

<b>YORK-POQUOSON SHERIFF'S OFFICE</b>	<b>GENERAL ORDERS</b>
<b>SUBJECT: Patrol Operations</b>	<b>NUMBER: GO 2-12</b>
<b>EFFECTIVE DATE:</b> December 7, 2018	<b>REVIEW DATE:</b> December 7, 2018
<b>AMENDS/SUPERSEDES:</b> GO 2-12, April 14, 2008	<b>APPROVED:</b>  Sheriff
<b>VLEPSC:</b> OPR.01.07	

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21

22   **POLICY**

23

24   Patrol is the primary activity of law enforcement that includes much more than driving through

25   the county looking for criminal activity. The Sheriff expects deputies to conduct patrol to

26   enforce traffic and criminal laws, answer complaints, conduct investigations, promote

27   community-relations activities, transport arrestees, and prevent crime.

28

29   **PURPOSE**

30

31   To define and outline procedures for handling commonly encountered patrol situations.

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33   **DEFINITIONS**

- 34
- 35    • Patrol can be defined in terms of its component activities:
- 36      ○ Crime prevention.
- 37      ○ Response to requested calls for service.
- 38      ○ Investigation of crime, offenses, incidents, and conditions, including the arrest of
- 39      offenders.

- 40 ○ Traffic direction and control.
- 41 ○ Maintenance of public order.
- 42 ○ Provisions of emergency services.
- 43 ○ Development of relationships between citizens and the Sheriff's Office in furtherance
- 44 of community-oriented policing ideals.
- 45 ○ Reporting of information to appropriate entities.

46

## 47 **PROCEDURES-General**

48

- 49 ● Patrol coverage

- 50 ○ The Sheriff provides 24-hour coverage, seven days per week, in answering calls for
- 51 service, responding to emergencies, conducting preventive patrol, and performing
- 52 traffic enforcement.
- 53 ○ Deputy Sheriffs assigned to the patrol division work Patrol Shifts as assigned.
- 54 ○ Patrol shifts rotate on a regular basis between designated hours.
- 55 ○ During each shift, patrol deputies are normally assigned to one specific patrol area.
- 56 Deputies may be assigned to patrol more than one area at the discretion of the on-duty
- 57 supervisor if adequate manpower exists.
- 58 ○ During line-up, patrol supervisors will provide information to oncoming shifts of the
- 59 previous shifts activities.

60

- 61 ● Patrol activities

- 62 ○ Responding to calls effectively and safely may, in some situations, require several
- 63 deputies. Circumstances requiring the response of at least two deputies include, but is
- 64 not limited to:
  - 65 ■ Potential or actual assault on a law enforcement officer.
  - 66 ■ Possibility of or actual on-scene arrest for a felony or violent misdemeanor.
  - 67 ■ Potential or actual resistance to arrest.
  - 68 ■ Possibility of or actual use of force.
  - 69 ■ Crime in progress.
  - 70 ■ Fleeing suspect.

71

- 72 ○ Dispatchers shall ensure the dispatch of two deputies to calls listed above.
- 73 Supervisors shall monitor radio traffic to ensure proper dispatching of shift personnel.
- 74 ○ Deputies finding the circumstances listed above shall request back-up assistance.
- 75 Two deputies assigned to such a call shall coordinate their simultaneous arrival, when
- 76 possible.
- 77 ○ If the first responding deputy to a priority call finds that the incident was not as
- 78 reported and does not require multiple deputies, he or she shall so advise dispatch so
- 79 that back-up deputies can be cancelled or assigned to other calls.

80

- 81 ● Incidents requiring presence of a supervisor

- 82 ○ A supervisor shall be notified and shall assume command of the following incidents:
  - 83 ■ Serious injury to a deputy or other law enforcement officer.
  - 84 ■ Accident involving a Sheriff's Office vehicle.
  - 85 ■ Major crimes to include:

