

I. PURPOSE

To describe the duties and responsibilities of deputy sheriffs assigned to the Court Security Section.

II. POLICY

It is the policy of the Fairfax County Sheriff's Office that the Court Security Section provides a safe and secure environment for all judges, court staff, spectators, prisoners, and the public, in the Fairfax County Courthouse and General District Satellite courts in Fairfax City and the Towns of Herndon and Vienna. Court Security Deputies will ensure the safety of all people and property within the courthouses, courtrooms, and on the surrounding grounds. Deputies will maintain the integrity of the judicial process and safeguard all persons placed within their custody.

III. PROCEDURES

- A. Court Security Deputies (CSDs) assigned to Circuit, General District and Juvenile & Domestic Relations Courts will report to the Ready Room at 0730 hours Monday through Friday, in the prescribed uniform, for roll call and assignments. All CSDs not assigned, as Primary CSDs will secure their weapons in the lockers provided, prior to reporting to assigned duties.
- B. Each working day, the second lieutenant in charge of the respective courts, or their designee, will make the necessary courtroom assignments of their personnel. The following definitions will be used:
1. Primary Court Security Deputy - that deputy assigned overall responsibility for a particular court.
 2. Secondary Court Security Deputy - that deputy assigned to the Primary Court Security Deputy for escorting prisoners and any other duties as may be required.
- C. Cross gender searches will not be conducted unless the CSD has a reasonable suspicion that the prisoner poses a threat to the safety of the deputies, court personnel, other prisoners, and to the public. The CSD may also conduct a cross gender search if it is suspected that the prisoner has a concealed weapon or contraband. Cross gender searches may be conducted if a CSD of the same sex as the prisoner is not available, and there is another deputy sheriff present during the search. Cross gender searches should be conducted in private when possible, and care should be taken as not to offend the dignity of the prisoner being searched. Whenever a cross gender search is performed, the deputy conducting the search shall notify his/her supervisor and complete a written report in the Sheriff's Incident Reporting System (SIRS). This report shall include the following:
1. Name of deputy conducting the search.
 2. Name of the prisoner being searched.
 3. Date, time, and location of the search.
 4. Name(s) of other deputy or deputies present during the search.
 5. Specific reasons for the search.
- D. CSDs shall be assigned to the following Courts: Circuit Court, General District Court, or Juvenile & Domestic Relations Court.

1. Circuit Court.
 - a. Generally, Circuit Court Security Deputies are assigned to a judge on a permanent basis and will accompany their judge to and from chambers and the courtroom to which they are assigned (unless guarding a prisoner). Upon completion of courtroom assignment, deputies will report immediately to the second lieutenant or their designee in charge for further instructions.
 - b. Inspection of courtrooms: Upon receipt of an assignment, CSDs will make an immediate inspection of the assigned courtroom to ensure that all is in proper order. It is emphasized that assignments frequently can be made only minutes before court opening times, necessitating court security deputies to proceed quickly with their inspections. Particular attention will be given during inspections to the area immediately surrounding the judge's bench, the clerk and witness boxes, counsel tables and jury box. If, during the course of an inspection, Court Security Deputies should discover anything out of the ordinary in or about the courtroom (such as a suspected explosive device), they will advise their immediate supervisor. If he/she is unavailable, then they will advise the Supervisor, Court Security Section, or in his absence, the Commander, Court Services Division and/or Chief, Court Security Branch and await further instructions. The same inspection procedure will apply after each recess of 30 minutes or more unless the courtroom has been locked or the Court Security Deputy has maintained cognizance over the courtroom.
 - c. Court security deputies from each court will do a final inspection of courtrooms and surrounding areas to include prisoner-holding cells, courtroom prisoner box, vestibules and attorney visiting areas. This inspection will be done at the end of each business day.
2. General District Court.
 - a. Generally, General District Court Deputies will be assigned to a judge on a permanent basis and will accompany their judge to and from chambers to the courtroom assigned.
 - b. Immediately after arraignments, the same courtroom procedures as Circuit Court will apply for all General District Courts (inspection, court openings, etc.).
 - c. After roll call, all deputies, as assigned, will escort prisoners to and from video arraignments and bond motions which will be heard at 0830 hours in a designated courtroom.
 - 1) The presiding judge will advise those in custody of the following:
 - a) The charge as noted on the warrant.
 - b) The bond placed on the charge.
 - c) The next court date.
 - d) The appointment of an attorney, if needed.

