SHERIFF’S OFFICE
VS.
POLICE DEPARTMENT

a study by the
LOUDOUN COUNTY SHERIFF’S OFFICE

Sheriff Michael L. Chapman
July 2020
LOUDOUN COUNTY, VIRGINIA

PROCLAMATION

WHEREAS Article VII, Section 1, of the Virginia Constitution provides for the direct election of local officials charged with the critically important duties of maintenance of public records, operation of the circuit courts, prosecution of criminals, protection of the public, and the administration and collection of local revenues; and,

WHEREAS Loudoun County's Clerk of the Circuit Court, Commissioner of the Revenue, Commonwealth's Attorney, Sheriff and Treasurer continue a tradition of local administration of government functions that predate the American Revolution; and,

WHEREAS these constitutional officers, deputies and employees who serve in their offices provide the people of Loudoun County with a direct link to their government at the local level, unfettered by bureaucracy and responsive to citizen's needs; and,

WHEREAS the constitutional officers embody Thomas Jefferson's ideal form of representative democracy which provides for direct accountability to the people by virtue of the people's right to vote for their constitutional officers; and,

WHEREAS the constitutional officers in Loudoun County are setting new standards of customer service, innovative service delivery, and responsiveness that fellow constitutional officers and other public servants in Virginia would do well to emulate.

NOW THEREFORE BE IT RESOLVED by the Loudoun County Board of Supervisors, that the week of January 20 through January 24, 2020, be designated as

Constitutional Officer Week

in Loudoun County to coincide with the Commonwealth of Virginia's state designation of constitutional officer week in Virginia.

[Signatures]

Loudoun County Board of Supervisors
January 7, 2020
Proclamation for Constitutional Officer’s Week
January 21, 2020

“… these constitutional officers, deputies, and employees who serve in their offices provide the people of Loudoun County with a direct link to their government at the local level, unfiltered by bureaucracy and responsive to citizen’s needs.

… the constitutional officers embody Thomas Jefferson’s ideal form of a representative democracy which provides for direct accountability to the people by virtue of the people’s right to vote for their constitutional officers.

… the constitutional officers in Loudoun County are setting new standards of customer service, innovative service delivery, and responsiveness that fellow constitutional officers and other public servants in Virginia would do well to emulate.”

– Proclamation by the Loudoun County Board of Supervisors
January 21, 2020
# Table of Contents

## Executive Summary

INTRODUCTION

<table>
<thead>
<tr>
<th>1.0</th>
<th>Background</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1</td>
<td>HISTORY AND AUTHORITY</td>
</tr>
<tr>
<td>1.2</td>
<td>ABOUT THE LOUDOUN COUNTY SHERIFF’S OFFICE</td>
</tr>
<tr>
<td>1.3</td>
<td>AUTHORITY TO CREATE POLICE DEPARTMENTS IN VIRGINIA</td>
</tr>
<tr>
<td>1.4</td>
<td>HISTORY OF CREATING A POLICE DEPARTMENT IN LOUDOUN COUNTY</td>
</tr>
<tr>
<td>1.5</td>
<td>AUTHORITY STRUCTURES</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2.0</th>
<th>Reasons To Consider A Police Department</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.1</td>
<td>RIGHT REASONS TO CONSIDER A POLICE DEPARTMENT</td>
</tr>
<tr>
<td>2.2</td>
<td>WRONG REASONS TO CONSIDER A POLICE DEPARTMENT</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3.0</th>
<th>Analysis Of The Loudoun County Sheriff’s Office</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.1</td>
<td>RESPONSE TIMES TO CALLS FOR SERVICE</td>
</tr>
<tr>
<td>3.2</td>
<td>QUALITY OF PERSONNEL AND SERVICES</td>
</tr>
<tr>
<td>3.3</td>
<td>VISIBILITY</td>
</tr>
<tr>
<td>3.4</td>
<td>STYLE OF POLICING</td>
</tr>
<tr>
<td>3.5</td>
<td>CONTROL OVER OFFICERS</td>
</tr>
<tr>
<td>3.6</td>
<td>OVERALL SERVICES PROVIDED</td>
</tr>
<tr>
<td>3.7</td>
<td>PERSONALIZED SERVICES PROVIDED</td>
</tr>
<tr>
<td>3.8</td>
<td>SUMMARY OF THE ANALYSIS OF THE LOUDOUN COUNTY SHERIFF’S OFFICE</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>4.0</th>
<th>General Implications Of Transitioning To A Police Department</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.1</td>
<td>FISCAL IMPLICATIONS OF CREATING A POLICE DEPARTMENT</td>
</tr>
<tr>
<td>4.1.1</td>
<td>STATE FUNDING IMPLICATIONS</td>
</tr>
<tr>
<td>4.1.2</td>
<td>LIABILITY INSURANCE</td>
</tr>
<tr>
<td>4.1.3</td>
<td>EQUIPMENT</td>
</tr>
<tr>
<td>4.1.4</td>
<td>OFFICE SPACE</td>
</tr>
<tr>
<td>4.1.5</td>
<td>ADDITIONAL PERSONNEL</td>
</tr>
<tr>
<td>4.1.6</td>
<td>CLASSIFICATION AND COMPENSATION</td>
</tr>
<tr>
<td>Section</td>
<td>Title</td>
</tr>
<tr>
<td>---------</td>
<td>-------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>4.1.7</td>
<td>SUMMARY OF FISCAL IMPLICATIONS OF A COUNTY-WIDE POLICE DEPARTMENT</td>
</tr>
<tr>
<td>4.2</td>
<td>ADMINISTRATIVE IMPLICATIONS OF CREATING A POLICE DEPARTMENT</td>
</tr>
<tr>
<td>4.2.1</td>
<td>LEGAL IMPLICATIONS</td>
</tr>
<tr>
<td>4.2.2</td>
<td>STATE POLICE ASSISTANCE</td>
</tr>
<tr>
<td>4.2.3</td>
<td>PLACEMENT AND COORDINATION OF PERSONNEL</td>
</tr>
<tr>
<td>4.2.4</td>
<td>TECHNOLOGY AND SYSTEMS</td>
</tr>
<tr>
<td>4.2.4.1</td>
<td>ORIGINATING AGENCY IDENTIFIERS</td>
</tr>
<tr>
<td>4.2.4.2</td>
<td>OWNERSHIP OF SYSTEMS</td>
</tr>
<tr>
<td>4.2.4.3</td>
<td>ACCESS TO SYSTEMS</td>
</tr>
<tr>
<td>4.2.4.4</td>
<td>COMMUNICATIONS</td>
</tr>
<tr>
<td>4.2.4.5</td>
<td>MEMORANDUMS OF UNDERSTANDING</td>
</tr>
<tr>
<td>4.2.5</td>
<td>SUMMARY OF ADMINISTRATIVE IMPLICATIONS OF A COUNTY-WIDE POLICE DEPARTMENT</td>
</tr>
<tr>
<td>5.0</td>
<td>SERVICES NOT IMPACTED BY A COUNTY-WIDE POLICE DEPARTMENT</td>
</tr>
<tr>
<td>5.1</td>
<td>TRAINING OF DEPUTY SHERIFFS AND POLICE OFFICERS</td>
</tr>
<tr>
<td>5.2</td>
<td>OPERATIONAL POLICIES AND PROCEDURES</td>
</tr>
<tr>
<td>5.3</td>
<td>PERSONNEL PERFORMING LAW ENFORCEMENT FUNCTIONS</td>
</tr>
<tr>
<td>5.4</td>
<td>RESPONSE TIMES TO CALLS FOR SERVICE</td>
</tr>
<tr>
<td>5.5</td>
<td>CRIME RATE</td>
</tr>
<tr>
<td>5.6</td>
<td>SUMMARY OF SERVICES NOT IMPACTED BY A COUNTY-WIDE POLICE DEPARTMENT</td>
</tr>
<tr>
<td>6.0</td>
<td>ADMINISTRATION CONSIDERATIONS FOR A COUNTY-WIDE POLICE DEPARTMENT</td>
</tr>
<tr>
<td>6.1</td>
<td>EXECUTIVE SELECTION</td>
</tr>
<tr>
<td>6.2</td>
<td>THE POLITICS OF LAW ENFORCEMENT</td>
</tr>
<tr>
<td>6.3</td>
<td>ACCOUNTABILITY STRUCTURES</td>
</tr>
<tr>
<td>6.4</td>
<td>ORGANIZATIONAL STABILITY</td>
</tr>
<tr>
<td>6.5</td>
<td>EMPLOYEE PROTECTIONS</td>
</tr>
<tr>
<td>6.6</td>
<td>ORGANIZATIONAL PROFESSIONALISM</td>
</tr>
<tr>
<td>6.6.1</td>
<td>PREDICTED TRENDS IN LAW ENFORCEMENT</td>
</tr>
<tr>
<td>6.6.2</td>
<td>NATIONAL DISCUSSIONS AND TRENDS</td>
</tr>
<tr>
<td>6.6.3</td>
<td>COLLABORATION AND INTEGRATION</td>
</tr>
<tr>
<td>6.6.4</td>
<td>OTHER INDUSTRY-LEADING INITIATIVES</td>
</tr>
<tr>
<td></td>
<td>CONCLUSION</td>
</tr>
<tr>
<td></td>
<td>REFERENCES</td>
</tr>
</tbody>
</table>
EXECUTIVE SUMMARY

While the discussion of creating a county-wide police department in Loudoun County is not entirely new, the topic has recently been renewed by members of the Loudoun County Board of Supervisors. This report is the result of an internal study based on readily available information. A broader, independent study by the Virginia Commonwealth University’s L. Douglas Wilder School of Government and Public Affairs has been funded by the Virginia Sheriff’s Institute and will be published later this year.

The last time this topic was officially addressed was in 2012, when a commission established by the Loudoun County Board of Supervisors reviewed the implications of such a transition and unanimously recommended against creating a county-wide police department in Loudoun County. This was because no compelling reason was identified, and due to the conversion process being complex, disruptive, and costly (Table 1.1).

<table>
<thead>
<tr>
<th>Fiscal Implication</th>
<th>Remaining with LCSO</th>
<th>Creating a PD</th>
<th>Summary of Impact</th>
<th>Level of Impact/Risk</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reduction in State Funding</td>
<td>VA funds LCSO</td>
<td>VA funds PD</td>
<td>Loss of $1.9 million in funding annually</td>
<td>HIGH</td>
</tr>
<tr>
<td></td>
<td>$8.1 million annually</td>
<td>$6.2 million annually</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Liability Insurance</td>
<td>Covered and paid by VA</td>
<td>Not covered by VA</td>
<td>Required increase to county self-insurance fund</td>
<td>HIGH</td>
</tr>
<tr>
<td>Liability Limitations</td>
<td>Lawsuits limited by law to $1.5 million</td>
<td>No limit on lawsuits</td>
<td>County assumes all liability with no limit</td>
<td>HIGH</td>
</tr>
<tr>
<td>Office Space</td>
<td>Already established. No cost.</td>
<td>Additional space required to support both PD and LCSO</td>
<td>Conservative projected expense of $8 million</td>
<td>HIGH</td>
</tr>
<tr>
<td>Equipment</td>
<td>Already established. No cost.</td>
<td>Re-outfitting of vehicles, uniforms, etc.</td>
<td>Projected expense of $715k</td>
<td>HIGH</td>
</tr>
</tbody>
</table>
The decision to convert to a county-wide police department is complicated. The policy implications, administrative implications, and costs are significant, and such a transition should not be pursued without specific, compelling, and data-driven justifications.

A thorough analysis for creating a county-wide police department in Loudoun County was conducted by the Loudoun County Sheriff’s Office, resulting with insufficient justification and unidentifiable potential benefits. Therefore, this study does not support creating a county-wide police department within Loudoun County and recommends that the Loudoun County Sheriff’s Office (LCSO) retain law enforcement functions within Loudoun County.

Currently, the LCSO provides all law enforcement services in Loudoun County, under the authority provided to sheriffs by the Constitution of the Commonwealth of Virginia and Virginia law. However, Virginia law provides a mechanism for counties to create county-wide police departments to become the primary law enforcement service provider via referendum, which, in turn, restricts the authority of the sheriff’s office to corrections and court services functions.
The fundamental difference between a police department and a sheriff’s office is the selection and reporting structure of the chief law enforcement officer. In a sheriff’s office, the sheriff is elected by the residents of the county to be the chief law enforcement officer for a 4-year term. The sheriff is therefore directly connected to the county residents, who are the primary influencers of the sheriff’s office’s policies, practices, and procedures. In a police department, the police chief is appointed by the Board of Supervisors and remains in that position at the will of the Board of Supervisors, under the management of the county administrator or executive. A police chief is therefore directly connected to the county Board of Supervisors, and subject to its political and policy agendas.

The United States Department of Justice (DOJ) published decision-making criteria for jurisdictions who are considering creating a police department. The DOJ identified that justifications for such a transition include unreasonably slow response times to calls for service, unsatisfactory quality of personnel or services, lack of police visibility, local government and the community wanting more services, local government wanting more control over officers, and other similar reasons. The warning provided by the DOJ was that no single justification is sufficient to warrant the creation of a police department due to the significant implications of such a decision.

This study reviewed specific data related to each of the justifications provided by the DOJ and found the only justification that is applicable in Loudoun County: the local government’s desire for more control over the law enforcement officers. As this is the only justification supported by data, it is not recommended that Loudoun County create a county-
wide police department due to the extensive fiscal and administrative implications of creating a police department.

While it is not recommended to create a county-wide police department based upon the criteria provided by the DOJ, this study also reviewed the fiscal, general, and administrative implications of creating a county-wide police department to facilitate an informed discussion should interest in creating a county-wide police department in Loudoun County continue. Some of the fiscal implications of creating a county-wide police department in Loudoun County include a reduction in state funding, a loss of state-funded liability insurance, replacement of uniforms and equipment, purchase of additional office space, and funding for additional executive and administrative personnel (see Table 1.1). While this is not an exhaustive list of expenses, the conservative estimation to create a county-wide police department in Loudoun County is $20,725,509. It is also recommended by the DOJ that jurisdictions should expect the creation of a police department to be more expensive than what is projected.

In addition to fiscal concerns, there are several other consequences which include, but are not limited to, the loss of statutory limitations on civil lawsuits, loss of state police assistance, placement of personnel, ownership and access to technology and systems, communication responsibilities, and revision of all memorandums of understanding (Table 1.2).
These concerns, in concert with others, are discussed in detail in this study and would require significant planning and funding to address a creation of a county-wide police department.

