



# GENERAL ORDER

Loudoun County Sheriff's Office

**Chapter:** Operations

**Section:** 411.19

**Subject:** Investigations

**Topic:** Recovery Court

**Enacted:** 2/20/2020

**Last Review:** 02/10/2025

**Review:** 05/01/2027

## I. PURPOSE

The purpose of this General Order is to establish guidelines for the participation of the Sheriff's Office in the Loudoun County Recovery Court program.

## II. POLICY

The Loudoun County Sheriff's Office maintains a partnership with the Loudoun County Circuit Court, the Loudoun County Commonwealth's Attorney, the Loudoun County Department of Mental Health, Substance Abuse, and Developmental Services, the Loudoun County Department of Community Corrections, Adult Probation and Parole, and the Loudoun County Office of the Public Defender to facilitate a Recovery Court program within Loudoun County.

Within this partnership, the Loudoun County Sheriff's Office is committed to conducting field and home checks on participants, conducting field and home drug tests, conducting pre-entry investigations and inspections of residences, conducting program violation investigations, conducting after-hours responses to participant incidents when needed, serving capiases when issued by the Recovery Court judge, participating in weekly Recovery Court Team staff meetings, recommending incentives and sanctions, attending weekly Recovery Court dockets, and participating in ongoing training.

## III. PROCEDURES

### A. Command and Supervision of Recovery Court deputies

1. Recovery Court deputies perform a unique and specialized function with dual levels of supervision.
  - a. Recovery Court deputies are primarily supervised by a designated supervisor within the Operational Support Division.
    - i. Recovery Court deputies shall notify their Sheriff's Office supervisor of all schedule deviations, leave requests, training requests, and any other information regarding their schedules or performance as required by the General Orders.
  - b. For day-to-day activities, however, Recovery Court deputies are assigned to

and collaborate with the Recovery Court Coordinator in conjunction with the Recovery Court judge.

- i. Recovery Court deputies shall abide by the guidelines of the Recovery Court program and the directives of the Recovery Court judge, provided that the directives are in accordance with legal standards, General Orders, and the Law Enforcement Code of Ethics.
- ii. Recovery Court deputies shall immediately report any conflict with the Recovery Court Administrator or the Recovery Court judge to their Sheriff's Office supervisor.
  - (a) Recovery Court deputies shall also report any unresolved conflict with other members of the Recovery Court team to their Sheriff's Office supervisor.

**B. Responsibilities of Deputies Assigned to Recovery Court**

- 1. Conduct field and home checks on participants as needed.
  - a. Documentation
    - i. Each home contact must be documented by weekly activity logs and stored in SharePoint within one business day of the home contact.
    - ii. If illegal or prohibited items are located during home contact and probable cause exists that the items belong to the individual in the Recovery Court program, the item(s) shall be packaged as evidence and the incident documented on an Incident Based Report.
      - (a) Deputies may immediately place criminal charges for violations or may opt to consult with the Assistant or Deputy Commonwealth's Attorney assigned to the Recovery Court team prior to placing criminal charges.
    - iii. If illegal items are located but the Recovery Court deputy cannot determine who owns the items, he/she may package the items as evidence, obtain a written statement from the participant, and consult with the Recovery Court team.
- 2. Conduct field and home drug tests
  - a. A Recovery Court deputy must physically observe the participant during the drug tests to ensure the test is not tampered with in any way.