- 86 ❖ Murder
- 87 ❖ Bank robbery
- 88 ❖ Escape,
- 89 ❖ Assault where death may occur.
- 90 ❖ Accidental deaths, except motor vehicle accidents.
- 91 ❖ Deaths involving infants or children, including suspected SIDS related deaths.
- 92 ❖ Barricade/hostage situations.
- 93 ❖ Bomb incidents
- 94 ❖ Disasters, catastrophes, or severe weather producing emergency conditions.
- 95 ❖ Any complaint involving a deputy.
- 96 ❖ Serious accidents, injuries, or incidents involving County of York employees
- 97 or property.
- 98 ❖ Any other incident where a supervisor is requested.
- 99 ❖ Domestic Assaults involving law enforcement personnel. See [GO 2-13,](#)
- 100 [Domestic Violence.](#)
- 101
- 102 • Special notifications
  - 103 ○ Emergency/next-of-kin messages.
    - 104 ▪ Subject to the availability of personnel, emergency messages of any legitimate
    - 105 type, as determined by the on-duty patrol supervisor, may be delivered.
    - 106 ▪ Deputies shall deliver any message pertaining to a death, serious injury, or serious
    - 107 illness in person.
    - 108 ▪ The following procedures shall be used whenever possible and practical for valid
    - 109 notifications by Sheriff's Office personnel:
      - 110 ❖ Notification shall be made as promptly as possible, and in person, not by
      - 111 telephone.
      - 112 ❖ The presence of a minister, chaplain, or relative/close friend (if known) should
      - 113 be sought whenever possible before notification.
      - 114 ❖ Deputies delivering emergency notifications shall provide the source of the
      - 115 information.
      - 116 ❖ If the next-of-kin lives in another jurisdiction, then the dispatcher shall send a
      - 117 teletype message to that jurisdiction's law enforcement agency requesting
      - 118 notification.
      - 119 ❖ When requested by another agency to make notification of next-of-kin, the
      - 120 dispatcher and deputy shall:
        - 121 ➤ Obtain whatever pertinent information about the situation that is available
        - 122 in order to assist the relative receiving the message.
      - 123
      - 124 ❖ Other law enforcement agencies must request an emergency notification by
      - 125 NCIC/VCIN messaging.
      - 126 ❖ If the request for notification originates from a private agency or a hospital,
      - 127 dispatch shall advise them to contact their local law-enforcement agency to
      - 128 verify the request and send a notification request to the Sheriff's Office via
      - 129 NCIC/VCIN messaging.
- 130
- 131 • Highway maintenance/public utilities

- 132 ○ Patrol deputies may identify a variety of hazardous situations such as:
- 133     ▪ Bad roads/weather conditions.
- 134     ▪ Unsafe structures.
- 135     ▪ Other potentially dangerous situations.
- 136
- 137 ○ Deputies with knowledge of hazardous situations shall promptly notify the dispatcher
- 138     and the on-duty supervisor.
- 139 ○ Some hazardous situations may require immediate notification of local media outlets
- 140     in order to request public service announcements.
- 141 ○ Normally, the Sheriff's Office PIO will issue press releases and or public service
- 142     announcements for this purpose. See [RR 1-13, Media Relations](#) and [RR 1-13A,](#)
- 143     [Social Media](#).
- 144 ○ At any time when one of the below hazards exists, the deputy shall request the
- 145     dispatcher to notify the proper agency.
- 146 ○ Hazards may be grouped into two categories.
- 147     ▪ Hazards requiring immediate notification of the proper agency:
- 148         ❖ Essential traffic light in need of repair.
- 149         ❖ Large holes in road.
- 150         ❖ Electrical power lines down.
- 151         ❖ Large debris or obstacles in the road.
- 152         ❖ Breaks in water, gas, or other utility mains.
- 153         ❖ Snow/ice on road.
- 154         ❖ Fire hazards needing immediate attention.
- 155         ❖ Any other observed problem, which poses a significant hazard to the public.
- 156
- 157     ▪ Hazards requiring notification at beginning of next business day:
- 158         ❖ Non-essential traffic signs in need of repair.
- 159         ❖ Small (non-hazardous) holes in road.
- 160         ❖ Streetlights in need of repair.
- 161         ❖ Telephone/video cables down but not creating hazard.
- 162         ❖ Dead animals in road.
- 163
- 164 ● Conduct while on patrol
- 165     ○ Deputies shall acquaint themselves with traffic hazards, geography of their areas, and
- 166     particularly the location of streets, roads, and highways.
- 167     ○ Deputies should also become familiar with the names and addresses of habitual
- 168     criminals and law violators, hospitals, fire and rescue stations, magistrates, general
- 169     district and circuit court judges, commonwealth's attorneys, public and private social
- 170     service agencies, and any other public or private officials that prove helpful in the
- 171     administration of their duties.
- 172     ○ Deputies shall employ the utmost care to protect themselves when stopping violators
- 173     for infractions of laws.
- 174     ○ Consideration must also be given to stopping of vehicles from a safety standpoint,
- 175     during inclement weather, on hills and curves, in dense traffic, or in any instance
- 176     where life and property may be endangered. See [GO 2-19, Traffic Control](#).
- 177     ○ Deputies who observe violations of the law shall either:

- 178                   ▪ Issue a warning.
- 179                   ▪ Issue a Virginia Uniform Summon for the appropriate court.
- 180                   ▪ Make a physical arrest.
- 181
- 182                   ○ The deputy shall inform the offender of the following:
- 183                   ▪ The nature of the offense.
- 184                   ▪ The specific charge, if a charge is made.
- 185                   ▪ The procedure the violator must follow in order to bring the matter to a
- 186                   conclusion.
- 187                   ▪ The reason why the offense was detrimental to the safety of the public, if
- 188                   appropriate (e.g., speeding in a school zone).
- 189
- 190                   ○ Deputies transporting arrestees shall notify the dispatcher of the transport.
- 191                   ○ The report shall include the point of origin, vehicle odometer reading, and the
- 192                   destination.
- 193                   ○ Upon arriving, the deputy shall so notify the dispatcher and give the odometer
- 194                   reading.
- 195                   ○ The dispatcher shall log the information and record the time of each notification. See
- 196                   [GO 2-8, Prisoner Transportation](#).
- 197                   ○ To the capabilities of their training and qualifications, deputies shall provide general
- 198                   and emergency assistance to motorists.
- 199                   ○ Assistance includes, but is not limited to:
- 200                   ▪ Providing information and directions.
- 201                   ▪ Assisting stranded or disabled motorists.
- 202                   ▪ Obtaining medical and other emergency assistance.
- 203
- 204                   ○ Deputies shall, within reason, ensure that the requested service is provided in a timely
- 205                   fashion.
- 206                   ○ If, after arranging for assistance, the deputy is unable to remain with the motorists
- 207                   until help arrives, he/she shall take the necessary steps to provide safety to the
- 208                   motorists or arrange for transportation.
- 209                   ○ If the need arises, deputies may transport a motorist to a place of safety.
- 210
- 211                   ● Specific patrol situations
- 212                   ○ Hospital procedures
- 213                   ▪ Deputies may take prisoners to medical facilities for treatment or they may be
- 214                   required to respond to medical facilities to answer criminal offense calls/
- 215                   disturbances or to interview hospitalized subjects.
- 216                   ▪ Deputies must understand that they are not required to give up their firearms upon
- 217                   request by hospital personnel.
- 218                   ▪ See [GO 2-8, Prisoner Transportation](#) for guidelines on prisoner restraints at
- 219                   medical facilities.
- 220
- 221                   ○ Mental patients
- 222                   ▪ In the absence of a court order, Emergency Custody Order (ECO) or Temporary
- 223                   Detention Order (TDO) for mental commission, or criminal charges of any nature,

- 224 deputies responding to any medical facility requesting their assistance in detaining  
225 a mental patient and should not initiate such action.
- 226 ■ The responsibility for detaining such a patient rests with the hospital staff and  
227 security personnel. However, the deputy responding to the hospital shall provide  
228 assistance should the situation escalate to a confrontation where the safety of the  
229 staff or preservation of peace becomes a law-enforcement problem.
  - 230 ■ When a court order, ECO, either verbal or written or TDO for mental commission  
231 is present, deputies must take whatever reasonable action is necessary to enforce  
232 the court order. See [GO 2-6, Use of Force](#) and [GO 2-55, Mental Health  
233 Response](#).
- 234 ○ Handcuffed prisoners
  - 235 ○ Handcuffed prisoners
  - 236 ■ Unless necessary to remove handcuffs in order for a prisoner to receive medical  
237 treatment, handcuffs or restraints shall remain in place. See [GO 2-7, Prisoner  
238 Restraints](#) and [GO 2-8, Prisoner Transportation](#) for further discussion of  
239 handcuffing procedures.
  - 240 ○ Interviews of patients/medical staff employees
  - 241 ○ Interviews of patients/medical staff employees
  - 242 ■ Deputies entering a hospital for the purpose of interviewing a patient in the  
243 emergency room shall notify hospital personnel on duty of their presence and the  
244 identity of the party to be interviewed.
  - 245 ■ Deputies entering a hospital for the purpose of interviewing a patient in the  
246 patient's room or ward shall notify hospital personnel on duty at the nurses' station  
247 responsible for the care of that patient of their presence and the identity of the  
248 party to be interviewed.
  - 249 ■ Deputies who must interview medical staff employees of a hospital shall make  
250 every effort to conduct the interview away from the hospital unless the purpose of  
251 the interview is in conjunction with the person's employment or regarding an  
252 incident where the medical staff employee is either a suspect, victim or witness to  
253 an offense occurring on the facility grounds.
  - 254 ○ Residential security checks/keep checks
  - 255 ○ Residential security checks/keep checks
  - 256 ■ The Sheriff will try to honor requests from citizens and business owners to  
257 conduct security checks of their homes or businesses when requested by the  
258 owners.
  - 259 ■ Requesting citizens:
    - 260 ❖ Are asked to complete the "Request for Security Check" form found at the end  
261 of this General Order
    - 262 ❖ Can call during business hours and front office staff will complete the  
263 "Request for Security Check" form
    - 264 ❖ Can email the "Request for Security Check" form via the link on the Y.P.S.O.  
265 web page
    - 266 ❖ Can call the 911 center and dispatch staff will complete the "Request for  
267 Security Check" form
    - 268 ❖ The "Request for Security Check" form can be found in the Forms folder  
269 [Vacation House Check](#) located in Power DMS.

