LYNCHBURG POLICE DEPARTMENT ACTION PLAN

A. **Lynchburg Police Department (LPD) Actions Since May:** Over the past nine months, the LPD has prioritized listening and engagement – both within our community and within our department. Our goal is to continue to serve as a properly staffed, highly-trained agency that serves as partners and protectors for our community with a common understanding based on mutual trust. It is critical for the LPD to function as the department our community wants and needs. To ensure we are exceeding these standards, we completed the following between May and December 2020:
   1. Held six listening sessions;
   2. Met with numerous individuals and groups in the community;
   3. Evaluated internal policies, procedures, and practices;
   4. Reviewed best practices; and
   5. Conducted a community survey to receive input from residents and visitors on department performance and crime in the city, which we have completed on a biennial basis for many years.

B. **Action Plan Development:** Accountability and transparency are priorities of the LPD. We have developed an Action Plan to share what we have heard over the past several months and how we are incorporating that feedback. Our efforts to strengthen trust remain ongoing, and to move from listening to action, we took the following steps:
   1. Gloria Witt, an experienced local facilitator who is very familiar with the community, served as our guide in the development of this Action Plan. She facilitated all six Community Listening Sessions this summer and has a passion for unifying the community and the department to best serve the needs of all.
   2. With Gloria's assistance, we held several internal meetings to debrief community feedback and determine steps forward.
   3. As part of these internal meetings, we reviewed the key themes that Gloria developed from community member feedback in the Community Listening Sessions and were able to align these with what we heard in meetings with individuals and groups as well.
   4. After taking a deep dive into these concerns, we worked with Gloria to establish priorities in addressing policy and practice modifications.

C. **What We Heard:** Out of the six Community Listening Sessions and dozens of one-on-one and group meetings we held since May, eight key themes emerged related to the LPD and how we serve the community. These themes are outlined below.
   1. <u>Transparency</u>. Our residents have asked for additional transparency from their police department, specifically related to these areas:
      a. Arrests
      b. Complaints
      c. Body-Worn Cameras
      d. Use of Force incidents
   2. <u>Accountability</u>. Our community has asked for increased accountability in the following areas to enhance trust:
      a. Disciplinary action
      b. Duty to report/intervene
      c. Online complaint form

3. <u>Stronger Relationships Needed in Neighborhoods</u>. One of the themes we heard most often was that our community members want to know their officers. When an officer drives down their street, residents want to be able to know them by name and feel comfortable approaching them with a problem. They said the LPD can accomplish this by:
   a. Walking the beats
   b. Having consistent officers on beats
   c. Prioritizing additional engagement in a non-enforcement capacity
4. <u>Community Review Board</u>. Another common theme in both the Community Listening Sessions and meetings was the importance of a transparent Community Review Board that receives information on the following items:
   a. Officer-involved shootings
   b. Complaints
   c. Use of Force incidents
5. <u>Diversity</u>. Lynchburg is a vibrant city with a rich cultural history and diverse population. Currently, the demographics of the LPD do not reflect the distinct fabric of our great city. To rectify this, our community has asked for:
   a. More officers of color throughout all ranks of the department; and
   b. A more even gender balance.
6. <u>Training</u>. It is critical for our officers to have comprehensive training so they can understand and appropriately respond to any situation, and our community identified the following additional training areas to add to the LPD's already extensive training program:
   a. De-escalation
   b. Cultural education
   c. Anti-racism
7. <u>Traffic Stops</u>. Some community members' perceptions of how LPD officers conduct traffic stops was a concern. Below are the examples cited.
   a. They seem to disproportionately affect black men;
   b. Actions are not sufficiently explained; and
   c. Vehicles too often searched for drugs.
8. <u>Officer Interactions and Behaviors</u>. In nearly every listening session we held, residents said they simply wanted members of their police department to treat them with respect. Other concerns about officer interactions and behaviors included:
   a. Officers can be hostile from beginning of interaction
   b. Mental health calls develop into criminal offenses
   c. Long-term effects of criminal charges for youth
   d. Failure to share names and/or badge numbers when asked
   e. Back-up support for officers results in multiple officers arriving at the scene

D. What We Learned: After examining the eight themes above and reviewing the feedback we received from the Community Listening Sessions as well as our individual and group meetings, we identified five areas of growth for the LPD:
1. Understanding how our actions are perceived by the public;
2. More thoroughly explaining what we are doing;
3. Providing additional education to the public on why we do what we do;
4. Having officers form stronger and more personal relationships with the public; and
5. Ensuring everyone we come into contact with is treated with dignity and respect.

