



COMMONWEALTH of VIRGINIA
Office of the Attorney General

Jason S. Miyares
Attorney General

10555 Main Street, Suite 350
Fairfax, Virginia 22030
703-277-3540
FAX 703-277-3547
Virginia Relay Services
800-828-1120
7-1-1

August 9, 2022

By Electronic Mail
Virginia Regulatory Town Hall

Re: 6 VAC 20-65 Rules Relating to Professional Standards of Conduct and
Procedures for Decertification of Certified Law-Enforcement Officers and
Certified Jail Officers

Dear All:

I have reviewed the Department of Criminal Justice Services new regulation as identified above. In my view, as counsel to the Department, I concur that the Department has legal authority to promulgate this regulation pursuant to § 9.1-102(61) of the Code of Virginia. Additionally, the Department has the authority to adopt this regulation as an emergency regulation pursuant to § 2.2-4011(B) of the Code of Virginia because the third enactment clause in Chapter 37 of the 2020 Acts of Assembly (Special Session 1, SB5030) requires the regulation to be promulgated within 280 days of the effective date of this act.

The regulations do not appear to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with any federal or state law currently in effect. This approval addresses legal matters only and is not intended to serve, nor should it be construed, as a comment for or against the merits of the action.

Sincerely,

/s/ Cathie F. Hutchins
Senior Assistant Attorney General