- 270 ❖ Residential house checks will post as CAD Keep Check messages on the  
271 deputies mobile data terminal
- 272 ❖ Deputies will radio dispatch and advise when residential house checks have  
273 been completed to generate a record of law enforcement activity
- 274 ❖ Deputies shall advise citizens that occasional security checks cannot guarantee  
275 that their property will be safe from vandalism, burglary, or other offenses.  
276 Further, deputies shall advise citizens on proven crime-prevention techniques  
277 such as having a neighbor collect any mail or newspapers.
- 278 ❖ If a neighbor has keys to the house and either plans to enter or check it, then  
279 the request form must include the name, address, and telephone number of the  
280 neighbor.
- 281 ❖ All requests for house/business checks will be forwarded to the Emergency  
282 Communications center for entry in to CAD.
- 283 ❖ Deputies should not use keep checks as a resolution for isolated incidents of  
284 mischief (i.e vandalism, ringing door bells and running, etc.). However, keep  
285 checks may be used in instances of on-gong or re-occurring acts of mischief  
286 when there is a reasonable belief that the keep check will result in those  
287 committing acts of mischief or crimes may be caught.  
288
- 289 ○ Shoplifting arrests
- 290 ■ Code of Virginia [§18.2-105.1](#), [§19.2-81](#), and [§19.2-74](#) outline the detention of  
291 shoplifters, arrests without warrants, and issuance of summonses in lieu of  
292 warrants. Deputies shall consult these statutes for guidance.  
293
- 294 ○ Procedure for processing adult shoplifters detained by store security personnel who  
295 are not special police officers:
- 296 ■ A deputy shall be dispatched to the shoplifting scene. Since detained shoplifters  
297 may be violent, responding deputies should exercise caution.
- 298 ■ The deputy shall discuss the offense with the merchant, agent, or security guard to  
299 determine if an offense has actually occurred and if the merchant has established  
300 probable cause for the apprehension.
- 301 ■ Before these determinations, the deputy does not have the right to conduct a  
302 search incident to an arrest or a search for evidence of the offense, but may upon  
303 reasonable fear for his or her safety conduct a pat-down search of the subject's  
304 outer clothing for weapons. Any object thought to be a weapon and later found to  
305 be other evidence is admissible as to the offense. See [GO 2-1, Constitutional](#)  
306 [Safeguards](#).
- 307 ■ The merchant, agent, or security guard must have direct, first-hand knowledge of  
308 the offense either by having observed it or by some other means.
- 309 ❖ Felony: If the offense is a felony, handle as a physical arrest according to the  
310 provisions of [GO 2-4, Arrests](#).
- 311 ❖ Misdemeanor: If the offense is a misdemeanor, the deputy may issue a  
312 summons unless the shoplifter:
- 313 ➤ Refuses to give written promise to appear.
- 314 ➤ Appears likely to disregard the summons.  
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- Handling juveniles
    - The deputy shall verify the age of the offender. If the offender contends that he or she is a juvenile, and verification cannot be made immediately, he must be treated as such until a determination to the contrary is made.
    - Ascertaining an offender's age and identification shall be through whatever means are available to the deputy at the time, but caution shall be taken to assure that a juvenile is not processed as an adult offender. (See [GO 2-29, Juvenile Procedures.](#))
    - If the offense is a felony:
      - ❖ Contact the on-duty juvenile intake officer. The intake officer will provide further guidance and instructions.
      - ❖ Transport the juvenile per instructions of the juvenile intake officer to the appropriate location.
        - Transporting the juvenile to the law-enforcement agency is not a universal practice.
      - ❖ If the parents are to be contacted, notify a parent to pick up the child. Advise the parent that a petition is being sought, if applicable.
    - If the offense is a misdemeanor:
      - ❖ Every effort shall be made from the store to contact a parent or legal guardian. Request the parent to respond to the store for release of the juvenile.
      - ❖ If a parent responds, or if the deputy is assured of proper identification, the deputy may release the juvenile at the scene after advising the parent and juvenile that a juvenile petition shall be sought.
      - ❖ Factors to be considered in this action are the same as those for the release of an adult on a misdemeanor summons. Circumstances may dictate oral counseling or detention of the juvenile.
  - Evidence: special considerations
    - Code of Virginia [§19.2-270.1](#) allows for the introduction of a photograph of shoplifted property as competent evidence.
    - The decision to use a photograph shall be made only after careful deliberation, not merely at the request of the merchant. Deputies shall consider:
      - ❖ Is the item perishable?
      - ❖ Is the item re-sellable.
      - ❖ Would impounding the item represent an undue hardship to the merchant?
      - ❖ Does the size or nature of the item make impounding impractical?
      - ❖ In many localities, both law-enforcement agencies and the courts prefer photographs of shoplifting evidence to avoid having to store property, document a chain-of-custody for held evidence, and to shorten investigative time. Further, the evidence can be left with the merchant for future presentation in court.
  - Residential and vehicle lock-outs

