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Proposed Regulation Agency Background Document

Agency name	Department of Criminal Justice Services
Virginia Administrative Code (VAC) Chapter citation(s)	6 VAC 20-20
VAC Chapter title(s)	Rules Relating to Compulsory Minimum Training Standards for Law Enforcement Officers
Action title	Amendments to the Compulsory Minimum Training Standards and Time Requirement for Completion of Training
Date this document prepared	12/21/2021

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Order 14 (as amended, July 16, 2018), the Regulations for Filing and Publishing Agency Regulations (1VAC7-10), 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.

Chapter 6VAC20-20-21 specifies that the Department, under the direction of the board, establish the compulsory minimum training standards for full-time and part-time law enforcement officers in the Commonwealth of Virginia. As such, an individual hired as a law enforcement officer (as defined in § 9.1-101 of the Code of Virginia) shall comply with, and meet or exceed, the law enforcement certification requirements enumerated in 6VAC20-20-21. Through this action, these minimum training standards (with the assistance of subject matter experts and the Law Enforcement Curriculum Review Committee) have been amended and revised to improve performance outcomes, training objectives, testing criteria, and lesson plan guides, and will now be incorporated to the regulation as a new DIBR. As these standards have not been updated in approximately 20 years, outdated and redundant language has also been revised for effectiveness and efficiency in the training of new academy recruits. Revisions include increased training in community policing, verbal de-escalation, implicit bias, duty to intervene, conflict resolution skills with a concentration on individuals with mental illness, and historical events that have influenced

citizen and police relationships, as well as the incorporation of a new category of training, Officer Wellness, to name a few. Additionally, this action serves as a periodic review and will also repeal the existing DIBR titled, "Virginia Department of Criminal Justice Services Field Training and On-the-Job Performance Outcomes, published September 2012, Virginia Department of Criminal Justice Services (Revised January 2018). In addition to the revision of the training standards themselves, the time requirement for completion of this training, as detailed in 6VAC20-20-40, is also being amended (and extended) from 12 to 18 months from the date of hire or appointment as a law enforcement officer. The overarching goal of this regulatory action is to enhance both officer and public safety and the efficiency and effectiveness of training, in the Commonwealth of Virginia.

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.

Board- Criminal Justice Services Board
COT- Committee on Training
DCJS- Department of Criminal Justice Services
Department- Department of Criminal Justice Services
LE- Law enforcement
LE CRC- Law Enforcement Curriculum Review Committee
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 Executive Order 14 (as amended, July 16, 2018), "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."

In the 2017 session of the General Assembly, HB1500 was approved, mandating the compulsory minimum training standards for law enforcement officers (6VAC20-20) be reviewed and updated. The Department of Criminal Justice Services worked closely with the LE CRC for several years to revise and enhance the standards in all categories of training. This included working extensively with SMEs from around the Commonwealth, while also being mindful of the requirements set forth in HB1500 and other language passed in later sessions of the General Assembly. Although this was mandated, formal board approval to move forward with this regulatory action was sought and obtained on December 10, 2020, and the compulsory minimum training standards themselves were approved by the COT and the CJSB on December 9, 2021.

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.

In addition to the approval of HB1500 in 2017, 6VAC20-20 specifies that, pursuant to the provisions of subdivision 2 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 law enforcement officers. An individual hired as a law-enforcement officer, as defined in § 9.1-101 of the Code of Virginia, shall comply with the law-enforcement certification requirements, as enumerated in 6VAC20-20-21, and shall do so in the time frame required in 6VAC20-20-40. Law enforcement officers become certified upon meeting all compulsory minimum training standards and other requirements that include documented completion of all performance outcomes, the law enforcement certification exam, and field training. DCJS is the appropriate promulgating agency based on the statutory authority stated in § 9.1-102, in that the department shall 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.

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's intended to solve.

