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[00:00:02] Good afternoon, everyone. I'd like to welcome you to the safety and security meeting for May 20th. We have three agenda items today. We'll start first with a presentation, which will be the first of its kind, with the chief, providing us with an update on crime and also on recruiting update.

[00:00:23] Second, we'll have the Fairfax County Massage Ordinance. Its proposed changes will be discussed here as well. and third, we'll have an opportunity to hear from the Department of Public Safety Communications on a series of grant opportunities that they have coming forward.

[00:00:40] So let me go ahead and start by welcoming Chief Davis here, Fairfax County Police Department. He will provide first the crime and then recruiting data updates. Thank you. Good afternoon, Chairman McKay, Chairman Luss, Board of Supervisors, Mr. County Executive.

[00:00:59] I'm Kevin Davis, the police chief in Fairfax County. I'm joined by Assistant Police Chief Bob Blakely and the Director of Communications, Katie Hayek. Thank you for this opportunity. The very first slide is our 2024 versus 2023 year-end crime data that gets measured four times a year by a national organization known as the Major Cities Chiefs Association.

[00:01:27] They've been measuring crime data in large cities and large counties across America for decades. And these four ingredients constitute what ultimately puts us in a position as a county to say that

we remain the largest, safest jurisdiction in America.

[00:01:44] And that's not a soundbite, that's a data-driven statement. So we're proud to maintain that status. So I'll go over the four categories that major cities chiefs uses to rank large counties and cities. And the first one is homicide.

[00:01:59] and you'll see that in 2024, we dropped from 17 the year before to 14. If we were to go back to 2023, we had 23 murders in 2023. So we went from 23 to 17 to 14. So that's a significant drop.

[00:02:16] The proudest part of that is, you know, no loss of life is acceptable. The only acceptable number is, of course, zero. But in calendar year 2024, just like calendar year 2023, we closed 100% of our homicide investigations with arrests. So that's something we're proud of. If you look at 2023, the 17 murders, 59% of those 17 were domestic related or acquaintance related, meaning that the perpetrator and the victim were known to each other. Fast forwarding to 2024,

[00:02:51] our 14 homicides, 41% were domestic-related, or the victim and the perpetrator were known to each other. Forcible sex offenses is the next category that gets historically, traditionally measured.

[00:03:06] You can see that our reduction, 24 versus 23, was 16%. Credit to many people, but the detectives assigned to that very difficult work and our world-renowned victim services division deserve a lot of credit for that. If you move down to the bottom left, aggravated assaults. Aggravated assaults are assaults that result in serious injury or assaults that are perpetrated with a firearm, a knife, a baseball bat, any type of device that can be used to inflict pain and trauma.

[00:03:41] We had a modest reduction, 24 versus 23 of 4.2 percent, but a reduction nonetheless. With robberies, you'll see we were up a little bit, 1.1%. So literally, we were up by numerically five robberies.

[00:03:56] And if you look at the different types of robberies, we can attribute that modest increase to robberies of persons. So our robberies of persons jumped 3% in 24 versus 23. Our bank robberies were even. We had three bank robberies last year. We had three bank robberies the year before. Nearly 100 percent of bank robberies in Fairfax County over the last several years have been what's routinely referred to as note jobs, where the perpetrator will pass a note to a teller demanding money. Our carjackings went down in 24, our commercial robberies went down,

[00:04:36] and our home invasions went down. The next slide speaks to other crime categories, 24 versus 23. The first one is commercial burglaries in the upper left. We had a reduction of 10.6%, but of those 152 commercial burglaries that occurred throughout Fairfax County in 2024, 16% occurred at tobacco or vape stores, and that's a pretty big chunk.

[00:05:07] And what the perpetrators target when they break into tobacco or vape stores are the vaping products. So we've had some successes with the rest, but there's more work to be done with the business community, the community at large, when it comes to reducing this particular type of commercial burglary.

[00:05:25] Upper right is motor vehicle thefts. Really excited that we went down nearly 20 percent in 24 versus 23. We credit a lot of that work. It's never one thing, but we credit a lot of that work to our auto crimes enforcement squad that was stood up for full time rather in 2022.

[00:05:44] and they exclusively focus on auto crime and the trends and patterns associated with auto theft. So that's good news for everyone who pays insurance, the community at large. Shoplifting remains

our Achilles heel. So the bottom left, we jumped 17.7% in shoplifting across Fairfax County.

[00:06:05] We were up in shoplifting offenses in every patrol district with the exception of McLean. So as you look to the bottom right, you'll see that our shopliftings thefts in the McLean district stations, particularly on and surrounding the Tyson's footprint, dropped nearly 20%.

[00:06:27] So that's good news, but the incidents occurred elsewhere in the county. We think the reductions in McLean district are thanks to the Tyson's urban team and their work, thanks to the authentic partnership that we have with Mace Rich, the landlord board for Tyson's. They're really good partners in public safety. We think our ring of flock safety cameras that surround the ingress and egress at Tyson's is another contributing factor to that success. And our hyper-focus on organized retail crime. No surprise that folks who travel

[00:07:05] to, and that's normally the case, they travel to America's second largest shopping center to commit these crimes. We've had some successes identifying and making arrests with organized retail crimes. More work needs to be done throughout the rest of the county. And I'll talk a little bit later about where we are in 25 versus 24. The majority of our shopliftings or thefts are misdemeanors, meaning that the value of the items that were stolen is less than \$1,000.

[00:07:35] The felony is \$1,000 or more. So the majority remain misdemeanor thefts. But in terms of sheer volume, the crime of theft occurs more often than any other crime in Fairfax County and in any other jurisdiction across the country. It's just a voluminous crime. So I'll talk a little bit about 2025 versus 2024 first quarter crime data. You can see when we got to the very end of March, we had one homicide versus four at the same time last year. So the question might be here on May

[00:08:09] 20th. Where are we now? We're at three versus seven the year before. So still in a place where we're going to likely, with continued work and effort and community collaboration, enjoy another year of homicide reductions. Sex offenses, forcible sex offenses are down 13.5%. That's good news. Our aggravated assaults are even down just over 6%. This is good news for robberies. Our robbery reduction year-to-date. Remember, we had a slight increase, 24 versus 23. So now we're in

[00:08:45] 2025 and we're enjoying a first quarter reduction, a double-digit reduction, which is significant. And that reduction is thanks to a sizable reduction in robberies against persons. And if you look at the Mount Vernon District Station in particular, the reductions that have happened there in terms of robberies against persons is driving the overall county reductions. Other 25 versus 24 first quarter crime data trends, we're flat with shoplifting. In a place where we've been up the last three years in a row, that's potentially encouraging. We have a spike in Mount Vernon,

[00:09:24] and I know I just described a decrease in citizen robberies or person robberies in Mount Vernon, and while that's good news, we also have a spike in shoplifting offenses in the Mount Vernon District. We think part of the formula for success is working hand-in-glove with loss prevention officers, and there's still some inconsistency in the commercial market with how stores handle loss prevention. When they call the police, if they call the police, do they require their loss prevention officers to intervene or simply be a good witness and call 911. There's all types of disparities surrounding how loss prevention officers

[00:10:02] operate in this space. We do a good job, I think, always room for improvement working with the loss prevention community. Every district commander holds at least one or two meetings throughout

the year to pass along best practices and data trends. Residential burglaries, good news, a sizable reduction of 22.2 percent so far this year. The South American Theft Group or the Travelers Group remains a challenge for the National Capital Region, really every community east of the Mississippi. They're organized. They are increasingly using women to perpetrate

[00:10:41] these burglaries, where they will go and knock on a door or ring a doorbell to see if someone comes to the door, and then they'll commit the burglary, typically from an elevated second story or above platform. So we're still seeing that exist. We've had some successes. The most recent relationship that I'm encouraged by is with the FBI Washington field office in the Eastern District of Virginia. Federal prosecutors, they are taking on more and more of a crime that they used to not touch with a 10-foot pole, residential burglaries. If they can prove that there's some

[00:11:15] nexus to crossing jurisdictional boundaries, some nexus to coordination and fencing. They're as interested as ever, which is good news for local law enforcement to take on some of these cases. Motor vehicle thefts on top of a really good year were down 20% so far this year. That's good news. Our traffic enforcement and one of Chief Blakely's babies is the road shark. And I always find myself telling people, we're not the road shark. We're the good folks. We're the police.