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- Deputy Sheriffs may assist citizens who are locked out of their residence or vehicle.
  - Persons requesting assistance in gaining access to a residence from which they are locked out shall normally be referred to private businesses offering “Lock Smith” services, which conduct this service unless one of the following emergency circumstances exist:
    - ❖ Medical emergency.
    - ❖ Child or disabled citizen locked in the home.
    - ❖ Child, disabled citizen or animal locked in the vehicle.
    - ❖ A law-enforcement matter as authorized by a supervisor.
    - ❖ When the welfare of a person could otherwise be in jeopardy.
  - Deputies will respond to both emergency and non-emergency vehicle lockouts and will assist owners when applicable. Emergency lock-outs consist of the following:
    - ❖ Medical emergency.
    - ❖ Child, disabled citizen, or animal locked in the home.
    - ❖ Child, disabled citizen or animal locked in the vehicle.
    - ❖ A law-enforcement matter as authorized by a supervisor.
    - ❖ When the welfare of a person could otherwise be in jeopardy.
  - In non-emergency situations, deputies will use available unlocking equipment, their experience, judgment, and expertise to determine whether or not it is practical to attempt entry.
  - In all cases when called to a lock-out, the deputy shall:
    - ❖ Determine the probable risk of damaging the residence/ vehicle or internal parts of a vehicle (considering factors such as side air bags, electric door locks/windows, etc.).
    - ❖ Obtain proper identification from the requesting party and make a reasonable inquiry to determine that the requesting party has a right to gain entry (except in life-threatening situations or emergencies where immediate action is necessary).
    - ❖ Inform the requesting party that the Sheriff’s Office nor its personnel are responsible for any damage incurred by the assisting deputy, if a slim-jim or equivalent procedure is used.
    - ❖ Call for assistance, when necessary, from the fire department or other appropriate agency.
  - Special populations
    - Mentally ill/abnormal behavior. See [GO 2-55, Mentally Health Response](#).
    - Non-English speaking persons.
      - ❖ If the deputy or another deputy fluent in the language spoken is not available, contact the Emergency Communications Center for Language Line assistance.
    - Deaf, mute persons.

- 407 ❖ If the deputy or another deputy does not know sign language, contact the  
408 Emergency Communications center for sign language interpreter assistance.  
409
- 410 ▪ Infants, toddlers and children
- 411 ❖ If the need arises to transport an infant, toddler or children requiring a booster  
412 seat, contact the York-Poquoson Child Protective Services through the  
413 Emergency Communications Center for transportation assistance.
- 414 ❖ In emergency situations deputy sheriff's may transport infants, toddlers or  
415 children requiring booster seats as long as the following are met:
- 416 ➤ The appropriate child or booster seat can be properly secured in the  
417 deputy's patrol car.
- 418 ➤ Supervisor approval for the transport has been obtained.  
419
- 420 ▪ Physically handicapped persons.
- 421 ❖ Every effort must be made to accommodate persons with physical handicaps.  
422 However, officer safety should be the primary consideration.  
423
- 424 ○ Public intoxication.
- 425 ▪ Deputies who come into contact with persons displaying signs of drug or alcohol  
426 intoxication should make reasonable efforts to determine the condition is not  
427 medical related.
- 428 ▪ Deputies may arrest those suspected of drug or alcohol intoxication, after  
429 developing probable cause the person is intoxicated. See [18.2-388](#) Code of  
430 Virginia. This may accomplished through:
- 431 ❖ Admissions made by the person.
- 432 ❖ Observations of the person's physical condition and demeanor.
- 433 ❖ Conducting field sobriety tests.
- 434 ❖ Administration of a preliminary breath test.  
435
- 436 ○ Excessive noise calls-loud parties
- 437 ▪ If available, two deputies shall respond to a loud-party call.
- 438 ▪ Deputies shall try to record names and addresses of complaining witnesses as this  
439 may be important in justifying enforcement later.
- 440 ▪ Deputies shall advise the resident or person in control over the premises of York  
441 County Code, Section Sec. [16-19.3, Prohibited Noise Generally](#), and shall advise  
442 the violator that any subsequent call will result in issuance of a summons and  
443 closure of the party.
- 444 ▪ Deputies shall utilize their body worn cameras and may photograph the scene to  
445 show cars blocking entrances, hydrants, or other examples of illegal parking,  
446 litter, or people drinking outside of the residence where the party is taking place.
- 447 ▪ Identifying the law violator may not be easy.
- 448 ▪ Deputies shall try to gain entry by obtaining the permission of the owner or  
449 manager, resident, or, if the party is attended mainly by juveniles, a responsible  
450 adult.
- 451 ▪ If no one can be found to give permission for entry, consider whether exigent  
452 circumstances exist for a warrantless entry. (See [GO 2-1, Constitutional](#)

