



townhall.virginia.gov

Proposed Regulation Agency Background Document

Agency name	Department of Criminal Justice Services
Virginia Administrative Code (VAC) Chapter citation(s)	6 VAC 20-50
VAC Chapter title(s)	Rules Relating to Compulsory Minimum Training Standards for Jailors or Custodial Officers, Courthouse and Courtroom Security Officers and Process Service Officers
Action title	Amendments to Jailor/Court Security/Civil Process Training Standards
Date this document prepared	10/13/2023

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19, the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

This action is the result of a comprehensive review of the regulation and includes revisions to the compulsory minimum training standards for jailors, civil process, and courtroom/courthouse security officers (incorporating the standards into Administrative Code as a Document Incorporated By Reference). In addition to technical amendments within the standards, individual categories of training were removed to reduce redundancy, as civil process and courtroom security officers will now be mandated to attend either a law enforcement or jail officer basic training curriculum at a department-approved criminal justice training academy, thus leaving only an Operations category for each function. Some additional revisions to the standards include new performance outcomes (for both civil process and courtroom/courthouse security officers) addressing the recording and reporting of injuries, added deputy safety procedures, and a new category of Officer Wellness for jail officers. Modifications were made to the

Field Training categories of training for all functions (jailor, civil process, and courtroom/courthouse security officers), as well, to incorporate additional performance-based tasks. This regulatory action will also reflect revisions to language within the standards stemming from legislation mandated in the 2020 Special Session. Finally, as DCJS seeks uniformity within many of the criminal justice professions it regulates, the timeframe to successfully complete this training, located in 6 VAC20-50-40, has been amended and increased from 12 months to 18 months, to coincide with law enforcement officers' required training completion time. This action will serve as a periodic review of the regulation itself, as one has not been completed in some time.

Acronyms and Definitions

Define all acronyms used in this form, and any technical terms that are not also defined in the "Definitions" section of the regulation.

- DCJS: Department of Criminal Justice Services
- CJSB: Criminal Justice Services Board, DCJS' policy board
- Department: Department of Criminal Justice Services
- Board: Criminal Justice Services Board
- JTA: Job Task Analysis
- CRC: Jail/Civil Process/Courtroom Security Curriculum Review Committee
- COT: Committee on Training
- SME: Subject Matter Expert

Mandate and Impetus

Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, petition for rulemaking, periodic review, or board decision). For purposes of executive branch review, "mandate" has the same meaning as defined in the ORM procedures, "a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."

The compulsory minimum training standards and requirements for jailors, court security, and civil process officers have not been updated in several years. Although no current mandate exists from legislation or otherwise to amend this regulation, this regulatory change is necessary to align with the compulsory minimum training standards for new law enforcement officer recruits, and to update and enhance language to be consistent with recently passed legislation from the 2020 Special Session of the General Assembly. DCJS sought and obtained formal Board approval from the CJSB to begin the regulatory process on May 20, 2021 and subsequently conducted a Job Task Analysis (JTA) and convened multiple meetings of the CRC and SMEs to begin the revision process.

Legal Basis

Identify (1) the promulgating agency, and (2) the state and/or federal legal authority for the regulatory change, including the most relevant citations to the Code of Virginia and Acts of Assembly chapter number(s), if applicable. Your citation must include a specific provision, if any, authorizing the promulgating agency to regulate this specific subject or program, as well as a reference to the agency's overall regulatory authority.

