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Loudoun County School Board, Joint Loudoun County School Board & Loudoun County Board of Supervisors Committee, Monday, April 17, 2023

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- Official meeting video (Vimeo / LCPS-TV): <https://player.vimeo.com/video/819233953?rel=0>
- BoardDocs (School Board): <https://go.boarddocs.com/vsba/loudoun/Board.nsf/Public>

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[00:00:02] - Good afternoon, I am calling to order this Monday, April 17th meeting of the Joint Board of Supervisors and School Board Committee meeting. The first item on our agenda is public input. I have been notified that no one tonight is signed up for public comment.

[00:00:22] So I will skip over that item and go to item three on the agenda, the co-chairs report on the Board of Supervisors and school board activities. Co-Chair Glass. Thank you, Co-Chair Sorotkin.

[00:00:45] I have two quick updates on Board of Supervisors' activities for the committee. On Tuesday, April 4th, the Board of Supervisors adopted the budget for fiscal year 2024, which is July 1st, 2023 through June 30th, 2024. The budget includes approximately 63% of the average tax dollar going towards the school system through general appropriations, capital improvement projects, and debt service.

[00:01:12] The total local SACS funding transfer will be around \$1.1 billion and is a \$72 million increase over the last fiscal year. Additionally, on March 21st, the Board of Supervisors received a report from the Northern Virginia Community College about the Loudoun Campus and higher education activities in the county.

[00:01:34] Through NOVA's partnership with LCPS through the dual enrollment and other programs, our students and young people are served well for educational options. my report. Co-Chair Srotkin. Thank you. Thank you, Co-Chair Glass. Just two brief items that I have that may be of interest to the Board of Supervisors. As I'm sure you're already aware, the school board did vote at our March 28th meeting to authorize collective bargaining within Loudoun County Public Schools. As part of that, we delegated the writing of a detailed collective bargaining resolution to our Legislative and Policy Committee, and that is due back for action

[00:02:12] to the full school board by the end of 2023. Aside from that, on the budget front, we are still awaiting the finalization of a state budget. The latest update we've gotten is that that is not expected until potentially as late as late June.

[00:02:31] So we are still waiting on the edges of our seats to see what happens down in Richmond and the effect that that will have on the county school budget. And that will conclude my report. So I have been asked to move up item six, additions, deletions to the annual work plan earlier in the agenda.

[00:02:53] So without objection, we'll take that up out of order. So there have been two recommendations for additions to the work plan, one by myself and then one brought up by co-chair Glass.

[00:03:08] so briefly mine is to add an information and potential action item on the the the county and school board budget process specifically the scheduling and timing of them in future years we go at least on the school board side we go significantly earlier than many other of our surrounding counties in northern virginia and the dc area and there's a couple of of effects that that has. The first being that often, or really always, by the time the school board adopts our

[00:03:44] budget, the state has not adopted their budget. So it's very much an unknown some years how much money we're going to get in revenue from the state. The second thing that happens is that because we go earlier than the Fairfax School Board, Prince William County School Board, and others, they get to see what we're doing and often make adjustments to their budget based off of that.

[00:04:11] If they say that we're giving, for example, a 3% raise to teachers, they may say, okay, Loudon's giving 3%, we'll give 4% so that we stay ahead of them. So I thought it would be, especially given this year's uncertainty out of Richmond, I thought it would be useful to just talk about what the drivers of the timeline are and see if there are any alternatives or possibilities for having an alternate timeline in future years in order to try and alleviate those problems so that's the item that I'm requesting to be added to our work plan while making a recommendation to both our boards that

[00:04:45] that be added and I will ask CodeCare Glass to to describe the item that she brought up for discussion well I would like to add an item for the pickleball uh and actually i'd like to make a motion so we can go ahead if you all don't mind um i move that the joint board of supervisors and school board committee recommend that the board of supervisors and the school board approve an amendment to the 2023 work plan by adding to the pickleball courts

[00:05:19] information items scheduled for the june meeting information relating related to the installation of lights at the at the school tennis courts and information related to policy 6310 facility use to discuss possible revisions that would allow for individual individual use of lights at school tennis and pickleball courts seconded by uh supervisor brisman uh co-chair glass would you like to speak to your motion no i i think the the motion speaks to itself further discussion Supervisor Briskman.

[00:05:57] Thank you, Chair Sorokin. Can I just ask Supervisor Glass a quick question? Sure. Is this intended to expand the time that folks can use pickleball courts? That's what we're looking into. Okay. Okay, great.

[00:06:12] So it's my understanding that sometimes the lights are just shut off, and then if someone wanted to reserve the court time, they don't have the power to turn on the lights. Right, exactly. Well, I'm all for anything that expands. - The amount of time people can play pickleball.

[00:06:31] Thank you. - Is there further discussion? Co-Chair Glass? Seeing no further discussion, we'll place the matter to a vote. All in favor of recommending to our boards to add the pickleball discussion to our work plan, please raise your hand and say aye.

[00:06:49] - Aye. Before we finalize the vote on that, I am realizing that we did not consider Ms. Corbeau's request for remote participation, and we need to do that before taking formal action during the meeting.

[00:07:07] So without objection, we'll briefly table that and move back to remote participation. So I've been notified that Ms. Corbo would like to remotely participate in tonight's school board meeting. Ms. Corbo, could you please state your location, whether this is a medical or personal matter, and if anyone is present with you at your location?

[00:07:29] - Thank you, I am home, I'm alone. Under policy 2420, I'm asking for remote meeting participation due to an ongoing disability medical condition as recommended by HRTD under, and also as allowed under federal ADA disability law.

[00:07:50] - Thank you. At this time, I will entertain a motion that Ms. Corbo's remote participation tonight be granted for health and medical reasons. It doesn't appear that anyone is going to make that motion.

[00:08:07] Ms. Corbo, would you like to request participation for a personal matter tonight? because personal exemptions are limited and this is a medical request, I will not be doing that. Thank you. - Okay, thank you.

[00:08:23] So we will now take up from the table the motion that was briefly tabled to recommend to our boards that the pickleball information item be added to our work plan for the year. Is there any further discussion on that item?

[00:08:39] Seeing none, all those in favor, please raise your hand and say aye. - Aye. That motion will pass unanimously of members present with Ms. Corbeau absent for the vote. And I will move that the information item on county and school board budget scheduling that we also recommend to our boards to add that to our work plan for the year.

[00:09:02] Is there a second? Seconded by co-chair Glass. Is there any further discussion? Ms. Reeser. - Thank you, Mr. Chair. Could we go ahead and decide which month that will be taken up as we did with the other item so that we don't have to revisit that?

[00:09:22] Certainly. Does staff have a recommendation based on the existing work plan of which month we could or should add that to?

[00:09:41] And could I just add that it likely needs to be our very next meeting if it's going to happen in time for the next budget season. Our staff starts preparing the budget, I believe, in July or August. Does staff have any concerns with adding it to our June meeting?

[00:10:01] We're just sitting here trying to think through the timing also, though, for the next meetings and understanding that there would be a recess in August, you either have June or September. I think for our purposes, September would likely be the preferred meeting, but of course it's your decision.

[00:10:23] So without objection, I'll amend my motion to add it, to recommend adding it to September within our work plan. Further discussion? Seeing none, all in favor, please raise your hand and say aye. Aye.

[00:10:39] That motion will pass unanimously of board members present with, or committee members present with Ms. Corbo absent for the vote. With that, we will move to item four, our information item tonight on the SRO memorandum of understanding.

[00:10:58] And I believe that Ms. Boland has the first presentation tonight, so I will turn it over to her. I do. Thank you very much. I appreciate the time this evening to talk through the workgroup that is reviewing the current MOU, as well as a little bit about Title IX as is required by LCPS.

