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## LEGAL ISSUES

## Fairfax police academy bars Herndon officers in dispute over Chinese signature

The town police chief objected to a Chinese signature on county training academy certificates. Now her officers will be excluded from future classes.



By <u>Tom Jackman</u>

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When 61 law enforcement trainees graduated last month from Fairfax County's Criminal Justice Training Academy, including county police officers and some from smaller departments in Fairfax, each received a certificate signed by the academy's director, county police Maj. Wilson Lee, who is Chinese American.

Lee, whose given name is Lee Wai-Shun, signed the certificates in Chinese, as he typically does. Among those who received certificates March 7 were three new officers from the Herndon town police force — the first trainees from that department to attend the academy since Lee took command more than a year ago. When Herndon Police Chief Maggie DeBoard noticed the Chinese signature shortly before the graduation ceremony, she was not pleased.

"This is not acceptable for my agency," she told Lee in an email. "I don't want our Herndon officers to receive these."

Not only did Fairfax County refuse to issue new certificates as DeBoard requested, but a top Fairfax official also has notified DeBoard that Herndon police trainees will no longer be welcome at the academy.

In a March 18 letter to DeBoard, Deputy County Executive Thomas Arnold, who oversees public safety, said he had decided "to terminate the Town of Herndon Police Department's affiliation with the Fairfax County Criminal Justice Academy effective June 1." Although the letter did not mention DeBoard's complaint about the signature, Arnold said in an email to The Washington Post that her "comments and actions … were inconsistent with the culture of Fairfax County and our <u>One Fairfax Policy</u>."

The written policy, applicable to all Fairfax government and school agencies, articulates the county's code of inclusion, laying out "expectations for consideration of racial and social equity ... when planning, developing, and implementing policies, practices, and initiatives." Arnold did not specify which provisions of the policy he thought DeBoard had violated.

Fairfax police academy certificates are provided before graduation to the chiefs of the new officers, who add their signatures to the academy certificate. That was how DeBoard noticed Lee's signature in Chinese.

"Hello Wilson, I just found out that the academy graduation certificates were signed by you in some other language,

not in English," she told Lee in an email shortly before the graduation. After calling the signature "unacceptable," she asked him to sign new certificates for her officers in English, "the language that they are expected to use as an officer." She said the Chinese signature was a change "implemented with zero input from the participating chiefs and sheriffs."

According to witnesses, the complaint led to a heated discussion at the graduation ceremony between DeBoard and Fairfax Police Chief Kevin Davis, followed by the county's decision to bar Herndon officers from future academy classes.

DeBoard, whose department has about 54 officers, declined to comment on why she objected to the signature. Among Herndon's 24,000 residents, 16 percent are of Asian descent, according to 2022 census data. The countywide figure is about 21 percent.

Davis also declined to comment on the dispute, as did Lee.

Fairfax police declined to reissue the certificates and later said in a statement: "Our last several recruit classes are majority minority as we make historic strides to better reflect the community we serve. Any expressed sentiments that appear to take issue with these realities are unfortunate and not reflective of Fairfax County's commitment" to its One Fairfax policy.

Herndon Mayor Sheila Olem and Town Manager Bill Ashton declined to be interviewed about the decision to bar Herndon officers from the academy. But town spokeswoman Anne E. Papa said in a statement, "Herndon's residents are also taxpaying residents of Fairfax County, and it is a matter of public safety for our law enforcement officers to continue coordinating as much as possible."

She said Herndon officers have been attending the academy "for many years, and we are hopeful that we will be able to continue working together."

In addition to the Fairfax and Herndon police, the academy trains Vienna police officers, Fairfax sheriff's deputies and Fairfax fire marshals. There are two other police academies in the region: the Northern Virginia Criminal Justice Academy in Ashburn, attended by police officers and sheriff's deputies from Loudoun and Arlington counties and the city of Alexandria, and the Prince William County Criminal Justice Academy.

DeBoard, 60, started her career as a Fairfax County police officer in 1987 and rose through the ranks to major before becoming the <u>first female police chief</u> in Northern Virginia in 2012. She has taken numerous steps to reach out to her non-White constituents, including attending a "Justice for Black Lives" rally after the death of George Floyd in 2020 and sending a letter to the immigrant community urging them to call police without fear of deportation.

The letter, in Spanish and English, was sent home with schoolchildren and posted throughout apartment complexes in the town.

She served as head of the Virginia Association of Chiefs of Police in 2020 and 2021 and opposed some police restructuring passed by the General Assembly, as many police groups nationwide did. And she was <u>accused by the NAACP</u> in 2020 of racial bias after a fight between a Black student and a White student on a Herndon Middle School

bus. A Herndon officer found that the Black youth had instigated the incident, but his mother disagreed and said a video from the bus corroborated her version.

DeBoard held a news conference to deny any racial motivation and said eight witnesses had named the Black youth as the instigator, although she acknowledged she had not watched the video of the incident. Neither youth was charged.

After DeBoard's complaint about the signature was <u>first reported by WRC (Channel 4)</u> on March 8, a day after the graduation, the National Asian Peace Officers Association sent a letter to Davis, thanking him for defending Lee.

"We want to extend our heartfelt gratitude for your continued support and commitment in your efforts to exemplify Diversity, Equity, and Inclusion in your workplace," Shane W. Liu, the association president, wrote, adding that Davis's department "clearly models and reflects the expectations of the community you serve."

Later, after Fairfax's decision to exclude Herndon officers from future academy classes, officials with the Hamkae Center, a grass-roots nonprofit that organizes Asian Americans in Virginia for social, racial and economic justice, praised the move in a statement.

"Residents of color are already less likely to trust police," wrote Zowee Aquino, a leader of the center. "How are we supposed to trust that we will be treated with respect if this is how a chief of police is willing to treat a colleague?"

Aquino said Asian American advocates have "warned our state officials that using such race and ethnicity-based rhetoric ... will negatively impact Asian Americans. Attempting to reject and delegitimize a signature from a highly-ranked official — because the name was written in an unfamiliar language that uses a non-Latin alphabet — is a direct example of that impact."