Pursuant to § 9.1-102, and effective March 1, 2021, The Department, under the direction of the Board, which shall be the policy-making body for carrying out the duties and powers hereunder, shall have the power and duty to:

1. Adopt regulations, pursuant to the Administrative Process Act (§ 2.2-4000 et seq.), for the administration of this chapter including the authority to require the submission of reports and information by law-enforcement officers within the Commonwealth. Any proposed regulations concerning the privacy, confidentiality, and security of criminal justice information shall be submitted for review and comment to any board, commission, or committee or other body which may be established by the General Assembly to regulate the privacy, confidentiality, and security of information collected and maintained by the Commonwealth or any political subdivision thereof;
2. Establish compulsory minimum training standards subsequent to employment as a law-enforcement officer in (i) permanent positions and (ii) temporary or probationary status and establish the time required for completion of such training. Such compulsory minimum training standards shall include crisis intervention training in accordance with clause (i) of § 9.1-188;
3. Establish minimum training standards and qualifications for certification and recertification for law-enforcement officers serving as field training officers;
4. Establish compulsory minimum curriculum requirements for in-service and advanced courses and programs for schools, whether located in or outside the Commonwealth, which are operated for the specific purpose of training law-enforcement officers;
5. Establish (i) compulsory minimum training standards for law-enforcement officers who utilize radar or an electrical or microcomputer device to measure the speed of motor vehicles as provided in § 46.2-882 and establish the time required for completion of the training and (ii) compulsory minimum qualifications for certification and recertification of instructors who provide such training;
6. [Repealed];
7. Establish compulsory minimum entry-level, in-service and advanced training standards for those persons designated to provide courthouse and courtroom security pursuant to the provisions of § 53.1-120, and to establish the time required for completion of such training;
8. Establish compulsory minimum entry-level, in-service and advanced training standards for deputy sheriffs designated to serve process pursuant to the provisions of § 8.01-293, and establish the time required for the completion of such training;
9. 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 and correctional officers employed by the Department of Corrections under the provisions of Title 53.1. For correctional officers employed by the Department of Corrections, such standards shall include training on the general care of pregnant women, the impact of restraints on pregnant inmates and fetuses, the impact of being placed in restrictive housing or solitary confinement on pregnant inmates, and the impact of body cavity searches on pregnant inmates;
10. Establish compulsory minimum training standards for all dispatchers employed by or in any local or state government agency, whose duties include the dispatching of law-enforcement personnel. Such training standards shall apply only to dispatchers hired on or after July 1, 1988;
11. Establish compulsory minimum training standards for all auxiliary police officers employed by or in any local or state government agency. Such training shall be graduated and based on the type of duties to be performed by the auxiliary police officers. Such training standards shall not apply to auxiliary police officers exempt pursuant to § 15.2-1731; etc.

The CJSB is the policy board for the Department of Criminal Justice Services, and in the May 20, 2021 meeting, DCJS obtained formal approval to move forward with the NOIRA. Although the subsequent JTA and meetings with the CRC and various SMEs for each function took quite some time, the CJSB formally approved all revisions to regulatory text on October 12, 2023. The COT, which is the approval authority for training standards, approved the compulsory minimum training standards for jail officers in December of 2022, and for civil process and courtroom/courthouse security officers on October 12, 2023.

Purpose

Explain the need for the regulatory change, including a description of: (1) the rationale or justification, (2) the specific reasons the regulatory change is essential to protect the health, safety or welfare of citizens, and (3) the goals of the regulatory change and the problems it is intended to solve.

In order to have cohesiveness between the compulsory minimum training standards and requirements for new law enforcement recruits at the academy-level and those entering a career as a jailor, court security, or civil process service officer, DCJS has determined that the compulsory minimum training standards needed be updated, as currently listed in 6 VAC 20-50-20. The purpose of this regulatory change and review was to also ensure that language is statutorily correct, up-to-date with passed legislation, and to also utilize this time to conduct a comprehensive periodic review of the regulation in its entirety. It is for all of these reasons that DCJS has determined that the update of the regulation is essential to protect the safety and welfare of citizens in Virginia.

Substance

Briefly identify and explain the new substantive provisions, the substantive changes to existing sections, or both. A more detailed discussion is provided in the "Detail of Changes" section below.