[00:11:50] The road shark is the aggressive driver. I think sometimes people look at our shark wearing his helmet and they think we're the road shark. We're not the shark. But that type of reduction is good. So, so far, and this is a year-to-date statistic that I'll share next, our year-to-date vehicle fatalities stand at seven versus 14 last year. Our year-to-date pedestrian fatalities today stand at three versus three last year. Constant work, particularly with pedestrian safety. Recruitment and retention, I know that's near and dear to everyone's heart and mind. The upper left police

[00:12:29] officer applications, that increase speaks for itself. You can see we took 2020, which was the last full pre-COVID year. And then we dipped. And then we've slowly been on the rise. And we feel really comfortable about where we are today with the police applicants. New hires in 2024. The graphic on the right, 140 new police officers hired in 2024. That's a net gain, if you're wondering, of 18. And that might seem like a modest gain, but it builds momentum. Because if you look

[00:13:05] at the lower left, quarter one police officer sworn separations, we're seeing fewer and fewer police officers separate from the police department via retirement or via resignation. We project our staffing to be 95% by calendar year 2028. We project our staffing to be 100% by calendar year 2030, if the current trends hold. Those required, those sworn police officers required to exit drop. This calendar year, 2025, 7, which is a low number. Single-digit numbers are

[00:13:42] good. In 2026, it jumps to 16 required to exit drop. 2027, 12 are required to exit drop. In 2028, it jumps to 22 are required to exit drop. So we're keeping our eye on that ball. Another thing we're doing, and Chief Eli Corey is kind of leading the charge with doing something differently with the pace of our police academy classes. We historically have three police academy classes a year. As we go into 2026 and 2027, we're committed and structured in a way where we're going to see four academy

[00:14:17] classes in back-to-back calendar years, and we think that'll give us a big boost. Another thing that I think's really been helpful with hiring and recruiting is in calendar year 2020, it took on average 11.1 months to hire a police officer. That's from the moment of expressed interest, either at a community event or online, but it took 11.1 months. Now it takes 5.7 months, and we're not decreasing or lowering standards. If anything, it's quite the opposite given the

[00:14:52] level of talent we've been able to recruit, but we've become more efficient in the background investigation, the polygraph, the medical, the neighborhood canvases, all those things are happening now simultaneous to each other. And we're not waiting for one block to finish before we start the next block. So we're happy about that. In terms of recruitment demographics, upper left, it goes from, we're looking at our last four academy sessions. So the upper left

[00:15:25] diversity demographics speaks directly to women and persons of color. So those percentages are huge, quite frankly. Upper right, women who were recruited into the Fairfax County Police Department, we're proud of those numbers. We are one of the founding parents of the 30 by 30 initiative.

[00:15:50] We've had one class in the past four years that actually had 37% women in the class. So we're proud of where we are. We just got to get closer to 30, and we're making a concentrated effort. Deputy Chief Rachel Levy is here, and Assistant Chief Wright and so many others do a women's hiring symposium a couple times a year, and that's extremely effective.

[00:16:17] Multilingual recruits, and I think I included this in my recent fun facts notice that I sent out about our academy classes, two or more languages fluent, those are big numbers. those are big numbers recruits with college degrees it's not required to have a college degree but recruits with college degrees i would venture to say that we lead the region and those percentages of police officers who enter with the college degree so i will uh pause there and the three of us are happy to take any questions okay thank thank you very much for

[00:16:55] that presentation chief davis and i'll just say uh very exciting news very positive news here um based on all of the charts and graphs that you have provided the board here today um i want to acknowledge the great work that you're doing in your team and i also want to acknowledge the the work of the policemen and women here in fairfix county for their dedicated service to protect residents here in Fairfax County. We are blessed to have such a competent and capable force,

[00:17:29] and they're ensuring that we continue to be one of the safest jurisdictions of our size in the country. It makes a huge difference. I also wanted to note, I had the pleasure yesterday to spend some time with you and your team in the real-time crime center, and I got to say, that was very, very eye-opening. I had a chance to come earlier when you were kind of building it out but to see it in practice and I just wanted to note that I'm certain that is contributing to these reductions in the numbers and the criminality that we are seeing across the county but then also I would

[00:18:08] imagine we have certain opportunities to collaborate with our neighboring jurisdictions so we think about our borders with Alexandria we think about our borders with Prince George's County. And clearly, we're able to work with them to address crime that might go across our border or across their border. And that's been extraordinarily helpful. I wanted to maybe tease out one question and just thinking about how does this relate to our collaboration with

[00:18:41] our federal law enforcement officers? That chairman remains very strong. Of the big five police departments in the National Capital Region, us, Prince William, Metropolitan Police Department, Montgomery County, and Prince George's County, we typically enjoy the largest number of detectives who are part of federal task force relationships. That doesn't mean that any Fairfax County police officers or detectives enforce federal law. It's quite the opposite. We use their talents and

[00:19:16] resources, particularly their resources and our talents, to investigate local crimes that may reach a threshold of federal prosecutorial interest. So those relationships remain very strong. There's been some changes at the top. There's a new U.S. attorney from the Eastern District of Virginia. We're very pleased with the relationship. He actually was a police officer for a few years before he went to law school, but strong relationships at every federal level.

[00:19:45] Okay. No, that's helpful. Thank you very much. And maybe just to ferret through a couple of the graphs and presentation materials, the one that you spoke to, which I think is the most maybe concerning, is on the shoplifting.

[00:20:03] So clearly we can see that that number has increased across the county, as you reported, but I did appreciate the reduction, the significant reduction in Tyson's, and you attributed that to the operations, the work that's being done by the police department and the collaboration with Mace Rich, the mall operator.

[00:20:26] Help me understand how are we using, again, the best practices, you alluded to this, but how are we using those best practices to help us in these other areas? So I think about in my own district in Springfield where we have the Springfield Town Center, we have other retail operations, how are we taking the lessons from Tyson's and applying them in places like that?

[00:20:48] So, Chairman, I'll ask Chief Blakely to help me out a little bit, but we're trying to take, we actually are taking the Tyson's model and we're scaling it to Fair Oaks, to the Mosaic, to Springfield, and we're getting there.

[00:21:04] I think part of the secret sauce, and I'll ask Chief Blakely to add some specifics, is the retail community in Tyson's, they compete with each other, not for high numbers of crime, but for low numbers of crime. So they have, to their credit, taken our counsel, and they've enhanced the way they go about the business of loss prevention.

[00:21:27] They're much more proactive than they used to be. Now, a lot of them take their marching orders from their corporate offices, so they don't have complete discretion. But I think we've seen some progress when the loss prevention officers don't just pass the buck, if you will, to the police, and they engage in some best practices.

