

REFORM REQUIRES TRANSPARENCY

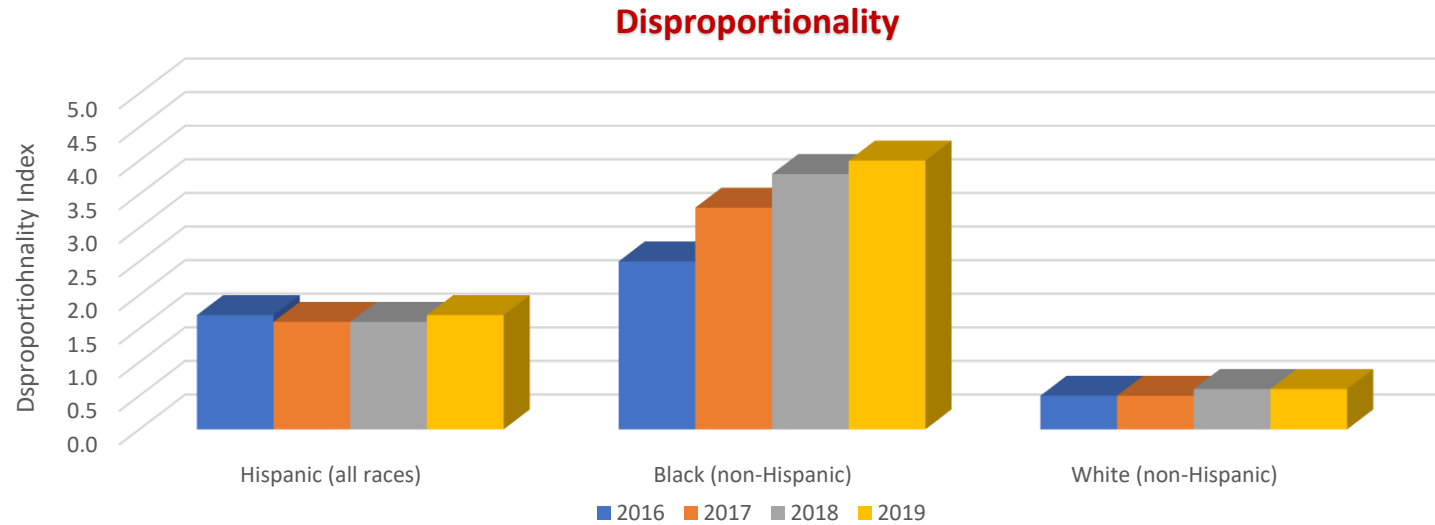
2016-2019

FAIRFAX COUNTY POLICE DEPARTMENT DISPARITY IN ARRESTS After Adoption of Ad Hoc Police Practices Commission Recommendations

We and other advocates have been asking for demographic breakouts of data for not only use of force, but other key police actions, such as arrests (by category), misdemeanors (summons and custodial arrests), stops and traffic citations. To date, the data has not been published. Set forth below is data ACLU People Power Fairfax has received under FOIA for 2016—2019 for arrests by category of crime, disaggregated by race and ethnicity. We have analyzed it to determine the level of disparity for people of color. See Appendix for further information about data and calculations.

The disparity in arrest rates for Blacks has increased each year since 2016, from 2.5 to 4 times their representation in the overall population. Hispanics are also disproportionately arrested, at a rate about 2 times that of their population. There is wide variation in the extent of disparity between different crimes. With the exception of pornography, however, Whites are under-represented in every individual category of crime.