E. **What We Were Already Doing:** As we analyzed the areas of growth above, we evaluated all internal policies and practices to determine where we were already responsive to the needs of the community and the areas that required additional development. The following are foundational practices in place as of May 2020 that align with community feedback.

1. Majority of "8 Can't Wait" Principles. The "8 Can't Wait" campaign includes the eight practices outlined below, which Campaign Zero, a police reform campaign, identified as proven methods to decrease law enforcement violence. The LPD has followed these practices for many years. To enhance our comprehensive reporting, we are in the process of incorporating additional documentation requirements for officers when they actively point a firearm at an individual.
   a. Ban chokeholds and strangleholds
   b. Require de-escalation
   c. Duty to intervene
   d. Ban shooting at moving vehicles
   e. Require warning before shooting
   f. Use of Force continuum
   g. Exhaust all alternatives before shooting
   h. Comprehensive reporting

2. Best Practices. The LPD prides itself on exceeding industry standards and providing a level of service to our community that serves as a model for other agencies. We accomplish this through a multi-faceted approach that includes engagement with professional law enforcement organizations and thoughtful analyses of recommendations from these groups.
   a. Commission on Accreditation for Law Enforcement Agencies (CALEA): This is an internationally-recognized body that requires us to meet roughly 400 standards to ensure compliance with best practices in the industry. We have held this accreditation since 1989. It includes annual reviews with a 4-year review for reaccreditation. Roughly 6% of law enforcement agencies in this country have active CALEA accreditation.
   b. Use of Force data: We collect Use of Force data and provide this information to the Virginia State Police and the Federal Bureau of Investigation (FBI). We have reported Use of Force information to the FBI since January 2019, and at the time, were one of only 40% of departments across the country that voluntarily report this information to the FBI.
   c. 21st Century Policing: President Obama's Task Force on 21st Century Policing developed recommendations for law enforcement agencies in 2015. These recommendations were based around six pillars that we have incorporated into our operations, policies, and procedures.
   d. International Association of Chiefs of Police (IACP): Representatives from the LPD have been members of this organization for many years. The IACP focuses on training, research, advocacy, and providing comprehensive information on current and future issues in law enforcement. Deputy Chief Mark Jamison currently serves on the IACP's Crime Prevention Committee.
   e. Police Executive Research Forum (PERF): Members of the LPD have participated with PERF for many years as well. This organization is research-based and focuses on critical issues in policing and identifying best practices. The majority of our Command Staff has attended PERF's Senior Management Institute for Policing.

f. Virginia Association of Chiefs of Police (VACP): The LPD has been highly involved with VACP for years. The VACP is a collaborative organization that supports professional development and information sharing between law enforcement agencies across the Commonwealth. Deputy Chief Mark Jamison serves on the VACP's Training Committee.

3. Mental Health Partnership.
   a. Federal grant: We worked with Horizon Behavioral Health to apply for a federal grant last spring that would embed a mental health professional with an officer to respond to calls for service that involve an individual in mental health crisis. We recently learned we did not receive this grant, but will continue to partner with Horizon Behavioral Health to apply for similar grants in the future.
   b. Crisis Intervention Team (CIT): We have partnered with Horizon Behavioral Health since 2014 on a CIT program to better serve our community members experiencing mental health crises.

4. Community Policing Advisory Group (CPAG). We instituted CPAG in 2015. Since that time, the group has served as an advisory and review board for policy, procedures, and critical incidents.