[00:21:46] Okay, sir Chairman less. Thank you for the question Bob Blakely assistant chief of operations for the police department I think this year what if we look at kind of the chronological order of steps It was in the last year that we kind of took all of our shopping center units and and turn them into detectives and while some of that is you know kind of Just one little step, but it it signified that we want to change the philosophy of Just a police officer walking up and down the beat and the mall to one that does that but also investigates

[00:22:19] Organized retail theft and others so this year in Franconia. We've we've made the moves necessary to Make the official ship so I know that we've always referred to tut as our Tyson's urban team and they're there They have different designators on the radio. They they hold processes like detective units and uh franconia district will do that this year so we will for the first time you know add that you know it's a it's a slight signal shift same police officers doing the job but it's it's putting the

[00:22:54] emphasis there and allowing them to engage um and i'll tell you what's different so the old shopping center model uh puts police officers in the shopping center with the objective of making the

shopping center safe and investigating crime the urban team model puts police officers in the area. And we use subsensus tracks, but it's the area. So the TUT team isn't the mall police. It's the police for the entire area. So they go out and handle a crash or anything. But the point is the high visibility, the additional layers of the permanent police officers assigned to that district on a daily basis. It's kind of like old school community policing. Everyone gets to know

[00:23:33] each other, familiar faces in a really tight, concentrated area. And so I think we will continue to see the decreases in Franconia as we kind of built out the model without finishing the final dressing, but we're looking forward to that. Okay. No, that's very helpful, and I appreciate that detailed answer. If I move to the recruitment and retention, and I just want to say I'm really excited to see all these numbers, too, so very similar kind of presentation. Just thinking about what maybe this board has done and thinking about what the department has done, but, you know, we've

[00:24:10] made a commitment through collective bargaining to better address the needs of our police officers and department. We've allowed for signing bonuses. We've made some decisions over the last few years, which I think may have helped in the retention and recruitment efforts of the policemen and women here.

[00:24:33] And the thing I just appreciate is that we are having such a strong number of individuals coming into the academy and seeing at the graduations how many of them actually successfully completed. It's not just the number coming in.

[00:24:48] It's the number that goes out of the academy as well. So I was thinking just in looking at the charts here, if you could give me a little more color, particularly on the diversity, that's just phenomenal, and I got to see that in the most recent graduation class and others that were there as well.

[00:25:08] But with the women recruits, again, I know our goal is to get to 30% by 2030. And we can see that we're making pretty decent progress towards that goal. Can you tell me where are we today in our percentage of women in the police department against that goal of 30%?

[00:25:29] Sure, Chairman. At the beginning of 2021, we were hovering just under 16% women on the police department. Yes. That's about 4% higher than the national average, but now we are over 20%. So 16 to 20, that might not seem like a huge chunk, but the needle has moved.

[00:25:51] We're over 20%. The women hiring expos, Deputy Chief Levy, Assistant Chief Wright, and their teams, we find that very helpful. the next part of recruiting women is that five to seven year mark when we disproportionately lose women to family obligations. So, you know, we're thinking about creative ways to make sure once we get women hired and in the door and on the street after they graduate, how do we keep them here for the long haul? Because men, in terms of percentages, are more likely to spend an entire

[00:26:29] career than women. Yeah, the one thing I'll say is I'm hearkening back to that University of Texas at San Antonio study that talked about women in the police department versus men and just the use of force, the actions and the responses are very different in many ways. So we certainly want those women to stay in our department for their careers, and I hope that we'll certainly be able to do that over time. So with that, let me turn it over to the Chairman for any questions he has.

[00:27:02] Thank you. First of all, Chief, we shouldn't be minimizing what's before us here. I mean, this is significant. Significant reductions in crime, significant progress that's been made in just about every single category. And so we start by thanking you, your team, the men and women in the police department that

are doing this work every day, jurisdictions across the country would dream of having the statistics that we're looking at here, and I think that's why it's clear we're the safest of our size, and we can't say that enough times.

[00:27:38] I do want to ask, you know, a couple quick questions here. First, when you look at the recruitment and retention, which, again, is another remarkable story. But when we look at this, there's been this absurd comment you addressed it. I want to be really clear about this, about a lowering of standards, which is outrageous. I mean, we've seen these graduates come before our police department and diversity is not a lowering of standards. It's actually a net positive for our department to be able to communicate with all of

[00:28:12] the people who live in Fairfax County. But when I look at the number of police applications in 2024, that number has gone up significantly, a testament to the recruitment division, but that's 2,496 applications. And in the same period of 2024, we net put out 140 people. So if my math is correct, that's over 2,300 people that applied that did not become police officers. And so one, I think that is the high standard we hold our applicants to. But I don't know if you've done any drill down

[00:28:49] on that number to try to figure out, is there particular categories of breakpoint where people don't make it either into the academy or through the academy, and are we looking specifically at, we start with 2496, we know a lot of those applications are not qualified to begin with, a certain percentage of those already off the top aren't going to work, but there's a pretty big gap between 2,500 and 140, so are we following what happens there along one's trajectory?

[00:29:18] Chairman, maybe a combination of anecdotally and data-driven, historically people would drop out of the process because it would take 11.1 months on average. And nowadays, young cops apply, they cast a fishing net to five or six different police departments, and not just local police departments, state and federal.

[00:29:40] And we have found, and this is data-driven based on follow-up conversations, that from an applicant's perspective, whoever interacts with them most often, and we even have our detectives in background sending text messages these days to applicants, whoever interacts with them most often and whoever treats them the best along the way and, for lack of a better description, kind of stands side by side and holds their hand a little bit, We tend to get those folks to choose the Fairfax County Police Department.

[00:30:17] In terms of a point still that disqualifies applicants, and this is why, and Chairman McKay pointed it out, we reject far more than we ever hire. Typically, it's a matter of truthfulness that's revealed during the background process.

[00:30:40] And typically, with the benefit of hindsight, these applicants realize that the truth shall normally set you free. It's okay. But in our background, detectives do a really good job telling people it's okay to answer it truthfully because normally we can work through that.

[00:30:58] But that still remains a challenge. And, you know, police officers charge people with crimes and can use deadly force. So we don't want anyone with a truthfulness issue. but we also don't want people unnecessarily trying to mitigate something that happened when they were 15 years old. Yeah, no, that's very helpful because wanting to make sure if it was something controllable on our organization's end or something not controllable, clearly that's not controllable.

[00:31:24] And I only point out these numbers because I think the fact that we're taking 140 out of 2,500 speaks to our high standards too. And I don't want to back away from that at all. I want to support that, but I think people need to understand magnitude. Two other real quick questions.

[00:31:41] One, you mentioned we were at 11 months. Now we're down to 5.7 months to get somebody through the application process. Do you believe we've maxed out inefficiencies? How does that compare nationally?

[00:31:56] Because to your point about how long it takes somebody to get there, where do we sit at 5.7 months relative to what your goal is, what left there might be to manipulate with the help of other organizations, and how does that compare us nationally? So there's a price tag attached to every piece of the application process.

[00:32:16] The biggest price tag is with the full medical examinations, so we typically save that to the very end because we're going to spend money to medically examine you and give you a physical fitness test. But what we've done a better job at is up until two years ago, we were still very paper-oriented.

[00:32:35] And we send people back and forth with their transcripts. They had to hand deliver their transcripts. They couldn't send them electronically. So we've modernized some of those processes. And we are conducting most of the things we do simultaneous to other pieces.

[00:32:51] So we're getting you in for a polygraph while we're talking to your parents, your teachers, your neighbors. We used to do things sequentially. So doing them simultaneous to one another has been very helpful. I go to lunch once a month with a police officer of the month who we select, and I typically pick the youngest ones to go to lunch with.

[00:33:12] They're younger than my kids. I mean, I'm sure they don't want to really have lunch with me. But 375 of the hiring incentive bonuses since 2022, I don't know if you know the number, 375 times a police applicant has enjoyed that hiring bonus.

[00:33:34] And I ask them if that's meaningful, and they're all consistent in their answers. It is absolutely helpful when they transition, when they move to the area, they need to get an apartment, they need to pay their first month up front. So they've been really happy with the hiring bonus.