[00:11:18] Mr. Lewis, do you want me to just say next slide?

[00:11:37] Okay, perfect. Thank you. So review of the Loudoun County Public Schools and Law Enforcement Memorandum of Understanding began on January 19th, 2023. This work included weekly meetings with designated members from the school division, Loudoun County Sheriff's Office, and the Leesburg Police Department.

[00:11:57] This group worked together with a common goal in mind to ensure a safe and secure learning environment for students and staff. In an effort to strengthen communication between parties and reinforce our commitment to our partnership, we agreed to make all changes and edits to this document in the room with all parties involved and utilize two roles to support the process.

[00:12:26] The first was a facilitator. This individual was neutral to the content, allowing all participants to remain engaged in the process. This individual assisted with keeping us on task, posing questions when appropriate, and elicited clarity on next steps that could be captured in a shared agenda.

[00:12:48] The second role included a recorder or note taker. Again, this individual was neutral content to the content and allowed all participants to remain engaged in the process. This individual recorded ideas and comments from the group, sharing the information in a running agenda and working draft available to all parties.

[00:13:10] This group has held five meetings before completing a first draft on February 16, 2023, which then was shared with senior leaders and legal counsel for review. The group reconvened on March 23 to share recommended edits and finalize the second draft.

[00:13:32] Last week, Dr. Smith met with Sheriff Chapman and Chief Grigsby to discuss the draft MOU, and this morning a red line version was shared with LCPS school board advisory groups for feedback. All feedback will be reviewed and discussed by the MOU workgroup and a final draft of the MOU will be brought before the school board as an information item in late May.

[00:13:58] Next slide. To begin to answer some of the questions posed at the previous meeting, LCPS has a Title IX team, which includes individuals who have been trained to be Title IX coordinators, investigators, decision makers, and appeal reviewers through the Association of Title IX Administrators, also known as ATICSA.

[00:14:24] Under the Title IX rule, students, employees, the Department of Education, and the public must be able to examine the division's training materials. All materials used to train LCPS staff and school administrators in the Title IX complaint resolution process can be found on the LCPS website.

[00:14:47] Additionally, Title IX team members, contact information, community resources, and the formal complaint form are also available. All information pertaining to Title IX can easily be accessed from the home page or on the Human Resources and Talent Development webpage.

[00:15:08] Next slide. Regardless of whether a formal complaint is filed, the first steps of the Title IX process are the same. Upon receipt of a report of a possible Title IX violation, the Title IX coordinator or designee contacts the complainant and the respondent to discuss the availability of supportive measures and provide an overview of the Title IX process.

[00:15:34] A formal complaint is not necessary or required for supportive measures to be requested or implemented. Once a formal complaint is filed and a Title IX investigation is initiated, disciplinary consequences cannot be imposed on the respondent until the formal Title IX grievance process is complete.

[00:15:55] In response to a formal complaint, the Title IX coordinator or designee provides written notice of the investigation and allegations to all parties known. The Title IX coordinator or investigator conducts a fair and impartial investigation on formal complaints that fall within the scope of Title IX resulting in an investigative report that fairly summarizes relevant evidence.

[00:16:27] Complainants and respondents are afforded two separate 10-day review periods. If additional relevant information is provided by either party, the Title IX investigator may be required to conduct additional interviews and or edit the report. Extensions to these review periods can be requested by the complainants and respondents and granted by the Title IX coordinator.

[00:16:48] At the conclusion of the second 10-day review period, the investigative report and all relevant evidence is transferred to a third-party Title IX decision maker. Upon completion of the review, the outcome, any relevant sanctions and appeal rights are provided to all parties.

[00:17:06] If an appeal is submitted and determined to meet the requirements necessary of an appeal, within the Title IX regulation, a third-party appeal officer is secured and provided the necessary investigative information. This appeal determination is final.

[00:17:21] The reason why I go through each and every one of these steps in this level of detail is to make it apparent that any Title IX investigation can take months. It can take as little as three months to over 18 months if the complainant or the respondent uses each level of the appeal process that has been granted to them.

[00:17:45] In addition, because of our Title IX requirements and the need to share all information, LCPS works very closely with both Leesburg Police Department and the Loudoun County Sheriff's Office to investigate concurrently but not jointly in a lot of these matters because they are unable to share certain information and we are unable to disclose certain information from each of the parties. Next slide. When alleged sexual misconduct

[00:18:24] could constitute a violation of Title IX, the Title IX coordinator works with the complainant and the respondent to offer supportive measures considered necessary to protect the safety of one or more

students or other persons and/or maintain access to the LCPS educational programs and activities. Supportive measures are individualized services that are considered reasonably available, non-disciplinary in nature, and are not unreasonably burdensome for the other party some examples include no contact directives between parties counseling

[00:19:03] referrals or flash passes schedule modifications academic adjustments and changes in work or school locations next slide additionally title 9 regulations allow for the removal of a respondent entirely or partially from its educational program or activities on an emergency basis If there is an immediate threat to the physical health or safety of any student or other individual arising from allegations of Title IX sexual harassment.

[00:19:36] If after a review of the reported allegations, it appears there is a safety risk in allowing a student respondent to remain at school, the Title IX coordinator makes a referral to the school-based threat assessment team and the threat assessment supervisor to initiate a threat assessment.

[00:19:56] This threat assessment is the basis for the individualized safety risk analysis required by law. Considerations of the assessment include the nature, duration, the severity of the threat posed by the student, the probability that the threatening behavior or circumstances will occur or continue to occur, whether the threat to a person's physical health or safety arises from allegations of prohibited conduct as set forth in LCPS's Title IX policy, whether whether or if there are reasonable alternatives to emergency removal that would sufficiently

[00:20:31] mitigate any risks and consideration of applicable disability laws. The same removal procedure requirements do not apply to employee respondents. An accused employee may be placed on administrative leave pending the outcome of the grievance procedure in accordance with LCPS's policies and practices and in coordination with HRTD's workplace relations team.

[00:20:57] An individualized safety and risk analysis is not required. There are a number of changes that are coming out to Title IX. The new rules looking ahead are anticipated to be announced in May of 2023.

[00:21:16] The public comment period ended in September of 2022. These changes include expansions of the definition, which would eliminate the and and require or which will require additional investigations and additional work with law enforcement.

[00:21:37] And I believe now I am handling, handing it over to. Before we do that, I got a request from some of the committee members to pause here for questions in case anyone had questions relating to Title IX generally or the first portion of the presentation committee members supervisor brisman i originally was going to ask some questions about title nine but you answered the one main question i had and then i'm re revisiting the item and um we didn't really even ask about title nine in the item so i do appreciate the

[00:22:16] information but most of my questions will be directed at lcsd thank you any additional questions at this point okay seeing none colonel sawyer go ahead thank you thank you um good afternoon co-chair surat can co-chair glass members of the joint committee as i began it's important to note that the slide headings are consistent with the statements in the work plan for the ease of following along so i'm just going to work down from the work plan kind of one through six and the slide headings will correspond with that so the first question revolves around the training required to investigate sexual assaults and i'm addressing this just from the law enforcement

[00:22:53] perspective as lcps has already addressed this from their perspective well i'll discuss more about the process of investigation during this presentation it's important to start with the fact that at the highest level all law enforcement officers including sheriff's deputies leesburg police officers are trained to gather the basic facts and information for any criminal violation including sexual assaults and this includes sros specific to sexual assault investigations the first reporting deputy whether it's a patrol officer or patrol deputy or an sro will conduct what we call a minimal facts interview. The purpose of a minimal facts interview is to allow us to

[00:23:33] gather the needed information to identify the most appropriate investigative steps, as well as determine the immediate safety needs of the victim, while also minimizing the trauma to the victim and the number of times the victim will need to discuss what has occurred. Questions include things like their current physical and emotional safety, what type of abuse has occurred, where it happened, when it happened, etc. Once the minimal facts interview is done and it's determined that a sexual assault has occurred, the case is immediately transferred to the Special Victims Unit in our Criminal Investigations Division. The detectives in our Special Victims Unit receive a wide range

[00:24:13] of specialized training to include child-first forensic interviewing, trauma-informed interviewing, child abuse and death investigations, social media and other electronic investigation courses, legal training, and many others. We also have detectives in our Special Victims Unit that specialize in child exploitation, human trafficking, internet crimes against children, and other specialized topics to ensure that we are well-prepared to handle all types of sexual abuse and assault cases.

