

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: SERIOUS OR HABITUAL OFFENDER COMPREHENSIVE ACTION PROGRAM	NUMBER: 440.2
CANCELS ORDER DATED: 7-1-99	DATE: 7-1-10

I. PURPOSE

This order establishes guidelines and procedures to be used by members of this Department in the operations of the Serious or Habitual Comprehensive Action Program (SHOCAP).

II. DISCUSSION

Studies have shown that a small portion of youth is responsible for a large share of all juvenile crime. The Serious or Habitual Offender Comprehensive Action Program (SHOCAP) is an interagency approach that will effectively deal with juvenile offenders responsible for a large portion of serious crime.

SHOCAP emphasizes system wide coordination and information sharing among the participating agencies through the police coordinator, who will manage this information in accordance with Section 16.1-330.1 Code of Virginia.

The Fairfax County Police and the Fairfax County Juvenile Court will serve as co-leaders in the SHOCAP program. Other participating agencies are:

- City of Fairfax Police Department
- Town of Herndon Police Department
- Town of Vienna Police Department
- Fairfax County Public Schools
- Fairfax County Department of Family Services
- Fairfax County Health Department
- Commonwealth's Attorney for Fairfax County
- Fairfax-Falls Church Community Services Board
- Virginia Department of Youth & Family Services

III. ELIGIBILITY REQUIREMENTS

The Code of Virginia, Section 16.1-330.1 states that a SHOCAP offender must be less than 18 years of age and adjudicated delinquent (convicted) for offenses that occurred after July 1, 1993 for:

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1) one conviction of murder, attempted murder, armed robbery, any felony sexual assault, or malicious wounding

-OR-

2) at least three convictions for offenses that are felonies or Class 1 misdemeanors.

The Virginia Department of Criminal Justice Services guidelines specify that SHOCAP should focus on violent offenses. The following offenses should be considered (but not limited to) as qualifying in the second parameter listed above:

1. Simple Assault
2. Assault/Batter Family Member 3rd 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 Violations (all types)
18. Burglary (all types)
19. Attempted Burglary (all types)

IV. CONFIDENTIALITY

A. Records created and used for this program include (but are not limited to) SHOCAP lists, reports, profiles and master files. All SHOCAP records are confidential. They may only be used by members in accordance with Section

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16.1-330.1 Code of Virginia, this general order and any order of a court of competent jurisdiction.

- B. Unauthorized disclosure of information contained in any SHOCAP record to any person not authorized to have such information is a violation of Section 16.1-330.1, Code of Virginia, which is punishable as a Class 3 misdemeanor. Further, unauthorized disclosure constitutes a violation of this general order, which can result in disciplinary action.
- C. No person, other than the Fairfax County Police SHOCAP coordinators or the Fairfax County Juvenile Court SHOCAP coordinators will duplicate any SHOCAP material from the master files.
- D. Any SHOCAP information entered into the police warrant system shall be completed by the Fairfax County Police SHOCAP coordinators.

V. RESPONSIBILITIES

- A. The police SHOCAP coordinator shall be a detective assigned to the Child Exploitation Unit and will:
 - 1. Serve as the co-leader for the entire Fairfax County SHOCAP program.
 - 2. Assist in identifying Serious or Habitual Offenders (SHO) according to established criteria.
 - 3. Ensure the entry of all designated SHOs in the I/LEADS Records Management System in the Master Names Modules. The SHOCAP will have an alert attached to their name designating them as a "SHOCAP."
 - 4. Supply regularly updated lists of all designated SHOs to designated units within the Police Department and SHOCAP committee.
 - 5. Notify the Commonwealth's Attorney's Office when a designated SHO has been arrested.

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6. When requested by the Commonwealth's Attorney, appear for all detention, transfer, and disposition hearings with the SHOCAP case file.
 7. Coordinate police investigative resources when there is evidence to suggest that a designated SHO is engaged in ongoing criminal activity.
 8. Pursuant to subpoena or court order, appear at civil hearings with the SHOCAP case file in cases involving child abuse or neglect.
 9. When necessary, seek petitions and detention orders for new criminal offenses for a SHO.
 10. Attend and participate in all interagency SHOCAP committee and case management meetings.
- B. Officers and Detectives shall:
1. Query the Master Names Modules in the I/LEADS RMS or dispatcher when encountering any juvenile in a suspicious or criminal situation in order to determine whether this juvenile has been designated as a Serious or Habitual Offender.
 2. A positive query response for SHOCAP is not a basis for arrest. SHOCAP is not a criminal charge. Officers shall follow the procedures governing General Order 540.2 (Police Citizen Contacts) and Section 16.1-246 Code of Virginia (when a child can be taken into custody).
 3. Become familiar with the SHO list and know the identity and residence, etc., of any designated SHOs in their assigned area.
 4. Document all arrest and non-arrest contacts with any designated SHO in the I/LEADS RMS and forward a copy to the SHOCAP coordinator at CIB, in addition to other required paperwork.

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5. Seek petitions and/or detention orders in which a designated SHO has committed a new criminal offense. If a SHO is brought before a Juvenile Intake Officer and the petition or detention order is denied the officer/detective shall contact the SHOCAP detective.

VI. LEGAL REFERENCES

Code of Virginia

16.1-246
16.1-330.1

VII. ACCREDITATION STANDARDS REFERENCE

VLEPSC

ADM.	OPR.
14.01	04.01
25.03	

This general order becomes effective July 1, 2010 and rescinds all previous rules and regulations pertaining to the subject.

ISSUED BY:

Handwritten signature of the Chief of Police, appearing to be "M. M. [unclear]".

Chief of Police

APPROVED BY:

Handwritten signature of the County Executive, appearing to be "A. G. [unclear]".

County Executive