Overview 2016-2019 Fairfax County Police Department Arrests Disaggregated by Race/Ethnicity



Based on FCPD data analyzed by ACLU People Power Fairfax

Year	Total Arrests	Hispanic (all races)				Black (non-Hispanic)				White (non-Hispanic)				Other ³⁾	
		#	%	P ⁽¹⁾	D ⁽²⁾	#	%	P ⁽¹⁾	D ⁽²⁾	#	%	P ⁽¹⁾	D ⁽²⁾	#	%
2016	41,518	12,355	30%	18%	1.7	13,821	33%	13%	2.5	13,747	33%	61%	0.5	1,595	4%
2017	38,246	10,999	26%	16%	1.6	13,779	36%	11%	3.3	12,440	33%	66%	0.5	1,928	5%
2018	36,742	9,765	27%	16%	1.6	13,223	36%	9%	3.8	12,032	33%	51%	0.6	1,722	5%
2019	35,460	9,972	28%	16%	1.7	13,394	38%	9%	4.0	10,361	29%	51%	0.6	1,733	5%

⁽¹⁾ P = percentage of race/ethnic group in the overall county population

⁽²⁾ D = Disproportionality

⁽³⁾ Other = other races, non-Hispanic

See Appendix for details.

2016 Fairfax County Police Department – Arrests Disaggregated by Race/Ethnicity

IBR CATEGORY ⁽¹⁾	Total Arrests	Hispanic (all races)			Black (non-Hispanic)			White (non-Hispanic)			Other	
		#	%	D ⁽²⁾	#	%	D ⁽³⁾	#	%	D ⁽³⁾	#	%
ASSAULT OFFENSES	3,117	970	31%	1.7	1,005	32%	2.4	989	32%	0.5	153	5%
BURGLARY/BREAKING & ENTERING	264	85	32%	1.8	107	41%	3.0	62	23%	0.4	10	4%
COUNTERFEITING/FORGERY	825	217	26%	1.5	434	53%	4.0	157	19%	0.3	17	2%
DESTRUCTION/DAMAGE/VANDALISM	901	257	29%	1.6	320	36%	2.7	301	33%	0.5	23	3%
DISORDERLY CONDUCT	319	83	26%	1.5	140	44%	3.3	88	28%	0.5	8	3%
DRIVING UNDER THE INFLUENCE	1,967	714	36%	2.0	306	16%	1.2	813	41%	0.7	134	7%
DRUG/NARCOTIC OFFENSES	5,962	1,272	21%	1.2	1,932	32%	2.4	2,477	42%	0.7	281	5%
DRUNKENNESS	2,981	1,319	44%	2.5	650	22%	1.6	933	31%	0.5	79	3%
EMBEZZLEMENT	286	41	14%	0.8	118	41%	3.1	113	40%	0.6	14	5%
FRAUD OFFENSES	1,930	436	23%	1.3	896	46%	3.5	551	29%	0.5	47	2%
JUVENILE RUNAWAY	1,102	452	41%	2.3	333	30%	2.3	288	26%	0.4	29	3%
KIDNAPPING/ABDUCTION	108	42	39%	2.2	36	33%	2.5	29	27%	0.4	1	1%
LARCENY/THEFT OFFENSES	5,396	1,043	19%	1.1	2,617	48%	3.6	1,572	29%	0.5	164	3%
LIQUOR LAW VIOLATIONS	898	486	54%	3.0	138	15%	1.2	252	28%	0.5	22	2%
MOTOR VEHICLE THEFT	215	52	24%	1.4	92	43%	3.2	67	31%	0.5	4	2%
PORNOGRAPHY/OBSCENE MATERIAL	147	47	32%	1.8	23	16%	1.2	75	51%	0.8	2	1%
PROSTITUTION OFFENSES	221	66	30%	1.7	50	23%	1.7	81	37%	0.6	24	11%
ROBBERY	228	57	25%	1.4	129	57%	4.3	38	17%	0.3	4	2%
SEX OFFENSES, FORCIBLE	220	98	45%	2.5	54	25%	1.8	57	26%	0.4	11	5%
STOLEN PROPERTY OFFENSES	196	36	18%	1.0	111	57%	4.3	37	19%	0.3	12	6%
TRESPASS OF REAL PROPERTY	1,056	284	27%	1.5	339	32%	2.4	383	36%	0.6	50	5%
WEAPON LAW VIOLATIONS	418	89	21%	1.2	178	43%	3.2	133	32%	0.5	18	4%
ALL OTHER OFFENSES	5,957	1,594	27%	1.5	2,194	37%	2.8	1,954	33%	0.5	215	4%
NON-IBR REPORTABLE	6,804	2,615	38%	2.2	1,619	24%	1.8	2,297	34%	0.6	273	4%
TOTAL	41,518	12,355	30%	1.7	13,821	33%	2.5	13,747	33%	0.5	1,595	4%

⁽¹⁾ IBR = Incident-Based Reporting in accordance with national uniform standards.