- 2) Arraignments will be open to the public.
- d. Working hours are from 0730 - 1600 daily. Lunch is one-half hour or as dictated by the respective court's needs. Additional or other assignments with varied working hours may be made from time to time as the needs of the department may require.
- e. All deputies assigned to the General District Court will report to their assigned courtrooms no later than 0900 to make necessary security checks and advise people in the hallways to respond to their respective courtrooms, at which time they will be advised where they are to stand when their case is called, and which room or location they are to report to when their case is completed. Court will begin at 0930 hours.
- f. Criminal Court.
 - 1) In-Custody Defendants. The Secondary CSDs will bring the prisoners into the court as their case is called. The defendants normally will be placed in a pre-designated area facing the bench next to their attorney and will remain so stationed until the case is disposed of. The Secondary CSD will return the prisoner to the holding cells upon completion of the hearing/trial.
 - 2) Out of Custody Defendants. The CSD/court will summon defendants from the spectator section when their cases are called. The in-custody procedure will be followed. If the defendant is convicted and remanded to custody, the Secondary CSD will escort him/her to the holding cells. The Secondary CSD will pat search the defendant for any unauthorized material in accordance with Section III, C, of this procedure. The Secondary CSD will take the defendant (or arrange to have taken) to the Adult Detention Center. If a defendant is instructed to report at a later date to serve their sentence, he/she will be released from the courtroom by the primary CSD.
 - 3) Preliminary Hearings. These hearings are held on Monday, Tuesday and Wednesday of each week, beginning at 2:00 p.m. The CSD will permit attorneys to speak with their in-custody clients in a pre-designated area until the calling of the docket.
 - 4) CSDs assigned to General District Courts will familiarize themselves with courtroom forms and orders which are used during court proceedings.
 - 5) Warrants. With reference to warrants in any given courtroom, at no time are papers to be taken to the clerk's office by court security section personnel.
- g. Traffic Court.
 - 1) This court operates under the same rules as the Criminal Court. The Judge calls the docket and will hear those defendants who wish to plead guilty, after which a recess will be taken to allow the

Commonwealth's Attorney time to discuss cases with defendants who have entered a plea of not guilty. Prisoners in/out of custody will be treated in the same manner as in Criminal Court.

- 2) CSDs assigned to this court will familiarize themselves with forms used during court proceedings.
 - h. The duties of CSDs assigned to Civil Court are slightly different from those in the Criminal and Traffic Courts. In Civil Courts the assigned CSD will not handle papers but will be responsible for the safety and security of their judge and the courtroom.
 - i. All Civil courtrooms in General District Court will be opened at 0900 hours.
 - j. Appeals. Any person convicted in the General District Court, and given time to serve in jail, whether it be in criminal, traffic or civil, may note an appeal.
3. Juvenile & Domestic Relations Court.
- a. Juvenile and Domestic Relations Court Deputies will be assigned to a judge on a permanent basis and will accompany their judge to and from chambers and the courtroom assigned, unless otherwise advised.
 - b. Working hours are from 0730 -1600 daily. Lunch is one-half hour or as dictated by the respective court's needs. Additional or other assignments with varied working hours may be made from time to time as the needs of the agency may require.
 - c. All deputies assigned to the Juvenile & Domestic Relations Court will report to their courtrooms no later than 0845 to make necessary security checks and complete a prisoner roll call. Inspection of courtrooms will be conducted prior to court in the same manner as all other courts and will be so recorded on the J & DR daily inspection report, if required.
 - d. The public shall be excluded from all Juvenile and Domestic Relations Court hearings except as is provided for in the Code of Virginia (16.1-302).
 - e. All adult and juvenile prisoners will be handcuffed and escorted as described in Section III, F, 2 of this SOP. At no time will adult and juvenile prisoners co-mingle.
 - f. In-Custody adult prisoners will be escorted from the Adult Detention Center (ADC) to the designated holding areas behind courtrooms 3A-3K. Depending on their prisoner classification status, CSDs will document 15- or 30-minute checks on all prisoners in holding areas. When called for court, the defendant will be escorted by a CSD to a pre-designated position facing the bench next to their attorney. The CSD will remain with the prisoner until the case is complete. All adult prisoners will be returned to the ADC following their case and their "court cards" will be delivered to ADC Inmate Records.