Substantive changes include revision and updates to the compulsory minimum training standards for jailors, civil process officers, and courtroom/courthouse security officers, as well as their respective field training, and to incorporate those changes as a Document Incorporated by Reference in 6 VAC 20-50-20. Technical amendments were made, as were changes to ensure greater measurability to existing performance outcomes and training objectives. The most substantive change is the removal of the existing categories of training, as currently listed in 6 VAC 20-50-20, as the revised regulatory text now states that all civil process and courtroom security officers must attend and successfully complete a law enforcement or jail officer basic training curriculum, where those categories of training will be taught and tested on (thus eliminating the need for the redundancy). There now exists only one category of training for civil process and courtroom security officers—Operations. Field training has also been revised and improved for all three functions, and a category of Officer Wellness has been added to the training for those individuals hired as jail officers. Additionally, the 12-month timeframe to complete this training is being extended to 18 months, to coincide with the newly-revised law enforcement standards, and ensure that departments and agencies across the Commonwealth have sufficient time to have their officers properly trained.

Issues

Identify the issues associated with the regulatory change, including: 1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions; 2) the primary advantages and disadvantages to the agency or the Commonwealth;

and 3) other pertinent matters of interest to the regulated community, government officials, and the public. If there are no disadvantages to the public or the Commonwealth, include a specific statement to that effect.

There are no issues, nor disadvantages, associated with the regulatory change that effect individual private citizens, businesses, other agencies within the Commonwealth, or government officials. Advantages of this regulatory change include improved, more efficient training for new jail officers, and standardized training regulations for those hired for civil process and courtroom/courthouse security officer functions, regardless of what agency has hired them or which criminal justice training academy they report/are assigned to.

Requirements More Restrictive than Federal

Identify and describe any requirement of the regulatory change which is more restrictive than applicable federal requirements. Include a specific citation for each applicable federal requirement, and a rationale for the need for the more restrictive requirements. If there are no applicable federal requirements, or no requirements that exceed applicable federal requirements, include a specific statement to that effect.

There are no requirements of this regulatory change that are more restrictive than applicable federal requirements, as there are none associated.

Agencies, Localities, and Other Entities Particularly Affected

Consistent with § 2.2-4007.04 of the Code of Virginia, identify any other state agencies, localities, or other entities particularly affected by the regulatory change. Other entities could include local partners such as tribal governments, school boards, community services boards, and similar regional organizations. "Particularly affected" are those that are likely to bear any identified disproportionate material impact which would not be experienced by other agencies, localities, or entities. "Locality" can refer to either local governments or the locations in the Commonwealth where the activities relevant to the regulation or regulatory change are most likely to occur. If no agency, locality, or entity is particularly affected, include a specific statement to that effect.

There are no other state agencies, localities, or other entities that are particularly affected by this regulatory change.

Economic Impact

Consistent with § 2.2-4007.04 of the Code of Virginia, identify all specific economic impacts (costs and/or benefits) anticipated to result from the regulatory change. When describing a particular economic impact, specify which new requirement or change in requirement creates the anticipated economic impact. Keep in mind that this is the proposed change versus the status quo.

Impact on State Agencies

<p>For your agency: projected costs, savings, fees, or revenues resulting from the regulatory change, including: a) fund source / fund detail;</p>	
--	--

b) delineation of one-time versus on-going expenditures; and c) whether any costs or revenue loss can be absorbed within existing resources.	There are no projected changes in costs, savings, fees, or revenues associated/resulting from this regulatory change.
<i>For other state agencies:</i> projected costs, savings, fees, or revenues resulting from the regulatory change, including a delineation of one-time versus on-going expenditures.	There are no projected costs, savings, fees, or revenues resulting from this regulatory change associated with any other state agencies.
<i>For all agencies:</i> Benefits the regulatory change is designed to produce.	Benefits include the aforementioned improvements to the training standards for jail, civil process, and courtroom security officers employed within the Commonwealth.

Impact on Localities

If this analysis has been reported on the ORM Economic Impact form, indicate the tables (1a or 2) on which it was reported. Information provided on that form need not be repeated here.