[00:24:42] I'm very proud of the incredible detectives we have in our Special Victims Unit. These women and men work extremely difficult cases day in and day out, seeing some of the worst events that our agency investigates. But we don't do it alone. which leads me to the next item on the work plan and you can go to the next slide there for collaboration and when it comes to collaboration to support victims we as in lcso lpd lcps collaborate with many organizations to support victims at the highest level we collaborate together to create a safe and supportive environment for students in our schools on a

[00:25:18] daily basis and also through hosting special events trainings and classes on specific topics Our SRO program helps build positive relationships with students by engaging in regular communication, providing mentorship, participating in school activities, all of which can enhance trust and respect between law enforcement and students and ultimately help prevent incidents from occurring.

[00:25:41] But when crimes do occur, especially those of a sexual nature, the investigations are complex and require partnerships to achieve best outcomes. Both the LCSO and LPD partner with the Loudon Child Advocacy Center, or CAC, which provides a child-friendly and coordinated approach to investigating child abuse, which can reduce trauma for child victims and their families, improve communication and collaboration between agencies, and increase successful prosecution of offenders.

[00:26:11] We also have a robust multidisciplinary team that operates through the CAC. I'll discuss more in our partnerships surrounding the CAC later in the presentation. I'm also pleased to announce, which you can go to the next slide if you haven't already, that the LCSO has started a new facility dog program, and we have partnered with a local nonprofit, Healing House, to bring Jolene, there's her picture up there, an adorable yellow lab, to assist with interviews of children and victims in crisis.

[00:26:38] Facility dogs can help alleviate stress and anxiety for child victims during abuse investigations, providing comfort and support during forensic interviews and court proceedings, and ultimately help to

increase the accuracy and reliability of statements.

[00:26:54] Facility dog programs have seen positive results in jurisdictions across the country, also next door in Fairfax, and we're excited to now be bringing this here to Loudoun County. There's also a list up on the slide of some of the organizations, other organizations we partner with, such as Loudoun County Mental Health, Substance Abuse, and Developmental Services, the Department of Family Services, Loudoun Abused Women's Shelter, National Center for Missing and Exploited Children, the Office of the Commonwealth Attorneys, Victim Witness Services, Loudoun County Public Schools, and many, many others.

[00:27:26] Another example of a specific partnership is the partnership we developed with Project Beloved to create a soft interview room in our headquarters facility, which there's a picture of that there as well, which helps create a much more comfortable and relaxed environment for the individual being interviewed, reducing the trauma experienced in the investigation process.

[00:27:44] So we could talk about this slide for a lot longer. I'll move on. But I also wanted to end with the fact that we also collaborate with services for juvenile suspects as well in an effort to reduce recidivism and help address the root cause. So you can go to the next slide. Transitioning to the chain of command for SRO investigations, again, as a reminder, the titles of the slide are based on the work plan.

[00:28:05] And I just want to make clear that it's not the SROs that conduct sexual assault investigations. But as it pertains to the chain of command for SROs, for context, I'll start with the fact that both LCSO and LPD have a full-time SRO assigned to every high school and middle school in the county.

[00:28:22] Elementary schools have a specific SRO assigned as their designated point of contact, but not dedicated to that school full-time. The LCSO has 30 SROs, one SRO detective, three sergeants, and one second lieutenant. The LPD has six SROs and one SRO sergeant.

[00:28:42] The LCSO Special Victims Unit has 11 detectives assigned and is overseen by a sergeant. The LCSO's Domestic Violence Unit, which also assists with incidents based on the nature of the allegations, has three detectives and one sergeant. The LPD's Criminal Investigations Division is general assignment, meaning that there are not the same specific dedicated units, but they've got eight detectives, one domestic violence detective and two sergeants.

[00:29:10] In both of our agencies, and I tried to put a pretty simplified diagram there, but in both of our agencies, the sergeant reports to a second lieutenant, who then reports to a captain and then a major. Important to the topic of the meeting is the fact that when an incident occurs or is reported in the school, the notification is made from the SRO to the SRO sergeant and then across to the investigation sergeant for assignment to a detective.

[00:29:35] And I'll discuss more about that communication process on the next slide as we discuss the protocol between LCPS and LCSO for investigating sexual assaults. You can go to the next slide. All right, let me start this discussion by stating that sexual assault investigations are highly complex and differ based on many many factors factors such as who the initial report is made to who the alleged offender is such as another student a parent a teacher and another family member an unknown suspect etc when the offense occurred such as whether it just occurred occurred

[00:30:10] within the past few days or even occurred several years ago and where the offense occurred such as at school in their home at an unknown location or even whether it occurred in Loudoun County or

possibly even in another county or even another state. It's not possible to go into all of the contingencies for all of these situations this evening, but I can lay out the general protocols and processes which are included in the law enforcement LCPS MOU and governed by law and industry best practices. Generally speaking, most of our sexual assault investigations in schools begin with an allegation being made to someone in the school. It could be a teacher, a counselor,

[00:30:49] the SRO, a member of school administration, et cetera. Regardless of who receives that information, the information is passed between the SRO and the school administration to ensure that both sides are aware of their report. LCPS has talked about their internal reporting processes previously, but I'll talk about the law enforcement side.

[00:31:11] And I've already kind of talked about the minimal facts interview that the SRO would then do. And again, if it's confirmed through that minimal facts interview that a sexual assault has occurred, The SRL will notify their sergeant, who in turn notifies the sergeant of the Special Victims Unit. The sergeant of the Special Victims Unit will then review the specifics of that report, assign a detective, and coordinate the next investigative steps based on the nature of the allegation.

[00:31:36] Go to the next slide. So, transitioning to the next item on the work plan, funding and staffing needed for LCSO to appropriately investigate sexual assaults. I just want to start by simply stating the LCSO does appropriately investigate sexual assault cases. I also stress that the LCSO has invested a significant amount of time and resources ensuring that our detectives are highly trained and follow both national standards and industry best practices.

[00:32:02] There are many standards and best practices that we follow as it pertains to both investigative steps and interviews. For example, our SVU detectives are trained in forensic interviewing under Child First Virginia, which falls under the protocols of the National Children's Alliance. And I'll talk more about forensic interview on the next slide, but I just want to explicitly state that our detectives investigate sexual assaults following national standards and best practices.

[00:32:25] As it pertains specifically to staffing, however, I want to reiterate that our SROs are not the ones that conduct those sexual assault investigations. That's done by detectives in our special victims unit. And as I previously said, the special victims unit has 11 detectives and one sergeant.

[00:32:42] On average, detectives assigned to our special victims unit carry a caseload of 50 to 60 cases per year. Our current performance standard states that if their caseload exceeds 75 cases per year, then we will request additional detective positions from the county during our budget request process.

[00:33:00] And you go to the next slide. The final item on the work plan is interview protocols for underage sexual assault cases. And as I emphasized in the last slide, we follow the best practices set forth by the National Children's Alliance. As such, we strive to have as many forensic interviews conducted at the Child Advocacy Center and by Child Advocacy Center staff who are trained to conduct forensic interviews.

