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	050124	...	CO	Retention of equipment following Weapon Discharge	12/20/2005
	050123	...	Tech Serv	Revision and Policy Clarification Uniform Summons PD60	12/22/2005
	050122	...	CO	New Ordinance 41.1-2-19 Feeding of Waterfowl Prohibited	12/20/2005
	050121	...	CO	2005 A. Heath Onthank Award Nominations	12/22/2005
	050120	...	CJA	Emergency Vehicle Operations Center 2006 Driver Training Schedule	12/22/2005
	050119	...	CO	Valor Awards	12/21/2005
	050118	...	CORS	Index Crime November 2005	12/21/2005
	050117	...	CORS	Selected Chapters of the Fairfax County Code	12/20/2005
	050116	...	PRD	Retiree Concealed Weapons Permit Retiree Weapons Permit Program	12/14/2005
	050115	...	PRD	On-Line Survey Public Safety Childcare Center	12/14/2005
	050114	...	CO	Policy Revision General Order 601.4, Domestic Violence Policy	12/1/2005
	050113	...	CO	Promotions/Transfers	11/22/2005
	050112	...	PB	Selection Process-Eligibility List Sexual Assault Free and Empowered (S.A.F.E.) Instructor	11/28/2005
	050111	...	CO	Promotion Ceremony	11/22/2005
	050110	...	CO	Promotions/Transfers	11/15/2005
	050109	...	CO	Meritorious Awards Ceremony	11/6/2005
	050108	...	CO	Traffic Safety Vest Standard Operating Procedures	11/14/2005
	050107	...	PB	Training Announcement Language Immersion Program	11/1/2005
	050106	...	CO	Graffiti Removal from Public Property	11/25/2005
	050105	...	ASB	2005 Influenza Vaccination Program	10/19/2005
	050104	...	CO	Naval Special Command	10/19/2005
	050103	...	CO	Police Services for Fairfax County Public School Activities	9/16/2005
	050102	...	CIB Maj Cri	Death Investigations	10/21/2005
	050101	...	Youth Serv	Gang Unit Detectives Station Liaisons	10/13/2005
	050100	...	CO	Reorganization of Support Functions	10/13/2005
	050099	...	CO	October 1, 2005 General Order Revisions	9/28/2005
	050098	...	CO	SANE Examinations Procedural Changes	9/29/2005
	050097	...	CO	Memorandum of Understanding Pentagon Force Protection Agency	9/29/2005
	050096	...	CO	Promotions/ Transfers	9/21/2005
	050095	...	CO	Detoxification Diversion/Outreach Program Implementation and Update Information	9/29/2005
	050094	...	CO	Jail Diversion Program Policy and Procedures	9/29/2005
	050093	...	PRD	Authorized Physicians' Panel / Workers' Compensation	9/27/2005
	050092	...	ASD	Request for Call Out / Chronic Wasting Disease	9/26/2005
	050091	...	County Exec	Mileage Reimbursement	9/16/2005
	050090	...	CJA	Anticipated Instructor Vacancy Criminal Justice Academy	9/15/2005
	050089	...	IPSB	2005 State and County Crime Code Index	9/21/2005
	050088	...	TSB	Position Vacancy Warrant Officer	9/13/2005
	050087	...	CJA	Training Schedule Suicide Bombing Awareness	9/12/2005
	050086	...	CJA	Biased Reduction Training Make-up dates	9/12/2005
	050085	...	CO	Promotions/Transfers	9/2/2005
	050084	...	TSB	Position Vacancy Narcotics Processing Officer	8/30/2005
	050083	...	TSB	Property and Evidence Purge Request for Assistance	9/8/2005
	050082	...	CO	Promotion Ceremony	9/8/2005