Projected costs, savings, fees, or revenues resulting from the regulatory change.	There are no projected costs, savings, fees, or revenues for localities resulting from this regulatory change.
Benefits the regulatory change is designed to produce.	Localities may benefit by knowing that jail, civil process, and courtroom security officers within their particular jurisdiction and community are receiving enhanced training at the academy level, thus keeping the community safer once they are released from training and can work on their own. Otherwise, there is no impact on localities.

Impact on Other Entities

If this analysis has been reported on the ORM Economic Impact form, indicate the tables (1a, 3, or 4) on which it was reported. Information provided on that form need not be repeated here.

Description of the individuals, businesses, or other entities likely to be affected by the regulatory change. If no other entities will be affected, include a specific statement to that effect.	There is no impact on other entities.
Agency's best estimate of the number of such entities that will be affected. Include an estimate of the number of small businesses affected. Small business means a business entity, including its affiliates, that: a) is independently owned and operated, and; b) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.	No additional entities will be affected by this regulatory change.
All projected costs for affected individuals, businesses, or other entities resulting from the regulatory change. Be specific and include all costs including, but not limited to: a) projected reporting, recordkeeping, and other administrative costs required for compliance by small businesses;	There are no projected costs associated that would affect individuals, businesses, or other entities resulting from this regulatory change.

b) specify any costs related to the development of real estate for commercial or residential purposes that are a consequence of the regulatory change; c) fees; d) purchases of equipment or services; and e) time required to comply with the requirements.	
Benefits the regulatory change is designed to produce.	Benefits associated with this regulatory change are enhanced training standards for all jail, civil process, and courtroom security officers employed within the Commonwealth of Virginia.

Alternatives to Regulation

Describe any viable alternatives to the regulatory change that were considered, and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the regulatory change. Also, include discussion of less intrusive or less costly alternatives for small businesses, as defined in § 2.2-4007.1 of the Code of Virginia, of achieving the purpose of the regulatory change.

No viable alternatives exist to this regulatory change. The agency maintains that this action will be neither burdensome nor intrusive to academies nor citizens, and, on the contrary, will improve the efficiency and effectiveness of training for new jail officers, and those employed and serving in the role of courtroom/courthouse security and civil process officers.

Regulatory Flexibility Analysis

Consistent with § 2.2-4007.1 B of the Code of Virginia, describe the agency's analysis of alternative regulatory methods, consistent with health, safety, environmental, and economic welfare, that will accomplish the objectives of applicable law while minimizing the adverse impact on small business. Alternative regulatory methods include, at a minimum: 1) establishing less stringent compliance or reporting requirements; 2) establishing less stringent schedules or deadlines for compliance or reporting requirements; 3) consolidation or simplification of compliance or reporting requirements; 4) establishing performance standards for small businesses to replace design or operational standards required in the proposed regulation; and 5) the exemption of small businesses from all or any part of the requirements contained in the regulatory change.

Pursuant to 2.2-4007.1B of the Code of Virginia, DCJS maintains there are no alternative regulatory methods that will accomplish the objectives of applicable law while minimizing the adverse impact on small businesses, because this regulatory change will not affect other entities or localities other than the certified criminal justice training academies that conduct the entry-level training for new jail officers in Virginia, as well as civil process and courtroom/courthouse security officers.

Periodic Review and Small Business Impact Review Report of Findings

If you are using this form to report the result of a periodic review/small business impact review that is being conducted as part of this regulatory action, and was announced during the NOIRA stage, indicate whether the regulatory change meets the criteria set out in EO 19 and the ORM procedures, e.g., is necessary for the protection of public health, safety, and welfare; minimizes the economic impact on small

businesses consistent with the stated objectives of applicable law; and is clearly written and easily understandable. In addition, as required by § 2.2-4007.1 E and F of the Code of Virginia, discuss the agency’s consideration of: (1) the continued need for the regulation; (2) the nature of complaints or comments received concerning the regulation; (3) the complexity of the regulation; (4) the extent to which the regulation overlaps, duplicates, or conflicts with federal or state law or regulation; and (5) the length of time since the regulation has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the regulation. Also, discuss why the agency’s decision, consistent with applicable law, will minimize the economic impact of regulations on small businesses.