⁽²⁾ D = Disproportionality

⁽³⁾ Other = other races, non-Hispanic

Population breakout for 2016: Hispanic= 17.8%; Black or African American = 13.3%; White, not Hispanic = 61.3%; other= 7.9%.

See Appendix for details.

2017 Fairfax County Police Department – Arrests Disaggregated by Race/Ethnicity

IBR CATEGORY ⁽¹⁾	Total Arrests	Hispanic (all races)			Black (non-Hispanic)			White (non-Hispanic)			Other	
		#	%	D ⁽²⁾	#	%	D ⁽³⁾	#	%	D ⁽³⁾	#	%
ASSAULT OFFENSES	3,285	993	30%	1.9	1,031	31%	2.9	1,043	32%	0.5	218	7%
BURGLARY/BREAKING & ENTERING	239	50	21%	1.3	99	41%	3.8	72	30%	0.5	18	8%
COUNTERFEITING/FORGERY	785	143	18%	1.1	419	53%	4.9	196	25%	0.4	27	3%
DESTRUCTION/DAMAGE/VANDALISM	873	231	26%	1.6	288	33%	3.0	308	35%	0.5	46	5%
DISORDERLY CONDUCT	360	102	28%	1.7	144	40%	3.6	102	28%	0.4	12	3%
DRIVING UNDER THE INFLUENCE	2,168	717	33%	2.0	346	16%	1.5	925	43%	0.6	180	8%
DRUG/NARCOTIC OFFENSES	7,150	1,567	22%	1.4	2,528	35%	3.2	2,682	38%	0.6	373	5%
DRUNKENNESS	2,771	1,147	41%	2.6	676	24%	2.2	842	30%	0.5	106	4%
EMBEZZLEMENT	238	40	17%	1.0	100	42%	3.8	79	33%	0.5	19	8%
FRAUD OFFENSES	1,839	337	18%	1.1	948	52%	4.7	466	25%	0.4	88	5%
JUVENILE RUNAWAY	629	318	51%	3.1	157	25%	2.3	136	22%	0.3	18	3%
KIDNAPPING/ABDUCTION	163	66	40%	2.5	60	37%	3.3	29	18%	0.3	8	5%
LARCENY/THEFT OFFENSES	5,458	961	18%	1.1	2,666	49%	4.4	1,581	29%	0.4	250	5%
LIQUOR LAW VIOLATIONS	861	421	49%	3.0	140	16%	1.5	277	32%	0.5	23	3%
MOTOR VEHICLE THEFT	162	44	27%	1.7	68	42%	3.8	45	28%	0.4	5	3%
PORNOGRAPHY/OBSCENE MATERIAL	283	20	7%	0.4	19	7%	0.6	218	77%	1.2	26	9%
PROSTITUTION OFFENSES	137	42	31%	1.9	44	32%	2.9	31	23%	0.3	20	15%
ROBBERY	248	39	16%	1.0	140	56%	5.1	58	23%	0.4	11	4%
SEX OFFENSES, FORCIBLE	311	159	51%	3.2	39	13%	1.1	97	31%	0.5	16	5%
STOLEN PROPERTY OFFENSES	177	32	18%	1.1	93	53%	4.8	47	27%	0.4	5	3%
TRESPASS OF REAL PROPERTY	1,145	311	27%	1.7	440	38%	3.5	346	30%	0.5	48	4%
WEAPON LAW VIOLATIONS	481	96	20%	1.2	221	46%	4.2	143	30%	0.4	21	4%
ALL OTHER OFFENSES	6,192	1,456	24%	1.5	2,495	40%	3.7	1,977	32%	0.5	264	4%
NON-IBR REPORTABLE	2,291	807	35%	2.2	618	27%	2.5	740	32%	0.5	126	5%
TOTAL	38,246	10,099	26%	1.6	13,779	36%	3.3	12,440	33%	0.5	1,928	5%

⁽¹⁾ IBR = Incident-Based Reporting in accordance with national uniform standards.

