RULES RELATING TO COMPULSORY MINIMUM TRAINING STANDARDS FOR JAILORS OR CUSTODIAL OFFICERS, COURTHOUSE AND COURTROOM SECURITY OFFICERS AND PROCESS SERVICE OFFICERS

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Editor's note

Pursuant to the provisions of subdivisions $\frac{5, 6, 7, 8}{2, 8}$ and $\frac{7}{2}$ of $\frac{9.170}{9.1-102}$ and 53.1-120 of the Code of Virginia, the Criminal Justice Services Board hereby promulgates the following rules for Compulsory Minimum Training Standards for Jailors of Custodial Officers, Courthouse and Courtroom Security Officers and Process Service Officers.

6 VAC 20-50-10 Definitions.

The following words and terms, when used in this chapter, shall have the following meaning, unless the context clearly indicates otherwise:

"*Agency administrator*" means any chief of police, sheriff or agency head of a state or local lawenforcement agency <u>or agency head of a local correctional facility</u>.

"Academy director" means the chief administrative officer of a certified training academy.

"Approved training" means training approved by the Department to meet minimum training standards.

"Approved training school" means a training school which provides instruction of at least the minimum training as standards mandated by the board and has been approved by the department for the specific purpose of training criminal justice personnel.

"Board" means the Criminal Justice Services Board.

"Certified Training Academy" means a training facility in compliance with academy certification standards operated by the State or local unit(s) of government for the purpose of providing instruction of compulsory minimum training standards.

"Compulsory minimum training standards" means the categories and performance outcomes approved by the Criminal Justice Services Board.

"Curriculum Review Committee" means a committee consisting of nine (9) individuals representing the conduct of entry-level jailor or custodial officer, courthouse and courtroom security officer, and process service officer training. The composition of the Committee shall be three (3) representatives of sheriff's offices, three (3) representatives of regional jails, (2) representatives from academies, and one(1) representative of the Department of Criminal Justice Services Jails Training Unit.

"Department" means the Department of Criminal Justice Services.

"*Director*" means the chief administrative officer of the department.

"*Full-time attendance*" means that officers in training shall attend all classes and shall not be placed on duty or call except in cases of emergency for the duration of the school.

"School director" means the chief administrative officer of an approved training school.

9.1-102 of the Code of Virginia.

Historical Notes

Derived from VR240-01-4 §1; eff. July 1, 1987; amended, Virginia Register Volume 6, Issue 16, eff. July 1, 1990.

6 VAC 20-50-20 Compulsory minimum training standards.

Pursuant to the provisions of subdivisions $\frac{5, 67, 8}{5, 67, 8}$ and $\frac{79}{29}$ of $\frac{9}{1709.1-102}$ and 53.1-120 of the Code of Virginia, the board establishes the following <u>standards for as the</u> Compulsory Minimum Training Standards for <u>full and part-time</u> Jailors or Custodial Officers, Courthouse and Courtroom Security Officers and Process Service Officers.

A .Core subjects for jailors or custodial officers, courthouse and courtroom security officers and process service officers.

1 .Basic administration. Testing not required.

a .Orientation.

b.a. Notebook construction and notetaking.

<u>e.b.</u> Testing and evaluation.

d.c. Training standards/training overview.

2 .Background materials.

a .Code of ethics.

b .Jail/criminal justice history.

c .Court systems.

d .Commonwealth/defense attorneys/judges.

e .Juvenile offender/juvenile justice system.

f .Freedom of Information Act.

g .Community relations: public responsibility.

h .Community relations: probation and parole.

i .Community relations: work release.

j .Community relations: community resources.

k .Community relations: communications and crisis.

3 .Legal issues.

- a .Code of Virginia.
- b .Constitutional law and civil liability.
- c .Laws of arrest.
- d .Rules of evidence.
- e .Probable cause.
- f .Juvenile law.
- g .Search and seizure.

4 .Combined subjects.

- a .Courtroom demeanor and testimony.
- **b**.Transportation and physical restraints.
- c .Officer safety and arrest techniques.
- d .Hostages and disturbances.
- e .Unusual prisoners.
- f.Chemical agents.
- g .Firearms.
- h .Standard first aid.
- i .Report writing.
- j .Privacy of criminal history and records.
- k .Searches (cell/persons).
- 1.Stress.
- m .Fire safety.
- n .Crisis intervention.