DCJS is utilizing this action to also serve as a comprehensive periodic review of the regulation, as one has not been conducted in some time. Though some time ago (in 2021), this was announced during the NOIRA stage. The agency has considered the continued need for this regulation and its necessity for the protection of public health, safety, and welfare, and has determined that this regulation is crucial to all law enforcement agencies, regional and local jails, academies, and officers and deputies in the Commonwealth. The regulation itself, along with all performance outcomes, training objectives, testing criteria, and lesson plan guides, are clearly written and easily understandable, while maintaining no impact on small businesses or outside entities. 6 VAC 20-50 does not overlap or duplicate any federal or other state law or regulation, and any amendments made to 6 VAC 20-50-20 and 6 VAC 20-50-40, only enhance the training for new jailor recruits and officers while in the academy and during field training. DCJS maintains that this regulatory change benefits new jailor recruits, law enforcement agencies, individuals hired as civil process and courtroom security officers, criminal justice training academies, and the general public.

Public Comment

Summarize all comments received during the public comment period following the publication of the previous stage, and provide the agency’s response. Include all comments submitted: including those received on Town Hall, in a public hearing, or submitted directly to the agency. If no comment was received, enter a specific statement to that effect.

No comments were received during the previous regulatory stage, and there have not been comments received since the new standards have been approved and disseminated to agency and academy personnel. A few questions have arisen from COT members and stakeholders about possibility of academy time being lengthened or extended, but as this is not the case, there have been zero objections to making these regulatory changes and/or changes to the compulsory minimum training standards.

Commenter	Comment	Agency response

Public Participation

Indicate how the public should contact the agency to submit comments on this regulation, and whether a public hearing will be held, by completing the text below.

The Department of Criminal Justice Services is providing an opportunity for comments on this regulatory proposal, including but not limited to (i) the costs and benefits of the regulatory proposal, (ii) any alternative approaches, (iii) the potential impacts of the regulation, and (iv) the agency’s regulatory flexibility analysis stated in that section of this background document.

Anyone wishing to submit written comments for the public comment file may do so through the Public Comment Forums feature of the Virginia Regulatory Town Hall web site at: <https://townhall.virginia.gov>. Comments may also be submitted by mail, email or fax to Kristi Shalton, 1100 Bank Street, Richmond, VA, or at (804) 786-7801 or Kristi.shalton@dcjs.virginia.gov. In order to be considered, comments must be received by 11:59 pm on the last day of the public comment period.

A public hearing will not be held following the publication of this stage of this regulatory action.

Detail of Changes

List all regulatory changes and the consequences of the changes. Explain the new requirements and what they mean rather than merely quoting the text of the regulation. For example, describe the intent of the language and the expected impact. Describe the difference between existing requirement(s) and/or agency practice(s) and what is being proposed in this regulatory change. Use all tables that apply, but delete inapplicable tables.

If an existing VAC Chapter(s) is being amended or repealed, use Table 1 to describe the changes between the existing VAC Chapter(s) and the proposed regulation. If the existing VAC Chapter(s) or sections are being repealed and replaced, ensure Table 1 clearly shows both the current number and the new number for each repealed section and the replacement section.