<table>
<thead>
<tr>
<th>Implication</th>
<th>Remaining with LCSO</th>
<th>Creating a PD</th>
<th>Summary of Impact</th>
<th>Level of Impact/Risk</th>
</tr>
</thead>
<tbody>
<tr>
<td>Access to Systems</td>
<td>Already established. No change needed.</td>
<td>New systems and contracts required</td>
<td>Loss of time, additional funds to replace existing systems</td>
<td>MEDIUM</td>
</tr>
<tr>
<td>Loss of State Police Assistance</td>
<td>VSP assigned to perform law enforcement duties</td>
<td>Removed from county and re-assigned</td>
<td>Loss of State Police Assistance/Enforcement in County</td>
<td>MEDIUM</td>
</tr>
<tr>
<td>Technology</td>
<td>Established and licensed to LCSO. No change needed.</td>
<td>New contracts required</td>
<td>Additional contracts and licenses required, with associated funding</td>
<td>MEDIUM</td>
</tr>
</tbody>
</table>

Additionally, there are several key areas that would not change even with the creation of a county-wide police department. These areas include:

- Training provided to police officers
- Actual personnel providing the law enforcement services
- Quality of overall operational policies and procedures
- Response times to calls for service
- Crime rate

Each of these areas is thoroughly examined in this study, with no data supporting that the creation of a county-wide police department would substantially change these areas.

This study concludes with an analysis of the administrative considerations which often become focal points during discussions of whether to create a police department. Utilizing both
national and local data, analysis included the differences between sheriff’s offices and police departments in the areas of executive selection, political implications, the accountability structures, organizational stability, employee protections, and organizational professionalism. Overall, the analysis identifies that a sheriff’s office generally provides better accountability, stability, and community responsiveness than a police department. These positive traits are exhibited within the LCSO and are consistently recognized through community surveys, citizen feedback, and BOS appreciation. Further, additional internal risks of police departments are identified, such as substandard views of the community and unsatisfactory opinions of the chief law enforcement officer than what is found in sheriff’s offices.

When the risks and costs of creating a police department are compared with LCSO’s lengthy track record of success, accountability, and responsiveness, a recommendation to create a police department in Loudoun County is not supported by data, citizen feedback, or fiscal responsibility.
Immediately following the elections which took place on November 5, 2019, the re-elected chair of the Board of Supervisors, Phyllis Randall, publicly stated that one of her priorities for her next term was to create a county-wide police department that would take over the law enforcement responsibilities performed by the Loudoun County Sheriff’s Office (Cline, 2019). This sparked immediate and extensive public comment and opinion on the topic of whether Loudoun County should consider forming a police department or continue providing law enforcement services through the Loudoun County Sheriff’s Office (LCSO). Recently, with the horrific and criminal use of force against George Floyd by officers of the Minneapolis Police Department as well as other fatal and non-fatal uses of excessive force by police officers across the country, there is a renewed discussion among members of the Board of Supervisors regarding the creation of a police department in Loudoun County.

While there are those who feel strongly advocating on both sides of this discussion, Sheriff Michael “Mike” Chapman directed that an internal study be conducted to explore the merits and implications of both continuing to provide law enforcement services through the LCSO and the creation of a county-wide police department to perform the law enforcement services. This report is a culmination of the research conducted on the history and performance of the LCSO, as well as the national and empirical information related to police departments and transitioning sheriff’s offices into police departments. A broader, independent study by the Virginia Commonwealth University’s L. Douglas Wilder School of Government and Public Affairs has been funded by the Virginia Sheriff’s Institute.
1.0 – BACKGROUND

1.1 – HISTORY AND AUTHORITY

In order to have an informed discussion, it is imperative that the history and background to this discussion be explored. Loudoun County was founded in 1757, and is located in the Northern Virginia region, bordering both Maryland and West Virginia. Loudoun County has a land area of 520 square miles, and a population of slightly over 400,000. Loudoun County is a rapidly growing county, boasting the highest median household income in the United States of $134,464.

The LCSO receives its authority from the Constitution of Virginia (Article VII, Section 4) which mandates that voters of each county in Virginia elect a Sheriff to a 4-year term. The specific duties of the Sheriff are further specified in the Code of Virginia (§15.2-1609) and include the enforcement of laws, assisting with the judicial process, and operation of the county jail. Loudoun County, like most other counties in Virginia, operates as mandated by this law by maintaining sheriff’s offices that are classified as “full-service” sheriff’s offices. In brief, a “full-service” sheriff’s office is a sheriff’s office that provides all of the law enforcement services along with corrections and court services. Of the 95 counties in the Commonwealth of Virginia, 86 of the counties operate with a “full-service” sheriff’s office similar to LCSO.

“Of the 95 counties in the Commonwealth of Virginia, 86 of the counties operate with a ‘full-service’ sheriff’s office similar to LCSO.”
1.2 – ABOUT THE LOUDOUN COUNTY SHERIFF’S OFFICE

When compared to the other sheriff’s offices in the Commonwealth of Virginia, the LCSO is both the largest sheriff’s office and the largest “full-service” sheriff’s office. The LCSO currently employs 752 full time employees and 58 part time employees, with 614 of the full time employees being sworn deputies and the remainder civilian employees. Next to the Loudoun County Public Schools (LCPS), the LCSO is the largest government organization in Loudoun County. The LCSO operates on a $106 million budget, and provides services 24 hours a day, 7 days a week, 365 days a year.

The LCSO consists of 6 divisions: Field Operations, Criminal Investigations, Corrections, Operational Support, Administrative and Technical Services, and the newly created Courts division. The largest of these divisions is the Field Operations Division, which consists of 235 sworn deputies and is primarily composed of uniformed patrol deputies. These six divisions are split into two bureaus, the Operations Bureau and the Administrative Bureau. The Operations Bureau includes the Field Operations, Criminal Investigations, and Operational Support divisions. The Administrative Bureau includes the Corrections, Courts, and Administrative and Technical Services divisions. Each Bureau is overseen by a sworn deputy who holds the rank of Lieutenant Colonel who reports to the Undersheriff, a sworn deputy who holds the rank of Colonel. The Undersheriff reports directly to the Sheriff.

1.3 – AUTHORITY TO CREATE POLICE DEPARTMENTS IN VIRGINIA

While the Constitution of Virginia mandates that each county elect a sheriff, it allows the General Assembly to dictate the specific duties of the sheriff. The General Assembly
codified a law that permits counties to create, by referendum (§15.2-1704), a police force overseen by a police chief, which assumes the role of the chief law enforcement officer for the county (§15.2-1701). To date, only 9 counties in Virginia have created a county-wide police department: Albemarle County, Arlington County, Chesterfield County, Fairfax County, Henrico County, James City County, Prince George County, Prince William County, and Roanoke County. The majority of these county-wide police departments were formed in the mid-1900’s, with the most recent being Prince George County which created a county-wide police department in 1995.

Since the 1980’s, two other counties have also attempted and failed to create county-wide police departments. In 1999, York County residents overwhelmingly voted down a referendum to create a police department, with nearly 75% of voters voting against the creation of a county-wide police department (Lohr & Rosenberg, 1999). Similarly, Hanover County residents voted down a referendum to create a police department in 1988 by nearly a 3-1 margin (Rosenberg, 1999). Franklin County, Virginia, conducted a study regarding the impacts of creating a county-wide police department in 2016, but the issue was never brought to vote after the initial expenses were projected at 8.2% of the sheriff’s annual budget, and ongoing expenses were projected to increase by approximately 23% (Manch, 2016).
1.4 – HISTORY OF CREATING A POLICE DEPARTMENT IN LOUDOUN COUNTY

The topic of creating a police department in Loudoun County is not a new discussion. On September 2, 2008, Scott York, who was the Chair of the Board of Supervisors, made a motion in a Board of Supervisors meeting that money be allocated for a study to be conducted to explore the creation of a county-wide police department. His recommendation at that time was met with immediate criticism, and he ultimately withdrew his motion without a vote.

In 2012, the topic of creating a county-wide police department was also discussed and was assigned to the Government Reform Commission (GRC) to explore. On November 1, 2012, the GRC submitted its unanimous findings to the Board of Supervisors with the statement that the GRC “strongly recommends that the Loudoun County Board of Supervisors maintain the current structure of a Sheriff’s Office without adding a Police Department.” The major considerations for their recommendation included the structure and success of the sheriff’s office, the demanding accreditation the sheriff’s office maintains, the significant costs associated with creating a new county department, the fact that politics are involved in both a sheriff’s office and a police department, and that other counties which have created police departments do not function under the Traditional Form of County Government as Loudoun County.
1.5 – AUTHORITY STRUCTURES

When seeking to understand the background of this study, it is also important to understand the fundamental, structural differences between a sheriff’s office and a police department. The primary difference between a sheriff’s office and a police department is to whom the sheriff or police chief reports. In a sheriff’s office, the sheriff is elected by the vote of the county residents. The voters are responsible for evaluating the candidates for sheriff and electing the candidate they believe will best serve the needs of the community. This structure is also designed to directly connect the sheriff to the population they serve; if the public becomes dissatisfied with the sheriff or services provided by the sheriff’s office, they hold the power to not re-elect the sheriff.

A police department is structured very differently. The police chief is not elected by the public, but rather is selected and appointed by the county Board of Supervisors (BOS). The police chief then serves at the will of the BOS, which essentially means that they will hold their position as police chief as long as the BOS is satisfied with their performance. This structure is designed to directly connect the police chief to the elected BOS, giving the BOS oversight and control over the governance of the police department. If the BOS becomes dissatisfied with the police chief or the services provided by the police department, they hold the power to fire the police chief and hire a new police chief.

There are several other important distinctions between sheriff’s offices and police departments that will be discussed throughout this study; however, understanding these differences in the authority structures is critical to an informed discussion on this topic.
In August of 2006, the U.S. Department of Justice Community Oriented Policing Services Office published a guide for localities to utilize when considering whether to create a police department and offer strategic advice for starting a police department if so chosen by the locality. In that document, it outlines the “right” and “wrong” reasons to create a police department, and it identifies that the first step in the entire process is identifying the specific justification for creating a police department (Spence, Webster, & Connors, 2006). While this study will contain many aspects of the potential creation of a county-wide police department in Loudoun County, this study will continually relate back to this fundamental need to first and foremost identify the justification for the creation of a county-wide police department in Loudoun County.

This study also identified three critical areas that must be explored prior to making a decision whether or not to create a police department. These three areas are the rational and cost-effective reasons for having your own police department, the current level of citizen support (not just political support) for operating the department, and that all available options for meeting the community’s policing needs, including alternative ways to provide all or selected policing services be considered (Spence, Webster, & Connors, 2006). Throughout this study we will address these three areas as they apply to various aspects of the potential transition to a county-wide police department.
According to the U.S. Department of Justice publication, there are “right” reasons to create a police department. One reason identified is dissatisfaction with the current services provided, such as “slow response times to calls for service, unsatisfactory quality of personnel or services provided, lack of visibility, unacceptable style of policing” and other similar areas of dissatisfaction (Spence, Webster, & Connors, 2006). Another reason is due to recent and continuing population growth, such as a growing suburb of a growing city, an increase in tourism bringing more people and more traffic, or annexation or a new incorporation planned, where provision of municipal police services are required (Spence, Webster, & Connors, 2006).

When considering these potential reasons to create a police department, the U.S. Department of Justice warned that prior to citing any of these reasons as the justification for creating a police department in any locality, there must be a data-driven decision model used to ensure the evaluation of current service levels is accurate (Spence, Webster, & Connors, 2006). For example, if slow response times to calls for service is cited as a justification, there must be sufficient data available to compare to other effective police agencies to objectively determine if response times are within an acceptable range or if they are determined to be unnecessarily slow (Spence, Webster, & Connors, 2006). Further, there is no single “right” reason that would justify creation of a police department; there must be multiple “right” areas identified to provide sufficient justification for deciding to create a police department (Spence, Webster, & Connors, 2006).
2.2 – WRONG REASONS TO CONSIDER A POLICE DEPARTMENT

In addition to providing multiple “right” reasons to consider creating a police department, the U.S. Department of Justice identified multiple “wrong” reasons to consider creating a police department (Spence, Webster, & Connors, 2006). The “wrong” reasons include an elected official has a personal issue with the sheriff, the current police service provider has mishandled a single event, a major crime, such as a kidnapping or homicide, has elevated fear of crime among residents, or that a new police department is the pet project of a single, influential community member (Spence, Webster, & Connors, 2006).

While considering these reasons, it is clarified that political support to create a police department is needed; however the political support should not be motivated by a desire to punish the current service provider, which, in the case of Loudoun County, is the sheriff. Further, if the justification to create a police department is due to mishandled events, the corrective actions taken by the current service provider should be considered prior to deciding to create a police department (Spence, Webster, & Connors, 2006).

Agency size is also a wrong reason to create a county-wide police department. The Bureau of Justice Statistics maintains data on the size of sheriff’s offices nationwide, and in 2016 published a list of the 50 largest sheriff’s offices nationwide. In 2016, the LCSO was ranked as the 26th largest sheriff’s office in the United States, with 536 full-time sworn deputies (Brooks, 2019). However, out of the 25 sheriff’s offices that are larger than the LCSO, 8 have in excess of 1,200-2,000 full-time sworn deputies, two are in excess of 2,000 full-time sworn deputies, and one is in excess of 9,300 full-time sworn deputies (Brooks, 2019). Therefore, size
alone should not be justification for the creation of a county-wide police department, as there are many successful sheriff’s offices that are significantly larger than most police departments.

### 3.0 – ANALYSIS OF THE LOUDOUN COUNTY SHERIFF’S OFFICE

Based on the above “right” justifications for creating a police department, this study will analyze these reasons specific to their application to Loudoun County. Each reason will be independently examined against the performance of the LCSO, in an effort to determine whether enough of the reasons apply to LCSO and result in a recommendation to transition the law enforcement duties of the LCSO into a county-wide police department.

### 3.1 – RESPONSE TIMES TO CALLS FOR SERVICE

The topic of police response times was discussed in a 2018 study conducted by Federal Engineering, Inc., regarding the consolidation of the Emergency Communication Center (ECC) operated by LCSO and the Loudoun County Combined Fire & Rescue System (LCFR). In fact, one of the major recommendations of that study was to eliminate the transfer of 9-1-1 calls from LCFR call-takers to LCSO call-takers, in an effort to reduce response times (Federal Engineering, Inc., 2018). This recommendation is currently being implemented with employees being trained as universal call-takers.

The LCSO reports response times to both emergency and non-emergency calls for service based on the station areas in which the county is divided. In Fiscal Year (FY) 2019, the LCSO reported the following response times:
Comparing response times to other jurisdictions is difficult due to many factors, including the geographic characteristics including population density and call for service distribution (Bennett, 2018). However, over a representative sample of 40 agencies nationwide, the median response time to emergency incidents was found to be 8:43, with a mean response time to emergency of 24:47 minutes (Bennett, 2018). For non-emergency incidents, the median response times identified by Bennett (2018) were 12:17 minutes for priority 2 calls and 22:41 minutes for priority 3 calls. LCSO does not report the distinction between priority 2 and priority 3 calls as they are broken down by Bennett (2018).