- 453 [Safeguards](#)) If an exigency or emergency does not exist, then a search warrant  
454 may be appropriate.
- 455 ■ Under most circumstances, upon a second call, deputies shall end the party and  
456 may issue an appropriate summons. Before ending the party, the deputy shall  
457 notify the on-duty supervisor of the decision and request additional deputies, if  
458 necessary.
  - 459 ■ Based on the totality of evidence, deputies may decide that a search warrant is  
460 required to gain entry into the premises.
  - 461 ■ Deputies shall summon a supervisor if a search warrant seems required under the  
462 circumstances. (See [GO 2-2, Search Warrants](#).)
  - 463 ■ If people at the party do not comply with the deputy's order to leave, then the  
464 deputies at the scene shall use appropriate legal means of ending the party,  
465 particularly through the issuance of summonses (sample offenses: public  
466 intoxication, disorderly conduct, violation of noise ordinance, failure to obey a  
467 lawful order).
  - 468 ■ Deputies should ensure to the extent possible that partygoers not leave the scene  
469 under the influence of alcohol.
  - 470 ■ If deputies arrive and find or suspect that the party involves underage drinking,  
471 they shall take reasonable steps to identify and control juveniles whom they have  
472 observed consuming alcohol.
  - 473 ■ Deputies shall attempt to contact the juvenile's parent or guardian to take custody  
474 of the juvenile. If a parent or guardian is not able to be located the juvenile may  
475 be left in the care of another responsible adult or York-Poquoson Child Protective  
476 Services.
  - 477 ■ The provisions listed above for calling a supervisor, determining exigent  
478 circumstances, or obtaining a search warrant all apply.
  - 479 ■ If deputies develop probable cause that underage drinking is occurring at the party  
480 and have entered the premises pursuant to a search warrant, consent or  
481 permission, or exigent circumstances, deputies shall:
    - 482 ❖ Ensure the activation of their body worn camera prior to entry
    - 483 ❖ Search the premises and locate all persons who are present.
    - 484 ❖ Seize any contraband in plain view (pursuant to [GO 2-1, Constitutional](#)  
485 [Safeguards](#)).
    - 486 ❖ Provide medical attention as needed and have incapacitated juveniles  
487 transported to a hospital and contact Child Protective Services.
    - 488 ❖ Document observations and conditions of the location to include taking  
489 photographs or video via Body Worn Cameras.
    - 490 ❖ Have dispatch begin contacting responsible parents or guardians to respond to  
491 the scene and take custody of the juveniles.
    - 492 ❖ Contact the juvenile intake officer concerning any juveniles who have been  
493 issued summonses and referred to the court.
- 494
- 495 ○ Excessive noise calls-other
    - 496 ■ Barking dogs
      - 497 ❖ Whenever possible, deputies should first advise offenders of the law and try to  
498 mediate the situation before the issuance of a summons.

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- ❖ Further, the law should be explained to the complainant, especially if there is no violation or no action is taken (this is for barking dogs and other noise).
  - ❖ The [York County Code Section 16-19 \(l\) states](#). “The keeping of any animal which shall be the source of any noise or sound which is plainly audible across a residential property line or through the partitions common to two dwelling units, or at a distance of one hundred feet (100’) or more from its source and on property other than that from which the sound originates and which continues for a period of thirty (30) minutes or longer.”
  - ❖ The York County noise ordinance can be found under [York County Code, Section 16-19](#).
  - Other noise
    - ❖ [York County Code Section 16-19.2](#) list specific prohibitions regarding the production of noise which includes:
      - Radios, Stereos, Loudspeakers, Television Sets, Musical Instruments or similar sound amplification or reproduction devices.
      - Public Address systems and sound trucks or mobile sound producing vehicles.
      - Yelling, Shouting, Singing and other vocal noises.
      - Large Parties.
      - Construction noise.
      - Pneumatic hammers, chain saws and other mechanical noises.
    - ❖ For the above listed prohibitions a violation occurs if the source of the noise can be heard at least 100 feet away from property other than which the noise is originating from between the hours of 9:00 PM and 7:00 AM.
    - ❖ For noise from radios, phonographs, etc. emitting from vehicles on public streets a violation of [York County Code 16-19.2](#) occurs if the sound can be heard 100 feet from its source.
    - ❖ For noise from yelling, Shouting, Singing or other vocal noises a violation occurs if the noise can be heard at a distance of 100 feet or more from its source on property other than which it emanates from between the hours of 11:00 PM and 7:00 AM.
    - ❖ For noise coming from large parties, a violation occurs if the noise can be heard for 30 minutes or more from a distance of 100 feet from its source and can be heard from a property other than the property where the noise is coming from between the hours of 11:00 PM and 7:00 AM.
    - ❖ For construction noise a violation occurs when the noise is plainly audible between the hours of 7:00 PM and 7:00 AM, unless a permit for extended operations has been issued by the County Administrator.
    - ❖ For pneumatic hammers, chain saws, etc., a violation occurs if being operated between the hours of 8:00 PM and 7:00 AM and can be heard beyond the real property lines of the property where the devices are being operated or within any occupied dwelling unit with the doors closed and windows in a position appropriate for the season.

