



City of Falls Church, Virginia

Use of Force Review Committee

Findings and Recommendations

February 10, 2021

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Executive Summary

This report provides findings and recommendations from the City of Falls Church, Use of Force Review Committee (UFRC). The UFRC was chartered by City Council on June 22, 2020 and began its efforts on August 20, 2020 following the appointment of 13 members. These members represent a diverse mix of City residents, City employees and staff, and uniformed law enforcement. Through positive dialogue and productive collaboration, the UFRC performed a comprehensive review of the Falls Church Police Department and Falls Church Sheriff's Office that aligned with the Committee's objectives.

Objective 1a: Review use of force policies and procedures for the Falls Church Police Department and Sheriff's Office. The UFRC reviewed 12 policy and procedure documents specifically related to the use of force. These include use of force policies and procedures, as well as associated guidance for reporting uses of force, initiating and conducting Internal Affairs reviews, issuing disciplinary action, and recognizing and mitigating bias during law enforcement activities. The Committee captured 228 unique comments on these documents, which involve both content revisions and overarching recommendations.

Objective 1b: Review data on reported use of force incidents over the current and past five years. The UFRC reviewed 113 use of force incidents from January 2015 through June 2020. These represent every incident involving the Police Department during this time. There have been no incidents involving the Sheriff's Office to-date. This review produced findings based on a statistical trend analysis of incident data and a qualitative analysis of incident descriptions. Together, these analyses informed Committee recommendations.

Objective 2: Engage the Falls Church community in this review by considering community input, experiences, and stories. The UFRC conducted a community survey, which received 393 responses and 858 additional open text comments. Each offered valuable input, perspectives, and experiences on the use of force from the local community. The inclusion of voluntary, self-reported demographic information also helped the UFRC ensure input from all responding populations was represented in Committee recommendations.

In accordance with the Committee's remaining objectives, the UFRC derived detailed findings based on its review efforts above (**Objective 3**) and developed recommendations in 10 topic areas to enhance use of force policies and procedures (**Objective 4**). These areas include:

1. Defining core values for the overarching culture that guides use of force.
2. Improving oversight to ensure transparency and accountability.
3. Enhancing community education and relationships with law enforcement.
4. Providing better support for special circumstances and vulnerable populations.
5. Establishing a Police Affiliated Critical Incident (PACI) process.
6. Ensuring adequate resources to successfully implement UFRC recommendations.
7. Standardizing the need for audio/visual evidence when reporting uses of force.
8. Clarifying when it is acceptable to use prohibited tactics as a "last resort."
9. Implementing systems that facilitate managing policies and procedures.
10. Expanding information capture and retention for personnel involved in uses of force.



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1. Introduction

The City of Falls Church established a Use of Force Review Committee (UFRC) through Resolution 2020-24. This Resolution responds to a call for action from the Obama Foundation and My Brother’s Keeper Alliance, which asks cities to review and reform their law enforcement use of force policies and procedures. City Council adopted this Resolution on June 22, 2020 with the following objectives for the UFRC:

- Objective 1a:** Review use of force policies and procedures for the Falls Church Police Department and Sheriff’s Office.
- Objective 1b:** In addition, review data on reported use of force incidents over the current and past five years.
- Objective 2:** Engage the Falls Church community in this review by considering community input, experiences, and stories.
- Objective 3:** Report findings to the community and seek feedback.
- Objective 4:** Develop recommendations to enhance use of force policies and procedures. In doing so, identify the fiscal or operational impacts of recommended changes.

The City appointed 13 members to the UFRC. Seven members are representatives from the public and reflect a diverse cross-section of City residents. Three members are representatives from City organizations, including the Employee Advisory Council, Falls Church City Public Schools, and a non-Public Safety department director. The final three members are representatives from the City’s public safety and law enforcement functions, including one Police Department Command staff, one police officer, and the City Sheriff.

The UFRC began weekly public meetings on August 20, 2020. Like many other City boards, commissions, task forces, working groups, and committees, the UFRC created a forum for positive dialogue and collaboration. Police Department and Sheriff’s Office members were essential in this forum, serving as active Committee members by sharing their experiences, perspectives, and ideas for improving use of force policies and procedures. Committee members commend them for helping the UFRC achieve its objectives.

This report describes the Committee’s approach, findings, and recommendations. Each recommendation seeks to align any use of force with best practices; public expectations; and the City’s vision for a diverse, inclusive, welcoming, and safe community. The UFRC considered changes in law enforcement that are occurring throughout the country. The Committee remained cognizant that, during a time of escalating dialogue and emotions, recommendations must be thoughtful, balanced, and reflect all points of view. The UFRC presents this report to City Council for consideration and distribution to the City Manager, Chief of Police, and Sheriff.

2. Approach

The UFRC’s approach addresses Committee objectives 1 and 2. First, the UFRC conducted a document review of Falls Church Police Department and Sheriff’s Office use of force policies and procedures (per Objective 1a). Second, it conducted a review of data and reporting on use of force incidents over the current and past five years (per Objective 1b). Third, it developed an electronic survey to engage the community, collect survey data, and analyze community feedback (per objective 2). The following subsections summarize these efforts.



2.1 Review – Policies and Procedures

The UFRC reviewed 12 policy and procedure documents specifically related to the use of force. These documents – also referred to as General Orders – provide rules and guidance for an officer or deputy in a specific subject area. They are a basis for training an officer or deputy and establish expectations for conduct. Although the Police Department and Sheriff’s Office have similar General Orders in some areas, the UFRC completed a separate review of each Order to facilitate a more comprehensive analysis.

When reviewing a General Order, each Committee member had an opportunity to capture their comments electronically via online Google documents and email correspondence. This method facilitated collaboration, allowing all members the ability to indicate their concurrence or alternative perspective on each comment. Group discussion at UFRC meetings reviewed these comments and concentrated in areas with differing perspectives or without concurrence.

The following sub-subsections identify the documents reviewed by subject area. Section 3 presents UFRC findings from this review. The UFRC determined all other General Orders beyond these subject areas to be outside the Committee’s charter.

2.1.1 Use of Force

The UFRC reviewed the current Police Department and Sheriff’s Office General Orders for use of force.

- **Police Department, General Order Number 3-1 – Use of Force (Effective September 24, 1987; Last Reviewed March 3, 2016):** The purpose of this General Order is to establish the policy and procedures governing the use of force and weapons by officers of the Falls Church Police Department. All sworn officers are issued a copy of this directive and receive instruction in its contents before being authorized to carry any firearm.
- **Sheriff’s Office, General Order Subject – Response to Threat (Effective July 1, 2020; Last Reviewed August 15, 2020):** The purpose of this General Order is to establish the policy and procedures governing the use of any force and weapons by deputies of the Falls Church Sheriff’s Office. All sworn deputies are issued a copy of this directive and receive instruction in its contents as a continuing requirement to authorize carrying or utilizing any firearm. This General Order establishes guidelines governing the limitations on use of force and describes prohibited activities.

The UFRC also reviewed recent, draft modifications of these General Orders.

- **Police Department, General Order Number 3-1 – Use of Force (DRAFT dated June 12, 2020)**
- **Sheriff’s Office, General Order Subject – Response to Threat (DRAFT dated September 18, 2020)**

The Committee acknowledges the proactive efforts being made by the Police Department and Sheriff’s Office to enhance its current Orders in this subject area. Although draft modifications are in-process, the UFRC deemed it necessary to review current Orders because they are the basis for current training and conduct. This was essential to understand and analyze community feedback, as well as use of force incidents in recent years.



2.1.2 Reporting Use of Force

The UFRC reviewed the current Police Department and Sheriff's Office General Orders for reporting the use of force.

- **Police Department, General Order Number 3-2 – Reporting Use of Force (Effective September 24, 1987; Last Reviewed March 3, 2016):** The purpose of this General Order is to establish procedures for reporting the use of force and to set Department guidelines for the review of incidents involving the use of force.
- **Sheriff's Office, General Order Subject – Reporting Use of Force (DRAFT dated September 25, 2020):** The purpose of this General Order is to establish procedures for reporting the use of force and to outline Sheriff's Office guidelines for the review of all incidents involving the use of force.

2.1.3 Internal Affairs and Disciplinary Action

The UFRC reviewed the current Police Department General Orders for internal affairs and disciplinary action. The Sheriff's Office did not have its own specified General Orders in this subject area at the time of UFRC review. However, internal affairs investigations were generally applicable for the any disciplinary violations of deputies. The Sheriff's Office has since implemented a designated Internal Affairs General Order.

- **Police Department, General Order Number 2-2 – Disciplinary Action, Appeals, and Relief from Duty (Effective September 24, 1987; Last Reviewed October 24, 2007):** The purpose of this General Order is to establish specific procedures pertaining to disciplinary actions and appeals within the Department. The scope of authority will be defined for all levels of command authorized to impose formal discipline. The procedure to follow in appealing disciplinary action are also outlined.
- **Police Department, General Order Number 2-3 – Internal Affairs (Effective September 24, 1987; Last Reviewed March 19, 2008):** The purpose of this General Order is to establish procedures to be followed when it is necessary to investigate the actions or conduct of any employee of the Department. These procedures ensure the complete examination of all facts and circumstances relevant to the incident investigated and safeguard the rights of employees who are the subject of such investigations.

2.1.4 Bias

The UFRC reviewed the current Police Department and Sheriff's Office General Orders relating to officer and deputy bias.

- **Police Department, General Order Number 2-14 – Bias Reduction (Effective October 3, 2003; Last Reviewed July 6, 2012):** The purpose of this General Order is to provide general guidance on reducing the presence of bias in law enforcement actions, to identify key contexts in which bias may influence these actions and emphasize the importance of the constitutional guidelines within which officers operate.
- **Sheriff's Office, General Order Subject – Bias Awareness/Reduction/Elimination (Effective Date: September 10, 2020):** The purpose of this General Order is to provide general guidance in mitigating, reducing, and eliminating the presence of bias in law enforcement actions; to identify and to recognize key contexts in which bias may



influence these actions; and emphasize the importance of the constitutional guidelines within which deputies operate.

2.1.5 School Safety

The UFRC reviewed a Memorandum of Understanding (MOU) between the Police Department and public schools, and template guidance from the Virginia School Board Association (VSBA).

- **Memorandum of Understanding between the Falls Church Police Department and the Falls Church City Public Schools (Last Reviewed March 20, 2008):** This MOU clarifies the roles of the School Resource Officer (SRO) and the School Administrators, the scope of their authority, and the responsibilities of the Falls Church City Public Schools and the Falls Church Police Department in this collaboration.
- **Relations with Law Enforcement Authorities, Virginia School Board Association (Copyright July 2020):** This is template guidance provided by VSBA that is currently under consideration by Falls Church City Public Schools.

The UFRC performed a cursory review of how use of force guidance is reflected in these documents. These documents also included other expectations beyond UFRC scope. They should be reviewed and updated in a comprehensive manner by relevant organizations and stakeholders.

2.2 Review – Incident Reports

The UFRC reviewed 113 use of force incidents that occurred between January 2015 and June 2020 as follows. These represent every incident involving the Police Department during this time. There have been no incidents involving the Sheriff’s Office to-date.

- **2015:** 22 use of force incident reports
- **2016:** 25 use of force incident reports
- **2017:** 23 use of force incident reports
- **2018:** 18 use of force incident reports
- **2019:** 12 use of force incident reports
- **2020:** 13 use of force incident reports (*through June 30, 2020*)

Given the number of reports, UFRC members were divided and assigned to review two years of reports. Through individual member comments and group discussion, the Committee focused on notable observations and identified year-to-year trends. This included but was not limited to the types of incidents, how incidents were described, resulting injuries, and demographic information for those involved.

Prior to the Committee’s review, all 113 incidents had been previously reviewed through the Internal Affairs process and determined to be within guidelines. The UFRC determined it was beyond the Committee’s charter to re-adjudicate these cases. As such findings and recommendations are limited to noted observations and trends. Section 3 presents findings from this review of incident reports.



2.3 Engage – Community Survey

The UFRC developed an electronic survey to collect input, perspectives, and experiences on the use of force from the local community. The Committee determined this approach would provide the most comprehensive community engagement because the ongoing COVID-19 pandemic prevented in-person meetings. The survey was distributed online and advertised through the City of Falls Church website; the *Falls Church News Press*; community email lists/boards; and social media platforms such as Facebook, Twitter, and LinkedIn.

The anonymous survey – titled “Public Perception of and Experiences with the City of Falls Church Police Department and Sheriff’s Office” – had 15 core questions and concluded with a request to voluntarily provide demographic information. This demographic information was not required to complete and submit the survey. Rather, it was requested to provide the Committee better context for its analysis, findings, and recommendations. Each question offered both a Likert-scale to quantify survey input and open text field to collect more thorough comments.

Core Questions

1. How important to you is the current state of relations in the nation between the police department and the communities they serve?
2. The City's Police Department and Sheriff's Office keep the community safe.
3. Have you experienced use of force from the City's Police Department or Sheriff's Office?
4. Have you witnessed an event where the City's Police Department or Sheriff's Office used force?
5. If you have witnessed any interactions between the City's Police Department and the public, how would you rate the number of officers responding?
6. If you have witnessed any interactions between the City's Police Department and the public, how would you rate response time and the professionalism of the officers?
7. If you have witnessed any interactions between the City's Sheriff's Office and the public, how would you rate the number of deputies responding?
8. If you have witnessed any interactions between the City's Sheriff's Office and the public, how would you rate response time and the professionalism of the deputies?
9. Please indicate your feelings on the following statements about the City's Police Department: A) The Police Department is properly staffed; and B) The Police Department has the right level of resources (vehicles, budget, equipment).
10. How would you rate the quality of engagement between the School Resource Officer (who is a Police Department employee) with the students and staff of the public schools?
11. How important is it for the Police Department and Sheriff's Office to post information to the website about past, current and future use of force incidents?
12. What do you think about the amount of information currently posted to the City's website about past, current and future use of force incidents?
13. Compared to places you have lived previously, how would you rate the overall quality of the City's Police Department?



14. Compared to places you have lived previously, how would you rate the overall quality of the City's Sheriff's Office?
15. Please provide any additional information on your experiences and/or opinions related to the City of Falls Church Police Department and Sheriff's Office.

Voluntary Demographic Questions

16. What is your age?
17. What is your gender identity?
18. Which race/ethnicity best describes you?
19. Are you a City of Falls Church resident?
20. Optional: If you would like to be contacted by a member of the City of Falls Church Use of Force Committee to discuss your experiences, please submit your contact information.

The survey was open from Tuesday, November 17, 2020 through Friday, December 4, 2020. Upon completion of the survey period, the UFRC used functionality within the survey tool (i.e., Survey Monkey) to aggregate and analyze responses. This analysis was shared with the community, which was invited to respond and or reemphasize their input at an open virtual meeting on Wednesday, February 3, 2021. Section 3 presents findings from the survey and associated community engagement.

3. Findings

The UFRC executed its approach to derive findings on the Police Department and Sheriff's Office use of force. This Section summarizes these findings (per Objective 3). The UFRC reached consensus on these findings through constructive dialogue and productive collaboration.

3.1 Policy and Procedure Findings

The review of policies and procedures produced findings in each use of force subject area. The table in this subsection summarizes these findings with supporting details in Appendix A. Policy and procedure findings fall into two categories:

1. **Proposed revisions to the Order:** These are generally straight-forward comments that involve wording updates, additions, or deletions in the Order. Appendix A indicates a proposed revision with an Action titled "Revise Order."
2. **Recommendation Topics:** Common themes emerged from UFRC discussions in each subject area. These themes look to address overarching and/or systemic concerns and were constructed to address multiple comments. The recommendations impact multiple Orders, and in some instances entail more significant fiscal and operational considerations. Appendix A indicates a recommendation with an Action titled "See Recommendation." Section 4 describes each recommendation in this category.

Summary of Findings

Subject Area	Summary of Findings
Use of Force	<ul style="list-style-type: none"> • The current Police Department Order was last reviewed in 2016. The Department has developed a new draft (dated June 12, 2020), which includes substantial updates and is not yet final. The current Sheriff's Office Order reflects the updates in the Police



Subject Area	Summary of Findings
<p>Police Department, General Order Number 3-1 – Use of Force (Effective September 24, 1987; Last Reviewed March 3, 2016; as well as more recent draft dated June 12, 2020)</p> <p>Sheriff’s Office, General Order Subject – Response to Threat (Effective July 1, 2020; Last Reviewed August 15, 2020; as well as more recent draft dated September 18, 2020)</p>	<p>Department Order with an effective date of July 1, 2020. The UFRC commends the Police Department and Sheriff’s Office for its proactive efforts to improve their use of force/response to threat policy and procedures.</p> <ul style="list-style-type: none"> • The UFRC documented 37 comments on the current Police Department Order and 57 comments on the current Sheriff’s Office Order. <ul style="list-style-type: none"> ○ Of the 37 comments on the current Police Department Order, 22 (60%) remain applicable in the new draft. This indicates revisions are still necessary in the new draft Order to adequately address UFRC comments. ○ Of the 57 comments on the Sheriff’s Office Order, 17 (30%) are redundant with comments on the current Police Department Order. Like the 22 above, these 17 comments represent issues or legacy concepts that have carried forward into the newer guidance. ○ Of the 40 remaining comments on the Sheriff’s Office Order, 30 (75%) require revisions to the Order. Given similarities between the Sheriff’s Office Order and the new Police Department draft Order, these 30 comments require implementation in the new Police Department draft as well. • Appendix A indicates a proposed revision with an Action titled “Revise Order.” These are generally straight-forward comments that focus on, but are not limited to: <ul style="list-style-type: none"> ○ Increasing clarity in the guidance to minimize the potential for misinterpretation. ○ Reducing opportunities to deviate from the guidance. ○ Enhancing accountability and indicating consequences for non-compliance. ○ Capturing other observations such as updating and standardizing terms. • In addition to proposed revisions, six recommendation topics emerged from the remaining comments in this subject area. Appendix A indicates a recommendation with an Action titled “See Recommendation.” The scope for these topics is summarized below, with the specific recommendations detailed in Section 4. <ol style="list-style-type: none"> 1. <i>Core Values</i>: The overarching culture that guides use of force and the importance of articulating a respect for human life and dignity (i.e., that officer and deputy safety is essential but must not come at the expense of the safety and security of those in the community). 2. <i>Oversight and Accountability</i>: The oversight of policies and procedures to ensure institutionalized measures aimed at transparency and accountability is critical. This includes specific investigations by a Citizen Review Board, and an improved internal investigations system, as well as methods for communications with the public to increase transparency. 3. <i>Special Circumstances and Vulnerable Populations</i>: The challenges involving mental health issues, individuals with differing intellectual or developmental abilities, and other medical/health conditions within a diverse community population. 4. <i>“Last Resort” Tactics</i>: The situations in which is it acceptable to apply generally prohibited tactics such as trachea holds, carotid artery holds, and baton strikes to head or face. In lieu of removing these entirely, the Orders must more explicitly state their purpose as a “last resort” to protect officer life or the lives of bystanders, and consequences of misuse or excessive use. 5. <i>Personnel and Training</i>: The staffing levels and resources by which the Police Department, Sheriff’s Office, and City enable the effective and successful implementation of policies and procedures. 6. <i>Records Management</i>: The administrative controls that exist to facilitate managing policies and procedures relating to the use of force, but also in general.
<p>Reporting Use of Force</p>	<ul style="list-style-type: none"> • The current Police Department Reporting Use of Force General Order was last reviewed in 2016. The current Sheriff’s Office Reporting Use of Force General Order was still in



Subject Area	Summary of Findings
<p>Police Department, General Order Number 3-2 – Reporting Use of Force (Effective September 24, 1987; Last Reviewed March 3, 2016)</p> <p>Sheriff’s Office, General Order Subject – Reporting Use of Force (DRAFT dated September 25, 2020)</p>	<p>draft form at the time of UFRC review. However, the Sheriff’s Office notified the UFRC that there has been no use of force incidents to-date involving Sheriff’s deputies.</p> <ul style="list-style-type: none"> • The UFRC documented 20 comments on the current Police Department Order and 20 comments on the current Sheriff’s Office Order draft. <ul style="list-style-type: none"> ○ Of the 20 comments on the current Police Department Order, 16 (80%) require revisions to the Order to adequately address UFRC comments. ○ Of the 20 comments on the Sheriff’s Office Order draft, 14 (70%) are redundant with comments on the Police Department Order because the same/similar language exists in the two Orders. ○ Of the six remaining comments on the Sheriff’s Office Order, all six (100%) require revisions to the Order to adequately address UFRC comments. • Appendix A indicates a proposed revision with an Action titled “Revise Order.” These are straight-forward comments that will increase clarity in the guidance and reduce opportunities for deviation. • In addition to revisions, the UFRC noted the potential risk that exists when reporting Use of Force/Response to Threat within the chain of command. Currently, an independent entity does not review these incidents. The recommendation noted above – <i>Oversight and Accountability</i> – is also applicable to these Orders. • Two additional recommendation topics emerged from the remaining comments in this subject area. Appendix A indicates a recommendation with an Action titled “See Recommendation.” The scope for these topics is summarized below, with the specific recommendations detailed in Section 4. <ol style="list-style-type: none"> 1. <i>Police Affiliated Critical Incident (PACI) Process</i>: The standard operating procedure for managing critical incidents, mandatory activities requiring officer and deputy cooperation, and methods for engaging the community to maintain transparency and trust. 2. <i>Incident Evidence</i>: Reports and audio/visual evidence available to support reviewing a Use of Force/Response to Threat incident.
<p>Internal Affairs and Disciplinary Action</p> <p>Police Department, General Order Number 2-3 – Internal Affairs (Effective September 24, 1987; Last Reviewed March 19, 2008)</p> <p>Police Department, General Order Number 2-2 – Disciplinary Action, Appeals, and Relief from Duty (Effective September 24, 1987; Last Reviewed October 24, 2007)</p>	<ul style="list-style-type: none"> • The current Police Department Internal Affairs General Order was last reviewed in 2008. The Police Department Disciplinary Action General Order was last reviewed in 2007. The Sheriff’s Office did not have Orders in this area at the time of UFRC review. • The UFRC documented 27 comments on the current Internal Affairs Order and five comments on the current Disciplinary Action Order. <ul style="list-style-type: none"> ○ Of the 27 comments on the current Internal Affairs Order, 21 (78%) require revisions to the Order to adequately address UFRC comments. ○ Of the six comments on the current Disciplinary Action Order, all six (100%) require revisions to the Order to adequately address UFRC comments. • Appendix A indicates a proposed revision with an Action titled “Revise Order.” These are generally straight-forward comments that focus on, but are not limited to: <ul style="list-style-type: none"> ○ Increasing clarity in the guidance and reducing opportunities to deviate from it. ○ Eliminating inconsistencies (e.g., administrative reviews) in the Internal Affairs and Disciplinary Action Orders. ○ Eliminating inconsistencies regarding who handles complaints, what their authority is, and to what leadership level information is reported. • In addition to revisions, the UFRC again noted the potential liability that exists when managing Internal Affairs investigations within the chain of command. The recommendation noted above – <i>Oversight and Accountability</i> – is also applicable to these Orders. • One additional recommendation topic emerged from the remaining comments in this subject area. Appendix A indicates a recommendation with an Action titled “See



