

**FAIRFAX COUNTY SHERIFF'S OFFICE
STANDARD OPERATING PROCEDURE**

**SOP NUMBER: 319
SUBJECT: INMATE SCREENING**

I. PURPOSE:

To prescribe operating procedures for the Alternative Incarceration Branch (AIB) Inmate Screening Unit.

II. POLICY:

It is the policy of the Fairfax County Sheriff's Office to afford all inmates an equal opportunity for admission to AIB Programs based on established eligibility criteria and suitability for program placement.

III. PROCEDURES:

- A. The Supervisor, Inmate Screening/Vocational is responsible for determining suitability and eligibility of inmates who volunteer or have been court ordered to participate in AIB programs. The eligibility criteria for each AIB program is not intended to be totally inclusive and can be modified or more strictly applied on a case by case basis, when deemed necessary by the Chief, Alternative Incarceration Branch or designee.
1. Eligibility Criteria Applicable to All AIB Programs:
 - a. No history of sex related or child related crime.
 - b. Not convicted of more than three misdemeanor assaults, unless the last offense occurred seven or more years ago.
 - c. Not convicted of any violent felonies, unless the last offense occurred seven or more years ago. *Examples of violent felonies include but are not limited to murder, voluntary manslaughter, mob-related felonies, felonious assault, malicious or unlawful wounding, robbery and abduction.*
 - d. No history of escapes from custody.
 - e. Not a member of, or associated with, any gang.
 - f. Program participation requires approval by the Medical and Behavioral Health sections.
 - g. Not previously revoked from AIB due to a serious rule infraction.
 - h. Displays positive jail adjustment.
 2. Work Release Program Eligibility Criteria: Any County or State-responsible adult inmate who otherwise meets the following criteria may volunteer for the Work Release Program.
 - a. Sentenced and within 18 months of release.
 - b. No outstanding detainers.
 - c. No local Protective Orders.
 - d. Must complete the Alternative Incarceration Branch Program Application.

**FAIRFAX COUNTY SHERIFF'S OFFICE
STANDARD OPERATING PROCEDURE**

**SOP NUMBER: 319
SUBJECT: INMATE SCREENING**

- e. Must reside within fifty (50) miles of the AIB.
 - 1) Must remain in the Commonwealth of Virginia and within fifty (50) miles of the AIB.
 - f. Ability to meet the financial obligations of the program.
 - 1) Inmates being considered for the Work Release Program shall be informed that there is an initial fee of \$250 associated with participation in the program. The initial fee covers the daily housing charge and GPS monitoring fees from the time the inmate first begins working until they receive their first pay check. Inmates who have a negative balance on their inmate finance account will be considered for the program on a case by case basis.
 - g. Any state-responsible inmate being considered for placement requires Department of Corrections (DOC) concurrence, which must be obtained through written correspondence.
 - 1) Any state-responsible inmate who is a non-United States citizen, regardless of legal status, shall not be permitted to participate in any unsupervised community program such as Work Release per DOC Central Classification policy.
 - h. Any adult inmate who meets the criteria for Work Release, and has a substance abuse problem, may volunteer or be required to participate in alcohol and/or drug treatment, concurrent with Work Release. The screening panel may also recommend or require involvement in a CSB treatment program, as a prerequisite for participation in Work Release.
3. Electronic Incarceration Program (EIP) Eligibility Criteria: Any County or State-responsible adult inmate who otherwise meets the following criteria, in accordance with Code of Virginia 53.1-131.2 and SOP 329, may be placed into EIP.
- a. Sentenced and within 18 months of release.
 - 1) The court, subject to the Sheriff's approval, may assign an accused to EIP pending trial if it appears to the court that the accused is a suitable candidate.
 - b. No outstanding detainers.
 - c. No local Protective Orders.
 - d. The inmate's current term of confinement does not include a sentence for a conviction of a felony violent crime; a felony sexual offense; burglary; or manufacturing, selling, giving, distributing or possessing with intent to manufacture, sell, give or distribute a Schedule I or II controlled substance.
 - e. May not have a criminal history of arrests or convictions for violent crimes, sex crimes or crimes against children.