[00:33:51] And we're at a point now, at least regionally, where every police department has that. So the first police department to pull back on that would stick out like a sore thumb. And like you said, Chairman McKay, the collective bargaining was very helpful for incumbent officers as well. Okay, good. And my last quick question, just following up on the shoplifting piece, is kind of the only scar, so to speak, in here, and it is a national one.

[00:34:14] We know that. You mentioned the stores, the companies, the cooperation on the prosecutions piece. I know what you're doing with the Tyson's team and now going to be replicating other areas, so I know what we're doing. I guess the question is, is there anything else we need to be doing with those companies, with those stores?

[00:34:33] Mesa Rich is a great partner, but is there best practices we can send to them, too? I mean, how do we encourage them to do the right thing when it comes to prosecuting people for these crimes? Because if you don't do that, they're just going to keep coming back.

[00:34:50] So is that just too difficult a corporate cultural hurdle to overcome? Or is there something that, you know, law enforcement, even beyond Fairfax County, can be doing or is doing to help with the corporate world understand why it's important that there be accountability when those things happen?

[00:35:09] Well, I'll let Chief Blakely help me on this. I'll point out Lord and Taylor. No one does it as well as they do it when it comes to loss prevention. You can see their commitment of personnel to loss prevention is visible. It's not onerous. It's not militaristic, but it's visible, and they come to court.

[00:35:29] And nowadays, if the victim of a crime, i.e. a loss prevention officer for a store, doesn't come to court, I think our criminal justice system is likely to drop the charges as opposed to continue the case for another day. So if there's ever a way in this American society to compel these victims or incentivize them to come to court when they're summonsed, that's always a challenge.

[00:35:56] Yeah, I think that's something, I mean, we should be, if we're not already, communicating that really clear to our chambers and some of our other business organizations about what they can do to help you with that problem, too. Yeah, and Chairman McKay, I think the one thing that we see, especially right now with the particular spike, is we'll get a change in loss prevention culture, but the culture will be, you know, let's wait 30 minutes and then call the police to file a report.

[00:36:21] So we're reporting the crime. We're putting the stat on the board to say that we had a crime that occurred and our solvability has decreased, you know, by 95%. So I think the biggest thing, if I certainly could say there's one thing, it would be, like the chief said, is asking folks to, through their loss prevention, if they're going to engage in that, give us an opportunity.

[00:36:45] You know, the reason we beat the drum for the traffic safety so hard is what we know is voluntary compliance occurs when we're paying attention. So when motorists are driving through our county and they're listening to the radio and all the distractions of the world, when they see us, they remember, I should slow down.

[00:37:01] And I think when people see people getting arrested or charged, just summonsed for shoplifting, the more we get the opportunity to do that, I think the less likely people are to re-offend or just to commit the crime to begin with. So I think that's the biggest challenge for us. But those strategies of engaging like we have in Tyson's and Springfield and others, we're hot on the heels of finding effective strategies to still mitigate it.

[00:37:28] Great. All right. Excellent. Well, excellent update. I mean, really appreciate all the hard work. These numbers, behind these numbers is a lot of hard work that should be acknowledged and appreciated, and we do. So thank you. Thank you, sir. Thank you, Mr. Chairman. Let me move first to Supervisor Harry.

[00:37:47] Yeah, I'm going to echo the group, incredible progress on crime. I think that shows both the impact of your efforts, everything from the auto rings to the Tyson's urban team and the 100 percent closure rates on homicides.

[00:38:06] That's something we need to shout from the rooftops. If you come here and commit a murder, you're going to get caught because that doesn't happen in every jurisdiction. And in addition to your efforts, the increased staffing is clearly paying off.

[00:38:22] I know from the law enforcement folks I talk to, closing that window is probably the biggest thing you've done to really increase the ability to attract the quality candidates because the quality candidates will get picked up by the first person out there that's when they cast their net.

[00:38:42] And I guess my question on that one would be, Is our recruiting bonus still competitive? I know we put that in before collective bargaining, but is it still at the level it needs to be to be competitive? It is, Supervisor. I think if you go around the Beltway, you'll see the incentive anywhere from \$5,000 to \$25,000.

[00:39:04] So we're right in the middle of it. I think the biggest thing, just talking to a couple of the young cops, is I need to get an apartment. I need to pay my first month's rent. I need to put down a deposit. Thank God for the signing bonus. And while our numbers are going in the right direction and moving big in the right direction, we all need to realize we still have work to do.

[00:39:26] We're still not the pre-pandemic levels. Our residents don't feel, some of them don't feel as safe as they used to. We've got McDonald's that you now have to ring a doorbell and show an ID that you're over 21 to get into.

[00:39:43] We've got security guards at stores like HomeGoods and Target, control access issues, and that all comes down to the shoplifting issue, which, as the chairman or Supervisor Luss said, is a national problem.

[00:40:00] It's Virginia-wide, but we've got to address it the best we can. The lost professional officers I've talked to have been frustrated and stopped, you know, really pursuing it because they weren't getting prosecuted, has that attitude changed or is that still out there that they come to court and they just get let off? I'm not sure, Supervisor. I know that a court case being continued has historically been a source of frustration just in our criminal

[00:40:37] justice system, period. But I think a second bad decision doesn't make the first bad decision any better. And that's why we're doing our best. And instead of us preaching to some of these larger retailers, we actually had Lord and Taylor do it as a kind of best practice conversation.

[00:40:55] So, you know, the loss prevention community doesn't need to be preached at by law enforcement because they have different, you know, thresholds and corporate rules. But I do think as much as we can highlight the ones who are doing it right and boost them up and let them serve as an example, i think that helps yeah and i know uh norfolk is is a jurisdiction that got frustrated with this and looked at options and actually looked at having their county attorney do the prosecutions for misdemeanors because the commonwealth attorney wasn't doing that and i don't know whether that's

[00:41:31] something we uh we ought to be looking at at some point in time that's not really a question but uh i know that's uh other jurisdictions are looking at the same kind of thing and the same numbers and And I think our numbers are actually better than the Virginia statewide numbers, if I'm not mistaken.

[00:41:48] You'd probably, yep, they are. So, and that's, to go back to where I started, that's a big thank you for what you guys are doing. Thank you. Thank you, Supervisor Herity. Supervisor Jimenez. Thank you, Mr. Chairman, and thank you for all of this.

[00:42:07] Definitely want to highlight the diversity in the demographics on page seven. That's really impressive, and that's absolutely the way we want to be going, especially given the diversity within Fairfax

County. We want to make sure that our officers are representing kind of the population they're serving, so that's fantastic.

[00:42:23] One thing that we have in Mason District is that we have a lot of, as mentioned, your Achilles heel, we have a lot of kind of petty theft robbery. How can you or how can we push on some of these store owners to have guards within their retail stores or making sure that they're moving some of the high-priced items?

[00:42:45] from the front to the back, because I have a feeling that if they were to do that, there might be less of that happening. So, Supervisor, I'll ask Chief Blakely to help me. That's a conversation we have frequently, whether it's an ABC liquor store with their high-end tequila, or whether it's an Ulta beauty store with the fragrances that are the most expensive being the most accessible to theft.

[00:43:11] I mean, you name it. So we have had those conversations, and, you know, the security folks, the loss prevention folks seem to get it. Even the managers seem to get it, but then they're guided by the marketing component of their organizations, the sales component of their organizations.

[00:43:27] I think if I could take, like, an opposite approach, instead of identifying the ones who aren't doing it right, if there could be some type of public safety or government recognition of the ones who are doing it right, and I mentioned Lord & Taylor, it's not just Lord & Taylor, it's other places that are doing it right, Maybe that's an opposite way to inspire people.

[00:43:49] And, Supervisor, last year Mason was spiking, and I know that the district commanders there actually did a really good job with their community outreach officers and their community engagement team. At the same time, we were experiencing the ABC thefts.