In analysis of the response times reported by the LCSO, it is apparent that the response to emergency incidents in the more densely populated station areas of Loudoun County have faster response times than the station areas that have more rural area. Figure 2.1 reflects how Loudoun County is broken down into LCSO station areas, and when compared to the Loudoun County Population Density Map (Loudoun County Population Growth, 2019) (Figure 2.2), it is readily apparent that the Dulles South Station has large areas of low population density and the Western Loudoun Station is almost entirely low in population density.

<table>
<thead>
<tr>
<th>Station Area</th>
<th>Average Emergency Response Time</th>
<th>Average Non-Emergency Response Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eastern Loudoun</td>
<td>9:07</td>
<td>17:00</td>
</tr>
<tr>
<td>Ashburn</td>
<td>8:21</td>
<td>18:29</td>
</tr>
<tr>
<td>Dulles South</td>
<td>10:01</td>
<td>18:16</td>
</tr>
<tr>
<td>Western Loudoun</td>
<td>14:41</td>
<td>22:44</td>
</tr>
<tr>
<td>County-wide Average</td>
<td>10:32</td>
<td>19:07</td>
</tr>
</tbody>
</table>

*Times reported are from the time the call is created in ECC to the deputy’s arrival*
With these considerations, the average response times of LCSO are near the median national average response times and well below the mean national average response times for both emergency and non-emergency calls for service. Additionally, LCSO is currently undertaking a joint effort with LCFR to further reduce response times through the universal call-taker program. Therefore, the use of response times as a justification for the creation of a county-wide police department in Loudoun County is not recommended or supported by data.
3.2 – QUALITY OF PERSONNEL AND SERVICES

According to the U.S. Department of Justice report, if a jurisdiction is not satisfied with the quality of the personnel or services it is receiving from its law enforcement agency, it may constitute one reason to support the overall justification of creating a police department (Spence, Webster, & Connors, 2006). This could include the ability to attract and hire qualified personnel and the ability to provide an acceptable quality of law enforcement services to the community.

Regarding the personnel employed by LCSO, there has not been difficulty in attracting and retaining qualified personnel in the recent past, as Loudoun County has been committed to increasing both starting salaries and pay scales to become more comparable to surrounding jurisdictions. In an era where some are calling recruitment and retention of law enforcement officers a “crisis” (Mostyn, Barnum, Heider, & Barber, 2019), LCSO has reached a record low 5.2% vacancy rate for sworn deputies in early 2020, and has maintained a vacancy rate between 5-6%.

Regarding the satisfaction of the services provided by the LCSO, Loudoun County routinely sponsors citizen satisfaction studies that look at many different aspects of life in Loudoun County. In 2018, Loudoun County sponsored the National Citizen Survey which reported that 86% of Loudoun County residents are satisfied with the services provided by the LCSO. Regarding safety assurance within the community, 90% of residents have an overall feeling of safety in the county, 96% feel that their neighborhood is safe, and 94% feel that the downtown/commercial areas of Loudoun County are safe (National Citizen Survey, 2018). Additionally, a 2016 study conducted by the University of Virginia reported that 71.4% of
county residents felt “very safe” and 26.9% of county residents felt “safe,” for a total of 98.3% of residents reporting that they feel safe in Loudoun County (Ellis, et al., 2016).

Based on this information, the data reveals that Loudoun County residents are highly satisfied with the quality of personnel and services currently provided by the LCSO and does not provide justification for the creation of a county-wide police department in Loudoun County.

3.3 – VISIBILITY

The visibility of law enforcement officers is difficult to quantitatively measure county-wide but can be analyzed through the combination of other factors. First, a review of the citizen surveys referenced above show that there is a very high feeling of safety throughout Loudoun County (National Citizen Survey, 2018; Ellis, et al., 2016). Although the specific reasons for the feelings of safety are not identified in these studies, there is a significant correlation identified through research between police visibility and the confidence the community has in its police department (Sindall & Sturgis, 2013).

Additionally, police visibility may be observed by researching the call for service statistics of the sheriff’s office. The LCSO maintains a Computer-Aided Dispatch (CAD) system that provides sheriff’s deputies with two major call types to use when proactively patrolling an area for the specific purpose of crime prevention or detection – both of which are designed to ensure the deputies are visible to their community in which they are patrolling. These call types are labeled in the CAD system as “Directed Patrol” and “Extra Patrol.” A review of 2018 call for service data revealed that throughout 2018, there were 15,988 calls for service specifically designated as “Directed Patrol” or “Extra Patrol” by the deputy initiating the call. This averages
to approximately 43.8 “Directed Patrol” or “Extra Patrol”
incidents being created each day in 2018. This indicates that
sheriff’s deputies are actively patrolling throughout Loudoun
County, which increases visibility to residents.

In summary, there is no data that the citizens of Loudoun
County are not satisfied with the visibility of the deputies of the
LCSO. Rather, the available information reveals that deputies are
highly proactive in patrolling their communities and that county
residents report feeling safe throughout Loudoun County.
Therefore, the use of police visibility as a justification for the
creation of a county-wide police department in Loudoun County is not recommended.

3.4 – STYLE OF POLICING

Another justification for creating a police department cited by the U.S. Department of
Justice report is if a jurisdiction believes the style of policing employed by the law enforcement
agency is unacceptable (Spence, Webster, & Connors, 2006). As examples, the report cites
“impersonal” or “bureaucratic” policing styles as potential justifications for the creation of a
police department (Spence, Webster, & Connors, 2006). Similar to the issue of police visibility,
the style of policing employed by an agency can be difficult to quantify. Overall, the argument
could be made that the mere fact that Sheriff Chapman was re-elected for his third term is
evidence that the community approves of the style of policing employed by the LCSO; however,
this study will look deeper and focus on the structures that are in place within the LCSO to
ensure that the culture of policing within the sheriff’s office is not impersonal or bureaucratic.
One structural indication of an impersonal and/or bureaucratic culture within an organization is in the manner in which citizen comments or complaints are received and addressed. In an impersonal or bureaucratic organization, it would be expected that citizens would be required to communicate at the lowest levels of an organization first, and only upon dissatisfaction or specific request be able to access the next higher level of the organization. There are several ways in which the immediate accessibility of the higher levels of the sheriff’s office can be measured and compared to other law enforcement organizations.

First, the methods and information provided to the public to contact and communicate with agency officials is an important indicator. For example, a review of the Leesburg Police Department’s website shows that the contact information available for the command and executive staff members is not present; rather a fillable web form masks the recipient’s e-mail address so citizens cannot view the recipient’s direct e-mail address (Staff Directory, 2020). A review of the Fairfax County Police Department’s website provides indirect e-mail addresses for their Chief and other command staff members, such as “chief@fairfaxcounty.gov” for the Chief of Police and “SulCapt@fairfaxcounty.gov” for the Captain of the Sully Station (Sully District, 2020). Both of these police agencies mask the direct contact information for the leaders of the organization, requiring the user to utilize indirect methods of communication when reaching out to agency officials. However, when reviewing the LCSO’s website, the staff directory contains the names and direct e-mail addresses of all of the command and executive staff members, including the
sheriff (Staff Directory: Sheriff’s Office, 2020), which provides a direct and personal connection to the highest levels of the sheriff’s office.

The style of policing utilized by a law enforcement agency can also be seen in both training and performance. Specific to training, a law enforcement agency who cares genuinely about their interactions with the community they service will invest heavily in training intended to enhance their interactions with the community. Upon review of the training programs provided to deputies of the LCSO, it is clear that classes such as Basic and Advanced Crisis Intervention Training, Fair and Impartial Policing, and Insight Policing have been delivered to help ensure that the decision-making and tactics employed by sheriff’s deputies are unbiased and from a foundation of de-escalation.

Even with training, however, problems can still arise and accountability over performance is critical. Therefore, a review of the way that complaints are handled is a way to examine the bureaucracy of the agency and whether complaints are handled in a personal manner. Within the LCSO, there are two main structures in place for receiving complaints: online or in person. Online complaints regarding personnel or services provided from the sheriff’s office are done by e-mail through the sheriff’s website. These e-mails are submitted to a very small distribution group that includes the Sheriff, the Undersheriff, and the two Lieutenant Colonels. This ensures all complaints are immediately seen by the highest levels of the agency. When complaints are received, they are vetted by this group and assigned to the appropriate supervisor for immediate follow up. Similarly, any supervisor receiving a complaint on a deputy or service provided by the sheriff’s office is required by policy to submit the complaint for review. This submission process requires submission of the complaint via e-mail
to a review group that includes the Sheriff, the Undersheriff, the Lieutenant Colonels, and the Internal Affairs Unit. Upon review, the complaint is assigned to the appropriate supervisor for follow up. Both of these processes reveal a top-down, accountable, citizen-focused approach to addressing complaints about the personnel or services provided by the sheriff’s office.

Of note is the fact that compliments received far exceed the complaints received by the LCSO. Specifically, over the past two years, 390 compliments were received and only 83 complaints were received: nearly a 4:1 ratio of compliments to complaints.

There is currently no supporting data that there is an unacceptable style of policing being employed by the LCSO. Rather, there is evidence of citizen satisfaction, direct access, training, and accountability structures in place to ensure the actions of the deputy sheriffs are in accordance with the community-focused mission statement of the LCSO. Therefore, the use of an unacceptable style of policing as a justification for the creation of a county-wide police department in Loudoun County is not supported.

### 3.5 – CONTROL OVER OFFICERS

Another potential justification for the creation of a police department is that local government wants greater levels of control over the law enforcement officers (Spence, Webster, & Connors, 2006). There is little to examine in regard to the current practices or policies of the LCSO as it pertains to local government desiring more control as this justification is based on external motivation. In her post-election comments, Chair Phyllis Randall cited the
removal of politics, the job security of deputies, the accountability of the sheriff, and that the sheriff controls the communication with the citizens as reasons for pursuing a county-wide police department (Cline, 2019), and any of these reasons could be construed as seeking more control over officers in some manner. Several similar statements have also been made by other members of the Board of Supervisors more recently. While it can be argued whether the creation of a county-wide police department would result in any significant change in these areas, if the BOS, the leaders of the local government, simply desire to have more control over officers, it would be considered one justification to support the overall decision to create a county-wide police department.

3.6 – OVERALL SERVICES PROVIDED

If the local government and community want additional law enforcement services that the current law enforcement agency is either unwilling or unable to provide, it could be justification for the creation of a police department. As with other areas, this area is limited to quantitatively measure; therefore, a review of existing programs will be conducted.

Upon review of the LCSO, there are many programs and services offered by the sheriff’s office in excess of what would be required for a law enforcement agency, several of which are industry-leading. Most notably, the Search and Rescue Team, drone program, Project Lifesaver program, Crisis Intervention Team program, D.A.R.E program, and School Resource Officer
program are all nationally recognized programs. Other initiatives have been formed to combat specific issues, such as the Heroin Operations Team, which has been successful in combatting the opioid epidemic in Loudoun County and the Cold Case Initiative, which has been successful in investigating and making arrests in cold cases. Even a cursory review of the LCSO website reveals that there is a wide variety of programs and services provided by the LCSO to the citizens of Loudoun County.

Upon review with Sheriff Chapman, there have been only three disagreements with different members of the Board of Supervisors over programs and services offered by LCSO during his terms in office, which revolved around Project Fairness, the D.A.R.E program, and the Emergency Communications Center (ECC). In the instance of Project Fairness, that was a program offered by the LCSO to help the Loudoun County Treasurer’s Office enforce personal property taxes. Sheriff Chapman argued that he no longer wanted to provide that service as he believed technology could take over that service which would free up the two full-time deputy positions assigned to Project Fairness. Since that time, technology has been implemented within the Treasurer’s Office as Sheriff Chapman recommended, and those two deputy positions have been re-assigned to other areas within the sheriff’s office.

The second disagreement over programs and services is the D.A.R.E. program, as various county officials have recommended cutting funding to this program (Baratko, 2012). This issue has come up several times, and each time Sheriff Chapman has continued to advocate for keeping the D.A.R.E. program, which contributes to teaching children good decision-making skills and building connections between children and law enforcement. While it is difficult, if not impossible, to measure crimes prevented through the D.A.R.E. curriculum, Loudoun County
has maintained the lowest crime rate of all the Metropolitan Washington Council of Governments participating agencies in the Northern Virginia region. Regardless, neither one of these first two instances of disagreement involved the refusal to provide a service to the citizens of Loudoun County.

Finally, in May of 2017, the Finance, Government Operations, & Economic Development Committee of the Board of Supervisors (BOS) proposed a $150,000 study to examine minor delays in transferring law enforcement-related calls to LCSO dispatchers which are initially answered by Loudoun County Fire & Rescue call takers. This decision was made without prior consultation or input from the LCSO, despite LCSO being responsible for approximately 70% of the overall calls received by the ECC (approximately 160,000 per year). Regardless of the manner in which the study was proposed, LCSO agreed to participate in the study. Upon the return of the study, however, LCSO challenged many of the findings based on erroneous methodology utilized in the study, as well as the unnecessary recommendation to completely restructure the ECC, to include building an entirely new building, with a projected expense of approximately 20 million dollars. Of specific note is that Loudoun County had recently already invested 13 million dollars in a state-of-the-art communications center, making a proposal for a new ECC highly questionable. Ultimately, Sheriff Chapman was able to work collaboratively with Keith Johnson, the Chief of the Loudoun County Combined Fire & Rescue System, to resolve call transfer delays through development and implementation of a “universal call taker” program. This solution is
in the final phases of implementation and has reduced the projected expenses from approximately 20 million to approximately 1 million – a significant cost savings for the Loudoun County taxpayers.

Based upon this information, the justification of the local government or community wanting more services does not appear to be viable in Loudoun County. There is no evidence that the LCSO is currently, or has systemically, refused to provide a service requested by the local government or the community. Therefore, it is not recommended that this justification be used to support creating a county-wide police department in Loudoun County.

3.7 – PERSONALIZED SERVICES PROVIDED

Similar to the above justification, the desire of the local government and community for more personalized services could be a justification for the creation of a police department (Spence, Webster, & Connors, 2006). Examples of more personalized services could include problem solving, community policing, or other similar services (Spence, Webster, & Connors, 2006).

As stated previously, with the absence of any information regarding services that the LCSO has refused to provide, a look at current services provided to the community is beneficial. Most notably, the services provided to the community through the station concept employed by the LCSO highlights the personalized services provided to the various communities across Loudoun County. As stated earlier in this report, LCSO operates under a station concept, with four stations positioned throughout Loudoun County in addition to the Headquarters building in Leesburg. These stations have been designed and staffed to provide almost all services available at the Headquarters building, such as fingerprinting and records checks. This provides
citizens with a location closer to their home where they can access the services of LCSO without having to drive to Leesburg.

