	<b>Winchester City Sheriff's Office</b> <b>Manual of General Orders</b>  <b>Operations</b> <b>315</b>	<b>Effective Date:</b> May 1, 2014 Accreditation Standards:
		<b>Original Policy:</b> May 1, 2014 <b>Last Review Date:</b> May 1, 2020 <b>Next Review Date:</b> May 1, 2023
<b>Subject: Screening Stations</b>		<b>By Authority of:</b> <hr/> Les R Taylor, Sheriff

Effective /Review Date	Sections Changed	Changes	Reviewed by	Approved by
06-11-18	IV B 8	Changed "Sergeant or Lieutenant" to " Corporal or Major"	EAS	LRT
06-11-18	IV C 1	Changed "Sergeant or Lieutenant" to " Corporal or Major"	EAS	LRT
06-11-18	IV B 1	Added, "Individuals should also be asked to remove and place their belt /wallet along with any metallic objects into a screening tub. The Deputy shall pass the tub through the x-ray machine prior to giving the individual their items back."	EAS	LRT
10-01-19	IV B 9 c, d, and e.	Removed, c. Attorneys that are able to provide a photo ID and B.A.R. card.d. Any Commonwealth of Virginia employee here on official business, ie. Department of Social Services, etc...e. Those who have been issued an Joint Judicial Center by-pass badge by the Winchester City Sheriff. (The badge MUST be displayed to enter and while conducting business inside the JJC. If the person is not able to produce a badge, they must go through the same screening process that any other visitor to the JJC would).	EAS	LRT
10-01-19	IV B 9 b.	Changed, "b. Police Officers displaying a badge of authority that is entering the JJC on departmental business. (Those here on personal business, ie. divorce, child custody, etc... must relinquish their weapon prior to entering the JJC)." To, "b. Police Officers probation officer, commonwealth attorney's and any others with Commonwealth of Virginia arrest authority displaying a badge of authority that is entering the JJC on departmental business. (Those here on personal businesses, ie. divorce, child custody, etc... must relinquish their weapon prior to entering the JJC)."	EAS	LRT

## **I. PURPOSE**

To provide guidelines for the use of magnetometer, x-ray equipment and procedures for seizure and control of contraband/weapons.

## **II. POLICY**

It is the policy of the Winchester city Sheriff's Office that magnetometer and x-ray equipment will be operated from 0745hrs. to 1700hrs, unless otherwise directed by the Sheriff. Deputies will screen all persons entering court facilities by use of walk-through and hand-held magnetometers and inspect all hand luggage by use of an x-ray machine.

## **III. LEGAL REFERENCES**

### **A. 1950 Code of Virginia, as Amended.**

1. 18.2-283.1 "CARRYING WEAPON INTO COURTHOUSE"
2. 18.2-308 "CARRYING A CONCEALED WEAPON"
3. 53.1-120 "SHERIFF TO PROVIDE FOR COURTHOUSE AND COURTROOM SECURITY"
4. 19.2-74 "ISSUANCE AND SERVICE OF SUMMONS IN PLACE OF A WARRANT IN A MISDEMEANOR CASE."
5. 19.2-82 "PROCEDURE UPON ARREST WITHOUT WARRANT"

## **IV. PROCEDURE**

### **A. Screening Stations.**

1. Screening stations are located at each of the two (2) public entrances of the JJC.

Designator Entrance Area

Mag #1 Cameron Street side of JJC.

