

**Guide for Family Members and Friends:**  
*Navigating the Fairfax County Adult Detention Center*

1<sup>st</sup> Edition

Prepared by NAMI Northern Virginia and Concerned Fairfax volunteers

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## Table of Contents

### OVERVIEW

I. INITIAL CONTACT FROM FAMILY MEMBER .....	2
II. OBTAINING LEGAL SUPPORT .....	3
III. ARRIVAL AT THE ADULT DETENTION CENTER (ADC)...	3
IV. GATHERING CRITICAL INFORMATION.....	4
V. CONTACTING YOUR FAMILY MEMBER .....	5
VI. HELPING WITH BAIL.....	6
VII. HOSPITALIZATION AFTER ARREST.....	7
VIII. WORKING WITH THE CSB BEHAVIORAL HEALTH (FORENSICS) STAFF.....	8
IX. WORKING WITH AN ATTORNEY.....	9
X. GATHERING YOUR ALLIES.....	11
XI. ADDITIONAL RESOURCES.....	12

*Note: In this document, color-highlighted text indicates a link to additional information.  
If you are reading a paper copy of this document, link information is provided in the footnotes.*

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## OVERVIEW

This guide was prepared to help family members and friends of individuals who have been arrested taken to, the [Fairfax County Adult Detention Center \(ADC\)](#)<sup>1</sup> (also known as the jail). This document is not a substitute for legal advice.

Please note that policies and procedures may change from time-to-time. We will make every effort to update this document as changes occur and to ensure that this information is posted timely to the NAMI Northern Virginia Website: [www.NAMI-NorthernVirginia.org](http://www.NAMI-NorthernVirginia.org) .

We hope that you will find this guide helpful during a time that can be stressful for you and your family member. You may also want to visit [www.NAMI-NorthernVirginia.org](http://www.NAMI-NorthernVirginia.org) to learn about local support groups and other programs for individuals living with a mental illness and family members and friends. These groups and programs are offered at no cost to participants.

*Note: Throughout this document, “family member” is used to indicate “family member or friend.”*

## I. INITIAL CONTACT FROM YOUR FAMILY MEMBER

If a family member contacts you because they have been arrested, help them stay calm and let them know you are there to help them. Assure them that they will have your continued support to obtain the assistance they need.

- Remind them that they have a right to have an attorney present when being questioned by police officers or detectives.
- The [Fairfax Falls Church Community Services Board \(CSB\) staff \(Behavioral Health\)](#)<sup>2</sup> has staff co-located at the Adult Detention Center (ADC). If possible, suggest to your family member that they ask for the Behavioral Health Staff. Encourage your family to discuss their physical and mental health conditions, diagnoses, medications, etc., with nurses and Behavioral Health staff.

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<sup>1</sup> [www.fairfaxcounty.gov/sheriff/adc-main.htm](http://www.fairfaxcounty.gov/sheriff/adc-main.htm)

<sup>2</sup> [www.fairfaxcounty.gov/csb/services/court-based.htm](http://www.fairfaxcounty.gov/csb/services/court-based.htm)

## II. OBTAINING LEGAL SUPPORT

Often, one of the first questions that comes to the mind when an individual has been arrested is whether or not to obtain an attorney, and if so, how. Often, financial resources are a factor in deciding whether to engage a private attorney or whether the individual meets the criteria being assigned a [public defender](#) or a [court appointed attorney](#).<sup>3</sup>

Some considerations to keep in mind when seeking or working with an attorney:

- Attorneys, whether private, public defenders, or court-appointed attorneys, may not have in-depth knowledge of mental illness or of the needs of individuals who live with mental illness. To find an attorney with this type of knowledge you may wish to contact the state or local bar association. The NAMI Northern Virginia Helpline may be able to offer some assistance. Further, attending a NAMI Northern Virginia support group is another way to exchange information about resources.
- If your family member has or obtains an attorney, contact that attorney as soon as possible. Remember, your family member is the attorney's client. While the attorney may not be able to answer questions about the case due to confidentiality, you can inform the attorney about your family member's medical and mental health conditions. You can also share information about the mental health condition(s) your family member lives with and how this might affect a person's thinking process and outward behavior and actions. Separately, you may also hire an attorney to work on your behalf, should circumstances warrant it. As noted above, this document does not provide legal advice.
- If financial or other considerations do not provide the opportunity for your family member to obtain immediate legal assistance through a private attorney, the court may appoint a [public defender](#) or [court-appointed attorney](#)<sup>4</sup> to ensure that the individual's rights are upheld. More information is provided below, along with information about what you can provide to an attorney to assist them in representing your family member.

