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MEMORANDUM

TO: Harold W. Clarke, Director
Virginia Department Corrections
P.O. Box 26963
Richmond, VA 23261

FROM: Diane M. Abato
Senior Assistant Attorney General/Chief

DATE: August 12, 2021

SUBJECT: Public Participation Regulations 6 VAC 16-10-20

In response to a request from the Virginia Department of Corrections, I reviewed 6 VAC 16-10-20 and the applicable law. The Board of Local and Regional Jails (Board) no longer has the authority to promulgate regulations for the Department of Corrections. The Department must promulgate Public Participation Regulations (PPR). I find that the PPR are not expected to be controversial and it seems appropriate to submit the PPR for the fast-track rulemaking process pursuant to Section 2.2-4012.1. I certify that the agency has the authorization to promulgate the Public Participation Regulations, as the Board is no longer authorized to promulgate regulations for the Department and the Department must now promulgate regulations.