⁽²⁾ D = Disproportionality

⁽³⁾ Other = other races, non-Hispanic

Population breakout for 2017: Hispanic= 16.2%; Black or African American = 11.0%; White, not Hispanic = 66.3%; other= 6.5%

See Appendix for details.

2018 Fairfax County Police Department – Arrests Disaggregated by Race/Ethnicity

IBR CATEGORY ⁽¹⁾	Total Arrests	Hispanic (all races)			Black (non-Hispanic)			White (non-Hispanic)			Other	
		#	%	D ⁽²⁾	#	%	D ⁽³⁾	#	%	D ⁽³⁾	#	%
ASSAULT OFFENSES	3,158	871	28%	1.7	1,001	32%	3.4	1,064	34%	0.7	222	7%
BURGLARY/BREAKING & ENTERING	236	58	25%	1.5	103	44%	4.7	70	30%	0.6	5	2%
COUNTERFEITING/FORGERY	497	130	26%	1.6	201	40%	4.3	140	28%	0.5	26	5%
DESTRUCTION/DAMAGE/VANDALISM	796	209	26%	1.6	292	37%	3.9	268	34%	0.7	27	3%
DISORDERLY CONDUCT	260	66	25%	1.6	104	40%	4.3	80	31%	0.6	10	4%
DRIVING UNDER THE INFLUENCE	2,123	766	36%	2.2	352	17%	1.8	856	40%	0.8	149	7%
DRUG/NARCOTIC OFFENSES	7,185	1,641	23%	1.4	2,678	37%	4.0	2,563	36%	0.7	303	4%
DRUNKENNESS	2,584	1,052	41%	2.5	643	25%	2.7	794	31%	0.6	95	4%
EMBEZZLEMENT	183	30	16%	1.0	91	50%	5.3	48	26%	0.5	14	8%
FRAUD OFFENSES	1,687	357	21%	1.3	786	47%	5.0	440	26%	0.5	104	6%
JUVENILE RUNAWAY	802	405	50%	3.1	168	21%	2.2	204	25%	0.5	25	3%
KIDNAPPING/ABDUCTION	113	47	42%	2.6	23	20%	2.2	35	31%	0.6	8	7%
LARCENY/THEFT OFFENSES	5,304	994	19%	1.2	2,573	49%	5.2	1,497	28%	0.6	240	5%
LIQUOR LAW VIOLATIONS	683	347	51%	3.1	128	19%	2.0	201	29%	0.6	7	1%
MOTOR VEHICLE THEFT	185	62	34%	2.1	82	44%	4.7	39	21%	0.4	2	1%
PORNOGRAPHY/OBSCENE MATERIAL	491	74	15%	0.9	42	9%	0.9	280	57%	1.1	95	19%
PROSTITUTION OFFENSES *	59	12	20%	1.3	12	20%	2.2	17	29%	0.6	18	31%
ROBBERY	214	53	25%	1.5	120	56%	6.0	37	17%	0.3	4	2%
SEX OFFENSES, FORCIBLE	289	144	50%	3.1	24	8%	0.9	103	36%	0.7	18	6%
STOLEN PROPERTY OFFENSES	146	32	22%	1.4	75	51%	5.5	35	24%	0.5	4	3%
TRESPASS OF REAL PROPERTY	1,002	223	22%	1.4	394	39%	4.2	354	35%	0.7	31	3%
WEAPON LAW VIOLATIONS	431	91	21%	1.3	214	50%	5.3	116	27%	0.5	10	2%
ALL OTHER OFFENSES	6,218	1,366	22%	1.4	2,569	41%	4.4	2,067	33%	0.6	216	3%
NON-IBR REPORTABLE	2,096	735	35%	2.2	548	26%	2.8	724	35%	0.7	89	4%
TOTAL	36,742	9,765	27%	1.6	13,223	36%	3.8	12,032	33%	0.6	1,722	5%

⁽¹⁾ IBR = Incident-Based Reporting in accordance with national uniform standards.

