



Virginia
Regulatory
Town Hall

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Notice of Intended Regulatory Action (NOIRA) Agency Background Document

Agency name	Department of Criminal Justice Services
Virginia Administrative Code (VAC) citation	6 VAC20-30-80
Regulation title	Rules Relating to Compulsory In-Service Training Standards for Law Enforcement Officers, Jailors or Custodial Officers, Courtroom Security Officers, Process Service
Action title	Firearms In-Service Training Standards
Date this document prepared	July 10, 2014

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 14 (2010) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Purpose

Please describe the subject matter and intent of the planned regulatory action. Also include a brief explanation of the need for and the goals of the new or amended regulation.

The Department, under direction of the Board is required by §9.1-102(4),(7) and (8) of the Code of Virginia to establish regulations establishing in-service training standards for those persons designated to serve as a law enforcement officer, jailor or custodial officer, courtroom security officer and process server. The revised regulations will add an additional three courses of fire for criminal justice academies to choose from when offering annual firearms in-service qualification. This action will also remove the firearms courses, and replace with the web link to the document of where the firearms courses can be located. The requested revisions are essential to protect the safety and welfare of citizens to ensure that criminal justice officers are receiving the most current training. Currently, when training standards must be revised, the department has to seek such changes through the standard regulatory process requires a minimum of 12-18 months for completion, far too lengthy a wait when dealing with public and officer safety issues.

Legal basis

Please identify the state and/or federal legal authority to promulgate this proposed regulation, including (1) the most relevant citations to the Code of Virginia or General Assembly chapter number(s), if applicable, and (2) promulgating entity, i.e., agency, board, or person. Your citation should include a specific provision authorizing the promulgating entity to regulate this specific subject or program, as well as a reference to the agency/board/person's overall regulatory authority.

The Department, under direction of the Board has the authority to review, amend or revise regulations relating to in-service training standards is found in § 9.1-102(4), (7) and (8) of the Code of Virginia. The Criminal Justice Services Board approved these recommendations June 12, 2014.

Need

Please detail the specific reasons why the agency has determined that the proposed regulatory action is essential to protect the health, safety, or welfare of citizens. In addition, delineate any potential issues that may need to be addressed as the regulation is developed.

The Courses of Fire for annual requalification of all criminal justice personnel who are required to recertify are periodically reviewed and need to be updated. This revision adds three additional courses of fire focusing on short range engagement,. Removing the courses of fire from the regulation, and replacing them with the web link to the document where the firearms courses can be located, ensures our customers always have immediate access to the most current training standards.. Approval for changes to training standards is authorized by the Committee on Training of the Criminal Justice Services Board The proposed amendment makes this regulation consistent with the other regulations that impact the training of criminal justice personnel statewide.

Substance

Please detail any changes that will be proposed. Be sure to define all acronyms. For new regulations, include a summary of the proposed regulatory action. Where provisions of an existing regulation are being amended, explain how the existing regulation will be changed.

6VAC20-30-80(A): Amends the language to remove the courses of fire, and instead will direct constituents to our website to the document of where the firearms courses can be located.

Alternatives

Please describe all viable alternatives to the proposed regulatory action that have been or will be considered to meet the essential purpose of the action. Also, please describe the process by which the agency has considered or will consider other alternatives for achieving the need in the most cost-effective manner.

There are no alternatives since this change must be made first through the regulatory process.

Public participation

Please indicate whether the agency is seeking comments on the intended regulatory action, including ideas to assist the agency in the development of the proposal and the costs and benefits of the alternatives stated in this notice or other alternatives. Also, indicate whether a public hearing is to be held to receive comments on this notice.

Please also indicate pursuant to your Public Participation Guidelines whether a panel will be appointed to assist in the development of the proposed regulation. Please state one of the following: 1) a panel will be appointed and the agency's contact if you're interested in serving on the panel is _____; 2) a panel will not be used; or 3) public comment is invited as to whether to use a panel to assist in the development of this regulatory proposal.

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

Family impact

Assess the potential impact of the proposed regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

This action will enhance service to the citizens of the Commonwealth of Virginia by ensuring that criminal justice officers receive the most current firearms training during their annual requalification.