

**I. PURPOSE**

To provide guidelines for the Fines Option Program (FOP) and Community Labor Force Offender Program (CLFO).

**II. POLICY**

It is the policy of the Fairfax County Sheriff's Office to provide the courts with sentencing alternatives which provide meaningful work for offenders through the performance of community service labor as a sanction or in lieu of cash payment of fines and court costs.

**III. LEGAL AUTHORITY**

A. Sections 19.2-303 and 19.2-354, Code of Virginia.

**IV. PROCEDURE**

A. Eligibility Criteria. Offenders are placed into the FOP or CLFO only by order of the court.

B. FOP and CLFO Administration.

1. The sentencing court of an offender's placement in the FOP or CLFO notifies the Alternative Incarceration Branch, Community Labor Force Section by receipt of a copy of the briefing sheet prepared by the court clerk. This sheet advises program staff of the amount of the fine and/or costs to be satisfied through community service labor, or of the number of hours of work to be performed as a sanction, and the date the offender is to report to begin working.
2. The offender will be given a detailed orientation by the staff regarding the rules of the program and how the sentence will be satisfied. Such briefings are regularly scheduled for 7:00 A.M. each Saturday. During the orientation, offenders will:
  - a. Read and sign a Waiver of Liability Form.
  - b. Acknowledge in writing that they have read and understand all rules, regulations and procedures governing their participation in the FOP or CLFO.
3. Initially, offenders ordered into the FOP/CLFO will report to the Adult Detention Center/ADC upper lobby no later than 7:00 A.M. on the Saturday specified by the court to be given their orientation. Offenders who have already received their orientation will report directly to the Community Labor Force Office to receive their work assignment for the day. A normal workday for offenders begins at 8:00 A.M. and ends at 4:00 P.M. with one-half hour for lunch.
4. Offenders in FOP will work off their court costs and fines at the rate of \$15.00 per hour. The dollar amount per hour may be adjusted annually. The court will be apprised of new rates of pay.
5. Any member of the Sheriff's Office staff who has reasonable suspicion an offender in the program is under the influence of drugs or alcohol may conduct a breath or urine screen. CLFO and/or FOP participants that test positive for drugs and/or alcohol shall be immediately suspended from the program and may be

arrested for drunk in public. The sentencing Judge will be notified in writing of all violations.

6. Each weekend labor crew supervisor will ensure that the agency receiving inmate-labor support has an appropriate job site supervisor, or designee on hand to direct the offenders in the tasks they are to perform. No crew supervisor, or designee will permit any offender to perform any tasks, which in his or her opinion are unsafe. It is also the responsibility of the crew supervisor, or designee to ensure offenders are afforded rest breaks and a break for lunch.
7. During severe inclement weather, the highest ranking CLF deputy on duty has the authority to divert crews from outdoor projects to indoor projects, or to curtail the work day.
8. No offender will leave the job site without permission of the crew supervisor. CLF Staff will maintain an Offender Time and Attendance Sheet on each offender, which will be updated and initialed daily.
9. The Supervisor, Community Labor Force is responsible for notifying the sentencing court when an offender successfully completes participation in the program or if an offender so sentenced fails to successfully complete the program.
10. The Supervisor, Community Labor Force will maintain calendar year statistics on all aspects of FOP/CLFO to include: the number of offenders participating; the dollar value of all offender labor; the number of successful program completions/failures; and the number and location of job sites.
11. Participant case files will include, at a minimum:
  - a. A copy of the "Notice of Assignment to Sheriff's Community Labor Force" form.
  - b. A Waiver of Liability.
  - c. A signed copy of program rules and regulations.
  - d. An offender Time and Attendance Sheet.

**01/01/00  
APPROVED DATE**

**01/23/97  
EFFECTIVE DATE**

**Revised: July 2009, March 2013, October 2015, May 2016**

*Stacey A. Kincaid*

**STACEY A. KINCAID  
SHERIFF**