



ARLINGTON COUNTY POLICE DEPARTMENT

Administrative Policy and Data Review Recommendation Status Update



January 12, 2022

INTERNAL AFFAIRS

- 1.1 Make directive 551.02 readily available on the ACPD homepage.
[Directive 551.02](#) With the adoption of the new County webpage, the directive is now readily accessible on several pages.
- 1.2 Ensure that Directive 551.02 clearly designates the command staff who are responsible for ensuring investigators adhere to the 30-day investigation completion policy. Establish an audit schedule for assessing the extent to which complaint investigations were completed within 30 days and if not, whether the required extension requests were complete, and whether there was timely notification of case disposition to the complainant. Add a section to the OPR Annual Report that details the results of this audit.
Draft revision of policy is complete and currently in review process. Policy is expected to be completed Spring 2022, to include additional data capture to facilitate the 2022 Annual Report including the described information.
- 1.3 Add a description into Directive 551.02 describing how the Department investigates command-level personnel. Consider developing a memorandum of understanding with a neighboring department or contracting an external entity to conduct these investigations.
Currently on the agenda for the Regional Internal Affairs Meeting, January 2022. In addition, Critical Incident Response Team is available for serious incidents involving command-level personnel.
- 1.4 Include the most serious categories of misconduct (e.g., sexual harassment, discrimination, excessive force) in the Progressive Discipline Table.
Draft version of our new Corrective Action Disciplinary table, including the most serious categories of misconduct. is complete and in the review process. Expected to be completed and implemented by Spring 2022.
- 1.5 Consider including a section in the ACPD Annual Report that addresses the disciplinary actions the Department took during the prior year. To the extent permitted by law, provide examples of complaint investigations that resulted in Shift Level Counseling/Contact Card, Letters of Corrective Action and Suspension.
Draft revision of policy outlining annual reporting is complete and currently in the review process. The report is published annually in the spring.

USE OF FORCE

During the process of this policy review, the ACPD, informed by the PPG, spent significant effort revising its use-of-force policies to ensure that they were compliant with best practices and community expectations. As such, the ACPD has already incorporated the recommendations that the assessment team discussed with the ACPD and PPG. Therefore, we have no additional specific recommendations for this section.

However, as the use-of-force policy is relatively new, the ACPD should closely scrutinize use-of-force incidents, audit use-of-force training to ensure policy is operationalized on the street and ensure it has incorporated the new requirements into training.

[Directive 538.04 - Use of Force](#)

Much of the original policy aligned with identified best practices as noted by the assessment team. This policy was updated to include prohibiting the use of neck restraints unless immediately necessary, clarifying officer's responsibility to intervene to prevent or stop the use of excessive force, rendering first aid when necessary, highlighting the sanctity of life, increasing focus on de-escalation and other updates.

[Directive 539.01- Foot Pursuits](#)

The assessment team recommended that ACPD create a policy governing foot pursuits. This new policy has been completed and implemented.

CAMERAS

- 3.1 Ensure procedures clarify which personnel the ACPD has assigned or are permitted to wear BWCs and under what conditions.

[Directive 517.08](#) states, "All officers who are issued a BWC shall wear their BWC when on duty, working County-related secondary employment, or working Department police-related secondary employment as defined in Manual section 512.03."

- 3.2 Delineate when an officer should deactivate the Interview Review Camera and under what circumstances, such as when a suspect or defendant consults with their attorney.

Policy is currently under review and expected to be completed Summer 2022.

CAMERAS (continued)

- 3.3 Consider clarifying the language in the Directive 517.08 to expand the scope of supervisory review of BWC footage beyond review of compliance with the policy but to also include review of officer performance including identifying examples of exemplary performance and opportunities for improving officer performance.

[Directive 517.08](#) states, "Use of Recordings for Training Purposes - Periodically, recorded incidents may prove useful as training aids. Whenever an event is perceived to be a training aid, the officer responsible for generating the recording should notify and review the incident with their supervisor. If the supervisor determines the video to have training value and they have received approval by the Office of Professional Responsibility, through their chain of command, they should provide the Training and Career Development Unit with a link to the video."