5. Comprehensive and progressive training program. LPD officers complete six months of training at the Central Virginia Criminal Justice Academy and then complete a month of in-house training before three months of Field Officer Training where they are matched with an experienced officer to train on the street and understand the culture of the LPD. Comprehensive training continues through an LPD officer's career through the following methods:
   a. Roll call (relevant monthly topics reviewed by all units)
   b. Quarterly (typically scenario-based, practical training completed during shifts)
   c. eSign (electronic review and testing on a variety of topics)
   d. Department of Criminal Justice Services (state-mandated training of 40 hours every two years, including four hours of legal training and two hours of cultural diversity training)
   e. In-service (variety of training topics to address both DCJS requirements and assignment-specific needs)
   f. CIT Training (includes de-escalation to address individuals experiencing mental health crisis)
   g. Fair and Impartial Policing (includes evidence-based implicit bias training)
   h. Mental health
   i. Biannual all-day training (addresses current local and national trends in law enforcement)
   j. Biannual firearms and scenario-based training (required firearms qualifications and includes use of force decision-making scenarios)

6. Body-Worn Camera Systems (BWC). The LPD instituted the use of BWC in 2016, and as part of the implementation of this program, developed a policy that the federal government has used as a model for agencies across the country.

7. Career progression program. LPD officers in the ranks of Police Officer I and Police Officer II can participate in a Career Progression Program that allows them to earn Police Officer II and Police Officer III rank through set requirements that include a certain number of community engagement hours.

8. Policies Available Online. The LPD added the majority of the department's policies to our website in 2017. We update these policies as required by CALEA to ensure we are complying with industry standards.
9. Employee Management Systems. The LPD uses several software systems, including an Early Intervention System, to thoroughly track and manage all aspects of employee performance and complaints.
10. Mental Health Assessments. In 2015, the LPD began facilitating annual mental health checks for certain positions, such as digital forensics detectives, to ensure the overall wellbeing of employees.
11. Community Engagement. The LPD is your police department, and partnerships with our community are a critical part of our service to this city. See Section I. for additional details.

F. **What We Have Done Since May to Address Concerns:** In the wake of the tragic events that unfolded in Minneapolis, the LPD performed an introspective examination to confirm our practices, procedures, and policies best served our community's needs.
  a. Immediately following the events in May we updated the policies below. These were all longstanding practices within the LPD, but we have now formalized them in policy.
    (1) Use of Force
      (a) Chokeholds: The LPD has banned the use of chokeholds for at least the last 50 years. Sworn employees are never authorized to use the chokehold technique or any type of neck restraint unless deadly force is authorized.
      (b) Strangleholds: The LPD has also banned the use of strangleholds for several decades. Sworn employees are never authorized to use this technique unless deadly force is authorized.
    (2) Duty to Report/Intervene: Sworn employees have an obligation to protect the public and other employees.
      (a) Duty to Intervene: It is the duty of every sworn employee present at any scene where physical force is being applied to either stop or attempt to stop another sworn employee when force is being inappropriately applied or is no longer required.
      (b) Duty to Report: It shall be the duty of every sworn employee who witnesses inappropriate action by another officer to report that inappropriate action as soon as possible.
    (3) Body-Worn Camera Systems: Required specialty units, including the Tactical Unit and Crisis Negotiation Team, to wear and activate their body-worn camera (BWC) system anytime they interact with a member of the public as outlined in PD17(2)-0408 Body Worn Camera System. Policies previously required all other uniformed officers to wear and activate their BWC.
  2. Over the past several months, we have instituted the items below.
    a. CPAG. Over the summer, we began reviewing details of complaints and Uses of Force with CPAG. We also trained CPAG members on our Firearms Training Simulator that provides real-life potential Use of Force scenarios and requires participants to determine the most appropriate response.
    b. Community Meetings. We have met with multiple individuals and groups to listen to their feedback and understand their concerns. We will use this feedback to help inform decisions as we move forward.

c. Community Listening Sessions. We held six Community Listening Sessions over the summer that provided our residents the opportunity to share their experiences with the LPD as well as what they'd like to see in their ideal community police department.

d. Police 2 Citizen. We implemented Police 2 Citizen, an online platform where residents can file reports for some minor crimes, such as a larceny from vehicle.

