



townhall.virginia.gov

Exempt Action Final Regulation Agency Background Document

Agency name	Department of Criminal Justice Services
Virginia Administrative Code (VAC) citation(s)	6 VAC20-90
Regulation title(s)	Rules Relating to Regional Criminal Justice Training Academies
Action title	Amendment to 6VAC20-90-20 Budget Approval of a New Regional Criminal Justice Academy
Final agency action date	September 15, 2016
Date this document prepared	September 19, 2016

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA) or an agency's basic statute, the agency is not required, however, is encouraged to provide information to the public on the Regulatory Town Hall using this form. Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, Executive Orders 17 (2014) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Brief summary

Please provide a brief summary of the proposed new regulation, proposed amendments to the existing regulation, or the regulation proposed to be repealed. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

During the 2016 Virginia General Assembly Session, language was included in the Budget Bill HB30 (Chapter 780) Item 398 permitting the Criminal Justice Services Board to approve a new regional criminal justice academy serving the Counties of Clarke, Frederick, and Warren; the City of Winchester; the Towns of Berryville, Front Royal, Middletown, Stephens City and Strasburg; the Northwestern Adult Detention Center; and, the Frederick County Emergency Communications Center, to be established and operated consistent with a written agreement, provided to the Board, between the local governing bodies, chief executive officers, and chief law enforcement officers of the aforementioned localities, and the Rappahannock Regional Criminal Justice Academy. The new academy shall be eligible to receive state funding in a manner consistent with the currently existing regional criminal justice training academies. However, no current existing regional criminal justice training academy other than the Rappahannock Regional Criminal Justice Academy will receive less funding as a result of the creation of the new regional academy.

The regional academies that are eligible to receive state funding are identified in 6VAC20-90 Rules Relating to Certification of Criminal Justice Training Academies. This action is to amend section 6VAC20-90-20 and add the Skyline Regional Criminal Justice Academy to the list of regional academies eligible to receive state funding. In addition to identifying the academies eligible to receive state fund section 6VAC20-90-20 also requires the Criminal Justice Services Board to define the geographical boundaries of designated regional academies and provide approval for a governing body to change the site of a regional academy. The amendments to this action also put the list of regional criminal justice academies in alphabetical order. The new academy will become operational July 1, 2017. The amendments to this regulation will become effective July 1, 2017.

Statement of final agency action

Please provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.

On September 15, 2016 the Department of Criminal Justice Services and the Committee on Training recommended the Criminal Justice Services Board grant approval to file an exempt regulatory action to amend 6VAC20-90 Rules Relating to Regional Criminal Justice Academies to include the Skyline Regional Criminal Justice Training Academy in 6VAC20-90-20 to the list of regional academies eligible to receive state funding. This exempt action is pursuant to 2.2-4006(4) (a) of the *Code of Virginia* which authorizes agencies to file an exempt action for regulations necessary to conform to changes in Virginia statutory law that do not involve agency discretion. The Board voted unanimously to grant permission to Department of Criminal Justice Services to file an exempt action.

Family impact

Please assess the impact of this 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.

The amendment to this regulation has no impact on the institution of family or family stability.

Periodic review/small business impact review report of findings

This section may be used to report the results of a periodic review/small business impact review. Otherwise, delete this section.

Please (1) summarize all comments received during the public comment period following the publication of the Notice of Periodic Review and (2) indicate whether the regulation meets the criteria set out in Executive Order 17 (2014), e.g., is necessary for the protection of public health, safety, and welfare, and is clearly written and easily understandable. In addition, as required by 2.2-4007.1 E and F, please include a discussion of the agency's consideration of: (1) the continued need for the regulation; (2) the nature of complaints or comments received concerning the regulation from the public; (3) the complexity of the regulation; (4) the extent to the 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.



Commenter	Comment	Agency response
N/A	N/A	N/A

No public comments were received during the periodic review.

Budget language requires the Criminal Justice Services Board to adopt such rules as may be reasonably required for the distribution of funds and for the establishment, operations and service boundaries of state supported regional criminal justice training academies. The regulation 6VAC20-90 Rules Relating to Regional Criminal Justice Training Academies fulfills this requirement. Regional Criminal Justice Training Academies provide surrounding localities a training site to send their dispatchers and law enforcement, jail, civil process, and courtroom security officers to obtain basic and in-service training to ensure those working to protect the safety and welfare of the public have the necessary training pertinent to entering or continuing to work within their respective professions. This regulation is not complex and it does not duplicate, or conflict with federal or state law or regulations. The regulation was last amended in 1997.