCELS ORDER DATED: 1/1/99	DATE:	1/1/08
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I. PURPOSE

This General Order establishes the policies and procedures applicable to the Fairfax County Volunteers in Police Service Program (VIPS). The VIPS mission is to provide administrative augmentation to the Police Department by utilizing the skills of non-salaried, non-uniformed volunteers.

II. POLICY

The VIPS program is established under the authority of the Chief of Police and is under the administrative control of the Operations Support Bureau. The program is administered directly by the Auxiliary/Volunteer Coordinator appointed for the purpose of assisting in the administration of the program. The selection, appointment and tenure of VIPS personnel will be determined by the Chief of Police or his designee. These General Orders will apply to VIPS personnel.

III. PROCEDURE

- A. There is no rank structure in the VIPS program.
- B. To be eligible, VIPS personnel must be at least 21 years of age, be in good physical health, pass a police background check, and pass an interview with police supervisors. There is no maximum age limit for service in this program, provided the individual is physically fit to perform the duties assigned.
- C. Potential VIPS candidates will not be processed into the program until an assignment has been identified within the department.
- D. There is no uniform for VIPS personnel. However, when on duty in a department facility, standards of good grooming and appearance will be maintained.
- E. VIPS personnel will be issued a Police Department identification badge which must be worn at all times while inside a department facility or while on

GENERAL ORDER
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SUBJECT: VOLUNTEERS IN POLICE SERVICE (VIPS) PROGRAM	NUMBER:	430.6
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CANCELS ORDER DATED: 1/1/99	DATE:	1/1/08
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assignment representing the department. VIPS must surrender their identification badge at the time of their resignation/departure from the VIPS program.

- F. Administrative support duties include the following:
1. Routine office duties.
 2. Data entry and related duties.
 3. Telephone staffing.
 4. Information desk duties.
 5. Photocopying, microfilming, and document scanning.
 6. Computer activities.
 7. Inventory, control, and recordkeeping.
 8. Role-playing at the Criminal Justice Academy and other department exercises.
 9. Intelligence gathering (if assigned to Criminal Intelligence Unit).
 10. Photography.
 11. Foreign language translators/interpreters.
- G. There is a minimum of ten service hours per quarter required for VIPS. It is the responsibility of each volunteer to complete a monthly hours report for each month they volunteer. This record will be verified by a supervisor and submitted to the Auxiliary/Volunteer Coordinator by the fifth working day of each month.
- H. VIPS may request they be placed on inactive status for a specific period of time not to exceed three months within one calendar year. VIPS will forward

GENERAL ORDER
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SUBJECT: VOLUNTEERS IN POLICE SERVICE (VIPS) PROGRAM NUMBER: 430.6

CANCELS ORDER DATED: 1/1/99 DATE: 1/1/08

an explanation to the Auxiliary/Volunteer Coordinator detailing the reasons for this change in status. At the end of the requested inactive period, a decision will be made as to the status of the VIPS. A request for inactive status will not adversely affect the overall status of the individual within the VIPS program with the exception that a change in assignment may result due to operational necessity. Inactive status may be extended for prolonged medical issues or military duty.

IV. RESPONSIBILITIES

- A. VIPS applicants are under the control of the Traffic Division Commander until completion of processing and assignment to a station/division.
- B. The Auxiliary/Volunteer Coordinator shall serve at the discretion of the Traffic Division Commander and be responsible for obtaining initial and or one-time assignments for program volunteers as well as any subsequent transfers. The Auxiliary/Volunteer Coordinator will fill assignments in the order they are received. Exceptions to this policy may be authorized by the Operations Support Bureau Commander or his designee.
- C. Following assignment, regardless of duration, VIPS volunteers are under the administrative and operational control of the supervisor to whom they are detailed. The precise nature of their duties and their work schedule shall be established by mutual agreement between their immediate supervisors and themselves.

V. EDUCATION AND TRAINING

- A. Volunteers receive on-the-job training at their assignment location. Specialty training may include but is not limited to VCIN certification, self defense instructor training, or child car seat installation training, which will be conducted by department personnel at no cost to the volunteer.

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SUBJECT: VOLUNTEERS IN POLICE SERVICE (VIPS) PROGRAM	NUMBER:	430.6
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CANCELS ORDER DATED: 1/1/99	DATE:	1/1/08
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VI. EQUIPMENT

- A. Volunteers are not routinely issued police equipment; however, when assigned to projects that require items such as traffic vests, flashlights or pagers, the equipment will be issued to individual volunteers. The equipment will remain the property of the department and be surrendered at the end of the assignment.
- B. On a case-by-case basis, VIPS who are required to travel while on departmental business may be authorized to operate an unmarked county vehicle. The volunteer must possess a valid driver's license and complete the Vehicle Familiarization Course, conducted by the FCCJA, prior to authorization. Written approval from the VIPS immediate command personnel is required. A copy of the authorization will be retained in the VIPS personnel file.

VII. DISCIPLINARY PROCEDURES

- A. The execution of disciplinary procedures against a VIPS volunteer, to include performance counseling, is primarily the responsibility of the individual's immediate supervisor.
- B. Poor duty performance or breaches of discipline not severe enough to warrant official action but disruptive to a good working environment shall be grounds for returning any volunteer to the Traffic Division Commander for reassignment. Termination of an assignment for disciplinary reasons or for poor performance will be made a matter of record by a memorandum signed by the affected supervisor to the Traffic Division Commander for placement in the individual's personnel file.
- C. At the direction of the Traffic Division Commander, the Auxiliary/Volunteer Coordinator shall monitor the conduct and disciplinary record of each volunteer in the program. Volunteers who demonstrate a consistent tendency toward unsatisfactory service or failure to complete required volunteer hours per calendar year shall be dismissed from the program. A recommendation for dismissal shall be forwarded to the OSB Commander.

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SUBJECT: VOLUNTEERS IN POLICE SERVICE (VIPS) PROGRAM	NUMBER:	430.6
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- D. The OSB Commander shall review all recommendations for dismissal and if founded, shall forward them to the Chief of Police or his designee. The Chief of Police or his designee shall notify the individual concerned of his decision. That decision is final.

VIII. PERSONNEL RECORDS

The personnel records for VIPS personnel shall be maintained by the Traffic Division Commander or his designee. Supervisors must ensure that copies of all correspondence relating to the service of a VIPS volunteer are forwarded promptly to the Traffic Division Commander for filing.