Additionally, these stations are staffed with both detectives and community resource officers dedicated to investigating and addressing crimes, addressing quality of life issues, and providing a direct link to the communities they serve. This enables LCSO to provide customized services to individual communities, and allows LCSO to assign deputies to specific communities, fostering better relationships and enhanced communication between the community and the deputies.

Based upon this information, the justification of the local government or community wanting more personalized services does not appear to be applicable in Loudoun County. There is no evidence that the local government or community has requested personalized services that LCSO has failed to provide. Therefore, the use of this justification to support the creation of a county-wide police department is not recommended.

**3.8 – SUMMARY OF THE ANALYSIS OF THE LOUDOUN COUNTY SHERIFF’S OFFICE**

Upon review of all of the “right reasons” provided by the U.S. Department of Justice for creating a police department (Spence, Webster, & Connors, 2006), the only justification found to be applicable to Loudoun County is that local government wants more control over officers. As stated by the U.S. Department of Justice and referenced earlier in this study, no single
reason provides sufficient justification for deciding to create a police department (Spence, Webster, & Connors, 2006). This is largely due to the expensive, time-consuming, and highly complicated process of creating a police department that may not result in anything substantially better than what is already in place (Spence, Webster, & Connors, 2006). When these factors are considered and compared with the high satisfaction and success of the current organization, the creation of a county-wide police department in Loudoun County would be of little-to-no benefit to the residents of Loudoun County.

4.0 – GENERAL IMPLICATIONS OF TRANSITIONING TO A POLICE DEPARTMENT

Despite the recommendation to not pursue a county-wide police department in Loudoun County, this study will review many of the implications that would need to be considered should the Board of Supervisors still recommend the creation of a county-wide police department in Loudoun County. This is not intended to provide an exhaustive list of every implication, nor is it designed to be an implementation guide should the decision be made to transition to a county-wide police department. The purpose of this section is to provide a general understanding of the cost, structural changes, intangible changes, and scope of complexity that would be involved in such a transition. This section will review the impact to the organization in the broad areas of funding, liability, accountability, stability, and performance.
4.1 – FISCAL IMPLICATIONS OF CREATING A POLICE DEPARTMENT

One of the most obvious and significant implications of creating a new department within Loudoun County is the fiscal implications. From the need to hire additional personnel to changes in the marking of vehicles, there are many costs to consider. This section will consider many of the fiscal implications and provide a general estimate of the expense of creating a county-wide police department. It should be noted, however, that there is a warning given by the U.S. Department of Justice that the creation of a police department is always more expensive than predicted (Spence, Webster, & Connors, 2006), therefore the estimates provided in this study should be considered to be the minimum amount required to transition to a county-wide police department.

4.1.1 – STATE FUNDING IMPLICATIONS

One of the largest changes would be the change in revenue received from the Commonwealth of Virginia. While the LCSO is fully funded by the Loudoun County Government, the county does receive annual funding from the Commonwealth of Virginia Compensation Board for the operation of the sheriff’s office. For Fiscal Year 2020 (FY20), the Compensation Board provided Loudoun County with $13,694,973 to offset the expenses of 364 positions within the sheriff’s office. As the FY20 budget for the LCSO was $97,061,579, this represents approximately 14% of the overall LCSO being reimbursed by the Virginia Compensation Board. If the Loudoun County Board of Supervisors were to transition to a county-wide police department, then the Compensation Board funding for those positions assigned to law enforcement functions would be lost. It is currently estimated that 182 of the positions funded
by the Virginia Compensation Board are for law enforcement functions, totaling $8,104,690. Therefore, should Loudoun County pursue converting the law enforcement functions of LCSO into a county-wide police department, there would be an estimated $8,104,690 annual revenue loss to Loudoun County from the Virginia Compensation Board.

The Commonwealth of Virginia does provide funding for police departments through the State Aid to Localities with Police Departments (599) program coordinated through the Virginia Department of Criminal Justice Services (DCJS). It is difficult to determine the precise allocation that Loudoun County would receive from DCJS as it is formula-driven; however, estimates can be made by comparing current DCJS 599 funding allocations to jurisdictions with similar size police departments. It is currently estimated that of the 752 full-time positions allocated to LCSO, 507 of those positions are for law enforcement-related functions and would likely be transitioned to create the county-wide police department. Of these 507 full-time positions, 389 are sworn deputy positions and the remaining 118 positions are civilian administrative and support positions. When compared to the jurisdictions currently receiving DCJS 599 funding, the jurisdictions closest to the projected size of a Loudoun County police department are Chesterfield County and Arlington County.

Chesterfield County Police Department is larger than the projected size of a police department in Loudoun County, with 736 total positions, 535 of which are sworn police officers. Chesterfield County Police Department is currently allocated to receive $7,983,793 annually in DCJS 599 funding (FY 2019 Allocations, 2019). This equates to approximately $10,847.54 per position within Chesterfield County Police Department.
The Arlington County Police Department is the next closest jurisdiction when compared to the projected size of a county-wide police department in Loudoun County, with a total agency size of 471, with approximately 350 of those positions being sworn officers. The Arlington County Police Department is currently allocated to receive $6,582,501 annually in DCJS 599 funding (FY 2019 Allocations, 2019). This equates to approximately $13,975.58 per position within the Arlington County Police Department.

As stated above, the funding allocations are based on a formula that involves many different variables, which is why there is a variance between the allocations per position between these two comparison jurisdictions. To obtain an estimate of what Loudoun County may receive in DCJS 599 funding should a county-wide police department be created, these two allocations per officer were averaged, resulting in an estimated $12,411.56 per position. Predicting the agency size of 507 total positions, as discussed earlier, Loudoun County may be eligible to receive an estimated $6,292,660 in DCJS 599 funding.

When DJCS 599 funding is compared to Compensation Board funding, there is a projected loss of $1,812,030 in revenue to Loudoun County should a county-wide police department be created. This equates to a 22% reduction in state funding assistance provided to Loudoun County. This result is also consistent with a similar funding analysis conducted in 2012 when the GRC reviewed the fiscal implications of creating a county-wide police department at that time, which reported an estimated 19% funding reduction should a county-wide police department be formed at that time.
4.1.2 – LIABILITY INSURANCE

As the LCSO operates under a constitutional officer, the sheriff, the LCSO is provided liability coverage as required by the Code of Virginia through the Virginia Department of the Treasury’s Division of Risk Management (Constitutional Officers & Regional Jails, 2020). This provides coverage for several areas, including law enforcement liability (Constitutional Officers & Regional Jails, 2020). Should Loudoun County create a county-wide police department, that department would not operate under the authority of a constitutional officer, and therefore the police department would not receive liability coverage through the Department of Risk Management. This means that Loudoun County would need to either purchase additional law enforcement liability coverage, or they would need to increase their self-insurance fund to ensure it is adequately able to cover the law enforcement liability.

While estimating the additional expense of this insurance or the increase in the self-insurance fund is difficult, it should be noted that in addition to the liability insurance required by the Code of Virginia, there is also a statutory limit on judgements against sheriffs and deputies (Va. Code Ann. § 2.2-1839). According to § 2.2-1839 of the Code of Virginia, no award in excess of $1,500,000 can be granted against a sheriff or deputy sheriff, which is the maximum covered amount by the Division of Risk Management. Therefore, in addition to increasing the amount of law enforcement liability insurance needed, the liability limit afforded to sheriffs is not applicable to a county-wide police
department and a judgement against the police department could be significantly higher – virtually limitless.

4.1.3 – EQUIPMENT

Equipment is a broad category, and a significant amount of large items of equipment, such as vehicles, computers, radios, and other law enforcement-related equipment is generic and would be able to be transitioned to a police department with minimal direct expense. However, there are several specific areas where large and quantifiable expenses can be projected.

The first of these items is vehicles. Nearly all marked vehicles are assigned to the law enforcement functions of the agency, and include all patrol vehicles, motorcycles, and specialty vehicles, such as the incident command bus and the armored response vehicle. While the specific expense for each specialty vehicle is difficult to estimate, the bulk of the expense for re-marking vehicles is for the standard patrol cars and sport utility vehicles. There are currently approximately 379 marked vehicles assigned to law enforcement-related functions, which would need to be re-marked should a county-wide police department be created. The re-marking process includes removal of current markings, material cost for new markings, and labor for the installation of the new markings. These costs have been estimated as $500 for each new set of markings, $400 for removal of existing markings, and $300 for labor for installation of the new markings, totaling approximately $1,200 per vehicle. When estimated across the 379 vehicles projected to be re-marked, there is an estimated expense of $454,800 for the re-marking of vehicles should a county-wide police department be created.
Uniforms are another large aspect of equipment that would need to be replaced should a county-wide police department be created. All existing uniforms bear the colors of LCSO, patch of LCSO, embroidered badge of LCSO, or a combination of these. Therefore, all uniforms for sworn personnel transitioned to a county-wide police department would need to be replaced. Uniforms include items such as shirts, pants, badges, hats, winter jackets, etc. The current cost of these items per sworn deputy is approximately $2,145. With a projected sworn strength of 389, it is projected that the base expense for uniforms should a county-wide police department be created is $114,755. When factoring in uniforms for bike patrol officers and polo shirts for civilian personnel and detectives, an additional expense of $59,960 is projected, for a total projected uniform expense of $174,715.

Underlying both of these items (equipment and uniforms) is the need to create new designs for badges, patches, and vehicle markings. Therefore, at the outset, a graphic designer would be needed to assist in drafting potential designs for each of these items as well as other items such as letterhead and signage. While a precise estimate of graphic design services is based on many variables, such services would likely cost approximately $10,000.

Finally, other minor equipment and supplies, such as the re-printing of business cards for all personnel, is projected to be $76,050. While this is not an exhaustive list of equipment expenses, the combined projected equipment expense should a county-wide police department be created is $715,265.
4.1.4 – OFFICE SPACE

The current LCSO Headquarters facility located at 803 Sycolin Road is comprised almost entirely of law-enforcement related personnel and administrative staff that support law-enforcement related functions. There are administrative personnel that assist with payroll and other human resource functions, budget, pre-employment background investigation, records, quartermaster, and other various functions that support both law enforcement functions and courts/corrections functions; however, the vast majority of these positions are not able to be split due to very small unit size. Therefore, should a county-wide police department be created, it is recommended that the facility at 803 Sycolin Road be converted into the Headquarters for the police department, and a separate facility be identified to serve as the Headquarters facility for the LCSO.

The current facilities at the LCSO Adult Detention Center and the Loudoun County Courthouse do not have adequate size to house the space needed for the administrative and support staff that would be needed for the LCSO. Therefore, it is recommended that if a county-wide police department be created, that an entirely new facility be identified or constructed to serve as the new Headquarters for the LCSO. This facility would not need to be as large as the facility on 803 Sycolin Road, due to the fact that it would largely consist of only administrative personnel and services; however, it is projected that approximately 2/3 of the space currently utilized in the LCSO Headquarters would need to be made available for the new LCSO Headquarters. This is primarily due to the fact that new space would still be needed not only for the Sheriff and administrative personnel, but for the storage and processing of evidence, a
records section, a quartermaster section including an armory to ensure the safe storage of firearms, as well as conference and community rooms. As the current LCSO Headquarters facility is approximately 70,000 square feet, an estimated 46,000 additional square feet of office space would be needed should a county-wide police department be created in Loudoun County. While the expense of new construction is significantly higher and there are many other variables, the projected expense to purchase and outfit existing office space is conservatively estimated at $8,000,000.

4.1.5 – ADDITIONAL PERSONNEL

As previously mentioned, there are a number of positions that currently exist within LCSO which currently service the entire agency. Should the county pursue creating a county-wide police department, many of these positions would have to be replicated due to their critical role for both departments. Due to the current placement of administrative and support personnel, it would be recommended that all existing personnel working in the Headquarters facility at 803 Sycolin Road remain in their current position and transition to the county-wide police department. It is recommended that the new positions be created to replicate the critical positions that would need to be filled to staff the sheriff’s office. This recommendation is due to the fact that fewer positions would be needed for the LCSO than the county-wide police department, allowing the positions already servicing the law-enforcement functions to remain in place. Existing personnel may be offered the opportunity to work in either department, but
for logistical purposes, the additional positions are recommended to be budgeted for the LCSO, with the exception of the Police Chief, Deputy Chief, traffic supervisors, and traffic officers. The specific need for additional traffic officers will be discussed in the next section as it pertains to the projected loss of assistance from Virginia State Police should a county-wide police department be created.

Logistically, the creation of the administrative positions would require the creation of a new division, as the Administrative & Technical Services Division currently within the LCSO provides services and support to the entire agency, both on the law enforcement functions as well as the courts and corrections functions. Therefore, it is recommended that should a county-wide police department be created in Loudoun County, that the current Field Operations Division, Criminal Investigations Division, Operational Support Division, and Administrative and Technical Services Division become the county-wide police department. The Court Services Division and the Corrections Division would remain a part of the LCSO, and a new Administration Division would be created within the LCSO. Figure 3.1 shows the current organization of the LCSO, and Figure 3.2 shows the recommended restructure should Loudoun County create a county-wide police department.

“It is currently estimated that a total of 58 positions, combining both sworn and civilian personnel, would need to be created should a county-wide police department be created within Loudoun County.”
Figure 3.1 – Current Structure of LCSO

Figure 3.2 – Proposed Structures of a County-wide Police Department and LCSO
While this list is not intended to be exhaustive, the current positions identified to be created include: Police Chief, Assistant Police Chief, traffic supervisors, traffic officers, administrative assistants, command staff for the newly created administrative division within the LCSO, a budget manager, records personnel, payroll and human resources personnel, a training supervisor and training personnel, technology and communications personnel, evidence and quartermaster personnel, and a public information and Freedom of Information Act (FOIA) personnel. It is currently estimated that a total of 58 positions, combining both sworn and civilian personnel, would need to be created should a county-wide police department be created within Loudoun County. These 58 positions are projected to require $10,198,214 in additional funding allocation from Loudoun County.

4.1.6 – CLASSIFICATION AND COMPENSATION

As Loudoun County recently implemented substantial and county-wide changes to the classification and compensation structures, it is important to note that creation of a county-wide police department in Loudoun County would result in additional required changes to the classification and compensation system, with significant future implications.

A review of the compensation plans for fiscal year 2020 across our comparative jurisdictions (City of Alexandria, Arlington County, Fairfax County, and Prince William County) identified an average variance in starting salaries between police officers and sheriff’s deputies of between 2.5% and 5.5%, with an average difference of 2.8% lower salaries for deputy
sheriffs. The newly implemented compensation plan for sheriff’s deputies in the LCSO provides both internal parity for deputies in all job functions as well as external parity with the surrounding jurisdictions. The creation of a county-wide police department in Loudoun County would require the county to develop a separate compensation plan for the police department. Through that process, it is probable that the future pay scales for the sheriff’s office would be reduced by the average of 2.8%, which would create pay disparity between the county-wide police department and the sheriff’s office.

