


<p style="text-align: center;">FAIRFAX COUNTY POLICE DEPARTMENT</p>  <p style="text-align: center;">GENERAL ORDER</p>	<p>SUBJECT: CUSTODY OF PRISONERS ASSISTING IN INVESTIGATIONS</p>		<p>NUMBER: 423</p>
	<p>EFFECTIVE DATE: November 7, 2022</p>	<p>REVIEW: November, 2025</p>	
<p>RESPONSIBLE ENTITY: MAJOR CRIMES BUREAU</p>			<input type="checkbox"/> New Directive <input checked="" type="checkbox"/> Replaces: 440.6 <input type="checkbox"/> Revised:
<p>ACCREDITATION STANDARDS</p>	<p>CALEA: 70.3.3</p>	<p>VLEPSC:</p>	

I. PURPOSE

The purpose of this General Order is to establish guidelines and procedures by which prisoners may be removed from confinement for the purpose of assisting with ongoing Department investigations.

II. POLICY

It is the policy of the Fairfax County Police Department (FCPD) to assume custody over prisoners confined at any Commonwealth of Virginia detention center in a manner that promotes the safety of the general public, the prisoner, and the custodial officers. Officers transporting prisoners shall do so in strict accordance with [FCPD Regulation 203](#), Transportation and Restraint of Prisoners. Custody of prisoners should only be re-established by officers if their involvement may provide significant investigative information and seek closure of active criminal investigations. The rights of assisting prisoners shall be respected at all times.

III. GENERAL PROCEDURES

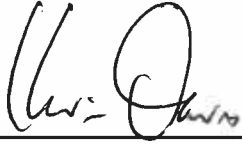
- A. **Command Approval:** Officers and detectives who seek the assistance of any prisoner for purposes of facilitating an ongoing Department investigation shall obtain permission from their station or division commander prior to establishing control over any prisoner. The commander's approval shall be based upon (1) the articulated reason(s) for utilizing the prisoner, to specifically include the role the prisoner will play (e.g. identify burglary locations, stolen property), and (2) the jurisdiction(s) to be entered and any potential safety considerations, time of day, and potential for escape.
- B. **Officer Safety:** A minimum of two (2) officers shall maintain custody over the prisoner at all times. The use of handcuffs is strongly encouraged.

- C. **Notice:** The Department of Public Safety Communications (DPSC) and the acting Duty Officer shall be advised of the incident and any locations to which the prisoner will be transported.
- D. **Outside of Fairfax County:** Where a prisoner is to be transported to another jurisdiction within the Commonwealth of Virginia, the law enforcement agency of that jurisdiction shall be notified of the intended visit prior to entry.
- E. **Outside of the Commonwealth of Virginia:** Whenever a prisoner is to be transported outside of the Commonwealth of Virginia, the following conditions shall be met:
1. The affected commander shall be advised and approve of the request.
 2. Officers shall contact the law enforcement agency from the jurisdiction to be entered and request their assistance prior to leaving the Commonwealth of Virginia.
 3. Officers from other jurisdictions shall be advised that FCPD officers possess no police powers outside of the Commonwealth and as such, cannot take action to control the prisoner outside of those rights permitted to any private citizen of the entered jurisdiction.
 4. The law enforcement officer of the entered jurisdiction is responsible for custody of the prisoner until that prisoner is returned to the jurisdictional confines of the Commonwealth of Virginia.

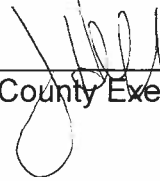
General Order 423 becomes effective on the above date and rescinds all previous rules and regulations pertaining to the subject.

ISSUED BY:

APPROVED BY:



Chief of Police



County Executive