[00:33:25] We have a phenomenal CAC here in Loudoun County and it is accredited through the National Children's Alliance. Based on the circumstances of the investigation, interviews are conducted in coordination with the family, school, CAC and or additional support systems.

[00:33:44] The forensic interview process itself is designed to provide a safe and supportive environment for children to disclose difficult, sensitive information about abuse in a trauma-informed manner. And

again, we're excited to be able to bring a facility dog to assist LCSO in the forensic interview process. I also thought it was important to note that during the interview process, victims and non-offending family members are told about the next steps in the investigation process specific to their case and connected to resources. In fact, the CAC has a victim advocate on staff who is there to meet with the victim and

[00:34:22] their family while they're there at the CAC. Our goal is to ensure that they stay well informed and supported through the entire process. And lastly, I wanted to share that throughout this process, we work closely with the multidisciplinary team that I referred to earlier to peer review both the interviews conducted as well as our investigative steps to ensure that we are constantly and continually improving our processes. So with that, that concludes my presentation on these topics. As you can likely see, I'm very proud of the work that our SROs and our detectives do on a daily basis. They do extremely difficult work, and I'm proud of the partnerships that we

[00:35:00] have with LCPS and many of the other organizations that we partner with to help ensure best outcomes for everyone impacted by these cases, as again, they're often the most difficult and traumatic cases we investigate. Colonel Sawyer, thank you for the overview. I also want to thank you and the Sheriff's Office and Leesburg Police Department also for your collaboration in reviewing and revising the MOU during this time. At this point, I will open it up to

[00:35:33] questions from the committee members. Supervisor Brissman. Thank you, Chair Sorokin, and thank you very much for the presentation. I appreciate everyone being here and sharing all the information. Let me just start by saying that I don't believe that we have a systemic issue in our schools.

[00:35:54] with sexual assault there was at least one case that was handled very very poorly charges and arrests came very very late in my opinion and communication failed so hence i wanted to have this committee review the mou and get some information and perhaps make some suggestions after doing that i will have one motion might have to be a split motion at the end of our conversation um but i do have a number of questions um has the loudon county sheriff's

[00:36:27] department made any changes since the um uh attorney general's grand jury report came out to your processes um to the overall processes in these sorts of cases the no the the recommendations that came out through the special grand jury the eight of them um had no recommendations to the specific processes of loudon county sheriff's office okay but there was some criticism in how the Loudoun County Sheriff's Department operated in those cases, so you're saying that there's been no response and no changes, even though there was some criticism in that report?

[00:37:04] So, again, ultimately, the recommendations that came through that report were all based towards Loudoun County Public School. There was some on communication and collaboration, some comments on that, but we communicate and collaborate very well with LCPS, and we have in the past as well.

[00:37:20] Okay, great. In the school resource officer memorandum that we read, it's from 2021, but it says in there that it's supposed to be reviewed annually. Is 2021 the most recent one that we have?

[00:37:38] Yes, it is. So it's required to be reviewed annually, but amended every two years. Just amended every two years. So every year it is reviewed, but changes are not necessarily made every year unless changes are needed. This is an amendment year being the second year. So it is being amended this year.

[00:37:55] Okay. And on page five of the MOU, it states that as soon as it becomes evident that a reportable offense has occurred, school officials shall stop, immediate review, and turn over to police. Is that still the case? Just find where you are.

[00:38:14] It was on page five of the MOU?

[00:38:27] Yes. And report the potential offense to law enforcement. Yes. Okay. So anytime there might be a potential reportable criminal offense, the schools are required to stop investigating and it's handed over to the sheriff's department so for clarity when they're talking about reportable criminal offenses that's not that's not a reportable offense as as we would normally use reportable offense as in any offense that occurs in the community that's referring back

[00:39:00] to section 22.1 279.3 of the code of virginia which lists out specific reportable offenses where communication is required between the schools and the sros if that makes sense okay How long does it usually take an SRO to decide if a reportable offense has occurred?

[00:39:21] So, again, offenses could come in many different, you know, shapes or forms. When it comes to, you know, sexual assault investigations specifically, they're going to conduct a minimal facts interview. And if there's elements of a criminal offense there, they're going to make that notification immediately. Okay. There are four trainings required for SROs, but none of them specifically address sexual assault or trauma-informed policing or care when investigating those allegations so why aren't SROs required to have some sort of trauma-informed

[00:39:53] policing training since they may be in touch with students who have suffered sexual assault or domestic violence so we do a significant amount of training well above what's required within our school resource officer unit so I'll start with that when it comes I agree there was a lot of required training. I totally agree, but there wasn't anything specific to sexual assault, domestic violence, trauma-informed training. Right. So our SROs go through the minimal facts interview training because that's as far into sexual assault cases as we want them to go.

[00:40:30] And that is all designed around trauma-informed. That's the entire purpose of the minimal facts interview is to make sure that the questions that they're asking and the way they're asking is as least intrusive as possible to only establish elements of a potential offense so that that information can then be relayed to the Special Victims Unit and in turn through the Child Advocacy Center and investigate it that way.

[00:40:53] But if someone's a victim of a sexual assault and they have to tell their story to an SRO and then again tell their story to an SVU officer and maybe travel somewhere to go to a soft interview room because there's no soft interview rooms in the schools, I presume, Doesn't that just re-traumatize the potential or alleged victim?

[00:41:11] So we don't ask them to tell their story. That minimal facts interview doesn't get into the specifics of the story. We use questions like, if you were to tell me what happened, then who would have done it or where would it have happened?

[00:41:27] So it's specifically designed to not get the person to have to relive and re-experience that trauma. So we don't get the details. We don't ask them the specific details in that minimal facts. It's literally designed to frame when it occurred, where it occurred.

[00:41:45] It's all about immediate safety. Are they, you know, is it someone at their house that they can't go home today because that's the dangerous environment? We need to know that right away. You know, so it's very, very surface level questions, specifically asked in a way to not have the victim have to answer the specific details as to what happened to them so that they only have to do that really one time.

[00:42:08] And you believe that that can happen if you're interviewing somebody, that they aren't being traumatized by having to even think through when something happened or try to tell you who might have done it or if they're safe to go home? So I can't say that that's not going to have any trauma to them, and everyone's going to process trauma a little bit differently.

[00:42:27] But for us, when we have to get facts, that is the least intrusive way that we can get it in the effort to really minimize the number of times they have to tell their story. and do you think this is uh best practice across the nation where sros are trained to just do minimal facts questioning and not be trauma-informed trained um so they are trauma-informed trained that's the that's my point of the purpose of the minimal facts interview is to ask the questions in a trauma-informed manner that makes sense are they specifically trauma-informed to i i assume maybe they are but it wasn't in the mou but are they specifically trauma-informed trained

[00:43:05] for juveniles and teenagers so the minimal facts interview is designed for all ages okay um so it's designed to whether it's an adult victim or a juvenile victim is designed to just elicit enough information to help us understand the context of what we're dealing with the the safety immediate safety you know concerns of the person that's there so that we can line up all the appropriate investigative steps the right timing you know if there's um you know if there's forensic examinations or evidence that we, that we can collect. That's why we need to know the timing

[00:43:41] and all the different things that go with it, but to do it in as least intrusive a way as possible so that we are being trauma-informed. Okay. Um, in, on pages 10 and 14 of your presentation, where you're talking about collaboration, interview protocols for underage assault cases, this all happens after it's passed on to the SVU unit, correct? Correct. Like there aren't dogs or soft interview rooms inside the schools correct okay um on page 14 the last bullet victims informed of the next step this is not at the time it's with the sro office right can you repeat that one more

[00:44:17] time if on let me go but let me go to page 14 but i guess my point is a lot of the stuff that's described in the presentation is stuff that happens after it's passed on from an sro's office it's not happening yes in the schools specifically that that is correct and we we really strive to not do as much as possible in the schools because that isn't the best environment the best environment is the loud and child advocacy center and so that's that is where we strive to get you know all of our cases and victims taken to for that forensic interview so that they've got the most supportive

[00:44:55] of the most trauma-informed environment. Are there ever any other people in the room when an SRO is interviewing, like a parent or a counselor or someone from the administration? Yes.

