



Virginia  
Regulatory  
Town Hall

## Notice of Intended Regulatory Action Agency Background Document

<b>Agency Name:</b>	Department of Criminal Justice Services
<b>VAC Chapter Number:</b>	6 VAC 20-20-10 through 20-20-100
<b>Regulation Title:</b>	Rules Relating to Compulsory Minimum Training Standards for Law Enforcement
<b>Action Title:</b>	Law Enforcement Physical Training Standards
<b>Date:</b>	8-24-2000

This information is required prior to the submission to the Registrar of Regulations of a Notice of Intended Regulatory Action (NOIRA) pursuant to the Administrative Process Act § 9-6.14:7.1 (B). Please refer to Executive Order Twenty-Five (98) and Executive Order Fifty-Eight (99) for more information.

### Purpose

*Please describe the subject matter and intent of the planned regulation. This description should include a brief explanation of the need for and the goals of the new or amended regulation.*

The revised Compulsory Minimum Training Standards for Law Enforcement Officers were adopted in December, 1997, with the exception of Category 9. This category was adopted as optional for implementation until further study of the physical tasks of law enforcement officers could be conducted and substantial data gathered related to this aspect of law enforcement work. This study has been completed, the data has been analyzed, and the standards modified appropriately. This submission recommends that the proposed physical standards be mandated as part of entry-level training for law enforcement officers.

### Basis

*Please identify the state and/or federal source of legal authority to promulgate the contemplated regulation. The discussion of this authority should include a description of its scope and the extent to which the authority is mandatory or discretionary. The correlation between the proposed regulatory action and the legal authority identified above should be explained. Full citations of legal authority and, if available, web site addresses for locating the text of the cited authority must be provided.*

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Pursuant to statutory authority set forth by Section 9-170(1) of the Code of Virginia (1950) as amended, the Criminal Justice Services Board (CJSB) will amend and revise its regulations relating to entry-level law enforcement training. **There are no federal minimum requirements involved. The Office of the Attorney General in a letter dated April 19,2000, confirms that the agency has statutory authority to promulgate the proposed regulation. The regulation is in compliance with applicable state law.**

### Substance

*Please detail any changes that would be implemented: this discussion should include a summary of the proposed regulatory action where a new regulation is being promulgated; where existing provisions of a regulation are being amended, the statement should explain how the existing regulation will be changed. The statement should set forth the specific reasons the agency has determined that the proposed regulatory action would be essential to protect the health, safety or welfare of citizens. In addition, a statement delineating any potential issues that may need to be addressed as the regulation is developed shall be supplied.*

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Category 9, Physical Issues, of the Rules Relating to Compulsory Minimum Training Standards for Law Enforcement will become part of mandated training by removal of the word “Optional” by this category listing in the Rules. The intent of these regulations was to include minimum physical training standards at the time of the revision. However, in order to further delineate appropriate training methodologies and document appropriate measures for successful achievement of the training objectives, the Department of Criminal Justice Services conducted an additional study related to these tasks. The results of the study support the recommendation to mandate this category.

### Alternatives

*Please describe, to the extent known, the specific alternatives to the proposal that have been considered or will be considered to meet the essential purpose of the action.*

There are no alternatives that will meet the essential purpose of the study. Without mandated minimum physical training standards for entry-level law enforcement officers, the Commonwealth is unable to provide minimal assurance regarding the physical ability of law enforcement officers throughout the state to perform the tasks that are part of law enforcement services.

### Family Impact Statement

*Please provide a preliminary analysis of 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.*

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The amendment indirectly impacts the family and family stability in terms of the assurance of the availability of physically competent officers who will be able to provide emergency assistance should any family member be in need of this.