Subject Area	Summary of Findings
	<p>Recommendation.” The scope for this topic is summarized below, with the specific recommendations detailed in Section 4.</p> <ol style="list-style-type: none"> 1. <i>Personnel Files</i>: Broadening the information captured about personnel involved in use of force incidents (e.g., all cases vs. sustained cases) and reviewing the retention periods for that information.
<p>Bias</p> <p>Police Department, General Order Number 2-14 – Bias Reduction (Effective October 3, 2003; Last Reviewed July 6, 2012)</p> <p>Sheriff’s Office, General Order Subject – Bias Awareness / Reduction / Elimination (Effective Date: September 10, 2020)</p>	<ul style="list-style-type: none"> • The current Police Department Bias Reduction General Order was last reviewed in 2012. The Sheriff’s Office General Order was recently implemented in September 2020. • The UFRC documented 21 comments on the current Police Department Order and 16 comments on the current Sheriff’s Office Order. <ul style="list-style-type: none"> ○ Of the 21 comments on the current Police Department Order, 17 (81%) require revisions to the Order to adequately address UFRC comments. ○ Of the 16 comments on the Sheriff’s Office Order, 9 (50%) are redundant with comments on the Police Department Order because the same/similar language exists in the two Orders. ○ Of the seven remaining comments on the Sheriff’s Office Order, all seven (100%) require revisions to the Order to adequately address UFRC comments. • Appendix A indicates a proposed revision with an Action titled “Revise Order.” These are generally straight-forward comments that focus on, but are not limited to: <ul style="list-style-type: none"> ○ Confirming definitions related to bias to align with best practice or case law. ○ Increasing clarity in the guidance and reducing opportunities to deviate from it. • In addition to revisions, the UFRC again noted the importance of several recommendation topics provided for other Orders including <i>Core Values</i>, <i>Oversight and Accountability</i>, and <i>Special Circumstances and Vulnerable Populations</i>. There are no unique recommendations for these General Orders beyond those already stated.
<p>School Safety</p> <p>Memorandum of Understanding between the Falls Church Police Department and the Falls Church City Public Schools (Last Reviewed March 20, 2008)</p> <p>Relations with Law Enforcement Authorities, Virginia School Board Association (VSBA) (Copyright July 2020):</p>	<ul style="list-style-type: none"> • The current Memorandum of Understanding (MOU) was last reviewed in 2008. The VSBA policy has a copyright of July 2020 but is a template policy that is not tailored for Falls Church City Public Schools, the Police Department, or Sheriff’s Office. • The UFRC documented 15 comments on the current MOU and nine comments on the template VSBA policy. <ul style="list-style-type: none"> ○ Of the 15 comments on the current MOU, all 15 (100%) require revisions to the Order to adequately address UFRC comments. ○ Of the nine comments on the VSBA policy, all nine (100%) require revisions to adequately address UFRC comments. • Appendix A indicates a proposed revision with an Action titled “Revise MOU” or “Revise Policy.” These are generally straight-forward comments that focus on, but are not limited to: <ul style="list-style-type: none"> ○ Providing clarity on how the use of force applies within a school environment. ○ Characterizing minors and students as vulnerable populations. ○ Describing how the policies protect the rights of all involved. • In addition to revisions, the UFRC suggests updating the MOU with a broader review of current operations and practices to include a review of any applicable guidance provided by VSBA.

3.2 Incident Report Findings

The Committee’s charter tasked the UFRC to review data and reporting on use of force incidents over the current and past five years. As such, all incidents were reviewed from 2015, 2016, 2017, 2018, and 2019 (i.e., the past five years). The UFRC also reviewed all incidents in 2020 through June, which were available at the time of UFRC formation (i.e., the current year). Again, these



incidents pertain only to the Police Department since there have been no incidents involving the Sheriff’s Office to-date.

The use of force incident review produced findings based on a quantitative analysis of incident data and qualitative analysis of incident descriptions. The quantitative analysis helped characterize statistical trends across the use of force incidents. The qualitative analysis helped derive broader observations that informed UFRC recommendations in Section 4. The table in this subsection summarizes use of force incident findings by analysis type. Appendix B provides information on each incident reviewed by the UFRC to support these findings.

Summary of Findings

Analysis Type	Summary of Findings
Quantitative Analysis	<ul style="list-style-type: none"> • In total, there were 113 use of force incidents from January 2015 through June 2020. All incidents involved the Falls Church Police Department. There have been no use of force incidents involving the Falls Church Sheriff’s Office to date. • Of the 113 incidents, 27 involved a use of force on wildlife such as euthanizing injured or dangerous raccoons, rabbits, foxes, squirrels, or deer. In all 27 cases, a pistol or rifle was deployed, which requires documenting the incident as a use of force. These incidents were reviewed by the UFRC but generally excluded from the Committee’s analysis. • For the remaining 86 use of force incidents – those excluding a use of force on wildlife –officers specified all gender, race, and ethnicity data in their reporting. The officer may have confirmed this data with the individual at the time of the incident, but the UFRC does not have confirmation on when/if demographic data was self-reported versus officer assigned. Further, these incidents involve City of Falls Church residents as well as individuals visiting the city. As such, the UFRC cannot conclude whether the following demographic percentages are misaligned with the general population. <ul style="list-style-type: none"> ○ For these 86 incidents, 66 involved males (77%), 17 involved females (20%), and 3 involved a group of individuals without gender indicated (3%). ○ For these 86 incidents, 59 involved white individuals (69%), 20 involved black individuals (23%), 3 involved Asian individuals (3%), and 4 involved individuals with unspecified race (5%). ○ For these 86 incidents, 68 involved non-Hispanic individuals (79%), 14 involved Hispanic individuals (16%), and 4 involved individuals with unspecified ethnicity (5%). All 14 Hispanic individuals were characterized as white in the finding above. It is important to note that reporting a Hispanic versus non-Hispanic ethnicity of the individual is dictated by Virginia reporting requirements. • For the remaining 86 use of force incidents – those excluding a use of force on wildlife –officers used a variety of weapons. More than one weapon was used during some incidents, which are counted separately below. There were no incidents that involved the firing/deployment of a firearm (e.g., pistol, rifle, or shotgun) or electronic control device (ECD) on an individual. <ul style="list-style-type: none"> ○ The use of hands or fists occurred during 58 incidents (67%). ○ A pistol was displayed during 25 incidents (29%). ○ An ECD was displayed during 9 incidents (10%). ○ A rifle or shotgun was displayed during 6 incidents (7%). ○ Oleoresin Capsicum (OC) spray was used/deployed during 4 incidents (5%). ○ K9 resources were used during 2 incidents (2%). ○ A baton was displayed during 1 incident (1%).



Analysis Type	Summary of Findings
	<ul style="list-style-type: none"> • For the remaining 86 use of force incidents – those excluding a use of force on wildlife – individuals incurred various injuries as follows. <ul style="list-style-type: none"> ○ No injuries were observed, resulted from, or reported during 67 incidents (78%). ○ Minor cuts and/or abrasions occurred during 10 incidents (12%). ○ Other injuries occurred during 9 incidents (10%) including: arm injured when broke window; bump/cut on forehead when individual slammed head on plexiglass in patrol car; hit head when tackled; said head hurt, required medics; and required medics for hand pain from prior surgery.
Qualitative Analysis	<ul style="list-style-type: none"> • All incidents were reviewed through the Internal Affairs process and determined to be within guidelines, or “Exonerated” as defined in the Internal Affairs General Order. This Order provides four classifications for an incident in Part VI on Page 10: 1) Sustained – the reported incident is supported by sufficient evidence to justify a reasonable conclusion that an act was committed (e.g., improper, or excessive force); 2) Not Sustained – the reported incident has insufficient evidence to either prove or disprove an allegation.; 3) Exonerated – the reported incident was lawful and proper (e.g., within guidelines).; and 4) Unfounded – the reported incident is false, or the action did not involve a Police Department employee. <ul style="list-style-type: none"> ○ The UFRC finds these definitions concerning. For example, an officer is not “exonerated” solely because their actions were within guidelines. The Committee recommends revising these definitions in the Internal Affairs General Order or using more typical classifications of substantiated, unsubstantiated, unfounded. • The incident description in some reports does not provide enough detail to determine if the officer’s response was proportional to the active resistance. In these cases, it was not clear from the report why the officer chose a particular response, and the lacking detail could lead to a conclusion that certain uses of force seemed slightly disproportional. <ul style="list-style-type: none"> ○ Aligned with the Committee’s <i>Personnel and Training</i> recommendation topic, there is an opportunity for training to emphasize the importance of detail and clarity in report writing – reflecting what the officer was confronted with and why the officer responded the way they did. At a minimum, officers need to ensure they substantiate that the use of force was proportional to the active resistance. • Not all incident reports are signed by a supervisor, which does not provide clear evidence that the report has been reviewed appropriately. <ul style="list-style-type: none"> ○ Aligned with the Committee’s <i>Oversight and Accountability</i> recommendation topic, there is a need to ensure Internal affairs reports are fully signed and adjudicated prior to closing a matter. Incidents should be monitored individually and collectively to ensure that any trend or patterns, whether in behavior or by an officer, are able to be identified quickly. • As described in the quantitative analysis, 19 of the 86 use of force incidents resulted in an injury of some type. The Reporting Use of Force General Order, Part I.C.2 on Page 2, states “If the use of force resulted in an injury, photographs of the injury should also be submitted.” Further, the Response to Threat forms that accompany incident reports provide the ability to indicate YES/NO for “Audio/Video Captured” and “Photos Taken.” The Committee’s review of incident reports revealed inconsistency in this area. <ul style="list-style-type: none"> ○ Aligned with the Committee’s <i>Incident Evidence</i> recommendation topic, there is a need to ensure video or photographic evidence of injuries sustained during a use of force incident. Current descriptions (e.g., “slight abrasion” or “minor cut”) are subjective and could create uncertainty during an incident review. • The incident reports currently provide very broad terminology to classify an offense. For example, 13 of the incidents have an offense described as “Mental” or “Mental Person.”



Analysis Type	Summary of Findings
	<ul style="list-style-type: none"> ○ Aligned with the Committee’s <i>Special Circumstances and Vulnerable Populations</i> recommendation topic, there is an opportunity to expand the classification scheme to include appropriate and current terminology and provide more specificity on the incident for reporting and trend analysis.

3.3 Community Engagement Findings

This subsection summarizes findings from the community survey and follow-up engagement meeting. Like the use of force incident review above, community engagement produced findings based on a quantitative analysis of Likert-scale survey responses and a qualitative analysis of open comments for each question. The quantitative analysis helped characterize statistical trends across the survey responses. The qualitative analysis helped derive broader observations that informed UFRC recommendations in Section 4. Appendix C provides the complete, aggregated survey data for all survey respondents. Appendix D provides filtered survey data showing responses only from self-identified minority populations and those with unspecified demographics.

Summary of Findings

Analysis Type	Summary of Findings
<p>Quantitative Analysis</p>	<ul style="list-style-type: none"> ● In total, there were 393 responses to the UFRC survey during the period it was open. These responses included 858 open text comments to further elaborate on the Likert-scale response and/or question asked. ● Of the 393 responses, almost all voluntarily provided demographic information. Most respondents self-identified as being between the ages of 35 and 64, female, White/Caucasian, and City of Falls Church residents as follows: <ul style="list-style-type: none"> ○ 381 provided age information indicating 292 respondents were between 35 and 64 years of age (76.64%), 52 were 65 years of age or older (13.65%), and 37 were between 18 and 34 years of age (9.71%). ○ 382 provided gender information indicating 200 respondents were female (52.36%), 151 were male (39.53%), and two were genderqueer or non-binary (0.52%). In addition, 29 respondents selected a preference not to answer (7.59%), which is different than skipping the question entirely. ○ 379 providing race/ethnicity information indicating 268 respondents were White/Caucasian (70.71%), 19 were Asian/Pacific Islander (5.01%), 14 were Hispanic (3.69%), 13 were Black or African American (3.43%), and 13 were Multiple ethnicity/Other (3.43%). In addition, 52 respondents selected a preference not to answer (13.72%), which is different than skipping the question entirely. ○ 383 provided residency information indicating 328 respondents are a City of Falls Church resident (85.64%), 51 are not a resident (13.32%), and four are unsure (1.04%). ● Of the 393 respondents, there was a positive perspective of the Falls Church Police Department and Sheriff’s Office reflected in the Likert-scale responses to each question. The following provides a sampling for context. Again, all survey data is provided in Appendix C for review and consideration. <ul style="list-style-type: none"> ○ Question 1 – 339 respondents (86.92%) indicated the current state of relations in the nation between the police department and the communities they serve is very important or essential.



Analysis Type	Summary of Findings
	<ul style="list-style-type: none"> ○ Question 2 – 341 respondents (87.21%) said they agreed or strongly agreed that the City's Police Department and Sheriff's Office keep the community safe. ○ Question 6 – Only 16 respondents (4.18%) rated the professionalism of police officers as poor or very poor. Another 26 respondents (6.81%) rated the professionalism of police officers as fair. ○ Question 8 – Only nine respondents (2.45%) rated the professionalism of Sheriff's deputies as poor or very poor. Another nine respondents (6.81%) rated the professionalism of deputies as fair. ○ Question 13 – Only 11 respondents (2.85%) rated the overall quality of the City's Police Department as poor or very poor in comparison to prior places they lived. Another 28 respondents (7.25%) rated the overall quality of the Police Department as fair. ○ Question 14 – Only six respondents (1.58%) rated the overall quality of the City's Sheriff's Office as poor or very poor in comparison to prior places they lived. Another 26 respondents (6.84%) rated the overall quality of the Sheriff's Office as fair. ● One important consideration for the quantitative analysis is that not many survey respondents had directly experienced or witnessed a use of force by the Police Department or Sheriff's Office. This underscored the importance of reviewing each open text comments to inform the qualitative analysis. <ul style="list-style-type: none"> ○ Question 3 – 376 respondents (96.41%) had not experienced use of force from the City's Police Department or Sheriff's Office. ○ Question 4 – 340 respondents (86.96%) had not witnessed an event where the City's Police Department or Sheriff's Office used force. ● Another important consideration for the quantitative analysis was to identify any notable differences in the ratings if responses were isolated to minority populations. One criticism of community surveys is that a largely White/Caucasian population may marginalize the perceptions of those that represent a lesser percentage of the population. As such, the UFRC filtered survey data to include only responses from 111 self-identified minority respondents and those with unspecified demographics. There was a slightly more negative perspective of the Falls Church Police Department and Sheriff's Office reflected in the Likert-scale responses to each question. The following provides a sampling for context. Again, all survey data is provided in Appendix D for review. <ul style="list-style-type: none"> ○ Question 1 – 90 (81.08%) indicated the current state of relations in the nation between the police department and the communities they serve is very important or essential. [Compared to 86.92% from all responses]. ○ Question 2 – 91 respondents (81.99%) said they agreed or strongly agreed that the City's Police Department and Sheriff's Office keep the community safe. [Compared to 87.21% from all responses]. ○ Question 6 – Only eight respondents (7.28%) rated the professionalism of police officers as poor or very poor. Another 11 respondents (10.00%) rated the professionalism of police officers as fair. [Compared to 4.18% and 6.81% respectively from all responses]. ○ Question 8 – Only four respondents (3.74%) rated the professionalism of Sheriff's deputies as poor or very poor. Another six respondents (5.61%) rated the professionalism of deputies as fair. [Compared to 2.45% and 6.81% respectively from all responses]. ○ Question 13 – Only five respondents (4.55%) rated the overall quality of the City's Police Department as poor or very poor in comparison to prior places they lived. Another 10 respondents (9.09%) rated the overall quality of the Police Department as fair. [Compared to 2.85% and 7.25% respectively from all responses].



Analysis Type	Summary of Findings
	<ul style="list-style-type: none"> ○ Question 14 – Only one respondent (0.93%) rated the overall quality of the City's Sheriff's Office as poor in comparison to prior places they lived. Another 10 respondents (9.26%) rated the overall quality of the Sheriff's Office as fair. [Compared to 1.58% and 6.84% respectively from all responses]. ● Of the 111 self-identified minority respondents and those with unspecified demographics, there was no notable difference regarding the percentages of respondents that had directly experienced a use of force. However, more minority respondents had witnessed a use of force by the Police Department or Sheriff's Office. <ul style="list-style-type: none"> ○ Question 3 – 106 respondents (96.36%) had not experienced use of force from the City's Police Department or Sheriff's Office. [Compared to 96.41% from all responses] ○ Question 4 – 86 respondents (77.48%) had not witnessed an event where the City's Police Department or Sheriff's Office used force. [Compared to 86.96% from all responses]
Qualitative Analysis	<ul style="list-style-type: none"> ● The Committee's review of the 858 open text comments revealed common themes from a qualitative perspective. <ul style="list-style-type: none"> ○ There was a positive affirmation of the Police Department and Sheriff's Office. However, there appears to be confusion within the community as to the separate roles and responsibilities of the Police Department and Sheriff's Office (e.g., why two separate organizations, why are both needed). ○ There are several requests for officers to be more active/present in Falls Church City neighborhoods, to check-in with citizens, and have a deeper relationship within the community. For example, respondents seemed more concerned about traffic calming/speeding in neighborhoods than on Broad Street/Route 7. ○ Among the more critical comments, there was concern about a lack of transparency and limited knowledge about where to find information on use of force incidents, resources, budget, and statistics. ○ Multiple respondents indicated the need for officer training related to mental health and having more officers with bilingual abilities. ○ Although there are not many comments about the use of physical force specifically, there is some public perception that too many police officers respond to minor events. This can be both intimidating and create public concerns about Department resource levels/over-resourcing. ○ There are also multiple comments that indicate people of color can be unfairly targeted by law enforcement. Further, there are comments indicating a sense of arrogance among the Falls Church law enforcement community. ● Aligned with the Committee's <i>Personnel and Training</i> recommendation topic, as well as the <i>Special Circumstances and Vulnerable Populations</i> recommendation topic, survey responses appear to indicate a need for training, policy, and/or resources to counteract the potentially disproportionate effects of law enforcement on marginalized communities. Areas for improvement include but are not limited to increased accommodations for interpretation, quality anti-bias training for officers, quality training for dispatch to prepare officers for the scene, and access to mental health professionals and training for interacting with individuals in crisis. ● Aligned with the Committee's <i>Oversight and Accountability</i> recommendation topic, there is a need to make data more available on the Police Department/Sheriff's Office (e.g., budget, staffing, demographics) and use of force incidents (e.g., number, type, change over time), and to consider community feedback for policing strategies (e.g., focusing traffic enforcement on neighborhoods or areas of public concern).



Analysis Type	Summary of Findings
	<ul style="list-style-type: none"> • One additional recommendation topic emerged from the survey comments. The scope for this topic is summarized below, with the specific recommendations detailed in Section 4. <ul style="list-style-type: none"> ○ <i>Community Education and Relations</i>: Increased community discussions about law enforcement in Falls Church, how the City approaches policing, and how minority communities experience unique challenges in the criminal justice system. In addition, proactive relationship building between officers, deputies, and City residents through efforts such as sponsored talks, meet-and-greets, and know your rights campaigns.

4. Recommendations

The UFRC analyzed its findings to develop a comprehensive set of recommendations. This Section describes these recommendations (per Objective 4) in 10 overarching topic areas. It characterizes the anticipated outcome of each area, as well as the associated fiscal and operational impacts. For simplicity, impacts are approximate and generally characterized as:

- **Within Budget:** Anticipate manageable impact within existing budget and operations.
- **Low:** Anticipate cost (possibly less than \$100k) with minor policy or procedure changes.
- **Moderate:** Anticipate annual cost (possibly less than \$500k) with notable policy or procedure changes.
- **High:** Anticipate annual cost (possibly greater than \$500k) with new operational concepts or approaches.