- 3.4 Consider amending [Directive 517.08](#) to clarify that a reasonable expectation of privacy in residences may exist, and as such, officers should not use BWCs in a residence if a person has objected to being recorded, unless the recording is being made pursuant to an arrest or a search of the location or the individuals.

[Directive 517.08](#) requires, "All investigative and enforcement contacts, as well as all contacts specifically related to a call for service by officers issued a BWC, shall be recorded." Additionally, the policy outlines certain circumstances when an officer may "elect to capture audio only with no video, video only with no audio, or deactivate the BWC altogether."

"Privacy – If an officer records in a location where individuals have a reasonable expectation of privacy, such as a residence, the individual may make a formal request to the Office of Professional Responsibility that the recording be restricted from public release or deleted. The BWC shall remain activated until the event is completed in order to ensure the integrity of the recording unless the contact moves into an area restricted by this policy."

The new webpage will contain a link for community members to make this request under the "Body-Worn Camera" and "Office of Professional Responsibility" task. This will be completed Winter 2022.

- 3.5. Consider amending Directive 517.08 to guide the ACPD's process for disclosing audio/video recordings, along with the criteria it uses to make the disclosure determination and the approach for redacting sensitive information.

[Directive 517.08](#) states, "Freedom of Information Act Requests – Only the Chief of Police, or designee, may authorize the release of any recordings. These recordings are official records and subject to confidentiality laws. FOIA requests for audio/video recordings shall be forwarded to the Office of Professional Responsibility for processing."

RECRUITMENT and RETENTION

- 4.1 Develop a written strategic recruitment plan with clearly defined goals and objectives to optimize the Department's ability to attract and hire a diverse group of high-quality applicants who reflect the diversity of the community.

In Process. The Draft version of our Strategic Recruitment plan is under review and expected to be complete in the first half of CY 2022.

ACPD has a robust recruitment strategy which includes partnering with approximately 25 universities to maintain an on-going relationship, use of electronic recruitment tools, work with marketing and advertising consultants, a recruitment bonus for current staff and certified status to recruit from military installations. While we are working to consolidate our strategies and goals in a comprehensive document, current efforts have shown success in recruiting more diverse groups of new officers. Below are the demographics of the last 100 officers hired:

White – 73

Black/African American – 16

Multi-Racial – 4

Asian – 4

Pacific Islander – 1

American Indian – 2

Ethnicity:

Non-Hispanic – 81

Hispanic – 19

Gender:

Male – 65

Female - 35

- 4.2 Establish partnerships with local and national professional organizations supporting minorities and other under-represented persons in law enforcement to bolster recruitment and retention efforts.

The ACPD Ambassador Program actively collaborates with Historically Black Colleges and Universities, Women in Law Enforcement, and LGBTQ+, in-person and virtually, through the Handshake platform. ACPD has started discussions with local chapters of Historically Black Fraternities & Sororities, College Alumni Associations, National Football League Players Association, and the National Association of Basketball Coaches to expand its efforts to identify potential recruits. ACPD will continue to expand its efforts in this area.

RECRUITMENT and RETENTION (continued)

- 4.3 Continue to work with the PPG and explore ways to leverage their input in the Department's recruitment efforts to attract and hire a diverse applicant pool, particularly those within Arlington County.

While PPG is not a standing commission, ACPD will continue to engage with stakeholders to include, but not limited to, Arlington Hispanic Parents Association, BU-GATA, NAACP, Bridges to Independence, and others on ideas to enhance recruitment in support of a diverse workforce. It is anticipated that the Community Oversight Board will also be a partner in this effort.

- 4.4 Establish in the Department's written strategic recruitment plan, a defined schedule within the recruitment and hiring process to keep applicants engaged and informed of the process' next steps, provide opportunities to attend community engagement events and to address any questions or concerns.

In Process. Draft version of our Strategic Recruitment plan is expected to be completed in the first half of CY2022.

- 4.5 Continue to survey employees regularly and analyze the survey data to review and revise retention practices continually.