Table 1: Changes to Existing VAC Chapter(s)

Current chapter-section number	New chapter-section number, if applicable	Current requirements in VAC	Change, intent, rationale, and likely impact of new requirements
6 VAC 20-50-20	N/A	<p>Pursuant to the provisions of subdivisions 7, 8, and 9 of § 9.1-102 of the Code of Virginia, the department under the direction of the board establishes the compulsory minimum training standards for full-time and part-time deputy sheriffs and jail officers as defined in § 53.1-1 of the Code of Virginia; persons designated to provide courthouse and courtroom security pursuant to § 53.1-120 of the Code of Virginia; and persons designated to serve process pursuant to § 8.01-293 of the Code of Virginia.</p> <p>Individuals hired as deputy sheriffs or jail officers as defined in § 53.1-1 of the Code of Virginia shall meet or exceed compulsory minimum training standards at a certified criminal justice training academy and complete field training requirements.</p> <p>Certification requires deputy sheriffs and jail officers comply with the following:</p>	<p>Regulatory text will remain consistent with the initial part of 6 VAC 20-50-20, as it currently reads, but jail officers will now need to successfully complete a jail officer department approved training curriculum at a certified criminal justice training academy in the prescribed categories, in addition to a Wellness category</p>

		<p>1. Successfully complete jail officer department approved training at a certified criminal justice training academy in the following categories:</p> <ul style="list-style-type: none"> a. Professionalism; b. Legal; c. Communication; d. Jail operations; e. Investigations; f. Defensive tactics and use of force; g. Weapons; and h. Driver training and transportation. <p>2. Meet or exceed the performance outcomes in the category of field training identified in the Virginia Department of Criminal Justice Services Field Training and On the Job Training Performance Outcomes.</p> <p>Individuals hired as courthouse and courtroom security officers shall meet or exceed compulsory minimum training standards at a certified criminal justice training academy and complete field training requirements. Certification requires courthouse and courtroom security officers comply with the following:</p> <p>1. Successfully complete courthouse and courtroom security officers department approved training at a certified criminal justice training academy in the following categories:</p> <ul style="list-style-type: none"> a. Professionalism; b. Legal; c. Communication; d. Court security operations; e. Investigations; f. Defensive tactics and use of force; g. Weapons; and h. Driver training and transportation. <p>2. Meet or exceed the performance outcomes in the category of field training identified in the Virginia Department of Criminal Justice Services Field Training and On the Job Training Performance Outcomes.</p>	<p>of training, to coincide with the training that new law enforcement officers will receiving (changes are pending Secretary approval at the time of completion of this form), as detailed in 6 VAC 20-20-21. Changes also include the removal of the Field Training document linked within this regulatory section, and replaced by Field Training as a category of training within the compulsory minimum training standards document that will be incorporated by reference.</p> <p>Civil process and courtroom/courtho use security officers will now have to successfully complete a department approved law enforcement or jail officer basic training curriculum at a certified criminal justice training academy and complete the Operations category of training, as well as Field Training, for their specific role/function (civil process or courtroom/courtho use security).</p>
--	--	---	--

		<p>Individuals hired as deputy sheriffs and designated to serve process shall meet or exceed compulsory minimum training standards at a certified criminal justice training academy and complete field training requirements. Certification requires courthouse and courtroom security officers comply with the following:</p> <ol style="list-style-type: none"> 1. Successfully complete process service officer department approved training at a certified criminal justice training academy in the following categories: <ol style="list-style-type: none"> a. Professionalism; b. Legal; c. Communication; d. Civil process operations; e. Defensive tactics and use of force; f. Weapons; and g. Driver training. 2. Meet or exceed the performance outcomes in the category of field training identified in the Virginia Department of Criminal Justice Services Field Training and On the Job Training Performance Outcomes. 	<p>While there are no anticipated adverse impacts or implications of this change, the citizens of the Commonwealth of Virginia will now have assurance that all deputies are trained to the same standards, no matter their role or function within their specific agency/Sheriff's Office.</p>
<p>6 VAC 20-50-40</p>	<p>N/A</p>	<p>Deputy sheriffs, jail officers, courthouse and courtroom security officers, and deputy sheriffs designated to serve process who are required to comply with the compulsory minimum training standards, field training, and other requirements shall satisfactorily complete such training within 12 months of the date of appointment or hire as deputy sheriffs, jail officers, courthouse and courtroom security officers, and deputy sheriffs designated to serve process unless provided otherwise in accordance with subsection B of this section.</p> <p>B. The director or director's designee may grant an extension of the time limit for completion of the compulsory minimum training standards and requirements for the following reasons:</p> <ol style="list-style-type: none"> 1. Medical condition; 2. Injury; 3. Military service; or 4. Administrative leave involving the determination of worker's compensation or disability retirement issues or suspension pending investigation or adjudication of a crime. 	<p>This section will remain the same, minus the timeframe for completion of training. The satisfactory completion of this designated training will be increased from 12 to 18 months, to coincide with changes made to the regulation for compulsory minimum training standards and requirements for new law enforcement officers. There are no anticipated negative implications with this change, as it</p>