- g. In-Custody juveniles will be escorted by a Secondary CSD from Juvenile Holding directly to the courtroom. The juvenile will be escorted into the courtroom in the same manner as an adult prisoner. The Secondary CSD will remain with the juvenile until the case is complete. At no time will the juvenile be left unattended or be in the presence of adult prisoners. Following the hearing, In-Custody juveniles will be escorted back to Juvenile Holding except in instances when the judge releases the juvenile from the courtroom. In such cases, the primary CSD will notify Juvenile Holding that the juvenile was released from the courtroom.
 - h. Personal or professional visits with prisoners will be at the discretion of the presiding judge. All personal or professional visits will take place in the professional visiting booths adjoining the J&DR courtrooms.
 - i. Appeals. Any person convicted in the Juvenile & Domestic Relations Court, and given time to serve in jail, whether criminal or civil, may note an appeal.
 - j. License Ceremony.
 - 1) CSDs will participate in licensing ceremonies as scheduled by Juvenile Court on a rotating basis. These are normally held at 3:15 p.m. in the Fairfax County Courthouse, courtroom 3K.
 - 2) CSDs will escort the presiding judge to the designated courtroom and remain until the presiding judge departs. The courtroom will then be secured.
- E. Demeanor in the Courtroom.
- 1. CSDs will remain vigilant throughout the day for any suspicious behavior on the part of any individual in the courtroom or any individual initially entering the courtroom, who possibly could cause a disturbance or disorder. CSDs will position themselves in the courtroom at a location which will give them the best overview of the courtroom, the occupants, the entrance to the courtroom, and any windows through which the bench and its immediate area can be viewed from outside the courtroom. In so positioning themselves, the CSDs will never sit or stand with their backs to the audience in the courtroom, nor place themselves in any area where they are unable to see immediately who enters the courtroom. If any incident should occur, the CSDs will take appropriate measures to avoid a further disturbance if possible.
 - 2. At any time during a court session, there may be excessive talking among the audience, particularly on Motions Day in the Circuit Court, CSDs may, at their discretion, call out: "Order in the Court please." If this fails to alleviate the problem, the CSD may take other appropriate action to bring order in the courtroom, such as expelling the boisterous individuals. It is emphasized that this action is always done in a courteous and inconspicuous manner and with the concurrence of the presiding judge. Usually it is enough to approach the persons making the noise and courteously tell them to remain quiet.
 - 3. CSDs should always stay alert, keep in the background, avoid unnecessary noise

or movement and avoid creating any distractions whenever possible. CSDs are never to lean on the judge's bench or allow anyone else to lean or place their hands on the bench, except to sign a court document as directed by the presiding judge.

4. When a "Rule on Witnesses" is in effect, i.e., when witnesses are directed by the judge to remain outside of the courtroom until called to testify, the CSD will escort them to a suitable place to wait until called to testify. Upon instruction of the judge, the witnesses will be escorted to the witness box to testify. The CSD will make certain that all excluded witnesses do not enter the courtroom while the trial is in progress, and that they are all sworn in prior to testifying.
5. Newspaper and magazine reading or the use of any electronic device (cell phones, tablets, etc.) by spectators in the courtroom while court is in session is forbidden. Eating, drinking and smoking in the courtroom is always forbidden. Smoking in the courthouse is forbidden. No photographers or cameras are permitted in the courthouse without prior approval. These rules and regulations will be strictly enforced.
6. The CSD will limit unnecessary traffic through the courtroom door at any time when court is in session, (particularly during opening and closing arguments and reading of instructions in a jury trial). CSDs will refrain from unnecessary movements or actions which would detract from orderliness of trial proceedings.
7. CSDs will take into custody all weapons to be used as evidence, keep them safe and secure throughout the entire trial (See SOP#704).
8. The duties and responsibilities of the secondary CSDs are:
 - a. Assist the primary CSD in "setting up" the courtroom, jury room, and the security of prisoners.
 - b. Upon completion of assignment, report back to his/her supervisor immediately for further instructions.