Updating the compulsory minimum training standards and timeframe for completion of training for law enforcement officers in Virginia is essential in protecting the safety and welfare of both officers and citizens. Although mandated in 2017 by HB1500, DCJS has not updated the performance outcomes, training objectives, testing criteria, and lesson plan guides in the individual categories of training in approximately 20 years. Working with SMEs from a myriad of agencies throughout the Commonwealth in conjunction with the LE CRC, allowed for the significant enhancement of these standards for new law enforcement officers. DCJS has conducted multiple public hearings and presentations of these revised standards throughout 2021, soliciting input and feedback from sheriffs, police chiefs, academy directors, other law enforcement personnel, as well as the public, and has been extremely receptive to suggestions and potential amendments, prior to seeking formal COT approval. These revised standards will now be incorporated by reference in the regulation, replacing the current DIBR, which is no longer applicable. In addition to the compulsory minimum training standards being revised, the number of field training hours is being increased from 100 to 240 hours, as approved by the CJSB on December 9, 2021, to ensure effective and efficient training of new officers. This regulatory package also includes 6VAC20-20-40, which also extends the 12-month time requirement for the completion of such training to 18 months, after a statewide survey and various research was completed, with DCJS' constituents' input. This action also serves as a periodic review, as one has not been conducted in some time.

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.

Substantial changes and improvements will be made and applied to the performance outcomes, training objectives, testing criteria, and lesson plan guides in each individual category of training. These changes will include enhanced training in community policing, verbal de-escalation, implicit bias, duty to intervene, conflict resolution skills with a concentration on individuals with mental illness, historical events that have influenced citizen/police relationships, the establishment of a new category of training, Officer Wellness, to name just a few. These changes will reflect improved and updated language, in addition to amending

the existing number of field training hours required for new law enforcement officers in Virginia, as recommended by the LE CRC and the SMEs that DCJS has continued to work with on this project. Additionally, as recommended by law enforcement personnel throughout the state in multiple meetings conducted by DCJS soliciting input, this regulatory change will also increase the time required for the completion of training, from 12 months to 18 months from the law enforcement officer's date of hire, benefitting all agencies and departments throughout the Commonwealth.

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 law enforcement officers, 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

Identify any other state agencies, localities, or other entities particularly affected by the regulatory change. "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

Pursuant to § 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 change versus the status quo.

Impact on State Agencies

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

Impact on Localities

<p>Projected costs, savings, fees or revenues resulting from the regulatory change.</p>	<p>There are no projected costs, savings, fees, or revenues for localities resulting from this regulatory change.</p>
<p>Benefits the regulatory change is designed to produce.</p>	<p>Localities may benefit by knowing that law enforcement officers within their particular jurisdiction and 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.</p>

Impact on Other Entities

<p>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.</p>	<p>There is no impact on other entities.</p>
<p>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.</p>	<p>No additional entities will be affected by this regulatory change.</p>
<p>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:</p>	<p>There are no projected costs associated that would affect individuals, businesses, or other entities resulting from this regulatory change.</p>

<p>a) projected reporting, recordkeeping, and other administrative costs required for compliance by small businesses; 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.</p>	
<p>Benefits the regulatory change is designed to produce.</p>	<p>Benefits associated with this regulatory change are enhanced training standards for all new law enforcement officers employed within the Commonwealth of Virginia.</p>

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. In addition to the 2017 General Assembly mandate, 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 law enforcement officers.

Regulatory Flexibility Analysis

Pursuant to § 2.2-4007.1B 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 ill 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 officers in Virginia.

