

I. PURPOSE

To provide guidance to staff for the management of individuals within the secure confines of the Adult Detention Center wearing religious head coverings.

II. POLICY

It is the policy of the Fairfax County Sheriff's Office that employees abide by laws that require the agency to make reasonable accommodations for the religious beliefs of those with whom staff interact in their official capacities. Persons wearing religious head coverings as part of their religious expression shall be treated in a manner that is professional, respectful, and courteous.

II. DEFINITIONS

Religious Head Covering (RHC): An article of clothing, worn on the head by men and women of various faiths for religious purposes.

Exigent Circumstance: Those circumstances that would cause a reasonable person to believe that the current situation requires a deviation from written policy and normal practices to ensure the safety and security of the facility.

III. PROCEDURE

A. The following rules are in effect regarding arrestees wearing RHCs brought into the Adult Detention Center; Unless exigent circumstances exist

1. If an arrestee professes a religious belief requiring his or her head to be covered, the Receiving Sergeant will be notified immediately. Staff will conduct the initial pat search in the privacy of GE 67 or GE 68.
2. Staff will ensure that the arrestee is out of view of others to include uninvolved staff.
3. Allow the arrestee to slowly remove the RHC. Staff will remain vigilant during this time as this area of the arrestee may not have been searched by the arresting officer.
4. Staff of the same gender shall conduct the search.
5. The RHC shall be searched thoroughly. The RHC will be placed in the inmate's property and documented accordingly.
6. A jail issued RHC will be given to the arrestee.
7. Property Officers will ensure that a supply of jail issued RHCs are kept in male and female receiving.
8. Staff will document the search and the issuance of a jail issued RHC on an incident report. A notification via SIMS referral will be made to both the Classification and Programs Section.

B. Intake and Booking Procedures

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

**SOP NUMBER: 533
SUBJECT: RELIGIOUS HEAD COVERINGS**

1. During the intake process, arrestees will have their booking photographs captured with and without the jail issued RHC. Staff shall ensure that only the necessary number of staff be present. In addition, those present should be of the same gender as the arrestee. The arrestee shall be kept out of view of others as much as possible.
 2. After the intake and booking process has been completed, staff will allow the arrestee to wear their jail issued RHC.
 3. Arrestees wearing a jail issued RHC shall be processed as any other arrestee in accordance with SOP 512 - Inmate Searches, SOP 526 - Booking Desk, and SOP 528 - Inmate Property.
 4. As soon as practical, the Chaplain in conjunction with the Supervisor, Programs and Recreation Section will follow up with the inmate to ensure that he/she has a specific faith requirement to wear a jail issued RHC. The Supervisor, Programs and Recreation Section will have final approval.
 - a. If approved, the inmate will receive a second jail issued RHC and a Religious Head Covering Authorization Form (SOP 533 Att. 1) documenting that the inmate is authorized to have two jail issued RHCs in their possession.
 - b. If wearing the jail issued RHC is not approved, the Programs Section will notify the inmate, retrieve the jail issued RHC, and document on an incident report.
- C. Classified inmates requesting to wear a jail issued RHC
1. If an inmate wishes to wear a jail issued RHC, he/she will be instructed to submit an inmate request form to the Chaplain outlining the faith and specific faith requirement.
 2. The Supervisor, Programs and Recreation Section in cooperation with the Chaplain, will review and investigate these requests for specific faith requirements. The Supervisor, Programs and Recreation Section will have final authority on granting the request.
 - a. The Programs Section will make the notification to the inmate on whether or not their request was approved.
 - b. If the request is approved, the inmate will be issued two RHCs and a Programs Section Authorization Form.
 - c. Updated booking photos will be taken to capture an image of the inmate wearing the jail issued RHC.
 - d. The Programs Section will notify the Classification Section via SIMS referral regarding the approval of an inmate wearing a jail issued RHC.
- D. Wearing the jail issued RHC within the secure confines of the Adult Detention Center and any facility operated or controlled by the Fairfax County Sheriff's Office

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1. Inmates will be allowed to wear their jail issued RHC at all times within the Adult Detention Center, during transportation, at the Fairfax County Courthouse, or within any other facility operated or controlled by the Fairfax County Sheriff's Office.
 2. All jail issued RHCs are subject to search at any time. A staff member of the same gender shall conduct the search of the jail issued RHC. Whenever possible, the search should be conducted in private.
 3. Unless there are exigent circumstances, the inmate will NOT be required to remove their jail issued RHC in the presence of the opposite gender in any facility or vehicle operated or controlled by the Fairfax County Sheriff's Office.
 4. If exigent circumstances exist and an inmate is required to remove their jail issued RHC in the presence of the opposite gender, an incident report shall be generated.
 5. Inmates will not cover their face with their jail issued RHC at any time during their incarceration.
 6. If the jail issued RHC is altered or used for anything other than its intended purpose, it will be confiscated. The inmate will not be given another jail issued RHC during their remaining incarceration.
 - a. These incidences will be documented accordingly on an incident report.
 - b. Supervisors must review and approve the loss of privilege to wear a jail issued RHC.
 - c. In these cases, notifications will be made via SIMS referral to the Programs and Classification Sections.
 7. If an inmate is suicidal and placed on restricted issue, their jail issued RHC will be removed and placed in their property. Once the inmate is cleared by Behavioral Health Staff, their jail issued RHC will be returned.
- E. Released From Custody
1. Staff members shall allow an inmate to keep their jail issued RHC and wear it upon release from Sheriff's Office custody.
- F. The Supervisor, Programs and Recreation Section will maintain a current list of all inmates who are provided with a jail issued RHC.



**STACEY A. KINCAID
SHERIFF**

**April 11, 2018
DATE APPROVED**

**April 11, 2018
EFFECTIVE DATE**