545 **PROCEDURES - Preliminary Death Investigations**

- 546 • After arriving at the scene and until convinced to the contrary, all deputies shall consider  
547 every unattended death call as a possible homicide.
- 548 ○ Deputies shall, as circumstances permit, check the victim's vital signs (breathing,  
549 pulse, muscle reflexes).
  - 550 ○ Deputies shall ensure the safety of any other persons in the vicinity, as necessary, to  
551 prevent injury or death.
  - 552 ○ Unless already on scene, summon EMS personnel to pronounce death noting the  
553 name of the EMS person who made the pronouncement and the time pronouncement  
554 was made in the incident report.
  - 555 ○ Procedures - General:
    - 556 ■ Responsibilities of first deputy on scene.
      - 557 ❖ Do not move the body.
      - 558 ❖ Preserve the scene and possible evidence.
      - 559 ❖ Unless absolutely necessary, for the safety of responding deputies or the  
560 general public, leave all evidence including firearms in place.
      - 561 ❖ If in a location where someone may move or attempt to remove a firearm used  
562 in the commission of a crime, the firearm may be unloaded and secured.
      - 563 ❖ Once remove from its original location never place an item of evidence back  
564 in the scene but secure the item in a secure location noting the location and  
565 position where it was removed from in the incident report.
      - 566
    - 567 ■ Medical Examiner Deaths.
      - 568 ❖ The following is a list of types of deaths that require the Medical Examiner to  
569 be notified [Section 32.1-283](#) Code of Virginia:
        - 570 ➤ Any child death unless, anticipated and under a physician's care and not  
571 suspected as being the result of SIDS, abuse or neglect, or other accidental  
572 cause.
        - 573 ➤ Drug overdose
        - 574 ➤ Trauma
        - 575 ➤ Injury
        - 576 ➤ Violence
        - 577 ➤ Poisoning
        - 578 ➤ Suicide
        - 579 ➤ Homicide
        - 580 ➤ Suddenly when in apparent good health.
        - 581 ➤ Unattended by a physician.
        - 582 ➤ In Police Custody.
        - 583 ➤ In a jail, prison or other correctional facility,
        - 584 ➤ In a state hospital or training center operated by the Department of  
585 Behavioral Health.
        - 586 ➤ As a result or fire.
        - 587
      - 588 ❖ Protect and preserve the scene.
      - 589 ❖ Unless already on scene, or in cases where death is obvious, (Decomposed or  
590 decomposing remains, Skeletal Remains, decapitated remains obvious rigor or

- 591 livor mortis), summon EMS personnel to pronounce death and note in the  
592 incident report the name of the EMS person who made the declaration and  
593 time the declaration was made.
- 594 ❖ Request a supervisor.
  - 595 ❖ The on-duty supervisor shall notify an investigator who shall respond to the  
596 scene.
  - 597 ❖ Identify and interview witnesses.
  - 598 ❖ Initiate a scene log documenting who is on scene and who arrives and departs  
599 the scene.
  - 600 ❖ The Office of the Chief Medical Examiner (OCME) shall be notified by the  
601 Investigating deputy/investigator. The OCME will determine:
    - 602 ➤ If OCME personnel or local Physician (Medical Examiner) will respond to  
603 the scene.
    - 604 ➤ Will notify the local Medical Examiner to respond if so required.
    - 605 ➤ Where to send the decedent for autopsy or authorize release to a funeral  
606 home.
- 607
- 608 ■ Child Deaths
    - 609 ❖ Child deaths can be difficult. Occasionally children, especially infants, who  
610 die in a residential setting, may be transported to a medical facility where  
611 death is pronounced. A physician at the medical facility may declare the  
612 infant died as a result of SIDS (Sudden Infant Death Syndrome). The  
613 determination of SIDS as a cause of death can only be made by the Office of  
614 the Chief Medical Examiner. As such all child deaths, unless the death was  
615 anticipated and the child is under the care of a physician, shall be handled  
616 according to this policy.
    - 617 ❖ For the purpose of this policy a Child death is the death of any person less  
618 than 18 years of age.
    - 619 ❖ In all child death cases deputies shall notify the on-duty supervisor.
    - 620 ❖ The on duty supervisor shall notify an investigator who shall respond to the  
621 scene and assume the investigation.
    - 622 ❖ If the death is believed to from SIDS, abuse or neglect, the deputy on scene or  
623 on duty supervisor or investigator shall notify York-Poquoson Child  
624 Protective Services.
  - 625
  - 626 ■ Non – Medical Examiner Deaths
    - 627 ❖ Any deaths not listed under Medical Examiner Deaths above are considered  
628 non-medical examiner deaths. However, these deaths should be approached  
629 as suspicious and handled as a medical examiner death until the evidence  
630 determines otherwise.
    - 631 ❖ Although a physician may not be physically present at the death scene, if the  
632 decedent is under the recent care of a physician it would not be considered an  
633 unattended death making it a medical examiner death case.
    - 634 ❖ The following individuals are authorized to pronounce death. [Section 54.1-](#)  
635 [2972](#), Code of Virginia:

- 636                   ➤ Physician authorized to practice medicine in the Commonwealth of
- 637                   Virginia.
- 638                   ➤ Registered nurse or Physician’s assistant who practices under the
- 639                   supervision of a physician and is employed by the physician.
- 640                   ➤ Nurse or Physician assistant who works for a home health care
- 641                   organization.
- 642                   ➤ Nurse or Physician’s assistant who works for a hospice, hospital, nursing
- 643                   home or continuing care retirement community registered with the State
- 644                   Corporation Commission.
- 645
- 646                   ❖ The investigating deputy shall document all medications prescribed to the
- 647                   decedent.
- 648                   ❖ The investigating deputy shall contact the decedent’s physician to ascertain
- 649                   any medical issues and request the physician to sign the death certificate.
- 650                   [Section 32.1-263](#) Code of Virginia defines who can sign a death certificate.
- 651                   ➤ If the decedent’s physician refuses to sign the death certificate notify the
- 652                   OCME of physician’s name who refused to sign the death certificate and
- 653                   reason given. The OCME who will give direction on how to proceed.
- 654
- 655                   ❖ Once an authorized physician agrees to sign the death certificate or the OCME
- 656                   authorized release of the remains, contact the funeral home of choice by the
- 657                   next of kin.
- 658                   ❖ If no next of kin is available or unable to determine what funeral home to use,
- 659                   contact Amory’s funeral home.
- 660                   ❖ If at all possible remain at the scene until the funeral home departs with the
- 661                   remains.
- 662
- 663                   ▪ Special considerations
- 664                   ❖ Unless a death falls under the jurisdiction of the OCME, it is typically the
- 665                   funeral home’s responsibility to complete, obtain necessary signatures and file
- 666                   death certificates.
- 667                   ❖ In accordance with [Section 32.1-263](#) Code of Virginia, next of kin as defined
- 668                   in [Section 54.1-2800](#) Code of Virginia may elect to take possession of the
- 669                   decedent without the services of a funeral home. In this instance the next of
- 670                   kin as defined is responsible for completing, obtaining the necessary
- 671                   signatures and filing of the death certificate.
- 672                   ➤ In the unlikely event the next of kin elects to take possession of the
- 673                   decedent, a property receipt shall be completed and attached to the
- 674                   incident report.
- 675
- 676                   ❖ If notified by a funeral home or next of kin, taking possession of the decedent,
- 677                   that the decedent’s physician has subsequently refused to sign the death
- 678                   certificate, Notify the Investigations Division Commander or his/her designee,
- 679                   who will contact the OCME if the situation cannot be resolved.
- 680                   ❖ All information and actions required under this policy shall be documented in
- 681                   the incident report.

- 682  
683       ○ Death notification  
684           ▪ See page 2-12.3 Emergency/Special Notifications of this policy for death  
685           notification procedures.  
686

687 **PROCEDURES - Checkpoints**

- 688       • High Crime Areas  
689           ○ The Sheriff may deem it necessary to operate a high-crime checkpoint at a given  
690           location.  
691           ○ Prior to initiating a High Crime checkpoint a written checkpoint plan shall be  
692           developed and approved by the commonwealth's attorney.  
693           ○ The checkpoint normally involves cordoning off several adjacent streets and  
694           screening all persons who try to drive in to ascertain their identity and their  
695           association with the neighborhood.  
696           ○ Deputies shall not implement a checkpoint without direct authorization from the  
697           Sheriff.  
698           ○ Operations Plan  
699               ▪ The Sheriff or his designee shall draft a statement of purpose for the checkpoint,  
700               supported by evidence that a serious community crime problem exists that can be  
701               reasonably resolved by the checkpoint.  
702               ▪ The statement shall include goals and objectives for the checkpoint.  
703               ▪ The statement and an accompanying set of procedures shall be submitted to the  
704               commonwealth's attorney who must approve the statement and accompanying  
705               procedures or plan for it to be carried out.  
706               ▪ Once approved, the Sheriff or his designee shall issue written instructions to  
707               deputies who must conduct the checkpoint.  
708               ▪ The instructions shall outline any seizures of property or any other actions that  
709               deputies may perform consistent strictly with the statement of purpose.  
710               Instructions may permit, for example, checking identification and determining  
711               association within the cordoned area.  
712               ▪ Instructions shall specify the dates, times, and locations of the checkpoint  
713               operation.  
714               ▪ The Sheriff or his designee shall, through the written procedures, carefully  
715               describe the limits of discretion to be observed by checkpoint deputies,  
716               emphasizing that automatic searches are not permitted and that rules of reasonable  
717               suspicion apply to any detention beyond the initial brief stop and questioning of  
718               motorists.  
719               ▪ The on-duty supervisor shall ensure that checkpoint signs are conspicuously  
720               posted or that other notice is given to approaching cars.  
721               ▪ The on-duty supervisor shall ensure the free flow of traffic in the checkpoint  
722               vicinity.  
723               ▪ The on-duty supervisor shall not participate in performing checkpoint duties.  
724               ▪ The on-duty supervisor shall supervise the entire checkpoint evolution and ensure  
725               that the written plan is followed.

726                   ▪ The on-duty supervisor shall make a written record (After Action Report) of the  
727                   checkpoint evolution, and forward it to the Patrol Division Commander. At a  
728                   minimum, the After Action report shall include the following:  
729                   ❖ Number of vehicles stopped.  
730                   ❖ Number of persons contacted or interviewed.  
731                   ❖ Number and types of arrests, if any.  
732                   ❖ Number and types of warnings, if any.  
733                   ❖ An evaluation of the checkpoint evolution including an assessment of whether  
734                   the checkpoint met the goals and objectives of the plan.  
735                   ❖ Recommendations for future checkpoints.

- 736
- 737                   • General Traffic Checkpoints
  - 738                   ○ See [GO 2-19 Traffic Enforcement](#)
  - 739
  - 740                   • DUI/Sobriety Checkpoints
  - 741                   ○ See [GO 2-19 Traffic Enforcement](#)
  - 742

743                   **PROCEDURES - Bike Patrol Program**

- 744                   • See [GO 2-44 Bicycle Patrol](#).
- 745

746                   **PROCEDURES - Mobile Video/ Audio Recording**

- 747                   • See [GO 2-42 Mobile Video/Audio Recording](#)