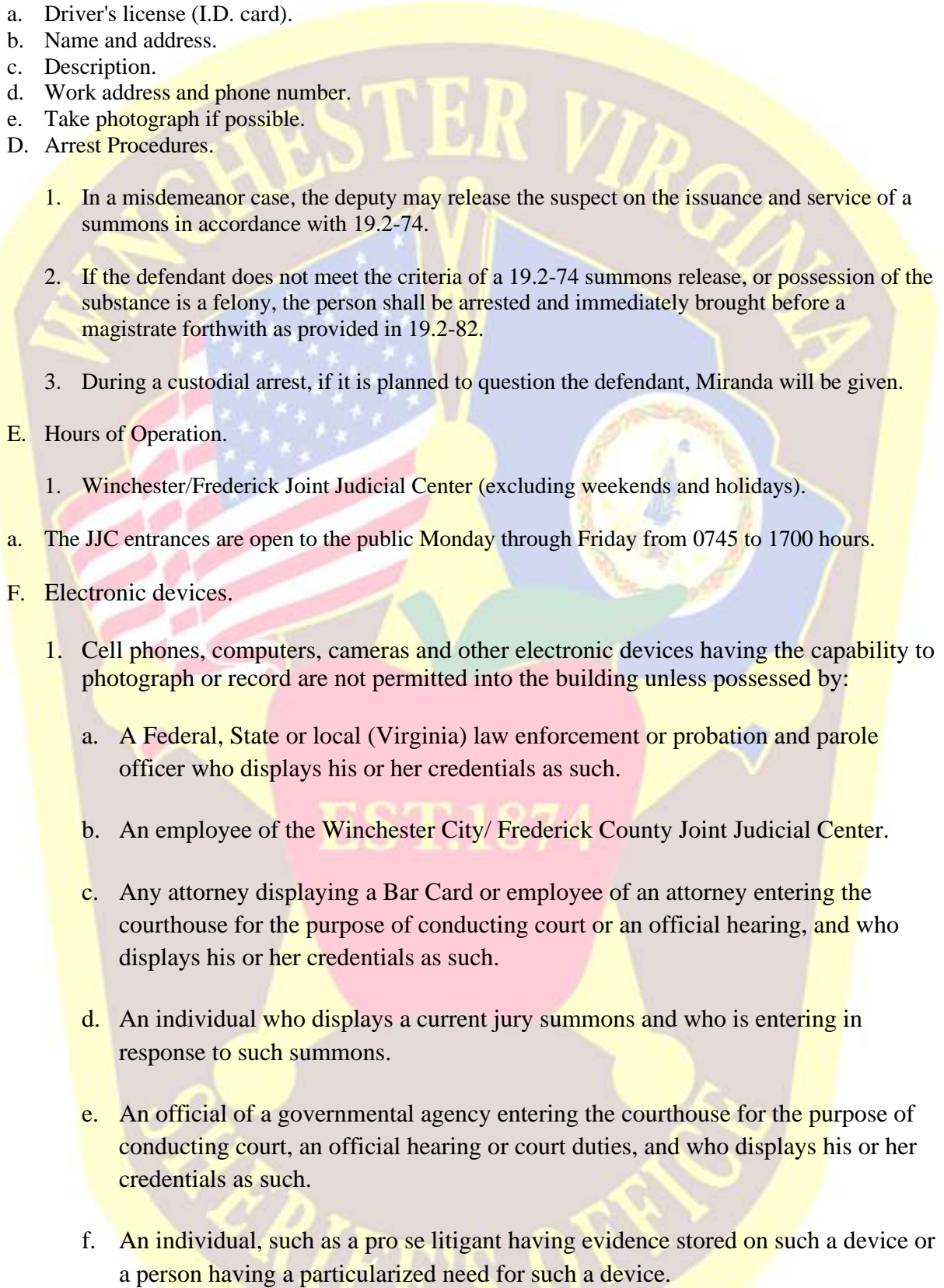
Mag #2 Kent Street side of JJC.

2. Each station will be staffed by at least one deputy during the hours posted in section II.

### **B. Screening Station Operating Procedures.**

1. Individuals passing through screening stations shall place hand luggage on the conveyor for examination by the deputy through the x-ray machine. Individuals should also be asked to remove and place their belt/ wallet along with any metallic objects into a screening tub. The Deputy shall pass the tub through the x-ray machine prior to giving the individual their items back.
2. If the magnetometer indicates a positive response, the individual shall be directed to pass through the magnetometer again after ensuring all pockets are empty.