In addition to these recommendations, the Police Department and Sheriff’s Office should consider and implement the proposed revisions to its General Orders captured in Appendix A.

The UFRC recognizes that the best policies can fail if they are poorly implemented or receive inadequate resources. However, the Committee does not have authority to provide implementation activities for its recommendations. This provides flexibility for the City to plan within its projected operating and budget constraints.

Recommendation Area 1 – Core Values

The Police Department, Sheriff’s Office, and City should define and adopt a set of core values to be a foundation for the culture and operation of law enforcement activities. The new use of force/response to threat draft Orders include a significantly enhanced Policy statement that underscores a respect for human dignity and the sanctity of life. This statement would be strengthened if there was explicit alignment between the Orders, the organizations, and the City.

Outcome: The clear and direct statement of core values sets a tone and direction for the actions of officers and deputies in Falls Church. It provides clear expectations for officers and deputies, and the public, and offers context for the community regarding law enforcement’s perspective on the use of force/response to threat. It also makes clear to the public the priorities of law enforcement in Falls Church City and the context in which training is provided to officers and deputies.



Guidance:

- It is unclear if the City has defined core values beyond those stated in the Comprehensive Plan (e.g., Public Health and Safety includes “low crime rates” and “responsive police service”). In 2021, the UFRC recommends the City specify values related to law enforcement that foster a diverse, inclusive, welcoming, and safe community.
- The Sheriff’s Office has defined core values – integrity, respect, service, and fairness – but these do not explicitly align with its Policy statements. It is unclear if the Police Department has published a similar set of core values. The UFRC recommends these organizations define a common set of values, align these values with the City, and include them in the Policy statement for its Orders in 2021.

Fiscal Impact: Within Budget.

Operational Impact: Within Budget, with reinforcement through training.

Recommendation Area 2 – Oversight and Accountability

The City should establish an independent function to manage the Internal Affairs process for the Police Department and Sheriff’s Office, as well as a Citizen Review Board (CRB) to review all use of force incidents. Currently, these reviews occur within the chain of command for an officer or deputy with the Deputy Chief or Sheriff serving as the Internal Affairs Manager. The implementation of an independent review of use of force incidents will mitigate the potential risk inherent in the current system. An independent finding will not face the same level of legal challenges or public scrutiny because the process will be clear, the reviewers will not be in the officer’s supervisory chain, and the board will be transparent. This recommendation does not imply that prior incidents were managed inappropriately and does not assert any opinion on prior investigative findings. Rather, it highlights the potential for bias in the current approach.

Outcome: Eliminate the optics and/or occurrence of bias and stave off liability associated with use of force incident reviews.

Guidance:

- As soon as practical, the City should identify an existing organizational entity outside the Police Department and Sheriff’s Office with the capabilities and expertise to manage the Internal Affairs investigation process. An electronic system to maintain confidential documentation of internal affairs reports must be fully signed and adjudicated prior to closing a matter and monitored to ensure that any trend or patterns whether in behavior or by an officer are able to be identified quickly.
- Consistent with local jurisdictions (e.g., Fairfax County, Charlottesville) and recent laws passed by the Governor (e.g., HB 5055, Law-Enforcement Civilian Oversight Bodies), the UFRC also recommends the creation of a CRB based on models outlined by the National Association for Civilian Oversight of Law Enforcement (NACOLE).
 - The investigation-focused model involves routine, independent investigations of complaints against police officers, which may replace or duplicate police internal affairs processes, though non-police civilian investigators staff them.
 - The review-focused model concentrates on commenting on completed investigations after reviewing the quality of police internal affairs investigations.



Recommendations may be made to police executives regarding findings, or there may be a request that further investigations be conducted.

- The auditor/monitor model focuses on examining broad patterns in complaint investigations including patterns in the quality of investigations, findings, and discipline rendered. This model often seeks to promote broad organizational change by conducting systematic reviews of police policies, practices or training, and making recommendations for improvement.
- The UFRC recommends implementing the review-focused model, auditor/monitor model, or some combination of the two. This would allow the CRB to review completed use of force investigations in three areas:
 1. Was there a violation of policy or procedure by any officer involved in the incident?
 2. Should the matter be referred for potential misconduct by any of the officers involved?
 3. Are there any best practices, training, or policy improvements that should be implemented based upon this review?
- The CRB should be composed of members that reflect the diversity of the City and align with best practices outlined by NACOLE.
- The CRB should ensure the City consistently communicates use of force data and information to the public. Information may be redacted as required by law but should be sufficient to show trends or patterns within the year and against prior years. This data should include statistics regarding uses of force investigations such as number reviewed, number substantiated, and any other steps taken to address issues found outside of the action (such as additional training or updated policies). The City, in collaboration with the CRB, should hold an annual meeting with the public to increase transparency and discuss any proactive measures intended to minimize future issues and maintain community trust.
- The City should seek opportunities to partner with local jurisdictions when managing and reviewing critical incidents that involve a death or serious bodily injury from a use of force. For example, on January 12, 2021, the Northern Virginia Police Chiefs and Sheriffs Committee announced the formation of the Northern Virginia Critical Incident Response Team (CIRT). This team will be available to investigate more extreme critical incidents such as death in custody, use of deadly force, and officer suicide. It will be comprised of experienced criminal detectives, crime scene technicians, and commanders from 11 local participating agencies. The Falls Church Police Department is one of these 11 agencies.

Fiscal Impact: Moderate, with expected costs for conducting the CRB and maintaining systems that support reporting/analytics on use of force incidents. In addition, the CRB may incur membership and training costs.

Operational Impact: Moderate, with expected impacts being mostly in administrative activities.



Recommendation Area 3 – Community Education and Relations

The City should improve the community’s understanding of Falls Church law enforcement roles and responsibilities. Concurrently, the City can better reflect its understanding of the apprehensions of minority populations when encountering law enforcement entities. Community engagement efforts by the UFRC revealed existing confusion, which could lead to deteriorated trust if an effective and proactive dialogue is not established.

Outcome: Improved awareness of Falls Church City law enforcement functions and increased trust regarding Police Department and Sheriff’s Office actions relative to community perception.

Guidance:

- The UFRC recommends the City develop and execute a plan to provide a more comprehensive interaction of law enforcement within the community. This entails expanding beyond the traditional events officers and deputies attend to include new community forums. This could include sponsored talks with the Tinner Hill Heritage Foundation, through the Library, and neighborhood “meet-and-greets” with Department and Sheriff’s Office staff.
- The UFRC recommends the Police Department and Sheriff’s Office track their presence and activities (both law enforcement and non-law enforcement) within Falls Church City neighborhoods. In addition, they should establish a mechanism for gathering and reviewing neighborhood feedback and associated follow-up actions.

Fiscal Impact: Low, with some investment to define a thorough community outreach plan.

Operational Impact: Low, with some effort for expanded relationship building activities.

Recommendation Area 4 – Special Circumstances and Vulnerable Populations

The Police Department and Sheriff’s Office should seek external support and expertise to ensure its policies, procedures, and training prepare officers and deputies to appropriately manage special circumstances and vulnerable populations. This includes responding to situations and individuals with mental health issues, differing intellectual or developmental abilities (e.g., autism), and other vulnerable populations within a diverse community (e.g., students/minors, elderly, pregnant, non-English speaking).

Outcome: Ensure law enforcement response aligns with current best practices and reflects the appropriate respect for human dignity.

Guidance:

- The UFRC recommends the Police Department and Sheriff’s Office collaborate with local experts to identify policy and training improvements. This effort should be coordinated with the CRB (as described in Recommendation 2). Example organizations could include, but are not limited to, the Fairfax Falls Church Community Services Board, the Arc of Northern Virginia, the National Alliance on Mental Illness (NAMI), and Virginia School Board Association (VSBA).
- Mental health calls for service are typically time consuming and challenging. In 2021, the UFRC recommends the Police Department and Sheriff’s Office assess current



departmental capabilities and gaps for managing these calls. This should include a review of training and viability of establishing a dedicated crisis intervention team/personnel.

- Current General Orders provide broad discretion regarding medical attention. The UFRC acknowledges that officers and deputies constantly assess the health of individuals and ask medical questions (e.g., regarding asthma, respiratory illnesses, etc.). However, some health issues may build-up or not be immediately evident. The Police Department and Sheriff's Office should require medical and rescue personnel be available and respond to every use of force incident.
- The UFRC recommends the addition of a Mental Health Professional for each patrol shift. While officers have some training in mental health issues, many cases that involve use of force are related to individuals that are having a mental health emergency. Officers often do not have the necessary training to de-escalate those situations where specific training from certified medical health professionals would be necessary. This could be a contracted position that is on-call or potentially a shared position with our partners in Fairfax/Arlington counties under the Mutual Aid agreements.

Fiscal Impacts: Moderate, with potential costs for advisory services and adding mental health personnel effort.

Operational Impacts: High, considering potentially significant changes in policy, training, and day-to-day response to special circumstances and vulnerable populations.

Recommendation Area 5 – Police Affiliated Critical Incident Process

The Police Department and Sheriff's Office should establish a separate Police Affiliated Critical Incident (PACI) process. A PACI is defined as a sudden, powerful, and often traumatic event in which an individual suffers a serious injury or death during their contact with an officer. The officer's use of force actions may result in serious injury or death thereby exposing the officer to criminal investigation and liability. Current General Orders are vague and sometimes inconsistent in their guidance for these situations. The intent of the PACI process is to ensure the public remains safe and that officers or deputies involved in a PACI do not pose additional or unnecessary risk to the public following the incident. For example, potential responses to future incidents may include symptoms associated with acute stress disorder and post-traumatic stress disorder. These symptoms have the potential to negate departmental training and officer judgment, the consequences of which may result in physical risks to the officer, and importantly, to the public.

Outcome: Establish detailed procedures for critical incidents involving the use of force to provide a management process for law enforcement, transparency for the community, and ultimately ensure the safety of those encountering officers or deputies after these incidents.

Guidance:

- The UFRC recommends the Police Department and Sheriff's Office review and implement best practices in this area (e.g., the Fairfax County Police Department's PACI standard operating procedure) as a means of tailoring PACI practices for its purposes. This effort should be coordinated with the CRB (as described in Recommendation 2), the Chief of Police, City Council, and appropriate legal counsel.



- The Police Department and Sheriff’s Office should update existing General Orders where applicable to reference the PACI process and remove potential redundancies and inconsistencies.

Fiscal Impact: Within Budget.

Operational Impact: Within Budget, with new guidance reinforced through training.

Recommendation Area 6 – Personnel and Training

The City should obligate funds to increase the number of full-time law enforcement personnel. The Falls Church population has increased in recent decades (~56%) and will continue to grow with ongoing development projects in and around the City. Public expectations of law enforcement are also higher than ever. However, the size of the Police Department has remained steady (~33 positions) since the 1970s despite these increases in population and expectations. The UFRC recommends that public safety and law enforcement organizations grow commensurate with the community’s growth. Failure to do so is a significant risk – one resulting from officers and deputies having less time to train in use of force guidance and best practices, and ultimately lacking the necessary organizational support to perform their duties in accordance with community expectations.

Outcome: Enable an effective, consistent, and sustainable implementation of UFRC policy and procedure recommendations.

Guidance:

- The UFRC recommends the Police Department and Sheriff’s Office hire a full-time certified trainer to offset training responsibilities from current personnel. This position would enhance training in areas such as new use of force policy, best practices, and procedures; enhanced bias reduction and restorative justice techniques; and new approaches for managing situations with special circumstances and vulnerable populations (per Recommendation 4).
- The UFRC recommends the Police Department and Sheriff’s Office increase staffing to adequately address population levels and increased public expectations on law enforcement.
- Commensurate with this increase, the Police Department and Sheriff’s should clearly define, monitor, and report increased instances/frequency of officer training, mentoring, and performance within General Order guidelines. The UFRC recommends analyzing training efforts and results in conjunction with data on reported incidents. This effort should be coordinated with the CRB (as described in Recommendation 2).
- The Police Department and Sheriff’s Office should seek to partner with others on opportunities that may expand or improve law enforcement training specific to the use of force. For example, the UFRC submitted a letter of support for the Active Bystandership for Law Enforcement (ABLE) Project. The ABLE Project was created to prepare officers to successfully intervene during instances of excessive and/or unnecessary uses of force and to create a law enforcement culture that supports peer intervention.



Fiscal Impact: High, requiring a dedicated trainer, increases in full-time Police Department staff (e.g., increase minimum of three officers on patrol per shift to a four-officer minimum), and increases in full-time Sheriff’s Office staff.

Operational Impact: High, requiring a reallocation of duties among law enforcement personnel and new training programs.

Recommendation Area 7 – Incident Evidence

The Police Department and Sheriff’s Office should define the situation(s) in which it is required to document use of force incidents with audio and/or visual evidence. Currently, the Reporting Use of Force General Order provides flexibility, and a review of incident reports revealed an inconsistent approach when specifying that an injury occurred during the use of force incident. Once the parameters for when audio/visual evidence is solidified, this should be added to the General Order and made part of the documentation required during a review of the incident.

Outcome: Ensure adequate evidence is available for reviewing use of force incidents, descriptions, and outcomes.

Guidance:

- The UFRC recommends the Police Department and Sheriff’s Office require photographs be taken for any instance in which an injury, however minor, results from a use of force incident (and specifically when an injury is indicated on the Response to Threat form). Photographs should be provided with the incident report for Internal Affairs review. Compliance with this requirement should be monitored by the CRB (as described in Recommendation 2).
- The UFRC recommends the Police Department and Sheriff’s Office further evaluate the use of Body Worn Cameras, which will have a significant impact not only on public safety, but also on operations and resources. Implementation will require creation of new policy and procedure, training for the Police Department and Sheriff’s Office, as well as resources – both fiscal and personnel focused. Accordingly, the Committee recommends that the Police Department and Sheriff’s Office work together to create a working group with public participation to research whether a body-worn camera program in Falls Church City is feasible and make recommendations to the City Council. These recommendations should be public upon completion and the city’s responses should also be public. The UFRC recommends this project be in 2021. If the outcome deems a body worn camera program is feasible, a pilot program should be implemented in the following year.

Fiscal Impact: Low, with the potential to be High depending on the outcome of the Body Worn Camera study.

Operational Impact: Low, with the potential to be High depending on the outcome of the Body Worn Camera study.

Recommendation Area 8 – “Last Resort” Tactics

The Police Department and Sheriff’s Office should explicitly define the situation(s) in which it is acceptable to apply prohibited tactics such as trachea holds, carotid artery holds, and baton strikes to head or face. The UFRC recognizes these tactics are included in the General Orders to



first and foremost indicate they are prohibited. However, the Orders also essentially indicate an officer or deputy may do whatever necessary – including using these prohibited tactics – to save their (his/her) life or the life of a bystander. In lieu of removing these tactics from the Orders entirely, the Police Department and Sheriff’s Office should provide clear guidance on what might be considered an officer or deputy’s justifiable “last resort.”

Outcome: Demonstrate an awareness of the national dialogue on law enforcement brutality while reemphasizing law enforcement core values.

Guidance:

- The UFRC recommends the Police Department and Sheriff’s Office include a dedicated section in the use of force/response to threat General Orders that: 1) describes prohibited tactics; 2) defines situation(s) that may qualify as a justifiable “last resort” (e.g., only when deadly force is legally justified); and 3) emphasizes the officer or deputy’s duty to intervene when observing a misuse, inappropriate use, or excessive use of force. As with other proposed Order revisions, there should be an explicit statement of accountability and consequence for non-compliance, as well as an indication that officers and deputies also expose themselves to personal legal liability in these situations.
- The Police Department and Sheriff’s Office should conduct scenario-based training to communicate and reinforce appropriate behavior under these circumstances.

Fiscal Impact: Within Budget.

Operational Impact: Within Budget, with reinforcement through training.

Recommendation Area 9 – Records Management

The City should improve the processes and systems used to manage General Orders and their review. General Orders are expected to undergo an internal review by Command Staff every year and an external review to accredit the policies and procedures every four years. However, as indicated on the Order documents, many Orders do not appear to have a review date within the last four years. Revision tables in the documents are also very general. There is currently no chronological record for what was reviewed, when it was reviewed, or the changes made from prior versions.

Outcome: Consistently updated General Orders that reflect current best practices as a basis for officer and deputy training and conduct.

Guidance:

- The City should identify or better enforce the use of a standard, electronic records management system. This system would benefit use of force/response to threat related Orders, but also other City policies and procedures in general.
- There is substantial effort required to maintain law enforcement policies, procedures, and training. The Police Department and Sheriff’s Office should consider how best to maintain its use of force policies and procedures moving forward. This could include hiring policy staff, engaging with one of many third-party entities, or drawing from community members. This would reduce the burden on already extended personnel (noted in Recommendation 6) and should be coordinated with the CRB as appropriate (per Recommendation 2).



Fiscal Impact: Low, with costs for additional staff or third-party services.

Operational Impact: Low, with potential policy and process changes across General Orders based on best practices.

Recommendation Area 10 – Personnel Files

The Police Department and Sheriff’s Office should consider increasing the retention times and information captured for officers and deputies engaged in use of force/response to threat incidents. Currently, sustained or founded internal affairs complaints are retained for five years after separation of employment based on State guidance. All others are retained for three years after the completion of the investigation. The UFRC understands that some information and associated actions are also maintained within personnel files for reference. Heightened public awareness of use of force would benefit from further analyzing incidents and those involved over time to determine any trends or patterns. In addition, the ability to share concerns with other non-law enforcement hiring authorities is essential to ensure the safety of the public and integrity of other law enforcement agencies.

Outcome: Increase community trust through improved data analysis and communication.

Guidance:

- The UFRC recommends the Police Department and Sheriff’s Office increase the information that is retained and the length of time that information is available for analyzing use of force compliant and incident trends. This should include information from sustained incidents, as well as other incidents (e.g., exonerated or unsubstantiated) that may indicate risk or proclivity when aggregated.

Fiscal Impact: Within Budget.

Operational Impact: Within Budget.

5. Conclusion

The UFRC appreciates the opportunity to assist the City with this important effort. Although the scope of this effort and the UFRC conclude with providing the recommendations in Section 4, the Committee encourages the following moving forward.

1. The Chief of Police, Sheriff, and City Manager should outline implementation activities and timelines for addressing UFRC recommendations. This information should be shared with the public in a manner that continues the spirit of transparency and furthers trust within the community.
2. All recommendations in Section 4 are essential and should be implemented to the extent possible. If the City experiences future budget constraints, the Committee suggests prioritizing implementation focus on Oversight and Accountability (Recommendation 2), Personnel and Training (Recommendation 6), Core Values (Recommendation 1), and Special Circumstances and Vulnerable Populations (Recommendation 4).
3. The Chief of Police, Sheriff, and City Manager should provide an update on implementation progress to City Council and the public in December 2021. Again, this would help maintain an emphasis on transparency, and reinforce the enduring importance of the Committee efforts and recommendations.



Appendix A: Policies and Procedures – Detailed Comments and Actions

This Appendix provides detailed findings for each policy and procedure document reviewed by the UFRC, as well as the associated actions recommended by the Committee. Comments are organized in sequential page order when reading through each document.

Use of Force/Response to Threat

Police Department, General Order Number 3-1 – Use of Force (Last Reviewed March 3, 2016). Actions apply to the draft Order dated June 12, 2020.

ID	Reference	Comment	Action
01	General	Although the table on page 8 includes a list of prior versions replaced, there is currently no chronological record for what was reviewed, when it was reviewed, or the changes made from prior versions.	See Recommendation: Records Management
02	General	Creation of a permanent Citizen Review Panel(s) for Police that reports directly to the City Council to aid in oversight of regulations, policies, and specific investigations, especially ones that involve officer involved use of force. This panel can support oversight, policy review, and or investigations.	See Recommendation: Oversight and Accountability
03	General	Document last reviewed on March 3, 2016. Recommend maintaining a regular schedule for reviewing GOs (e.g., internal review [command staff], external review [accreditation body], and public forums).	See Recommendation: Records Management.
04	Policy, Page 1	Include an overarching vision statement for the Use of Force, which would include core Departmental values and how the organization prioritizes respect for human life and dignity.	New draft (June 12, 2020) addresses this comment. See Recommendation: Core Values.
05	Policy, Page 1	Add guidance about officers having a duty/ability/shared liability to intervene, no matter their rank or the rank of the person potentially using unreasonable force.	New draft addresses this comment. See Recommendation: Core Values.
06	Policy, Page 1	Make it clear in the general order that officers will be disciplined for violations of the Order.	Revise Order: Include explicit statement on accountability in the new draft, Policy.
07	Part I.A, Page 1	Remove the last sentence of Part I.A because: 1) it may not accurately reflect “a typical escalation of force pattern”; and 2) most law enforcement organizations are moving away from characterizing the use of force policy along a continuum.	Revise Order: New draft includes similar language in II.A. Remove statement.
08	Part I.A, Page 1	Include discussion of de-escalation and associated tactics as the first order of incident response. Only that amount of force that is reasonable, necessary, and justifiable will be used.	Revise Order: Include guidance on the importance of de-escalation tactics in new draft, Part II.A.



Police Department, General Order Number 3-1 – Use of Force (Last Reviewed March 3, 2016). Actions apply to the draft Order dated June 12, 2020.