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050081	CIB	Detective Eligibility List Organized Crime and Narcotics Division	8/17/2005
050080	CJA	Joint Command Staff Training Change of Location	8/4/2005
050079	DPSC	Division Name Change PSCC Transitions to Department of Public Safety Communications	8/4/2005
050078	PRD	Promotional Announcement 2005 Police Captain's Process	8/3/2005
050077	OSB	Position Vacancy Traffic Safety Services Section, Traffic Division	8/1/2005
050076	CJA	Current Academy Training Program	7/22/2005
050075	PRD	Personnel Order-Promotions/ Transfers	7/19/2005
050074	PRD	Personnel Order-Promotions/ Transfers	7/12/2005
050073	OSB	Position Vacancy Traffic Division, Crash Reconstruction Unit	7/11/2005
050072	CO	Camp Greenway at Madeira School Complimentary Day Camp Opportunity	4/21/2005
050071	CJA	E.V.O.C. Driving Simulators Emergency Vehicle Operations Center	4/15/2005
050070	SOD	Summer Boat Officer Assignment	4/6/2005
050069	CJA	In-service Firearms Training/Less Lethal Refresher Date/Scheduling	7/5/2005
050068	CO	Photographic Lineup Procedures	6/24/2005
050067	IPSB	July 1, 2005 General Order Revisions	7/1/2005
050066	IMD	Radio Call Signs, General Order 510.2	6/28/2005
050065	CO	Investigative Responsibilities-Robbery Cases Policy Revision-General Order 501.2	6/24/2005

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	050062	...	CO	Promotion Ceremony	6/10/2005
	050061	...	OSB	Supplemental Squad for the Traffic Division, Motor Squad	6/9/2005
	050060	...	CJA	Seized/ Stored Vehicles	4/25/2005
	050059	...	CO	Cherry Arms Apartment Homes	4/23/2005
	050058	...	PRD	Authorized Physicians' Panel	6/8/2005
	050057	...	CO	Lee HWY. changing to Fairfax Blvd. in Fairfax City	5/31/2005
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	050055	...	PSCC	Mandatory VCIN Certification-Course Registration	5/26/2005
	050054	...	CO	Legislative Proposals for the 2006 Seassion of the Virginia General Assembly	6/1/2005
	050053	...	IMD	Temporary Position Vacancy-Automated Field Reporting (AFR) Project Manager	5/31/2005
	050052	...	ASB	FY 2007 Budget Preparation-Department Budget Manual	5/23/2005
	050051	...	CO	Stolen/Recovered Vehicles and Unauthorized Use-Policy Revision	5/12/2005
	050050	...	CO	4th annual Manassas Police Railfest 5k Run	5/25/2005
	050049	...	PRD	Promotions/Transfers	5/24/2005
	050048	...	CIB	Supplemental Criminal Intelligence Unit-Selection Process	5/18/2005
	050047	...	PB	Position Vacancy-Eligability List	5/17/2005
	050046	...	CO	Uniform Change-Animal Control Officers	5/16/2005
	050045	...	CO	Operation of Police Vehicles, General Order 501.1	5/16/2005
	050044	...	PRD	Personnel Order-Promotions/ Transfers	5/13/2005
	050043	...	ASB	Compensation Plans-Fiscal Year 2006	5/9/2005
	050042	...	CO	National Law Enforcement Officers Memorial Commemorative Pin-	4/29/2005
	050041	...	ASB	Vender ACH Payment Program	4/22/2005
	050040	...	CJA	In-Service Training Schedule-On-Line Registration and Cancellation	4/22/2005
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	050038	...	CJA	Individual Partial In-service Credit (PIC)	4/19/2005
	050037	...	CJA	Command Staff Training-Risk Management and Liability for Law Enforcement	4/5/2005
	050036	...	ASB	FY 2005 Budget Closeout-Calendar of Year-End Activities	4/1/2005
	050035	...	CIB	Position Vacancy-Crime Scene Section	3/31/2005
	050034	...	CJA	In-Service Firearms Training/Fitness Assessment/ADA Training-Dates/ Scheduling	3/30/2005
	050033	...	CIB	Mandated Reports to Child Protective Services	3/28/2005
	050032	...	IPSB	April 1, 2005 General Order Revisions	3/28/2005
	050031	...	SLC	2005 Summer School Sites-Required Staffing	3/24/2005
	050030	...	PB	Position Vacancy-Crisis Negotiations Unit	3/16/2005
	050029	...	CO	General Order Revision	3/9/2005
	050028	...	PRD	USERRA Poster-Mandatory Labor Law Postings	3/14/2005
	050027	...	PRD	Promotional Announcement-2005 Police Second Lieutenant's Process	3/11/2005
	050026	...	CIB	Position Vacancy-Administrative Assistant III	3/10/2005
	050025	...	CIB	Call Sign Designators - Traffic Division Response Vehicles	3/1/2005
	050024	...	CO	General Order Revision - Use of Communication Devices During Vehicle Operation	3/9/2005
	050023	...	ISB	Supplemental Crime Scene Units - Selection Process	3/2/2005
	050022	...	CIB	Sexual Predator Enforcement and Apprehension Detail (SPEAD) - ChildSafeNet Grant	3/1/2005