IX. INSURANCE AND COMPENSATION

- A. All VIPS enter the VIPS program as volunteers. Work related illness and injuries are covered under the "excess insurance policy" for Fairfax County as described in the Risk Management Manual Section: INS-1-89.
- B. Should an injury require emergency treatment or hospitalization, a Medical Status Report form shall be submitted to the attending physician by the on-duty supervisor responsible for investigating the injury. The supervisor shall request the physician complete and sign the form.
- C. In all cases, a supervisor shall investigate the circumstances of the injury and submit a report of findings. The injured volunteer, after reviewing and concurring with the findings, shall initial the report. It shall be directed to the Chief of Police via the appropriate commanders with a copy to the Auxiliary/Volunteer Coordinator and the OSB Commander.
- D. The Auxiliary/Volunteer Coordinator, on behalf of VIPS volunteers, shall file all claims for on-duty injuries. The investigating supervisor shall furnish the Auxiliary/Volunteer Coordinator with a copy of the investigation report within 24 hours of the injury to facilitate the timely filing of the claim.

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E. No VIPS will receive payment, benefits or otherwise be compensated for hours worked or services performed in connection with their position.

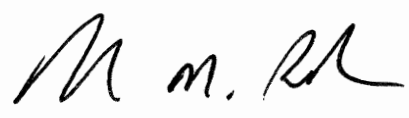
X. CONFIDENTIALITY

- A. VIPS personnel may have access to confidential records such as criminal histories or current investigations, as their duties may dictate. In addition to training regarding unauthorized disclosure of such records, each volunteer must sign a nondisclosure agreement. Subsequent disclosure of any confidential information, verbally or in writing, shall be grounds for immediate dismissal and possible criminal prosecution.
- B. VIPS personnel are not authorized to release any criminal history information to anyone outside the Police Department.

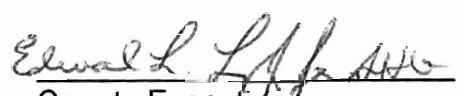
This General Order becomes effective January 1, 2008 and rescinds all previous General Orders pertaining to this subject.

ISSUED BY:

APPROVED BY:



Chief of Police



County Executive

GENERAL ORDER

FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: POLICE CHAPLAINS	NUMBER:	430.7
CANCELS ORDER DATED: 1-1-02	DATE:	10-1-04

I. PURPOSE

This General Order establishes the policies and procedures applicable to the Fairfax County Police Chaplains. The Police Chaplain Unit provides departmental employees with spiritual guidance, counseling, comforting in times of crisis, and such assistance as the Police Chaplain is able to render in times of emergency.

II. POLICY

The Fairfax County Police Department's Chaplain Unit operates at the direction of the Chief of Police. The Police Chaplain Unit is overseen by a director, who is also a Command Staff Officer designated by the Chief of Police. The Police Chaplain Unit Director is selected by interest and background, not by assignment. The Director monitors activities of the Police Chaplain Unit and ensures that all members adhere to the policies and procedures of the Unit. No more than twelve active Police Chaplains shall be in the Unit at any one time.

A Chaplain Coordinator will assist the Director with the daily operations of the Police Chaplain Unit. The Chaplain Coordinator will be designated by the Director and will be selected by interest and background rather than by assignment.

The Police Chaplain Unit is a non-standing specialized unit whose members are assigned to a district station, division, and bureau, or be at-large members. Police Chaplains assigned to the Police Chaplain Unit will be honorary members of Command Staff and the Chaplain Coordinator will be an honorary member of the Administrative Staff.

Police Chaplains serve voluntarily to assist police officers and other personnel through their pastoral ministry, in a variety of ways by strengthening the service rendered by the police to the community. All information communicated to the police chaplains will be recognized as confidential and privileged information.

III. QUALIFICATIONS

A. A Police Chaplain must be ordained, invested or a certified member of the clergy in good standing of a recognized religious denomination with at least three years of full-time experience in the ministry.

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SUBJECT: POLICE CHAPLAINS	NUMBER: 430.7
CANCELS ORDER DATED: 1-1-02	DATE: 10-1-04

- B. A Police Chaplain should be available to serve on a 24-hour on-call basis, determined and governed by the Director of Police Chaplain Unit.
- C. A Police Chaplain must have no convictions of a criminal offense or no record of having previously engaged in criminal conduct, which would be disqualifying for a police officer. He/she must be willing to submit to a background check.
- D. A Police Chaplain must possess a valid driver's license.
- E. The Director of Police Chaplain Unit and the Chief of Police must approve all Police Chaplains.

IV. RESPONSIBILITIES

- A. Police Chaplains will assist employees when asked to do so by providing emotional and spiritual support and guidance to the injured, ill or distressed, in such crisis situations as:
 - Officer Involved Shootings
 - Line of Duty Death or Injuries
 - Off Duty Deaths When Warranted
 - Deaths Involving Children
 - Terrorist or Weapons of Mass Destruction Attacks
 - Traffic Accidents
 - Co-worker Death
 - School Violence
 - Workplace Violence

GENERAL ORDER

FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: POLICE CHAPLAINS	NUMBER:	430.7
CANCELS ORDER DATED: 1-1-02	DATE:	10-1-04

- Suicide
 - Drowning
 - Homicide
 - Domestic Violence
 - Hostage Situations
 - Community Disaster
- B. Police Chaplains, upon request, will be available to employees and/or their families for confidential counseling and/or spiritual support. This Unit will not take the place of the Employee Assistance Programs (EAP), but will serve to augment such programs.
- C. Police Chaplains, upon request, will provide pastoral support and assist in the notification to employees and their families at times of crisis, such as line of duty injury or death.
- D. Police Chaplains, upon request, will assist with funeral arrangements for the line-of-duty death of a police officer.
- E. Police Chaplains, upon request, will respond to the established command post and seek out the officer in charge for direction at critical incident scenes.
- F. Police Chaplains, upon request, will accompany officers when delivering death notifications.
- G. Police Chaplains, upon request, may officiate at religious services such as weddings, funerals, etc.
- H. Police Chaplains, upon request, will conduct opening and/or closing prayers at police ceremonies.
- I. Police Chaplains will periodically attend roll calls and ride-alongs in order to develop partnerships with employees.

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SUBJECT: POLICE CHAPLAINS	NUMBER:	430.7
CANCELS ORDER DATED: 1-1-02	DATE:	10-1-04

- J. Police Chaplains will attend regular meetings of the Police Chaplain Unit.
- K. The Chaplain Coordinator will attend the monthly Command Staff meeting.

V. NOTIFICATION

- A. Request for Police Chaplain services as a result of operational needs will be by the authorization of any supervisor. The applicable supervisor will make personal contact with the Chaplain Coordinator, or a station Police Chaplain via telephone or pager, or refer notification to PSCC.
- B. Employees or family members may contact the Police Chaplain directly on personal need for services.
- C. The Director of Police Chaplain Unit will ensure that Command Staff and PSCC have an up-to-date contact list of all members in the Police Chaplain Unit.

VI. SELECTION OF POLICE CHAPLAINS

Police Chaplain selection will be based on review of qualifications as listed in Section III, experience in Public Safety Chaplain services, and an oral interview. The Director of the Police Chaplain Unit will establish the criteria for the interview.