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 Executive Order 14 (as amended, July 16, 2018), 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 regulatory change to serve as a comprehensive periodic review of the regulation, as one has not been conducted in some time. 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, academies, and officers 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 VAC20-20 does not overlap or duplicate any federal or other state law or regulation, and any amendments made to 6VAC20-20-21 only enhance the training for new recruits while in the academy and during field training. DCJS maintains that this regulatory change benefits new recruits, LE agencies, 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 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, but many have been received by the agency directly, after conducting multiple presentations regarding the newly revised training standards. Informational presentations (also recorded and posted via DCJS' website at https://www.youtube.com/watch?v=-l_9KUtnxsc, along with the actual revised training standards themselves, found at <https://www.dcjs.virginia.gov/law-enforcement/law-enforcement-curriculum-review-committee-approved-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 St, Richmond, VA 23219, (804) 786-7801, (804) 786-0410 (fax), 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 existing VAC Chapter(s) and the proposed regulation. If 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
20-20	N/A	6VAC20-20-21 requires, pursuant to the provisions of subdivision 2 of § 9.1-102 of the Code of Virginia, that the Department, under the direction of the Board, establishes the compulsory minimum training standards for full-time and part-time law enforcement officers in the Commonwealth. Individuals hired as law enforcement officers shall comply with	Specific changes within the performance outcomes themselves (which will all now be listed as a DIBR within the regulation) are detailed below, listed category by category. Changes to the regulatory text include the addition of a new category-(i). Officer Wellness, which includes physical fitness standards as well as valuable information on officer mental health and well-being, which, while already being taught at most academies throughout the Commonwealth, is not currently listed within the compulsory

		<p>several certification requirements, such as the successful completion of law enforcement basic training at a certified criminal justice training academy, which includes receiving 480 hours of department-approved training in the categories of: Professionalism, Legal, Communication, Patrol, Investigations, Defensive Tactics/Use of Force, Weapons, and Driver Training, in addition to a minimum of 100 hours of approved training in the category of Field Training. An officer does this by meeting or exceeding the field training performance outcomes identified in the Virginia Department of Criminal Justice Services Field Training and On the Job Training Performance Outcomes. Additionally, officers become certified upon meeting all compulsory minimum training standards and other requirements, which include the documented completion of all performance outcomes, successful completion of the law enforcement certification exam, and field training.</p>	<p>minimum training standards. The SMEs, LE CRC, COT, and CJSB agreed unanimously that this information is vital for new recruits, as a career in law enforcement is extremely stressful. Additional changes to the regulatory text include the increase in number of field training hours, from 100 to 240. The CJSB unanimously voted for this increase in hours in December of 2021, as 100 is just not adequate for a new officer to become acclimated with the job. A survey of many agencies across Virginia showed that most agencies are already doing well above the 240 currently.</p>
20-20	N/A	<p>6VAC20-20-40(A). currently requires law enforcement officers to comply with the requirements of 6VAC20-20-21, and states that these individuals shall satisfactorily complete these requirements within 12 months of the date of hire or appointment as a law enforcement officer.</p> <p>6VAC20-20-40(B). states that the director, or the director's designee, may grant an extension of the time limit for completion of the compulsory minimum training standards and other</p>	<p>Amendments to 6VAC20-20-40 include the extension of the 12-month time requirement from the date of hire or appointment for a law enforcement officer to complete his or her training (to 18 months). This gives increased flexibility to agencies and academies and alleviates the strain of having only one year to have the officer complete all required training. DCJS receives a large amount of requests for extensions of this training currently, so in addition to benefitting agencies across the Commonwealth by providing more time, it will also decrease the number of training extension filings submitted to DJCS Field Representatives who ultimately review such submissions.</p>

		<p>requirements for a medical condition, injury, military service, or administrative leave involving the determination of worker's compensation or disability retirement issues or suspension pending investigation or adjudication of a crime.</p> <p>6VAC20-20-40(C). currently states that the director or the 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>6VAC20-20-40(D). states that 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>6VAC20-20-40(E). states that the director shall not grant an extension for failing to pass the compulsory minimum training standards and requirements within the specified time limits and/or failing the certification exam.</p> <p>6VAC20-20-40(F). details that the agency administrator may request an extension from the director or the director's designee, but that the request shall be in writing and include written documentation articulating the reason(s) the individual is unable to complete the required training within the specified time limits. It also specifies that the request shall be submitted to the</p>	
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	<p>department before the expiration of the specified time limits.</p> <p>6VAC20-20-40(G). Specifies that law enforcement officers who do not satisfactorily complete the compulsory minimum training standards, field training, and other requirements within 12 months of hire or appointment as a law enforcement officer, 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>6VAC20-20-40(H). currently states that the department shall notify the agency administrator of individuals not in compliance with the requirements of this section.</p>	
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Detail of Changes to the Law Enforcement Compulsory Minimum Training Standards