		<p>C. The director or director's designee may review and consider other reasons (e.g., natural disaster, family medical leave, etc.) for granting an extension. If approval is granted, the extension shall not exceed 90 days.</p> <p>D. The director or the director's designee may review and consider requests to renew training extensions if the reason for the original training extension continues and the request occurs before the expiration of the original extension.</p> <p>E. The director shall not grant an extension for failing to pass compulsory minimum training standards within the specified time limits.</p> <p>F. Deputy sheriffs, jail officers, courthouse and courtroom security officers, and deputy sheriffs designated to serve process who do not satisfactorily complete the compulsory minimum training standards, field training, and other requirements within 12 months of hire or appointment as a deputy sheriff, jail officer, courthouse and courtroom security officer, or deputy sheriff designated to serve process, or who do not receive an extension of the time limit for completion of the requirements, shall be subject to the provisions of § 9.1-115 of the Code of Virginia.</p> <p>G. The department shall notify the agency administrator of individuals not in compliance with the requirements of this section.</p>	<p>will give law enforcement agencies additional time to have their employees obtain DCJS certification from their initial date of hire.</p>
<p>DIBR</p>		<p>Currently, a link exists to a document that is no longer relevant: https://ris.dls.virginia.gov/uploads/6VAC20/DIBR/fb28b005427~8g.pdf</p>	<p>There will be several documents incorporated by reference: one for the compulsory minimum training standards/performance outcomes and field training for jail officers, and two for civil process officers and courtroom/courthouse security officers (for a total of three new DIBRs). This will make training standards incorporated into the regulation easier for stakeholders and constituents to find and reference.</p>

Detail of Changes Made to the Compulsory Minimum Training Standards for Jail Officers**Category 1 - Professionalism**

- Enhanced Lesson Plan Guide material on principles of professionalism, specific to a jail officer
- Renumbered and reordered/reorganized training objectives and testing criteria
- Inclusion of enhanced training in the areas of cultural diversity, cultural awareness, and effective communication practices to build community relationships (coincides with new law enforcement training standards)
- Inclusion of training in the consequences of biased-based policing, as it relates to a deputy/jail officer to coincide with revisions to law enforcement training standards
- New Performance Outcome (PO) 1.5 to include an officer's duty to intervene
- New PO 1.6 to better define and understand all elements of the criminal justice system
- New PO 1.7 to better understand the requirements for the certification of a deputy/jail officer in the Commonwealth of Virginia

Category 2 - Legal

- Changed multiple written exercises to practical exercises and vice versa
- Revised outdated language and eliminated redundancy as well as renumbered and reorganized category
- Fixed grammatical and punctuation errors
- Added significant amount of content to Training Objectives, which is likely already being taught, but not currently listed within the compulsory minimum training standards
- Added significant amount of additional training to Lesson Plan Guides in all POs, which will be taught to new officers, to include frequently-handled civil paperwork
- New PO 2.9, adding significant amount of additional training and information on the service of mental health commitments
- Additional training objectives, testing criteria, and lesson plan guide information on family abuse
- Creation of new PO 2.13 relating to lawful search and seizure of items, pursuant to a search warrant, to include a practical exercise for the student to complete an affidavit for a search warrant
- Additional information on the legal basis for use of force by a jail officer/deputy