- **B** .Jailors or custodial officers.
 - 1 .Jail operations/security.
 - a .Standards for local jails/lockups.
 - **b**.Basic security overview.
 - c .Supervisory techniques.
 - d .Inmate behavior.
 - e .Inmate supervision.
 - f .Key control/head counts.
 - g.Classification.
 - h .Receiving and discharging inmates.
 - i .Escapes.
 - j .Trustees.
 - k .Medication.
 - 1.Discipline/due process.
 - m .Introduction to fingerprinting.
 - n .Protecting a crime scene.
 - o .Jail climate and jailors.
- C .Courtroom security officers and process service officers.
 - 1 .Court security.
 - a .Duties and responsibilities.
 - b .Security threats, problems, and explosives.
 - c .Identification of personnel/package control detection.
 - d .Sequestered juries/witnesses.
 - e .Moot problem/courtroom search.

2. Civil process.	cn, 2005
a .Laws of civil process and implementation duties.	
b.Department of Motor Vehicles.	
c .Legal document workshop.	
TOTALS:	
JAILORS OR CUSTODIAL OFFICERS	
COURTROOM SECURITY OFFICERS AND PROCESS SERVICE OFFICERS	
A. Performance outcomes are detailed in the document entitled "Performance Outcon Compulsory Minimum Training for Jailors or Custodial Officers, Courthouse and Courtroom Security Officers and Process Service Officers," January, 2005, that is incorporated by reference and made a part of this chapter.	<u>1es for</u>
B. Academy training categories	

1. Professionalism, Performance Outcomes	<u> 1.1 1.6</u>
2. Legal Issues, Performance Outcomes	2.1 - 2.18
3. Communications, Performance Outcomes	3.1 - 3.13
4. Operations, Performance Outcomes	4.1 4. 9
5. Investigations, Performance Outcomes	5.1 - 5.5
6. Defensive Tactics/Use of Force, Performance Outcomes	6.1 – 6.17
7. Weapons Use, Performance Outcomes	7.1 – 7.7
8. Driver Training, Performance Outcomes	8.1 - 8.3
9. Physical Training, Performance Outcomes	<u>9.1 – 9.6</u>

C. Jailor or Custodial Officer Field Training Performance Outcomes <u>10.1 – 10.58</u>

D. Academy training categories --Courthouse and Courtroom Security Officer

1. Court Security Operations and Professionalism	<u> (separate requirement) 1.1 – 1.2</u>
2. Legal Issues (same as Jail Performance Outcon	nes) $2.1 - 2.18$
3. Communications (same as Jail Performance Ou	itcomes) 3.1 – 3.13
6. Defensive Tactics/Use of Force (same as Jail Pe	rformance Outcome) 6.1 – 6.17
7. Weapons Use (same as Jail Performance Outco	mes) 7.1 – 7.7
8. Transportation (same as Jail Performance Out	comes) 8.1 – 8.3
9. Physical Training (same as Jail Performance O	utcomes) 9.1 – 9.6

E. Courthouse and Courtroom Security Officer Field Training Performance Outcomes

10.1—10.7

F. Academy training categories -- Process Service Officer

4. Process Service Officer Operations (separate requirement)	<u> 1.1 – 1.8</u>
5. Legal Issues (same as Jail Performance Outcomes)	<u>2.1 – 2.18</u>
6. Communications (same as Jail Performance Outcomes)	3.1 - 3.13
6. Defensive Tactics/Use of Force (same as Jail Performance Outcomes)	<u>6.1 – 6.17</u>
7. Weapons Use (same as Jail Performance Outcomes)	7.1 – 7.7
8. Transportation (same as Jail Performance Outcomes)	8.1 – 8.3
9. Physical Training (same as Jail Performance Outcomes)	9.1 – 9.6
G. Process Service Officer Field Training Performance Outcomes	1 <mark>0</mark> .1—10.6

6 VAC 20-50-21 Approval authority

A. The Criminal Justice Services Board shall be the approval authority for the training categories and performance outcomes of the compulsory minimum training standards. Amendments to the training categories and performance outcomes shall be made in accordance with the provisions of the Administrative Process Act (§9-6.14:1 et seq. of the Code of Virginia).