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050021	TD	Call Sign Designators - Traffic Division Response Vehicles	3/1/2005
050020	SOD	Position Vacancy - Canine Section, Special Operations Division	2/28/2005
050019	CO	Promotions - Ceremony - March 16, 2005	2/28/2005
050018	OSB	Position Vacancy - Traffic Division - Auxiliary Coordinator	2/23/2005
050017	CO	Sworn Officer Credential and Proximity Identification Card - Distribution Procedures	2/7/2005
050016	CO	Promotions/Transfers	2/11/2005
050015	CO	General Order Revision - Bias Crime Investigations Coordinator	2/15/2005
050014	TD	Anticipated Position Vacancies - Honor Guard	2/16/2005
050013	SOD	Position Vacancy - Supplemental Tactical Team Selection Process	2/14/2005
050012	CO	Promotions/Transfers	2/8/2005
050011	CO	Issuance of For-Hire License Plates for Emergency Medical Services Vehicles	1/31/2005
050010	CO	Concealed Handgun Permit Recognition State of Oklahoma	1/31/2005
050009	CO	Installation of "No Loitering" Signs in Fairfax County "Connector Stores"	1/28/2005
050008	CIB	Death Investigations - Medical Examiner Notifications	1/28/2005
050007	PB	Parking at Public Safety Complex - Rescinding of Court Parking Restrictions	1/26/2005
050006	CO	Lobbying by County Agencies, Boards, Authorities and Commissions	1/25/2005
050005	CO	Concealed Handgun Permit Recognition State of Arizona	1/25/2005



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	050004	... PB	Eligibility List - Gang Investigations Unit	1/19/2005
	050003	... PRD	Selection/Application Process - Employee Mentoring Program	1/13/2005
	050002	... HD	Flight Officer/Paramedic - Position Announcement	1/7/2005
	050001	... CO	2005 Fairfax Heroes Award Scholarship	1/4/2005

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FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Command Staff **DATE:** December 20, 2005
FROM: David M. Rohrer, Colonel *DMR*
Chief of Police
FILE: 05-511
SUBJ: Retention of Equipment following Weapon Discharge
REF: General Order 540.1

General Order 540.1 contains the procedures supervisors are currently directed to follow when they arrive on the scene of a police shooting. The procedure of taking custody of the involved officer's weapon/equipment is intended to help facilitate the preservation of that evidence.

The current procedure calls for the "first non-involved supervisor" to take custody of the "weapon or other equipment used...." Realistically, the first supervisors on the scene of this type of incident have many responsibilities, most of which may be of a higher priority than taking possession of the officer's weapon or other equipment. Another concern is that under the current procedure the required photos of the involved officer(s) are being taken with the officer in full uniform, but without the weapon or other equipment he or she had at the time of the incident.

Currently, the Crime Scene Section sends a detective to the location of the involved officer(s), usually a district station. Therefore, in most cases involving the intentional discharge of a firearm, or accidental discharge involving death or serious injury, the involved officer should retain all of his or her equipment until the arrival of a Crime Scene Detective.

Of course, some situations may arise where the supervisor should take custody of the items, so that is also incorporated into this change. In addition to the below listed changes to General Order 540.1, Section IV., D., subsections 1 (d) and 10, the Supervisors Manual will be updated with this change. That update will also include additional information such as maintaining the integrity of the scene and reminders to have all involved officers remain in full uniform.

~~Involved Officer(s) Weapon/Equipment The officer's weapon, holster, gun belt, baton, flashlight or other equipment used in the above incidents will be taken into custody by the first non-involved~~

~~supervisor on the scene. The supervisor taking custody of the items is responsible for the preservation of the weapon/equipment and will personally deliver the items to a member of the Crime Scene Section. Weapons involved will not be opened, unloaded or tampered with in any manner, except to render the weapon safe for handling by lowering the hammer, decocking and/or engaging any safety mechanism.~~

The officer involved should maintain custody of their equipment, to include their weapon, holster and gun belt. This equipment shall be removed from the officer by the Crime Scene Section upon their arrival. However, should there be a concern for public safety or the involved officer's inability to maintain custody is recognized due to injury or emotional state, a responding supervisor should take the weapon, holster and gun belt. The supervisor shall not tamper with the weapon, except to make it safe, by decocking or activating the safety on the shotgun. They should then document in a supplement the condition of the weapon and any action they took. The weapon/equipment should then be turned over to a member of the Crime Scene Section.

