



COMMONWEALTH of VIRGINIA
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MEMORANDUM

TO: Leonard G. Cooke, Director
Department of Criminal Justice Services

FROM: Matthew A. Conrad
Assistant Attorney General

DATE: July 30, 2007

SUBJECT: Regulations Relating to the Collection of Criminal History Information – 6 VAC 20-120-40

In response to a request from the Department of Criminal Justice Services, I have reviewed the proposed amended regulation, 6 VAC 20-120-40, relating to the collection of criminal history record information. Upon review of the aforesaid regulation, I find the proposed regulation to be constitutional and in conformity with existing statutory provisions. As expressed in an earlier memorandum, this change to the regulation is required in response to a change in statutory law and is therefore exempted from the requirements of Section 2 of the Administrative Process Act, pursuant to § 2.2-4006(A)(4)(a).

Please note that this memorandum is intended to provide legal interpretations and legal advice, not policy advice. To the extent that this communication may advise you that certain action is lawful, the decision whether to take such action remains a policy decision within the discretion of your agency and this communication should not be construed as a comment for or against the merits of such action.