Any pay disparity between a county-wide police department and the LCSO would have significant fiscal and operational impact. Most notably would be increased turnover and recruitment challenges, resulting in increased expenses for both hiring and recruiting activities. These issues would be driven by the fact that sheriff’s deputies could leave the LCSO and be hired by the county-wide police department (or any of the other police departments in our comparative jurisdictions) for an increase in salary. The projected increase in employee turnover would have a corresponding increase in the needed recruitment, background investigation, hiring, and training of new sheriff’s deputies. As the recruitment, hiring, and training processes are lengthy, there is also a projected increase in vacant positions and overtime expenses to backfill vital roles.

None of the issues created by separate compensation plans and pay disparity are currently experienced in the LCSO; these issues are only created if Loudoun County were to
create a county-wide police department. Under the current classification and compensation program implemented in Loudoun County, there is pay equity both within all job functions within the LCSO and with our comparative jurisdictions, which will ensure LCSO can continue to successfully recruit and retain high-quality staff.

4.1.7 – SUMMARY OF FISCAL IMPLICATIONS OF A COUNTY-WIDE POLICE DEPARTMENT

The transition from a full-service sheriff’s office to a county-wide police department and a sheriff’s office has significant costs associated. Identifying the specific costs are challenging, as there will be unforeseen costs and history has proven that creating a police department is always more expensive than projected (Spence, Webster, & Connors, 2006). However, this study has attempted to estimate some of the major costs associated with the creation of a county-wide police department and is conservatively estimating those expenses to be approximately $20,725,509. As stated previously, there are expenses that cannot be accurately projected, such as the liability insurance, as well as the increase of financial risk with the loss of the statutory limitations on the civil judgments provided to the sheriff and deputy sheriffs that would not apply to a police chief and police officers. Additionally, the creation of a county-wide police department would likely lead to a future compensation disparity between the county-wide police department and the sheriff’s office, resulting in decreased employee morale as well as recruitments and retention issues within the sheriff’s office that are not currently experienced. For these reasons, it is strongly recommended that LCSO continue to serve Loudoun County as a full-service sheriff’s office.

“...conservatively estimating those expenses to be approximately $20,725,509.”
In addition to the fiscal implications, there are many other administrative implications to consider when deciding whether to create a county-wide police department. Each of these is likely to have some fiscal implications, however issues that present logistical hurdles and/or cascading effects are the primary focus of this section. Should the Board of Supervisors continue to recommend that Loudoun County create a county-wide police department, it is strongly recommended that each of these items be fully explored and a plan be proactively developed to mitigate the implications of each of these items.

As previously stated in the fiscal implications section, there are currently liability protections that exist for sheriffs and deputy sheriffs that do not apply to a police department. The issue of primary concern is the statutory limitation on judgments granted against sheriffs and deputy sheriffs. Should a police department be created, there would be no statutory limitation on judgments against the police chief and police officers. In short, a police department within Loudoun County would not be afforded the same legal protections and liability coverage afforded to sheriff’s offices by the Commonwealth of Virginia, and the Loudoun County Government would assume all liability for the county-wide police department.

Above and beyond the protections provided for sheriffs and deputy sheriffs in regards to judgments, the simple creation of an additional county department requires a review by the Loudoun County Office of the County Attorney and the County Administrator to determine
whether sufficient staff exist in the Office of the County Attorney to be able to support two separate departments: the LCSO and the county-wide police department.

This issue is of paramount importance as the appointment of legal counsel to oversee the creation and transition of a county-wide police department would be vital, as there are many aspects of such a transition that would need legal support. This includes, but is not limited to, creation of the new law enforcement agency, creation of the county department and associated revision of county policies, creation of the new policies and procedures that the county-wide police department would operate under, and review and approval of all associated documents such as memorandums of understanding (MOUs) and contracts. This would be a significant undertaking and would require a substantial amount of attorney staff time to oversee such a transition, which also may require the hiring of an additional Assistant County Attorney if existing staff within the Office of the County Attorney could not support this scope of work.

**4.2.2 – STATE POLICE ASSISTANCE**

In addition to the loss of liability protection from the Commonwealth of Virginia, it is anticipated that should Loudoun County create a county-wide police department, there would be a significant reduction in the assistance provided to Loudoun County from the Virginia State Police. Currently, Virginia State Police assigns counties with full-service sheriff’s offices a higher level of state police officers to assist with the policing of the county. In jurisdictions with
county-wide police departments, the primary function of the Virginia State Police is the enforcement of traffic violations on interstate highways. Since there are no interstate highways in Loudoun County, the Virginia State Police would likely only assign a small number of troopers to the Dulles Greenway, passing all other law enforcement functions to the county-wide police department. While the specific number of state police officers that Loudoun County would likely lose is not defined, it is anticipated that Loudoun County would lose 20-24 Virginia State Police officers.

The loss of Virginia State Police officers would have a negative impact on Loudoun County, specifically in the area of traffic enforcement and crash investigation. The Virginia State Police is broken down into divisions, with Division 7 being the division serving Loudoun County, Fairfax County, Prince William County, Arlington County, and the Cities of Alexandria and Falls Church. The most recent available report from the Virginia State Police reveals that in 2017, the entire Division 7 was staffed with a total of 176 state police officers (Virginia State Police, 2020). Of these 176 state police officers, approximately 25 are assigned to Loudoun County, accounting for approximately 14% of the overall size of Division 7. These state police officers largely assist with traffic enforcement and vehicle crash investigation. The loss of the majority of these troopers would result in a significant increase in workload to the county-wide police department, or if no additional staff were allocated, a degradation of service in traffic enforcement and crash investigation in Loudoun County. A rough estimation of the assistance...
Loudoun County currently receives from the Virginia State Police is made by calculating 14% of the overall activity reported by Division 7 in the most recent available annual report (Table 4.1).

<table>
<thead>
<tr>
<th>Incident Type</th>
<th>Total</th>
<th>14%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Summons</td>
<td>82,831</td>
<td>11,596</td>
</tr>
<tr>
<td>Arrests</td>
<td>2,350</td>
<td>329</td>
</tr>
<tr>
<td>Drug arrests</td>
<td>429</td>
<td>60</td>
</tr>
<tr>
<td>Assists</td>
<td>9,601</td>
<td>1,344</td>
</tr>
<tr>
<td>Crashes</td>
<td>5,967</td>
<td>835</td>
</tr>
<tr>
<td>Fatal Crashes</td>
<td>88</td>
<td>12</td>
</tr>
<tr>
<td>Speeding summons</td>
<td>14,394</td>
<td>2,015</td>
</tr>
<tr>
<td>RD Summons</td>
<td>7,909</td>
<td>1,107</td>
</tr>
<tr>
<td>DUI</td>
<td>585</td>
<td>81</td>
</tr>
<tr>
<td>Motorist Assist</td>
<td>21,581</td>
<td>3,021</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>157,615</strong></td>
<td><strong>22,066</strong></td>
</tr>
</tbody>
</table>

As revealed in the table above, there is significant assistance provided currently to Loudoun County by the Virginia State Police, which is projected to be lost entirely or significantly reduced should Loudoun County create a county-wide police department. Should the Virginia State Police remove state police officers from Loudoun County, it would be recommended that additional traffic officers be funded for the county-wide police department to ensure there is no degradation in service, as traffic is often cited as a priority for Loudoun County (Loudoun Now, 2019). The estimated expense for these positions and the necessary supervisory structure is already estimated in fiscal implication section regarding additional personnel needed should a county-wide police department be created.

Regardless of the specific statistics or expense of replacing the Virginia State Police officers in Loudoun County, the analysis of the implications of losing Virginia State Police assistance must be fully explored prior to the decision to create a county-wide police
department, to ensure that a full understanding of these implications both operationally and fiscally is considered.

### 4.2.3 – PLACEMENT AND COORDINATION OF PERSONNEL

While the need for additional personnel is addressed in the prior sections, the logistics of placing personnel and the internal coordination of personnel also present administrative considerations that would need to be addressed prior to the creation of a county-wide police department.

As a full-service law enforcement agency, the LCSO has the ability to allocate deputies agency-wide to meet various functions based on their Virginia DCJS certifications. The LCSO currently trains and certifies deputies under the Virginia DCJS programs for law enforcement, court security/civil process, and jail/inmate security. These three categories of certification allow placement in various functions across the LCSO. For example, LCSO currently has deputies assigned to the Technology Section who are trained and certified under the jail/inmate security certification. While these deputies provide significant services to both core functions of the LCSO, if a county-wide police department were created it would have to be determined whether they would remain with the LCSO or transition to the county-wide police department. This is an administrative consideration as their state certification pertains to the functions that would be solely provided by LCSO, but a large amount of their knowledge and skills directly impact the law enforcement systems and technologies that significantly benefit the law enforcement functions of the LCSO that would “...it would have to be determined whether they would remain with the LCSO or transition to the county-wide police department.”
transition to the county-wide police department. While this is just one example, there are many other similar situations throughout the LCSO that would require the same consideration if Loudoun County were to create a county-wide police department.

Additionally, the LCSO currently employs many deputies that are certified in all three of the Virginia DCJS functions, and have worked in multiple roles as a deputy within the LCSO. The placement of these individuals needs to be considered, as simply assigning them to the agency that will perform their current function will have long-lasting implications for each employee. An example of these situations includes deputies who have worked for a number of years in the Adult Detention Center that have recently transitioned out to work patrol. If a county-wide police department were created, they would be required to be placed in either the LCSO or the county-wide police department, which would remove their current ability to transition seamlessly between these roles. Further, it would have to be determined whether each current deputy that is certified in multiple functions would be afforded the opportunity to select which agency they would like to be employed by, or whether they would simply be assigned based on the role they currently perform.

The implications of creating a county-wide police department is also likely to degrade the coordination and cooperation between the various functions of the LCSO and the county-wide police department. As one unified organization, the coordination from the agency executives down to the line-level personnel is synergistic, as all personnel are expected to perform their work in the manner that best meets the needs of the organization as a whole, regardless of their specific assigned role.
As a practical example, it is not uncommon in the LCSO for Field Operations Division supervisors to seek assistance from the supervisors in the Adult Detention Center to assign Adult Detention Center deputies to assist Field Operations deputies for several hours with an out-of-county transport ordered by a Magistrate. In these instances, the supervisors and deputies assigned to the Adult Detention Center readily assist, even if it causes operational changes in the Adult Detention Center. The reverse of this situation also is not uncommon in the LCSO, where the Adult Detention Center supervisors need assistance from the Field Operations supervisors with assigning Field Operations deputies to assist with inmate security during extended hospital visits.

These are just two basic examples of how cooperation and coordination between members of the various divisions in the LCSO provides a synergy that is likely to be eroded if a county-wide police department were to be created. Many more examples of coordination and cooperation between divisions in the LCSO are seen on a daily basis.

Using the examples provided above, if a county-wide police department would be created, the supervisors and staff assigned in these functions would be under two separate organizations. This means that they may not be permitted to ask for assistance from the other organization based upon policy, or if they are permitted, the supervisors are more likely to deny assistance as it usually creates a level of operational impact. When two separate organizations are involved, the personnel assigned to each will be primarily committed to the needs of their own organization, and not the needs of the other organization.

Under the current structure of the LCSO, all deputies are employed under the same agency, are expected to work together to meet the needs of the entire organization, and
afforded the opportunity to move across various roles and functions within the LCSO, based on
the needs of the county. The placement of personnel and coordination of personnel would only
become an administrative issue that would need significant planning and coordination to
address if Loudoun County were to create a county-wide police department.

4.2.4 – TECHNOLOGY AND SYSTEMS

Another significant implication of creating a county-wide police department is the
impact to the technology and systems currently utilized by the LCSO. From the computer
systems that house incident reports to the radio frequencies utilized, there are a large amount
of systems that would be impacted should a county-wide police department be created. This
report will look at several of the technologies and systems that are projected to have the
largest impacts; however, this is not intended to be an exhaustive list as there are significantly
more areas that would be affected by such a transition.

4.2.4.1 – ORIGINATING AGENCY IDENTIFIERS

Every law enforcement agency that has access to sensitive criminal justice information
(CJI) such as arrest warrants, stolen vehicle information, and criminal histories is required to
register through the Federal Bureau of Investigation’s (FBI) Criminal Justice Information
Services (CJIS) section. Such systems include the National Crime Information Center (NCIC) and
Virginia Criminal Information Network (VCIN).

Each law enforcement agency with permission to access CJI is registered with the FBI
through a unique, nine-character Originating Agency Identifier (ORI). The ORI identifies which
agency has entered or accessed information and assists in identifying which end users can
access or enter information in these systems. Each computer with access to CJI networks is also registered under the agency’s ORI. These computers are secured and accessed only after an authorized end user logs in and is authenticated, and different computers are able to access different levels of information based on their security. For example, the LCSO currently has desktop computers in physically secure areas which can access all available CJI information in these networks. However, LCSO also utilizes laptop computers in patrol vehicles which have access to selected types of information, but not all information, due to being in less secure areas than the desktop computers. LCSO also utilizes these computers agency-wide for a variety of purposes, both for law enforcement functions as well as corrections and court services functions, with connected desktop computers in the Emergency Communications Center, LCSO Headquarters, all LCSO stations, the LCSO Adult Detention Center, and the Loudoun County Courthouse.

Currently, the LCSO carries the primary ORI within Loudoun County, VA0530000. Other law enforcement agencies operating within Loudoun County, such as the Leesburg Police Department, Middleburg Police Department, and the Purcellville Police Department carry the ORI’s of VA0530100, VA0530200, and VA0530300, respectively. Should Loudoun County seek to create a county-wide police department, it would have to be coordinated with the FBI to determine which agency, the LCSO or the police department, would retain the ORI of VA0530000, and a new ORI would have to be created for the other agency. This would also

“This process of acquiring a new ORI and separating end users would be a significant and time-consuming barrier to ensure there is no loss in service.”
require that all end users be transferred to their appropriate new ORI, with those assigned to
law enforcement functions and those assigned to corrections, court services, and civil process
functions being separated.

This process of acquiring a new ORI and separating end users would be a significant and
time-consuming barrier to ensure there is no loss in service. All queries for CJI require
authentication at the time of the query, and with hundreds of end users accessing CJI
information around the clock, significant planning would be required to successfully acquire
and implement a new ORI.

Under the current structure of LCSO, all deputies operate under a single ORI and no
changes would need to be made unless a county-wide police department were created.