## III. ARRIVAL AT THE ADC

What happens when your family member arrives at the ADC?

- When individuals are brought to the ADC, they are searched and then escorted to a desk where they will be interviewed by a deputy. The deputy fills out a Classification Screening form, which includes any information about medications that your family member was able to provide. Subsequently, a nurse will conduct an interview. Observations and answers to the nurse's questions, as well as medication data, will assist the ADC staff in deciding whether a referral to Behavioral Health (also known as "Forensics") is appropriate. In

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<sup>3</sup> [www.fairfaxcounty.gov/courts/gdc/court-services/court-appointed-attorney-services.htm](http://www.fairfaxcounty.gov/courts/gdc/court-services/court-appointed-attorney-services.htm)

<sup>4</sup> [www.fairfaxcounty.gov/courts/gdc/publications/you-and-your-court-appointed-attorney.pdf](http://www.fairfaxcounty.gov/courts/gdc/publications/you-and-your-court-appointed-attorney.pdf)

addition, a Magistrate or other ADC staff can make a referral to Behavioral Health at any time.

- Next, your family member will be placed into General Holding. They will have an opportunity to make a phone call. This may be the time when you first learn that your family member is at the ADC.
- If your family member is decompensating, or otherwise a danger to themselves or others, they will be placed in a single cell (with a window in the door for observation) near the jail entrance. If they are trying to harm themselves (e.g., banging their head against the wall), they may be placed in a padded cell.
- If there is no record of mental illness (from prior arrests) and your family member has not disclosed that they have a mental illness, referrals to Behavioral Health may still be made based on hygiene, agitation, mood swings, or other indicators.

#### IV. GATHERING CRITICAL INFORMATION

As you initiate contact with the ADC staff, CSB (Behavioral Health/Forensics) and other staff, attorneys and others to help your family member, assemble the information below and keep it with you at all times: (Some people choose to store information on their smartphone for ready access.)

- If your family member has a psychiatrist, the psychiatrist's name, telephone number, and address.
- The name, telephone number and address of treating physicians, therapists, psychologists, case managers and social workers.
- Your family member's diagnosis. If you do not have a letter from a psychiatrist stating the diagnosis, request one; if the psychiatrist does not have a release allowing that information to be provided to you, the contact information above can still be helpful.
- Prescribed medication by name, dosage, the time(s) of day to be administered, prescriber and purpose.
- Information about whether a particular medication (current or past) seems to have proven to be ineffective, or has resulted in dangerous and/or uncomfortable side effects.
- Information about any other urgent medical conditions such as diabetes, high blood pressure, seizures, heart problems, etc. and the related medications. Include the name, address, and phone number of each medical doctor for verification purposes.
- Approximate date or year your family member first became ill, dates of any hospitalizations and names and addresses of those hospitals.

- Prepare a letter that includes the above information, requesting that your family member be evaluated for mental health treatment. Be sure to include any concerns that a suicide attempt is a possibility or any other serious concerns. Fax (do not email) this information to Behavioral Health staff at the ADC, with the following information in the header:
  - Full legal name
  - Date of birth
  - Inmate ID number
  - Location
  - Your name and relationship

**IMPORTANT: DO NOT address any impending charges against your family member in this fax. Provide only medical information!**

- Keep a copy of this fax for future reference. If your family member is transferred to a different facility you may need to fax this information again.

Communication with staff is important and is generally *most effective when one person is designated as the contact*. Let staff know what your relationship is to your family member. Because of HIPAA concerns and other factors that may arise in certain situations, the staff may have limitations on what information they can provide to you or to anyone else who indicates they may be acting on behalf of the individual.

## V. CONTACTING YOUR FAMILY MEMBER AT THE ADC

When your family member arrives at the Intake and Release Center of the ADC, you may be able to get some important information by calling (703) 246-2100. Press ‘4’ (for Confinement), then press ‘2’ (for Inmate Information). Ask for the following information:

- Your family member’s Inmate ID Number. [You will need this ID number if you want place money into an Inmate account. Visit [FAQs: Adult Detention Center](#)<sup>5</sup> for information about how to deposit money into your family member’ account.]
- The charges filed against your family member.
- **Whether or not it is expected that your family member will be released directly from the ADC.** If they are going to be released directly from the ADC (which sometimes occurs for minor offenses), ask for the time and place of release so that you can be there to pick them up or make other arrangements.
- The court arraignment date and address.