F. Security of Prisoners.

1. The primary CSDs assigned to courtrooms will have the primary responsibility for the security of prisoners in their courtrooms. They will work closely and jointly with the other CSDs who shall be assigned to assist them in the security of their prisoner(s). Upon leaving the courtroom, the primary CSD will ensure that the responsibility of the prisoner(s) is delegated to the deputy assigned to assist him/her. The primary CSDs may direct the deputy assigned to assist them to escort a prisoner back to the ADC or elsewhere, in which case that security deputy assumes full responsibility of the prisoner(s). The primary CSD or their designee will not leave the courtroom until all prisoners are removed from the holding cells.
2. Upon being assigned to escort prisoners, CSDs will:
 - a. Secure their weapons in the gun locker. Deputies escorting prisoners in the courthouse will not carry weapons.

- b. Report to the Court Holding Area in the security corridor and ascertain if their prisoner(s) is there. If not, CSDs will report to the ADC and pick them up or make certain that the prisoner(s) is picked up by Judicial Holding personnel.
- c. Search all prisoners before taking them out of the ADC or Judicial Holding area. Legal material only will be permitted in the custody of defendants.
- d. CSDs must complete a written report in the Sheriff's Incident Reporting System (SIRS) on a prisoner that:
 - 1) Refuses to appear before the court on their assigned court date.
 - 2) Becomes assaultive or threatening when attempting to bring him/her before the court on their assigned court date.
 - a) In all cases, the Court presiding over the prisoner's case must be informed of the refusal or assaultive/threatening behavior before his/her hearing.
- e. Handcuff prisoners in the following manner:
 - 1) One prisoner - Hands to the rear, thumbs up.
 - 2) Two prisoners - one pair of handcuffs, hand to hand thumbs down.
- f. Take prisoners to prisoner elevator that services their assigned courtroom.
- g. Upon reaching the courtroom floor, take the prisoners inside the courtroom handcuffed, unless prospective jurors are present, or unless specifically prohibited by the presiding judge. If the prisoner is a witness, remove the handcuffs, and place him/her in the prisoner cell until called to testify.
- h. In the event any prisoners must be escorted to a courtroom in the civil wing, take them through the courtroom nearest to the civil court, down the public hallway into the courtroom. If any prisoners are witnesses, they will not be brought into the courtroom until they are called to testify. CSDs will always notify a supervisor when a prisoner is needed in civil court.
- i. Upon completion of court:
 - 1) The prisoners will be handcuffed in the courtroom once they are remanded to the custody of the Sheriff, (unless the presiding judge does not permit it, or a jury is present). Handcuffing will be done in the same manner as previously described. (The primary CSD will direct how this is to be done. CSDs will use discretion).

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- 2) The CSD will escort prisoners through the secure corridor back to the ADC. Once on the ADC side of Post 18A the prisoner can be unrestrained and sent back to their housing unit. A CSD will escort all female prisoners back to their housing unit.
 - 3) "Court Cards" accompany all persons remanded to the custody of the Sheriff must be taken to the booking desk. All court information for current inmates housed in the ADC will sent to Inmate Records section.
 - 4) When escorting prisoners from court to a housing unit not considered General Population, the deputy will be required to escort the prisoner in handcuffs, no matter the status of the prisoner. This will include housing areas such as male receiving, female receiving, A Floor, Behavioral Health Housing, Medical, or any other unit that is not classified as General Population.
- j. In the event prisoner elevators are out of order, prisoner(s) will be taken to the public "fire exit" stairs nearest the assigned courtroom, entering the security corridor from that area. Should this occur, CSDs will notify their supervisor immediately. Additional security will be provided prior to moving prisoners in this manner.
- k. When a deputy is not assigned to escorting prisoners in the courthouse, but is called upon to do so, weapons will be secured in the gun lockers, and the above steps will be followed.
- l. It must be assumed that a prisoner in the custody of a CSD will attempt to escape, and all necessary precautions will be taken to preclude this.
- 1) While escorting one prisoner, the deputy will walk to the rear with a firm "hands on" grip. (Not necessary in the security corridor).
 - 2) While escorting two prisoners, the "hands on" policy will not be required.
 - 3) One deputy will not escort more than two prisoners at a time unless approved by a CSD supervisor. If approval is granted, one deputy will be permitted to escort three prisoners at a time.
 - 4) CSDs will never permit a prisoner to walk or stand behind them.
 - 5) Security doors leading from the courtrooms to the holding cell areas will remain locked at all times.
- m. CSDs shall request medical personnel for any prisoner when he/she is involved in the incidents listed below, but not limited to:
- 1) Medical emergency
 - 2) Use of Force
 - 3) Inmate Injury