- b. If a drug test is required for a participant of the opposite sex, a deputy of the same sex as the participant shall be requested through ECC to observe the drug test. A Recovery Court deputy is not permitted to observe the drug test of a participant of the opposite sex.
- 3. Conducting pre-entry investigations and inspections of residences
  - a. Pre-entry investigations conducted by Recovery Court deputies are to be conducted in accordance with the guidelines set for the Recovery Court program.
  - b. During the initial home contact, a Recovery Court deputy shall:
    - i. Determine who lives in the home and explore whether anyone in the home has a history of drug use, uses addictive medication, has a criminal history or owns guns.
    - ii. Conduct a thorough search of the participant's living area (bedroom, bathroom, kitchen, other areas that are permissible to lawfully search) for any illegal or prohibited items.
    - iii. Conduct a thorough search of the participant's car for any prohibited items.
    - iv. Instruct the participant to conduct their own thorough search of their possessions and instruct them that any illegal or prohibited items found after this date will be considered "new" and may result in sanctions or criminal charges.
    - v. Introduce himself/herself to other residents, provide them with contact information, and instruct them to call if there are any problems.
    - vi. Obtain a copy of the participant's work schedule, if available at that time.
    - vii. Let the other residents know the deputy may be coming by the house or calling late at night, very early in the morning, etc. and that it is very important for the participant to come to the door or telephone since failure to do so will result in a curfew violation.
    - viii. If any illegal or prohibited items are located, they shall be handled and documented in accordance with the documentation section of this General Order.

4. Conducting program violation investigations
  - a. Recovery Court deputies shall investigate, and document alleged or observed violations by Recovery Court participants.
  - b. Recovery Court deputies shall notify the Recovery Court Coordinator of alleged violations, as well as the status of the investigation.
  - c. If violations are confirmed, Recovery Court deputies shall actively collaborate with the appropriate members of the Recovery Court team to identify the appropriate action to be taken.
  - d. Recovery Court deputies shall conduct criminal history and driving records checks on Recovery Court participants in accordance with a schedule established by the Recovery Court Administrator to proactively ensure that Recovery Court participants have not received any charges they have not reported.
5. Conducting after-hours responses to participant incidents when needed
  - a. From time to time, instances will arise where a Recovery Court deputy is needed to respond to an incident involving a Recovery Court participant outside of his/her normal working hours. Recovery Court deputies should make every effort to respond as needed to these instances.
    - i. In the event a Recovery Court deputy is unable to respond, he/she shall promptly notify their immediate supervisor so that an appropriate alternative solution may be identified.
6. Serve capiases when issued by the Recovery Court judge
  - a. Recovery Court deputies are primarily responsible for serving capiases related to the Recovery Court program.
  - b. Capiases issued by the Recovery Court judge for Recovery Court participants should be served as promptly as practicable, following up on all information available to them that may lead them to locate the participant.
7. Monitor curfew compliance with Community Corrections Program (CCP) utilizing their automated application.
  - a. Specific curfews for participants are determined by the Recovery Court Coordinator or his/her designee, and deviations for work must be approved by the Recovery Court Judge or his/her designee.

- b. Curfew checks may be conducted through home checks or the automated CCP automated application. Curfew checks should be conducted in varying formats and schedules, so that participants are not likely to identify a specific schedule or pattern of curfew checks that could be manipulated.
- 8. Participate in weekly Recovery Court team staff meetings
  - a. Recovery Court deputies shall attend all Recovery Court team staff meetings, unless specifically excused by the Sheriff's Office supervisor.
  - b. If the Recovery Court deputy is not available to attend the meeting, another deputy will be assigned by the Sheriff's Office supervisor.
- 9. Recommend incentives and sanctions, attend weekly Recovery Court dockets
  - a. Recovery Court deputies are expected to actively participate in recommending incentives and sanctions for Recovery Court participants.
- 10. Participate in ongoing training
  - a. Recovery Court deputies are to participate in all relevant training provided by the Recovery Court team, unless specifically excused by the Recovery Court Coordinator or the deputy's immediate Sheriff's Office supervisor.
- 11. Serve as the liaison between the Recovery Court team and the Sheriff's Office
  - a. Recovery Court deputies are to ensure timely and accurate communication between the Recovery Court team and the Sheriff's Office for all matters pertaining to the administration of the Recovery Court program.
- 12. Submit information to the Recovery Court database
  - a. Recovery Court deputies shall enter all relevant contact information into the Recovery Court database.
  - b. Unless extenuating circumstances apply, information shall be submitted into the database within 48 hours of the receipt of the information or the event requiring documentation.