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<sup>5</sup> <http://www.fairfaxcounty.gov/sheriff/adc.htm>

- If your family member is being held in segregation, and if so, ask what behavior led to that placement and ask how long they will be there. (This information may not be available.)
- If bail has been set. If so, and if you are willing to post bail and take your family member home, contact a bail bondsman or go to the magistrates office in the downstairs lobby of the ADC. (See Section VI. Helping with Bail.)
- Verify [Visiting Hours<sup>6</sup>](#) and related rules. There are deadlines for visitation requests and your name must be on the list.
- How to fill out a [Request for Visitation<sup>7</sup>](#). After you submit a request for visitation, you will receive an email confirming your visit. Visits can also be requested by calling the Sheriff's Office at **(703) 246-3430, Monday through Friday, between 9 – 11 a.m.** Another option is to schedule your visit in person. Walk-in scheduling is available at the Adult Detention Center's 1st floor (not the ground floor) information booth **Monday through Friday, between 8 a.m. and 3 p.m.**

NOTE: If your family member is showing signs of psychosis or appears to be at risk for suicide, they will be segregated from the general population and may be put in solitary confinement. In this case, you will not receive permission to visit on visiting day. If you want someone to visit and your family member doesn't have a private attorney who can visit, you may want to consider asking a clergy member to request a visit since they will often be granted access, assuming your family member is willing to meet with that person.

## VI. HELPING WITH BAIL

Your family member may be released from the ADC by a magistrate or judge while awaiting their court date if bail is set and paid or if a bond is posted.

- Magistrates at the ADC can, in some circumstances, set bail. When they do set bail, magistrates may, in some cases, not require that the amount set be paid. If bail must be paid, you can pay the bail or contact a bail bondsman. There are telephone numbers listed at the Magistrate's office for bail bonds companies; there may also be a bail bondsman present in the lobby.
- If the magistrate doesn't set bail, then the next opportunity to have bail set is at a hearing before a judge.
- No one wants a family member to remain in jail. However, you may want to consider the following before paying bail or having a bond posted:
  1. Will my family member be able to comply with the terms of the set bail and appear in court when required?
  2. Is there a safe alternative place for my family member who may currently be in crisis to stay? If so, is my family member willing to accept this option?

<sup>6</sup> <http://www.fairfaxcounty.gov/sheriff/adc-visiting.htm>

<sup>7</sup> <http://www.fairfaxcounty.gov/sheriff/adc-visit-form.htm>

If the answer to either of these questions is “no,” family members may decide (though it may not be easy) to not assist the family member by paying for release on bail. There are alternatives to pursue; these are discussed below. Even if you decide to not assist with bail, your family member may have the financial resources to pay for the bail, a bond, or sometimes others may assist with funding.

NOTE: If your family member is released on bail or otherwise, and you believe the family member meets the criteria for an emergency custody order, you may want to consider one of the following actions:

- Contact the magistrate’s office and petition for an emergency custody order (ECO)  
OR
- Contact the CSB’s 24 Hour Emergency Services (703-573-5679) for assistance  
OR
- Call 911 and request CIT Officer assistance.

If your family member is willing, you may take them to the Merrifield Center<sup>8</sup> for screening, assessment, treatment or services.

## VII. HOSPITALIZATION AFTER ARREST

There are two ways that an individual living with a mental condition, who has been arrested, can be transferred from the Adult Detention Center to an approved hospital (known as a “jail transfer”). This process is described in [Virginia Code section 19.2-169.6](#)<sup>9</sup>, “Inpatient psychiatric hospital admission from local correctional facility.” The following is a brief summary of this section of law. If you believe your family member needs hospitalization, we recommend engaging the services of an attorney to assist you in this process.