ACPD will continue to seek feedback and survey personnel along with the community. Throughout the summer and early Fall of 2021, Chief Penn hosted a series of Conversations with the Chief events across Arlington to actively seek input from the community on three key areas:

1. Where is ACPD doing well?
2. Where can ACPD make improvements?
3. Opportunities for future priorities.

Similar conversations occurred with each workgroup across ACPD. Many of the internal ACPD conversations focused on career path discussions along with incentives to retain employees. The Executive Leadership Team meets regularly with established employee organization leaders and the Peer Leadership Focus Group, a group that represents department personnel of all ranks and divisions.

- 4.6 Develop a policy and/or a process that calculates the "drop rate" for recruitment through the FTO program to sustain the workforce representation. The policy must clearly state its goals, which include identifying critical points for data capture, monitoring, and reporting.

In Process. Draft version of our Strategic Recruitment plan is expected to be completed in the first half of CY2022.

RECRUITMENT and RETENTION (continued)

- 4.7 Memorialize in writing and include in its recruitment materials the County's comprehensive pregnancy policy
In Progress. This will follow Arlington County Administrative Regulations.

TRAINING

- 5.1 Create a written annual training plan for all levels within the Department that is supported by internal analysis of data and police officers' desires. To this end, conduct annual gap analyses to see in what areas officers may need refresher training and use post-training surveys and periodic inquiries with officers regarding what training they would like to see.

The assessment team noted that ACPD makes training a priority, and its leaders allocate the appropriate time, money, and resources for it. Further, the department provides training well beyond the minimum state-mandated hours required for new officers, offers annual in-service training, and complies with other state mandates for officer training.

Analysis for CY2022 will be available in Spring 2023.

- 5.2 Establish a formal cross-functional training and curriculum committee that meets regularly to adjust training needs to ensure a balance of tactical and required courses with other courses to provide the Department with a career development path addressing additional specialized categories.

ACPD has a formalized Training Unit that reviews and modifies department led training opportunities while remaining aware of national trends and law enforcement response for best practices. However, by Fall 2022, a cross-functional training and curriculum committee will be established to include experienced personnel from the patrol section and criminal investigations.

Per recommendations by the Police Practices Group, the Department modified its approach to training and enhanced soft skills in 2021 and implemented a new training curriculum, focusing on situational awareness, critical thinking, cultural awareness, avoiding cultural collisions, racial equity, and bias-free policing. Moving forward, we are working to introduce additional training in procedural justice, and refresher advanced Crisis Intervention Team (CIT) training. These training opportunities complement the robust curriculum of continuing education offered through the Northern Virginia Criminal Justice Training Academy and our local, state, and federal law enforcement partners. ACPD has secured grant funding for all sworn personnel for training on the history of African American Communities and Policing, specific to Arlington County. The training consists of facilitated classroom discussion, and a private tour of The National Museum of African American History and Culture. Training is expected to begin in Fall 2022, depending on COVID health and safety protocols.

TRAINING (continued)

- 5.3 Enhance current supervisory training and create a supervisory training track that starts with sergeants and goes through the entire command ranks. Make it mandatory to complete within a certain time of attaining the rank.

ACPD is currently assessing career path tracking examples from law enforcement agencies across the country to determine the best model for enhancing ACPD's supervisory trajectory and consistency through the department.

ACPD has brought nationally recognized leadership training to Arlington to assist in maintaining high-level of service with the leadership rank. Throughout 2022, ACPD will continue to evaluate a structured supervisory training program for each rank.

- 5.4 Conduct pre- and post-assessments of the courses offered to measure effectiveness, just as one would with a course requiring a minimum proficiency.

ACPD is in compliance with the Department of Criminal Justice Services in measuring proficiency. However, upon the formation of the cross-functional training and curriculum committee, it will be tasked to determine the value and feasibility of this recommendation in lieu of or in addition to a more robust and comprehensive course evaluation by each participant.

- 5.5 Include curriculum in the ACPD's annual in-service training that helps ensure each officer has the basic understanding of the priority issues for the Department

The Chief will continue to address all personnel during roll calls and internal communications to discuss the departments' three 'Key Initiatives' of Crime Prevention and Control, Community Engagement, and Transportation Safety.