Category 1- Professionalism

- Revised wording of POs to enhance clarity and eliminate redundancy
- Fixed grammatical and punctuation errors
- Removed specific POs that do not have statewide applicability
- Increased training and focus on developing and maintaining relationships with the community and how to enhance and build public trust
- Included new PO 1.5 identifying the historical evolution of law enforcement in the United States and its source of authority within the criminal justice system
- Included new PO 1.6 ensuring new officers identify and understand the consequences of biased-based policing, implicit biases, racism, and discrimination, as well as the importance of cultivating a diverse workforce and promoting transparency
- Reorganized category and included content formerly in Communications category to include additional training in cultural diversity, the promotion of understanding and tolerance, and the identification of useful community resources to assist with cultural needs
- Included new PO 1.8 identifying an officer’s duty to intervene, requiring the officer to demonstrate (in a scenario or practical exercise) intervening when another officer is

subjecting a citizen to unethical or unlawful violations, and a written exercise identifying the liability and potential repercussions associated with failing to intervene

- Created new PO 1.9 focusing on citizen/law enforcement relationships
- Created and included new PO 1.10 focusing on understanding of the requirements for law enforcement certification 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, most involving new (or updated) laws and elements of specific criminal offenses
- Created and included new PO 2.5 relating to knowledge of the law and perjury
- Added significant amount of information relating to Miranda laws, and Fourth Amendment principles in reference to searches and seizures without a search warrant
- Included new PO 2.31 relating to conducting lawful searches and seizures with a search warrant, including a practical exercise requiring the new officer to complete an affidavit for a search warrant, written exercises identifying Knock and Announce principles and new No-Knock search warrant laws in § 19.2-56, who may be present during execution, and standards required to detain a person lawfully present during execution, what items are authorized to be seized, and the return of the search warrant process
- Revised and significantly added content to PO 2.36 identifying the legal basis for the use of force by a law enforcement officer, including the use of deadly force
- Included new PO 2.45 applying knowledge of the law relating to the statute of limitations

Category 3- Communications

- Revised, rewrote, combined, and renumbered entire category
- Fixed grammatical and punctuation errors
- Included information on communicating with people of different demographics utilizing effective methods and techniques, verbal de-escalation techniques and strategies, and additional information on delivery of death notifications
- Moved PO 3.16 dealing with speaking with family of adult defendants to advise, inform, and notify of court dates, etc. to Field Training, as deemed more appropriate
- Moved current PO 3.2 to Patrol relating to conferences and interviews with parents and/or juveniles
- Included practical and written exercises to document incident/offense reports and related paperwork necessary to facilitate prosecution
- Included new PO 3.5 to prepare and present effective courtroom testimony

Category 4- Patrol

- Eliminated redundancy and updated language throughout category
- Moved multiple current POs to Investigations and Field Training categories where are more appropriate, causing the need to renumber entire Patrol category
- Added significant amount of information to be taught to Lesson Plan Guide in PO 4.7 relating to protective orders and removed redundancy throughout entire category
- Enhanced PO 4.8 related to victims/witnesses' rights information and available resources
- Created and included new standalone PO 4.11 relating to the identification of possible narcotics overdose and emergency treatment
- Created and included new PO 4.13 relating to human trafficking crimes
- Combined POs 4.11 and 4.18 relating to response to alarms and providing security checks during non-business hours, as well as more information to provide the public to secure homes and businesses
- Rewrote and significantly enhanced PO 4.29 relating to conducting a traffic stop resulting in enforcement action, to include information on pre-textual stops, identifying situations when there is no validity for conducting a stop, utilizing proper safety equipment, and conducting stops during daylight hours vs. nighttime
- Enhanced and rewrote PO 4.35, separating from PO 4.23, to include information on transporting and escorting arrestees and/or prisoners, and subsequent searches of law enforcement vehicles after such transports
- Created and included new PO 4.36 relating to response to, as well as conducting a preliminary or follow-up DUI investigation with the inclusion of multiple practical and written exercises
- Added action verbs to ensure measurability in several POs that were lacking
- Created new PO 4.47 relating to the interaction with persons in crisis and providing crisis resources
- Revised and ultimately created new PO 4.49 relating to taking an individual into custody when probable cause exists that a mental illness or mental health crisis or emergency is occurring, including a significant expansion of training and content on ECOs and TDOs
- Added new PO 4.60 relating to officer response to an active shooter/attack and PO 4.61 response to an ambush in an exterior environment

