



COMMONWEALTH of VIRGINIA
Office of the Attorney General
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MEMORANDUM

TO: Francine C. Ecker, Director
Department of Criminal Justice Services

FROM: Charles A. Quagliato
Assistant Attorney General

DATE: July 25, 2016

SUBJECT: Regulations Relating to Compulsory Minimum Training Standards for Correctional Officers of the Department of Corrections – 6 VAC 20-100-10 *et seq.*

In response to a request from the Department of Criminal Justice Services, I have reviewed the proposed regulations, 6 VAC 20-100-10 *et seq.*, relating to compulsory minimum training standards for correctional officers of the Department of Corrections. Virginia Code § 9.1-102(9) authorizes the Department to establish compulsory minimum entry-level, in-service, and advanced training standards, as well as the time required for completion of such training, for persons employed as deputy sheriffs and jail officers by local criminal justice agencies, correctional officers employed by the Department of Corrections under the provisions of Title 53.1, and juvenile correctional officers employed at a juvenile correctional facility as the term is defined in § 66-25.3. Virginia Code § 9.1-102(1) authorizes the Department to adopt regulations, pursuant to the Administrative Process Act (§ 2.2-4000 *et seq.*), for the administration of this chapter. Upon review of the aforesaid regulations, I find the proposed regulations to be constitutional, consistent with the statutory authority granted by Virginia Code §§ 9.1-102(1) and (9) of the Code of Virginia, and in conformity with existing statutory provisions.

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 a 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.