ID	Reference	Comment	Action
09	Part I.B, Page 2	In keeping with protect and serve, recommend terminology change for the use of Physical Force from “to defend themselves or another person, to subdue a resisting subject, or to prevent escape from custody” to “to protect public, defend themselves, or subdue a resisting subject.”	Revise Order: Revise language in the new draft, Part II.D.
10	Part I.C, Page 2	Suggested language: “Police officers shall ensure their actions do not precipitate the use of deadly force by placing themselves or others in jeopardy by taking unnecessary, overly aggressive, or improper actions. It is often a tactically superior police procedure to withdraw, take cover or reposition, rather than the immediate use of force.” Taken from Philadelphia PD Use of Force policy, listed under ‘specific prohibitions.’	Revise Order: Include explicit statement in the new draft, Policy. See Recommendation: Core Values.
11	Part I.C, Page 2	A definition section should be added to expand these definitions (i.e., reasonable belief, serious physical injury) and use more current terminology and definitions. For example, the following should be provided: <ul style="list-style-type: none"> • Objectively Reasonable • Totality of the Circumstances • Active and Passive Resistance 	Revise Order: New draft includes a definition section. Review definitions in line with best practice and case law.
12	Part I.C, Page 2	Add context to the “totality of the circumstances” and “objectively reasonable” definition which considers vulnerable populations. Suggestion: <i>Objectively Reasonable:</i> <ul style="list-style-type: none"> • The reasonableness inquiry for an application of force is an objective one: the question is whether the officer’s/agent’s actions are objectively reasonable in light of the totality of facts and circumstances confronting him or her, without regard to underlying intent or motivation. • In determining whether a use of force is "objectively reasonable" an Authorized Officer/Agent must give careful attention to the totality of facts and circumstances of each case, including: <ul style="list-style-type: none"> • Whether the subject poses an imminent threat to the safety of the officer/agent or others • The severity of the crime at issue • Whether the subject is actively resisting seizure or attempting to evade arrest by flight • Whether the circumstances are tense, uncertain, and rapidly evolving • The foreseeable risk of injury to involved subjects and others. <i>Totality of Circumstances:</i> <ul style="list-style-type: none"> • The training, mental attitude, age, size, and strength of the officer/agent • The training, mental attitude, age, size, and strength of the subject 	Revise Order: New draft includes a definition section. Review definitions in line with best practice and case law. Review text in the new draft to ensure consistent use of new terminology (e.g., “objectively reasonable” should replace “fair and reasonable” in all instances).



Police Department, General Order Number 3-1 – Use of Force (Last Reviewed March 3, 2016). *Actions apply to the draft Order dated June 12, 2020.*

ID	Reference	Comment	Action
		<ul style="list-style-type: none"> • The weapon(s) involved • The presence of other officers/agents, subjects, or bystanders • Environmental condition 	
13	Part I.D, Page 2	Remove Fleeing Felons guidance. Also, see firearms use on Fleeing Felons in Part II.B.3.	No action because the new draft addresses this comment by removing fleeing felons guidance.
14	Part II.A, Page 2	Do the Police Department and Sheriff’s Office have adequate budget and resources to thoroughly train personnel; have any training-related budget requests not been fully funded by the City in the last 5 years; and what additional training and/or post-training evaluation funding or resources are necessary to ensure Use of Force meets community expectations?	See Recommendation: Personnel and Training.
15	Part II.B, Page 2	Prohibit officers from discharging a firearm in defense of property.	Revise Order: Include additional restriction in the new draft, Part IV.B.
16	Part II.B.1, Page 2	Policy states that “officers shall not discharge any firearm...when it appears likely than an innocent person may be injured.” More generally, innocent person should be referred to as a “bystander.”	Revise Order: Change wording in new draft, Part IV.B.1.
17	Part II.B.3, Page 2	Discharging a firearm “at or from a moving vehicle” should only be considered under the most serious circumstances. A moving vehicle can be used as "deadly force" against the officer or citizens. However, would need to more clearly define why an officer would need to shoot at anyone FROM a moving vehicle and how doing that would NOT endanger bystanders.	Revise Order: New draft includes additional clarity. Review in line with best practice and case law.
18	Part II.D, Page 3	There are two part “D” sections.	Revise Order: Change outline lettering in new draft, Part IV.D.
19	Part II.E., Page 3	Reiterate that all above firearms guidance applies to a Police Rifle (Part II.A-II.D).	Revise Order: Include explicit statement in new draft, Part IV.E.
20	Part II, Page 2	Explicitly state that officers are required to carry an authorized less-lethal weapon when carrying a firearm, and that de-escalation and less lethal tactics are first during incident response.	Revise Order: Add language to the new draft, introduction to Part V.
21	Part III.A.3, Page 3	To reinforce service to the public, reword: “OC may be used...to defend an officer or other person from assault; prevent escape from lawful custody, or restore order” to “OC may be used when it is objectively reasonable to protect the public, defend an officer...”	Revise Order: Make wording change in new draft, Part V.A.3.
22	Part III.A.4 and Part III.A.5, Page 3	Regarding decontamination procedures – #4: How long does it typically take to find a “secure area” to perform the decontamination procedure? #5: How much longer does it typically take to wait for rescue personnel to perform the decontamination on specific subjects; and does the benefit of using rescue personnel outweigh this increased time? Would like to ensure subjects	See Recommendation: Special Circumstances and Vulnerable Populations.



Police Department, General Order Number 3-1 – Use of Force (Last Reviewed March 3, 2016). Actions apply to the draft Order dated June 12, 2020.

ID	Reference	Comment	Action
		requiring decontamination are treated in accordance with a guiding vision statement on respect for human life and dignity.	
23	Part III.A.5, Page 4	The Order states that “Subjects who are obese or have bronchitis, asthma, emphysema or a similar respiratory disease shall be decontaminated by rescue personnel. This will allow time for rescue personnel to monitor the subject for any adverse reaction to the OC.” Is this expectation reasonable and what about duty to act for humane treatment?	See Recommendation: Special Circumstances and Vulnerable Populations.
24	Part III.A.7, Page 4	The Order states “Officers shall ensure that subjects exposed to OC, especially obese individuals, are restrained and/or transported in a manner that does not constrict their body position.” What does this mean and are officers trained to conform to this guidance?	Revise Order: Clarify guidance in new draft, Part V.A.7.
25	Part III.A.8, Page 4	The Order states “Use of OC on a subject shall be documented on a Department Use of Force form and the circumstances surrounding the use of OC shall be included in the incident report.” If this form is required for ALL uses of force, it should be stated earlier in the document; not just for use of OC.	Revise Order: New draft includes the similar language in Part V.A.8. Add this requirement to the Policy statement on page 1.
26	Part III.B.5, Page 4	Review guidance for baton “strike to the head or facial area” to confirm it aligns with best practice and/or case law. Batons should not be used to strike the head or facial area unless the situation is such that the officer could justify the use of deadly force.	See Recommendation: “Last Resort” Tactics.
27	Part III.B.8, Page 5	The Order states “Officers shall ensure that all subjects who receive baton strikes are evaluated by rescue personnel. The decision for additional medical attention as a result of baton strikes shall be made by rescue personnel.” Clarify the timeframe for additional medical attention.	See Recommendation: “Last Resort” Tactics.
28	Part III.C, Page 5	Considering the current protests and often overly aggressiveness from some law enforcement agencies around the country, it has become clear that some forms of non-lethal weapons can cause long-lasting injuries to civilians. There have been several recent cases where “rubber bullets/bean-bags” were deployed and subsequently caused severe injuries to citizens and in some cases permanent blindness. This is an unacceptable consequence and other methods should be considered in lieu of this.	See Recommendation: Core Values. Revise Order: Clarify – in the new draft, Policy – that <u>all weapons</u> can be lethal in certain situations and must be treated as such.
29	Part III.C., Page 5	The Order states “The shotgun is used by this Department to deliver less-lethal munitions when appropriate to end a potentially violent situation. Only those 12-gauge kinetic energy impact projectiles issued by the City of Falls Church Police shall be used by Department employees. Live ammunition may be used in the shotgun for TRAINING PURPOSES ONLY.” Move this or clarify because it seems like a lethal use of force hidden among less than lethal use of force.	Revise Order: Reorder Shotguns to the beginning of Part V in the new draft since it is a firearm. Clarify that <u>all weapons</u> can be lethal in certain situations and must be treated as such.
30	Part III.D.5, Page 6	The Order states “Additional or subsequent applications of the ECD shall generally be avoided unless the subject fails to immediately cease their combative resistance or self-injury.” Should it specifically state the number of times a weapon can be deployed? This may apply to more than one section/weapons type.	Revise Order: Clarify the number of applications in the new draft, Part V.D.5 and confirm that training provides adequate guidance.



Police Department, General Order Number 3-1 – Use of Force (Last Reviewed March 3, 2016). *Actions apply to the draft Order dated June 12, 2020.*

ID	Reference	Comment	Action
31	Part III.E Page 6	Explicitly state that an officer shall not modify or adjust any authorized equipment to make them more lethal.	Revise Order: Add guidance in the new draft Part V.E.
32	Part III.E.1.a Part III.E.2, Page 6	Regarding the use of personal devices – What motivates the use of a personal device such as a flashlight (e.g., preference, budget)? Should guidance be clearer to limit the use of personal devices such as flashlights and knives during incidents? For purposes of liability and safety, consider requiring officers/deputies to only use equipment issued to them by the city and for which the city has trained them to use (i.e., no personal knives, flashlights, stun guns, brass knuckles, etc.).	See Recommendation: “Last Resort” Tactics.
33	Part III.E.1.b Page 6	Change language in second sentence to state that a flashlight can only be used as an offensive weapon if deadly force is required (“extremely dire” is not a definable standard).	See Recommendation: “Last Resort” Tactics.
34	Part V.E.2 Page 7	Review the list of prohibited weapons to ensure it is comprehensive and current.	Revise Order: Review list of prohibited weapons in the new draft, Part VII to align with best practices.
35	Part VI, Page 7	In all cases of use of force, medical assistance should be mandatory. There could be cases where citizens may have an underlying condition, such as a heart issue where an ECD could trigger a medical emergency. Medical assistance should not be withheld until there is a visible injury or the citizen asks. This is especially true if the citizen is non-verbal and could not ask or tell the officer of a problem. This also applies to diverse populations, such as– individuals on the autism spectrum, with mental health issues, etc.	See Recommendation: Special Circumstances and Vulnerable Populations.
36	Part VI, Page 7	Addition of a Mental Health Professional for each shift for patrols. While officers have some training in mental health issues, it is very clear that many cases that involve use of force are related to individuals that are having a mental health emergency. Officer’s often do not have the necessary training to de-escalate those situations where specific training from certified medical health professionals would be necessary. This could be a contracted position that is on-call or potentially a shared position with our partners in Fairfax/Arlington counties under the Mutual Aid agreements.	See Recommendation: Special Circumstances and Vulnerable Populations. See Recommendation: Personnel and Training.
37	Part VII, Page 7	Revise the Reporting Requirements to refer to GO 3-2: Reporting Use of Force. The guidance here is overly general, pertains only to firearms, and does not include all reporting requirements.	Revise Order: Revise guidance in the new draft, Part VIII (or IX) to refer to associated Order.



Sheriff’s Office, General Order Subject – Response to Threat (Last Reviewed August 15, 2020)

ID	Reference	Comment	Action
01	General	The Order indicates a July 1, 2020 effective date. For reference, what formal policies existed prior to July 1, 2020 relating to this topic? Is this the first formalized policy? Over the last five years (i.e., incident data provided by the City), how many Use of Force incidents have involved the Sheriff’s Office.	See Recommendation: Records Management.
02	General	Policy should more clearly state that failure to comply with provisions may result in disciplinary action up to and including termination of employment.	Revise Order: Include explicit statement on accountability.
03	Policy, Page 1	Recommend including a set of core principles like that provided in the Camden County Police Department Use of Force Order. These concisely focus on the essential concepts and could improve clarity/transparency with the community.	See Recommendation: Core Values.
04	Policy, Page 1	This policy should indicate that it applies to all areas where use of force is possible (i.e., jail, courts). Also, the shared responsibility between the Sheriff’s Office and the Police Department should be cleared...whose policy supersedes under what conditions.	Revise Order: Update language on the scope of the Order.
05	Policy, Page 1	Include a sentence about de-escalation to explicitly include those words in the Policy. It is mentioned throughout the GO, so it seems applicable to mention.	Revise Order: Update language to emphasize the importance of de-escalation tactics.
06	Policy, Page 1	The policy states, “Falls Church Sheriff’s Office derive their authority from the public and therefore must be ever mindful that they are not only the guardians but are in service to the public.” Would it be beneficial to provide one or two sentences that clarify what it means to be in “service to the public” specifically within the context of the City of Falls Church (i.e., we protect and service in a manner consistent with the values of the community)?	See Recommendation: Core Values.
07	Policy, Page 1 (para 2)	The policy states, "It is recognized that some individuals will not comply with the law or submit to control unless compelled to do so by the use of force; therefore, deputies are sometimes called upon to use force in the performance of their duties." I found this statement a bit odd. It assumes force will be necessary at some point because someone will not comply. I do not think that is a positive place to start and suggest striking or revising.	Revise Order: Update language to emphasize the importance of de-escalation tactics.
08	Policy, Page 1 (para 2)	This is the most important part of this section so it should be the FIRST paragraph. “The use of force by members of law enforcement is a matter of critical concern both to the public and the law enforcement community...”	Revise Order: Update language to emphasize the importance of de-escalation tactics.
09	Policy, Page 1 (para 3)	"Deputies who use 'unreasonable'..." Suggest changing this to excessive because that is the term typically applied to unreasonable force. This would also align with the Definitions section in Part I.	Revise Order: Update language to align with best practice terminology.



Sheriff’s Office, General Order Subject – Response to Threat (Last Reviewed August 15, 2020)

ID	Reference	Comment	Action
10	Policy, Page 1 (para 3)	Officers need to know they share some personal liability. Recommend changing the following language “Deputies who use unreasonable force degrade the confidence of the community we serve, expose the Sheriff’s Office...” to “Deputies who use unreasonable force degrade the confidence of the community we serve, <u>expose themselves</u> , the Sheriff’s Office...”	Revise Order: Update language to emphasize personal accountability.
11	Policy, Page 1 (para 4)	The Policy states "...should be based on a 'tactical situation'." Suggest changing this to "totality of the circumstance" which should be added to the definitions. Tactical situation is not a definable term and training should be consistent.	Revise Order: Change wording and review definitions in line with best practice and case law.
12	Policy, Page 2 (para 4)	The Policy states "...and the deputy's 'reasonable belief' that there is a substantial risk..." Suggest add "objectively" to match definition and make more meaningful.	Revise Order: Change wording and review definitions in line with best practice and case law.
13	Policy, Page 2 (para 4-5)	The Policy states "...the deputy should, as soon as practicable, secure or holster the firearm. The application of deadly force requires that the deputy’s objective be to stop or incapacitate the suspect, and no other choice presents itself." Often a firearm is used until restraints are on – this may not be clear from this statement. In addition, the use of deadly force is designed to be used only when the officer is in danger of substantial harm or death (or someone else is). This should be made to match or removed as this is not the standard.	Revise Order: Revise language to align expectations for the use of deadly force with the Definition in Part I.
14	Policy, Page 2 (para 4-5)	"The Policy states “The objective in the use of any force of any type is to overcome the suspect's 'unlawful resistance'." Suggest using active resistance, at this point there has been no decision as to whether the conduct is lawful or not, that is the job of the courts. It is to stop active resistance to the officer's lawful purpose.	Revise Order: clarify the language in this part of the Policy.
15	Policy, Page 2 (para 5)	The Policy states “When a deputy has determined that the use of deadly force is not necessary, the deputy should, as soon as practicable, secure or holster the firearm.” Are Deputies trained to "low ready" their weapons when making a traffic stop, which they believe to be higher risk? Suggest articulating the reason for drawing a weapon.	Revise Order: Clarify deputy expectations in this part of the Policy.
16	Purpose B, Page 2	Duty to Intervene states “...Deputies shall promptly report these observations to a supervisor.” Is this reporting structure sufficient or should it include at least one individual outside the chain of command when involving observations of excessive use of force?	Revise Order: Align this statement with the Reporting Use of Force General Order.
17	Purpose-B, Page 2	The Policy states, “Deputies shall promptly report...” Suggesting clarifying the timeframe for “promptly” (e.g., as soon as relieved, before the end of shift, within 24 hours, etc.).	Revise Order: Align this statement with the Reporting Use of Force General Order.
18	Part I, Page 3	The Order uses updated terminology, which is reflected in the definitions. However, some legacy terms still appear throughout (e.g., “reasonably necessary” should be restated as “objectively reasonable”; “facts and circumstances” should be restated as “totality of the circumstances”). The Order should be updated accordingly.	Revise Order: Review definitions in line with best practice and case law. Also, review text to ensure consistent use of new terminology (e.g.,



Sheriff’s Office, General Order Subject – Response to Threat (Last Reviewed August 15, 2020)

ID	Reference	Comment	Action
			“objectively reasonable” should replace “fair and reasonable” in all instances).
19	Part I, Page 3-4	Ensure definitions are derived from a best practice source or case law (e.g., Force Transitions). Recommend reviewing these definitions and citing the source of the definition, when possible.	Revise Order: Review definitions in line with best practice and case law.
20	Part I, Page 3-4	Add definitions "totality of the circumstances" and add "active resistance."	Revise Order: Review definitions in line with best practice and case law.
21	Part I.F, Page 3	Service to the public should be the top priority and should be clear in all policies. Consider making I.F.4 “The potential danger to the community posed by a suspect” the #1 circumstance.	Revise Order: Reorder circumstances based on Policy or core values.
22	Part I.I and Part I.J, Page 4	In reference to definitions for "Trachea Hold" and “Carotid Artery Hold” – should choke-holds be removed entirely?	See Recommendation: “Last Resort” Tactics.
23	Part I.K, Page 4	Is an objectively reasonable use of force related to a proportional response? If yes, we should link both in the document, otherwise, proportional response appears only once in the document (as a definition).	Revise Order: Review definitions in line with best practice and case law.
24	Part I.L, Page 4	What is the difference between definition C (Serious Bodily Injury) and Definition L (Serious Physical Injury)? Is it necessary to consider these differently?	Revise Order: Review definitions in line with best practice and case law.
25	Part II.A, Page 5	The Order states "A typical escalation of force pattern is as follows: deputy presence, verbal commands, physical force, chemical munitions, Conducted Electrical Weapons (CEW), baton, less lethal (kinetic energy) munitions, firearm." Suggest striking – 1) it may not accurately reflect “a typical escalation of force pattern”; and 2) most law enforcement organizations are moving away from characterizing the use of force policy along a continuum.	Revise Order: Remove this statement.
26	Part II.C, Page 5	The Order states “When any force response is employed, deputies shall...” Consider adding “Provide medical care at the subject’s request” to the list of expectations.	Revise Order: Add this additional guidance.
27	Part II.D, Page 5	Consider moving this from bullet D to bullet A: “Physical Force: Deputies should use the minimum amount of force reasonable and necessary under the circumstances in order to defend themselves or another person, to subdue a resisting subject, or to prevent escape from custody.”	Revise Order: Reorder the bullets in Part II.
28	Part II.E, Page 5	The use of “Deadly Force” needs to be adjusted to be sure it is if the Deputy reasonably believes that he/she is imminent danger of death or serious bodily harm, or another person is in imminent risk of death or serious bodily harm. This is not clear in this definition.	Revise Order: Review definitions in line with best practice and case law.
29	Part II.H, Page 5-6	The Order states that the Sheriff’s Office “...expects deputies to develop and display, over the course of their practice of law enforcement, the skills and abilities that allow them to regularly	See Recommendation: Personnel and Training.



Sheriff’s Office, General Order Subject – Response to Threat (Last Reviewed August 15, 2020)

ID	Reference	Comment	Action
	and Part III, Page 8	resolve confrontations without resorting to the higher levels of allowable force.” As commented for the Police Department, does the Sheriff’s Office believe it has adequate budget and resources to thoroughly train personnel; have any training-related budget requests not been fully funded by the City in the last 5 years; and what additional training and/or post-training evaluation funding or resources would be beneficial to ensure any Response to Threat and de-escalation meets community expectations?	
30	Part II.H.10, Page 6	The Order states “The training and experience of the deputies” is a factor within the totality of circumstances for a situation. Does this imply that the expectations for a senior deputy are greater than the expectations for a more junior deputy?	See Recommendation: Personnel and Training.
31	Part II.I.2, Page 6	The Order states “Position the individual in a manner to allow free breathing once the subject has been controlled and placed under custodial restraint using handcuffs.” Suggest adding language to “provide medical care at the subject’s request.”	Revise Order: Clarify expectations in this area. See Recommendation: Special Circumstances and Vulnerable Populations.
32	Part II.I.4, Page 7	The Order states "Deputies are prohibited from..." What about cuffing of minors, pregnant women, elderly (is there a case by case determination regarding risk). What is “unauthorized use of restraints” (e.g., Use of neck restraints is prohibited, anything else)?	Revise Order: Clarify expectations in this area. See Recommendation: Special Circumstances and Vulnerable Populations.
33	Part II.J, Page 7	The Order specifically highlights persons that may be exhibiting a mental health crisis. It might be beneficial to include a comparable statement/paragraph/subpart for persons with differing developmental and intellectual abilities since they may exhibit an atypical response to law enforcement personnel. Perhaps collaboration with the Arc of Northern Virginia (local non-profit), which is developing aids to help people with cognitive disabilities interact with law enforcement.	See Recommendation: Special Circumstances and Vulnerable Populations.
34	Part II.J, Page 7	The term "Excited Delirium" has been the source of considerable debate among those in the medical/psychiatric, legal, and law enforcement communities. Some discussion regarding this term would be useful.	See Recommendation: Special Circumstances and Vulnerable Populations.
35	Part II.K.1, Page 7	Should we not allow choke holds?	See Recommendation: “Last Resort” Tactics.
36	Part II.L, Page 8	The Order references “use of force continuum” and “continuous cycle of threat assessment.” Where are these concepts defined and/or explained in the document or in another policy?	Revise Order: Clarify expectations in this section and removing reference to a “continuum.”



