

APPROVED by a GENERAL MEMBERSHIP VOTE 15 JUN 2021:
45 'AYE', 2 'NAY', 2 ABSTENTIONS

ARLINGTON COUNTY CIVIC FEDERATION
Public Services Committee
Resolution Requiring Publication of External Consultant Report on the Police Practices
of Arlington
May 18, 2021

Whereas the County Board asked the County Manager to lead a review of police policies and practices in July 2020 following events involving policing and racial justice across the United States;

Whereas the Police Practices Group (PPG) began meeting in August 2020 and was to conclude their work no later than December 30, 2020¹;

Whereas PPG Subcommittees staffed and chaired by volunteer members of the community presented a report to the County Manager in February 2021²,

Whereas the PPG External Assessment to be completed by paid External Consultant has not been delivered to the County Manager or the public as of May 2021³, six months after expected contracted delivery by paid consultants and with possible misuse of public funds due to breach of contract;

Whereas some PPG areas to be addressed in the External Assessment by paid External Consultants are proceeding in the visible budget process without apparent guidance by said assessment⁴;

Whereas changes in policies, procedures and decisions continue to be made in absence of paid expertise of the external consultants' report;

¹ <https://departments.arlingtonva.us/cmopolice-practices-work-group/>

² *ibid*

³ *ibid*

⁴ Arlington Virginia news release announcing the passage of the adopted budget: <https://newsroom.arlingtonva.us/release/arlington-board-adopts-1-4-billion-fy-2022-budget-keeps-tax-rate-flat/>

Police Practices Group: Approximately \$1.5 million dollars is included to address recommendations from the Police Practice Group. This includes \$125,000 for an auditor/monitor position as part of the hybrid model for a civilian review board and \$574,000 for an enhanced mental health crisis response program in the Department of Human Services to pay for a physician's assistant, nurse, clinician, transport van and operating supplies. The budget also includes six unsworn officers for parking enforcement, traffic direction, and safety.

Close-out staff report for FY2020 and how funds remaining from FY2020 should be applied: p. 22
https://arlington.granicus.com/MetaViewer.php?view_id=2&event_id=1489&meta_id=198844

QQ. RECOMMENDATION: Transfer \$1,803,000 from Non-Departmental (101.91103) to FY 2021 PAYG (313.31223) to fund the acquisition of technology and related costs required for the implementation of the Body Worn Camera Program (\$1,048,000) and the related In-Car Camera System (\$755,000).

EXPLANATION: As part of the FY 2021 Capital Improvement Plan, the County Board approved funding the Body Worn Camera Program. The program will provide body worn cameras to members of the Police Department, Sheriff's Office and Fire Marshal's Office. Program expenses include \$268,000 for body worn camera hardware, \$244,000 for upgrades to four County courtrooms, and \$536,000 for data storage, software, and maintenance. Replacement of the existing In-Car Camera program is necessary for the program to be fully integrated with the new Body Worn Camera Program. All staffing and operating costs associated with the Body Worn Camera and In-Car Camera Programs are included in the FY 2021 adopted operating budget.

Whereas two (Cameras and Data/Statistics) of the six areas of the External Assessment to be conducted by External Consultant are critical to the evaluation of the Clarendon⁵ crowd monitoring hardware and software to be deployed for one year in Clarendon;

Whereas ACCF Legislative Committee's Data Privacy and Civil Rights panel presentation raised multiple concerns for privacy, civic data aggregation, and data security on our April 20, 2021 meeting⁶;

Now, therefore, be it resolved that the Arlington County Civic Federation requests immediate action by the County staff to deliver External Assessment by paid external consultants on the six areas including:

1. Review of use of Force: De-escalation tactics; lethal and non-lethal force; and, foot and vehicle pursuits.
2. Training and Supervision: Police Academy training; and training for implicit bias and crisis intervention.
3. Cameras: Both body-worn and vehicle dash cameras; and policies regarding use of this equipment.
4. Recruitment and Retention: Screening for bias; psychological evaluation; mental health programs; process for officer evaluation; promotion and leadership development programs; and compensation, including pay and benefits.
5. Internal Affairs: Statistics; structures and procedures; effectiveness through an anonymous climate survey; grievance processes; and use of force investigations.
6. Data/Statistics: Reviewing data collected for arrests and stops over the past 3 years and ensuring its consistency.