3. If the magnetometer indicates positive a second time, the individual will be scanned with a hand-held wand. Only as a last resort will a pat-down search be conducted by a Deputy Sheriff. If the individual does wish to consent to a pat-down search, they will be denied entry into the building. (There is no implied consent to search or pat-down an individual. He/she must provide the screening Deputy with verbal consent before either can be done. The Deputy should explain to the individual why they are being asked to provide consent to be searched prior to the search beginning.)
4. Female deputies should conduct pat-down searches on females whenever possible.
5. Deputies will secure the following items when a person enters a screening station and give the individual an opportunity to return the item to their vehicle or place it into the sharps containers provided at each screening station. If the individual refuses either option, they will be denied entry into the building.
  - a. Knife.
  - b. Scissors.
  - c. Razor blade.
  - d. Letter opener.
  - e. Any object which can be construed/used as a weapon.
6. Only firearms possessed by law enforcement personnel will be permitted within courthouses.
7. Persons possessing a concealed weapon and valid permit issued by the Commonwealth of Virginia will be advised they cannot enter the courthouse with the weapon. Storage facilities for these weapons are not available in the courthouse.
8. Deputies will immediately contact the Corporal or Major who will immediately take possession of illegally concealed weapons, as defined in Section 18.2-308, Code of Virginia, and the Deputy will affect an arrest.
9. Those exempt from screening procedures are as follows:
  - a. Employees of the Joint Judicial Center, to include Judges.
  - b. Police Officers probation officer, commonwealth attorney's and any others with Commonwealth of Virginia arrest authority displaying a badge of authority that is entering the JJC on departmental business. (Those here on personal businesses, ie. divorce, child custody, etc... must relinquish their weapon prior to entering the JJC).
- C. Procedure if suspected controlled substances are found.
  1. If Controlled Substances are seized, the seizing Deputy will immediately contact the Corporal or Major. Once one of them has arrived, the seizing deputy can then speak with the suspect about the substance and make an arrest, issue a summons, or outright release pending laboratory results.
  2. If a deputy is unsure if the substance is illegal, the individual will no longer be detained and will be free to go. Advise the individual that if the substance tests positive a warrant for arrest will be issued. Deputies releasing persons pending lab analysis will obtain the following information about the individual:

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- a. Driver's license (I.D. card).
  - b. Name and address.
  - c. Description.
  - d. Work address and phone number.
  - e. Take photograph if possible.
  - D. Arrest Procedures.
    - 1. In a misdemeanor case, the deputy may release the suspect on the issuance and service of a summons in accordance with 19.2-74.
    - 2. If the defendant does not meet the criteria of a 19.2-74 summons release, or possession of the substance is a felony, the person shall be arrested and immediately brought before a magistrate forthwith as provided in 19.2-82.
    - 3. During a custodial arrest, if it is planned to question the defendant, Miranda will be given.
  - E. Hours of Operation.
    - 1. Winchester/Frederick Joint Judicial Center (excluding weekends and holidays).
  - a. The JJC entrances are open to the public Monday through Friday from 0745 to 1700 hours.
  - F. Electronic devices.
    - 1. Cell phones, computers, cameras and other electronic devices having the capability to photograph or record are not permitted into the building unless possessed by:
      - a. A Federal, State or local (Virginia) law enforcement or probation and parole officer who displays his or her credentials as such.
      - b. An employee of the Winchester City/ Frederick County Joint Judicial Center.
      - c. Any attorney displaying a Bar Card or employee of an attorney entering the courthouse for the purpose of conducting court or an official hearing, and who displays his or her credentials as such.
      - d. An individual who displays a current jury summons and who is entering in response to such summons.
      - e. An official of a governmental agency entering the courthouse for the purpose of conducting court, an official hearing or court duties, and who displays his or her credentials as such.
      - f. An individual, such as a pro se litigant having evidence stored on such a device or a person having a particularized need for such a device.

- g. Any person displaying written permission to bring such device into the courthouse issued by a resident judge authorized to hold court in Winchester VA or Frederick County VA or permission by the Winchester City Sheriff.
- h. Those in possession of a JJC security bypass badge. (Must be displayed while inside of the Joint Judicial Center.)