e. Axon Citizen: This software allows public submission of video and photographic evidence.

f. Online Complaint Form. We added an online complaint form that provides another avenue for residents to express concerns with officer performance.

g. Online Commendation Form. We added an online commendation form that allows residents to provide feedback for jobs well done.

h. Critical Incident Response Team. We developed a Critical Incident Response Team consisting of supervisors that will respond to any critical incident to gather information quickly so that we can share as much information as possible with the community in a timely manner.

i. Training Updates.
   (1) The Central Virginia Criminal Justice Academy removed the Carotid Pinch from instruction on July 16, 2020.
   (2) All officers participated in standalone de-escalation training this winter.
   (3) Dozens of officers received Field Force Training that allows us to more effectively protect citizens' First Amendment rights while also ensuring the safety of our officers and community.
   (4) All School Resource Officers completed adolescent cognitive development training that included de-escalation techniques.
   (5) All officers received training on the following policy updates:
      (a) Use of Force
      (b) Duty to Report/Intervene
      (c) Body-Worn Camera Systems

j. City Attorney Review. Our City Attorney's Office is now reviewing all Uses of Force and Vehicle Pursuits.

k. Marijuana changes. Before the General Assembly announced changes to marijuana laws, the LPD changed protocol so that officers could no longer search cars based solely on the smell of marijuana.

l. Community Survey. We conducted a comprehensive community survey in December that sought feedback from residents and visitors on LPD practices and safety in the city.

m. PERF's 30 Guiding Principals. We analyzed PERF's 30 Guiding Principles to determine any appropriate changes to LPD practices and are in the process of incorporating appropriate updates.

n. Complaints. We changed our notification protocol as it relates to notifying a citizen at the conclusion of a demeanor complaint. Citizens now are notified both verbally and in writing.

o. Community engagement. Supervisors have encouraged officers, as calls for service allow, to engage with community members in a non-enforcement capacity.

G. **What We Plan to Accomplish:** As a department, we are committed to evaluating our policies, practices, and procedures on a routine basis. This approach recognizes that as our community

and country continue to evolve, we will need to adapt to meet the community's expectations and ensure our efforts serve to strengthen our existing partnerships. We will continue to build trust and legitimacy by:

1. Focusing on transparency.
    a. Our new website will include data for the following:
        (1) Use of Force incidents
        (2) Complaints
        (3) Number of interactions
        (4) Traffic Stops
            (a) Race
            (b) Ethnicity
            (c) Age
            (d) Gender
            (e) Reason for stop
            (f) Location of stop
            (g) Result of stop
            (h) Whether officer searched vehicle or person
        (5) Narcan use (for opioid overdoses)
        (6) Crime
            (a) Overall
            (b) By Ward
        (7) Arrest demographics
        (8) Assaults on law enforcement
        (9) Officer demographics
        (10) Emergency Custody Orders
        (11) Temporary Detention Orders
        (12) Policies available via PowerDMS public portal
2. Being intentional about Diversity, Equity, and Inclusion.
    a. More diversity in all ranks to reflect the City's demographics
        (1) More officers of color
        (2) Better gender balance
        (3) More LGBTQ representation
    b. Establishing an internal diversity committee
    c. Working with our regional business alliance to be involved with discussions on DEI as they pertain to local law enforcement engagement and operations
3. Continuing our partnership with CPAG and further developing the role of this group.
4. Evaluating training to ensure it is achieving desired culture.
    a. Internally, we will focus on this through:
        (1) Additional development of Field Training Officer Program to ensure new officers understand the culture and expectations of the LPD and the community; and by
        (2) Implementing additional training
            (a) Listening Sessions
            (b) Integrating Communications, Assessment, and Tactics (ICAT) through PERF
            (c) Cultural diversity
            (d) Lynchburg cultural history
            (e) Ethical Policing is Courageous (EPIC)

        (f) Supervisor training development

    b. We also will work with the Central Virginia Criminal Justice Academy to align training deliverables with LPD and community standards.