Sheriff’s Office, General Order Subject – Response to Threat (Last Reviewed August 15, 2020)

ID	Reference	Comment	Action
37	Part III, Page 8	Training and the commitment to train deputies should be clearly stated, as well as its frequency and content. In addition, should give as much emphasis to training in these areas to training in lethal uses of force. For example, clarify training frequency in lethal AND non-lethal methods, Unconscious Bias Training, make more than an “effort” to train in crisis intervention, interpersonal communication, etc. This needs to be clear in the FCC Police policies as well	Revise Order: Clarify training requirements, options, and the frequency of each. See Recommendation: Personnel and Training.
38	Part IV.B.1, Page 8	Police should not be put in a position to determine innocence or guilt. Consider rewording “When it appears likely that an innocent person may be injured” to “When it appears likely that bystanders may be injured.”	Revise Order: Change wording.
39	Part IV.B.3, Page 8	Discharging a firearm “at or from a moving vehicle” should only be considered under the most serious circumstances. A moving vehicle can be used as "deadly force" against the deputy or citizens. However, would need to more clearly define why a deputy would need to shoot at anyone FROM a moving vehicle and how doing that would NOT endanger bystanders.	Revise Order: Review guidance under 3.a – 3.c in line with best practice and case law.
40 to 57	Part V-VII, Page 9-13	This Sheriff’s Office General Order contains nearly identical language to the Police Department Use of Force, General Order Number 3-1 – Use of Force (Effective September 24, 1987; Last Reviewed March 3, 2016). The UFRC recommends reviewing comments 21 – 37 in the table and considering the associated actions.	See actions defined for the Police Department Use of Force General Order in comments 21 – 37.



Reporting Use of Force

Police Department, General Order Number 3-2 – Reporting Use of Force (Last Reviewed March 3, 2016)

ID	Reference	Comment	Action
01	Policy, Page 1	In keeping with the purpose of the Order, the Policy statement should indicate that “all incidents requiring the use of force be documented <u>and REPORTED.</u> ”	Revise Order: Include the explicit expectation to report use of force.
02	Policy, Page 1	It is important that this policy be used to notify officers of their responsibility when force is used. Suggest adding language in the beginning that makes clear that: “Any use of force incident involving officers may be reviewed and/or investigated by the appropriate federal, state, or local law enforcement agencies. An employee involved in a use of force incident should anticipate a review and/or investigation by the appropriate authorities.”	Revise Order: Add language to Policy. Also, consider a separate standard operating procedures document. Recommendation: Police Affiliated Critical Incident (PACI) Process
03	Policy, Page 1	The Policy states the Department will “review all incidents involving the use of force to determine if the level of force used was within Department guidelines.” Recommend adding a few sentences to provide clarity and timeline (e.g., After a force incident, the report and Response to Threat Form is forwarded to the Deputy Chief who assigns an IA#. The IA is then given to the commander of services who investigates the incident/ force and prepares a report of the findings. All the information is then given to the Chief for final review/recommendations).	Revise Order: Add details that clarify how the review occurs and what it entails at a high level.
04	Part I.B, Page 1	The Order states, “Depending on the seriousness of the injury inflicted...” This is vague and does not refer to the definitions in the Use of Force Order (3-1). This leaves the office open to legal liability and the Division Commander in the precarious position of making a call on an unclear definition. Suggest deciding what types of force need to be reported to the Shift Supervisor (e.g., all non-lethal uses of force and deadly force) to make this a clear policy. Note: The Sheriff’s policy eliminates vagueness by requiring notification “after <u>any</u> report of the use of any force.” Recommend this change for the Department.	Revise Order: Clarify the standard(s) for “seriousness” or require for any report as done for the Sheriff’s Office.
05	Part I.B, Page 1	The Order states “...will be notified telephonically by the Shift Supervisor.” Recommend including an explicit expectation for timing (e.g., immediately, within 24 hours, etc.).	Revise Order: Add expected timeframe.
06	Part I.C, Page 2	The Order states “...a Response to Threat Report (PD3-2A) will be submitted by the officer describing the incident.” This report should be completed by the end of the shift and all officers involved should write one. This should not be optional as stated at the end of I.C.1.	Revise Order: Add expected timeframe.
07	Part I.C.1, Page 2	The Order states, “At the supervisor’s <u>discretion</u> , a memorandum detailing the incident <u>may be required</u> from all personnel involved.” Vagueness creates potential liability for the supervisor. Further, the first sentence in the Policy statement indicates “... <u>all incidents</u> requiring the use of force be documented.” This appears to create inconsistency in the expectation. Remove the inconsistency or clarify the standards for “discretion” (e.g., any force that causes serious injury or death).	Revise Order: Clarify the standard(s) for “discretion.” Also, consider requiring information from all involved personnel.



Police Department, General Order Number 3-2 – Reporting Use of Force (Last Reviewed March 3, 2016)

ID	Reference	Comment	Action
		Also recommend information from all personnel involved <u>shall be</u> required within a specific timeframe (preferably short timeframe to minimize the potential for coordinating responses).	
08	Part I.C.2, Page 2	The Order states “If the use of force resulted in an injury, photographs of the injury should also be submitted.” Using “should” allows for discretion. Consider requiring the submission of photographs when use of force results in an injury (e.g., “photographs of the injury <u>shall</u> also be submitted”). In addition, consider what other evidence (e.g., video) shall be submitted.	Revise Order: Remove discretion for submitting photographs of injuries. Recommendation: Incident Evidence
09	Part I.D, Page 2	The Order states “...unless an extension is approved by the Shift Supervisor.” This statement should be removed or clarified to occur only in specific cases (e.g., emotional trauma or medical need). This caveat could potentially be misused, allowing for time to pass prior to a statement being taken. This means the credibility of the statement will be at risk, which is critical when trying to assess standards that require the officer to report whether they felt in fear of death or serious injury. It should be required that initial documentation and photos be taken before the end of the shift to ensure evidence is not contaminated.	Revise Order: Remove statement or specifically state exceptions in which an extension can be granted.
10	Part I.E, Page 2	The Order states “The report will then be forwarded to the Deputy Chief, who will serve as the Internal Affairs Manager.” Even if an initial review is conducted within the Department, recommend the review of reports by an entity outside the chain of command for the Police Department to mitigate risk/liability/bias. Currently, only using the Deputy Chief as the “Internal Affairs Manager” seems insufficient for today’s environment. A Force Review Board (FRB) should be created to review all uses of force monthly (this can be canceled if no uses of force occur that month).	Recommendation: Oversight and Accountability.
11	Part I.E.1, Page 2	Recommend clarifying in this Order that all use of force investigations must answer these questions clearly: <ol style="list-style-type: none"> 1. Was the investigation thorough and complete? 2. Was there indication of criminal misconduct (if yes, refer for prosecution). 3. Were the officer’s actions (each officer involved in the use of force, not just the actor) appropriate and in accordance with policy and procedure? 4. Are there any factors related to misconduct that should be referred? 5. Whether, with the goal of continual improvement, there are considerations to be addressed in the areas of, de-escalation, tactics, supervision, equipment, training, policy, and/or best practices. 	Revise Order: Include additional detail in this Order and ensure consistency with related Order(s) (e.g., Internal Affairs).
12	Part I.E.2, Page 2	The Order states “The Deputy Chief will compile all reports annually and submit a report to the Chief of Police, noting any possible trends or areas possibly requiring retraining.” This should include a review of the number of cases, the type of force used, the outcome, the officer involved, and any outcome of the IA review or Citizen Review Panel/Force Review Board.	Recommendation: Oversight and Accountability.



Police Department, General Order Number 3-2 – Reporting Use of Force (Last Reviewed March 3, 2016)

ID	Reference	Comment	Action
		Consider implementing a public reporting mechanism (e.g., dashboard) to increase transparency on incidents, trends, and proactive measures taken/planned by the Department.	
13	Part II, Page 2	In this section (“USE OF AGENCY-AUTHORIZED WEAPONS”), consider reemphasizing that officers should only be using weapons issued and trained by the Department as described in Order 3-1 Use of Force. Any other weapons are not be authorized for use by officers.	Revise Order: Add emphasis and reference to Order 3-1 Use of Force.
14	Part II.B, Page 2	The term “Tear Gas Chemicals” does not appear specifically in the current Use of Force/Response to Threat general orders or Training policy. Suggest resolving the disconnect.	Revise Order: Remove terminology or include in Order 3-1 Use of Force.
15	Part II.C.2, Page 3	The Order states, “The Division Commander will be required to conduct an immediate investigation.” Consider adding clarity on the timeframe for initiating this investigation.	Revise Order: Add timeframe to clarify “immediate.”
16	Part II.C.3, Page 3	The order states “Pending administrative review, any officer whose use of force results in a death or serious physical injury will be placed on Administrative Leave.” The term “pending” the review makes the process and timeline less clear – does the review need to complete before a decision is made to put the officer on leave?	Recommendation: Police Affiliated Critical Incident (PACI) Process
17	Part II.C.3, Page 3	The order states “...this is in order to protect both the officer’s and the community’s interest...” Recommend specifying procedural requirements for both officer and public engagement in the case of death or serious physical injury to ensure activities are transparent.	Recommendation: Police Affiliated Critical Incident (PACI) Process.
18	Part II.C.3.c, Page 3	The Order states “The officer shall not discuss the incident with anyone other than the investigating officer, the City or Commonwealth's Attorney, the officer's chosen clergy, the officer's immediate family, or any medical personnel assigned to treat said officer.” It is unclear if the Department can restrict speech to this level. Recommend removing this statement and referencing a separate Police Affiliated Critical Incident (PACI) Process that includes outlining requirements for required cooperation with investigations.	Revise Order: Remove and reference recommended Police Affiliated Critical Incident (PACI) Process.
19	Part II.C.4, Page 3	The Order states “Psychological follow-up of post-shooting trauma will normally be directed by the Chief of Police whenever deemed appropriate.” Recommend removing this statement and referencing a separate Police Affiliated Critical Incident (PACI) Process.	Revise Order: Remove and reference recommended Police Affiliated Critical Incident (PACI) Process.
20	General	Recommend reviewing Part IV of the Sheriff’s Office Order and including similar details on content for the Use of Force Report forms (e.g., level of resistance, charges resulting, location, weapon used, effect of force).	Revise Order: Consider being consistent with the details required in forms across organizations.



Sheriff’s Office, General Order Subject – Reporting Use of Force (DRAFT dated September 25, 2020)

ID	Reference	Comment	Action
01	Policy, Page 1	The term “instrumentality” is not used in the Use of Force/Response to Threat Orders so this may create some confusion. Also, recommend a definition for “affirmatively displays” in this Order or in the Use of Force/Response to Threat Orders. Does this imply that the deputy shows the weapon but does not use the weapon (i.e., deployed)?	Revise Order: Standardize terms and terminology across Orders to minimize confusion.
02	Part I.B, Page 1	The Order states “The Sheriff and the Chief Deputy will be notified by the Supervisor <u>as soon as possible</u> after any report of the use of any force. In the event of a fatality resulting from the use of any kind or type of force, the Sheriff will advise, <u>as soon as possible</u> ...”	Revise Order: Clarify typical timeframe for non-fatal and fatal incidents.
03	Part I.B.2, Page 2	The Order states “Deputies will immediately advise their Supervisor of any discharge of a firearm not owned/provided by the Sheriff’s office or personally owned or in the possession of the deputy as outlined below.” Recommend clarity as to expected circumstances under which a deputy would discharge an unauthorized or personal firearm. Does this pertain to their home (e.g., self-defense), to a firearm taken from a suspect during a struggle, etc.?	Revise Order: Consider clarifying the circumstances for this guidance.
04	Part I.C, Page 2	The Order states “In addition to required arrest and incident reports, a Response to Threat/Use of Force Report will be submitted by the deputy describing the incident.” Consider requiring the submission of photographs and/or video when use of force results in an injury as currently suggested by the Police Department policy.	Revise Order: Consider requirement to submit photographs of injuries. Recommendation: Incident Evidence
05	Part III.A, Page 4	The Order states “Any Deputy involved in a traffic accident, whether on or off duty, including those resulting in injury or death will report the incident...” Unclear if a traffic accident is applicable to a use of force, as described in Response to Threat and reported under this Order. If it is necessary to this policy, it requires some grounding as to why it is pertinent.	Revise Order: Remove or clarify relevance to the Use of Force.
06	Part IV.D.4.d, Page 5	This is the first instance in which a canine is a defined mechanism for a use of force (i.e., “weapon/instrumentality used”). Recommend including a statement or section on canines within the Use of Force/Response to Threat Orders for both the Sheriff’s Office and Police Department.	Revise Order: Add canine use of force to relevant General Orders.
07	General to 20	This Sheriff’s Office General Order contains nearly identical language to the Police Department Use of Force, General Order Number 3-2 – Reporting Use of Force (Effective September 24, 1987; Last Reviewed March 3, 2016). The UFRC recommends reviewing comments 01-03, 06-07, 10-14, and 15-19 in the table and considering the associated actions.	See actions defined for the Police Department Use of Force General Order in comments 01-03, 06-07, 10-14, and 15-19.



Internal Affairs and Disciplinary Action

Police Department, General Order Number 2-3 – Internal Affairs (Last Reviewed March 19, 2008)

ID	Reference	Comment	Action
01	Policy, Page 1	The Policy notes “misfeasance, malfeasance, and nonfeasance...” These are forms of misconduct. Suggest striking as below in the Purpose the Order establishes procedures to investigate the “actions of or conduct of any employee” – these should match.	Revise Order: Remove wording as already covered by the inclusion of “allegations of misconduct”.
02	Purpose, Page 1	The Purpose indicates “...will ensure the complete examination of all facts and circumstances...” Like in the Use of Force Order, recommend a review on terminology to align with best practice and case law (e.g., should this be “totality of the circumstance”).	Revise Order: Review text to ensure consistent use of new terminology (e.g., “objectively reasonable” should replace “fair and reasonable” in all instances).
03	Part I.A, Page 1	This states the immediate supervisor decided whether an incident/violation needs further review. This is not impartial or fair, as required in the Policy section. There should be no allegations of misconduct reviewed by an immediate supervisor only. This could have serious results and potential liability.	See Recommendation: Oversight and Accountability
04	Part II.A, Page 2	The Order states “Obviously, information concerning employee actions originating from these sources does not always result in the need for an investigation.” This could be construed as inflammatory. The investigation is to decide if there is any basis in fact to the allegations. Suggest adding the word “Alleged” in front of the prior sentence that starts with “Incidents observed by officers or supervisors, citizen reports...” to make the point that not all alleged misconduct needs the same level of investigation.	Revise Order: Modify the sentence in Part II.A per the comment.
05	Part II.B, Page 2	A supervisor should not have the authority to determine the need for further investigation given the appearance of potential bias.	See Recommendation: Oversight and Accountability
06	Part II.C, Page 2	The Order states, “The administrative review phase is generally intended to be brief in duration...” Suggest some specificity if possible (e.g., is “brief” one week or one day).	Revise Order: Provide clarity on typical duration.
07	Part II.C.1, Page 2	It is not typical to determine whether further investigation is necessary if the reporting party is okay with the explanation. Per committee discussion, it is understood that sometimes complaints arise when an individual does not know details of the law, which can be explained to their satisfaction. However, as currently written, the guidance in the Order is broad and leaves open the possibility for complaint trends not reaching leadership for review.	Revise Order: Consider clarifying guidance on how complaints are taken and what requirements should exist for reporting to all complaints for analysis.
08	Part II.C.2, Page 2	The Order states “The administrative review phase is generally intended to be brief in duration and is conducted for the purpose of determining one of the following...The incident does not constitute any reasonable suspicion of misconduct by any employee of the Falls Church Police Department...Matters so investigated shall include, but not be limited to use of force incidents...” This allows for uses of force to have brief admin reviews only.	See Recommendation: Oversight and Accountability



Police Department, General Order Number 2-3 – Internal Affairs (Last Reviewed March 19, 2008)

ID	Reference	Comment	Action
09	Part II.C.3, Page 3	Giving a first-line supervisor authority to stop further investigation could create the appearance of potential bias. Suggest adding clarity to the following sentence “This category may include incidents or minor violations of regulations, such as at fault accidents, tardiness, etc. <u>This does not pertain to use of force complaints or incidents.</u> ”	Revise Order: Add clarity to remove the potential for bias in use of force cases.
10	Part II.C.4, Page 2	The definition of reasonable suspicion has reasonable in it. Recommend aligning this definition with those used in other orders, which should be based on best practice or case law.	Revise Order: Review terminology and definitions in line with best practice and case law.
11	Part III.A.1, Page 3	Per comments on prior Orders, expect some discussion is necessary regarding the IA Manager (Deputy Chief) being in the same chain of command. Suggest determining a cost-effective approach manner to ensure independence in the IA investigation.	See Recommendation: Oversight and Accountability
12	Part III.A.1.b, Page 3	The Order states “The Department will create an annual statistical summary of Internal Affairs investigations for dissemination as determined by the Chief of Police.” How is this information disseminated today and are there opportunities to improve transparency? Recommend establishing a consistent dissemination process for transparency	See Recommendation: Oversight and Accountability.
13	Part III.A.2.a, Page 3-4	The Order states “The Chief of Police shall be informed directly by the Deputy Chief (or in their absence by the supervising official taking the complaint) of all complaints made against the Department or against an employee.” Does this mean the Chief is informed of all complaints regardless of the type of inquiry (i.e., what if only admin review by a first-line supervisor?). This appears to be a higher level of reporting and visibility than described so far in the Order.	Revise Order: Clarify expectations for reporting complaints within and outside the Police Department.
14	Part III.B.3, Page 4	The Order states “No complaints or discussions of complaints will be transmitted by electronic means, such as email.” Are there opportunities for including electronic submission of complaints given the need to have a consistent accounting of complaints, which is typically a secure complaint database.	Revise Order: Consider if this guidance is consistent with current best practice.
15	Part III.B.4, Page 5	The Order states “Sustained or founded internal affairs complaints will be retained five (5) years after separation of employment of the subject of the investigation. All others will be retained for three (3) years after the completion of the investigation.” Confirm the retention time periods and clarify if this information is maintained elsewhere.	Revise Order: Indicate that pertinent information and actions are also maintained within the officer’s personnel file for reference. Also, See Recommendation: Personnel Files.
16	Part III.D.1.a, Page 5	The Order states “The Deputy Chief is responsible for the investigation of all discrimination and sexual harassment complaints. All allegations of discrimination shall be confidential.” Harassment and discrimination are different. Are both kept confidential, if so please clarify.	Revise Order: Clarify handling of sexual harassment complaints.



Police Department, General Order Number 2-3 – Internal Affairs (Last Reviewed March 19, 2008)

ID	Reference	Comment	Action
17	Part III.D.1.c, Page 5	The Order states, “In the event that the Chief is the object of the complaint...” Suggest changing “object” to “subject.”	Revise Order: Consider wording choice.
18	Part III.D.2, Page 6	The Order states “The categories of complaints that require investigation by the internal affairs function include... A review will be conducted of any use of force incident (fists, Oleoresin Capsicum, expandable baton, canine, less lethal, service weapon) or pursuit.” This appears inconsistent with Part II.C.2 on page 2, which indicates an administrative review can be conducted to determine no reasonable suspicion of misconduct in use of force incidents. Is an internal affairs review required?	Revise Order: Clarify how use of force incidents are handled in the Order. Also, See Recommendation: Oversight and Accountability.
19	Part IV.A, Page 6	The Order states “The extent of the investigation will be determined by the seriousness of the complaint/incident. In some cases, the investigation may be limited to substantiating the falsity of the accusations. Complaints from citizens include...” The first sentence is good but consider if the second sentence is necessary – to clarify the Department may only substantiate the falsity of an accusation. The placement of this wording may be construed to imply that complaints from citizens are often false. Further, the purpose of an investigation is to determine the truth of the allegations (i.e., sustaining the falsity of the investigations is inflammatory).	Revise Order: Remove this statement from the Order.
20	Part IV.B.2, Page 6	The Order states “All complaints forwarded from first-line supervisors will be reviewed by the Deputy Chief and may be subject to additional investigation.” This appears inconsistent with Part III.A.2.a, on page 3-4, which indicates the Chief of Police will be informed of “all complaints made against the Department or against an employee.” What is the expectation for review and reporting of complaints?	Revise Order: Clarify expectations for complaint review and reporting throughout for consistency.
21	Part IV.E, Page 7	The Order states “The prosecutor's office should review the case prior to criminal charges being filed against any employee.” Recommend clarifying if the prosecutor’s office <u>always reviews</u> cases prior to criminal charges. Also, clarify if this includes the District Attorney.	Revise Order: Remove “should review” if criminal charges are always reviewed by the prosecutor’s office.
22	Part IV.E.2, Page 7	The Order states, “Under no circumstances will an investigation be conducted which employs unlawful methods, coercion, devices, or practices...” What are examples of unlawful devices?	Revise Order: Provide clarity or examples to improve guidance.
23	Part IV.F, Page 7	The Order states “Unless an extension is granted by the Chief of Police (extenuating circumstances must exist...” For clarity, include the requirement to document these extenuating circumstances (i.e., “must exist and be documented”).	Revise Order: Include requirement to document extenuating circumstances.
24	Part IV.G, Page 7	The Order states “Only if a complaint or allegation is sustained, and the employee is disciplined, will the information of an internal affairs investigation be placed in an employee's personnel file.” This could create an issue for tracking those who have multiple allegations. Recommend broadening how the Police Department tracks complaint and IA data for officers.	See Recommendation: Personnel Files.