- G. CSDs will familiarize themselves with their judge's habits and personal preferences so they might be prepared to anticipate the judge's wishes. This information should be passed on to other deputies.
- H. The courtroom doors near the bench will be locked by the CSD immediately after the judge is seated. (Provided the door nearest the judge can be opened from the inside without a key). This will be done unless specifically directed otherwise by the presiding judge.
- I. CSDs will lock their courtroom doors during lunch recess, and may at their discretion, lock them during other recesses.
- J. CSDs will not permit themselves the opportunity to mentally concentrate on, or otherwise become personally involved in, a case being tried in court to the extent that their alertness to security is dulled or abandoned. If at any time a deputy feels that he/she needs assistance for security reasons, for any other reason, he/she will notify his/her supervisor immediately for assistance.
- K. CSDs shall never permit a prisoner or a criminal defendant to stand at the counsel table or at the bench with hands in pockets.
- L. CSDs will not voluntarily perform administrative duties of the Clerks. It is impossible to provide security while performing functions unrelated thereto. CSDs will use reasonable judgment in these matters.
- M. Court Alarm Systems.
 - 1. Alerting Procedures.
 - a. Anytime there is a disturbance in a courtroom that requires assistance, the CSD shall use the radio to summon help if possible.
 - b. The judge or clerk needs merely to press the alarm button located under their respective work areas to summon assistance. There will be no audible alarm sounded in the courtroom but will light up on the control panel located in CS1. Facility Security deputies will alert CSDs via Court Security radios.
 - 2. Court Security Section Deputies Response Procedures.
 - a. CSDs will respond to emergency calls in the following manner:
 - 1) All available CSDs will respond to the signaling court. They will utilize existing glass windows of the courtroom door or peepholes to evaluate the situation at hand before entering the courtroom.
 - 2) Under no circumstances will CSDs guarding prisoners in a courtroom respond.
- N. Weekend - Straight time - Sheriff Community Service - Fine Options Programs:

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1. Judicial Center.
 - a. Any defendant sentenced to serve time on weekends or ordered to report to the Adult Detention Center at a later date, will be treated as an out of custody defendant as stated in section III, D, 2, f-2 of this SOP.
2. Satellite Courts.

Defendants sentenced to serve time on weekends, or to serve straight time, shall report to the ADC at a later date specified by the court.
- O. High Risk Trials or High-Profile Trials include trials of notorious, dangerous, controversial, or highly publicized cases:
 1. Internal Security-The Commander Court Services Division, Chief, Court Security Branch or Supervisor, Court Security Section will coordinate additional security for prisoner escort and/or transportation with assistance from the SERT Commander at least one week prior to the beginning of a high-risk trial.
 2. External Security-The Commander, Court Services Division or his designee will coordinate any external security measures (sniper team support) with the Commander of the Special Operations Division of the Fairfax County Police Department.
 3. Trials that are expected to have the potential for an unusual amount of risk or threat (by either the defendant(s), or that may have drawn the attention of media by a particularly heinous act(s) or celebrity status of the defendant(s) and/or participants in the case, that may require more security than normal, will prompt the Court Security Supervisor or designee to contact the presiding judge.
 4. During a high-risk trial, additional sworn personnel from the Sheriff's Office may be assigned to the courtroom or courthouse. The Court Security Supervisor will normally confer with and provide a security briefing to the presiding judge prior to the case, as appropriate.
- P. Receiving, Safeguarding and Distributing Items of Evidence for Courtroom Presentation.
 1. Any person may present items of evidence on their behalf or through legal representation.
 2. Occasionally, evidence is presented that is prohibited from entering the Fairfax County Courthouse or any General District Satellite Court. Under these circumstances, the Sheriff's Office requires a minimum of 24 hours' advance notification prior to the scheduled court date. This notification is to be made to applicable Court Security Supervisors.
 3. If advance notification is not provided, the following procedure will be followed:
 - a. Upon entering the courthouse, attorneys and defendants must inform contract security that they are in possession of evidence that they are planning to present during their court proceeding.
 - b. Contract Security personnel will then notify Court Security Control Booth

(CS1) and request a deputy respond to their location. The responding deputy will then decide as to whether he/she will take possession of the evidence. In the event the deputy takes possession of the evidence, steps to preserve the chain of custody must be initiated.