- Upon petition of the person having custody over the individual (Sheriff’s Office), or if initiated by the Court itself, the Court may determine that the person needs treatment in a hospital rather than in the Adult Detention Center. CSB staff are key participants in the evaluation of an individual to help the Court make that determination. The hearing on the petition would be heard by the Court having jurisdiction over the case.
- Similarly, the Sheriff’s Office may petition the magistrate to issue a temporary detention order (TDO) for treatment in a hospital rather than at the Adult Detention Center. Again, CSB staff are key staff in evaluation of an individual to help the magistrate make a decision. [The TDO process](#) is described in the Virginia Code and is essentially the same process followed for other TDOs when no arrest is involved.<sup>10</sup>

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<sup>8</sup> <http://www.fairfaxcounty.gov/csb/about/merrifield-center.htm>

<sup>9</sup> <http://law.lis.virginia.gov/vacode/19.2-169.6>

<sup>10</sup> <http://law.lis.virginia.gov/vacode/37.2-809>

A family member might also be hospitalized if the court finds, upon hearing evidence or representations of counsel for the defendant or the attorney for the Commonwealth, that there is probable cause to believe that the defendant “lacks substantial capacity to understand the proceedings against him or here to assist his attorney in his own defense.”<sup>11</sup> Hospitalization might occur during the evaluation process or subsequently as part of a [Court order to restore competency](#).<sup>12</sup>

## VIII. WORKING WITH THE CSB BEHAVIORAL HEALTH (FORENSICS) STAFF

- If you believe that a mental health assessment has not been performed, or if you are unsure, you can contact Behavioral Health directly to advocate for such an evaluation. They can be reached at (703) 246-4454. Because of privacy laws, including HIPAA, staff cannot give you information about your family member, **but you can provide information to them** and they can tell you generally how things work within the jail.

NOTE: Behavioral Health has access to the Sheriff’s systems that include information collected by the deputies and nurses. They do not have access to any preexisting CSB records; if your family member has been seen outside of the jail by the CSB, none of those records will be available to the Behavioral Health staff.

- To share other medical information, or to obtain medical information that can be released, call the ADC at: 703-246-2100 and press ‘3’ (for Medical).
  - Due to privacy laws, the medical staff can’t provide information to you unless the individual has signed a release. Even if there is no release, you can still inform medical staff of any medical or mental health concerns you may have. For example, you can let them know that your family member has a mental illness, describe the diagnosis and provide medication information.
  - If a release was signed, you may want to inquire about your family member’s status and estimated length of stay at this facility. Ask about what type of care the jail is providing the person, if medication has been offered, and whether your family member is being monitored by mental health and/or medical staff, or is being evaluated for transfer to Western State hospital, and other related information.
  - Request a FAX number for the Behavioral Health staff so that you can send information that you wish to convey. (Remember, never include information about the case in a FAX; only provide medical and mental health information.)
  - If your family member has not signed a release to provide the concerned family with medical/mental health information, ask the Behavioral Health staff to try to obtain one.

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<sup>11</sup> <http://law.lis.virginia.gov/vacode/title19.2/chapter11/section19.2-169.1>

<sup>12</sup> <http://law.lis.virginia.gov/vacode/title19.2/chapter11/section19.2-169.2>

- If your family member is currently taking medication, you may deliver a five-day supply in the original pharmacy container(s). (Note: The 5-day time frame may be extended in the near future, so please check with the ADC.) Call your pharmacy to get extra pill containers, if needed. There is a medication drop box in the ADC hallway. The ADC nurses check the drop box frequently and record the medication on a ‘medication administration record’. The medication should be provided to your family member for five days; during that time, a physician or psychiatrist from Behavioral Health will perform a medication assessment.
- After the first five days of original medications, Behavioral Health will prescribe and administer medications. There may be changes from the original medications (e.g., stimulants or anti-anxiety medications may be removed from the regimen). You can call Behavioral Health to inquire if there have been medication changes, and if so, why (but remember that HIPAA laws may restrict disclosure of information).

## IX. WORKING WITH AN ATTORNEY

- Your family member can retain a private attorney or, if financial resources are limited, the Court may provide one through the [Public Defender’s Office](#)<sup>13</sup> (including Court appointed attorneys).
- Contact the attorney. Since attorneys are often in court all day, try calling early in the morning, during lunch, or at the end of the day. If you can’t reach the attorney, call their office and ask for a fax number or email address.
- Provide the attorney with an extensive medical/psychiatric/social/ educational history of your family member, in writing. This information will be very useful in pursuing the best outcome.
- If your family member has been assigned a Public Defender (after arraignment), the Public Defender’s office will get copies of mental health records and get them to the attorney assigned to your family member. This attorney can then begin negotiating with the prosecutor’s office. A private attorney may or may not be able to access the same resources as quickly.
- Attend the initial hearing. If you have not already met, introduce yourself to attorney. Be brief, polite, and thank them. Let them know that you're happy to provide whatever information would be helpful. If you find that you have not been able to adequately convey important information, continue to advocate for your family member by mailing a brief summary (no more than three pages) of any mental health and/or other medical information to the attorney or public defender’s office.
- Ask the attorney to consider seeking jail diversion, mental health docket, or pre-trial release programs.
- Remember, it is your family member, not you, who is the attorney’s client.