5. Increasing the number of officers receiving annual mental health assessments.
6. Holding quarterly town halls throughout the city for continued engagement and feedback with all residents.
7. Establishing a Use of Force Team composed of Lieutenants that will review all Use of Force incidents.
8. Providing Public Critical Incident Briefings that will provide as much information as possible in the wake of a critical incident.
9. Researching additional technology.
   a. Bola Wrap: Less-lethal option to immobilize
   b. Axon Performance: Enhancement to our Early Intervention System
   c. Axon Signal Sidearm: Activates BWC when handgun is removed from holster
   d. Axon Respond: GPS, live-streaming, and situational awareness on BWC
10. Reviewing December 2020 report from the President's Commission on Law Enforcement.

H. Community Partnerships and Engagements: The LPD has incorporated Community Policing as an organizational philosophy for many years. We are dedicated to partnering with our community to ensure our residents know and trust their police officers. The items below are just some of the many ways we engage with our community to build this trust.

1. Historic partnerships and engagements:
   a. City of Lynchburg Action 4 Change Committee
   b. Boys and Girls Club
   c. Liberty University Cadet Program
   d. Salvation Army Christmas Kettle campaign
   e. Citizen's Police Academy
   f. Neighborhood Watch
   g. Books and Badges with Lynchburg City Schools
   h. Criminology class at E.C. Glass High School
   i. One Community, One Voice – Lynchburg
   j. Badges and Barbers
   k. Community Code Compliance Team
   l. Youth of Virginia Speak Out
   m. Jubilee Family Development Center
   n. Special Olympics
   o. United Way
   p. Lynchburg Loss Prevention Association
   q. Blue Ridge Area Food Bank
   r. CASA Advisory Board
   s. The Exchange Club of Lynchburg
   t. Mental Health Association of Central Virginia
   u. Commonwealth Autism Board
   v. Community Criminal Justice Board
   w. Horizon Behavioral Health Board
   x. Crisis Intervention Training Advisory Board
   y. Central Virginia Traffic Safety Board

z.   Unity in Our Community
aa. The Lighthouse Community Center
bb. Blue Ridge Regional Safety Board
cc. Regional Domestic Violence Coalition
dd. YWCA Advisory Board
ee. Central Virginia Addiction Recovery Resource Group
ff. Virginia Alcohol Safety Action Program Board
gg. Drug Court Advisory Board

2. Recent Community Actions:

a. <u>White Rock Cemetery</u>. Our Community Action Team (CAT) spent dozens of hours cleaning up White Rock Cemetery this fall. They have partnered with other organizations to continue this work on a monthly basis to ensure the cemetery does not fall back into disrepair.

b. <u>Tulip Park</u>. We worked with No Walls Ministries to help build a playground and park on an abandoned lot in the White Rock neighborhood to provide a safe location for youth in the area to play and exercise.

c. <u>Pop-up Cookouts</u>. After the conclusion of the Community Listening Sessions this summer, we went back to the locations of those sessions and held pop-up cookouts to engage with neighbors in a non-enforcement capacity.

d. <u>Lunches with local businesses</u>. Throughout the summer, CAT brought lunches to local businesses in an effort open dialogue and build relationships with additional partners.

I. **New Laws from the General Assembly:** In a special session this summer, the General Assembly passed several pieces of police reform legislation that Governor Northam signed into law. These changes will facilitate additional police transparency, and can minimize concerns we heard from the community this summer by eliminating the potential for disputes related to certain incidents. The most notable new laws affect the following:

1. Pretextual stops
2. Marijuana
3. No-knock warrants

J. **Other Compounding Factors:** Law enforcement does not operate in a vacuum. Many times, when we respond to a call for service, we are handling symptoms, not the problem. We want to ensure Lynchburg is a thriving city that is the best place for all our residents to live, work, and play, and to accomplish this, our community must take a collaborative approach to addressing the issues below. It is imperative for all City departments, City leadership, and community groups to work together to ensure we are addressing Lynchburg's underlying problems, not working in silos and simply managing symptoms. This approach will necessitate collaboration, funding, and creative thinking, and can result in a stronger, more united community.

1. COVID
2. Poverty
3. Mental health
4. Homelessness
5. Drug Use