Police Department, General Order Number 2-3 – Internal Affairs (Last Reviewed March 19, 2008)

ID	Reference	Comment	Action
25	Part V.A, Page 8	This again states that uses of force can be investigated by first line supervisors only. Recommend clarifying expectations throughout as similarly described for comments on Parts II.C.2, III.A.2, and III.D.2.	Revise Order: Clarify how use of force incidents are handled in the Order.
26	Part V.B, Page 8	Recommend clarifying that officers or Department staff will assist persons when necessary to “reduce the nature of the complaint to writing.” This will mitigate access issues for those who are illiterate or have other difficulties communicating in writing. Further, is it a best practice to reject complaints received by electronic means?	Revise Order: Clarify documentation support and review best practice on electronic communication of complaints.
27	Part VI.A.3, Page 10	I have not seen “exonerated” before in ROIs. I also do not think that finding that an incident occurred but was within policy necessarily exonerates someone. Recommend reviewing best practice categories for classifying incidents.	Revise Order: Review best practices for classification improvements.



Police Department, General Order Number 2-2 – Disciplinary Action, Appeals, and Relief from Duty (Last Reviewed October 24, 2007)

ID	Reference	Comment	Action
01	Part I.A, Page 1	The Policy states “The period of relief shall continue until 1000 hours on the next day...” Does “next day” always provide adequate time if an officer is relieved in the evening/night on the prior day. Recommend confirming or change to a definitive period (e.g., within 24 hours, prior to the officer’s next shift, etc.).	Revise Order: Clarify timeframe for review and/or relief from duty.
02	Part IIA.1, Page 2	Recommend expanding “Personal observations of misconduct or unsatisfactory performance” to include observations by other officers (as done under Part III for Division Commanders) or clarify if this is included in the scope of Part IIC “Allegations of misconduct from citizens or another employee.”	Revise Order: Include observations from other officers per “Duty to Intervene” guidance in the draft Response to Threat General Order.
03	Part III.A.4, Page 4	The Order states “...unless the disciplinary action requested is outside the scope of authority of the Division Commander.” For context, who “requests” the disciplinary action and is it typical for someone below the Division Commander to request something outside the scope of the Commander’s authority? Specific to Group I and Group II offenses, the Order only appears to indicate specifying complaints and not specific disciplinary actions.	Revise Order: Review disciplinary action associated with Group-categorized offenses to ensure appropriateness for first-line supervisor, commander, etc.
04	Part III.A.5, Page 4	The Order states “After reviewing the complaint, the Chief may initiate an Internal Affairs investigation.” Using the word “may” offers flexibility – confirm this is intentional or alternatively specify circumstances that “shall” initiate an IA review. In the IA Order, it appears to be defined as “The categories of complaints that require investigation by the internal affairs function include: Any complaints as assigned by the Chief of Police which may include criminal activity, use of excessive force, dereliction of duty, corruption or discrimination (See GO 2-3, Part III.D.1, Page 5).	Revise Order: Clarify the types of incidents or circumstances that initiate an Internal Affairs review. Also, see comments for the Internal Affairs Order to ensure consistency.
05	Part III.B, Page 4	The Order states “For any second or subsequent Group II or any Group III violation or in any case where more severe punishment is indicated...” Recommend clarifying how this differs from III.A.5 – presumably it is the concept of “more severe punishment,” but unsure what it means to be “a severe punishment.”	Revise Order: Review disciplinary action associated with Group-categorized offenses to ensure appropriateness for first-line supervisor, commander, etc.
06	General	At a minimum, ensure that Disciplinary Action Order and Internal Affairs Order are consistent with one another. For instance, if a behavior requires reporting in one order then that requirement should be carried throughout both orders/policies. They currently do not do that, so the Orders are confusing and contradictory in several areas.	Revise Order: Ensure consistence between Disciplinary Action and Internal Affairs Orders.



Bias

Police Department, General Order Number 2-14 – Bias Reduction (Last Reviewed July 6, 2012)

ID	Reference	Comment	Action
01	General	This General Order addresses many areas that pertain to state and federal laws including anti-discrimination and even constitutional law such a "search and seizure." Recommend these comments and the resulting order go through legal review to ensure it conforms to current best practices and case law.	Revise Order: Conduct legal review on the final revised General Order. Recommended more broadly for all Orders.
02	Policy, Page 1	The Policy states “We are committed to a respect for constitutional rights in the performance of our duties. Our success is based on the respect we give to our communities, and the respect citizens observe toward law enforcement. To this end...” This is good and sets the tone for officers and the public. It should be carried through and noted in some way in ALL policies.	See Recommendation: Core Values.
03	Policy, Page 1	The Policy states “...does not discriminate on the basis of race, sex, color, creed, religion, age, disability, national origin, gender, political affiliation, sexual orientation or marital status.” Recommend either a more explicit statement that the officers shall not discriminate against a person period, or confirm this is a current, comprehensive list upon which not to discriminate.	Revise Order: Consider wording and/or confirm the list of traits that may influence bias.
04	Policy, Page 1	The Policy states “Officers shall base all such investigative actions on a reasonable suspicion that the person or an occupant of a vehicle committed an offense.” Recommend clarifying “...reasonable suspicion <u>as defined in this Order</u> ...” so there is some tangible basis for judging whether this suspicion is in fact reasonable.	Revise Order: Add clarification to the Policy statement.
05	Part I, Page 2-3	This Order was last updated in 2012. Are these definitions still appropriate or are there better definitions based on current best practice or case law (e.g., Terry vs. Ohio, new case law relating to how long a stop can last, etc.). General comments include: Part E – Include more information about gender including non-gender conforming, intersex, etc.; Part H – clarify “a profile is only valid for a limited time and under limited circumstances”; and Part L – include info on sexual orientation here or somewhere else.	Revise Order: Review definitions in line with best practice and case law.
06	Part I.G, Page 2	The definition for Probable Cause states “which the officer had reasonable, trustworthy information to lead a reasonable person to believe that an offense...” Include “ <u>objectively</u> reasonable.” Also, confirm this definition aligns with best practices or case law, as well as uses in other General Orders.	Revise Order: Review definitions in line with best practice and case law.
07	Part I.M, Page 3	The Order states “A citizen may not conclude a stop; the officer concludes the stop when his or her stated concerns are satisfied.” This may be problematic if the person does not feel safe. Is there a better way to word this based on current practices? Perhaps clarify that officers can conduct follow-up actions if a stop concludes without their satisfaction. For example, if a person does not want to get out of a vehicle at a stop, officers do not need to force the person out, but can conclude the stop and pursue a warrant.	Revise Order: Consider rewording more clearly and in a manner that shows more concern for both the person and the officer.



Police Department, General Order Number 2-14 – Bias Reduction (Last Reviewed July 6, 2012)

ID	Reference	Comment	Action
08	Part II.A, Page 3	This section appears out of context. It references other General Orders but does not describe whether these related Orders describe how to manage bias, or if they are just opportunities in which bias could occur. Bias may occur in any interaction. Further, the section does not provide “Procedures” as titled. Recommend rewording or removing.	Revise Order: Consider the placement of this guidance and clarify that bias may occur in any officer interaction.
09	Part III.C, Page 4	The Order states “Officers shall observe all constitutional safeguards and shall respect the constitutional rights of all citizens.” Given discussions regarding citizenship, recommend the Order changes terminology to all "persons."	Revise Order: Update terminology here and in other Orders increase inclusivity.
10	Part III.C, Page 4	The Order states “Interpreters shall be provided for non-English speakers and for hearing impaired persons whenever necessary to protect their constitutional rights.” Recommend additional guidance for individuals with intellectual or developmental disabilities who may not fully comprehend officer instructions or may respond atypically.	See Recommendation: Special Circumstances and Vulnerable Populations.
11	Part III.D, Page 4	The Order states “As traffic stops furnish a primary source of bias-related complaints, officers shall have a firm understanding of the warrantless searches allowed by law, particularly the use of consent.” Suggest adding at the end to clarify warrantless searches are not exclusive to traffic stops (e.g., “shall have a firm understanding of the warrantless searches allowed by law, particularly the use of consent. <u>This applies to traffic stops, but to other activities in which a search maybe required.</u> ”	Revise Order: Clarify that warrantless searches apply beyond traffic stops.
12	Part III.D, Page 4	The Order states “How the officer disengages from a traffic stop may be crucial to a citizen's perception of fairness or discrimination.” Confirm recommended actions are outlined in General Order 3-19, Traffic Law Enforcement, and trained accordingly. Also, recommend that the officer be required to state the reasons for a stop to the person being stopped.	Revise Order: Reference related guidance for clarity.
13	Part III.F, Page 5	The Order states “All personnel shall treat citizens with the same courtesy and respect that they would have citizens observe to Department personnel. To this end, personnel are reminded...” This statement would be better placed in the policy statement upfront since it applies to the entire Order. Further, simplify the wording (i.e., using “Department Personnel” is new) and align with Core Values (e.g., treat others the way you want to be treated).	Revise Order: Move this statement to the introduction. Also, See Recommendation: Core Values.
14	Part III.G, Page 5	The Order states “Personnel shall facilitate citizens' access to other governmental services whenever possible and shall actively provide referrals to other appropriate agencies.” Suggest being more specific here, clarifying it is the officer’s duty to be responsive and helpful. Also, may want to explicitly indicate referral or access to services may not be withheld based on race, sex, religion, etc., and that disciplinary action would result otherwise.	Revise Order: Clarify the intent and indicate accountability for not following guidance.
15	Part III.H, Page 5	The Order states “All personnel shall courteously accept, document, and forward to the Chief of Police any complaints of discrimination, biased-based policing or racial profiling made by citizens against the Department or against...” Recommend providing additional details for this	Revise Order: Add details to clarify the complaint process, expectations, and reporting. Also,



Police Department, General Order Number 2-14 – Bias Reduction (Last Reviewed July 6, 2012)

ID	Reference	Comment	Action
		<p>guidance. Specifically, how does this work when an officer receives a complaint in the field; is there a duty to report misconduct of another officer (i.e., Duty to Intervene); reference to related IA or disciplinary review procedures, or who investigates; are there timelines; and clearly state failure to report is also subject to disciplinary action.</p> <p>Also, recommend capturing data (or improving the data captured) so that complaints can be analyzed for trends in bias or discrimination. This data reporting may be applicable for the Citizen Review Panel/Use of Force Review Board recommended under other Orders.</p>	See Recommendation: Accountability and Oversight.
16	Part III.L, Page 5	This subpart may be clearer if combined with Part III.B – discussion of reasonable suspicion and probable cause.	Revise Order: Consider combining with Part III.B.
17	Part III.N.4, Page 6	The Order states “Supervisors are reminded that biased enforcement of the laws engenders not only mistrust of law enforcement but increases safety risks to personnel...Supervisors shall be held accountable for repeated instances of biased enforcement of their subordinates.” This could be stronger. Biased enforcement is wrong, and supervisors are held accountable.	Revise Order: Clarify the standards of accountability and consequences for supervisors in this situation.
18	Part III.N.5, Page 6	The Order states “Supervisors shall ensure that reports show adequate documentation of reasonable suspicion and probable cause, if applicable.” In what cases would this not be applicable. Recommend removing this discretion or clarifying specific circumstances in which it does not apply. Also, what is the standard for “adequate” documentation and what occurs if adequate documentation is not provided by the officer or supervisor?	Revise Order: Revise guidance to be more explicit.
19	Part III.N.7, Page 6	The Order states “Supervisors shall facilitate the filing of any citizens' complaints regarding law enforcement service.” Suggest adding a sentence to clarify expectations (e.g., does this filing follow guidance in the Disciplinary Action or Internal Affairs Order, or how does a supervisor know they have met expectations for filing the complaint including timeframes for submission and recipients). Also, recommend explicitly stating that bias incidents apply to supervisors and what the reporting mechanism is in these situations.	Revise Order: Add clarify to ensure supervisors understand expectations.
20	Part III.P, Page 7	The Order states “Disciplinary consequences: Actions prohibited by this order shall be cause for disciplinary action, up to and including dismissal.” Confirm the extent of accountability – up to and including dismissal – to ensure it provides the correct tone. For example, are there any items in this Order that could result in criminal prosecution if violated.	Revise Order: Confirm accountability and consequences to provide clearer expectations for non-compliance.
21	Part III.Q.1, Page 7	The Training statement seems unnecessarily broad. What does “ongoing” mean? Given the subject of the Order and current events, recommend itemizing a required training, optional training, duration, and frequency. Also, recommend including implicit bias training.	Revise Order: Clarify training expectations that will reduce the potential for Bias.



Sheriff’s Office, General Order Subject – Bias Awareness/Reduction/Elimination (Effective Date: September 10, 2020)

ID	Reference	Comment	Action
01	Policy, Page 1	The Policy states "Our success is based on the respect we accord to our communities, and the respect the public exhibit and reciprocate toward law enforcement in general and to our office in particular." This is a good concept but may want to reword. It might be misconstrued that law enforcement respect for the community may be conditional on reciprocation.	Revise Order: Clarify role of the public respecting law enforcement. Does it impact law enforcement respect of the public, or just impact law enforcement “success.”
02	Part I.A, Page 2	The Order defines Bias as "Prejudice or partiality, conscious or unconscious, which may be based on preconceived ideas, conclusions or notions regarding the influences of a person's upbringing, culture, experience, behaviors, attitudes, exposures or education." The phrase “regarding the influences of” may confuse the definition. Removing would make the statement more direct. Also, may want to indicate this also includes notions of citizenship status.	Revise Order: Review definitions in line with best practice and case law.
03	Part I.G, Page 2	The definition of a profile indicates “A profile is only valid for a limited time and under limited circumstances, most often for drug trafficking and terrorist activities.” Clarify the timeframe and circumstances and consider if specifying drug trafficking and terrorism is necessary.	Revise Order: Review definitions in line with best practice and case law.
04	Part I.K, Page 3	The definition for reasonable suspicion states, “Objective facts that lead an experienced deputy to...” Clarify why the definition considers an “experienced” deputy versus any deputy. Is this intended to strengthen the standard for reasonable suspicion?	Revise Order: Review definitions in line with best practice and case law.
05	Part I.K, Page 3	The definition for reasonable suspicion states that “Applicable law requires that stops based on reasonable suspicion be “objectively reasonable’.” However, there is no definition of objectively reasonable. Do you simply match the description of a suspect because of your gender, race, or because of a “totality of circumstances?” What is the standard for articulating the totality of circumstances and how is this related to what is considered “objectively reasonable?” Conversely, in a moment’s notice of a robbery that just occurred for example and the only attribute of the suspect is his/her race. Is it enough to stop any citizen? Is this part of the “totality of circumstances?” Suggest clarifying and providing a definition that aligns with other Orders.	Revise Order: Clarify how bias may influence what is “objectively reasonable.” Review definitions in line with best practice and case law.
06	Part I.M, Page 3	Although the definition of a "Stop" is different than the Police Department Order, it could use a review like that specified for the Police Department. Is this definition necessary, and are there best practice methods to engage and disengage a stop?	Revise Order: Review definitions in line with best practice and case law. Also see comment 07 for Police Department Order above.
07	Part III.A, Page 3	The Order states “Bias based profiling is expressly prohibited and will not be tolerated by the Falls Church Sheriff’s Office.” This is an excellent statement – recommend moving into the Policy up-front. Further, recommend connecting it to the disciplinary statement in Part III.O so it explicitly indicates what it means to “not be tolerated.”	
08	Part III.I-L, Page 5	These subparts explain the basics of professionalism and courtesy. Is there a separate conduct policy or guidance that describes this type of behavior? If so, this could be removed. If not,	Revise Order: Reference related conduct policy.



Sheriff’s Office, General Order Subject – Bias Awareness/Reduction/Elimination (Effective Date: September 10, 2020)

ID	Reference	Comment	Action
		recommend referencing that policy if possible or grouping these in a separate section titled “General Conduct” as it would likely apply to all Orders.	
09 to 16	General	This Sheriff’s Office General Order contains similar language to the Police Department, General Order Number 2-14 – Bias Reduction (Effective October 3, 2003; Last Reviewed July 6, 2012). The UFRC recommends reviewing comments 01, 03, 08, 13, 15-17, and 21 in the table and considering the associated actions.	See actions defined for the Police Department Use of Force General Order in comments 01, 03, 08, 13, 15-17, and 21.



School Safety

MOU between the Falls Church Police Department and the Falls Church City Public Schools (Last Reviewed March 20, 2008)

ID	Reference	Comment	Action
01	General	Given the role of the SRO, how is the Use of Force General Order applied within the school district? There is no indication in the Order or related orders (i.e., does the use of force differ when applied to students versus others in the population). Recommend relevant Police Department General Orders be referenced in this MOU for clarity.	Revise MOU: Indicate any special circumstances related to students within the use of force general order. Also update the MOU to cite relevant Police Department Orders.
02	General	It is unclear if the MOU reflects current practice given the changes in school administration. This MOU should be reworked to reflect current practices and relationships between the school, students, community, and SRO.	Revise MOU: Update requirements based on current operations and practices.
03	General	The MOU is unclear on reporting requirements. Recommend including state-mandated reporting requirements in the MOU to reduce flexibility for principals and administration.	Revise MOU: Include state-mandated reporting requirements.
04	General	Regarding the SRO and potential uses of force, the MOU does not communicate a clear understanding that most students are minors and a “vulnerable population.” The MOU should ensure it reflects minors versus adults, and that the activities that happen within a school environment can be different than those that happen in other public settings.	Revise MOU: Include a brief discussion of how use of force may apply within the school setting.
05	Purpose, Page 1	The MOU states "Whereas the Falls Church Police Department and the Falls Church City Public Schools are committed to the maintenance of a safe and secure environment for the students and school staff of the City of Falls Church while also promoting a positive relationship between the police, the schools, the students and the community." For the purposes of transparency and informed consent, were parent/guardian associations included in the development of this agreement. Where does the School Board input fall here?	Revise MOU: Clarify how the MOU was developed and the role of key stakeholders in the process.
06	Purpose, Page 1	The MOU states "The SRO Program is intended to ensure that no student's right to receive an education is abridged by violence or disruption." This sentence seems to take a very militarized stance. Suggest this be rewritten more along the lines of serving and protecting. Also, "violence or disruption" should be defined so SRO boundaries are clear (e.g., lunchroom fight OR lunchroom rioting; verbal attack on teacher during class or physical attack on teacher during class).	Revise MOU: Consider revised wording for the purpose of the SRO program. Further, better define limits of SRO engagement under Duties and Responsibilities.
07	Duties, Part A, Page 1	The MOU states "The School Resource Officer (SRO) is a sworn City of Falls Church Police Officer assigned to provide law enforcement expertise and resources to assist school(s) in maintaining safety, order and discipline within their assigned school(s). Clarify the intent is for the SRO to <u>only</u> help maintain discipline in accordance with use of force policy, and not to administer discipline.	Revise MOU: Clarify the role of the SRO in relation to use of force policy.



MOU between the Falls Church Police Department and the Falls Church City Public Schools (Last Reviewed March 20, 2008)

ID	Reference	Comment	Action
08	Duties, Part C, Page 2	The MOU states "All criminal activity that comes to the attention of the principal or school staff shall be reported immediately to the Police Department." Given the special population (juveniles), having "all criminal activity" reported to the police department for action could be challenging. The term criminal activity must be defined. It can also be an unnecessary drain on resources (e.g., is a child taking another child's book a criminal activity).	Revise MOU: Define the term criminal activity.
09	Duties, Part D, Page 2	The MOU states "The SRO provides a visible deterrent to crime and a positive representative of the Police Department to the students and staff." Again, this conveys a more militarized view is intended for display to students and staff as opposed displaying as a deterrent to public or bad actors.	Revise MOU: Consider revised wording for the purpose of the SRO.
10	Supervision, Part C, Page 2	The MOU states "The School Resource Officer shall report directly to the Building Principal for daily assignments." Recommend providing a few examples for clarity.	Revise MOU: Clarify the daily assignments for the SRO to help frame the scope of their duties.
11	Communication, Part A-C, Page 3	The MOU states "The SRO should establish a rapport with the students and school staff to allow for open and effective lines of communication. The SRO shall meet periodically with the Building Principals to exchange information and discuss areas of concern for the school or the community. The Division Superintendent shall ensure an open line of communication between the Police Department and the School Division and shall attend meetings with the SRO and School Administrators as needed." Where is the parental/guardian representation/input into this MOU? Given the size of this district, transparency should include representation by parental associations and/or the school board.	Revise MOU: Determine what, if any, communication guidance should exist with parents/guardians and other relevant stakeholder groups.
12	Investigation, Part A, Page 3	The MOU states "The SRO will act as the primary officer in the reporting of offenses occurring at the school while he/she is on duty and available. He/she will maintain the same responsibilities as a patrol officer acting in this capacity." There should be some clarification here because if this is correct, then students and adults questioned by the SRO should have the same level of protections afforded to police suspects on the street. Also, what are the protections afforded to FCC employees when questioned by SRO?	Revise MOU: Clarify if or how reporting by the SRO aligns with other Police Department Orders for reporting offenses. Cite relevant Orders if appropriate.
13	Arrest, Page 4	The MOU states "Routinely, rule infractions will not be handled as violations of law, but instead referred to the principal for action. Any questions related to the enforcement of rules versus laws within the school should be discussed with the principal." This is important and should be clarified at the beginning of this document.	Revise MOU: Move or reemphasize this comment at the beginning of the MOU.
14	Arrest, Part B, Page 4	The MOU states "Persons whose presence on school grounds has been restricted or forbidden or whose presence is in violation of law shall be arrested for trespassing." Given the fluidity of school environments, that an arrest is affected by violation of law and fact that "persons" include students, would revise as follows: "Persons whose presence on school grounds has	Revise MOU: Clarify the parameters for trespassing arrests.