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<sup>13</sup> <http://www.fairfaxcounty.gov/courts/gdc/court-services/court-appointed-attorney-services.htm>

### **Private Attorney:**

- If your family member has a private attorney, contact that attorney and provide pertinent information regarding your family member’s case and mental health condition.
- If you decide to retain a private attorney, try to select one who is well-versed in helping people with mental illness. Ideally, the attorney will understand not only the law, but also how to access the treatment facilities and mental health services that are available.

### **Public Defenders Office:**

- If your family member cannot afford an attorney, as determined by the Court, a Public Defender will be assigned at the arraignment
- At the arraignment, you can provide to the Public Defender pertinent information concerning both the legal issues and mental health matters. This should be a brief statement (preferably written) concerning the current circumstances, diagnosis, and relevant history of your family member’s mental illness. The more information the better—but be concise and to the point.
- Public Defenders are extremely busy and have limited time for telephone calls. They will appreciate written or faxed correspondence.

[See [www.fairfaxcounty.gov/courts/gdc/publications/you-and-your-court-appointed-attorney.pdf](http://www.fairfaxcounty.gov/courts/gdc/publications/you-and-your-court-appointed-attorney.pdf)<sup>14</sup> for more information.]

## **X. GATHERING YOUR ALLIES**

Finding allies is critical to your own wellbeing and can help support the best possible outcome of your family member’s encounter with the criminal justice and mental health systems.

- Call on friends, family members and others who can offer support.
- Attend NAMI Northern Virginia Family Support Group meetings, classes and presentations
- Attend the NAMI Northern Virginia meeting “Q&A with the ADC Staff, presented in partnership with the Sheriff’s Office. This meeting provides a good opportunity to have your questions about the ADC answered directly by ADC staff.
- Call the NAMI Northern Virginia Help Line.
- Call Behavioral Health at the ADC. It is okay to be persistent, but be certain to have your information and your questions ready. They can be very helpful; don’t hesitate to contact them.
- You might also find assistance through:
  - The [Prosecutors office](#)<sup>15</sup> (Commonwealth’s Attorney)
  - The [Public Defender’s Office](#)<sup>16</sup>
  - The [State Probation Office](#)<sup>17</sup>
  - The [Fairfax County Probation Office](#)<sup>18</sup>

<sup>14</sup> <http://www.fairfaxcounty.gov/courts/gdc/publications/you-and-your-court-appointed-attorney.pdf>

<sup>15</sup> <https://www.fairfaxcounty.gov/contact/AgencyDetail.aspx?agId=82>

<sup>16</sup> [www.fairfaxcounty.gov/courts/gdc/court-services/court-appointed-attorney-services.htm](http://www.fairfaxcounty.gov/courts/gdc/court-services/court-appointed-attorney-services.htm)

<sup>17</sup> <https://vadoc.virginia.gov/community/central.shtm>

- Help law enforcement and court personnel understand that your family member is experiencing a mental health condition—likely a cause of the behavior that landed them in jail. You can advocate for your family member to have access to the treatment they need.

## XI. ADDITIONAL RESOURCES

Supporting and coping with a family member who lives with a mental illness can, at times, be challenging and stressful. Knowledge, as well as your love, perseverance and self-care, will be essential in helping you to become a strong and effective advocate for your family member. For information about support groups and educational programs provided at no cost to you in your area, contact NAMI Northern Virginia.

You can reach us at [www.NAMI-NorthernVirginia.org](http://www.NAMI-NorthernVirginia.org), through our NAMI Northern Virginia Help Line at (703) 968-4007, or email us at: [info@nami-nova.org](mailto:info@nami-nova.org).