This procedural change to General Order 540.1 is effective immediately and will be incorporated into the next revision of the General Orders and Supervisor's Manual.

Questions regarding this revision may be directed to Major Jim Morris, Commander of the Internal Affairs Bureau.

050094

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Command Staff

DATE: September 29, 2005

FROM: David M. Rohrer, Colonel *DM*
Chief of Police

FILE: 05-334

SUBJ: Jail Diversion Program

REF: Policy and Procedures

Introduction

The Fairfax County Police Department, in conjunction with the Community Services Board and Sheriff's Office, has developed a program to provide an alternative to arresting individuals with mental illnesses. This Jail Diversion Program establishes community-based options for a coordinated response to individuals with mental illnesses, who have committed minor, non-violent criminal offenses. The goal of the program is to provide intense and on-going treatment in lieu of incarceration for individuals who qualify for the diversion alternative. The treatment will be provided by the various agencies attached to the Community Services Board. The Commonwealth's Attorney's Office has endorsed this program and the use of diversion in lieu of arrest.

Background

The Fairfax County Sheriff's Office estimates that of the average daily census of 1,300 inmates in the Fairfax County Adult Detention Center (ADC), more than 200 experience serious mental illnesses. This number closely correlates with the number of inmates receiving psychotropic medication while incarcerated at the ADC. Many of these inmates come into contact with the criminal justice system for minor nuisance crimes, such as trespassing or disturbing the peace. Sometimes, these crimes result from symptoms of their mental illness and substance abuse. A large number of them are homeless and unemployed and do not participate in consistent mental health treatment. They may not have family or other community support and they often spend an extended time in jail because they are unable to raise money for bail.

Maintaining non-violent persons with mental illness in jail is costly. Persons with mental illness often deteriorate rapidly in a jail environment due to stressors of crowding, noise, and the forced withdrawal from alcohol and other drugs. Suicide risk increases, as does the risk of conflict with correctional staff and other inmates. Upon release from jail,

many of these persons have no place to go. Limited public transportation may preclude them from reaching a homeless shelter or mental health center, and the cycle may begin again with a re-arrest.

Program

The Jail Diversion Program is scheduled to begin on October 3, 2005, and will be implemented in stages as new resources and funding are identified. The goal of the program is to not only provide officers with an alternative to arrest individuals with mental illness, but also to establish a procedure **that returns the officer to duty as quickly as possible**. The criteria for diversion include:

- At least 18 years of age.
- Suffering from an obvious mental illness as determined by the officer.
- Have committed a minor, non-violent criminal offense in which the victim does not wish to prosecute.
- The subject may be taken to the Assessment and Triage Center (ATC) under voluntary or involuntary circumstances.

The Jail Diversion Program is a pre-booking process that occurs at the point of contact with law enforcement officers before formal charges are brought. An officer who elects to use diversion may transport the individual directly to the ATC. The ATC will be located within the Woodburn Mental Health Center, 3340 Woodburn Road. The ATC will be open and staffed for diversion candidates seven days a week from the hours of 1400-0800. A Fairfax County Police officer will be assigned to the ATC during these hours to provide security and assume custody of the individual. In most cases, the initial officer will be able to mark back in-service as soon as this custody is assumed.

The Fairfax County Police Department has established an overtime position for an officer to staff the ATC during its hours of operation. The officer assigned to the ATC is responsible for the custody of individuals transported to the center. It is the responsibility of this officer to assume custody of individuals brought to the ATC by officers from Fairfax County, Vienna, Herndon, Fairfax City, and Falls Church City. The jurisdictions outside of Fairfax County are included via an agreement with the Community Services Board. The officer assigned to the ATC shall determine from the initial officer (the officer who transported the individual to the ATC), the nature of the incident that resulted in the individual being brought to the center, and whether they are a voluntary transport or under a four-hour Emergency Custody Order. The initial officer shall also brief the attending ATC clinician regarding the circumstances of the incident. The initial officer shall remain at the ATC until the ATC clinician is briefed.

The officer assigned to the ATC has the authority to require the initial officer to remain on the scene for officer safety reasons. This would include multiple individuals awaiting treatment or assessment in the ATC receiving room, or an individual that the receiving officer reasonably believes is a security risk. The initial officer shall adhere to the request of the receiving officer to remain on the scene. Disputes regarding this shall be directed to the on-duty first line supervisor of the Mason District Station. The decision of the Mason District Supervisor shall be adhered to, unless overruled by a staff officer.