VII. ASSIGNMENT OF POLICE CHAPLAINS

Police Chaplains are organizationally assigned to the Police Chaplain Unit and may be assigned to a specific district station, division, bureau, or as an at-large member serving the entire Fairfax County Police Department. The Police Chaplain shall be annotated on the district station, division, or bureau staffing roster. Assignments will be made at the discretion of the Director of the Police Chaplain Unit.

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SUBJECT: POLICE CHAPLAINS	NUMBER: 430.7
CANCELS ORDER DATED: 1-1-02	DATE: 10-1-04

VIII. EDUCATION AND TRAINING

Police Chaplains will be required to apply for membership with the Industrial Commercial Ministries, Inc., or the International Conference of Police Chaplains in order to receive proper training in the ministry of Police Chaplain. The costs associated with the attendance to these institutions along with subsequent training will be the responsibility of this agency.

Police Chaplains will also take part in ongoing training programs designed to increase their knowledge of the Fairfax County Police Department and the duties of the Police Chaplain.

IX. EQUIPMENT

All equipment issued to the Police Chaplains will remain the property of the Fairfax County Police Department and be surrendered at the time of separation from the Police Chaplain Unit. Issued equipment includes the following:

- Police Chaplain identification and badge
- Police Chaplain dress uniform (shirt and pants and/or skirt)
- Cap (Police hat and Chaplain hat brass)
- Blouse
- Polo Shirt
- Outer Coat (Windbreaker and Gortex winter jacket)
- Raincoat
- Flashlight
- Reflective vest
- Pager

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: POLICE CHAPLAINS	NUMBER:	430.7
CANCELS ORDER DATED: 1-1-02	DATE:	10-1-04

- Mobile Telephone
- Body Armor
- Access to departmental vehicles on assignment

X. COMPENSATION AND BENEFITS

- A. Police Chaplains enter the Police Chaplain Unit as volunteers. Illness and injuries are covered under the "excess insurance policy" of Fairfax County, as described in the Risk Management Manual Section: INS-1-89.
- B. Police Chaplains will not receive payment, benefits or otherwise be compensated for hours worked or services performed in connection with their position as a Fairfax County Police Chaplain.

XI. TERMINATION

- A. Failure to abide by established policies and procedures, failure to honor an employee's authority or privacy, or failure to practice good professional ethics may result in the termination of the participant.
- B. Failure to be active on a regular basis within the Police Chaplain's assignment will also result in the termination of the participant.
- C. Any complaint about a Police Chaplain's performance shall be referred to the Director of Police Chaplain Unit.

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SUBJECT: POLICE CHAPLAINS	NUMBER:	430.7
CANCELS ORDER DATED: 1-1-02	DATE:	10-1-04

This General Order becomes effective October 1, 2004 and rescinds all previous General Orders pertaining to the subject.

ISSUED BY:

APPROVED BY:

D. M. Robue
Chief of Police

A. King
County Executive

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: MOBILE IN-VEHICLE VIDEO PROGRAM	NUMBER: 430.8
CANCELS ORDER DATED: 1-1-04	ISSUE DATE 1-1-09

I. PURPOSE

The purpose of this document is to establish specific procedures pertaining to the Department's Mobile In-Vehicle Video program (MVR) and to establish the responsibilities of all employees who use this equipment.

II. BACKGROUND

The Fairfax County Police Department is committed to developing mutual trust and respect between citizens and the Police Department. The use of MVR recording systems is one tool this Department has implemented to help promote and encourage this trust and respect.

Mobile video/audio recording (MVR) equipment has been acquired by many police departments throughout the country, and it has been demonstrated to be a valuable tool for collecting and reporting evidence and reducing citizen complaints and civil litigation. It enhances training through real-life incident recordings and acts as an objective measurement of determining officer performance. This technology should assist the agency in meeting its goals by establishing a strong standard of accountability to the citizens who live in, work in, or travel through Fairfax County.

III. POLICY

It is the policy of the Fairfax County Police Department that the MVR equipment shall be used only as set forth in this General Order.

IV. TERMINOLOGY

In-use tape: A tape currently in use by an officer. This tape shall be secured in the station after each tour.

In-use tape storage: The location designated by station command for the short-term storage of in use tapes. This location shall be secured, yet accessible to officers.

Long-term tape storage: The location designated by station command for long-term

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SUBJECT: MOBILE IN-VEHICLE VIDEO PROGRAM	NUMBER: 430.8
CANCELS ORDER DATED: 1-1-04	ISSUE DATE 1-1-09

storage of completed tapes. This location shall be secure and only accessible to the station commander, assistant commander, or supervisory personnel.

Tape inventory log: The log sheet used to document the distribution and chain of custody of a tape.

V. TRAINING

All employees shall be trained prior to using any portion of the MVR equipment. The training shall be conducted by trained station personnel designated by station command. A standard lesson plan will be developed and submitted to the Criminal Justice Academy. All training shall comply with this standard lesson plan. Documentation of this training shall be forwarded to the Criminal Justice Academy for inclusion in the employee's training record.

VI. OPERATING PROCEDURES – OFFICER RESPONSIBILITIES

A. General Operating Instructions and Guidelines

Officers operating vehicles with MVR equipment are responsible for the condition of the equipment. Officers shall select or be assigned cruisers with operational MVRs whenever available. All officers shall conduct a pre-shift inspection of all MVR equipment. This includes the MVR recording box in the trunk, the camera, the microphone in the cruiser, the body microphone, and the videotape.

During the pre-shift inspection, officers shall use the microphone to record their name, date, and time. This will help ensure the proper identification of the tape and operability of the equipment. It is also the responsibility of each officer to ensure the body microphone is securely attached to their uniform in a place where their voice and the voices of citizens are easily recorded. It is recommended the microphones be worn on the upper chest or shoulder area of the uniform. The body microphones have clips for attachment to the uniform. There is also a wire antenna which must be secured inside the officer's uniform shirt.

In the event there is any damage or irregularity discovered during this

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inspection, it shall immediately be brought to the attention of a supervisor and repairs will be coordinated with the station resource officer. Officers shall not utilize cruisers equipped with defective MVR equipment or cruisers without MVR equipment without supervisory approval. If such approval is granted, this shall be documented on the squad lineup by the supervisor.

The MVR equipment starts recording automatically when emergency lights are activated, when an officer presses a button on the overhead mounted camera, or when an officer presses the button on his/her wireless body microphone.

The latter two methods can override the "off" switch and activate the recorder. The wireless body microphone switch can turn the recorder on or off outside the cruiser up to a distance of 1000 feet (this distance may be reduced by physical structures such as buildings or dense foliage). The camera can swivel 360 degrees to record events in the back seat or outside the cruiser. There is also a microphone wired in the passenger portion of the cruiser.