[00:44:05] You know, we're kind of beating us up quite a bit. So I think that was a good model of where meeting with management, their law enforcement folks and kind of collaborating together, we were able to, you know, really put down that particular trend. But I know in the Annandale quarter in particular, they really went almost store by store and collaborated.

[00:44:28] So I think that is our community outreach model for everything, including crime problems, is significant. And we should build on the success that they had in Mason for sure. Yeah, absolutely. And luckily we have amazing major weeks. who's, you know, so extremely responsive now.

[00:44:45] We just need to get some of these storefronts to actually do their part as well. So thank you. Thank you, Supervisor Jimenez. Supervisor Palchuk. Thank you. I'll be super brief. Really want to thank you. Just incredible leadership. And I appreciate that you're really using data and best practices to inform what you do.

[00:45:05] I know we hear a lot, and people fear a lot and want to make sure that there's not, like, security theater happening, right, but that you and the experts and your commanders and those who are leading the agencies and especially ones who used to be commanders of these stations and know what works and what's best, and especially hearing that the Tyson's urban team has been even more successful with this newer model of being more in the community, being more active, not just what seemed to be working, but that you're really studying that and using those pilots and those improvements to help support the work.

[00:45:41] And then finally, for things that have improved, it was a few years ago when I visited the academy, and I know they were still using, like, the binder, the big, heavy binder, speaking of paper. And

so I know that anything that you're doing to really bring everything from our recruitment to our training to our retention to the 21st century is huge.

[00:46:02] And finally, just really appreciate that you're looking at a huge improvement for the women, the 20%, but we know that there are a lot of challenges. So I appreciate, especially as we become moms or have growing families and the challenges that are unique to those who choose to serve in public safety, anything you can do there is very, very much appreciated.

[00:46:26] We have some of the best female cops I've ever met here in the county. So thank you for your work on that. Thank you. Okay, any of my colleagues? Anyone else? Okay, so we, yes. Could I briefly respond to Supervisor Herdy's comment?

[00:46:43] You may. We have previously discussed the degree of my ability to assist with criminal prosecutions in the past, and I just wanted to remind the board that my authority to handle criminal work is very much circumscribed by state law, and county attorneys are not permitted to enforce anything basically without the Commonwealth Attorney's Agreement, but our authority is limited to violations of Uniform Statewide Building Code and similar types of matters.

[00:47:15] Now, you mentioned Norfolk, so I would know that there's an explicit provision in the code section that I'm speaking of that allows city and town attorneys to prosecute offenses to a degree that the county attorney is not permitted to under state law. Thank you very much, Ms. Teer, for that clarification.

[00:47:33] So with that we will close our first item and think again chief Davis team or an exceptional presentation. Thank you. Thank you So we'll call up our next presenters They will be providing us with an overview on the perfect County Massage ordinance and there's some proposed changes around that Believe that Jessica Werder will be the person with Rebecca make Lee who will be making That presentation so I'll give them a second to get seated

[00:48:35] So miss Werder am I turn it over to you good afternoon. Can you hear me? Okay. Yes, ma'am perfect Thank you everyone for the opportunity to present this afternoon. I think most folks around the table know me My name is Jessica Werder. I'm the deputy director of public health operations at the health department I usually go by Jess so folks know me in that way. We do have a good number of folks at the table I hope it's okay with folks I am going to take just a brief moment to have them introduce themselves by name title

[00:49:11] So that folks know who's around the table, and then I think we'll go ahead and get started. I'm going to move to my right Good afternoon Rebecca make Lee the director of the Department of Cable and Consumer Services. I John Burton senior assistant County attorney Peter Sheehan Environmental health director Gloria Dallian Sue director of health major Shannon Massey commander the Fairfax County organized crime and narcotics division Captain Kevin White, the Assistant Commander of our Organized Crime and Narcotics Division.

[00:49:41] David Lawler, Supervisor of the Special Investigations Unit of the Fairfax County Office of the Fire Marshal. Thank you. And with that, I think we'll jump right in. So this is a joint presentation this afternoon organized by the Health Department and the Department of Cable and Consumer Services.

[00:50:00] Rebecca and I have spoken, and just for ease of presentation this afternoon, I'm going to run through the slides. But she's the person who knows all the answers, and so she's going to keep me honest

here today and make sure that I don't say anything wrong. She's going to interject if I've forgotten something, and there may be questions that she's better positioned to answer.

[00:50:16] I may seem a somewhat unlikely candidate to talk about massage this afternoon, but I think as we go through the presentation, you'll understand why the health department is at the table. You do not have a copy of a proposed ordinance in front of you, and I want that to be clear. So we are here today to talk about updates to the ordinance, but we're here to talk conceptually.

[00:50:35] about those updates. We wanted to bring those ideas in front of you today, kind of get a pulse check from the Board and make sure that it seemed like we were moving in the right direction. And if it feels like that, then we have some ideas about next steps we can move forward with. Before we move into updates, I wanted to set the stage just a little bit and make sure that everyone had the benefit of a little bit of a history lesson, at least recent history, as it relates to the massage industry in Fairfax County and requests that have come from the board. And so most folks around this table may recall that in about March of 2020, there was a

[00:51:10] joint board matter introduced by Supervisor Herity, Supervisor Lusk, and Supervisor Alcorn. And that board matter talked about a number of things relating to illicit massage in the county. One of the things that it focused on, though, and really what the kind of the core of the board matter focused on was a charge to staff to convene a work group to develop a coordinated plan to look at illicit massage in the county. That work group was to do a number of things, but the board matter specifically called out the importance of providing a platform for information sharing and called out the need to look at a review of possible changes to the existing ordinance.

[00:51:50] The county executive followed up with a written memo to the board after that board matter. It does seem like there's a little time lapse there, but I would remind folks there were other things that the county executive was focused on in March of 2020, and so somehow managed to still pull together staff and get some recommendations back to the board. So he sent a NIP to the board in February of '22, talked about a number of activities that had happened, but really the recommendations that came forth in there included a number of things that were focused on the ordinance itself. And so that NIP talked about the need to strengthen the existing

[00:52:25] ordinance, and that that ordinance, the recommendation of the county executive, was that it should reside in an agency with existing inspection authority. The language in that NIP suggested that there be a focus on a robust ordinance that addressed the physical establishments themselves and licensing requirements for establishment owners.

[00:52:44] So there may be questions about other activity that has occurred around illicit massage, but I wanted to provide this background to help the board understand that the focus of today's presentation is really the ordinance itself. And so the updates we're providing today are focused on recommendations that staff are bringing forward on that ordinance.

[00:53:01] Before we talk about the proposed ordinance, we thought it would be important to make sure everybody understands what's in the existing ordinance. And so as it stands today, the ordinance that governs the massage industry in Fairfax County is Fairfax County Code Chapter 28.1.

[00:53:18] It is known as the Massage Therapy Establishments and Services Code. It was adopted by the Board of Supervisors in February of 2000 and has not been amended since. And so we are operating under

a code that we've been operating under for the last 25 years. There was a prior version of the code that stemmed from 1975, but the board, when it made adoptions in 2000, kind of updated that, and it has not been changed, as I mentioned.

[00:53:41] The existing version of the code vests authority in different agencies for different aspects of regulatory activity. Rebecca, as the director of the Department of Cable and Consumer Services, is vested with kind of the broadest authority. She permits individual massage therapists and establishments and has regulatory oversight of the industry.

[00:54:02] The health department as it stands today is responsible for cleanliness, health, and safety. That amounts to an annual sanitation inspection that we do. DCCS provides us a list of establishments on an annual basis. As we do the inspection, we provide that information back to them to use as a part of their regulatory activity.

[00:54:20] And the police have a role in that. Today, in 28.1, any violation of the ordinance can be a Class I misdemeanor. Obviously, someone needs to bring charges, and that is where our police colleagues are often engaged. There is other activity that happens.