The officer assigned to the ATC may utilize handcuffs to restrain an individual in accordance with Department policy. The simple presence of an individual at the ATC is not sufficient reason to use restraints.

Procedure

Officers who encounter an individual suffering from a mental illness who have committed a minor, non-violent criminal offense may consider jail diversion as an alternative resolution. The minor criminal offenses that are eligible for this program include, but are not limited to, trespassing, disorderly conduct, disturbing the peace, destruction of property, larceny, or unlawful entry. If there is a victim in the case, the officer shall determine if they wish to pursue formal charges against the individual. In the event the victim wishes to prosecute, the officer should advise them of the diversion program and determine if the victim will forgo charges in lieu of diversion. If the victim refuses to consider diversion, the officer shall follow appropriate Department policy regarding arrest procedures.

The determination of mental illness for diversion is dependent upon the officer's training and experience, and not any formal medical assessment. It can include, but not be limited to, any abnormalities in the individual's perception, thought, or mood. The decision to use diversion, when applicable, shall rest with the investigating officer.

Individuals who are eligible for diversion should have the process explained to them in an effort to gain their voluntary entry to the program. This explanation should include the alternative of treatment at the ATC in lieu of having criminal charges filed against them. If the individual voluntarily agrees to diversion, the officer shall transport them to the ATC. The use of handcuffs and transport procedures shall be in accordance with Department policies and procedures. Individuals who do not agree to diversion and do not meet the criteria for a four-hour emergency detention order shall be handled as any other criminal case should be.

Individuals who have committed a minor crime, who suffer from a mental illness, and are an immediate danger to themselves, may be taken into custody on a four-hour emergency detention. These individuals may be transported directly to the ATC for assessment by medical staff. Clinicians at the ATC will assess the individual and if possible, attempt to obtain voluntary entry into the diversion program. If this voluntary

entry cannot be obtained, and the individual is deemed to be a danger to himself, the clinician may request a Detention Order.

Officers who transport an individual to the ATC shall advise the receiving officer of the circumstances surrounding the incident and the nature of the diversion (voluntary or involuntary). The transporting officer shall provide the necessary information to the receiving officer to complete the screening sheet. Upon the completion of the sheet, the transporting officer shall check with the receiving officer to ensure that it is clear to leave the ATC. The transporting officer shall remain on the scene to assist in guarding the subject at the request of the receiving officer.

Individuals may be involuntarily transported to the ATC for assessment under the four-hour emergency detention. The transporting officer shall follow the same procedure at the ATC as a voluntary admission. However, if the staff at the ATC is unable to obtain a voluntary admission from the subject, or if they deem the subject to be a danger to themselves or others, a Detention Order may be issued. In the event that a Detention Order is issued, an officer from the station where the transport originated shall be dispatched back to the ATC to transport the individual to the appropriate facility. If possible, the officer who originally conducted the transport shall be dispatched back to the ATC.

An individual who has committed a minor criminal offense and is transported to the ATC under voluntary circumstances may leave the facility at any time. In the event that this occurs, the officer assigned to the ATC shall notify the transporting officer that the subject has left the facility. The transporting officer shall make the decision as to whether to obtain a warrant for the individual for the original offense. An individual who is transported to the facility under involuntary means shall not be permitted to leave the facility.

The ATC is scheduled to be a seven-day a week overtime assignment, and there may be times when the overtime cannot be filled for a particular shift. In the event that this occurs, the evening shift supervisor of the Mason District Station shall notify the DPSC that there is no officer at the ATC. Officers may still utilize diversion at the ATC. However, they will be responsible for maintaining custody of the individual while at the facility.

Summary

The Jail Diversion Program is intended to provide officers with an alternative to arrest in situations that involve individuals with mental illness. It is an on-going program that will be evaluated and modified with time. The program is designed to streamline the process for officers and return them to service in a minimal amount of time.

Command Staff
September 29, 2005
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The diversion effort is very similar to the current procedures officers use in transporting individuals to Woodburn Mental Health. The true benefit of the program, however, is in the effort to provide treatment to individuals who otherwise would have been incarcerated. The intense treatment program developed by the Community Services Board is designed to prevent the future recidivism and contacts with the police that these subjects often have.

DMR/tr