


FAIRFAX COUNTY POLICE DEPARTMENT  GENERAL ORDER	SUBJECT: HOSPITAL GUARD DETAILS		NUMBER: 606
	EFFECTIVE DATE: March 26, 2022	REVIEW: March 26, 2026	
RESPONSIBLE ENTITY: Patrol Bureau			<input type="checkbox"/> New Directive <input checked="" type="checkbox"/> Replaces: 602.3 <input type="checkbox"/> Revised:
ACCREDITATION STANDARDS:	CALEA 70.3.2 VLEPSC		

I. PURPOSE

The purpose of this General Order is to establish guidelines and procedures for officers assigned to the guard duty of any individual under medical care at any facility who are subject to either civil commitments or under custodial arrest.

II. POLICY

It is the policy of the Fairfax County Police Department (FCPD) that all individuals in need of immediate medical care be provided unfettered access to that care. In order to facilitate effective coordination of duties between police and medical personnel, officers shall follow all Department procedures whenever practicable whenever conducting law enforcement activities in a medical facility.

III. OPERATIONAL PROCEDURES

A. **Officer Responsibilities:** Any officer who enters into a medical facility with an individual in custody, to include civil commitments, arrested individuals, and individuals who are lawfully detained, shall remain with that individual at all times for safety, chain of custody, and/or evidentiary purposes until such time as the officer's official duties are either completed or properly transferred.

1. **Legal Custody:** Officers shall inform attending medical staff and building security officers as applicable of the reason(s) the individual is in custody or lawfully detained and shall further remain with that individual whenever they are transferred to another area of the facility for treatment purposes.
2. **Restraints:** All criminal prisoners shall be restrained with either a single-set of handcuffs or properly applied "four-point" restraints. Restraints may be removed for purpose of medical treatment, however, where a prisoner has demonstrated signs of aggressiveness either before or after custody was initiated, no less than two (2) officers shall be present when the restraint is removed. Where immediate medical attention is necessary

and only one officer is present, that officer shall seek the assistance of hospital security.

Where an officer is guarding an individual with known mental health concerns, and determines that physical restraints are warranted, they should notify the Administrative Nursing Supervisor to alert the attending physician that restraints are required. Officers are not required to seek medical approval to apply restraints in any emergency situation.

3. **Medical Treatment:** Officers shall accompany hospital staff whenever medical treatment is administered to an individual under guard duty. Officers should pay special attention to any procedures that involve the use of inherently dangerous items (e.g. scissors, syringes, etc.). Whenever a relieving officer assumes custody over a detained individual, that officer should conduct a careful search of the patient and areas in close proximity to the individual for any potential weapons in the presence of a hospital staff member if possible. Where an opposite sex search is necessary, officers should request a hospital staff member of the same identified sex as the patient if possible. All searches shall be noted on the log sheet.
 4. **Meals:** Prior to any meal service, officers shall inspect and remove all utensils with the exception of a spoon from the individual's tray. The spoon shall be accounted for by the officer before the meal tray is removed from the room.
 5. **Visitors:** Prisoners shall only be allowed one visitor at a time with supervisory approval. All visitors shall provide full identification which shall be noted on the log sheet. Prisoners shall never be denied access to their legal counsel. All visitors, with the exception of the prisoner's attorney of record, shall be searched. If the visitor refuses, access to the prisoner shall be denied.
 6. **Communications:** Prisoners shall be permitted to make reasonable phone calls, generally not to exceed three (3) per shift. All telephone calls shall be noted in the log sheet, and the officer shall remain present during the call, unless the prisoner is speaking with their attorney of record. The use of personal cell phones for texting or internet purposes shall be solely at the officer's discretion and noted on the log sheet.
 7. **Termination of Guard Duty:** Once the need for guard duty no longer exists, the custodial officer at the time shall immediately notify their supervisor and transport the prisoner accordingly.
- B. **Polycom Real Presence Mobile Application:** In special circumstances, officers may use the Polycom mobile application to communicate

electronically with a Fairfax County Magistrate after consulting with, and gaining approval from, their immediate supervisor whenever probable cause exists to believe an individual in police custody receiving ongoing medical care committed a criminal offense. Use of the Polycom application requires an available Magistrate who is willing to utilize this system under the circumstances to provide a bond hearing, as well as a local fax machine. Officers who employ this resource shall advise the assisting Magistrate that the individual in custody is likely going to be admitted long-term for medical care to the hospital. Where a Magistrate agrees to use of the Polycom application, testifying officers shall strictly adhere to all guidelines and procedures required by the presiding Magistrate.

- C. **Supervisor Responsibilities:** Oncoming daywork supervisors shall review the Guard Duty File of any patient being guarded at a medical facility located in their assigned patrol district. The supervisor shall confirm and verify existing legal authority and necessity to maintain the guard duty detail and ensure all required information is contained within the file. The supervisor shall also ensure all appropriate measures have been implemented to maintain prisoner security and facilitate attending officer(s) and medical personnel safety. Supervisors shall document their daily review in the log sheet and ensure any necessary orders or changes to existing orders are also documented on the log sheet.
- D. **Guard Duty File:** An informational file shall be established for any individual in police custody who is receiving long-term medical care in a hospital or medical facility. Responsibility for establishment of the file shall rest with the first-line supervisor of the officer initially assuming custody and shall include, at a minimum, the following information:
1. A copy of the incident report related to the detention and any case records or other information that might provide background information on the individual.
 2. Any information pertaining to the individual's health, to specifically include communicable diseases or known mental health concerns.
 3. Copies of any legal documents which provide lawful authority to detain the individual (e.g. warrants, detention orders, commitment forms, etc.)
 4. A hospital Guard Duty Log (PD Form 192), which shall note (1) the time the assignment was assumed, (2) the patient's general condition, (3) any significant incidents that occurred during the guard duty, and (4) time of relief.
 5. Where the need for guard duty no longer exists, the basis for discontinuing the assignment shall be noted on the Guard Duty Log. The file in its

entirety shall be forwarded to the commander of the district station from which the guard duty assignment originated in a timely manner.

6. Disposition of all arrest and court documents shall be conducted in accordance with Department policy and applicable law. Copies of these documents shall be included in the file.

This general order becomes effective on the above date and rescinds all previous rules and regulations pertaining to the subject.

ISSUED BY:



Chief of Police

APPROVED BY:



County Executive