[00:54:35] Obviously, we have the fire marshal at the table. There are other agencies that are engaged, DCC is an example. So there are other codes that a lot of folks look at. I'm sorry, I said the Office of the Fire Marshal. I don't have the actual Fire Marshal at the table, Dave Lawler. There are other codes that we look at when we're out doing inspections in the community that can be brought to bear for regulatory activity.

[00:54:56] But as it relates specifically to MASAGE itself, these are the agencies that are charged with this. And then you see the Consumer Protection Commission called out on the slide in front of you. The CPC is a commission that you all appoint individuals to. There are 13 commissioners that are charged with a mission, which is to help protect Fairfax County consumers from illegal, fraudulent, or deceptive consumer practices.

[00:55:18] Today, when Rebecca licenses individuals, when she permits them rather locally, she can go through a process where she can initially deny that permit application. She can provide a permit, and then she can revoke it if it is necessary to do so.

[00:55:36] those appeals that people make, so if they come back and they say we think that this needs to be appealed, the Consumer Protection Commission hears those appeals. So that appointed board is who hears the appeals to the administrative actions that Rebecca takes. And as it relates to the scope of the existing ordinance today, 28.1 pertains to both massage therapists and massage establishments.

[00:55:58] So in Fairfax County, we permit massage therapists and massage establishments under the existing code. the next three slides are going to have a little bit of data i would note that i'm going to run through these rather quickly there's a lot of insights that can be drawn from data depending on how you look at it i'm going to just give you kind of some pulses kind of a global picture of what's going on today in fairfax county the first slide shows establishment permits that have been issued over the course of the last nine years or so in fairfax county and what you will see is that on an annual basis, we hover around, you know, roughly 200 establishment permits in any

[00:56:37] given year. That's the insight I want you to take away from this slide. Now, I'm going to move quickly, but I'm going to come back to this slide in just a moment to talk about some of the other columns. But really, just from a volume standpoint, you know, sometimes we dip down to about 180, sometimes we

go up to 220, but it's really hovering around 200 establishments on an annual basis. This slide gives you kind of just a sense of where those establishments are in the county.

[00:56:59] You will note that the total on this slide doesn't correspond exactly to any given year on the prior slide. We did reach back about two years just to give a sense of where establishments have been in the county. There's not uniform distribution by magisterial district, but there are massage establishments in each district within the county.

[00:57:18] And then similar to the prior slide, this data shows just a sense, again, I think the global takeaway at first glance here is the volume we're talking about in the county on an annual basis. Pre-pandemic, we hovered around 700 to 800 massage therapists in an individual year.

[00:57:36] Post-pandemic, we seem to have leveled out and kind of stabilized between 500 and 600. I will note that both on this slide and the prior slide, if you're looking, those initial lines for fiscal year 2025, that is a slight error. I apologize. We caught it after posting. As of 423, that's year-to-date data.

[00:57:56] the fiscal year data aligns very closely with where we would expect it to be tracking in terms of the years for the FY 2025. I'm going to step back really quickly to this prior slide that I brought up, because obviously beyond the volume that you see there, there are these other columns that talk a little bit about denials, suspensions, and revocations over the last nine years.

[00:58:20] And you will note that the numbers are very low, almost non-existent there. The story that I draw from this is really a story that I think reinforces what the board matter spoke about and what the county executive brought up in his NIP, which is the Department of Cable and Consumer Services today does not have a lot of tools at their disposal in the existing code to actually revoke permits. There's a lot of good actors in the industry from what I understand. When I talk to my colleagues, I also understand that there are some bad actors. And today, as it stands, it's been very challenging for the department to have tools to move on those bad actors short of

[00:58:59] a background check, which is part of the initial process. And so for me, this data reinforces the insights that came out of the board matter and the recommendations that the county executive put forth. There's a maybe different story around massage therapists, and I think that that's a story that we can talk about and the board can come to its own conclusions. For me, here, we also see minimal denials, suspensions, and revocations. But what I see is a significant amount of work in licensing an individual profession that I'll talk in a little bit is already licensed at a state level. And so that is one of the observations we will make in terms of our recommendations for

[00:59:39] the ordinance going forward. So with the history and the as-is, we'll move on really quickly to staff proposals. And I'll note for you all just a little bit of a behind-the-scenes insight. There obviously was the county executive's NIP in 2022.

[00:59:56] There have been activities that have been going on with various agencies since. We've spent about the last year under the leadership of Deputy County Executive Tom Arnold. The health department has been working with the county attorney's office and has been most recently working with Department of Cable and Consumer Services and our colleagues in the public safety space to really look at recommendations we thought were in keeping with the board's observation and the county executive's recommendation to strengthen the ordinance.

[01:00:23] And so the proposal we have on the table I'm going to cover in two slides. This first slide speaks kind of structurally to the code, kind of high level. And then the next slide I'll talk about a couple of notable updates in the spirit of those tools that I talked about that are missing from the code. So at a broad kind of structural level, the recommendation that we would put on the table is that the board consider repealing the existing Fairfax County Code Chapter 28.1 and adopting a new version of code, which we are calling 28.2 massage establishments.

[01:00:55] The reason for that, and John can keep me honest here, is I think that there's just significant enough changes in the code as we're proposing it that it makes sense to repeal and adopt. It's not a minor revision. The major changes that we are putting on the table is a suggestion to transfer full regulatory authority of massage establishments from the Department of Cable and Consumer Services to the Fairfax County Health Department.

[01:01:15] And at the bottom of the slide, I'll talk a little bit about why we think that's a good idea. but just kind of to keep the broad strokes going. What that would mean is we would authorize, you all would authorize the Fairfax County Health Department to permit and regulate massage establishments pursuant to the new code. That would mean that the health department would have the authority to do that permitting, but to continue the inspection that we have done in years past. And also we are recommending bringing that appeals process in-house administratively.

[01:01:45] This is consistent with the way we handle appeals in other regulated industries that the health department regulates. The approach to that is if there's an establishment that has a permit, it's suspended or it's revoked, that establishment can request an informal conference with the division director of environmental health.

[01:02:05] They work through the issues, perhaps come up with a plan to work towards. He, Peter, in this case as the division director, has the authority to overturn and kind of reinstate that permit if it's needed. If he upholds that revocation or that suspension, those individuals have then the possibility to appeal directly to the director of health.

[01:02:24] And that is where that administrative process stops. Her call would be the final call in this space. Like I said, it's consistent with the way we regulate other establishments. In addition to those changes and the idea of moving this into the health department, we are suggesting a slight change in scope to what is governed under this code. Recognizing that since about 1996, maybe 1997, the State Department of Health Professions under the Board of Nursing has licensed massage therapists in the Commonwealth of Virginia. We see the local permitting as redundant regulation. We really think that that's something that could be let

[01:03:02] go of at a local level. And so our recommendation in terms of the local code would be, with adopting the new code, to really focus on massage establishments to let go of that local permitting of therapists, and to take that effort, that energy, that focus, and place it on establishments and really hold them accountable for ensuring licensure for the individuals who are working in their facilities. And what that would look like is, you know, as a part of the inspection process, there would be an audit of their books to make sure that folks in the facility are licensed. If not, that would be grounds for suspension or revocation of a permit. So

[01:03:38] that is the kind of structural suggestion we're making. Just to really briefly touch on what we think the benefits might be of aligning this with the health department. I mean, first and foremost,

massage therapy is an allied health profession, so we do think at a local level it makes sense to align that regulation with a health entity. Also, I think folks around this table know that the health department has a long history of regulating various industries in the county. So as it stands today, we have our hand in the regulatory oversight of industries, including retail food establishments. We're in lodging, which includes hotels and motels,