⁽²⁾ D = Disproportionality

⁽³⁾ Other = other races, non-Hispanic

* Although prostitution offenses were below 10 in 2018 and 2019, it remains in the tables as the offense exceeded 100 in 2016 and 2017.

Population breakout for 2018: Hispanic, any race = 16.2%; Black, not Hispanic = 9.38%; White, not Hispanic = 51.24%; Other, not Hispanic = 23.1%

See Appendix for details.

2019 Fairfax County Police Department – Arrests Disaggregated by Race/Ethnicity

IBR CATEGORY ⁽¹⁾	Total Arrests	Hispanic (all races)			Black (non-Hispanic)			White (non-Hispanic)			Other	
		#	%	D ⁽²⁾	#	%	D ⁽³⁾	#	%	D ⁽³⁾	#	%
ASSAULT OFFENSES	3,287	1,012	31%	1.9	1,034	31%	3.4	1,007	31%	0.6	234	7%
BURGLARY/BREAKING & ENTERING	192	44	23%	1.4	84	44%	4.7	52	27%	0.5	12	6%
COUNTERFEITING/FORGERY	583	140	24%	1.5	301	52%	5.5	132	23%	0.4	10	2%
DESTRUCTION/DAMAGE/VANDALISM	777	182	23%	1.4	303	39%	4.2	257	33%	0.6	35	5%
DISORDERLY CONDUCT	245	44	18%	1.1	117	48%	5.1	72	29%	0.6	12	5%
DRIVING UNDER THE INFLUENCE	2,132	863	40%	2.5	339	16%	1.7	796	37%	0.7	134	6%
DRUG/NARCOTIC OFFENSES	6,090	1,481	24%	1.5	2,304	38%	4.0	2,033	33%	0.7	272	4%
DRUNKENNESS	2,843	1,243	44%	2.7	680	24%	2.5	804	28%	0.6	116	4%
EMBEZZLEMENT	190	42	22%	1.4	93	49%	5.2	50	26%	0.5	5	3%
FRAUD OFFENSES	1,539	313	20%	1.3	787	51%	5.4	343	22%	0.4	96	6%
JUVENILE RUNAWAY	842	384	46%	2.8	210	25%	2.7	196	23%	0.5	52	6%
KIDNAPPING/ABDUCTION	150	60	40%	2.5	46	31%	3.3	37	25%	0.5	7	5%
LARCENY/THEFT OFFENSES	5,242	862	16%	1.0	2,835	54%	5.8	1,277	24%	0.5	268	5%
LIQUOR LAW VIOLATIONS	715	322	45%	2.8	176	25%	2.6	188	26%	0.5	29	4%
MOTOR VEHICLE THEFT	198	48	24%	1.5	94	47%	5.1	49	25%	0.5	7	4%
PORNOGRAPHY/OBSCENE MATERIAL	434	91	21%	1.3	62	14%	1.5	245	56%	1.1	36	8%
PROSTITUTION OFFENSES*	89	39	44%	2.7	8	9%	1.0	16	18%	0.4	26	29%
ROBBERY	246	54	22%	1.4	156	63%	6.8	33	13%	0.3	3	1%
SEX OFFENSES, FORCIBLE	260	140	54%	3.3	24	9%	1.0	89	34%	0.7	7	3%
STOLEN PROPERTY OFFENSES	132	24	18%	1.1	75	57%	6.1	29	22%	0.4	4	3%
TRESPASS OF REAL PROPERTY	956	238	25%	1.5	387	40%	4.3	280	29%	0.6	51	5%
WEAPON LAW VIOLATIONS	439	113	26%	1.6	215	49%	5.2	86	20%	0.4	25	6%
ALL OTHER OFFENSES	5,896	1,454	25%	1.5	2,538	43%	4.6	1,698	29%	0.6	206	3%
NON-IBR REPORTABLE	1,983	779	39%	2.4	526	27%	2.8	592	30%	0.6	86	4%
TOTAL	35,460	9,972	28%	1.7	13,394	38%	4.0	10,361	29%	0.6	1,733	5%

⁽¹⁾ IBR = Incident-Based Reporting in accordance with national uniform standards.