All MVR equipment is the property of the Fairfax County Police Department and, as such, falls under Regulation 206.1, Title to Equipment/Care and Maintenance. Officers shall not attempt to alter any part of the device, the microphone, or MVR tape. This includes the altering, copying, or erasing of any videotape.

The duplication of MVR tapes for training purposes, for official police related duties, or for court presentation is permissible with the approval of the station commander. To ensure the integrity and quality of the tape, copies should be made by the Criminal Investigations Bureau, Special Investigations Unit or the Criminal Justice Academy, Video Unit. However, if circumstances necessitate immediate duplication, other copying equipment may be used. Requests for copying tapes should be made well in advance of the date needed.

- B. The following procedures shall be adhered to when using the MVR:
1. Officers, prior to the start of their shift, shall load their MVR tape secured from the squad supervisor into their assigned cruiser. At the end of their shift officers shall return their MVR tape(s) to the squad

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supervisor for storage in the squad's in-use tape storage location. Each officer, prior to the start of their shift, shall inspect their issued MVR tape to ensure it has enough storage capacity for their shift. If necessary, the officer shall carry one blank MVR tape to accommodate the possible MVR tape shortage.

2. Officers shall utilize the MVR equipment on all traffic stops. The recording will remain on for the duration of the traffic stop. This includes the video and audio segments of the equipment. MVR equipment may be deactivated only after the traffic stop has ended and the violator and/or officer have left the scene.
3. Officers shall utilize the MVR equipment to record the duration of all vehicular pursuits. All officers involved in a pursuit shall operate their MVR equipment. All MVR equipment will remain activated until the pursuit is terminated or until the completion of any arrest.
4. Officers shall utilize the MVR equipment during all emergency responses to any complaint or backup.
5. Officers shall record (at least the audio) any prisoner transport when the prisoner:
 - a. Is argumentative or combative.
 - b. Has been involved in a use of force against the officer.
 - c. Is injured or claims to be injured.
 - d. Is attempting to injure him/herself.
6. If asked by any citizen, suspect, or arrested individual, officers shall advise them that the MVR equipment is in use, unless doing so would hamper the investigation. Officers should also consider mentioning MVR equipment is in use during any citizen contact if they feel doing so may dissuade inappropriate citizen behavior.
7. Officers shall utilize the MVR equipment during any traffic stop where an officer asks for a consent search of either a person or a vehicle.

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CANCELS ORDER DATED: 1-1-04	ISSUE DATE 1-1-09

8. At no time shall an officer use the MVR equipment for other than official police business. No video/audio recording shall take place inside any police facility or during courtroom proceedings.
 9. At no time shall any officer use the MVR equipment to record any portion of an administrative investigation.
- C. Officers are encouraged to use their MVR equipment:
1. To record the reason for their current or planned enforcement action, such as DWI enforcement.
 2. To record any domestic violence cases. This is especially important when officers are inside the residence of someone and have legal standing to be there.
 3. To record the actions of suspects/prisoners if the recording would prove useful in later judicial proceedings. Examples of this would include interviews, sobriety performance tests and, as stated above, during custody and transport of prisoners.
 4. When following a vehicle (suspected DWI or a vehicle matching the description of a criminal violation) to establish reasonable suspicion for future court use. In this case, the manual override should be used to activate the recorder without the use of the emergency equipment. This is important during the time an officer is pacing a vehicle and wants to remain unnoticed.
 5. When field interviews and citizen contacts occur where there is a reasonable suspicion of a crime or possible confiscation of evidence or contraband. In this case, the audio portion of the recording may be practical.
 6. During all citizen ride-a-longs. Officers are encouraged to explain and demonstrate the use of the MVR equipment. This will help educate the public and would be beneficial to the Department's community policing initiatives.

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7. Officers are encouraged to use the MVR equipment when conducting stakeouts or other covert operations where they can utilize the equipment to record possible criminal or suspicious activities. The zoom capability of the equipment can particularly be helpful in this activity.
8. Officers should inform their supervisors of any video/audio-taped sequences that may be valuable for training purposes. The Criminal Justice Academy will provide a main point of contact for the collection of these tapes.
9. Officers shall also advise their supervisor of any video/audio-taped incidents that they suspect may be of value during the investigation of a citizen complaint.

VII. SUPERVISORY RESPONSIBILITIES

Supervisors shall be responsible for ensuring that all personnel under their command adhere to this policy.

- A. Each squad shall be assigned a locked location in which to store their in-use tapes.
- B. Supervisors shall distribute tapes to officers at the beginning of each shift. The tape number (see Section XI) and officer's name shall be included on the spine of the tape. The tape number shall also be included on the squad line-up. Supervisors shall also collect the distributed tapes from their staff at the conclusion of their shift. When officers have used an entire tape, they will return the tape to their supervisor and receive a new tape. The supervisor will then update the Tape Inventory Log (see attachment #1) and secure the tape in the long-term storage location.
- C. Supervisors shall ensure that each member of their squad has a tape prior to their shift. In the event that an officer is operating a cruiser without the MVR equipment, this shall be documented on the daily line-up. When officers are working any assignment where they are not in an MVR equipped vehicle, it shall also be noted.

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- D. When the station tape inventory becomes low, the supervisor shall notify the station resource officer. The station resource officer will coordinate the tape purchase with the station's commander.
- E. Supervisors will be issued a trunk vault key. Additionally, a trunk vault key may be placed on each cruiser key ring to accommodate officers loading their own tapes. Supervisors will not be required to install and remove tapes from cruisers prior to or at the end of each shift. Officers can install and remove their own tapes.
- F. It shall be the responsibility of each supervisor to document any damage or irregularity to any part of MVR equipment. As with any property of the Fairfax County Police Department, if an administrative investigation is warranted, then rules governing administrative investigations shall be applied. Any reported damage shall be forwarded to the MVR Coordinator who will coordinate the necessary repairs with the Technical Services Bureau.
- G. Supervisors shall establish an auditing procedure where they review their staff's videotapes for the purposes of gathering information that may be useful in preparing employee evaluations or establishing training needs. This audit, at a minimum, should occur bi-monthly. If a supervisor wishes to make a copy of a tape for training purposes, approval will be requested from station command. Any tape copied for training purposes will also be forwarded to the Criminal Justice Academy for inclusion in their training files.
- H. Supervisors shall establish a procedure to periodically review their staff's MVR systems to include microphones and video tapes to ensure they are in proper functioning order. At a minimum, this should occur during the monthly station cruiser inspections.

VIII. COMMANDERS' RESPONSIBILITIES

Station commanders are responsible for ensuring that all personnel under their command adhere to the provisions of this policy. They shall ensure all personnel are trained in the use of the MVR equipment. Commanders shall also ensure two storage locations (in-use storage & long-term storage) are available for storing videotapes. Additionally, commanders shall ensure completed tape inventory logs are maintained at the station.

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Station commanders will have the authority to authorize the copying of videotapes. It shall be the goal of the MVR program to minimize the number of tapes which are copied. All video/audio recordings shall be treated as potential evidence.