[00:45:11] So you're talking about that initial interview at the school? Yeah, the initial interview. There are cases, yes, where people from school administration or things like that can be present during that interview. Okay. Are there ever any times when you ask the student who could potentially be a victim to go directly to the hospital instead of going home so there i mean there's cases that could the sro do that yes so there are cases that take all all shape and form now that's not likely to be a decision made by the sro that's

likely to be a decision made by the special victims unit supervisor or detective so that communication happens very quickly this is not this is cell phone you know

[00:45:47] calls this isn't i file a report and three days later the special victims unit you know takes this This is immediate notification saying, hey, I've got a child here who has, you know, either specific injuries or maybe have forensic evidence on them, and they need a, you know, a SANE examination or, you know, a forensic nurse examination, something like that.

[00:46:07] The detective will be lining up those investigative, you know, steps and in coordination. So the SVU officer could show up at the school? Yes, absolutely. Okay, okay, great. In the MOU on page two, implicit bias training is required. Is this just racial implicit bias, or is there other types of implicit bias that's discussed in this training?

[00:46:27] So it is all unconscious bias. All unconscious bias, including LGBTQI, gender. Awesome. That's great. On page 5, it says, as soon as it becomes evident that a reportable offense has occurred, school officials shall stop.

[00:46:43] Oh, we already talked about that. Okay, on crime reporting, we already talked about that. So the other thing that I found very concerning in the MOU was on page 6. And I wondered, under what authority are SROs allowed to stop, question, interview, take law enforcement action without prior authorization of a school administrator, a parent, or a guardian?

[00:47:05] The way that reads to me is that it gives police officers blanket authority to question, stop, search any student without calling a parent or having a counselor present or someone from the administration present. So do you know under what authority SROs will be allowed to do that?

[00:47:24] Sure. So SROs are law enforcement officers. The same powers they have in the community, they have in the schools. However, so they have that authority within the schools if there's criminal activity and things like that going on. But our SROs work extremely closely with school administration.

[00:47:41] And I think our statistics and everything point that out, that we're not there to try to hem kids up or place charges on kids. We charge very, very, very few kids in the school system, and we work very closely and collaboratively with the school administrators. So they have their law enforcement powers.

[00:47:58] Are you saying in Virginia, a law enforcement officer is allowed to question, search, or interview a minor without a parent's consent? Yes. There are times that we can do that, and there are times when that's necessary.

[00:48:14] So there's specific situations that you're allowed to do it under Virginia, just specific situations. So, yeah, there are times, yes, that we can question juveniles without parents present. Okay, okay. So the MOU reads as if you can do that in any case, anytime you want.

[00:48:30] So I think that the MOU should specifically state when a police officer has the authority to stop, question, interview, search a minor without parental consent. Okay.

[00:48:48] I mean, so deputies don't stop becoming law enforcement officers. that power is inherent. I'm not asking them to. I'm asking them to tell their parents if they're going to stop, interview, search, or question a minor on school property. Do you know what I'm saying? I understand that. Yes. And what I would say is we collaborate, like I said, very, very closely with school administration.

[00:49:12] We work closely with parents. We notify parents. We've got a track record of that in the schools. The authority to do something and when we exercise the full authority of it is two very different things. Okay. Thank you. That's all I have right now until I do my motion. Thank you.

[00:49:29] Supervisor Umstead. Thank you, Chair Sorotkin. Colonel, thank you so much for being here. And also thank you to LPD for being here as well. I appreciate it. As you know, we've had at least two allegations of sexual assaults in the schools and a third allegation that the Title IX process in the schools seemed unsupportive of the family alleging an inappropriate touching by a teacher.

[00:50:01] So I'd like to get into the Title IX after I have a conversation with Colonel Sawyer. When you have a complaint that comes to the attention of an SRO, whether directly from a student or from a teacher or from a school administration.

[00:50:24] What kind of time delay is there between the SRO becoming aware of an allegation and the turnover to the SVU? And I don't want to get into specific names of any of the victims or their families, but we've had two similar incidents in two different high schools.

[00:50:47] What is your understanding of how quickly the SVU becomes involved once an SRO knows that there's an allegation? Yeah, so that information, like I mentioned just briefly ago, travels very, very quickly. So once an SRO becomes aware of an allegation of sexual assault within a school, they're going to notify their sergeant, who's going to notify the sergeant of the special victims unit, who's going to review the facts and assign a detective as appropriate.

[00:51:17] Follow-up for that may take different, you know, timelines in different forms depending on when that, you know, the allegation occurred. If it's something that occurred two weeks ago and it's not a family member, the person has a safe, supportive environment, you know, that they can go home to, then follow-up may be the following week, you know, when they schedule with the family to go to the Loudoun Child Advocacy Center.

[00:51:38] But that also may be very, very different if it is, you know, a family member that's alleged to be the offender and, you know, Or there is, you know, a very, very close, you know, short time window from when it occurred where physical evidence may be present and the SVU detective may come right down to the school.

[00:51:55] So that notification process will happen very quickly, but it's the special victims unit supervisor and detective assigned that kind of triages what that immediate response needs to look like. All right. So you and I, previous to this meeting, had discussed a perception that one family had that someone in law enforcement who was aware of a young woman's complaint of sexual assault had said the case was iffy.

[00:52:32] And you indicated that that has been a source of frustration to you because you can't find further evidence of that. So let me ask you, are your SROs trained to take seriously allegations of sexual assault by either young women or young men when they first learn of it?

[00:52:58] Yes, absolutely. They are trained to do that minimal facts interview to establish whether it appears that a sexual offense has occurred and make that notification immediately. All right. Would you become unaware? Is there a possibility that your office would not be made aware by the schools of a Title IX allegation?

[00:53:28] Or do you feel that school administration has been effective in notifying your office, whether via SRO or otherwise, as soon as they become aware of any kind of assault in the schools?

[00:53:47] So generally speaking, just because they have a Title IX investigation doesn't mean that there's also a criminal offense. So there can be Title IX, you know, violations and investigations that never come our way because there's no allegation of criminal offense. The MOU does require that if there are allegations of sexual offense, they are required to notify us of that.

[00:54:07] All right. Are your SROs trained to exhibit to the, let's say, a young woman or a young man who has been sexually assaulted to exhibit sympathy and empathy? Yes, absolutely.

[00:54:25] And if there were allegations, credible allegations, that an SRO had not met that highest standard, would you look into an investigation of how that SRO handled the case?

[00:54:40] Yes. Yeah, we take complaints very seriously, and we take them in any form. So anyone who may have something that they're not satisfied with is welcome to share it with us directly by phone. They can go online to our website. They can use our app and submit a tip.

[00:54:59] They can literally let us know any way. We take them all very, very seriously, and we'll look into it. We hold our deputies to a very high professionalism standard. Thank you very much. On Title IX, I think as LCPS is aware, we have a family that has been covered in the media saying that they found the Title IX process in LCPS to be unsupportive of their concerns and somewhat dismissive.

[00:55:32] What has LCPS done to make sure that Title IX cases are handled appropriately and with sympathy towards the victim and the family? Thank you for that question.