MOU between the Falls Church Police Department and the Falls Church City Public Schools (Last Reviewed March 20, 2008)

ID	Reference	Comment	Action
		been restricted or forbidden and whose presence is in violation of law shall be arrested for trespassing."	
15	Search, Page 4	The MOU states "Any search by an officer shall be based upon probable cause and, when required, a search warrant should be obtained. Stop and frisk will remain an option when there is reasonable suspicion that a criminal act has been committed or may be committed, or that the suspect may be armed." Here police powers are respecting rights while interviews/interrogations do not seem to acknowledge those protections.	Revise MOU: Clarify that SRO interactions shall not conflict or compromise the rights of individuals in any way, perhaps as an introductory statement.



Relations with Law Enforcement Authorities, Virginia School Board Association (Copyright July 2020)

ID	Reference	Comment	Action
01	General	The title "RELATIONS WITH LAW ENFORCEMENT AUTHORITIES" is misleading because it implies that Law Enforcement provides school community involvement when the entire memorandum consists of law enforcement powers only.	Revise Policy: Consider naming consistent with the prior MOU.
02	Investigations, Page 1	The policy states, "The principal or principal's designee makes a reasonable effort to contact the parent or guardian and have the parent or guardian in attendance for the interrogation." For transparency, there should be some definition or context for a "reasonable effort."	Revise Policy: Clarify the extent of reasonable effort.
03	Investigations, Page 1	The policy states, "If the parent or guardian cannot be present for the interrogation, then the principal or principal's designee is present throughout the interrogation." In criminal matters, how are we ensuring the child's right to not self-incriminate. Should also indicate at what point questioning changes from inquiry to interview to interrogation and how children/parents are made aware of this shift. Should also indicate with or not by law a parent or guardian can delegate their rights in this area to "the principal or principal's designee" AND what, if any, opt out processes are available.	Revise Policy: Provide context on how the rights of children are protected.
04	Service of Process, Page 1	The policy states, "Should there be a need to serve a student or school employee with any 'legal process,' the School Board encourages the process server to make all reasonable attempts to serve such documents off school premises; however, if the documents must be served on school premises..." The role of the School Board in this area is unclear. If the School Board has control/input into this agreement, that should be clearly stated so parents/guardians are aware. Also, if the school is not required to provide access why is it not required that all services be served off campus. What would be the exceptions that documents "must" be served at school?	Revise Policy: Clarify the role of the School Board relative to the actions of law enforcement/the SRO in schools.
05	Service of Process, Page 1	The policy states "...should be served at the principal's office of the school which the student attends or the main office of the facility at which the employee is assigned." Does this policy deal with STUDENT interaction AND EMPLOYEE interaction? If so, there should be two different sections because employee rights, adult rights, and rights of juveniles are different.	Revise Policy: Suggest providing context on different stakeholders and their rights within the policy.
06	Service of Process, Page 1	The policy states, "In any case in which custody or visitation of a minor child is at issue and a summons is issued for the attendance and testimony of a teacher or other school employee who is not a party to the proceeding, if such summons is served on school property, it may be served only by a sheriff or his deputy." It is unclear why this is different from the above paragraph which indicates that a process server may provide service on school property, but now in this para "it may be served only by a sheriff or his deputy."	Revise Policy: Clarify who and where summons can be served.
07	Development of Programs, Page 1	The policy states, "The superintendent obtains and uses Sex Offender Registry information in accordance with Policy KN Sex Offender Registry Notification." It is unclear why this is relevant to Development of Programs. Clarification is needed.	Revise Policy: Clarify the intent of this requirement.



Relations with Law Enforcement Authorities, Virginia School Board Association (Copyright July 2020)

ID	Reference	Comment	Action
08	Report to Law Enforcement, Page 1	The policy states "...the principal immediately reports to local law-enforcement officials all incidents listed below that may constitute a felony offense..." How are the rights of children being protected when an interrogation may occur without the presence of parents, guardians, or attorneys?	Revise Policy: Provide context on how the rights of children are protected.
09	Report to Law Enforcement, Page 2	The policy states "The memorandum of understanding addresses the use of seclusion and restraint by law enforcement personnel in school settings. The School Board and the law-enforcement agency review and amend or affirm the memorandum of understanding at least once every two years or at any time upon the request of either party." Again, how are the rights of children being protected when an interrogation may occur without the presence of parents, guardians, or attorneys?	Revise Policy: Provide context on how the rights of children are protected.



Appendix B: Use of Force Incident Report Data

This Appendix provides summary data for each use of force incident involving the Falls Church Police Department between January 2015 and June 2020. As indicated in the Findings section, the Falls Church Sheriff’s Office has not been involved with a use of force incident to date.

ID	Incident	IA #	Date	Offense	Nature of Call	Type of Force	Age	Race	Sex	Eth.	Injuries	Medical Eval.	Notes
1	15-00145	15-001	1/28/15	TRAFFIC	TRAFFIC STOP	PISTOL-Displayed	27	White	Male	Non-His	NONE		RECKLESS DRIVING AND EVADED LE
2	15-00332	15-002	3/8/15	SUSP EVENT	FIGHT IN PROG	PISTOL-Displayed	Unkn	Unkn	Unkn	Unkn	NONE		REST. PKG LOT. POSS KNIFE INVOLVED 2 BM
3	15-00374	15-003	3/15/15	DUI / OBST / REFUSAL	OFF ON PATROL	Hands	30	White	Male	His	NONE		BECAME COMBATIVE WHEN ARRESTED
4	15-00418	15-004	3/19/15	BANNING	WANT GUEST BANNED	ECD-Displayed	31	White	Male	Non-His	NONE		HOTEL GUEST DISRUPTIVE RAN FROM OFFICERS
5	15-00432	15-005	3/23/15	DIP	BAR PATRON DISORDERLY	ECD-Displayed; Hands	21	White	Male	His	SLT. ABRASION	DECLINE D	VERBAL THREATS TO POLICE & PATRONS RESISTED ARREST
6	15-00440	15-006	3/24/15	WILDLIFE	SICK RACCOON	PISTOL-Deployed	N/A	Animal	N/A	N/A			
7	15-00526	15-007	4/6/15	FALSELY SUMMON LE / OBSTRUCTION	FOLLOW-UP ON PRIOR CALL	Hands	23	White	Male	Non-His	ABR. TO ELBOW	NONE	RESISTED
8	15-00775	15-011	5/18/15	DIP	DRUNK IN STORE	Hands	29	White	Male	His	NONE		COMBATIVE/RESISTED ARREST
9	15-00888	15-013	6/4/15	WILDLIFE	SICK RACCOON	PISTOL-Deployed	N/A	Animal	N/A	N/A			
10	15-00962	15-014	6/21/15	MENTAL PERSON	WEARING ONLY UNDERWEAR	Hands	31	White	Male	Non-His	NONE	DANGER TO SELF	REISTED TDO OBTAINED TAKEN TO



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ID	Incident	IA #	Date	Offense	Nature of Call	Type of Force	Age	Race	Sex	Eth.	Injuries	Medical Eval.	Notes
													DOMINION HOSPITAL
11	15-01010	15-017	6/30/15	WILDLIFE	INJURED RABBIT	RIFLE-Deployed	N/A	Animal	N/A	N/A			
12	15-01032	15-015	7/5/15	DIP	INTOX, FEMALE AT BAR	Hands	24	White	Female	His	NONE		REFUSED TO TAKE CAB HOME. ARRESTED. RESISTED.
13	15-01047	15-016	7/7/15	ASST OTHER JURIS	CHILD PROTECTIVE SERVICES	Hands	22	White	Female	Non-His	NONE		RESISTED GIVING CHILD TO CPS WORKER
14	15-01240	15-018	8/8/15	DEST PROP / DRUGS	HOUSE BROKEN INTO. OFFENDER LOCKED SELF IN BEDROOM	ECD-Displayed; PISTOL-Displayed	18	White	Male	His	ARM INJURED WHEN BROKE WINDOW	EVAL AT HOSP	BROKE INTO RESIDENCE 3:08 AM, NOT KNOWN TO HOMEOWNER WHO WAS ASLEEP AND AWAKENED BY DOGS. COOPERATED WITH OFFICERS AND ARRESTED
15	15-01244	15-019	8/8/15	DIP	WALKING BEAT NOTED FIGHT	Hands	42	Asian	Male	Non-His	NONE		3 MALES FIGHTING. ONE VISIBLY INTOX. RESISTED ARREST
16	15-01472	15-021	9/22/15	WILDLIFE	OPOSSUM CONVULSING	PISTOL-Deployed	N/A	Animal	N/A	N/A			
17	15-01662	15-023	10/17/15	DIP	BAR PATRON LOCKED SELF IN BATHROOM	Hands	28	White	Male	Non-His	NONE		OFFICER OPENED DOOR W/ PAPERCLIP. OFFENDER PASSED OUT ON FL. TAKEN TO HEADQRTS RESISTED CUFFING
18	15-01701	15-024	10/20/15	ASSLT / OBSTRUCT	ASSAULT IN PROG. / BOX	Hands	26	Black	Male	Non-His	SCRAPE ON RT WRIST & L KNUCKLE	DECLINE D	BF ASSAULTED BY KNOWN BM WHO TRIED TO



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ID	Incident	IA #	Date	Offense	Nature of Call	Type of Force	Age	Race	Sex	Eth.	Injuries	Medical Eval.	Notes
					STORE PKG LOT								LEAVE SCENE IN CAR. BECAME AGITATED AND AGGRESSIVE. BF HAD CUT ON FACE AND LIMPING AND CRYING. EPO ISSUED
19	15-01736	15-026	10/27/15	ASSIST RESCUE	UNCONSCIOUS FEMALE	Hands	68	White	Female	Non-His	NONE	TRANSPORTED	HELD SUBJECT WHILE SEDATED FOR TRANSPORT
20	15-01751	15-027	10/29/15	WILDLIFE	SICK RACCOON	PISTOL-Deployed	N/A	Animal	N/A	N/A			
21	15-01850	15-028	11/12/15	KIDNAP / OBST JUST	DOMESTIC DISTURBANCE	Hands	38	White	Male	Non-His	MINIMAL	CLRD BY MEDICS	RESISTED ARREST. DEMANDED MEDICAL EVAL. TAKEN TO VHC. NO INJURIES FOUND. ONE OFFICER INJURED. HUSBAND MENTAL PER WIFE.
22	15-02110	15-030	12/28/15	ASSIST RESCUE	DISORDERLY PATIENT AT DR OFFICE	Hands	51	White	Female	Non-His	Not Specified	Not Specified	HELP LOAD HIGHLY AGITATED PATIENT FOR TRANSPORT. ECO AND TDO OBTAINED.
23	16-00149	16-004	1/31/16	ASSAULT	DOMESTIC DISPUTE	Hands	65	White	Female	Non-His	NONE	CLEARED	DRANK BOTTLE OF WINE. ASSAULTED HUSBAND. RESISTED ARREST.
24	16-00256	16-005	2/20/16	ASSAULT / DRUGS	REST. EMP. ASSAULTED	Hands	18	White	Male	Non-His	MINOR ABRASIONS	DECLINED	5 UNDERAGE MALES ASKED TO LEAVE.



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ID	Incident	IA #	Date	Offense	Nature of Call	Type of Force	Age	Race	Sex	Eth.	Injuries	Medical Eval.	Notes
													ASSAULTED EMPL. REF. HAVING GUNS. RAN. LOCATED BY OFFICERS. 1 RAN AGAIN THEN DETAINED. SEARCH FOUND MULTIPLE DRUGS ON OFFENDER
25	16-00345	16-006	3/5/16	DIP	FIGHT IN PROGRESS AT BAR	ECD-Displayed	22	White	Male	Non-His	NONE		10 FIGHTING OUTSIDE ONE RUNS. COMPLIED W/ ORDERS. INTOXICATED
26	16-00355	16-007	3/6/16	WILDLIFE	INJURED RACCOON	PISTOL-Deployed	N/A	Animal	N/A	N/A			
27	16-00450	16-008	3/18/16	WILDLIFE	SICK RACCOON	PISTOL-Deployed	N/A	Animal	N/A	N/A			
28	16-00457	16-009	3/1/16	WILDLIFE	SICK RACCOON	PISTOL-Deployed	N/A	Animal	N/A	N/A			
29	16-00458	16-011	3/21/16	WILDLIFE	SICK RACCOON	PISTOL-Deployed	N/A	Animal	N/A	N/A			
30	16-00468	16-010	3/23/16	DUI / OBSTRUCT	OFF OBSERVES KNOWN INTOX SUBJ LEAVING SHOPPING CNTR PKG LOT	Hands	57	White	Male	Non-His	NONE		REFUSED TO EXIT VEHICLE FOR SOBRIETY TESTS. OFFICERS HAD TO USE HANDS TO REMOVE HIM.
31	16-00607	16-014	4/12/16	MENTAL	911 BREAK-IN HAPPENING	Hands	25	White	Male	Non-His	NONE	CLEARED	MENTAL CASE. ECO AND TDO OBTAINED. DURING PROCESS BECAME UNCOOPERATIVE. OFFICER USED HANDS



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ID	Incident	IA #	Date	Offense	Nature of Call	Type of Force	Age	Race	Sex	Eth.	Injuries	Medical Eval.	Notes
													TO PLACE HIM IN A CHAIR
32	16-00643	16-013	4/6/16	DIP / UNDERAGE	FIGHT IN PROGRESS AT HOTEL	ECD-Displayed	20	White	Male	Non-His	NONE		2 MALES BREAKING INTO ROOM AND RUN FROM OFFICER. ULTIMATELY RUN INTO EACH OTHER AND FALL TO GROUND AND ARE DETAINED.
33	16-00710	16-015	4/28/16	WILDLIFE	INJURED RACCOON	PISTOL-Deployed	N/A	Animal	N/A	N/A			
34	16-00828	16-016	5/17/16	DRUG / AOJ / DOMESTIC	DOMESTIC ASSAULT IN PROG	PISTOL-Displayed	24	White	Male	Non-His	NONE		OFFENDER FACE DOWN IN CAR W/ LEGS EXTENDED. ORDERED OUT. MADE FURTIVE HAND MOVEMENTS. OFFICER DREW PISTOL. COMPLIED
35	16-01072	16-018	6/17/16	WILDLIFE	SICK RACCOON	PISTOL-Deployed	N/A	Animal	N/A	N/A			
36	16-01256	16-020	7/17/16	WILDLIFE	SICK RACCOON	PISTOL-Deployed	N/A	Animal	N/A	N/A			
37	16-01346	16-021	8/1/16	WILDLIFE	INJURED DEER	RIFLE-Deployed	N/A	Animal	N/A	N/A			
38	16-01393	16-022	8/7/16	WILDLIFE	SICK RACCOON	PISTOL-Deployed	N/A	Animal	N/A	N/A			
39	16-01441	16-024	8/13/16	ASSAULT / FRAUD	SUBJ FIGHTING W/ CAB DRIVER	Hands	31	White	Male	Non-His	NONE		REFUSED TO PAY. RAN. 30 MIN LATER FOUND. RAN AGAIN. COMPLIED W/ COMMANDS.



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40	16-01485	16-025	8/21/16	ASSAULT / DISORDERLY	DRUNK REFUSING TO LEAVE BAR	Hands	32	White	Male	Non-His	NONE		CUSTOMER REFUSING TO LEAVE. HIGHLY AGITATED. AGGRESSIVE AND YELLING AT OFFICER. AGAIN, REFUSED TO LEAVE. LEG SWEEP USED TO LOWER TO GROUND. CUFFED.
41	16-01500	16-023	8/23/16	WILDLIFE	SICK RACCOON	PISTOL-Deployed	N/A	Animal	N/A	N/A			
42	16-01642	16-026	9/14/16	ROBBERY	ARMED ROBBERY AT BANK	PISTOL-Displayed; RIFLE-Displayed	31	Black	Male	Non-His	REQ MEDICS FOR HAND PAIN (PRIOR SURGERY)	TRANSPORTED TO VHC	LOCATED AT BACK OF BANK. REFUSED ORDERS AT GUNPOINT. PLACED HANDS SLOWLY IN POCKETS 2X. COMPLIED AND WENT TO GROUND.
43	16-01886	16-035	10/28/16	ASSAULT / DIP / OBST	DRUNK REFUSING TO LEAVE BAR	Hands	63	White	Male	Non-His	SMALL SCRATCH	DECLINED	DRUNK. RESISTED CUFFING. ASSAULTED FEMALE OFFICER. THREATS TO KILL
44	16-01925	16-029	11/3/16	DIP	DRUNK AT UNITY CLUB	Hands	25	White	Male	His	NONE	TRANSPORTED TO VHC	COMBATIVE IN AMBULANCE. HANDS USED TO RESTRAIN UNTIL SEDATED.
45	16-01930	16-030	11/4/16	ROBBERY / ASSAULT	911 HANGUP AT 7-11	PISTOL-Displayed; RIFLE-Displayed	18	Black	Male	Non-His	NONE		2 CLERKS PISTOL-WHIPPED. LOTS OF BLOOD.



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													FIREARM DISCHARGED. SUSPECT DESC AS BM 25-30 DK CLOTHING & HAT. 3 SUBJS SEEN WALKING. ONE MATCHES. PISTOL DISPLAYED AND ALL ORDERED TO GROUND ALL COMPLIANT. VICTIMS SAID NOT HIM. ALL RELEASED FROM SCENE.
46	16-01968	16-031	11/12/16	WILDLIFE	SICK FOX	RIFLE-Deployed	N/A	Animal	N/A	N/A			
47	16-02005	16-033	11/18/16	WILDLIFE	SICK RACCOON	PISTOL-Deployed	N/A	Animal	N/A	N/A			
48	17-00167	17-001	2/1/17	SUI (OVERDOSE)	DOMESTIC DISPUTE	Hands	47	White	Female	Non-His	NONE	TRANSP BY MEDICS	HAD TO HOLD DOWN UNTIL MEDICS ARRIVED AND ADMINISTERED RESTRAINTS AND SEDATION
49	17-00203	17-003	2/8/17	MENTAL	MENTAL MAKING SUICIDAL REMARKS	Hands	22	White	Male	Non-His	BUMP / CUT ON FOREHEAD WHEN HE SLAMMED HEAD ON PLEXIGLASS IN PATROL CAR		HAD TO BE CARRIED TO VEHICLE. TDO ISSUED
50	17-00397	17-004	3/6/17	OBST OF JUSTICE	CITIZEN CALLED WM PAN-HANDLING	Hands	37	White	Male	Non-His	NONE		MULTIPLE NAMES GIVEN OFFICERS. FFX HAD ACTIVE WARRANT.