Tapes or copies of tapes are releasable under a Subpoena Duces Tecum or when ordered as part of the discovery rules of evidence. In certain circumstances, tapes may also be releasable under the Virginia Freedom of Information Act. All tapes/copies of tapes will be subject to command review prior to any release outside of the Department. Furthermore, when a tape is copied, only the segment of tape necessary will be released.

Station commanders shall ensure that at no time will an employee release any footage of any tape, external to this agency, unless it is under a court order or with prior approval of any of the following individuals:

- District station commander or assistant commander
- Patrol Bureau commanders
- Deputy Chief for Patrol
- Commander of Internal Affairs Bureau
- Director of Public Information Office
- Chief of Police, or his designee

IX. LEGAL CONTROL AND MANAGEMENT

One of the most important aspects of these tapes is their use in criminal proceedings. The videotapes are a valuable tool for the Department and the Commonwealth's Attorney's Office in prosecuting criminal and traffic cases. However, there are significant issues which must be followed to ensure the admissibility of these recordings in court testimony. The following policy must be adhered to at all times to assure the successful admission of tapes for prosecution.

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- A. All tapes shall be subject to the requirements for the admissibility of evidence.
- B. Officers intending to use any tape in court should advise the Commonwealth's Attorney's Office in advance of the initial court date. This will also apply for tapes introduced during preliminary hearings or discovery motions.
- C. Officers intending on using any tape shall note the tape number, date, and time of the event or arrest. Officers should document all incidents and arrests in any case report or arrest documentation. Since the tapes will be filed numerically, the officers will not only have the date and time of the arrest they will have the tape number. This will ensure easier retrieval of the tape when the court date arrives.
- D. The Commonwealth's Attorney's Office has provided the following opinion on several issues concerning the usage and admissibility of tapes for court purposes. These are as follows:
 - 1. The Commonwealth's Attorney's Office advises that an officer must authenticate the video/audio as an accurate depiction of what transpired during the incident.
 - 2. Under Best Evidence Rules, the Commonwealth's Attorney's Office advised there is no case law which prevents the translation of material on video/audio tape to compact disk or other formats. The critical aspect is that officers be able to authenticate information contained and reviewed by the court as an accurate depiction of the events.
 - 3. If needed for court testimony, officers need to have tapes and all notes available during any court proceedings. Hopefully, this will reduce the need to continue the cases.
 - 4. There is no law prohibiting officers from recording citizens in public. Individuals in a public area have no expectation of privacy. Audio recording of any police contact with individuals is allowed in a private residence, provided that the officers have legal standing to be in that location (i.e. domestic violence cases).

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X. CONDUCT OF ADMINISTRATIVE INVESTIGATIONS

- A. Any time there is a complaint of officer misconduct, the on-duty supervisor should immediately pull the tape of the date in question. The supervisor should then review the tape and proceed as they would in any allegation of misconduct.
- B. At no time shall any officer let a complainant review any portion of the tape without the prior approval of a supervisor. The supervisor, when warranted and during the course of their official duties, may review the tape with a complainant/citizen.
- C. Whenever an audio/video recording is used during the course of an internal investigation, its use shall be documented as part of the investigation and the information forwarded to the Internal Affairs Bureau. This includes incidents where the complaint is disproved without the need for a full investigation (i.e. PD206/207). When a tape is used by the Internal Affairs Bureau during an administrative investigation, a copy of the section of tape needed will be made by IAB. The original tape will then be returned to the appropriate district commander for long-term storage.
- D. At no time shall any officer use the MVR equipment to record any portion of an administrative investigation.

XI. TAPE PURCHASE AND DISTRIBUTION

Eight-hour professional grade tapes should be purchased for use, unless they are unavailable. This will reduce the overall quantity of tapes that will require long term storage.

Blank tapes will be stored in an accessible location chosen by station commanders. When a tape is distributed to an officer for use, the Tape Inventory Log shall be filled out. The tape number shall be written on the tape sticker for tracking purposes. The tape number will consist of the Julian date, the district station number, and the officer's name. For example, a tape issued on August 30, 2003 from the Mason Station would read (03245-4-Officer's name).

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XII. STORAGE AND RETENTION

Two storage locations shall be established at each district station. The first location shall be secured by lock and key, accessible to officers; similar to a property room. This location will be used for the temporary storage of tapes, which are currently in-use by officers. The second location shall also be secured by lock and key and will be used for long-term storage of tapes that are full and no longer in-use. Access to this storage location shall be limited to the station commander, assistant commander, and supervisory personnel.

When any tape is removed or checked out by anyone from long-term or in-use storage, other than for daily usage, the Tape Inventory Log shall be completed by a supervisor.

The tapes will be stored/retained at the station under the direction of the station commander for a period of three years after the last recording. Per the County Attorney's Office, this three-year time period will allow sufficient time for any possible legal inquiry after an incident. In addition, the three-year time period is consistent with the Code of Virginia, which states that law enforcement agencies must follow the Library of Virginia's record retention schedules.

When the three-year period expires, tapes shall be degaussed and discarded. This task shall be accomplished by personnel designated by the station commander. The tape destruction shall be documented on the Tape Inventory Log.

The station coordinator should be the liaison officer between station supervisors and the station commander who has overall responsibility of purchasing tapes. All issues regarding the maintenance and replacement of the MVR equipment shall be routed through the Technical Services Bureau.

XIII. LEGAL REFERENCE

Library of Virginia- Records Retention Schedule

XIV. ACCREDITATION STANDARDS REFERENCE

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SUBJECT: MOBILE IN-VEHICLE VIDEO PROGRAM	NUMBER: 430.8
CANCELS ORDER DATED: 1-1-04	ISSUE DATE 1-1-09

VLEPSC
ADM.
16.04

OPR.
01.11

This General Order becomes effective January 1, 2009 and rescinds all previous General Orders pertaining to the subject.

ISSUED BY:

APPROVED BY:

Chief of Police

County Executive

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: CITIZEN REPORTING UNIT OPERATIONS	NUMBER:	440.1
CANCELS ORDER DATED: 7-1-02	DATE:	10-1-06

General Order 440.1 has been removed and reissued as SOP 06-027. This document can be found in the Fairfax County Police Department Manual of Standard Operating Procedures.

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: SERIOUS OR HABITUAL OFFENDER COMPREHENSIVE ACTION PROGRAM	NUMBER: 440.2
CANCELS ORDER DATED: 7-1-99	DATE: 7-1-10

I. PURPOSE

This order establishes guidelines and procedures to be used by members of this Department in the operations of the Serious or Habitual Comprehensive Action Program (SHOCAP).

II. DISCUSSION

Studies have shown that a small portion of youth is responsible for a large share of all juvenile crime. The Serious or Habitual Offender Comprehensive Action Program (SHOCAP) is an interagency approach that will effectively deal with juvenile offenders responsible for a large portion of serious crime.

