



# TOWN OF FAIRFAX

## STAFF REPORT

### March 17, 2021

**TO:** Mayor and Town Council

**FROM:** Garrett Toy, Town Manager

**SUBJECT:** Discuss/consider interview and selection process for Police Chief and provide direction to staff.

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**NOTE: CONTINUED FROM THE MARCH 3, 2021 COUNCIL MEETING**

#### **RECOMMENDATION**

Discuss/consider interview and selection process for Police Chief and direct staff to conduct an internal recruitment process.

#### **BACKGROUND**

In October 2020, the Council received a report on the Police Chief recruitment process (see section below for more detail) and a staff recommendation to appoint an interim Police Chief in December. Staff indicated the appointment of an interim Chief was needed to provide leadership and structure for the department and provide the Council with the flexibility to allow for a thoughtful and a community-inclusive process.

We recommended the appointment of Lt. Tabaranza as the interim Chief because he was most familiar with the Fairfax Police Chief's role, the needs of the department and was able to fill any open position within the department. Specifically, the Police Chief is required to serve shifts as a watch commander, perform patrol duties (i.e., second officer on duty,) as well as cover the 911 dispatch center for illnesses and lunch breaks. In addition, the internal appointment also would allow the Council to evaluate Lt. Tabaranza's performance during this interim period while keeping all their options open.

In December 2020, the Council ratified the Town Manager's appointment of Lieutenant Rico Tabaranza as the interim Police Chief. At the meeting, staff indicated that the length of the interim assignment could cause operational issues for the department if the decision is deferred more than 3-4 months. With the appointment of Lt. Tabaranza, the department would be down one officer from 10 to 9, with command staff down from 4 (2 sergeants, 1 lieutenant and a Police Chief) to 3 people. In the short term, the staffing could be filled with overtime and/or some reserve officers, but ultimately staff will begin to experience "burn-out" as they would have to put in mandatory over-time to fill shifts, specifically supervisory shifts. We also indicated we would return to the Council for direction in 3-4 months.

#### **Recruitment Processes**

In October 2020, staff provided a brief overview of the recruitment process for a Police Chief. We reported that the typical process would be to retain a firm to recruit a police

chief. This process would be an open recruitment for both internal and external candidates. The recruitment process normally takes 4-6 months to select a Chief and the cost of recruitment could be upwards of \$30,000.

If the Council chose the route of an internal recruitment process, this would not involve the hiring of an outside firm but both interview processes could be relatively the same.

Prior to the recruitment, the Town could conduct a survey to ask residents for input on what qualities they would like to see in the next Police Chief. This is similar to surveys to solicit input on the qualities desired in the next Town/City Manager. The top qualities would also be incorporated into any potential recruitment brochure and be reflected in the interview questions.

If an external search, after the application deadline, the hired recruiter would vet candidates and prepare a binder of the top candidates, candidates worth considering, lesser qualified applicants, and the remaining applicants. The Town Council and Town Manager would consider this information and develop a short-list (e.g., 5-8) of candidates to be interviewed.

Typically, the interview process would entail a community panel, a technical panel, and the Town Council. The community panel would consist of community members appointed by the Town Manager and/or Town Council. The community panel would consist of residents and businesses representative from such organizations as the Chamber of Commerce, churches, non-profits, and/or Town committees such as the Racial Equity and Social Justice (RESJ) committee. The community panel could also have a Town department head on it. This is the primary way for the community to participate in the selection process. Prior to the interviews, panelists and the Town Council would be asked if there were any specific questions they would like to ask the candidates. The recruiter and staff would review all the questions and settle on a list of questions for each panel to ask candidates. The questions are different for each panel because of the panel's focus. However, all candidates are asked the same questions by each panel so there is an objective basis for comparison.

The community panel would ask questions regarding the applicant's experience and approach to working with the community. The technical panel usually consists of other police chiefs and, possibly, another town/city manager to assess the technical skills of applicants. After the interview process is complete, the panelists meet with the Town Council and Town Manager to provide input on the merits of each candidate. The Town Council and Town Manager would meet to narrow the pool to the top 2-4 candidates and invite them to participate in the next phase of the process, which generally consist of additional interviews with the Council and Town Manager. Per Town Code, the appointment of department heads such as the Police Chief is made by the Town Manager but requires ratification by the Town Council.

An alternative to an open recruitment is to only interview internal candidates. This entails the Town Council and Town Manager interviewing the interim Police Chief Tabaranza. The Council has the option of including additional interview panels such as a community panel to provide additional input.

## **DISCUSSION**

Given it has been 3 months since the appointment of the interim Chief, staff is seeking direction from the Council regarding the interview and selection process for a Police Chief. The options available to the Council are:

- 1) Conduct a recruitment process that is open to both internal and external candidates.
- 2) Conduct an internal selection process and provide direction on the preferred interview process.
- 3) Recommend the Town Manager appoint the interim Chief as permanent Chief, subject to Council ratification at a meeting.
- 4) Defer the decision to a future Council meeting.

Option 1 is the longest and will take 4-6 months to complete, not including the time for the selected individual to start. Options 2 and 3 are relatively short (30-60 days). Option 4 will add time to Options 1, 2, and 3 depending on when a decision is made as to how to proceed. We are seeking direction because of the lead time needed for Option 1 and the potential impacts to the department during that period.

Staff believes further delays will begin to adversely impact the department as described above. A permanent Police Chief will provide stability to the department and allow us to move forward to address operational issues. We do recognize the Police Practices and Public Safety Alternatives subcommittee (PPPSA) of the Racial Equity and Social Justice Committee is in the process of developing its recommendations for Council consideration.

We anticipate it will be several months before the PPPSA completes its work and the Council makes a final decision on the PPPSA's recommendations. Given this extended timeframe and that, regardless of the recommendations, we believe it is important to move forward with interview and selection process because a Police Chief will be needed to implement the Council's policy decisions. Please note that any significant change to Police service levels would take time to implement under any scenario and the department would still require a Police Chief during this period.

Staff recommends the Council select Option 2- "Conduct an internal selection process and provide direction on the preferred interview process." This entails interviewing interim Police Chief Tabaranza for the position. We believe Interim Chief Tabaranza has demonstrated and proven his ability and qualifications for the position. Staff would also need direction from the Council regarding their desire to add any additional interview panels to the process. Upon completion of the interview process, the Council would make its recommendations to the Town Manager, who would take the next steps, as appropriate.

## **FISCAL IMPACT**

n/a