4.2.4.2 – OWNERSHIP OF SYSTEMS

In addition to system access implications, there are system ownership implications that
would need to be addressed should Loudoun County create a county-wide police department.
The LCSO currently has numerous contracts with several providers for various software
platforms that are utilized agency-wide, both for law enforcement functions and for corrections
and court services functions. Systems such as the computer-aided dispatch (CAD) system for
call for service management and location tracking, the records management system (RMS) for
report-writing and data collection, the PowerDMS system currently used for document
management and the promulgation of policies and procedures, the QueTel system for
management of property and evidence, the Orion system for personnel and staffing
management, and the Axon system for body worn cameras are just a few examples of systems
and contracts that would need to be addressed prior to the creation of a police department.
The fiscal and procedural consequences of changes to these contracts is unknown at this time, due to the unique considerations of the usage, needs, and contract terms for each system. For example, if a county-wide police department were created to take over the law enforcement functions in Loudoun County, the LCSO may not wish to retain its contract with some of these systems due to a reduced need and may seek alternative providers. Similarly, the county-wide police department may also opt to seek alternative providers based on the narrowed scope of the organization. Examples of these types of situations can be seen in the Northern Virginia area, as there are sheriff’s offices that operate alongside county-wide police departments that have to rely on mobile CAD licenses provided to the sheriff’s office by the police department, but in limited quantity due to the expense, which significantly limits the number of sheriff’s office personnel that can access the CAD system. While this is just one example that places limitations on the sheriff’s office, there are projected to be systems utilized primarily by the LCSO that would be limited in availability to a county-wide police department, should one be created in Loudoun County.

Regardless of the specific outcome of each system and contract, if Loudoun County were to create a county-wide police department there would need to be a review of all systems utilized by the LCSO and the underlying contracts to determine whether the LCSO would retain ownership or if new contracts would be sought by the county-wide police department. This process would require significant oversight and assistance from the Loudoun County
Department of Finance and Budget, Division of Procurement, as well as the Loudoun County
Office of the County Attorney, as there are significant procurement and contractual issues that
would need to be addressed with each respective contract. Further, there is likely to be
increased expense as the number of licensed users would change and there would need to be
additional system provisioning to separate single systems into duplicate systems.

Under the current structure of LCSO, however, these are not significant issues as the
agency purchases and operates systems as a single unit. No changes would need to be made in
this area unless a county-wide police department were created.

4.2.4.3 – ACCESS TO SYSTEMS

Outside of ownership issues of systems, there are also access issues that would need to
be resolved if Loudoun County created a county-wide police department. Regardless of the
ownership of systems, there are systems that would need to be accessed jointly to ensure
effective communication between the law enforcement functions and the corrections and court
services functions. Systems such as the CAD, RMS, and the Offender Management System
(OMS) are just a few examples where new roles and permissions would need to be established
to ensure effective communication while also protecting the privacy of agency-specific
information.

However, above and beyond the establishment of new roles and permissions, if a
county-wide police department were created there would be a need for the creation of a new
network within the county infrastructure. Currently, the LCSO operates many of its computers
on a virtual private network (VPN) to ensure security of devices that can access CJI information.
Additionally, the LCSO has shared network drives and other similar network structures that
would need to be replicated if a new agency were created so that LCSO and the county-wide police department could separate and protect their data. The creation and separation of these systems would require extensive planning and support from the Loudoun County Department of Information Technology, as well as the LCSO Technology Section, as specific software and programming is installed on a significant number of laptops, desktops, and cell phones, each of which would need to be re-programmed to the appropriate network.

Under the current structure of LCSO, these are not significant issues as the LCSO oversees all personnel under one personnel management system. No changes would need to be made in this area unless a county-wide police department were created.

4.2.4.4 – COMMUNICATIONS

Communication within and between public safety agencies covers many different areas, ranging from regional and national broadcasts to encrypted radio frequencies. This report is not intended to address all communication considerations, but it is designed to shed light into the radio frequency issues that would need to be fully explored and addressed prior to creating a county-wide police department within Loudoun County.

Radio frequencies and programming is one broad area of communications that would need to be addressed. Under the current LCSO structure, all deputies have access to the primary radio channels utilized by patrol, by specialized units such as traffic deputies, by deputies assigned to the adult detention center, and by deputies assigned to the courthouse.
All of the physical radios and software programming within the radios to transmit over these radio channels are managed by the Technology Section within the LCSO. As a single entity, the LCSO is able to operate seamlessly across functions. An example of this interoperability can be seen with a patrol deputy who arrests a combative individual and is on their way to the Adult Detention Center. While driving to the Adult Detention Center, they can switch their in-car radio over to the “ADC” channel, reach out to the intake deputies at the Adult Detention Center, and advise them of a combative individual in their custody so that additional Adult Detention Center deputies can be standing by awaiting their arrival to ensure a safe intake process. This process is made very simple and a non-issue by all communications funneling through the same structure.

Not all radio frequencies may have this type of mutual benefit; however, which would require decisions to be made between LCSO administrators and the administrators of the county-wide police department. For example, LCSO utilizes “car-to-car” channels in each of their station areas as free-talk channels where deputies can directly communicate with each other about specifics of incidents without being on a main channel that is actively monitored by a dispatcher in the Emergency Communications Center. These channels are virtually exclusively utilized for law enforcement functions, and the administrators of a county-wide police department may not want LCSO deputies to have access to these channels. Additionally, the LCSO currently has secure radio channels dedicated for tactical operations both in the field and at the Adult Detention Center, undercover operations, and other highly specialized areas that would likely be restricted only to members and administrators within each separate agency, should a county-wide police department be created. These are just a few of the specific
examples of the coordination and planning that would need to occur concerning radio frequencies should a county-wide police department be created in Loudoun County.

While this study discusses the implications that creating a county-wide police department would have on radio frequencies, similar coordination and planning would need to occur in the areas of agency-issued cellular telephones, dispatch procedures, radio identifiers, emergency activation procedures, and other similar areas.

As stated above, under the current structure, none of these radio frequency or other communication considerations would need to be changed, as all are currently operated effectively under the full-service LCSO. Should a county-wide police department be created in Loudoun County, however, a significant amount of planning and coordination would be required to effectively manage the radio frequencies and other communications considerations that would affect both agencies while being managed by each separate agency.

**4.2.4.5 – MEMORANDUMS OF UNDERSTANDING**

LCSO maintains relationships and agreements with many different local, regional, and federal partnerships, ranging from the Crisis Intervention Team Assessment Center (CITAC) to the Federal Bureau of Investigation’s Joint Terrorism Task Force. These relationships are guided by memorandums of understanding signed between the sheriff of LCSO and the signatories of the other participating agencies. LCSO currently maintains approximately 60 active memorandums of understanding with various local, regional, and federal partners. These
memorandums of understanding revolve around a broad scope of duties, as stated above, covering both the law enforcement functions as well as the corrections and court services functions of the LCSO.

If Loudoun County were to create a county-wide police department, a significant number of these memorandums would need to be re-drafted and signed by the signatories of both the LCSO and the county-wide police department.

The drafting and review process for all memorandums of understanding includes review and approval by an assistant county attorney, which is a lengthy and time-consuming process. Additionally, many of the memorandums of understanding have fiscal impacts as well, such as funding for overtime for detectives assigned to federal and regional task forces, which require input and assistance from departmental budget personnel. Therefore, if Loudoun County were to create a county-wide police department, each memorandum of understanding currently in effect under the LCSO would need to be re-drafted and re-signed defining the new roles and responsibilities of each signatory agency.

Under the current structure of LCSO, operations conducted with local, regional, and federal partners are coordinated through active memorandums of understanding; therefore, no changes would need to be made in this area unless a county-wide police department were created.
4.2.5 – SUMMARY OF ADMINISTRATIVE IMPLICATIONS OF A COUNTY-WIDE POLICE DEPARTMENT

There are many administrative implications of creating a county-wide police department. This report has addressed some of the primary legal, personnel, technology, and communication implications that would need to be fully analyzed and addressed if Loudoun County were to create a county-wide police department. This section, however, is not exhaustive or all-inclusive, and there are many other similar administrative implications that would also need to be addressed. The primary take-away of this section is to highlight that above and beyond the fiscal implications of creating a county-wide police department, there are many administrative implications that are non-obvious and require careful planning and consideration. Should Loudoun County pursue creating a county-wide police department, a full analysis of administrative implications should be conducted, and multi-departmental teams should be formed to proactively address each of these areas of impact.

5.0 – SERVICES NOT IMPACTED BY A COUNTY-WIDE POLICE DEPARTMENT

While the above sections reviewed many of the fiscal and administrative implications of creating a county-wide police department within Loudoun County, there is also a need to identify areas that would remain largely unchanged in such a transition. The primary areas that would remain unchanged are areas that directly impact service delivery to the residents of
Loudoun County. Specifically, these areas include the training, response times, personnel, policies, and crime rate.

5.1 – TRAINING OF DEPUTY SHERIFFS AND POLICE OFFICERS

There are three primary kinds of training provided to deputy sheriffs and police officers in all police agencies: basic training, field training, and in-service or continuing education training. While some agencies have different names for these types of training, the ideas are the same, and there are requirements placed on each type of training by the Virginia DCJS.

Basic training revolves around building the fundamental skills that deputy sheriffs and police officers need to obtain their certifications. As the primary focus of this study is around the discussion of creating a county-wide police department, this study will focus on the basic law enforcement certification that both deputy sheriffs and police officers are required to obtain, prior to performing in a law enforcement function. These skills are primarily taught through full-time attendance in a police academy often for durations of 4-6 months.

In the Northern Virginia region, there are three main police academies where law enforcement agencies send their newly hired deputy sheriffs and police officers for basic training: the Northern Virginia Criminal Justice Training Academy, the Fairfax County Criminal Justice Academy, and the Prince William County Criminal Justice Academy. The Northern Virginia Criminal Justice Training Academy is the largest of these academies, and serves seventeen member agencies, including the LCSO and other law enforcement agencies such as the Arlington County Police Department, the Alexandria Police Department, and the Leesburg Police Department (O'Toole, 2016). The Fairfax County Criminal Justice Academy serves the Fairfax County Police Department and the Fairfax County Sheriff’s Office, as well as the
Herndon Police Department and the Vienna Police Department (Criminal Justice Academy, 2020). The Prince William County Criminal Justice Academy serves the Prince William County Police Department and the Prince William County Sheriff’s Office (Academy Experience, 2020). Each of these academies operate in a substantially similar manner, providing basic law enforcement training to their member jurisdictions. The only clear difference is that the largest jurisdictions in the region, Fairfax and Prince William counties, have created and maintain their own police academies. Barring significant growth and financial investment in creating a police academy specifically for Loudoun County, if Loudoun County were to create a county-wide police department it would be recommended that they continue to train through the Northern Virginia Criminal Justice Training Academy. The Northern Virginia Criminal Justice Training Academy not only is accredited through the nationally recognized Commission on Accreditation for Law Enforcement Agencies (CALEA) (CALEA, 2020), but it is also located in Loudoun County, making it an ideal choice both by quality and convenience.

As it is highly likely that if a county-wide police department were created in Loudoun County that the police officers would continue to train at the Northern Virginia Criminal Justice Training Academy, there would be no difference in the training of Loudoun County police officers than what is currently conducted with the deputies assigned to law enforcement functions within the LCSO. This means that even if a county-wide police department were created in Loudoun County, there would be no change in how law enforcement services are
provided to the residents of Loudoun County as the police officers would receive the same training as LCSO deputies currently receive.

Further, the police academies where law enforcement agencies send their new sheriff’s deputies and police officers for basic police academy training is also where they send their certified law enforcement officers for continuing education. Therefore, in addition to receiving the same foundational training, the ongoing training throughout the careers of sheriff’s deputies and police officers would also be the same.

In summary, regardless of whether the LCSO continues to provide the law enforcement function in Loudoun County or a county-wide police department is created, the sheriff’s deputies or police officers interacting with the residents of Loudoun County on a daily basis would be identically trained. Therefore, if a county-wide police department were to be created in Loudoun County, there would be no substantive change in law enforcement training.

5.2 – OPERATIONAL POLICIES AND PROCEDURES

Consistent with the same training for both new law enforcement officers and existing law enforcement officers, the operational policies and procedures that guide the actions of the sheriff’s deputies or police officers would also remain consistent. While there are certainly variances in policies from agency to agency, the underlying framework of most operational policies are substantially similar as they should be based on legal precedents and best practices. Use of force policies, for example, are largely founded upon decisions from the United States Supreme Court such as *Graham v. Connor* (1989) and *Tennessee v. Garner* (1985). While every law enforcement agency’s use of force policies will read differently, the fundamental concepts in agencies committed to providing quality and industry-leading services, like the LCSO, are
largely the same. In fact, other police departments and sheriff’s offices routinely look to LCSO’s policies to provide a framework for keeping their agency’s policies up-to-date.

If Loudoun County were to create a county-wide police department, it is foreseeable that minor changes to operational policies would be made. However, it is not likely that there would be any substantive operational policy changes that would directly alter the manner in which services are delivered to the residents of Loudoun County, as the LCSO already proactively adjusts policies and procedures that implement the latest legal precedents and national best practices. Therefore, the creation of a county-wide police department would not result in any substantive change in the policies and procedures that impact how law enforcement services are provided to the residents of Loudoun County.

5.3 – PERSONNEL PERFORMING LAW ENFORCEMENT FUNCTIONS

As discussed in previous sections, if Loudoun County were to create a county-wide police department, existing personnel currently performing law enforcement functions within the LCSO would be transitioned to the county-wide police department. This means that in addition to new law enforcement receiving the same training, the existing personnel performing law enforcement services in Loudoun County would continue to perform the law enforcement services in Loudoun County under a county-wide police department. Therefore, if
a county-wide police department were to be created in Loudoun County, there would be no substantive change in personnel performing the direct law enforcement services to the residents of Loudoun County.

It should be noted, however, that organizational structure has been shown to impact the views of law enforcement officers. Specifically, sheriff’s deputies have been shown to hold more positive views of their communities and community policing than police officers (McCarty & Dewald, 2017).

Therefore, while it would be the same individuals performing the law enforcement functions in Loudoun County, there could be negative long-term impacts on how these individuals view the community and community policing if there were a transition to a police department. Further explanation and discussion on this topic will also be found later in this study.

5.4 – RESPONSE TIMES TO CALLS FOR SERVICE

Similar to the above sections, with the same personnel providing the law enforcement services in Loudoun County and no evidence that the creation of a county-wide police department would also include a significant increase in the number of personnel performing the law enforcement services in Loudoun County, it is also probable that there would be no substantive change in response times to calls for service if a county-wide police department
were created. Response times are based on a variety of factors, including but not limited to, workload, population density, traffic volume, staffing, and other similar factors. As none of these factors would be directly impacted as a result of creating a county-wide police department, there is no foreseeable change to response times through the creation of a county-wide police department.

5.5 – CRIME RATE

With none of the above factors being significantly changed through the creation of a county-wide police department, there is no reason to support that the crime rate would be directly impacted through the creation of a county-wide police department. As the police officers in a county-wide police department would be trained and would operate in a substantially similar manner to how sheriff’s deputies within LCSO currently operate, there is no evidence to indicate that the crime rate in Loudoun County would reduce as a result of creating a county-wide police department.