B. The Committee on Training of the Criminal Justice Services Board shall be the approval authority for the training objectives, criteria and lesson plan guides that support the performance outcomes. Training objectives, criteria and lesson plan guides supporting the compulsory minimum training standards and performance outcomes may be added, deleted, or amended by the Committee on Training based upon written recommendation of a chief of police, sheriff, agency administrator, academy director, DCJS staff, or the Curriculum Review Committee.

Prior to approving changes to the training objectives, criteria or lesson plan guides, the Committee on Training shall conduct a public hearing. Sixty (60) days prior to the public hearing, the proposed changes shall be distributed to all affected parties for the opportunity to comment. Notice of change of training objectives, criteria, and lesson plan guides shall be filed for publication in the Virginia Register of Regulations upon adoption, change or deletion. The department shall notify each certified academy in writing of any new, revised, or deleted objectives. Such adoptions, changes or deletions shall become effective thirty (30 days after notice of publication in the Virginia Register.

Statutory Authority

§9-170 9.1-102 of the Code of Virginia.

Historical Notes

Derived from VR240-01-4 §2; eff. July 1, 1987; amended, Virginia Register Volume 6, Issue 16, eff. July 1, 1990.

Cross references

Approved jailor or custodial officer training schools, 6VAC20-50-60

Officer compliance with the applicable performance objectives and subjects, 6VAC20-50-70

6 VAC 20-50-30 Applicability.

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- A. Every person employed as a jailor or custodial officer in accordance with §9-170(7)9.1-102(9), of the Code of Virginia, shall meet compulsory minimum training standards established in subsections A, and B, and C of 6VAC20-50-20 unless provided otherwise in accordance with subsection C of this section.
- B. Every person employed as a <u>Courthouse and</u> Courtroom Security Officer/Deputy Sheriff Designated to Serve Process in accordance with subdivisions <u>57</u>, and <u>6</u> of §9-170 of the Code of Virginia, shall meet compulsory minimum training standards established in subsections <u>AD</u> and <u>CE</u> of 6VAC20-50-20 unless provided otherwise in accordance with subsection C of this section.

C. Every person employed as a Deputy Sheriff Designated to Serve Process in accordance with subdivision 8 of the Code of Virginia shall meet compulsory minimum training standards established in subsections F and G of 6 VAC20-50-20 unless provided otherwise in accordance with subsection C of this section.

C.<u>D.</u>The director may grant an exemption or partial exemption of the compulsory minimum training standards as established herein, in accordance with §9-1739.1-116 of the Code of Virginia.

Statutory Authority

9.1-102 of the Code of Virginia.

Historical Notes

Derived from VR240-01-4 §3; eff. July 1, 1987; amended, Virginia Register Volume 6, Issue 16, eff. July 1, 1990.

Cross references

Time requirement for completion of training of officers, 6VAC20-50-40 Officer compliance with the applicable performance objectives and subjects, 6VAC20-50-70

6 VAC 20-50-40 Time requirement for completion of training.

- A. Every jailor or custodial officer, courthouse and courtroom security officer and process service officer who is required to comply with the compulsory minimum training standards shall satisfactorily complete such training within 12 months of the date of appointment as a jailor or custodial officer, courtroom security officer or process service officer unless provided otherwise in accordance with subsection B of this section.
- B. The director may grant an extension of the time limit for completion of the minimum training required upon presentation of evidence by the agency administrator that such officer was unable to complete the required training within the specified time limit due to illness, injury, military service, special duty assignment required and performed in the public interest or leave without pay or suspension pending investigation or adjudication of a crime. The agency administrator shall request such extension prior to expiration of any time limit.
- C. Any jailor or custodial officer, courthouse and courtroom security officer or process service officer who originally complied with all applicable training requirements and later separated from jailor or custodial officer, courtroom security officer, process service officer status, in excess of 24 months, upon reentry as a jailor, courthouse and courtroom security officer/process server will be required to complete all compulsory minimum training standards unless provided otherwise in accordance with 6VAC20-50-30 CD.