The Chief introduced a new key initiative, Employee Wellness, while collaborating to develop a comprehensive wellness program for all public safety agencies in the county.

PURSUIITS

- 6.1 Consider adding a statement to the vehicle pursuits directive that more clearly expresses the danger of vehicular pursuits. Use the sample in the IACP recommendations as a baseline.

Policy is currently under review and is expected to be completed in Fall 2022.

- 6.2 Add a risk factor regarding the presence of others in the vehicle, especially minors, to the vehicle pursuit directive.

Policy is currently under review and is expected to be completed in Fall 2022.

PURSUIITS (continued)

- 6.3 Add guidance to the vehicle pursuit policy that explains how to demonstrate or signal that a pursuit clearly has ended, such as turning off all emergency equipment, informing communications personnel and/or pulling off to the side of the road.

Policy is currently under review and is expected to be completed in Fall 2022.

DATA and TRANSPARENCY

- 7.1 Amend Directive 522.01 or create a new directive that clearly describes how and why the Department collects information, how it protects identifying information, how it will support open data and transparency, and how it will use the data to plan and manage police and safety operations.

Policy is currently under review.

ACPD is identifying options for an interactive web portal that will allow community members to view and search aggregate arrest, traffic, and field inquiry data. Expected completion in late 2022.

- 7.2 Amend Directive 531.06 to require the OPR commander to review demographic data, including traffic stops, use of force, arrests, and field interviews. Describe how the OPR commander can use this data as a source to identify potential bias and to understand if there are officers who are statistical outliers in need of early intervention.

Policy Directive 551.02, which is currently under review and is expected to be completed in Fall 2022.

OPR created an internal dashboard to review this data in various statistical comparisons. The data is also reviewed as part of a Bias-Free Policing complaint investigation. Annually each employee's data is reviewed to determine statistical outliers, and to determine whether there are mitigating/aggravating circumstances to any disparities.

- 7.3 Establish an ongoing process to engage regularly with community members in the review and interpretation of ACPD data to receive input into the Department's policing practices and how those practices impact the community.

The Chief currently has a Chief's Advisory Council. ACPD is enhancing their advisory committees to include, but not limited to, Community Engagement Advisory Committee, Community Police Academy Alumni Assoc and a Chaplain/House of Worship Committee. ACPD is committed to the partnership with the upcoming Community Oversight Board to provide recommendations.

DATA and TRANSPARENCY (continued)

- 7.4 Consider developing a policy that explains how to collect and share data and analysis regularly on traffic stops, arrests, use-of-force incidents, and field stops. Share the data with the public to help provide context. Compare the data to appropriate benchmarks rather than providing a limited comparison of general population data.

ACPD is compliant with the [Community Policing Act Data](#) legislative requirements, which includes this data. It is available to the public on the Virginia State Police website, and ACPD provides a link on their website.

- 7.5 Continue efforts to develop a data dashboard for the ACPD's website to improve the public's access to the ACPD's data.

The county has adopted a user-friendly webpage design that has made access to information and data accessible to all users. A police captain is working to identify software that could integrate with our data to readily provide searchable aggregate data on our website. This is an on-going project.

- 7.6 Consider collecting information about nonenforcement interactions, such as community policing efforts. Department leadership can use this information to evaluate individual officer's community engagement efforts and to assess the Department's overall community interaction.

One of the [department's key initiatives](#) is Community Engagement. Individual officers are encouraged to document community engagement efforts to be included in the department's monthly/annual reporting. To acknowledge individual officer's performance this information is included as part of their individual performance evaluation. ACPD [publishes a monthly report](#) which contains significant data outlining outreach and engagement efforts.

- 7.7 Continue inviting community members to regular engagements with the Department to review ACPD data and to discuss how to strengthen data capture and reporting on police-community relations and enforcement interactions.

ACPD will continue to engage with civic organizations, businesses, and other community stakeholder to share additional data related to their needs.

The Community Engagement Division is committed to expanding engagement to faith-based organizations and creating a Community Police Academy Alumni Association.

ACPD is committed to partnering with the upcoming Community Oversight Board to increase and to maintain trust with the community.