- c. The deputy will complete the evidence bag form and place the evidence in the bag in the presence of the responsible individual. The deputy will then provide a receipt to the individual from whom the evidence was received.
- d. The evidence will be logged into the evidence logbook and placed in a secured cabinet in CS1. Only Facilities Security deputies will have access to the secured evidence cabinets.
- e. Upon notification by the presiding judge, the logbook and evidence bag will be updated. The Facilities Security deputy will then transport the evidence bag, with its contents, to the courtroom and transfer custody to the primary court security deputy.
- f. The primary court security deputy will maintain custody and control of the evidence until needed for courtroom presentation.
- g. If the presiding judge does not allow the submission of evidence, the primary deputy will transfer chain of custody back to Facilities Security who will ensure that the evidence is properly removed from the courthouse and returned to the responsible individual.

Q. Procedures for Entering the Fairfax County Courthouse with Technology Equipment

- 1. Attorneys who have a Fairfax County Courthouse attorney access card may bypass security screening and may enter the courthouse with laptops and other basic technology equipment.
- 2. Attorneys who do not have a Fairfax County Courthouse attorney access card must go through the normal security screening process.
- 3. There are high-tech courtrooms available with multimedia evidence presentation and audio/video conferencing capabilities. Attorneys can request to reserve these courtrooms and/or equipment online at [Courtroom Technology Reservation Request](#).
 - a. If an attorney would like to use their own equipment, it must be cleared by contacting a Sheriff's Office Facilities Security supervisor at (703) 246-3279, prior to the scheduled court date.
 - 1) If it is necessary to bring a large amount of technology equipment to the courthouse, the attorney or his/her designee will be directed to the lower level employee entrance (Mag 3) where the equipment will be screened without delay to expedite the attorney's entrance into the courthouse.
 - 2) When law firms hire delivery and set-up staff to bring technology equipment to the courthouse an attorney from that law firm must be present to accept the delivery and when it goes through screening. The Sheriff's Office will not accept or sign for any deliveries.

- b. If an attorney has not had their equipment cleared for use prior to the scheduled court date, they will be referred to the Courtroom Technology Office upon their arrival at the courthouse. The Courtroom Technology Office will assist the attorney in determining if the equipment is needed or if the resources in the case's assigned courtroom will be sufficient. Any additional equipment that is needed will be x-rayed and physically searched by the contract security personnel. Note: use of equipment that is not cleared in advance can result in a significant delay for the attorney the morning a trial is scheduled to begin.
4. Pro se litigants are also referred to the Courtroom Technology Office for information on the high-tech courtrooms and to plan for equipment prior to the scheduled court date.

When a pro se litigant arrives at the courthouse they will go through the normal security screening process. Any technology equipment will be checked in with the contract security officers. The primary deputy in the assigned courtroom will notify CS1 when the judge has approved the technology equipment to enter the courthouse. The pro se litigant will be allowed to return to the main entrance to retrieve the equipment from the contract security officers.

The Sheriff's Office is not responsible for safeguarding any equipment overnight that is brought in by attorneys or pro se litigants.

IV. AUTHORITY

[Virginia Code § 53.1-119. Court Duties of Sheriff](#) - The Sheriff shall provide officers to attend the courts within his/her jurisdiction while such courts are in session as the respective judges may require. He/she shall receive into the jail all persons committed by order of such courts, or under process issuing there from, and all persons committed by any other lawful authority.

[Virginia Code § 53.1-120. Sheriff to Provide for Courthouse and Courtroom Security; Designation of Deputies for Such Purpose; Assessment](#) - Each sheriff shall designate deputies who shall ensure that the courthouses and courtrooms within his/her jurisdiction are secure from violence and disruption. A list of such designations shall be forwarded to the Director of the Department of Criminal Justice Services.



STACEY A. KINCAID
SHERIFF

01/01/00
DATE APPROVED

04/08/19
EFFECTIVE DATE

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