[01:04:15] body art facilities. We oversee marinas and on-site septic systems. And so in order to do that kind of regulation and the kind of inspection and oversight that's needed, we have a strong, broad team of professionals in-house that have training in public health. They have diverse skill sets. They come from diverse backgrounds. And we think that that is a strength and lends itself well to our capacity to be able to do this work. In addition, you all know that public health as a discipline is really a prevention-focused discipline, right? We come to problems in the community looking first to try and figure out how to resolve things before they

[01:04:54] become an issue. The way that we show up in a regulatory space with that prevention mindset in mind is by really focusing on human behavior change, strong partnership development, and cultural competence, which we think are really, really important in this industry. And when you take those skill sets and you combine them in a single agency with the capacity, if needed, to move into suspension or revocation, it really creates a very strong set of skills for a single agency to leverage in terms of regulating the industry. And so we really do feel that by aligning

[01:05:32] both the permitting, inspection, and appeals process in an agency that has that experience and has that approach to prevention in the community, that it would strengthen regulatory compliance. Our interest is in trying to drive regulatory compliance before we get to the need to lean into criminal proceedings with our colleagues who are around the table. Those are the structural changes we're suggesting. But in terms of additional tools that we suggest introducing into the code, there are some notable updates we wanted to highlight for the board. I would note that these are not health department ideas. These are born out

[01:06:10] of conversations with our colleagues who have significant experience in this space. So I want to acknowledge the work that they all have done in this industry for, in some cases, decades. But there are a number of things we have heard are challenges with the bad actors. Again, there are good actors in this space, but there are some bad actors.

[01:06:26] And we have introduced some provisions in the code that we think allow the department, if we move in this direction, to leverage these tools to really either move those bad actors out or bring them into compliance. And some of those tools are we are suggesting introducing plan review into this code.

[01:06:43] So for folks who are familiar with kind of land development processes and the way that we interact with other facilities that we regulate in the community, If it's a new facility, or in the case of this code, a facility with major revisions or change in ownership, we would request floor plans that we need to review before we would issue a permit.

[01:07:01] That allows us to look at a number of things we would be mandating in a facility, which we've outlined in the code, before we issue a permit. So we've introduced that into the code. We've also introduced prohibitions on a number of things we've heard are problematic. One of those issues is controlled entry. And so we have heard that in a lot of places where this illicit activity is happening, we have locked doors at the front, we have buzzers for individuals to enter, kind of the sliding, you know,

things you see on the door where folks are looking through before they're letting folks in. The current draft code as written would prohibit that kind of controlled entry, and if it was there, it would be grounds for suspension or revocation of a permit.

[01:07:39] There's a prohibition on sleeping quarters within or adjacent to massage establishments that we would suggest. Also, a prohibition on employee use of alcohol or possession or use of other controlled substances. And finally, a prohibition on obscene, erotic, or sexually explicit advertising.

[01:07:55] We have it on good authority from folks in the police department that there are sound ways to connect this via IP address to existing establishments. And if we have evidence that this is happening, that gives us grounds to suspend or revoke a permit. So we've introduced these items again to give us some additional tools. We've introduced a provision to require training is mandated by the health department. We've left that broad because we don't know what we might see when we go into these facilities, but if there are trends that we see, we'd like to be able to say that to be in compliance with the regulation, your staff need to go through such and such training and you need to demonstrate evidence of that. And we have also, in kind of a

[01:08:34] minor way, you know, this helps with compliance, but really this is just a kind of administrative issue to bring to your attention. We have updated the fee schedule in the revised ordinance, That is in part because the fee has been \$75 since 2000.

[01:08:50] We think that updating it to \$200 is not a big burden on the industry. It's also in part because if we do move away from licensing massage therapists permitting them, pardon me, locally, we do lose a little bit of revenue. And by increasing that fee for the establishments, we substantially close that gap for the county.

[01:09:13] Just so that you can rest assured, we have done some jurisdictional analysis with other surrounding jurisdictions. When we take a look at this, this is by no means an exhaustive list of jurisdictions, but it's just a way to give you a sense that we don't think \$200 is unreasonable.

[01:09:29] Our closest colleagues actually are not regulating massage anymore. Arlington, Alexandria, and Loudoun have all moved away from that over the course of the last two decades. But the other jurisdictions who are on the slide here that are in Virginia, the fees seem comparable to what we're suggesting.

[01:09:45] If you go across the river, the fees are significantly higher. We're not suggesting that we go anywhere near that, but this gives you a sense of where things are in the rest of the Commonwealth. And if this is making sense to folks, if this is seeming like it's moving in the right direction, on the slide in front of you is really what our suggestions would be in terms of next steps. So we're here today to get some initial feedback to see if this kind of, you know, get a gut check from you all. If this seems like it's moving in the right direction, we do think that the Consumer Protection Commission is an important next stakeholder, given the process that they play in the appeals process. They do, in fact, have a meeting tonight, and I think we're waiting to see

[01:10:21] the outcome of this to see if we go to them and have that conversation, or if we do that at a future date. We would move from there to look at a broader communications and implementation plan in the spring and summer time frame. We would engage. We obviously need to finish the draft code. It's very close, but we need to finish that. We would engage with other stakeholders.

[01:10:40] That would include industry. We would absolutely want to talk to industry over the summer. If that goes well, we would bring a board item with draft ordinance for a public hearing in the fall, rapidly followed by the suggestion for adoption of the local code, with the idea that this would be effective January 1 of 2026. So that is the presentation. Thank you very much, Mrs. Word.

[01:11:06] That was very comprehensive and detailed and appreciate all of the background that's been done on this and also appreciate the context that you set in terms of the time when the board matter was done and my colleagues here were the participants in that as well.

[01:11:25] And I'll say for me, I'm certainly supportive of the direction that you're proposing. I'll say it makes eminent sense to have the health department doing this if it's consistent with other sort of regulated industries.

[01:11:43] And I've noted maybe just a couple of quick questions because we just have a few more minutes here. Under the fee schedule, you talked about that. And I'm not saying that that's a problem which you've suggested, but just wanted to determine what is the comparison with what you're proposing here to what we have for some of the other regulated industries?

[01:12:07] How does it compare? That is a good question, and I am not going to venture to remember on the spot what that is. I'm going to actually ask, Peter, do you happen to know off the top of your head what the annual fee is for some of the other industries that we regulate? Yeah, the food is obviously very inexpensive.

[01:12:25] It's \$40 per facility. Our swimming pools are around \$200. and lodging is, I think, 135 for the... All right. That's helpful. Thank you. And then on the discussion of the jurisdictional analysis, which other jurisdictions actually have their health department also doing inspections and permitting for this?

[01:12:49] Yeah, we did some outreach on that front and spoke with every health department in the state of Virginia. And so it looks like, from what we can tell, there are four other health departments in the Commonwealth that are currently involved in regulating massage to some extent of those Chesapeake health district Norfolk city and Prince William health department are responsible for both permitting and inspection so they have the kind of full gamut in Chesterfield they do a pre-operational and a complaint based inspection but their police department continues to permit establishments in that jurisdiction okay that's extremely helpful so let me see if the chairman has any questions I'll give him

[01:13:26] I do. Just a real quick question. I guess the inspections, for lack of a better word, the suggestion under the new proposal is that those will be done annually pursuant to this new code section. Right now, do we not do those annually? We do. It is consistent with what we have done historically. So that annual inspection, that's very different than you get a complaint from somewhere. So help me understand. Everyone will go through an annual inspection, but this change doesn't limit, it might actually expand the health department in this particular case's

[01:14:05] ability to go do inspections whenever they get a complaint or whenever they get intelligence from the police department or some other agency that something might be happening there, including something as small as, you know, installing the slider thing you said on the door. So anything Something like that could trigger a complaint investigation, and there's no limit on the number of those?