\$9-170 9.1-102 of the Code of Virginia.

Historical Notes

Derived from VR240-01-4 §4; eff. July 1, 1987; amended, Virginia Register Volume 6, Issue 16, eff. July 1, 1990.

Cross references

Officer compliance with the applicable performance objectives and subjects, 6VAC20-50-70

6 VAC 20-50-50 How compulsory minimum training may be attained.

- A. The compulsory minimum training standards shall be attained by attending and satisfactorily completing <u>performance outcomes</u> at an <u>approved</u> <u>certified</u> training <u>schoolacademy</u> and <u>field</u> <u>training requirements</u>.
- B. Officers attending an <u>approvedcertified</u> training <u>schoolacademy</u> are required to attend all classes and should not be placed on duty or on call except in cases of emergency.
- C. All approvedcertified training schoolsacademies whichthat begin on or after July 1, 19902006, shall be conducted in conformance with the Rules Relating to Compulsory Minimum Training Standards for Jailors or Custodial Officers, Courthouse and Courtroom Security Officers and Process Service Officers as amended by the board on April 4, 1990December 8, 2005. However, the period July 1, 1990January 1, 2006, through June 30, 1991 January 1, 2007, shall serve as a transition period wherein certified training schools_academies may be approved by the department to conduct training according to the Rules Relating to Compulsory Minimum Training Standards for Jailors or Custodial/Courthouse and Courtroom Security Officers/Deputy Sheriffs Designated to Serve Process as amended by the board on April 1, 1987, or according to the Rules Relating to Compulsory Minimum Training Standards for Jailors or Custodial Officers, Courthouse and Process Service Officers as amended by the board on April 1, 1987, or according to the Rules Relating to Compulsory Minimum Training Standards for Jailors or Custodial Officers, Courthouse and Process Service Officers as amended by the board on April 1, 1987, or according to the Rules Relating to Compulsory Minimum Training Standards for Jailors or Custodial Officers, Courthouse and Courtroom Security Officers as amended by the board on April 4, 1990December 8, 2005.

Statutory Authority

§9-170 9.1-102 of the Code of Virginia.

Historical Notes

Derived from VR240-01-4 §5; eff. July 1, 1987; amended, Virginia Register Volume 6, Issue 16, eff. July 1, 1990.

6 VAC 20-50-60 Approved Certified training schools academies.

A. Jailor or custodial officer training schools, in order to meet 6 VAC 20-50-20 A and B of this chapter, shall be approved by the department prior to the first scheduled class. Courthouse and Courtroom security officers and process service officers training schools, in order to meet 6 VAC 20-50-20 A and C of this chapter, shall be approved prior to the first scheduled class. Combined jailor or custodial officer, courthouse and courtroom security officers and process service officer training schools, in order to meet 6VAC20-50-20 A, B and C of this chapter, shall be approved prior to the first scheduled class. Approval is requested by making application to the director on forms provided by the department. The director may approve those schools which on the basis of eurricula, instructors, facilities, and examinations, provide the required minimum training. One application for all mandated training shall be submitted prior to the beginning of each fiscal year. A curriculum listing the subjects, the instructors, dates and times for the entire proposed training session shall be submitted to the department 30 days prior to the beginning of each such proposed

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session. An exemption to the 30 day requirement may be granted for good cause shown by the school director.

A. To become a certified academy, a state or local unit of government must demonstrate a need that contains the following elements:

- 1. The inability to obtain adequate training from existing academies or a sufficient hardship that renders the use of other existing academies impractical.
- 2. Based upon a training needs assessment, a sufficient number of officers to warrant the establishment of a full-time training function for a minimum of five years.
- B. In addition, the state or local unit of government must make the following commitments:
 - 1. Provide a full range of training to include entry-level training, in-service training, instructor certification and recertification training and specialized training.
 - 2. Assignment of one position with primary responsibility as academy director and one clerical position to support training and training related functions.
 - <u>3</u>. Maintain a training facility adequate to conduct training in accordance with academy certification standards.
 - 4. Commitment of sufficient funding to adequately support the training function.
- C. Process:
 - 1. The state or local governmental unit shall submit a justification, as outlined in § B above, to the <u>Committee on Training which shall review the justification and make a recommendation to the department as to whether or not the establishment of an academy is warranted.</u>
 - 2. If the Committee on Training recommends the establishment of the proposed academy, the department shall make a determination as to whether or not the establishment of the academy is warranted.
 - 3. If the establishment of the academy is approved by the department, the proposed academy must successfully complete the academy certification process and be in compliance with §15.2-1747 of the Code of Virginia..
- <u>B-D.</u> Each school <u>certified academy</u> director will be required toshall maintain a file of all current lesson plans and supporting material for each subject contained in the compulsory minimum training standards. The certified training academy shall submit to the department its curriculum and other information as designated within time limits established by the department.
- <u>C-E.</u> <u>SchoolsCertified academies</u> <u>whichthat</u> are approved <u>willshall</u> be subject to inspection and review by the director.

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D.F. The department may suspend <u>or revoke</u> the approval of an <u>approved_certified</u> training <u>schoolacademy</u> upon written notice, which shall contain the reason(s) upon which the suspension is based, to the <u>school's academy's</u> director. The notice shall contain the reason(s) upon which the <u>suspension or revocation is based</u>. The <u>school'sacademy's</u> director may request a hearing before the director or his designee. The request shall be in writing and must be received by the department within 15 days of the date of the notice of suspension/revocation. The school's director may appeal the decision of the director or his designee to the board. Such request shall be in writing and must be received by the board within 15 days of the date of the date of the date of the decision of the director or his designee.

E .The department may revoke the approval of any approved training school upon written notice, which shall contain the reason(s) upon which the revocation is based, to the school's director. The school's director may request a hearing before the director or his designee. The request shall be in writing and must be received by the department within 15 days of the date of the notice of revocation. The school's director may appeal the decision of the director or his designee to the board. Such request shall be in writing and must be received by the board within 15 days of the date of the decision of the director or his designee.

Statutory Authority

\$9-170 9.1-102 and 15.2-1747 of the Code of Virginia. Historical Notes

Derived from VR240-01-4 §6; eff. July 1, 1987; amended, Virginia Register Volume 6, Issue 16, eff. July 1, 1990.

6 VAC 20-50-70 Grading.

A. Each officer designated as provided for in 6VAC20 50 30 A and C shall comply with the applicable performance objectives and subjects set forth in 6VAC20 50 20 and the document entitled "Performance Based Training and Testing Objectives for Compulsory Minimum Training Standards for Jailors or Custodial Officers, Courthouse and Courtroom Security Officers and Process Service Officers" (October 1989), which is incorporated by reference and made a part of this regulation.

B.<u>A</u>. All approved certified training schoolsacademies shall utilize testing procedures which indicate that every officer, prior to satisfactory completion of the training school, has passed the criteria for testing and met the requirements training objectives set forth in related to each performance objective outcome specified in the document entitled "Performance Based Training and Testing ObjectivesOutcomes for Compulsory Minimum Training Standards for Jailors or Custodial Officer, Courthouse and Courtroom Security Officers and Process Service Officers."

<u>C-B</u>. The officer may be tested and retested as may be necessary within the limits of 6VAC20-50-40 A of these rules and each <u>certified training</u> academy's written policy. An officer shall not be certified as having complied with the compulsory minimum training standards unless all applicable requirements have been met.

C. Certified training academies shall maintain accurate records of all tests, grades and testing procedures. Academy training records must be maintained in accordance with the provisions of these rules and §§42.1-76 through 42.1-91 of the Code of Virginia.

D .The following firearms training will be required for each officer attending an approved school:

1 .Nomenclature and care of service handgun;

2.2. Safety (on the firearms range, on duty and off duty);

- 3 .Legal responsibilities and liabilities of firearms;
- 4 .Service handgun (handling, firing principles);

5 .Dry firing and application of basic shooting principles;

6.Prequalification shooting (150 rounds, minimum);

7 .Virginia Modified Double Action Course (70% minimum qualification required);

8 .Qualification (70% minimum required) on one of the following record courses:

a .Modified Tactical Revolver Course

b .Modified Practical Pistol Course

c .Virginia Modified Combat Course I

d .Virginia Modified Combat Course II

E.Familiarization with the police shotgun (20 rounds required shoulder and hip position).