**FAIRFAX COUNTY SHERIFF'S OFFICE
STANDARD OPERATING PROCEDURE**

**SOP NUMBER: 319
SUBJECT: INMATE SCREENING**

- f. Must reside and remain in the Commonwealth of Virginia, within fifty (50) miles of the AIB, and have a dedicated and operable telephone or cellphone.
 - g. The Court is not limited in which inmates it may place into the EIP, except as specifically prohibited in Code of Virginia 53.1-131.2.
 - h. Any state-responsible inmate being considered for placement requires DOC concurrence, which must be obtained through written correspondence.
 - 1) Any state-responsible inmate who is a non-United States citizen, regardless of legal status, shall not be permitted to participate in any unsupervised community program such as EIP per DOC Central Classification policy.
- 4. Community Labor Force Program (CLF) Eligibility Criteria: Any County or State-responsible adult male inmate who otherwise meets the following criteria, in accordance with [SOP 328 – Community Labor Force](#), may participate in the CLF.
 - a. Sentenced and within 24 months of release.
 - b. No outstanding detainers.
 - c. Must volunteer and be physically able to work.
 - d. Must reside within one hundred (100) miles of the AIB.
 - e. Inmates selected for the CLF may be awarded up to 5 days Exemplary Good Time Credit for every 30 days worked, if eligible. This is a voluntary program and a privilege. Every inmate is expected to perform satisfactorily on the job. Inmates assigned to the CLF may lose this status and be summarily returned to the Adult Detention Center (ADC) without a hearing for poor work performance, poor attitude or malingering.
- 5. Workforce Eligibility Criteria: Any adult inmate who meets the following criteria may volunteer for the AIB Workforce, in accordance with [SOP 327 – Alternative Incarceration Branch Workforce](#).
 - a. Inmate has been confined in ADC general population or ADC Workforce housing for at least 30 days.
 - b. Recidivists who were former members of the AIB workforce will not be given preferential consideration.
 - c. Outside Workforce Only:
 - 1) Inmate has no detainers.
 - 2) Inmate must reside within one hundred (100) miles of the AIB.
 - 3) Sentenced and within 24 months of release.

**FAIRFAX COUNTY SHERIFF'S OFFICE
STANDARD OPERATING PROCEDURE**

**SOP NUMBER: 319
SUBJECT: INMATE SCREENING**

- d. Inside Workforce Only:
 - 1) Inmates who are sentenced may only be serving a sentence of four (4) years or less.
 - 2) Inmates are not required to be sentenced and are eligible if they have detainers.
 - 3) Inmates are not required to reside within a certain distance from the AIB.
 - e. Inmates selected for the AIB Workforce may be awarded up to 5 days Exemplary Good Time Credit for every 30 days worked, if eligible. This is a voluntary program and a privilege. Every inmate is expected to perform satisfactorily on the job. Inmates assigned to the AIB Workforce may lose this status and be summarily returned to the ADC without a hearing for poor work performance, poor attitude or malingering.
6. Re-Entry Dorm (RED) Program: Any adult inmate who meets the following criteria may volunteer to be housed in the AIB and participate in opportunities focused on re-entry into the community.
- a. Inmate has been confined in ADC general population or ADC workforce housing for at least 7 days.
 - b. Inmates are required to be sentenced and are eligible if they have detainers.
 - 1) Inmates who are sentenced may only be serving a sentence of four (4) years or less.
 - 2) Inmates serving sentences of 6 months or less will be given priority.
- B. Inmate Screening
1. Court Ordered or Court Referred:
- a. Upon receiving a court card, the Supervisor, Inmate Screening/Vocational or designee, will determine the eligibility and suitability of inmates who have been ordered or referred by the Court for participation in Work Release, EIP or CLF in accordance with the appropriate eligibility criteria of this SOP. At a minimum, the inmate screener will review the inmate's booking card, classification status, criminal history, sentence, detainers and overall jail adjustment. If an inmate is determined not to be eligible or suitable, notification shall be made to the sentencing judge opposing the placement of the inmate into the AIB program. If the judge does not concur with the information provided by the inmate screener, the inmate will be placed into the program pursuant to the court order.
 - 1) Work Release Court Ordered: The inmate's ability to initially meet the financial obligation of the program will not be considered.