SHOCAP emphasizes system wide coordination and information sharing among the participating agencies through the police coordinator, who will manage this information in accordance with Section 16.1-330.1 Code of Virginia.

The Fairfax County Police and the Fairfax County Juvenile Court will serve as co-leaders in the SHOCAP program. Other participating agencies are:

- City of Fairfax Police Department
- Town of Herndon Police Department
- Town of Vienna Police Department
- Fairfax County Public Schools
- Fairfax County Department of Family Services
- Fairfax County Health Department
- Commonwealth's Attorney for Fairfax County
- Fairfax-Falls Church Community Services Board
- Virginia Department of Youth & Family Services

III. ELIGIBILITY REQUIREMENTS

The Code of Virginia, Section 16.1-330.1 states that a SHOCAP offender must be less than 18 years of age and adjudicated delinquent (convicted) for offenses that occurred after July 1, 1993 for:

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1) one conviction of murder, attempted murder, armed robbery, any felony sexual assault, or malicious wounding

-OR-

2) at least three convictions for offenses that are felonies or Class 1 misdemeanors.

The Virginia Department of Criminal Justice Services guidelines specify that SHOCAP should focus on violent offenses. The following offenses should be considered (but not limited to) as qualifying in the second parameter listed above:

1. Simple Assault
2. Assault/Batter Family Member 3rd Offense
3. Attempted Aggravated Assault
4. Attempted Malicious Wounding
5. Malicious Wounding by Caustic Substance
6. Unlawful Wounding
7. Written Threats to do Bodily Harm
8. Stalking
9. Voluntary Manslaughter
10. Conspire to Commit Murder
11. Robbery
12. Attempted Rape
13. Sexual Battery
14. Arson of a Dwelling
15. Attempted Arson of a Dwelling
16. Abduction/Kidnapping
17. Weapons Violations (all types)
18. Burglary (all types)
19. Attempted Burglary (all types)

IV. CONFIDENTIALITY

A. Records created and used for this program include (but are not limited to) SHOCAP lists, reports, profiles and master files. All SHOCAP records are confidential. They may only be used by members in accordance with Section

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16.1-330.1 Code of Virginia, this general order and any order of a court of competent jurisdiction.

- B. Unauthorized disclosure of information contained in any SHOCAP record to any person not authorized to have such information is a violation of Section 16.1-330.1, Code of Virginia, which is punishable as a Class 3 misdemeanor. Further, unauthorized disclosure constitutes a violation of this general order, which can result in disciplinary action.
- C. No person, other than the Fairfax County Police SHOCAP coordinators or the Fairfax County Juvenile Court SHOCAP coordinators will duplicate any SHOCAP material from the master files.
- D. Any SHOCAP information entered into the police warrant system shall be completed by the Fairfax County Police SHOCAP coordinators.

V. RESPONSIBILITIES

- A. The police SHOCAP coordinator shall be a detective assigned to the Child Exploitation Unit and will:
 - 1. Serve as the co-leader for the entire Fairfax County SHOCAP program.
 - 2. Assist in identifying Serious or Habitual Offenders (SHO) according to established criteria.
 - 3. Ensure the entry of all designated SHOs in the I/LEADS Records Management System in the Master Names Modules. The SHOCAP will have an alert attached to their name designating them as a "SHOCAP."
 - 4. Supply regularly updated lists of all designated SHOs to designated units within the Police Department and SHOCAP committee.
 - 5. Notify the Commonwealth's Attorney's Office when a designated SHO has been arrested.

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6. When requested by the Commonwealth's Attorney, appear for all detention, transfer, and disposition hearings with the SHOCAP case file.
 7. Coordinate police investigative resources when there is evidence to suggest that a designated SHO is engaged in ongoing criminal activity.
 8. Pursuant to subpoena or court order, appear at civil hearings with the SHOCAP case file in cases involving child abuse or neglect.
 9. When necessary, seek petitions and detention orders for new criminal offenses for a SHO.
 10. Attend and participate in all interagency SHOCAP committee and case management meetings.
- B. Officers and Detectives shall:
1. Query the Master Names Modules in the I/LEADS RMS or dispatcher when encountering any juvenile in a suspicious or criminal situation in order to determine whether this juvenile has been designated as a Serious or Habitual Offender.
 2. A positive query response for SHOCAP is not a basis for arrest. SHOCAP is not a criminal charge. Officers shall follow the procedures governing General Order 540.2 (Police Citizen Contacts) and Section 16.1-246 Code of Virginia (when a child can be taken into custody).
 3. Become familiar with the SHO list and know the identity and residence, etc., of any designated SHOs in their assigned area.
 4. Document all arrest and non-arrest contacts with any designated SHO in the I/LEADS RMS and forward a copy to the SHOCAP coordinator at CIB, in addition to other required paperwork.

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5. Seek petitions and/or detention orders in which a designated SHO has committed a new criminal offense. If a SHO is brought before a Juvenile Intake Officer and the petition or detention order is denied the officer/detective shall contact the SHOCAP detective.

VI. LEGAL REFERENCES

Code of Virginia

16.1-246
16.1-330.1

VII. ACCREDITATION STANDARDS REFERENCE

VLEPSC
ADM. OPR.
14.01 04.01
25.03

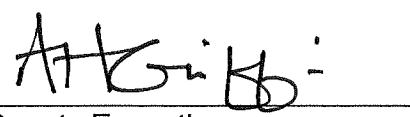
This general order becomes effective July 1, 2010 and rescinds all previous rules and regulations pertaining to the subject.

ISSUED BY:

APPROVED BY:



Chief of Police



County Executive

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: POLYGRAPH EXAMINATIONS/ CRIMINAL INVESTIGATIONS	NUMBER: 440.3
CANCELS ORDER DATED: 1-1-97	DATE: 7-1-10

I. POLICY

While the polygraph is recognized as an important investigative aid, certain restrictions must be placed on its use. The polygraph is a valid technique when used to confirm or disprove statements which cannot be corroborated by other means. Standardization of procedures will preclude charges of misuse and harassment and offer uniform criteria which must be met prior to usage. Such limitations are intended to protect the interests of victims, witnesses and suspects without unduly hampering criminal investigations.