[01:14:27] That is correct. Okay. I concur with Supervisor Lusk. I mean, I think a lot of good work has gone into this. I mean, to me, this makes logical sense. I think the challenge we have is there have been a

lot of different agencies kind of seemingly with different authorities, sometimes not intentionally but maybe in each other's way with regard to their own capacity and ability to do this.

[01:14:49] So anything we can do to be more spry, to be able to do complaint-driven inspections more quickly and to use the tools we have to gain access more immediately when one of those concerns comes up. And then the ability to make sure that we weed out the bad actors, realizing that over time that reputation of being able to do that can help drive the number of those down consistently over a longer period of time.

[01:15:17] But if the word doesn't get out that that's what we're doing and that's not what we're doing, then these will continue to grow. And so I think this is absolutely, from everything I know, the right way to go. And I really appreciate the cooperation, especially between law enforcement and the health department in making sure that we break down any of those agency boundaries.

[01:15:36] Thank you, Mr. Chairman. I'm going to take my colleagues from starting with the vice chair down, Vice Chair Smith. Thank you for the presentation. It was very descriptive of what you want to do. I think it's great to get rid of redundancies so that we're not permitting the individual therapist.

[01:15:52] So I'm very supportive of the path you want to move forward. Thank you. Thank you, Vice Chair Smith. Supervisor Harry. Well, I'm going to start by thanking the whole team because it is, you know, complicated, and it's not just one agency, especially Dave Lawler, who helped on the early end of this because he was going in and identifying a lot of the issues.

[01:16:12] And it was, we were directed at the illicit massage businesses. I love the changes. I think we've done a lot of good stuff here. I love the elimination of duplicative efforts and having the state do the licensing.

[01:16:30] I think we probably ought to be looking at the rest of our licensing and seeing if we've got any other duplicative areas that we could do that very thing with. My only recommendations really are moving up the internal and external stakeholder feedback.

[01:16:47] One of the things that my initial board matter did is we want to make sure that we're not creating obstacles for, you know, legitimate massage businesses, because there are a bunch of them, and we want to make sure that we're not adversely impacting those, but also to get good input from industry experts, and that's it, but I just want to thank you.

[01:17:10] It's been a long time coming, but it's a very good piece of work, and look forward to seeing it move forward. Thank you, Supervisor Herity, Supervisor Alcorn. Thank you. To build on what Supervisor Herity said, have there been any preliminary discussions with anybody in the massage therapist industry about this?

[01:17:31] Not yet. We have not had any. We did not want to get out in front of the board. Okay. I understand. I'm going to show my age, but when the 2000 code change came through, I handled that case through the Planning Commission. And what was pushing that at the time was massage therapists had come to the county and basically said, we're being regulated like massage parlors.

[01:17:54] And, you know, it's a licensed profession. Clearly, it's a different thing. So I would encourage basically some discussion with them. Things have obviously changed. The state's probably doing a better job licensing now.

[01:18:10] but particularly as it relates to massage therapists who do use facilities completely legitimately. I want to make sure that we don't go back into the old, old days there, but I totally support the direction that we're going.

[01:18:30] Thank you. Thank you, Supervisor Elkhorn. Supervisor Palczyk. Thank you so much, Chairman Chess and the whole team. Thank you. You know, we've been dealing with this issue for a long time, and clearly it's not working, right?

[01:18:47] The current process, whether it's too many agencies involved, too many different processes, not the right folks at the table, you know, from everything I see, and definitely we need to do outreach, especially seeing Janesville and I have the largest number.

[01:19:03] But I think moving away from the individual therapists to the establishments, which should, for the most part, address Supervisor Elkhorn's concerns, you know, something's already being regulated, let's look at it from the area where we would have the most impact. I assume you've already done this, Jess, but my only recommendation is just to ensure that you are working with DSVS, domestic and sexual violence services. Also, especially because you'll be in the health department on the education and the partnership piece, right? So we want to have the enforcement mechanism that I think will make more sense and

[01:19:40] track that. But I think being able to be proactive and honestly help educate us and our residents of where they should go, there's a lot of confusion now. And I think it adds to a lot of the frustration and to being able to protect those who may be being trafficked or other. And then finally, I just want to clarify, this is pretty exciting, that you will be able to address advertising.

[01:20:07] And just to clarify, that is any online advertising that is seen linked and sometimes with the direct address of the establishment, that's something you will be able to look at? So it's language we've introduced in the ordinance for sure. I do think that there will be some conversation about what obscene, sexually explicit, looks like in the real world and from a legal standpoint.

[01:20:30] But as it's written today, yes, that would be grounds for revocation or suspension of a permit. Yes. Okay. Thank you. I mean, this is pretty groundbreaking. I don't see any downsides yet, but again, I think that outreach and targeted especially to those of us who have areas with quite a few establishments and perhaps bringing in the Economic Initiatives Office of their businesses they're working with and just to help support the legitimate businesses as we try to target and cut back.

[01:21:04] And then finally, my only question is just I'm trying to think of any negative aspects that come out of this, if this might have some negative connotations or pushing businesses to other areas. I don't know if that's something we've looked at, we'll be able to track or have seen from other jurisdictions. I'll actually maybe invite Tom if he has any ideas or thoughts here.

[01:21:24] I mean, I do think there's always a risk that if you move in this space, you move things out of the regulated environment into an illicit space. And then we move into kind of a law enforcement space. And I don't know if you have thoughts about that, Tom. Sure. Yeah, Tom Arnold, Deputy County Executive.

[01:21:39] I think that is the goal is what we want to push stuff out. We want to promote the legal establishments, and this allows them to operate in an industry. We can create that non-permissive environment we want for the illicit side of it. And so I think this will just allow us to legitimize the legal establishments, and then we can focus our time and effort on the illicit side.

[01:21:58] So I think it separates the two. And what we want to have them do is leave the county. Well, again, let's moderate like everything else, any change we make, but from everything I'm seeing and the experiences we've had in my community, overall, it seems like a very positive and good improvement to the future services.

[01:22:16] So thank you so much. Thank you, Ms. Palchuk. And I will go ahead and conclude this item. So we'll thank the staff, thank everyone who was a part of this, and look forward to seeing the ordinance as it is finalized. So thank you very much.

[01:22:31] i think we can maybe do a quick i think he's here um if we could mr falcon i think you can go ahead and come up what we'll probably do here if you're okay is we'll just have you we'll have you present what the opportunities are we won't be able to do questions and answers we'll just have you uh alert us as to what that is and then we can have the board members reach out to you if

[01:23:07] they have any specific questions later this is just instead of sending an email to the board about grant opportunities, we've taken advantage of the three minutes left to let you know of it now and save you the email. Okay, thank you. Thank you for the opportunity to present.

[01:23:24] I'm simply here this afternoon to get the committee's concurrence to go before the board on the 24th to gain approval to request these grant opportunities. Each of the grant opportunities are listed here, all state grants. They're overseen by VDEM and administered by the 9-1-1 Services Board. All PSAPs in the state of Virginia are eligible to apply for them, and they're funded by E-9-1-1 wireless funding. The first one is due on June the 30th, so that's a priority to get before the board.

[01:23:50] And we understand that the \$896,000 that's listed there has already been approved. We just have to apply for it and make a business case justification, which we're doing that right now. The other two, the deadlines are June 30th, 2026, but they are also a priority for us. First, the alternate backup center, as I'm sure you know, our current backup center, Pine Ridge, is end of life. We're actively searching for alternatives. We need that funding to get that initiative going. And the interoperability testing is supporting our RFP efforts for our next iteration over SC net which you hope to have that interoperability testing as a component of RFP that we can use that as a decision-making factor and the next vendor to supply that for us and I take your questions from

[01:24:29] that so if you're okay thank you very much for updating us on what those opportunities are we'll see them as they come to the board if anyone here has any questions they can reach out to you so Thank you very much. With that, I will adjourn our public safety meeting today. Thank you.