And be it further resolved that the Arlington County Civic Federation requests county report for PPG recommendations or related items being implemented

1. outside the budget process,
2. in the approved budgets, and
3. planned for future budgets

⁵ <https://projects.arlingtonva.us/projects/safety-and-innovation-zone-demonstration-project/>
<https://projects.arlingtonva.us/wp-content/uploads/sites/31/2021/04/FAQ-Safety-and-Innovation-Zone-Demonstration-Project.pdf>
<https://projects.arlingtonva.us/wp-content/uploads/sites/31/2021/04/Charter-Safety-and-Innovation-Zone-Data-Privacy-Oversight-Panel.pdf>
April 21, 2021 meeting of Emergency Preparedness Advisory Commission (EPAC), including comments by Virginia Tech and George Mason, <https://commissions.arlingtonva.us/epac/>

⁶ April 20, 2021 ACCF video: <https://vimeo.com/539673871> with presentations:

- a. Data Privacy, Professor Paul Rosenzweig <http://www.civfed.org/newContent/2021-04/2021-04%20ACCF%20Presentation%20DataPrivacy.pdf>
- b. Civic Data Aggregation, Dr Margaret Leary [<http://www.civfed.org/newContent/2021-04/2021-04%20ACCF%20Presentation%20CivicDataAggregation.pdf>]
- c. Data Security, Dr Jasmine McNealy [<http://www.civfed.org/newContent/2021-04/2021-04%20ACCF%20Presentation%20DataSecurity.pdf>].

Respectfully submitted,
John Ford, Committee Chair Public Services
Members: Michael McMenamain, Stefanie Pryor, and Suzanne Smith Sundburg
Arlington County Civic Federation

Introduction for May 18, 2021 ACCF meeting
For vote during June 15, 2021 meeting

Additional Information to Support the Public Services Committee's Resolution

Arlington County budget directions appear to be both in support of, and in conflict to, the PPG volunteer subcommittee recommendations. Unknown impact from the External Assessment to be provided by paid External Consultants.

FY2022 Proposed Cuts

Manager's cuts in his proposed FY2022 budget: <https://patch.com/virginia/arlington-va/arlington-county-manager-proposes-1-6b-transition-budget>

"From Fiscal '21, we completely redid our budget, assuming, based on all the revenue drops that we had, that we needed to make some pretty significant changes," Schwartz said, during a Thursday news conference. "Right now, we're hoping that as we move into Fiscal '22, which starts in July, that things will improve a little bit. But having said that, we still needed to make some adjustments and some cuts." ...

Schwartz's budget proposal includes \$16.4 million in departmental decreases for FY 2022. These include cutting 56 full-time equivalent employees (FTEs) from the budget:

- 10 police officer positions (\$940,000)
- 10 deputy sheriffs and records assistant (\$1.1 million)
- Reduction of temporary staff in Parks & Recreation (\$355,000)
- 1 position each in Behavioral Health, Child & Family Services, and Economic Independence
- Administrative assistant and management and budget specialist from Fire Department (\$163,000)
- Probation Counselor (\$108,000)

Additional cuts come from staffing adjustments for the county's 9-1-1 dispatch center (\$422,000), a change in the roll call process at the Sheriff's Office (\$300,000), and non-personnel operational savings.

FY2022 Operating Budget

Section on body worn cameras and PPG funding in the proposed FY2022 operating budget with County Manager's message on p. 11 at <https://budget.arlingtonva.us/wp-content/uploads/sites/18/2021/02/FY-2022-Proposed-Budget-All-In-One-02.20.21.pdf>

• **Body Worn Cameras:** With the initial phase of implementation in 2021, we have found additional staffing needs, and are proposing six new positions across six departments. Funds are also proposed for technology improvements to support body worn camera evidence in courtrooms.

• **Police Practices Group (PPG):** My proposed budget includes a “down payment” totaling \$1.5 million for near-term recommendations of the PPG.