[00:55:47] So the Title IX office within LCPS over the past year has evolved, And within the past year, we have hired a Title IX coordinator and two deputy Title IX coordinators.

[00:56:06] What I would say is, you know, just as Colonel Sawyer stated, they take allegations of sexual assault, sexual harassment very seriously. So does LCPS. We implemented a system by which school administrators are required to submit any incident which could elevate at all to a Title IX violation, and those are all reviewed by our Title IX coordinator and our deputy Title IX coordinators.

[00:56:39] Essentially, one of the three of those individuals reaches out to the complainant and or their parents. We have developed a fact sheet, a student family fact sheet on Title IX. Sometimes it's very difficult for individuals to understand why our investigators are not investigating, why it does not rise to the level of a Title IX violation as is stated by the regulations.

[00:57:09] So we try to provide information in all aspects. It's on our website, it's in a document that is translated and can be sent out. We offer opportunities for them to meet directly with our deputy Title IX coordinators or Title IX coordinator.

[00:57:27] Each one of our deputy Title IX coordinators is actually a former LPD detective of major crimes, investigated rapes, was part of a FBI task force into trafficking.

[00:57:44] involved in a internet crimes against children type task force, is trained in trauma related investigative tactics, and our other deputy coordinator is a former child protective services investigator.

[00:58:05] So both of those individuals are familiar with the specifics that when you refer to empathy and sympathy in regards to interviewing children who could potentially be the victims of horrific crimes,

they're both very trained in both of those avenues.

[00:58:31] The other aspect is we work very closely with our unified mental health team to provide supportive measures in regards to counseling services, anything that is specifically requested or needed by the complainant and or the respondent.

[00:58:49] Does that answer your question? It does. And if you had a complaint that a Title IX coordinator appeared to be hostile or non-receptive a student and that student's parents what action would you take we would investigate it just like we would any other complaint against any other LCPS employee all right thank you very much thank you mr. chair miss Reiser thank you mr. chair I'm supervisor I'm stat I wanted to also add to that that our office of ombuds is someone that I called on and I believe it's a specific

[00:59:28] matter you might be talking about we had public comment from a family and I immediately reached out to Miss Williams and put that family in touch with our ombuds so that there was and that is why we have the office of ombuds so that there is a check and a balance and I learned later because that that family is not in my district but as you know the decisions we make affect everybody so it doesn't really matter but I did later learn from the board member that represents that district that he went down into the audience and spoke with

[01:00:01] them as well. So we were responsive immediately. Thank you. Co-chair Glass. Thank you and thank you Ms. Boland and Lieutenant Colonel Sawyer for the presentation. Is LCPS able to complete a Title IX investigation simultaneously to LCSO completing a criminal investigation? We have no choice. We are required by law we do we in the regulation it does allow for us to give some leeway for law

[01:00:38] enforcement to conduct their initial interviews and then typically we we work very closely together so if we're involved they're involved we're going back and forth and we know once they've made their initial investigations in regards to interviews so that we don't blindside anyone and catch anyone off guard. But typically, we allow five business days before we have to start our Title IX investigation. Are different levels of evidence needed to determine violations between a Title IX

[01:01:16] investigation and a criminal investigation, for instance, preponderance of evidence versus beyond a reasonable doubt so criminally it is proof beyond a reasonable doubt is what we need which is a higher standard for sure and we do a of evidence okay also referencing to slide 11 page 12 in the packet the chart shows that a detective in a title 9 investigator complete separate investigations is

[01:01:51] there any communication between LCPS or LCSL notifying the other entity of the investigation yes so that the communication really begins at the school level and then it continues from there so you know lcps staff in the title nine office will discuss with detectives in the special victims unit and the supervision there as far as the progress and and coordinating that that response that doesn't mean that we're in the same room you know for interviews and things like that but as far as communication as far as flow goes we do keep each other aware

[01:02:29] Can a Title IX investigation yield different results than a criminal investigation, meaning someone can be found guilty of a Title IX violation but not charged criminally with a crime? Absolutely. How does LCPS reconcile with their Title IX findings if someone is later found not guilty or guilty of committing a criminal offense?

[01:02:52] They're two different things entirely. Does law enforcement notify LCPS if a student is arrested or found guilty of committing a crime? So there are notification requirements based on where an offense

occurs, like if it occurs on school property or things like that.

[01:03:17] There's also other requirements by the Code of Virginia for certain types of offenses that occur in the community to notify the school administration as well. And we do that. One more. In response to the funding or staffing needs request, presentation says that LCS appropriately investigates cases.

[01:03:40] So does that mean that no additional funding or staffing is needed for investigations or victim support services? That's correct. At this time, I believe we're appropriately staffed to be able to handle the caseload that we currently have. I did put in there what our caseloads currently are and where that threshold is.

[01:03:58] So if we get to the point where we start exceeding 75 cases per year, we will be in front of the Board of Supervisors asking for additional detective positions. Okay, thank you. Ms. Reiser? Thank you. I just have a few quick questions because I think most of mine were hit by the other committee members.

[01:04:16] One of the things I was going to ask, I think you just answered, there were some new positions allotted to the LCSO this budget. So I think 36, none of those are going to the SVU or the sexual crimes units? That's correct.

[01:04:32] Those are all field deputy positions. Okay, thank you. You said that the minimal time between, or the time between minimal facts and SVU is sometimes just a phone call. What is the maximum, and do you have parameters for what the maximum should be?

[01:04:50] So we really don't have a maximum. That's not necessarily a good way to look at it. So reporting on everything is required to be done on the same day. So any time, any patrol deputy, any SRO, any report they take, that report is required to be filed on that day.

[01:05:10] They are not allowed to go home without completing that report. So any case that's going to go to our investigations division, by the end of the day, even if that phone call doesn't occur, by the end of the day, our investigations team is going to know about it. Okay, so there's a floor and a ceiling.

[01:05:26] Yes, absolutely. Okay, that's what I was looking for. Thank you. Two other questions. the processing of sexual assault or rape kits um what is the amount of time that usually takes if there's a floor ceiling and average so that processing is done by the department of forensic science um and so sorry let me rephrase my question how long would it be before it's sent out like is there a typical average time so all that's handled by our property evidence section

[01:06:00] i'm not aware of any delay in in um kits being sent out and i'm not meaning to imply there was any delay i just was wondering in the normal course of business if a kit is collected when would lcsd send it out um so it would be processed to go out right away i i'll have to follow back up with a specific you know time frame okay um but it's going to be a very short time frame okay thank you and my last question is um do you also in in a situation where it's a school-based defense would you also interview the alleged assailant?

[01:06:37] Yes, so that gets into the investigative steps based, again, on the nature of timing when it happened, if it occurred two weeks prior versus that same day. In the same-day situation, would you leave the premises? Would the officer taking the report leave the premises without speaking with the assailant?

[01:06:59] So the SRO would not be the one. It would be a member of the special victims unit. And there are those cases where we send more than one detective to the school so that we can do follow-up with

multiple people at the same time. I see. And if you couldn't locate the assailant, what would happen? We would be working very diligently to locate them.

[01:07:17] Okay. Thank you. That's all I have. So there was a previous line of questioning about the LCPS's right and obligation to conduct a Title IX investigation parallel to any criminal investigation that's going on.

[01:07:33] I don't have a question related to it. I just wanted to say I appreciate that in process revisions to the MOU, that's made very clear where it was not prior, because I know that's been a bone of contention in the past, and there's been confusion about obligations and when those investigations should occur.

[01:07:56] So I appreciate that those revisions are in there and being supported by all sides. Supervisor Briskman. Thank you. I just had two more quick questions. It used to be the SROs reported up into the patrol unit, and now they're reporting up into criminal investigations.