5.6 – SUMMARY OF SERVICES NOT IMPACTED BY A COUNTY-WIDE POLICE DEPARTMENT

While there are significant fiscal and administrative implications of creating a county-wide police department, the core services delivered by a county-wide police department would
not be substantially different than what is currently being provided by the LCSO. With substantially similar basic training and continuing education, the personnel assigned to perform the law enforcement functions, and the similar operational policies and procedures, there would be no substantial difference in the services provided by a county-wide police department than what is currently provided by the LCSO. Further, as these areas remain constant, there is also no foreseeable improvement in response times or crime rate as a direct result of creating a county-wide police department.

### 6.0 – Administration Considerations for a County-Wide Police Department

Above and beyond the fiscal and operational considerations, there are considerations pertaining to the overall administration of the LCSO or a county-wide police department that should be discussed prior to deciding whether to create a county-wide police department in Loudoun County. These considerations include executive selection, accountability structures, organizational stability, employee protections, and organizational professionalism.

### 6.1 – Executive Selection

The largest distinction between a sheriff’s office and a police department is the selection process for the chief law enforcement officer. In a sheriff’s office, the sheriff is the chief law enforcement officer and is elected by popular vote to a 4-year term. In a police department, however, a police chief is the chief law enforcement officer, which in most forms of government is appointed to that position by the governing body (Virginia Government in Brief, 2018). The term of appointment is indefinite, and the police chief serves in that capacity at the will of the governing body or until they voluntarily separate.
There are advocates for both types of selection, election and appointment. Advocates for election often cite the fundamental American right to vote in a democratic election process to select the local, state, and federal leaders, affording the citizens the right to select the individual they believe would best serve in the capacity as chief law enforcement officer (Rivero, 2018). Additionally, as the sheriff is directly elected by the residents of the county, there is a direct connection between the residents and the sheriff. This fosters responsiveness, community engagement, and a spirit of service among sheriff’s deputies as all of their actions and interactions directly reflect on their elected sheriff (McCarty & Dewald, 2017). All three of these facts were also recognized by the proclamation signed by all members of the Loudoun County BOS, presented and read by Chair Phyllis Randall on January 21, 2020. In that proclamation, it clearly states that the constitutional officers in Loudoun County are “directly accountable to the people by the virtue of their right to vote,” and provide a direct, unfiltered, and responsive connection with the community. Even within the organization, sheriff’s deputies have also been found to have more positive views of the sheriff, as sheriff’s deputies have reported that sheriffs often exhibit a greater volume of positive behaviors towards their staff and tend to be more inspirational in encouraging their deputies to perform to the best of their abilities (McCarty & Dewald, 2017).

Advocates for appointment of a police chief often cite the ability to search nationwide to find and hire the best candidate to serve as the chief law enforcement officer. This type of selection would ensure all applicants met basic qualifications, however the lack of direct community connection has also been shown to produce reduced views of community interaction and involvement among police officers and lower views of internal organizational
justice than sheriff’s offices (McCarty & Dewald, 2017).

However, advocates for a police department often cite employee stability as another positive attribute of a police department, as sheriff’s deputies serve at the will of the sheriff and face reappointment every 4 years. This issue will be explored in greater detail later in this study.

In Loudoun County, the selection of qualified sheriffs has not been an issue over the past several decades. On November 5, 2019, Sheriff Michael Chapman was re-elected for his third, 4-year term of office. Sheriff Chapman has extensive law enforcement experience at both the local and federal levels and was previously endorsed for the Presidentially-appointed position of Administrator for the Drug Enforcement Administration (DEA) by the following organizations: National Organization of Black Law Enforcement Executives (NOBLE); Major City Chiefs of America (MCCA); Major County Sheriffs of America (MCSA); National Sheriffs’ Association (NSA); National Association of Police Organizations (NAPO); and the Association of Federal Narcotics Agents (AFNA). These

“Additionally, as the sheriff is directly elected by the residents of the county, there is a direct connection between the residents and the sheriff. This fosters responsiveness, community engagement, and a spirit of service among sheriff’s deputies as all of their actions and interactions directly reflect on their elected sheriff. Inside the organization, sheriff’s deputies have also been found to have more positive views of the sheriff, as sheriff’s deputies often exhibit a greater volume of positive behaviors towards their staff and tend to be more inspirational in encouraging their deputies to perform to the best of their abilities.”

(McCarty & Dewald, 2017)
extensive endorsements for this federal appointment reveal a wide-spread confidence in Sheriff Chapman’s executive law enforcement abilities.

Sheriff Chapman replaced Steve Simpson, a four-term sheriff, who was also a career law enforcement officer. Simpson was elected in 1996 over Sheriff John Isom, also a career law enforcement officer who had come from the senior ranks of the Fairfax County Police Department. Sheriff Isom served a total of 12 years. Each of these sheriffs provided high-quality service to the residents of Loudoun County, increasing the sheriff’s office in size, capability, and professionalism.

In summary, a review of the history of sheriffs in Loudoun County reveals that the voters in Loudoun County have consistently elected sheriffs with law enforcement experience and the ability to foster continued growth and success in Loudoun County. The process of electing the chief law enforcement officer has also been shown to have greater positive organizational and community impacts than found in police departments with an appointed police chief. For these reasons, transitioning to a police department in an effort to improve the executive selection process is not recommended.

### 6.2 – THE POLITICS OF LAW ENFORCEMENT

It is impossible to discuss the differences between elected sheriffs and appointed police chiefs without discussing the political implications of both forms of law enforcement. While it sounds noble to advocate for a model of policing that is not impacted by politics, the reality is...
that no such model exists. Regardless of the structure of a law enforcement organization, politics will play a significant role. It should be noted, however, that politics is not inherently negative, despite the negative connotation often associated. Politics is primarily about the application of influence, and has even historically been described as being necessary to the harmonious function of government (Goodnow, 1900). As long as the influential aspect of politics is positive, the outcomes are beneficial. Negative influence, however, such as placing personal agenda above the welfare of those affected, is a misapplication of politics and causes negative outcomes.

Both police departments and sheriff’s offices are subject to politics. The difference is where the influence of politics is generated. In a sheriff’s office, the sheriff is elected by popular vote and is not subservient to any other local government politicians. This means that the greatest influence on a sheriff is the voice of the residents. In Loudoun County, this is observed by mechanisms such as the feedback processes through the sheriff’s office’s website discussed earlier in this study, community engagement and events such as the “Coffee with a Cop” that routinely occur, and other similar processes and events designed to connect the sheriff and the sheriff’s office with the residents of Loudoun County. Research has also shown that the top-down focus on community involvement often found in sheriff’s offices has been shown to impact all levels of the organization, with sheriff’s deputies exhibiting more favorable views of the community and community involvement than police officers (McCarty & Dewald, 2017).
In a police department, the greatest influence on the police chief is the local government politicians by whom they are appointed. A police chief certainly does not want to isolate themselves completely from the public; however, they are subservient to the political will of those who appoint them as they hold the power to remove them from office at any time. This can be seen across the country as some police chiefs have been forbidden to work with federal law enforcement counterparts, the introduction of sanctuary counties, and limitations on the types of offenses they are permitted to enforce. The primary connection between the police chief and the local government officials has also been shown to have internal organizational impact, as police officers have been shown to not hold as positive views of the community and community involvement as found in sheriff’s offices (McCarty & Dewald, 2017).

In summary, there is no law enforcement environment where politics does not exist. The ultimate question is to whom the chief law enforcement officer should report: the residents or other elected local government leaders. In Loudoun County, the answer has historically been that the chief law enforcement officer should remain primarily influenced by the residents of Loudoun County.

6.3 – ACCOUNTABILITY STRUCTURES

Another argument often cited in the debate between sheriff’s offices and police departments is how the chief law enforcement officer is held accountable. In Loudoun County,
one of the driving factors that was cited for creating a police department is that sheriffs are only held accountable every four years (Cline, 2019). By using this logic, however, it could be stated that most elected officials are only held accountable every four years, including members of the Loudoun County Board of Supervisors, the Commonwealth’s Attorney, the Treasurer, and other elected officials. It is highly doubtful that any of these individuals would consider themselves only accountable every four years with the volume of citizen comments, newspaper articles, and social media posts that these individuals face. As all of these positions are of high impact and importance to the community, and are also on 4-year election terms and viewed as accountable, it is illogical to argue that another official elected in the same manner is not accountable.

Rather than a lack of accountability, the underlying issue in this debate is more accurately defined in terms of accountability structure. Instead of a sheriff being accountable to the citizens only, some localities prefer that their chief law enforcement officer be accountable to the other elected officials. This is essentially the same discussion covered above in the section on politics in law enforcement. The real issue is whether it is better to have a sheriff who is accountable to the people, or a police chief who is accountable to the governing body.

It should also be noted that above and beyond local accountability, due to the nature of law enforcement, there is also accountability through the United States Department of Justice. If a law enforcement agency engages in violations of civil rights, they may be reported and
investigated by the United States Department of Justice (Conduct of Law Enforcement Agencies, 2020). In instances of alleged misconduct, the United States Department of Justice can investigate, and if violations are identified, require reforms spanning a wide variety of areas. The United States Department of Justice routinely produces resources on the agencies that are under a reform agreement. In the most recent publication available, the United States Department of Justice reported that 38 law enforcement agencies have been placed under various types of reform agreements between 1997 and 2017 (United States Department of Justice, 2017). Interestingly, of the 38 law enforcement agencies that have been under reform agreements, 34 were police departments and only 4 were sheriff’s offices (United States Department of Justice, 2017). While there are many variables regarding these agencies, it is clear that the structure of a police department does not provide a higher level of accountability. Additionally, it is also clear that sheriff’s offices do not have systemic issues of insufficient accountability.

Recently, lawmakers in Georgia overwhelmingly passed legislation in both the House and the Senate that would allow localities to address problematic county police departments by abolishing the county police department and returning the law enforcement functions to the county sheriff (S.B. 38, 2019-2020 Regular Session). This legislative action is based upon “missteps” made by several police departments in Georgia, and a desire to take those organizations “in a different direction” (Johnson, 2020). This reveals that creating county-wide
police departments does not equate to greater accountability, and as problems arise, a bi-
partisan response (House Vote #667, 2020) is to return law enforcement powers to the county
sheriff.

Overall, there is no supporting evidence that creating a police department in Loudoun
County will enhance the accountability of the agency. While it is accurate that there are
different accountability structures in police departments and sheriff’s offices, there is no
evidence that the accountability structures of a police department are superior to the
accountability structures of a sheriff’s office. In fact, a review of the reform agreements
administered by the United States Department of Justice indicate that the accountability
structures of a sheriff’s office appear to be more effective than the accountability structures of
a police department. For these reasons, creating a police department in Loudoun County as a
method to increase accountability is not recommended.

6.4 – ORGANIZATIONAL STABILITY

The stability of the organization has also been previously cited in some localities as a
driving factor in the creation of a police department, as the election cycle of a sheriff introduces
the possibility that a new sheriff could be elected every four years. While the idea of a new
chief law enforcement officer every 4 years sounds tumultuous, history of the LCSO as well as
national data provides interesting insight.

First, as discussed previously, the past three sheriffs in Loudoun County history have all
served multiple terms. Sheriff Mike Chapman was recently re-elected to his third term, meaning
that his time in office will be a minimum of 12 years. Sheriff Simpson, who preceded Sheriff
Chapman, served four terms, totaling 16 years as sheriff. Sheriff Isom, who preceded Sheriff
Simpson, served three terms, totaling 12 years as sheriff. Therefore, the fear of Loudoun County residents electing a different sheriff every four years has not been evidenced over the past several decades. In fact, the opposite has been evidenced. **The fact that Loudoun County has only had three sheriffs over a 40-year period is a remarkable picture of stability in law enforcement.**

When the high level of stability is compared to the average terms of police chiefs and sheriffs nationwide, it also provides insight into the discussion of organizational stability. Nationwide, the average tenure of police chiefs has been reported through different sources as between 2.5 and 4.93 years (Rainguet & Dodge, 2001). This short average tenure of police chiefs is likely to have significant impact to the efficient and effective long-term operation of the organization, as in large organizations it takes significant time to thoroughly understand both the operations and the personnel within the organization and be able to implement positive change and growth. As successful change management in large organizations often takes years, the short average tenure of police chiefs does not offer much opportunity for each chief to create positive change within the organization. Rather, it is more likely that the preceding organizational culture will outlast each new police chief.

Further, as many leaders often do not base their personnel decisions on the opinions of previous leaders, the short average tenure of police chiefs could result in the retention of police officers with performance issues. By the time the police chief gathers enough of their own
evidence to support discipline or termination, they themselves could be removed and the problematic officer remains, only to receive a fresh start with the next police chief.

Conversely, the average tenure nationwide for sheriffs is 11 years (Zoorob, 2019). This average tenure for sheriffs is fairly consistent with what has been experienced in Loudoun County, and significantly higher than the average tenure for police chiefs. This significantly longer average tenure allows sheriffs much more time to entrench themselves in the culture performance of the organization, allowing them to generate long-lasting, positive change in the organization. A longer tenure will also make it much easier to recognize and address performance issues. Unlike a police chief, problematic personnel are not likely to outlast the tenure of the sheriff, and identification and consistent disciplinary action against problematic personnel is much more achievable.

Based on this information, there is no evidence to support that police departments provide greater organizational stability than sheriff’s offices. Rather, the evidence indicates that sheriff’s offices provide greater executive and organizational stability than police departments, by a significant margin. For these reasons, it is not recommended that Loudoun County use organizational stability as a reason create a county-wide police department. It is both historically observed and statistically predicted that a sheriff’s office will provide greater stability to law enforcement in Loudoun County than a police department.

“Rather, the evidence indicates that sheriff’s offices provide greater executive stability than police departments, by a significant margin.”
Along with the discussion of organizational stability, employment stability is also a consideration sometimes cited as a reason to create a police department. As with all elected constitutional officers, sheriffs have the right to retain or not retain sworn personnel at the beginning of each new term (Va. Code Ann. § 15.2-1603). In Loudoun County, Chair Phyllis Randall cited this as one reason to discuss the creation of a county-wide police department (Cline, 2019), as deputies are at-will employees and face re-appointment after every four years following the sheriff election.