- **Mental Health:** Proposed funding to improve the County’s crisis response, including additional medical and clinical staff, medically equipped transport van, security for Temporary Detention Orders, and operating supplies for 24x7 Crisis Intervention Center.
- **Traffic Enforcement:** Adding five additional traffic control positions and a supervisor to supplement enforcement related to traffic and bicycle/pedestrian safety. These positions would also support Vision Zero.
- **Civilian Review Board:** Funds for a position or other resources as needed.
- **Alternative Dispute Resolution:** The initial focus will be training our emergency communication center (ECC) staff and focus on how our community uses ECC resources.

The manager recommended freezing 10.0 sworn police officers while adding 6.0 FTEs to the police department: These additions are 1.0 FTE to support the body-worn camera initiative and 5.0 FTE traffic control officers. Some savings might be obtained by removing sworn officers with nonsworn positions with lower requirements for training and areas of expertise or responsibilities. See p. 340 at <https://budget.arlingtonva.us/wp-content/uploads/sites/18/2021/02/FY-2022-Proposed-Budget-All-In-One-02.20.21.pdf>

Significant Budget Changes

The FY 2022 proposed expenditure budget for the Police Department is \$71,391,082, a one percent decrease from the FY 2021 adopted budget. The FY 2022 proposed budget reflects:

DEPARTMENT FINANCIAL SUMMARY

↓ Personnel decreases due to the reductions itemized below, partially offset by the addition of a Paralegal I (\$99,759, 1.0 FTE) to assist with the Body Worn Camera program, the addition of five Traffic Control Officer positions (\$374,820, 5.0 FTEs) and a Traffic Control Supervisor position (\$79,756, 1.0 FTE) to augment current staffing resources in response to increased traffic management demands, adjustments to salaries resulting from the proposed increase in the living wage from \$15 to \$17.00 per hour, and slightly higher retirement contributions based on current actuarial projections.

↑ Non-personnel increases due to the addition of non-personnel costs associated with:

- o Body Worn Cameras(\$640,200);

- o Additional Photo Red Light Cameras to promote traffic safety at County intersections (\$662,400);
- o Non-personnel expenses associated with the addition of six Traffic Safety Officer positions (\$9,664) and the one-time purchase of four electric vehicles to support the Traffic Safety Officers (\$118,000 one-time, \$5,839 ongoing);
- o Addition of maintenance funding for the departments mobile traffic video monitors (\$31,000);
- o Contractual increases for towing and criminal investigation operations (\$22,932).

These increases are partially offset by the reductions itemized below, the removal of FY 2021 one-time funds for recruitment and the Business Outreach Unit (\$239,000), and adjustments to the annual expense for maintenance and replacement of County vehicles (\$21,837).

↑ Fee revenues increase due to revenue associated with the addition of new Photo Red light Cameras (\$687,996), partially offset by a decrease in impound vehicle storage revenue (\$18,000), summer camp fees (\$2,000), and criminal history and records requests (\$6,000).

↑ In July 2020, the County Board added a Lieutenant position (\$190,119, 1.0 FTE) after the FY 2021 budget adopted to assist with the Body Worn Camera program.

FY 2022 Proposed Budget Reductions

Human Resources Management

↓ Freeze 10.0 vacant Police Officer positions (\$940,000, 10.0 FTEs)
 IMPACT: Freezing and eliminating the funding for these positions will limit the Police department's ability to respond to miscellaneous events or activities related to traffic safety, pedestrian safety and the Clarendon Nightlife Detail requiring unscheduled overtime.

Criminal Investigations Section

↓ Freeze a vacant Fingerprint Specialist III position (\$85,872, 1.0 FTE)
 IMPACT: Temporarily freezing this position will require the work to be spread among the remaining four fingerprint specialists, potentially delaying analysis to investigations.

The overall proposed cut to the APD budget was 1%. Essentially, though, the County Manager, Mark Schwartz, proposed shifting funds rather than making bona fide cuts. Frozen positions can be unfrozen as fiscal/revenue conditions improve. Also, FY2022 is proposed, with opportunities for changes in the actual budget adopted.

Budget considerations continue to be complex. However, Arlington County is among top 5 richest in the entire country.⁷ Appropriate usage of funds with sufficient resources is critical and possible.

⁷ <https://www.worldatlas.com/articles/richest-counties-in-the-united-states.html>