Category 3 – Communications

- Revised, combined, and renumbered entire category to align with new law enforcement standards
- Creation of a new PO 3.1 to better communicate with people of different demographics, utilizing effective methods and techniques
- Extensive additional information to verbally de-escalate a situation within a jail setting
- Additional information related to preparing for courtroom proceedings and testimony, as well as the preparation of incident reports to aid in the facilitation of prosecution

Category 4 – Jail Operations

- Revised and combined certain performance outcomes, as well as renumbered and fixed punctuation and spacing issues
- Inclusion of additional PREA (Prison Rape Elimination Act) information, as well as the identification of responsibilities of the first officer on the scene of a hazardous device located within a jail setting
- New PO 4.13 dealing with the response to an active shooter/attack
- New PO 4.14 relating to the search of a transport vehicle for contraband and/or escapees
- Significant amount of additional lesson plan guide information relating to mental and behavioral health issues such as Alzheimer's, dementia, and mental illnesses
- Inclusion of additional information related to "Red flag laws" and substantial risk orders

Category 5 – Investigations

- Made technical amendments to include fixing spacing and punctuation issues
- Inclusion of more practical exercises, such as interviewing and obtaining statements from a complainant, witness, victim, or inmate
- Creation of new PO 5.5 relating to the preliminary investigation of controlled substance-related offenses, including follow-up investigations, with more lesson plan guide material on controlled and non-controlled substances and examples
- New PO 5.6 to identify the signs and symptoms of a possible narcotics overdose and emergency treatment (as well as the administration of naloxone)

Category 6 – Defensive Tactics/Use of Force

- Revised, reorganized, and added additional information to the entire category of training, to better align with revisions to new law enforcement compulsory minimum training standards
- Creation of new 6.1 to understand the factors affecting the use of force
- Addition of more practical exercises, to include defending oneself from a strike or kick using blocking techniques as well as additional information on the pat-down and search of an arrested person, as well as obtaining control of an intoxicated, disorderly, or violent inmate
- Additional information in PO 6.13 relating to the extraction of an individual from a vehicle or cell that is combative, resisting arrest, or otherwise non-compliant

Category 7 - Weapons/Firearms

- Revised entire category to align with newly revised law enforcement standards for firearms, to include new courses of fire

Category 8 – Driver Training

- Technical amendments to fix numbering, spacing, and punctuation issues
- Addition of more practical exercises, to include demonstrating the of operation a transport vehicle (with many training objectives and testing criteria obtained directly from the newly revised law enforcement training standards)

Category 9 – Wellness (New category of training)

- Many performance outcomes, training objectives, and testing criteria align with law enforcement compulsory minimum training standards, including the mandate of engaging in physical exercise/activity during academy time
- New PO 9.3 to identify the causes of stress, its impacts, as well as reduction strategies
- New PO dealing with the identification and signs related to suicidal ideation (of inmates as well as fellow officers)

Field Training

- Mandated minimum of 120 hours, with a total of 143 tasks centered around agency policy (with many taken from the law enforcement field training standards)

Table 2: Promulgating New VAC Chapter(s) without Repeal and Replace

New chapter-section number	New requirements to be added to VAC	Other regulations and laws that apply	Change, intent, rationale, and likely impact of new requirements

If the regulatory change is replacing an **emergency regulation**, and the proposed regulation is identical to the emergency regulation, complete Table 1 and/or Table 2, as described above.

If the regulatory change is replacing an **emergency regulation**, but changes have been made since the emergency regulation became effective, also complete Table 3 to describe the changes made since the emergency regulation.

Table 3: Changes to the Emergency Regulation

Emergency chapter-section number	New chapter-section number, if applicable	Current <u>emergency</u> requirement	Change, intent, rationale, and likely impact of new or changed requirements since emergency stage