⁽²⁾ D = Disproportionality

⁽³⁾ Other = other races, non-Hispanic

* Although prostitution offenses were below 10 in 2018 and 2019, it remains in the tables as the offense exceeded 100 in 2016 and 2017.

Population breakout for 2019: Population breakout for 2018: Hispanic, any race = 16.2%; Black, not Hispanic = 9.38%; White, not Hispanic = 51.24%; Other, not Hispanic= 23.1%

See Appendix for details.

APPENDIX

Legends:

1. **IBR:** Incident-Based Reporting in accordance with national uniform standards. Arrest numbers are calculated based on information in the Records Management System on the date the report was generated. Runaway is non-criminal but tracked. Data shown is based on number of charges, not number of persons arrested.
2. **Disproportionality (D):** Proportion of arrests charges for members of a demographic subgroup relative to the percentage of the same subgroup in the population. When D = 1 means that % of charges equals % of the population for the group. A number below 1 means that % of charges is fewer than the % of the population for the group. Alternatively, a number above 1 indicates that % of charges exceed % of the population for that group. For instance, in 2019, the overall D for Blacks was 4.0; this means that the percentage of Blacks with arrests charges was 4 times higher than the percentage of Blacks in Fairfax County population. To simplify, we can look at D as a risk factor. The risk for Blacks Fairfax residents to have an arrest charge is more than 4 times that of a White resident, considering their representation in the overall Fairfax population.
3. **Other races:** Includes Native Americans, Asians, Native Hawaiians or other Pacific islander, some other race, and two or more races; not Hispanics.

Data Sources:

Fairfax County Police Department – Arrests disaggregated by race/ethnicity

- **2016 to 2018 Data Source:** 17-FOIA-404v5 prepared by FCPD dated 9/18/2017 received by ACLU People Power Fairfax. Numbers are for charges, not arrestees.
- **2019 Data Source:** 20-FOIA-497 prepared by FCPD dated 6/22/2020 received by ACLU People Power Fairfax. As above, numbers are for charges, not arrestees.

Note: For reasons of space and to better calculate Disproportionality, all charges with fewer than 100 arrests were included into “all other offenses.” The underlying FOIA responses are available on request by contacting aclupeoplepowerfairfax@gmail.com.

Fairfax County Population Disaggregated by race and ethnicity

- **2016:** U.S. Census Bureau fact finder. The data is no longer available to the public.
Percentages were: White, not Hispanic = 61.3%; Black or African American = 13.3%; Hispanic= 17.8%; other= 7.9%.
- **2017:** U.S. Census Bureau, 2013-2015 American Community Survey, downloaded on May 25, 2019 from:
<https://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml>.
Note: link is no longer functional as American Fact Finder has been decommissioned.
Percentages were: White, not Hispanic = 66.3%; Black or African American = 11.0%; Hispanic= 16.2%; other= 6.5%
- **2018-2019:** U.S. Census Bureau, 2018 American Community Survey 5-year estimates, Table B03002, downloaded 2/22/ 2020 from:
https://data.census.gov/cedsci/table?g=0500000US51059&layer=VT_2018_050_00_PY_D1&cid=B01001A_001E&t=Race%20and%20Ethnicity&tid=ACSDT5Y2018.B03002&hidePreview=false&vintage=2018.
Percentages are: White, not Hispanic = 51.24%; Black, not Hispanic = 9.38%; Hispanic, any race = 16.2%; Other, not Hispanic= 23.1% (Asian, not Hispanic, is now the second most populous race/ethnic group in the County at 18.9%).