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													RESISTED CUFFING
51	17-00401	17-005	3/7/17	WILDLIFE	INJURED RACCOON	PISTOL-Deployed	N/A	Animal	N/A	N/A			
52	17-00671	17-006	4/14/17	WILDLIFE	INJURED RABBIT	PISTOL-Deployed	N/A	Animal	N/A	N/A			
53	17-00718	17-007	4/19/17	ASSAULT / DIP	SUBJ ON GROUND IN HOTEL PKG LOT STUMBLES WHEN TRIES TO STAND	ECD-Displayed; OC-Deployed; Hands	33	Black	Male	Non-His	NONE	CLEARED BY MEDICS	RESISTED CUFFING, FOUGHT W/ OFFICERS ATTACKED FEMALE OFFICER SUSPECTED UNDER INFL OF PCP
54	17-00788	17-008	5/1/17	KID / ABDUCTION	FIGHT IN PROGRESS POSSIBLE KNIFE	PISTOL-Displayed; SHOTGUN-Displayed	26	Black	Male	Non-His	NONE		PISTOL & SHOTGUN DISPLAYED DURING BLDG SEARCH. NOT DISP. W/ SUSPECT WHO WAS LOCATED IN A DUMPSTER OUTSIDE
55	17-00945	17-010	5/28/17	DIP	3 MALES ARGUING OUTSIDE BAR	Hands	29	White	Male	His	NONE		6 MALES, 3 LEFT SCENE. WHILE TRYING TO GET RIDE FOR OTHER 3 THEY BECAME AGITATED. SUBJ. HIGHLY INTOXICATED RESISTED CUFFING
56	17-00946	17-011	5/28/17	DIP	3 MALES ARGUING OUTSIDE BAR	Hands	30	White	Male	His	NONE		6 MALES, 3 LEFT SCENE. WHILE TRYING TO GET RIDE FOR OTHER 3 THEY BECAME AGITATED. SUBJ. HIGHLY



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													INTOXICATED RESISTED CUFFING
57	17-00976	17-012	6/2/17	ASST RESCUE	JUV- SCHIZOPREN	Hands	17	White	Male	His	NONE	TRANSP BY MEDICS	SITTING ON WALKWAY IN PUBLIC PARK. COMBATIVE YELLING OBSCENITIES. HELD DOWN WHILE MEDICS SEDATED
58	17-01087	17-014	6/19/17	OTHR JUV. CASE	RUNAWAY JUVENILE	Hands	10	White	Male	Non- His	NONE		RTN HOME, MORE OUTBURSTS. STARTED TO RUN AWAY. OFFICER HELD WRIST. FATHER TOOK HIM. MOTHER CONTACTED OUTSIDE RESOURCES FOR ASSISTANCE. CLEARED.
59	17-01118	17-015	6/24/17	WILDLIFE	SICK SQUIRREL	PISTOL- Deployed	N/A	Animal	N/A	N/A			
60	17-01369	17-016	8/2/17	WILDLIFE	SICK RACCOON	PISTOL- Deployed	N/A	Animal	N/A	N/A			
61	17-01373	17-017	8/2/17	ASST OTHR JURIS	SUICIDAL SUBJ IN OR NEAR BAR	PISTOL- Displayed	26	White	Male	Non- His	NONE		SUBJ SAID HAD A GUN. COMPLIED W/ ORDERS. P/U BY FFX. TAKEN TO FFX COMM. SERVICES
62	17-01498	17+018	8/21/17	MENTAL / ASSIST OTHER JURIS	APT RESIDENT CAUSING DISTURBANCE	Hands	68	Black	Male	Non- His	NONE	TRANSP BY MEDICS	MENTAL CASE. COMBATIVE/BI TER. HELD BY OFFICERS FOR GLUCOSE TEST BY MEDICS AND HELP



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													ONTO GURNEY. ECO OBTAINED.
63	17-01668	17-019	9/4/17	MENTAL	KAISER PATIENT COMBATIVE	Hands	39	White	Female	Non-His	NONE	TRANSP BY MEDICS	BECAME VERBALLY ABUSIVE TO DR WHO DENIED HER PRESC PAIN KILLERS. COMBATIVE/BI TING/SUICIDAL
64	17-01695	17-020	9/18/17	OBS JUSTICE / DIP	MAN LYING IN FRONT LAWN W/ BIKE	Hands	38	White	Male	Non-His	NONE		RESISTED CUFFING. SPIT ON OFFICER.
65	17-01813	17-022	10/2/17	MENTAL	WF W/ BURKA SCREAMING AT PARENTS & KIDS ENTERING DAY CARE	BATON-Displayed; Hands		White	Female	Non-His	NONE	CLEARED BY MEDICS	PUSHING STROLLER. NO CHILD INVOLVED. IGNORED COMMANDS. ECO REQUESTED. RESTRAINED AND SEDATED.
66	17-02011	17-024	11/4/17	DIP	KNOWN SUBJ SUICIDAL W/ KNIFE	PISTOL-Displayed; SHOTGUN -Displayed	34	White	Male	Non-His	NONE		INITIALLY COMPLIED THEN MOVED RT HAND OUT OF SIGHT. COMPLIED AND CUFFED. NO KNIFE FOUND.
67	17-02151	17-025	11/24/17	WILDLIFE	INJURED DEER	RIFLE-Deployed	N/A	Animal	N/A	N/A			
68	17-02280	17-028	12/16/17	DEST PROP / DUI	OFF SAW BMW BROKEN THROUGH DRUG STORE DOORS AND INSIDE BELIEVED ROBBERY IN PROGRESS	PISTOL-Displayed	41	White	Female	Non-His	NONE	CLEARED BY MEDICS	DISPLAYED WEAPON TO APPROACH CAR. DRIVER INTOXICATED.



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69	17-02307	17-029	12/21/17	STOLEN PROP / SUSP DL / WSOJ	TRAFFIC ENFORCEMENT. STOLEN LICENSE PLATE HIT	PISTOL-Displayed	60	White	Male	His	NONE		DRIVER COMPLIED. HAD WANT FROM OTHER JURIS.
70	17-02324	17-030	12/27/17	DEST OF PROP	JUV DEST. PROP AT AURORA HOUSE	Hands	14	Black	Female	Non-His	NONE		OBSERVED IN COMMON ROOM KNOCKING ITEMS OFF SURFACES & TURNING OVER FURNITURE. IGNORED ORDERS TO STOP. ARMS GRABBED AND GUIDED SUBJ TO TABLE TO SIT AND TALK
71	18-00074	18-001	1/15/18	MENTAL	PRAYING / KNEELING / WALKING IN MIDDLE OF ROAD (RT 29 RUSH HOUR)	Hands	36	White	Male	Non-His	NONE		IGNORED COMMANDS. TAKEN BY ARM OUT OF TRAFFIC. CALMED DOWN AND WAS RELEASED.
72	18-00105	18-002	1/20/18	ASST OTHR JURIS	ARL. BOLO CAR USED IN ARMED ROBBERY 4 BM W/ PISTOLS	PISTOL-Displayed; RIFLE-Displayed; K-9	21	White	Male	Non-His	NONE		VEHICLE MATCHING DESC OBSERVED W/ DARK TINT ON WINDOWS. FELONY STOP. HAD NO INVOLVEMENT IN ROBBERY. RELEASED.
73	18-00108	18-003	1/21/18	KIDNAP / DIP / ASSAULT	DOMESTIC DISPUTE	Hands	44	White	Male	Non-His	NONE		WM INTOXICATED BELLIGERENT AND AGGRESSIVE TO OFFICERS 3 OFFICERS TO



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													PLACE HIM IN HANDCUFFS
74	18-00282	18-005	2/22/18	PD INFO	COMMERCIAL BLDG SEARCH WHEN OPEN DOOR FOUND	PISTOL-Displayed	60	White	Male	Non-His	NONE		WEAPONS DRAWN FOR BLDG SEARCH. KNOWN SUBJ SLEEPING ON STAIRS AT 3:30AM. TOLD TO LEAVE.
75	18-00441	18-006	3/18/18	DRUG / NARC	HIGH RISK WARRANT SERVICE (7 WARRANTS) CRIM HIST OF WEAPONS VIOLATIONS, ELUDING AND MULT WARRANTS FROM OTHR JURIS	PISTOL-Displayed	35	Black	Male	Non-His	NONE		VEH ARRIVED AT VICTIM'S HOUSE. SUSPECT AND WF PASSENGER OBEYED COMMANDS. WAS BROTHER OF WANTED PERSON. ARRESTED FOR 3.1 GM OF HEROIN IN POSS.
76	18-00785	18-007	5/7/18	COMM BURGLARY	ALARM AT BARBER SHOP (11:20 PM)	PISTOL-Displayed; K-9	50	Black	Male	Non-His	NONE		K-9 TRACK LOCATED BM POSS HOMELESS, ON GROUND BEHIND NEARBY BUSINESS. JUDGED NOT CONNECTED TO CRIME & RELEASED.
77	18-01163	18-008	7/4/18	ASSAULT	DOMESTIC ASSAULT IN CAR IN GROCERY PKG LOT	Hands	39	Asian	Female	Non-His	NONE		WIFE SLAPPED HUSBAND (LACERATIONS & BRUISES) AND LEFT SCENE. LOCATED, IGNORED COMMANDS TO STOP. HIGHLY



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													AGITATED. RESISTED CUFFING. ARRESTED
78	18-01260	18-017	7/21/18	DIP	DISORDERLY IN BAR / REFUSING TO LEAVE	Hands	27	White	Male	Non-His	NONE		REFUSED TO STOP WALKING AWAY. BELLIG. VERBALLY AGGRESSIVE AND ATTEMPT TO FIGHT W/OFFICERS.
79	18-01400	18-011	8/9/18	DIP	WM IN UNDERWEAR THREATENING PEOPLE AT MOTEL	Hands	43	White	Male	Non-His	NONE		HIGHLY INTOX. IN UNDERWEAR, SHOUTING. RACIAL AND SEXUAL SLURS. THREAT TO KILL OFFICERS. SPITTING.
80	18-01473	18-012	8/22/18	OBSTRUCTING JUST / DIP / HIT&RUN	OFF. FLAGGED DOWN BY PERSON WALKING FROM UNDERGROUND GARAGE, SAID CAR HIT PKD CAR	Hands	37	White	Male	Non-His	NONE		LOCATED DRIVER LVNG GARAGE. INTOX. DENIED ALCOHOL OR DRUGS. RESISTED. RACIAL SLURS. ASST OFFICER SCRATCHED RT ELBOW.
81	18-01589	18-014	9/7/18	DIP / LIQ LAW VIOL	SRO SEES KNOWN WM IN PKG LOT	Hands	54	White	Male	Non-His	SM CUTS TO ARMS & FACE FROM PAVEMENT	MEDICS TREATED	PREVIOUS DIP & TRESPASS ARRESTS. INTOX. FALSE NAME TO POLICE. RESISTED CUFFING
82	18-01640; 18-01594	18-018	9/15/18	OTHER JUV CASE	AREA CK OF PARK FOR WANTED JUV FEMALE	Hands	15	White	Female	Non-His	NONE	DECLINE D MEDICS	RAN FROM OFFICERS. KICKING, SCREAMING,



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													BANGING HEAD IN CRUISER
83	18-01644	18-020	9/17/18	DEST PROP / FELONY ELUDING / RECKLESS	ON PATROL SAW A LEFT TURN WRONG WAY ON ONE WAY ST	Hands	48	Asian	Male	Non-His	HIT HEAD WHEN TACKLED	EMS CALLED	2 AM IGNORED LTS AND SIRENS. BAILED FROM MOVING VEH 1 TACKLED AND HIT HEAD. WILL BE EXTRADITED TO CA LATER FOR UNRELATED CHARGES (GANG INVOLV)
84	18-01685	18-019	9/22/18	MENTAL	NOISE COMPLAINT APT COMPLEX	Hands	21	White	Female	Non-His	SAID HEAD HURT. REQ MEDICS	DECLINE D MEDICS	HIGHLY INTOX. COMBATIVE THROUGHOUT. TO FFX HOSPITAL MENTAL INSTITUTE.
85	18-01744	18-021	10/2/18	WILDLIFE	INJURED RACCOON	PISTOL-Deployed	N/A	Animal	N/A	N/A			
86	18-02105	18-026	11/25/18	TRAFFIC	NOT USING HEADLIGHTS (9:25 PM)	PISTOL-Displayed	24	Black	Male	Non-His	NONE		REFUSED TO OBEY CMDS TO STAY IN CAR. SAT DOWN W/ FEET OUTSIDE. HANDS NOT SEEN. OFFICER DREW PISTOL. COMPLIED.
87	18-02156	18-027	12/5/18	OTHER JUV CASE	MULTIPLE SUBJS SCREAMING IN APT	ECD-Displayed	Unkn	Unkn	Unkn	Unkn	Not Specified	Not Specified	SEARCH OF APT BLDG. 3 JUV PLAYING LOUDLY INSIDE VACANT APT
88	18-02228	18-028	12/18/18	ASST OTHR JURIS	ACCIDENT SCENE ON RT 66 STOPS TO WAIT FOR LE AND RESCUE	PISTOL-Displayed	Unkn	Unkn	Unkn	Unkn	Not Specified	Not Specified	DRIVER OF 1 OF VEHICLES INVOLVED IN ACCIDENT FLEES SCENE. IGNORES



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													COMMANDS. WEAPON PULLED DURING CHASE WHEN HANDS OUT OF SIGHT.
89	19-00024	19-002	1/5/19	DIP	FIGHT AT NIGHTCLUB	PISTOL-Displayed	20	Black	Male	Non-His	Not Specified	Not Specified	20 TOTAL INVOLV. 1 GROUP OF 5 APPROACHED. 2 RAN. 1 SLIPPED & FELL. WEAPON DRAWN UNTIL CUFFED.
90	19-00142	19-003	1/25/19	ASSAULT/DIP	DISRUPTIVE CUSTOMER AT RESTAURANT	Hands	26	White	Female	Non-His	NONE		REFUSED TO LEAVE W OFFICER. PUNCHED OFFICER IN FACE AND CRACKED CELLPHONE.
91	19-00267	19-004	2/15/19	MENTAL	UNKN SUBJ KNOCKING ON DOOR	Hands	19	White	Male	Non-His	SELF	TRANSPORTED	LOCATED SUBJ. RESISTED. HAD CUT SELF W/ KNIFE.
92	19-00622	19-005	4/14/19	FRAUD / DEST OF PROP / LIQUOR LAW VIOLATION	FIGHT IN PROGRESS CAB DRIVER AND PASSENGER	PISTOL-Displayed; Hands	20	White	Male	His	NONE		HELD BY DRIVER. INITIALLY RESISTED. COMPLIED WHEN REALIZED POLICE. HANDGUN DISPLAYED BY OFF CHASING 2ND SUBJ. WHO REFUSED COMMANDS
93	19-00868	19-009	5/28/19	WILDLIFE	DISORIENTED RACCOON	PISTOL-Deployed	N/A	Animal	N/A	N/A			
94	19-01112	19-012	7/10/19	ROBBERY / OBST	BM WAVING KNIFE AND	TASER-Displayed;	22	Black	Male	Non-His	NONE		THREATENED TO "SLIT



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				JUSTICE / FALSE ID	THREATS IN RESTAURANT	OC-Deployed; PISTOL-Displayed							THROAT" OF 2 FEMALES IN PARK FOR PHONE & PASSWORD. REFUSED TO OBEY COMMANDS TO STOP. WALKED AGGRESSIVELY TO OFFICER WHO DREW TASER. CALLED OFFICER RACIST. CONTINUED TO CLOSE DISTANCE. OFF. SWITCHED TO OC AND DEPLOYED. SUBJ RAN. ATTEMPT TO ENTER CAR BY THREAT DRIVER W/ KNIFE. SURR WHEN OTHR LE ARRIVED. GAVE FALSE ID.
95	19-01185	19-013	7/20/19	ASSAULT / DIP / OBST JUSTICE	ASST RESCUE ON NEAR DROWNING IN POOL	Hands	29	Black	Male	Non-His	Not Specified	Not Specified	ADULT ON PCP LET GO OF INFANT (UNDER 1 YRO) AT 5' MARKER IN POOL. LIFEGRD RESCUED INFANT AND PERFORMED CPR ON ADULT. ADULT BECAME AGGRESSIVE AND FOUGHT LE AND RESCUE



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													INJURING 2 OFFICERS & 3 EMT's.
96	19-01261	19-014	8/3/19	DIP	DISORDERLY IN RESTAURANT	Hands	29	Black	Male	Non-His	NONE		LOUD VERBAL ALTERCATION W/ EMPLOYEE. ASKED TO STEP OUTSIDE. REFUSED. BECAME MORE AGITATED. ESCORTED OUT. RESISTED ARREST. REFUSED ALL COMMANDS. REFUSED TO PUT LEG IN CAR
97	19-01414	19-025	8/27/19	SUSP. EVENT	POSSIBLE SUICIDE ATTEMPT- KNIFE MAY BE PRESENT	PISTOL- Displayed	25	White	Male	Unkn	SM CUTS	MEDICS CLRD	REFUSED TO ANSWER DOOR. THEN COMPLIED.
98	19-01468	19-016	9/4/19	MENTAL	MENTAL SUBJ REFUSING TO EXIT DRESSING RM OF STORE	Hands	49	Unkn	Female	Non-His	NONE	TRANSP TO HOSP.	PARANOID BI-POLAR (CIA AFTER HER, ETC.) 2 ATTEMPTS TO SEND HOME BY CAB FAILED. TAKEN INTO CUSTODY FOR SAFETY. RESISTED. CUFFED
99	19-01711	19-023	10/11/19	OBST JUSTICE	WANTED SUBJ ON PREMISES OF SWIM SCHOOL	OC- Deployed; Hands	29	Black	Male	Non-His	OC SPRAY	MEDICS CLRD	ASKED IF WAS KEITH BALLARD. SAID NO. TOLD WOULD BE DETAINED AS MATCHED WANTED PERSON. RESISTED



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													SLIGHTLY. REFUSED TO ENTER POLICE VEH. YELLED "HELP". USED DEAD WEIGHT TO DROP TO GROUND. 3 OFFICERS INJURED.
100	19-01907	19-024	11/15/19	WILDLIFE	SICK RACCOON	PISTOL-Deployed	N/A	Animal	N/A	N/A			
101	20-00073	20-001	1/13/2020	SEX OTHER	RAPE IN PROGRESS CODE 3	PISTOL-Displayed	44	Black	Male	Non-His	NONE		ONCE ON SCENE APT DOOR OPEN AND UNSECURED. WEAPON DRAWN TO ENTER.
102	20-00258	20-004	2/19/2020	WILDLIFE	DEER WEDGED IN FENCE	RIFLE-Deployed	N/A	Animal	N/A	N/A			
103	20-00295	20-005	2/25/2020	OTHER JUV	FIGHT AT GAS STATION INVOLVING RUN AWAY JUVIES	Hands	16	White	Female	His	NONE		ONE OF HF RESISTED CUFFING AND HANDS WERE USED TO FACILITATE.
104	20-00324	20-006	3/2/2020	MENTAL	CALLER THREAT TO KILL PERSON ON STREET WHO IS UPSETTING HIM IF POLICE DO NOTHING	Hands	84	White	Male	Non-His	SLIGHT BRUISING FROM CUFFS	TRANSPORTED	CALLER STATED INDIVIDUAL HOLDING A BIBLE AND YELLING AT PEOPLE AND IF POLICE DO NOTHING HE WILL KILL THE PERSON. PAPERLESS ECO OBTAINED. BECAUSE OF AGE, COMBATIVE



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													STATE(YELLING, CURSING, KICKING), AND FRAGILE SKIN BRUISING OCCURRED.
105	20-00336	20-007	3/5/2020	POLICE DEPT INFO ONLY	ON PATROL SEES STOLEN TAG	PISTOL-Displayed; RIFLE-Displayed	35	White	Male	His	NONE		FELONY STOP FOR STOLEN TAG INVOLVES WEAPONS DRAWN.
106	20-00358	20-008	3/9/2020	DRUNK IN PUBLIC	HM REFUSING TO LEAVE BAR	Hands	38	White	Male	His	2MM SLIGHT CUT		SUBJ VISIBLY INTOX AND AGITATED. STRONGLY RESISTED ARREST.
107	20-00407	20-009	3/15/2020	SUSPICIOUS PERSON	SOMEONE IN BLDG AND SHOULDN'T BE	PISTOL-Displayed	62	White	Male	Non-His	NONE		DOOR UNSECURE. PISTOL DISP FOR BLDG SEARCH. KNOWN SUBJ FOUND AND LEFT PEACEFULLY
108	20-00469	20-010	3/27/2020	MENTAL	SUICIDAL SUBJECT	ECD-Displayed; PISTOL-Displayed	21	Black	Female	Non-His	NONE		KNOWN INDIVIDUAL GRABBED KNIFE AND RAN TO BACKYARD. COMPLIED W/ COMMANDS. TAKEN TO ER AND TDO ISSUED
109	20-00521	20-011	4/12/2020	DIP / DISORDERLY / OBSTRUCT JUSTICE	VERBAL/PHYSICAL ALTERCATION	Hands	32	Black	Male	Non-His	NONE		KNOWN INDIVIDUAL YELLING OBSCENITIES AND THROWING BEER CANS FROM APT



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													WINDOW. CAME DOWN AND COMMANDED OFFICERS TO ARREST HIM. REFUSED TO RETURN TO APT AND AGGRESSIVELY APPROACHED OFFICERS. RESISTED ARREST
110	20-00571	20-012	4/27/2020	WILDLIFE	SICK RACCOON	PISTOL-Deployed	N/A	Animal	N/A	N/A			
111	20-00678	20-013	5/22/2020	ASSAULT / SHOPLIFTING / DISORDERLY	SHOPLIFTING	Hands	32	Black	Male	Non-His	SLIGHT CUT	TRANSP. BECAUSE OF AGITATED STATE	KNOWN INDIV (SEE 20-011) LOCATED NEARBY W/SHOP CART FULL OF MERCHANDISE. RESISTED ARREST (LIMP, SPITTING, YELLING, CURSING, HIGHLY COMBATIVE)
112	20-00729	20-015	6/7/2020	ROBBERY	BM CARRYING 4' STICK THREATENING FEMALE	OC-Deployed; Hands	30	Black	Male	Non-His	DECLINED TREATMENT	MEDICS RESPONDED	(BROTHER OF 20-013 ABOVE) RESISTED ARREST SPRAYED W/ OC. LATER LEARNED SUBJ HAD APPROACHED JUVIE AND ASKED FOR SEX BUT SHE DIDN'T WANT TO REPT IT OR TELL PARENTS



City of Falls Church – Use of Force Review Committee
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ID	Incident	IA #	Date	Offense	Nature of Call	Type of Force	Age	Race	Sex	Eth.	Injuries	Medical Eval.	Notes
113	20-00743	20-017	6/14/2020	ASST RESCUE / MENTAL	COMBATIVE, VIOLENT RESIDENT	Hands	85	White	Male	Non- His	NONE		HIGHLY AGITATIVE AND COMBATIVE RESIDENT W/ EXTENSIVE MENTAL HEALTH HISTORY. ATTACKING STAFF AND MEDICS. SEDATED AND TRANSPORTED.



Appendix C: Community Engagement – All Survey Responses

This Appendix provides all survey data and responses collected during UFRC community engagement efforts.



Appendix D: Community Engagement – Filtered Survey Responses

This Appendix provides a subset of survey data and responses collected during UFRC community engagement efforts. This subset reflects filtered survey data showing responses only from self-identified minority populations and those with unspecified demographics.