



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: November 21, 2014

SUBJECT: Regulation Relating to the Compulsory Minimum Standards for Criminal Justice Instructors – 6 VAC 20-80-20

In response to a request from the Department of Criminal Justice Services, I have reviewed the proposed regulation, 6 VAC 20-80-20, relating to compulsory minimum standards for criminal justice instructors. Virginia Code § 9.1-102(15) requires the Department to establish compulsory minimum qualifications of certification and recertification for instructors in criminal justice training schools approved by the Department. Virginia Code § 9.1-102(1) requires 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 regulation, I find the proposed regulation to be constitutional, consistent with the statutory authority granted by Virginia Code §§ 9.1-102(1) and 9.1-102(15) 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.