To ensure accurate context of this discussion, it is important to note that at-will employees are found at all levels of government and in most areas of the private sector. Therefore, it is not simply a discussion about sheriffs and sheriff’s deputies. Rather, the issue revolves primarily around congruence of organizational direction. For example, an at-will private sector employee who openly criticizes their company’s leadership on social media may be terminated for no reason other than that they clearly do not support the direction of the organization. It is also common that during a private-sector organization restructure process, employees are often let go as their specific skills or roles are no longer needed by the organization. In the public sector, there are also many at-will employees that either face re-appointment at the beginning of every election term or are subject to being removed from office at any time. In local government, most at-will employees only face re-appointment at the beginning of every election term.
Additionally, there are further protections for most public sector employees, including sheriff’s deputies, that protect their employment in between election cycles. For example, disciplinary procedures that define progressive discipline, grievance procedures, and other similar processes must be followed prior to termination of employment (Hoffman, 2014). Such policies are in place in the LCSO, and termination of employment in the LCSO is rare. While all 572 sheriff’s deputies were re-appointed following the most recent sheriff election, there were several employees who were not re-appointed by Sheriff Chapman following his first two elections. Sheriff Chapman reported that those employees were not re-appointed due to their lack of alignment and undermining of the vision and direction he was taking the organization – certainly terminable actions in the private sector and other areas of the public sector. Such authority is necessary to the effective and harmonious function of both private sector business and public sector government.

While advocating for the protection of employment of sheriff’s deputies sounds principled, the mechanism for removal of individuals who are not aligned or supportive of the mission and vision of the organization is a necessary function. This ability is available to most private sector organizations at all times, while the ability of the sheriff and other elected officials is already restricted to the beginning of each new election term. To advocate that this ability be completely removed through the creation of a county-wide police department, one must acknowledge that the result could be a police department composed of those who disagree with the mission and vision of the police chief. When such discontent can be publicly shared without repercussion, division within the organization and projecting disarray to the
public is inevitable. The fact that sheriff’s deputies are at-will employees helps foster unity and collaboration to implement productive solutions to any potential issues that may arise.

While this discussion is not intended to indicate that all police departments are filled with discontented police officers and all sheriff’s offices are cohesive, there is no evidence that transitioning to a structure that removes the at-will employment structure of sheriff’s deputies would generate any long-term positive impact on the agency or the community. Rather, it increases the risk of negative impact to both the agency and the community. For these reasons, creating a county-wide police department in Loudoun County as a manner to provide additional employee protections is not recommended.

6.6 – ORGANIZATIONAL PROFESSIONALISM

The final administrative consideration is regarding the perceived differences in the professionalism of sheriff’s offices and police departments. One common reason for this perception is the fact that many rural counties have sheriff’s offices, while many urban cities have police departments, therefore inferring that since many modern urban areas have police departments, there must be a difference in quality or professionalism between sheriff’s offices and police departments. However, this is essentially a negative stereotype imposed on many sheriff’s offices that is not grounded on any factual basis, as in many instances, the existence of a police department is simply based on the form of government, with some states requiring
cities and towns to establish police departments and appoint police chiefs (Police and Law Enforcement Provision in Cities and Towns, 2019).

To simply dismiss the idea of differences in the organizational professionalism of sheriff’s offices and police departments as a negative stereotype and imply that there are no differences, however, would do a disservice to this discussion, as there most certainly are differences in organizational professionalism between law enforcement agencies. A more informed manner of looking at the topic of organizational professionalism is not based on the type of organization, but to review how well a specific law enforcement organization has kept pace with the most current issues and trends in law enforcement. As this report is focused on the LCSO, a review of the programs and services offered by the LCSO pertaining to the most recent trends in law enforcement will be conducted.

6.6.1 – PREDICTED TRENDS IN LAW ENFORCEMENT

Over the past several years, the future of law enforcement was projected to include crime mapping and predictive crime analysis, use of unmanned aerial vehicles such as drones, enhanced video surveillance systems including facial recognition, online training platforms as well as firearms simulation training machines, and wellness programs (Fortenbery, 2016). With the exception of implementing video surveillance systems, the LCSO has maintained or instituted programs or services in all of these areas.

In September 2016, the LCSO implemented a new CAD and RMS system, which includes the capability for any deputy sheriff to instantaneously create crime maps of the various patrol areas in Loudoun County. Prior to this technology being implemented, all crime mapping was largely done manually through tedious efforts of crime analysts. This software also includes
predictive analysis, which can assist deputies and supervisors with identifying recommended patrol areas designed to deter or detect crime. In this area, the LCSO has been well ahead of the curve, implementing software to identify and map crime trends as well as provide information to help deputies and supervisors identify where to focus future patrols and direct resources.

Regarding the use of unmanned aerial vehicles, the LCSO was the first law enforcement agency in the Commonwealth of Virginia to purchase a drone designed to assist with locating missing and endangered individuals. Additionally, the LCSO is the only agency in Virginia that equips the drone with Project Lifesaver equipment, a program designed to locate people who may wander (Autism, Alzheimer’s, and dementia, etc.) so that they can quickly and easily be located. The drone program in the LCSO has been proven to be highly successful, locating individuals on multiple occasions faster and more efficiently than searching with teams of individuals on foot. While originally the use of drones was limited by law to search and rescue purposes, Sheriff Chapman successfully worked with legislators to enhance the use of drones to include its usage to monitor traffic-related accidents/incidents, and as a safety measure for law enforcement to assess locations and possible hazards before conducting law enforcement actions such as search or arrest warrants.

As stated above, the area of enhanced video surveillance including features such as facial recognition has not been implemented by the LCSO. When questioned about the use of video surveillance systems with facial recognition software, Sheriff Chapman stated, “While the LCSO remains on the cutting edge of law enforcement technology, it is critically important to ensure the privacy of our citizens is not breached and that we carefully study options to
anticipate potential unintended consequences.” It should be noted that since the capability of facial recognition in video surveillance systems has been available, it has also come under immense public scrutiny mainly focused on concerns over privacy (Martin, 2019). For these reasons, the fact that the LCSO has not implemented this technology despite it being identified as a trend in law enforcement is an indication that the administration exercises caution and due diligence prior to implementing new systems or technologies within the LCSO.

Regarding online training and firearms simulation training, the LCSO has participated in online training for several years both through the Northern Virginia Criminal Justice Training Academy as well as the Loudoun County Government. Additionally, the LCSO has access to and has utilized a firearms training simulator at the Northern Virginia Criminal Justice Training Academy both for new recruit training as well as continuing education training, and has also purchased its own state-of-the-art firearms training simulator that is located at the new firearms training facility.

The wellness programs offered by the LCSO have also dramatically increased over the past several years. These improvements include, but are not limited to, increasing employee assistance benefits and availability, improving peer support services available to sheriff’s deputies, creation of a chaplain unit as a resource for sheriff’s deputies, streamlining of occupational health procedures, and improvement of physical fitness facilities.

### 6.6.2 – NATIONAL DISCUSSIONS AND TRENDS

More recently, there has been significant national discussion on topics such as the use of force and the school-to-prison pipeline. In both of these areas, the LCSO had taken proactive
steps to address these issues to ensure Loudoun County is not negatively impacted in these areas.

With regards to the use of force, two of the primary discussions have focused on the ban of chokeholds and the duty of other officers to intervene if they see another officer using excessive force (#8CANTWAIT, 2020). While other agencies are modifying their policies to include these items, the LCSO has had a ban on chokeholds for approximately 20 years, has required deputies to report violations of policy for at least 20 years, and has explicitly required deputies to intervene if they observe another deputy using excessive force since 2013. This proactivity in policy-making has made Loudoun County a leader in this area.

A review of the use of force statistics in the LCSO found that in 2019, the LCSO had 51 field use of force incidents, 45 of which did not involve any type of weapon other than the deputy’s own hand controls. When compared to the population in Loudoun County, this is approximately 1 use of force incident per 8,095 residents. When compared to other jurisdictions, Fairfax County, Virginia, had 1 use of force incident per 2,295 residents (Fairfax County Police Department, 2020), and Montgomery County, Maryland, had 1 use of force incident per 1,939 residents (Montgomery County Department of Police, 2019). Based upon that comparison, the LCSO had approximately 71% and 76% fewer uses of force per capita than the police departments in Fairfax County, Virginia, and Montgomery County, Maryland, respectively.

“The LCSO had approximately 71% and 76% fewer uses of force per capita than the police departments in Fairfax County, Virginia, and Montgomery County, Maryland, respectively.”
The school-to-prison pipeline is another area of national concern about the over-policing of children in the school system, leading to students being placed in the judicial system instead of discipline being handled within the school (American Civil Liberties Union, 2020). While there are communities where this may be a legitimate concern, the LCSO has taken a proactive approach to ensure that the presence of School Resource Officers is an asset that enhances the learning environment, and does not distract from the learning environment by increased enforcement. For these reasons, the LCSO’s School Resource Officer program has been named a “model agency” (Loudoun County Public Schools, 2018).

When reviewing the data regarding law enforcement in Loudoun County schools, the LCSO leads the Commonwealth of Virginia in restorative practices, which diverts incidents that could be handled criminally away from the courtroom. Specifically, with a school population of approximately 83,000 students, 401 incidents that could have entered the judicial system were turned over to the school to handle discipline, 70 incidents were diverted through restorative practices, and formal charges were only sought in 57 incidents, which includes some charges for violations which occurred outside of school. When compared to the student population, only 0.068% of the student population faced formal charges. This is largely due to the fact that the School Resource Officer program in the LCSO is committed to ensuring the schools remain a place of education – not a pipeline into the judicial system.

### 6.6.3 – COLLABORATION AND INTEGRATION

One of the core elements of the mission statement of the LCSO is “to work interactively with federal, state, and local law enforcement authorities to vigorously and fairly enforce criminal laws by sharing capabilities, strategies, and assets” (Loudoun County Sheriff’s Office,
Putting this mission into practice, the LCSO has positioned itself as a leader and major collaborator in the National Capital Region at many levels.

Regionally, the LCSO is an active member of several committees within the Metropolitan Washington Council of Governments (MWCOG), which fosters communication and collaboration on many various issues from intelligence sharing to emergency preparedness. The inter-connectivity and active role that members of the LCSO take through the MWCOG ensures that the LCSO is helping to drive progress in our region and is maintaining positive working relationships with all of our surrounding jurisdictions.

Members of the LCSO are also active on 13 regional task forces, partnering with numerous other local, state, and federal agencies. These include the FBI’s Child Exploitation and Human Trafficking Task Force, the NOVA-DC Internet Crimes Against Children (ICAC) Task Force, FBI’s Joint Terrorism Task Force (investigating both foreign and domestic terrorism), the DEA’s High Intensity Drug Trafficking Area (HIDTA) Task Force, the DEA’s Tactical Diversion Squad, the United States Secret Service’s Electronic Crimes Task Force, the Northern Virginia Violence Crimes Task Force, the Northern Virginia Gang Task Force, and several others. The partnerships formed through these task forces help foster a regional approach to preventing and solving crime in Loudoun County, as those committing these types of crimes are often crossing jurisdictional boundaries.

Even within Loudoun County, the LCSO takes a Whole-of-Government Approach to identify the most effective solutions to resolving issues in Loudoun County. This includes active participation on inter-departmental teams such as the Sexual Assault Response Team, the Child Advocacy Center Multi-disciplinary Team, the Domestic Abuse Response Team, the Domestic
Violence Steering Committee, the Heroin Operations Team, the Community Criminal Justice Board, the Improving Children’s Outcomes for Positive Endings (ICOPE) team, and the Elder Abuse Multi-disciplinary Team. These partnerships with other Loudoun County departments help ensure that the residents of Loudoun County are receiving the most effective and comprehensive services available.

While this is not intended to be an exhaustive review of how the LCSO interacts in collaboration with other local, state, and federal partners, it is designed to reveal how the LCSO does not operate as its own isolated law enforcement organization. Whether it be through increased capabilities, resource sharing, or information sharing, these collaborative relationships have helped position the LCSO as a leader in our region.

### 6.6.4 – OTHER INDUSTRY-LEADING INITIATIVES

In addition to the areas identified above, the LCSO has also been on the industry-leading areas of body-worn cameras, naloxone training for opioid overdose response, Basic and Advanced Crisis Intervention Training (CIT), and creation of the Crisis Intervention Team Assessment Center (CITAC) in partnership with the Loudoun County Department of Mental Health, Substance Abuse, & Developmental Services (MHSADS), as well as implementation of a multi-disciplinary approach to the opioid epidemic, de-escalation training, Fair and Impartial Policing training, and other similar industry-leading areas. While the topic of future trends in law enforcement is always changing, a review of the programs and services provided by the LCSO clearly reveals that the leadership within the LCSO has effectively positioned the organization and is maintaining the organization on the leading edge of law enforcement trends.
The LCSO has also created and maintained an extensive community outreach program, with transparency and community engagement as the core values. This is evidenced by active community presence by all sworn deputies, and participation in a significant number of community events by sheriff’s deputies of all ranks and positions. The LCSO also maintains a robust social media presence, connecting with hundreds of thousands of county residents through Facebook, Twitter, Instagram, and LinkedIn, and provides neighborhood-specific information through Nextdoor. This hybrid approach involving both direct and indirect interaction with the community has proven to be a significant contributing factor to Loudoun County’s low crime rate.

There is no indication that a transition to a county-wide police department would generate any improvement in organizational professionalism or the programs and services provided. The LCSO is currently operating in a highly progressive manner, maintaining itself on the forefront of the trends in the law enforcement industry. For these reasons, transitioning to a county-wide police department to generate improvements in organizational professionalism is not supported.
CONCLUSION

The choice to transition from a sheriff’s office to a county-wide police department is a complex decision, with far-reaching implications. This discussion in Loudoun County is not unprecedented, as it was also briefly discussed in 2008 and explored in greater detail in 2012. As recent dialogue from county officials indicated a renewed interest in exploring the potential creation of a county-wide police department in Loudoun County, a deeper exploration of the potential justifications and implications of creating a county-wide police department in Loudoun County has been conducted.

Overall, while there are legitimate justifications to make such a transition, the exploration of those reasons reveals that the only applicable justification in Loudoun County would be if the local government officials want greater control over the law enforcement officers. The warning, however, is that no single justification is sufficient to support such a transition, as the implications of such a transition are so significant (Spence, Webster, & Connors, 2006). These implications include a substantial fiscal investment, as well as significant legal, technological, procedural, and administrative repercussions.

Particularly concerning in this discussion, however, is that in all areas studied, there is no evidence or indication that an organizational change from a sheriff’s office to a police department would generate any positive change. As the LCSO has significantly grown and improved over the last several decades, the organization has positioned itself as an industry-
leading law enforcement organization. With no clearly defined benefits of such a transition, the significant expense and processes required to implement such a transition is not justified. Further, there is indication that there could be negative long-term implications both inside the organization as well as to the community as a result of transitioning away from the structure of a sheriff’s office to the structure of a police department (McCarty & Dewald, 2017).

For these reasons, it is not recommended that Loudoun County create a county-wide police department to replace the law enforcement functions of the LCSO at this time. It is recommended that the LCSO retain the law enforcement functions in Loudoun County.
REFERENCES


