



905 Court Street • Lynchburg • Virginia • 24504  
[www.lynchburgva.gov/police](http://www.lynchburgva.gov/police)

September 1, 2021

Virginia Freedom of Information Advisory Council  
900 East Main Street  
10<sup>th</sup> Floor  
Richmond, VA 23219

Councilors:

I am writing to outline our department's strong opposition to proposed House Bill 2196: Virginia Freedom of Information Act; required release of law-enforcement disciplinary records. If signed into law, this bill will have an immediate, detrimental effect on public safety throughout the Commonwealth of Virginia.

Law enforcement agencies across the state are already struggling with unprecedented recruitment and retention challenges resulting from a myriad of factors, including the current climate surrounding our profession. The Lynchburg Police Department is nearing a staffing crisis. For our next recruit class that begins in a few months, we need to hire officers to fill 30 vacancies, which represents 17% of our sworn staff. At this time, we are projecting to have only four qualified applicants to fill this void.

We were able to fill only 33% (5 of 15) of our vacant positions for a January 2021 academy class and hired only 20% (4 of 20) of those we needed for our June 2021 academy class. One of those four recruits resigned last week. This is simply unsustainable. We have seen an 80% drop in applications for the police officer position over the last 10 years. This trend is not unique to the Lynchburg Police Department – it is reflected in law enforcement agencies across the Commonwealth.

Our officers deal with false allegations on a regular basis that remain part of their disciplinary record, regardless of their disposition. It is not appropriate or reasonable to make these allegations public at any point. The redaction of personal contact information is an admirable attempt to protect individuals, but does nothing to address this concern.

If an allegation is publicized and later determined to be false, the damage to that officer's reputation is already done. Now more than ever, we need to focus on building positive relationships with our community. This bill jeopardizes the ongoing efforts that law enforcement agencies undertake on a daily basis to build and strengthen bridges with those we serve. We anticipate a noticeable exodus from our department if HB 2196 is signed into law. This would immediately affect service delivery in our community.

Additionally, many departments, including the Lynchburg Police Department, already provide this type of aggregate data on a regular basis. We publicize the number of complaints, types of complaints, and results on a bi-monthly basis on our website. We also review these in more detail with our Community Policing Advisory Group on a bi-monthly basis.

There is also a cost associated with producing these records. Proposed House Bill 2000 restricts public bodies from charging for costs incurred during the first two hours spent accessing or searching for requested records when such requester has made four or fewer individual records requests to such public body within 31 consecutive days. However, the number of individuals who can make these requests is unlimited, which could result in employees spending inordinate amounts of time on these requests without reimbursement. Most departments simply don't have the capacity to respond to the large volume of requests anticipated by these proposed changes.



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We recognize and appreciate the push for additional transparency, but this proposed bill applies only to law enforcement. No other government employees would receive this same level of scrutiny. Virginia's law enforcement community has made significant strides in transparency and accountability over the past 18 months, and we look forward to continuing this progress with thoroughly researched, evidence-based procedural changes.

Local law enforcement officers continue to stand ready to protect the greater good of our Commonwealth. However, it is incumbent upon all of us to provide an environment that promotes community-supported policing and encourages highly-qualified individuals to choose to enter and remain in this critical profession.

Sincerely,

Ryan M. Zuidema  
Chief of Police  
Lynchburg Police Department