II. PROCEDURE

- A. Polygraph examinations should not be mentioned during the initial stages of an investigation. If inconsistencies or conflicts appear, all alternate methods of checking leads will be exhausted prior to requesting a polygraph examination. The statement, "Are you willing to take a polygraph?" is to be avoided in the early stages of the investigation.
- B. If, after exhausting all alternative investigative methods, inconsistencies still exist, detectives will request the use of the polygraph by submitting PD Form 168, Polygraph Examination Request. This form is to be approved by the detective's supervisor after it is determined that the need is justified and that the necessary information cannot be obtained through other means. After receiving supervisory approval, one copy of the request will be forwarded to the Polygraph Section so a time and date for the examination may be scheduled. One copy of the request will be retained by the detective to be included in the case file. It shall be the responsibility of the detective to contact the Polygraph Section in order to determine the time and date assigned for polygraph examinations.
- C. Polygraph examinations will not be scheduled for victims or suspects immediately following the offense or after lengthy interrogation. Since results of a polygraph depend upon the physiological reactions of the examinee, accurate results cannot be obtained if the subject is distraught or emotionally exhausted. Immediate examinations will be given only if extenuating circumstances exist. The decision of the polygraph examiner as to the suitability of the subject will be final.

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SUBJECT: POLYGRAPH EXAMINATIONS/ CRIMINAL INVESTIGATIONS	NUMBER: 440.3
CANCELS ORDER DATED: 1-1-97	DATE: 7-1-10

D. SCHEDULING PROCEDURE

1. Detectives shall contact the victim, witness or suspect to be tested one day prior to the examination being administered to confirm their presence at the appointment. Detectives shall notify the polygraph examiner immediately of any cancellations.
2. Detectives who have scheduled polygraph examinations shall report in person to the polygraph examiner assigned their case a minimum of one day prior to the test being administered and present the appropriate documents required on PD Form 168.
3. Detectives who have scheduled polygraph examinations are expected to be present on the date of the examination. If the detective cannot be present, another detective familiar with the case may represent them.
4. Failure to comply with this procedure shall result in the cancellation of the polygraph examination and notification of the detective's supervisor. Emergency situations resulting in non-compliance will be considered on a case-by-case basis.

III. TRAINING

All examiners employed by the Department shall hold a valid Virginia polygraph license issued by the Commonwealth of Virginia Department of Professional and Occupational Regulation (DPOR). They shall attend, at minimum, 40 hours of continue education training, including four hours of legal training every two years, which is recognized by the American Association of Police Polygraphists and the Virginia Polygraph Association.

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SUBJECT: POLYGRAPH EXAMINATIONS/
CRIMINAL INVESTIGATIONS

NUMBER: 440.3

CANCELS ORDER DATED: 1-1-97

DATE: 7-1-10

IV. ACCREDITATION STANDARDS REFERENCE

VLEPSC
OPR.
02.03

This general order becomes effective July 1, 2010, and rescinds all previous rules and regulations pertaining to the subject.

ISSUED BY:

APPROVED BY:

Chief of Police

County Executive

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: PHYSICAL AND PHOTOGRAPHIC LINEUP
PROCEDURES

NUMBER: 440.4

CANCELS ORDER DATED: 1-1-97

DATE: 10-1-05

General Order 440.4 has been removed and reissued as SOP 05-022. This document can be found in the Fairfax County Police Department Manual of Standard Operating Procedures.

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: INVESTIGATIVE HYPNOSIS PROCEDURES	NUMBER: 440.5
CANCELS ORDER DATED: 1-1-97	DATE: 7-1-08

I. PURPOSE

The purpose of this General Order is to establish guidelines and procedures for the Fairfax County Police Department to follow for the intention of using hypnosis as an investigative tool, and to set forth departmental policy with regard to using hypnosis.

II. POLICY

- A. Hypnosis is being used by many large police departments in the United States in the investigative and preparatory phases of criminal cases. Hypnosis is legally permissible when used as an investigative aid for lead purposes in cases where witnesses or victims are willing to undergo such an interview.
- B. Although the Virginia Supreme Court has expressly held that hypnotic evidence, whether in the form of the subject testifying in court under hypnosis or through another's revelation of what the subject said while under hypnosis, is not admissible, that court has not prohibited the use of hypnosis as a means of refreshing or restoring the recollection of a witness who is expected to testify subsequently at trial. Since the use of hypnosis is certain to be challenged by defense attorneys, and is a sensitive issue, the following guidelines must be observed by the Fairfax County Police Department when considering its utilization.
- C. Hypnosis is only to be used in the following circumstances:
 - 1. A victim/witness has sustained a physical injury and has little or no recall.
 - 2. A victim/witness has suffered an emotional shock and has either consciously or subconsciously repressed this event.
 - 3. A victim/witness observed a split second event and believes that they really saw nothing.
 - 4. A victim/witness was under the influence of drugs and/or alcohol at the time of the event and has little or no recall.

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CANCELS ORDER DATED: 1-1-97	DATE:	7-1-08

5. A victim/witness cannot recall past events due to the passage of time.
 6. It may be necessary, in extremely unusual circumstances, for an officer to be hypnotized to recall certain facts which the officer obtained in the course of an investigation.
 7. Hypnosis shall only be performed on victims/witnesses of the following crimes: homicide/manslaughter, rape, serious robberies, other sex offenses, extortion, kidnapping, and certain malicious woundings. Only in extremely exceptional cases other than the ones mentioned above may hypnosis be used.
- D. Given the lack of assurance that the Virginia Supreme Court will rule favorably on the issue of the admissibility of the testimony of a witness whose memory has been refreshed or restored by hypnosis, the Fairfax County Police Department should use hypnosis only as a last resort when more traditional methods of refreshing recollection have failed.
 - E. In any case involving hypnosis of a victim/witness, every effort must be made to locate substantiating evidence or other witnesses to corroborate the portion of the witness' testimony which was elicited during or following hypnosis. Since the use of the information obtained through hypnosis cannot be assumed to be necessarily accurate, careful investigation is needed to verify the accuracy of information obtained during these sessions.
 - F. Hypnosis should only be performed by a certified hypnotist at the written request of the subject. Hypnosis may be performed only by a licensed physician, a licensed clinical psychologist or a dentist when used by the Department.
 - G. In the event that the testimony of a subject who has been hypnotized is admissible in court, the person performing the hypnosis for the Department must be available to testify at trial about the hypnosis procedure.
 - H. A record of the interview of the hypnosis session must be made in all cases and preserved as potential evidence to be introduced at trial. A videotaped recording (with an audio taped backup) should be made of the entire

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CANCELS ORDER DATED: 1-1-97	DATE:	7-1-08

session. The audio/video tape should be kept strictly confidential and made available only to those persons actively engaged in the investigation. A video technician from within the Department may be utilized to assist in the video taping. The investigating officer has sole responsibility for the recording once it is completed. Access to the recording must be made through and in the presence of the detective. Unless necessary for use in court at a later date, three (3) years is recommended as a minimum time to maintain recorded hypnotic sessions.

- I. In order to evaluate the effectiveness of the hypnosis technique, a written summary describing in detail the results of the session shall be forwarded and maintained by the commander of CIB. The summary shall identify any significant investigative information obtained through the use of this technique and indicate any unusual circumstances that occurred.

