


<b>FAIRFAX COUNTY POLICE DEPARTMENT</b>    <b>GENERAL ORDER</b>	<b>SUBJECT:</b> <b>SERIOUS OR HABITUAL OFFENDER COMPREHENSIVE ACTION PROGRAM</b>		<b>NUMBER:</b> <b>421</b>
	<b>EFFECTIVE DATE:</b> November 7, 2022	<b>REVIEW:</b> November, 2025	
<b>RESPONSIBLE ENTITY: MAJOR CRIMES BUREAU</b>			<input type="checkbox"/> New Directive <input checked="" type="checkbox"/> Replaces: 440.2 <input type="checkbox"/> Revised:
<b>ACCREDITATION STANDARDS</b>	<b>CALEA:</b> 42.1.5		
	<b>VLEPSC:</b>		

I. PURPOSE

The purpose of this General Order is to establish guidelines and procedures for Department employees who utilize the Serious or Habitual Offender Comprehensive Action Program (SHOCAP) in the performance of duty.

II. POLICY

It is the policy of the Fairfax County Police Department (FCPD) to follow community policing principles as it pertains to juvenile offenders. Proper disposition of juvenile cases may help prevent criminal recidivism, whereas improper handling can create mistaken impressions contrary to procedural justice principles. The Department shall be committed to participation in all programs designed to prevent and/or reduce juvenile delinquency and expects all officers to handle juvenile incidents in accordance with both Department training and applicable law. SHOCAP is an interagency approach designed to address juvenile offenders who commit inordinate amounts of serious criminal offenses, and emphasizes both coordination and information-sharing principles among the participating agencies via the police coordinator in accordance with the [Code of Virginia](#).

III. GENERAL PROCEDURES

A. The FCPD and Fairfax County Juvenile and Domestic Relations Court (JDR) serve as SHOCAP co-leaders. Other participating agencies include:

1. City of Fairfax Police Department
2. Town of Herndon Police Department
3. Town of Vienna Police Department
4. Fairfax County Public Schools (FCPS)
5. Fairfax County Department of Family Services (DFS)
6. Fairfax County Health Department

7. Fairfax County Office of the Commonwealth's Attorney
8. Fairfax-Falls Church Community Services Board (CSB)
9. Virginia Department of Youth and Family Services

B. **Eligibility:** Per the [Code of Virginia](#), SHOCAP offenders must be less than eighteen (18) years of age and have been adjudicated delinquent (convicted) for offenses occurring after July 1, 1993 for either (1) one conviction of murder, attempted murder, armed robbery, any felony sexual assault, or malicious wounding, felony gang offenses, **or** (2) at least three convictions for offenses constituting felonies or Class 1 misdemeanors. Virginia Department of Criminal Justice Services (DCJS) guidelines specify that SHOCAP should focus on violent offenses. Accordingly, the following offenses should be considered, but not limited to, qualifying infractions under (2) above:

1. [Simple Assault.](#)
2. [Assault/Battery Family Member 3<sup>rd</sup> Offense.](#)
3. [Attempted Aggravated Assault.](#)
4. [Attempted Malicious Wounding.](#)
5. [Malicious Wounding by Caustic Substance.](#)
6. [Unlawful Wounding.](#)
7. [Written Threats to do Bodily Harm.](#)
8. [Stalking.](#)
9. [Voluntary Manslaughter.](#)
10. [Conspire to Commit Murder](#)
11. [Robbery.](#)
12. [Attempted Rape.](#)
13. [Sexual Battery.](#)
14. [Arson of a Dwelling.](#)
15. [Attempted Arson of a Dwelling.](#)
16. [Abduction/Kidnapping.](#)
17. Weapons Violation (all types).
18. Burglary (all types).
19. Attempted Burglary (all types).

#### IV. CONFIDENTIALITY

A. All records created and used within the SHOCAP program to include lists, reports, individual and master files shall be deemed confidential and may only be used by participating SHOCAP agencies and individuals in accordance with the [Code of Virginia](#), any court order, and this General Order. Unauthorized disclosures of SHOCAP information and records to any individual not authorized to have access to such information shall constitute a violation of the [Code of Virginia](#) and subject the disclosing employee to potential disciplinary action.

- B. No individual other than FCPD or JDR SHOCAP coordinators may duplicate or reproduce any SHOCAP materials. SHOCAP information entered into the police warrant system shall be completed by a FCPD SHOCAP coordinator.

V. RESPONSIBILITIES

- A. **SHOCAP Coordinator:** The FCPD SHOCAP coordinator shall be a detective assigned to the Major Crimes Bureau (MCB) and will:

1. Serve as co-leader for the Fairfax County SHOCAP program.
2. Identify serious or habitual offenders (SHO) who meet established criteria.
3. Ensure the entry of designated SHOs in the Department's current Records Management System (RMS). Each individual shall have an alert attached to their name designated them as a "**SHOCAP.**"
4. Supply regularly updated lists of all designated SHOs to approved Department entities and the SHOCAP committee.
5. Notify the Office of the Commonwealth's Attorney whenever a designated SHO has been arrested and, upon request, appear for all detention, transfer, and disposition hearings with the SHOCAP case file.
6. Coordinate police investigative resources whenever there is evidence to suggest a designated SHO is engaged in ongoing criminal activity.
7. Appear at civil hearings pursuant to subpoena or court order with the SHOCAP case file in cases involving child abuse or neglect.
8. Whenever necessary, seek petitions and detention orders for new SHO criminal offenses.
9. Attend and participate in all interagency SHOCAP committee and case management meetings.

- B. **Officers and Detectives:** Officers and detectives shall query name modules in the current RMS or via police dispatcher whenever encountering any juvenile in a suspicious or criminal incident to determine whether the juvenile has been formally designated as a SHOCAP.

1. Positive query responses for SHOCAP do not constitute a basis for criminal arrest as SHOCAP is not a criminal charge. Officers shall follow all Department policies and procedures as they pertain to Field Contacts, as well as the [Code of Virginia](#).
2. Officers should become familiar with the SHO list and know the identity, residence, and tendencies of designated SHOs in their patrol area.
3. Officers and detectives shall document all arrest and non-criminal encounters with designated SHOs in the current RMS and forward a copy to the MCB SHOCAP coordinator along with any other required paperwork.
4. Officers and detectives should seek petitions and/or detention orders whenever a designated SHO has committed a new criminal infraction. Where a SHO is brought before a Juvenile Intake Officer and a petition or detention order request is denied, the officer/detective shall notify the SHOCAP detective in a timely manner.

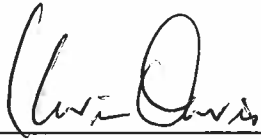
#### VI. LEGAL REFERENCES

- A. [Va. Code Ann. § 16.1-246](#), When and how child may be taken into immediate custody.
- B. [Va. Code Ann. § 16.1-330.1](#), Serious or Habitual Offender Comprehensive Action Program; definition; disclosure of information; penalty.

General Order 421 becomes effective on the above date and rescinds all previous rules and regulations pertaining to the subject.

ISSUED BY:

APPROVED BY:

  
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Chief of Police

  
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County Executive