Statutory Authority

9.1-102 of the Code of Virginia.

Historical Notes

Derived from VR240-01-4 §7; eff. July 1, 1987; amended, Virginia Register Volume 6, Issue 16, eff. July 1, 1990.

6 VAC 20-50-80 Failure to comply with rules and regulations.

Any jailor or custodial officer, courthouse and courtroom security officer and process service officer attending an approved training school shall comply with the rules and regulations promulgated by the board and any other rules and regulations within the authority established by the approved training school. The school director shall be responsible for enforcement of all rules and regulations established to govern the conduct of attendees. If the school director considers a violation of the rules and regulations detrimental to the welfare of the school, the school director may expel the officer from the school. Notification of such action shall be reported in writing within 48 hours to the officer's agency administrator and the director.

Any individual attending a certified training academy shall comply with the rules and regulations promulgated by the department. The academy director shall be responsible for enforcement of all rules and regulations established to govern the conduct of attendees. If the academy director considers a violation of the rules and regulations detrimental to the welfare of the academy, the academy director may expel the officer from the academy. Notification of such action shall immediately be reported, in writing, to the agency administrator of the officer in accordance with rules and regulations within the authority of the certified training academy.

 $\frac{9.170}{9.1-102}$ of the Code of Virginia.

Historical Notes

Derived from VR240-01-4 §8; eff. July 1, 1987; amended, Virginia Register Volume 6, Issue 16, eff. July 1, 1990

6 VAC 20-50-90 Administrative requirements.

- A .Reports will be required from the agency administrator and school director on forms approved or provided by the department and at such times as designated by the director.
- B .The school director shall, within 30 days upon completion of an approved training school session, submit to the department a roster containing the names of those officers who have satisfactorily completed all training requirements and, if applicable, a revised curriculum for the training session.

C .The school director shall furnish each instructor with objectives for the assigned subject matter.

<u>D</u>.Approved training schools for jailors or custodial officers, courthouse and courtroom security officers and process service officers shall maintain accurate records of all tests, grades and testing procedures. Training school records shall be maintained in accordance with the provisions of these rules and §§42.1-67 through 42.1-91 of the Code of Virginia.

A. Reports will be required from the agency administrator and academy director on forms approved by the department and at such times as designated by the director.

<u>B.</u> The agency administrator shall forward a properly executed field training form to the department for each officer, within twelve months of employment.

C. The academy director shall, within thirty (30) days upon completion of approved training, comply with the following:

- <u>1</u>. Submit to the department a roster containing the names of those officers who have satisfactorily completed the compulsory minimum training standards.
- 2. Submit to the department the final curriculum with the training objectives, hours and instructor names listed.

D. The academy director shall furnish each instructor with the applicable performance outcomes, criteria and lesson plan guides for assigned subject matter.

Statutory Authority

§9-170 9.1-102 of the Code of Virginia.

Historical Notes

Derived from VR240-01-4 §9; eff. July 1, 1987; amended, Virginia Register Volume 6, Issue 16, eff. July 1, 1990.

6 VAC 20-50-100 Effective date.

This chapter shall be effective on and after July 1, 1990 January 1, 2006, and until amended or repealed.

 $9-170_{\underline{9.1-102}}$ of the Code of Virginia.

Historical Notes

Derived from VR240-01-4 §10; eff. July 1, 1987; amended, Virginia Register Volume 6, Issue 16, eff. July 1, 1990.

FORMS

Application for Exemption From Virginia Compulsory Minimum Training Standards, Form W-2, eff. 1/91.

Criminal Justice Training Roster, Form 41, eff. 1/93 <u>Field Training Form: Deputy/Jail Officer, Form (number to be announced later), eff. 6/2005</u> <u>Field Training Form: Court Security/Civil Process Service Officer, Form (number to be announced later), eff. 6/2005</u>

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