Category 5- Investigations

- Removed redundant and outdated language throughout category
- Fixed grammatical and punctuation errors and renumbered entire category
- Combined several POs previously in Patrol category and rewrote to create the new 5.1
- Added practical exercises, to include the demonstration of an interview with a victim or witness in PO 5.4, and added information in the Lesson Plan Guide about interviews and the use of trauma-informed techniques
- Added significant content into the Lesson Plan Guide of PO 5.11 related to evidence collection and items with potential evidentiary value

- Increased the number of practical exercises related to locating and obtaining fingerprints in PO 5.13
- Added additional information about photographic lineups
- Separated two POs for better organization and more effective training related to the investigation of abuse and neglect
- Added a substantial amount of new information on victim-centered response to sexual assault in PO 5.20
- Added additional information on crime scene preservation techniques

Category 6- Defensive Tactics/Use of Force

- Updated language, combined several POs for clarity, and removed redundancy
- Fixed grammatical and punctuation errors
- Created the new PO 6.1 identifying the factors of the use of force
- Added additional information to the Lesson Plan Guide related to weaponless control techniques
- Created and added a new performance outcome utilizing blocking techniques to defend oneself
- Added more content about defending oneself from an attack, as well as an escape from a chokehold
- Moved several performance outcomes to the Patrol category where they are better suited
- Added multiple practical exercises throughout category to include demonstration of a search (6.7), deployment of inert oleoresin capsicum or its equivalent and executing an arrest after (6.10), the need to use less lethal and reasonable levels of force (6.17), and the ability to transition from deadly force to a less lethal option based on the level of resistance (6.18)

Category 7- Weapons

- Removed redundancy and outdated information
- Renumbered and reorganized entire category of training
- Created and included new PO 7.1 identifying the cardinal rules of firearm safety
- Enhanced training on safely cleaning and inspecting the duty handgun
- Reduced number of courses for qualification and chose one target (IALEFI-QP) and scoring technique for uniformity
- Created separate daylight and low-light courses for qualification purposes
- Amended training/qualification to now require the use of a hand-held flashlight while firing
- Increased the minimum number of rounds to be fired for training purposes prior to qualification

Category 8- Driver Training

- Removed outdated language and redundancy and renumbered category
- Added practical exercises for the demonstration of visual and physical inspections of the law enforcement vehicle
- Combined several performance outcomes and created the new PO 8.3 identifying factors to prevent and recover from skids and/or loss of traction, with additional practical and written exercises
- Added a significant amount of content to Lesson Plan Guides related to road blocks and emergency response driving
- Created new PO 8.6 related to the operation of a law enforcement vehicle before, during, and after a pursuit, including the addition of several practical exercises in day and nighttime conditions

Category 9- Wellness

- Created entire new category focused on officer mental and physical well-being
- Created new PO 9.1 requiring the engagement in physical exercise for a minimum of 60 hours during academy time
- Included new performance outcome requiring the completion of a work performance course to be completed in under 1:36 by the end/graduation of academy training
- Included the simulation of a rescue from a vehicle
- Added new performance outcome identifying the causes and impacts of stress, as well as reduction strategies
- Created new performance outcome related to suicidal ideation, and identifying warning signs and resources available to law enforcement officers

Category 10- Field Training

- Amended minimum hour requirement from 100 to 240 hours

If a new VAC Chapter(s) is being promulgated and is not replacing an existing Chapter(s), use Table 2.

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