Ready to get involved in advocacy for justice-involved individuals and family members? Meet others with similar experiences at our monthly Concerned Fairfax meetings. Visit [www.NAMI-NorthernVirginia.org/ConcernedFairfax](http://www.NAMI-NorthernVirginia.org/ConcernedFairfax)

### Additional Information:

- [Fairfax County - Getting Through the Criminal Justice System<sup>19</sup>](#) includes a glossary of terms and identifies who does what.
- Information from NAMI National about Jail: [Handling the arrest of a family member<sup>20</sup>](#)
- [Fairfax ADC Inmate Handbook<sup>21</sup>](#)
- [FAQs -Fairfax County Jail<sup>22</sup>](#)
- [Compensation Board - Mental Illness in Jails Report 2014<sup>23</sup>](#)
- [Petition for Involuntary Admission for Treatment<sup>24</sup>](#) (Paperwork for a petitioner to ask for treatment rather than jail.)

### Getting Help:

- o [DisAbility Law Center of Virginia<sup>25</sup>](#) is Virginia’s state protection and advocacy organization, an independent state agency. The organization specifically addresses the

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<sup>18</sup> <http://www.fairfaxcounty.gov/courts/office-adult-probation-and-parole.htm>

<sup>19</sup> <http://www.fairfaxcounty.gov/courts/gdc/publications/getting-through-the-criminal-justice-system.pdf>

<sup>20</sup> <http://www.nami.org/Find-Support/Family-Members-and-Caregivers/Handling-the-Arrest-of-a-Family-Member>

<sup>21</sup> <http://prisonhandbook.com/3994/fairfax-county-jail-fairfax-va>

<sup>22</sup> <http://www.fairfaxcounty.gov/sheriff/adc.htm>

<sup>23</sup> <http://www.scb.virginia.gov/docs/2014mentalhealthreport.pdf>

<sup>24</sup> <http://www.courts.state.va.us/forms/district/dc4001.pdf>

<sup>25</sup> <http://dlcv.org>

needs of incarcerated individuals, whether they are in the correctional system, or hospitalized in a forensic ward.

- o [Treatment Advocacy Center](#)<sup>26</sup> -- Open the link from your smartphone to install a Psychiatric Crisis Resources Kit. This information can also be accessed through your PC, laptop, etc.
- o For help with what to do after release, see [NAMI's "What To Do After an Arrest"](#)<sup>27</sup>

### Magistrate Information

- In many instances, a person's first contact with Virginia's Judicial System comes through the [Office of the Magistrate](#)<sup>28</sup>. A principal function of the magistrate is to provide an independent, unbiased review of complaints of criminal conduct brought to the office by law enforcement or the general public. Magistrate duties include issuing various types of processes such as arrest warrants, summonses, bonds, search warrants, subpoenas, and certain civil warrants. Magistrates also conduct bail hearings in instances in which an individual is arrested on a warrant resulting from a criminal offense. Magistrates provide services on an around-the-clock basis, conducting hearings in person or through the use of videoconferencing systems and are available at two locations in the county:

<b>Fairfax Adult Detention Center</b> 10520 Judicial Drive Fairfax, VA 22030 703-246-2178	<b>Mount Vernon Governmental Center</b> 2511 Parkers Lane Alexandria, VA 22306 703-780-8580
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- [Virginia Magistrate Manual- Emergency Custody and Temporary Detention Orders](#)<sup>29</sup>
- [Learn more about Magistrates](#)<sup>30</sup> from the Supreme Court of Virginia.

<sup>26</sup> <http://m.appcreatorpro.com/m/treatmentadvocacycenter/5d0583d4d7/5d0583d4d7.html>

<sup>27</sup> <http://www.nami.org/Find-Support/Living-with-a-Mental-Health-Condition/What-to-Do-After-an-Arrest>

<sup>28</sup> <http://www.fairfaxcounty.gov/courts/magistrate.htm>

<sup>29</sup> <http://www.courts.state.va.us/courtadmin/aoc/djs/programs/mag/resources/magman/chapter06.pdf>

<sup>30</sup> <http://www.courts.state.va.us/courtadmin/aoc/djs/programs/mag/home.html>

*This “Navigating the Fairfax County Adult Detention Center” information guide was prepared by NAMI Northern Virginia and volunteers with its advocacy group, Concerned Fairfax. The guide is based on our own personal experiences and was written to help family members and friends navigate the system. This guide is not a substitute for professional legal advice. Please assist your family member in obtaining proper legal representation. If you are reading a printed copy of the guide, please visit:*

***www.nami-northernvirginia.org** for an electronic version with active hyperlinks. Please email us at [info@nami-nova.org](mailto:info@nami-nova.org) or contact our Help Line at 703-968-4007 with updates or corrections to the information provided in this document.*