**FAIRFAX COUNTY SHERIFF'S OFFICE
STANDARD OPERATING PROCEDURE**

**SOP NUMBER: 319
SUBJECT: INMATE SCREENING**

- 2) Court Ordered Pre-Screening: The Supervisor, Inmate Screening/Vocational will pre-screen candidates for Work Release and EIP when requested by the Court.
 - a) Candidates will appear before a screening panel at a date and time to be designated by the Supervisor, Inmate Screening/Vocational or designee.
 - b) Candidates must submit an Alternative Incarceration Branch Program Application prior to the scheduled screening hearing date.
 - c) The screening hearing should be held at least two weeks prior to the candidate's court date.
2. Self-Referred Inmates:
 - a. Inmates housed in the ADC may apply for AIB programs by completing an Inmate Request Form and forwarding it to the AIB. Upon receipt of an Inmate Request Form, the inmate screener will determine if the inmate is eligible and suitable to participate in the particular AIB program requested. At a minimum, the inmate screener will review the inmate's booking card, classification status, criminal history, sentence, detainers and overall jail adjustment. The inmate screener may conduct an initial screening interview at their discretion.
3. The Supervisor, Inmate Screening/Vocational or designee, will do the following for inmates who meet the eligibility and suitability requirements, or who are ordered by the Court, to participate in an AIB program:
 - a. For All AIB Programs:
 - 1) Convene a screening panel when deemed appropriate.
 - 2) Place the inmate on the AIB ICC Move Clearance Form to be cleared by the Medical and Behavioral Health sections prior to the inmate being transferred to housing in the AIB.
 - 3) After the inmate has been cleared by both the Medical and Behavioral Health sections, place the inmate on the ADC Move List.
 - 4) Establish a case file for each inmate.
 - 5) Deliver the case file for each inmate, along with one copy of the move list and AIB ICC Move Clearance Form, to the AIB Control Booth.
 - 6) Provide one copy of the move list, booking card and criminal history to the AIB Administrative Assistant for placement in the case file following orientation.
 - b. Work Release and EIP Only:

**FAIRFAX COUNTY SHERIFF'S OFFICE
STANDARD OPERATING PROCEDURE**

**SOP NUMBER: 319
SUBJECT: INMATE SCREENING**

- 1) Ensure that each inmate receives an Alternative Incarceration Branch Program Application.
- 2) Convene a screening panel to interview all inmates who will be assigned to Work Release or EIP.
- 3) Ensure that the inmate's court card, criminal history, program application, interview notes and any additional appropriate information are placed in the inmate's AIB case file for review by the Chief, Alternative Incarceration Branch or designee.
- 4) Upon receipt of an approved Inmate Screening Recommendation Form signed by the Chief, Alternative Incarceration Branch or designee, the inmate screener shall ensure:
 - a) The AIB Administrative Assistant prepares a letter for the Chief, Alternative Incarceration Branch or designee's signature to be forwarded directly to the sentencing judge's chambers. The letter will advise the judge that the inmate will be placed in Work Release or EIP and the proposed date of placement, in accordance with Code of Virginia 53.1-131, providing the court has no objection. A copy of the letter will be provided to the Fairfax County Commonwealth's Attorney's Office.
 - b) For Eligible State-Responsible Inmates: The AIB Administrative Assistant will prepare a letter to the Department of Corrections (DOC) from both the Chief, Alternative Incarceration Branch or designee and the inmate, requesting the inmate's assignment to the Fairfax County Sheriff's Office Work Release or EIP.
 - c) The AIB Administrative Assistant will ensure that a copy of the letter to the Judge, and/or the DOC letter, is placed in the inmate's case file.

C. Screening Panel

1. The screening panel will convene, as necessary, to determine eligibility and suitability of inmates requesting to participate in AIB programs. The screening panel's mission is to interview each inmate, review all available information, and make recommendations regarding program participation. The Chief, Alternative Incarceration Branch or designee has final approval of all AIB program placements. The panel will be primarily comprised of both of the Inmate Screening/Vocational supervisors and the Supervisor, Electronic Incarceration. At minimum, one of the primary screening panel members and one additional Residential Section supervisor are required in order to conduct a screening panel hearing.
2. The interview is chaired by the Supervisor, Inmate Screening/Vocational or designee. The interview questions will be based on, but not limited to, the areas surrounding jail adjustment, behavioral health, substance abuse and criminal history. All inmates being assigned to Work Release and EIP must be interviewed by a screening panel. Inmates assigned to the inmate Workforce,

**FAIRFAX COUNTY SHERIFF'S OFFICE
STANDARD OPERATING PROCEDURE**

**SOP NUMBER: 319
SUBJECT: INMATE SCREENING**

Community Labor Force or Re-Entry Dorm, are assigned on the basis of a classification decision by an inmate screener. However, they may be subject to a screening panel when deemed appropriate. This classification decision shall be based on the criteria specified in section III, A, of this SOP.

3. After inmates have appeared before the screening panel, the recommendations of the panel will be forwarded to the Chief, Alternative Incarceration Branch or designee for final approval.



**STACEY A. KINCAID
SHERIFF**

**3/15/04
DATE APPROVED**

**11/30/18
EFFECTIVE DATE**

Revised: August 2005, November 2009, March 2013, October 2015, May 2016, June 2017, March 2018, November 2018