[01:08:14] When did that change occur? Sure. So the SRO unit used to be under operational support division. So it wasn't patrol, but it was the division that had a lot of the specialty units, motors, traffic, things like that. So that changed January of 2022 is when we moved them from operational support division to criminal investigations.

[01:08:32] And really that move is for the efficiency of communication between those two units. Because the SRO unit and the special victims unit especially work together so closely, so often, it's just easier to have them both reporting up through the chain of command, which is through...

[01:08:47] So it had nothing to do with the cases that we've been discussing? Okay. The grand jury report indicated that the process of communications was problematic and that the schools maybe were not notified necessarily of an arrest and learned about the arrest of the first perpetrator in October when it came out in the news media.

[01:09:10] I understand that there was some issue with the wrong person being on the list of who you're supposed to send that information to. Has that been rectified, this communication process? So that notification was from the Juvenile Court Services Unit.

[01:09:29] It wasn't through the, it's not a requirement to allow the sheriff's office, it's a requirement of the Juvenile Court Services Unit. And yes, there was some, you know, some confusion with that. But it also says in the MOU that the LCSO will notify the schools and a principal when someone's been charged or arrested.

[01:09:47] Right. Yes. So we do make a lot of notifications now. And that is an area that we've strengthened is communication between us. Even in areas that's not required, it's not a requirement of us to make the notification. We're now making notifications even in areas that's not required.

[01:10:03] But doesn't the MOU require you to notify if there's been a charge or a criminal, alleged, a criminal offense? So, yes, the alleged criminal offense, yes. But not the charge. But not the charges. When it comes to actual charges later, that's a requirement to juvenile court services.

[01:10:19] Okay. However, again, we are making notifications to the school division on charging now. Okay, so that was one thing that was changed. Yeah? Okay. I'm ready to make my motion unless we want to do something else. Is there any further discussion?

[01:10:36] So, Supervisor Bristman, this is an information item tonight, so I believe if you want to make a motion, you'll have to move to suspend the rules prior to making a motion. I move we suspend the rules. Sir, second. Second. Seconded by Ms. Reeser. There's no discussion on the motion.

[01:10:53] It requires a two-thirds vote in order to pass. All in favor of suspending the rules for Supervisor Bristman to make a motion, please raise your hand and say aye. Aye. Aye. That motion will pass unanimously of committee members present. with Corbo absent for the vote. Go ahead, Supervisor Brislin.

[01:11:09] Thank you. I move that the Joint School Board Committee and Board of Supervisors Committee recommend that the Loudoun County School Board make the following changes to its MOU with the Loudoun County Sheriff's Office on school resource officers. One, remove the terms whenever feasible under the required training on page two of the MOU and include a fifth required SRO training on trauma-informed policing tactics and interview techniques specifically designed to better serve minors potentially involved in sexual assault or domestic assault situations, and two, remove language seen on page six of the MOU that allows SROs to, quote,

[01:11:49] stop, question, interview, and take law enforcement action without prior authorization of the school administrator or contacting parents and legal guardians and replace it with language that requires parents and legal guardians and school administration to be notified prior to any of these actions.

[01:12:08] Seconded by Co-Chair Glass, Ms. Supervisor Briskman, would you like to speak to your motion? I would. Thank you very much. I just want to reiterate, in a school system with more than 80,000 students, I don't think that we have a systemic issue with sexual violence, sexual assault.

[01:12:25] There's 82,000 students, and we have had one, two, maybe three highly publicized cases, and we might question why they were highly publicized. However, looking at the MOU, I thought that we should, and hopefully my committee members agree, that we should make some adjustments to make sure that we serve our students in the best way possible who might be facing these situations.

[01:12:52] And thus, the recommendation, hopefully, that the committee will adopt that the Loudoun County School Board make these changes in the MOU as it moves forward. Thank you, Chair Sorokin. Thank you. Supervisor Umstead. Thank you, Chair Sorokin.

[01:13:09] may i request that these two uh motions be separated there's a motion to divide the question yes is there a seconded by miss reaser uh any further any discussion on the motion to divide seeing none all in favor of dividing the question please raise your hand say aye aye that motion will pass unanimously of uh members present with miss corvo absent for the vote thank you And Chair Sirotkin, may I ask a question of Colonel Sawyer?

[01:13:44] Sure, go ahead. Thank you. Colonel, on the first part of Supervisor Briskin's motion, which is to remove the terms whenever feasible under the required training on page two of the MOU, and include a fifth required SRO training on trauma-informed policing tactics and interview techniques, It's not clear to me that this would be something new that you're not already doing.

[01:14:15] So do you consider that you already are training your SROs on trauma-informed policing tactics and interview techniques specifically with minors who are the victims of sexual assault or domestic abuse?

[01:14:35] Yes. And if I could also add that the phrase whenever feasible, we are sometimes at the whim of the places that provide the training. And there are instances where we have to change an SRO out in the middle of a, you know, in the middle of a school year, maybe bring in a new SRO and that training may not be available within the 60 day, within the 60 day window.

[01:14:56] So that the whenever feasible phrase is really there for us not to get around it as a way to not do the training, but it's a way to understand that, look, we may have to put an SRO into a school prior to them getting this training.

[01:15:12] And if the training is national training that doesn't come to our area for a period of time, it may be longer than 60 days before we're able to get that training. So that's what that wherever feasible is important for us. If this, if the school board were, if the joint committee were to pass this first motion and the school system were to implement it as part of the MOU, do you feel that would interfere with effective law enforcement?

[01:15:45] So I don't have the draft motion in front of me. My understanding as far as the training goes, you know, as long as it's training that is in congruence with the national standards and the best practices that we're already doing, you know, we're all for training. We train as much as we can, not opposed to having more training.

[01:16:02] You know, so as long as it's training that's consistent with, you know, the standards and the accreditation of the things that we have, I've got no problem with that. My bigger concern, I think, with the language is just on that whenever feasible. Because, again, that is sometimes needed for us just when it comes to moving people in different positions, dealing with an SRO who's got a long-term injury, you know, or things like that.

[01:16:22] We need to put somebody in a school. All right. Thank you very much, Mr. Chair. I'll support the first motion given that Colonel Sawyer has given his advice to the school board members of this committee, and I think you know best how to implement his advice.

[01:16:47] Thank you. Thank you. Just one note. I would note that the MOU at the end of the day does have to be mutually agreed upon between the Loudoun County Public Schools and the law enforcement organization, so we cannot you know unilaterally agree to things but we can certainly recommend changes and then discuss it and negotiate with the sheriff's office and and Leesburg police Ms. Brissman sorry Ms. Reeser no problem thank you mr. chair I was going to just point the same thing out that this is a motion to recommend for the school board to to look at these changes so we can certainly discuss whether there's better language than whenever feasible maybe unless exceptional

[01:17:26] circumstances exist or something that I'm sure our staff and yours can work out so that it's helpful instead of impeding. Further discussion on the motion? Co-chair Klaas.

[01:17:45] Thank you. I support these recommendations coming out of this committee, and I think this will better help our students, our parents, and law enforcement who need to interact with one another. when a lieutenant colonel sawyer said that um when you um said that you all are for more training i think this is this will be beneficial um for the county so thank you okay any further discussion supervisor bisman thank you um lieutenant colonel did i mishear you because i thought you said

[01:18:22] earlier that you're that everyone's trauma informed trained but it's for all ages and not specifically for minors and adolescents right so the the training for minimal facts interview covers all all

ages okay but there's there isn't a training for SROs that's specific to this age group oh not that I'm aware of but you can SROs have excuse me in the past have specific training for child infused issues they've experienced through trauma so the SROs have received the

[01:18:58] training specific to children okay great well I appreciate everyone um supporting the motion uh and you know if you're already getting the training then it shouldn't be a problem to put in the MOU, and I'd love to hear at some point what that training is. Thank you, Chair Sorokin.