III. REGULATIONS

- A. The initial determination to consider the use of hypnosis rests with the investigating officer of a case and the investigating officer's immediate supervisor. This determination should be made in light of the information outlined above and with reasonable expectations that hypnosis may provide valuable information for investigative purposes.
- B. Final authorization to pursue the use of hypnosis must be obtained from the commander of CIB. Upon the CIB commander's approval, the Chief of Police and the Office of the Commonwealth's Attorney must be informed that hypnosis is to be used.
- C. A Hypnosis Submission Release Form is to be completed by the investigating officer in any instance in which hypnosis is used by the Department. The release form consists of four (4) separate sections each required to be signed by the subject desiring to be hypnotized. The investigating officer and a witness (preferably the CIB commander) must also sign the form. The release form indicates that the subject understands that the hypnosis session is purely voluntary and being used for the purpose of assisting the police authorities in their investigation. It also indicates the hypnotist who will conduct the hypnosis and the date of the session. The form also indicates the subject's agreement to have the

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: INVESTIGATIVE HYPNOSIS PROCEDURES	NUMBER:	440.5
CANCELS ORDER DATED: 1-1-97	DATE:	7-1-08

session recorded. Similarly, the form attests to the subject's knowledge that he is in good physical and mental health. Finally, the last section of the form releases all Fairfax County employees and their agents from any and all liability which might arise in connection with the hypnosis. The purpose of requiring a signature of the subject under each section is to guarantee that the entire form has been understood. The completed form shall become part of the case record. The original shall be included in the case record and a copy shall be maintained by the investigating officer.

- D. When a case has been approved for hypnosis, the investigating officer is responsible for contacting the hypnotist to arrange a convenient time for all involved to meet. It shall be the responsibility of the investigating officer to see that the subject has a means of getting to the session and coordinating the recording of the session.
- E. In the case that a subject is known to be under a doctor's care for any reason, hypnosis may only be performed after the subject's doctor has given written permission to perform hypnosis. Hypnosis for known or suspected habitual drug users (especially hallucinogens) should be considered with extreme caution and only after close consultation between the hypnotist and the subject's physician. Follow-up as to the status of the subject, following the sessions, should be instituted on a regular basis.

IV. RESTRICTIONS

- A. HYPNOSIS SHALL NOT BE PERFORMED ON A SUSPECT, POTENTIAL SUSPECT, OR A DEFENDANT WITHOUT THE CONCURRENCE OF THE COMMONWEALTH'S ATTORNEY. The Office of the Commonwealth's Attorney shall be the final authority if there is any doubt on the permissibility of using hypnosis and the admissibility of information gained through its use.
- B. Hypnosis should never be performed by an employee of the Fairfax County Police Department in connection with the investigation of criminal activity.

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: INVESTIGATIVE HYPNOSIS PROCEDURES	NUMBER:	440.5
CANCELS ORDER DATED: 1-1-97	DATE:	7-1-08

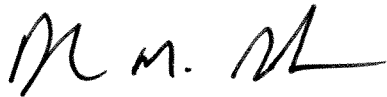
V. ACCREDITATION STANDARDS REFERENCE

VLEPSC
OPR.
02.03


This General Order becomes effective July 1, 2008 and rescinded all previous rules and regulations pertaining to the subject.

ISSUED BY:

APPROVED BY:



Chief of Police



County Executive

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: CUSTODY OF PRISONERS ASSISTING IN INVESTIGATIONS	NUMBER: 440.6
CANCELS ORDER DATED: 1-1-97	DATE: 7-1-08

I. PURPOSE

This General Order is issued to define policy and establish the conditions and procedures by which prisoners may be removed from confinement for the purpose of assisting with departmental investigations.

II. POLICY

It is the policy of this Department to assume custody of prisoners who are confined at a Virginia detention center in a manner which upholds the safety of the community, the prisoner, and the police officers. Custody of prisoners is to be assumed only when their involvement may provide significant investigative information and/or achievement. The rights of the prisoner shall be respected at all times.

III. PROCEDURES

- A. Permission from the station/division commander or assistant commander shall be obtained prior to assuming control of the prisoner.
- B. The commander's approval will be based on numerous factors including but not limited to the following:
 - 1. The reason for utilizing the prisoner.
 - 2. The role which the prisoner will play, e.g., identifying locations of burglaries, stolen property, or suspect's homes or as a catalyst to lure a suspected criminal.
 - 3. The jurisdiction to be entered.
 - 4. Safety factors including the type of location to be visited, the time of day, degree of risk for escape, etc.
- C. More than one officer shall be with the prisoner in all cases.

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: CUSTODY OF PRISONERS ASSISTING IN INVESTIGATIONS	NUMBER: 440.6
CANCELS ORDER DATED: 1-1-97	DATE: 7-1-08

- D. The use of handcuffs is strongly encouraged.
- E. DPSC and the duty officer shall be advised of the overall situation.
- F. The requirements of Regulation 203.3, "Transportation of Prisoners," shall apply.
- G. If the destination with the prisoner is known to be in another jurisdiction within the Commonwealth of Virginia, the law enforcement agency of that jurisdiction is to be notified of the intended visit prior to entry.
- H. If the prisoner is taken outside of the Commonwealth of Virginia, the following conditions must be met under all circumstances:
 - 1. The commander must be advised and approve of the situation prior to the transport.
 - 2. Law enforcement services of the jurisdiction entered must be utilized beginning at the Virginia boundary.
 - 3. Officers of jurisdictions outside of the Commonwealth of Virginia shall be reminded that Fairfax County Police officers have NO police powers outside of the Commonwealth; they can take no action to control the prisoner except those permitted of a citizen of the jurisdiction entered.
 - 4. The law enforcement officer of the entered jurisdiction is responsible for the prisoner until the prisoner is returned to the jurisdictional confines of the Commonwealth of Virginia.

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: CUSTODY OF PRISONERS ASSISTING IN INVESTIGATIONS	NUMBER:	440.6
CANCELS ORDER DATED: 1-1-97	DATE:	7-1-08

IV. ACCREDITATION STANDARDS REFERENCE

VLEPSC
OPR.
02.03
08.01

This General Order became effective July 1, 2008 and rescinded all previous rules and regulations pertaining to the subject.

ISSUED BY:

APPROVED BY:

Chief of Police

County Executive

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: USE OF FAIRFAX COUNTY ELECTRONIC
COMMUNICATIONS SYSTEMS

NUMBER: 450

CANCELS ORDER DATED: 10-1-01

DATE: 1-1-04

General Order 450 has been removed and reissued as SOP 04-011. This document can be found in the Fairfax County Police Department Manual of Standard Operating Procedures.

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: MANAGEMENT OF THE PERSONAL
COMPUTER RESOURCE

NUMBER: 460

CANCELS ORDER DATED: 7-1-00

DATE: 1-1-04

General Order 460 has been removed and reissued as SOP 04-012. This document can be found in the Fairfax County Police Department Manual of Standard Operating Procedures.

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