

## Police Interactions and Disability Safety Tips for Virginia Residents

1. Fairfax County police will soon be wearing body cameras as part of a pilot program starting in the summer of 2017. In general, most folks view body cameras for police as a good thing, provided adequate training and policies are in place.
2. If a family calls 9-1-1 due to distress caused by someone with a disability or mental illness, it is very strongly recommended that they request an officer who has had "crisis intervention team" (CIT) training.
3. If the responding officer has a body camera, the person who called 9-1-1 can request that it be turned off, if it is viewed that a crime is not being committed. When asked, officers should inform individuals that they are being recorded.

From the Fairfax County Police Department Policy # on Body Worn Cameras, dated \_\_: "In locations where individuals have a reasonable expectation of privacy such as their residence, individuals may decline to be recorded unless the recording is being made pursuant to an in-progress criminal investigation, arrest, or search of the residence or for individuals located within a residence."

4. If video is taken by a police officer with a body camera, the footage will likely be stored for only 30 days, if it is viewed as a "noncriminal incident". The reason that this is important is that police body camera footage can be subject to a FOIA request, and can be used for any number of nefarious and public reasons by someone who requests it, such as a disgruntled neighbor or family member. If it is requested, the chief of police has the discretion to NOT release that footage if it provides "identifying information of a personal, medical, or financial nature" where disclosure "would jeopardize the safety or privacy of any person" (VA Code Ann. 2.2-3706B). If the 9-1-1 call is due to distress caused by someone with a disability or mental illness, it is the current position by the police that the footage would not be subject to release per a FOIA request on a case-by-case basis. Again though, this is ONLY true if a crime is NOT committed and the person is NOT arrested. If that happens, the footage may have to be released per a FOIA request and is stored for a number of years.
5. If an arrest occurs, please call me to help get the appropriate legal resources and use the ARC's Justice Advocacy Guide at <http://www.thearc.org/document.doc?id=3669>.
6. To provide disclosure to the police before a possible incident may occur, it is very strongly recommend that a 9-1-1 flag sheet be taken to a first responder office; so that the home can be designated as a "location of interest" and appropriate information can be placed in the 9-1-1 system for that address. A recommended 9-1-1 flag sheet handout format can be found at <http://poac-nova.org/wp-content/uploads/2017/02/Debbaudt-911-Flag-Sheet-Handout.doc>. A sample 9-1-1 flag sheet can be found at <http://poac-nova.org/wp-content/uploads/2017/02/Ian-Campbells-Sample-911-Handout.doc>.
7. Another way to provide disclosure would be for the individual or parent to carry and provide a personal autism safety card. A sample personal autism safety card can be found at <http://poac-nova.org/wp-content/uploads/2017/02/Autism-Cards-from-POAC-NoVA.docx>.
8. More disability and safety resources are at the Autism Spectrum Disorders and Public Safety Considerations References and Websites from the Autism Society of Northern Virginia at <http://www.asnv.org/education>, or from POAC-NoVA at <http://poac-nova.org/wp-content/uploads/2017/02/PSWG-ASD-Safety-Training-for-Families-Websites2.5.doc> and <http://poac-nova.org/wp-content/uploads/2017/02/Disability-Safety-Top-Ten-2017-VA.doc>.
9. An additional "Top Ten Disability Safety Tips" for Virginia residents is at <http://poac-nova.org/wp-content/uploads/2017/02/Disability-Safety-Top-Ten-2017-VA.doc>.

**If you have any questions at all about any safety issues, please CALL Scott Campbell at 703 969-6730 anytime. He really does mean ANY TIME!**