[01:19:15] Thank you. Any further discussion on the motion? Seeing none, all in favor of the motion to recommend removal of the terms wherever feasible under required training on page two of the MOU, please raise your hand and say aye.

[01:19:32] Aye. That motion will pass unanimously of committee members present with Ms. Corbo absent for the vote. So now we're on the second half of the divided question to remove the language seen on page six of the MOU that allows SROs to stop question interview and take law enforcement action without prior authorization of the school administrator or contacting parents and legal guardians and to replace it with language that requires parents and legal guardians and school administration to be notified prior to any of these actions.

[01:20:04] Ms. Brissman, would you like to speak to your motion? Sure, to the second half of the motion. I frankly find it terrifying that law enforcement officers might be able to interview um i mean you just need to watch the movie about the central park five where parents were trying to get in to talk to their children and they couldn't get in and they ended up being charged and almost like thrown in prison and and all that so that that's the images that i have in my head when i see a blanket statement that law enforcement will be allowed to interview question detain search students um without any

[01:20:39] parameters around that. I understand sometimes there would be a need, depending on circumstances and types of cases, that you might want to interview someone or need to interview someone before you speak with parents. But if that is the case, then I would be much more comfortable as a parent, and I think the community would be much more comfortable. If that's specified in the MOU, because the way it reads in the MOU right now, it looks like a blanket statement. And I'm not accusing anybody of doing anything. I'm not, you know, I, well, I do have an email in here where a mom was trying to get in when her daughter was being interviewed by an officer and two other

[01:21:15] people in her school and the mom was not able to get there in time. So that concerned me when I heard that story, but also just the story of being able to, you know, interview kids without their parents and without a counselor and without an administrator present is very concerning to me.

[01:21:33] And so, if there are times when that needs to happen, I'd like to see it specifically stated in the MOU. Thank you. - Supervisor Umstead. - Thank you, Mr. Chair. - May I offer some clarification, please? - Go ahead, Captain. - Yeah. - If you can look at page 16 of the MOU, proposed MOU document, you'll see a table that explains our interviewing of students and what it's limited to.

[01:21:54] So, we may have done a, we may need some work on our wording in the specific paragraph you're citing, but if you look at that document, it actually says, for example, a juvenile suspect for an on-campus offense, School or SRO shall attempt to notify parents of the violation. So we do spell out in that chart when parents need to be notified, when we can talk to them without talking to a parent.

[01:22:12] For a juvenile witness or victim, a parental permission for an on-campus event is not necessary because they're a victim or a witness to the offense, right? So there's no threat of them being charged with anything per se because we just want to know what happened with the offense. So we do have some outline in there.

[01:22:28] So I don't want to leave you with the thought that we don't have this outline. We do have an outline. maybe need some to clean up that language in that paragraph that you're citing but we're happy to do so thank you can you tell me the page again you were referring to page 16 it's the last page of the mou document okay i'll take a look thank you yeah i'd also add that that's in the language of the current mou on page 15. so if you're looking at the current mou page 15 the draft mou page 16.

[01:22:57] okay thank you so supervisor romston thank you thank you i appreciate it um i will not support this motion, although I very much sympathize with Supervisor Briskman's concerns. However, there are emergencies that arise. There are students who bring guns to school and start shooting. I think law enforcement needs the flexibility to deal with situations that are

[01:23:32] serious and immediate without asking for parents permission or administrators permission i think law enforcement understands that we we all as parents want to make sure if our kids are not a danger to anybody that parents be notified um or certainly school administration i think we we all want parents involved whenever it can be done safely But in some cases, it's an emergency, and law enforcement needs to be able to act.

[01:24:10] So I will not support this, though I appreciate where it comes from. Thank you. Additional questions? Co-Chair Glass. Supervisor, I understand what you're trying to say.

[01:24:26] I think that there are times, like you said, that you all have to immediately assess the situation and and go through the process so is there a way that we could look at it that it's not a not like a blanket because that's what it looks like that it's when we were looking through it that it it felt like it was most of the situations that occur that that would that parents would not

[01:25:03] have access to their children absolutely and I'll jump back into that chart on the I'm sorry we have lot of copies of this document floating around but it's on my page 16 of the working draft says generally interviews should be limited to when delay may increase imminent risk of danger destruction of evidence or flight of the suspect so we agree in our MOU to only question students at school when that event occurred on campus meaning and they give we even give the definition on campus means the offense occurred on school property on a school bus or at a school sponsored activity event off campus means the converse so we do not question students about off-campus events at school unless that exigency

[01:25:42] applies if there's a danger to another student if they said they're gonna they're gonna kill another student then we may go to that school to ensure that they're not armed and they can't hurt somebody other than that if there was a fight at the 7-eleven on Friday night we're not going to the school to talk to the kid about that that event because we don't question them about anything that happens out saw off of campus at school unless it's absolutely necessary okay thank you additional discussion ms reaser thank you mr chair so when we were discussing the mou back in 2021 this was one of the topics that came up because there was some concern from community

[01:26:20] members that gave public comment on um on parents not being notified and and i remember the conversation then centered around perhaps including the situations in which on campus for an on-

campus event a law enforcement officer would such as exigent circumstances would would do this and I'm having a hard time finding some of the language you're talking about in the pages that you're talking about so I just can't quite get on the same on the same place but are you is is this

[01:26:55] and it may have been that this was added after that meeting the table that you're referring to is that part of the MOU now it appears to be in the attachment I just want to make sure it is and I have an extra copy if I can hand it. Sure. Thank you. So besides exigent circumstances, are there any circumstances in which, thank you very much, yeah, that's exactly what I was looking at, where a student would be interviewed without their parents being notified or an attempt being made to notify their guardians or parents?

[01:27:34] So there could be an instance, again, you know, they may be, you know, witness or victim if the parent is the is the alleged offender um so there are some circumstances yes where that's right and i think the concern was around the language of witnesses specifically and i think we were not able to address it when we were uh trying to draft this mou because the the mou at that point it had been a lot longer than two years since it had been redrafted and i think in the interest of getting something on paper that particular item kind of went by the wayside so

[01:28:07] So while I don't think it's appropriate to completely remove this authority because I think it is necessary to protect our kids, and I don't have a substitute motion to make, but I do think that this is something, regardless of how this motion is decided, that we could perhaps converse about and try to address some of the concerns that have been raised about how it reads if you all are amenable to that.

[01:28:37] and I can't similarly I can't support this motion because I think it's I think the blanket statement that's in there now is not great but I think also replacing it with a blanket statement in the other direction is equally not great because the the truth and reality is somewhere in between so I would fully support uh staffs taking a look at this to try and see if we could come up with language that that that makes sense but I I can't I can't support the motion as is Ms. Reeser.

[01:29:11] - Supervisor Briskman, would you consider amending like a friendly amendment to instead of remove the language, change that to review the language so that the school board has an opportunity to continue the discussion? - Absolutely, thank you. - Okay, you're welcome. - So without objection, the motion will be amended to ask staff to review this language.

[01:29:33] Any further discussion? - Sounds good, thanks. - Okay, any further discussion? - I'm good, thank you. - Okay, seeing none, all in favor, of the motion, please raise your hand and say aye. - Aye. - That motion will pass unanimously of committee members present with Ms. Corbeau absent for the vote.

[01:29:52] So any further discussion regarding this information item? Seeing none, we will move to item seven, which is adjournment. We are adjourned. Thank you everyone.



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