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Notice of Intended Regulatory Action (NOIRA) Agency Background Document

Agency name	Department of Criminal Justice Services
Virginia Administrative Code (VAC) Chapter citation(s)	6 VAC20-280
VAC Chapter title(s)	Rules Relating to Compulsory Minimum Training Standards for Law-Enforcement Field Training Officers
Action title	Amend Rules Relating to Compulsory Minimum Training Standards for Law-Enforcement Field Training Officers Following 2025 Periodic Review
Date this document prepared	11/03/2025

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19, the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), 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 the subject matter, intent, and goals of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation).

The Department of Criminal Justice Services will amend 6 VAC 20-280, Rules Relating to Compulsory Minimum Training Standards for Law-Enforcement Field Training Officers after the conclusion of a periodic review. In reviewing the current regulation, potential opportunities to update requirements, clarify language, and remove obsolete provisions were identified.

Acronyms and Definitions

Define all acronyms or technical definitions used in this form.

Board – Criminal Justice Services Board, DCJS’ policy board
DJCS – Department of Criminal Justice Services

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 the ORM procedures, “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the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part.”

The impetus for these potential regulatory changes was the 2025 periodic review of this chapter, the notice for which was published in the Virginia Register on 06/30/2025.

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.

Regulations are promulgated by DCJS under the general authority of Chapter 1, Article 1 of Title 9.1 of the Code of Virginia, which gives DCJS the authority to promulgate regulations for the administration of its responsibilities.

§ 9.1-102. Powers and duties of the Board and the Department.

The Department, under the direction of the Board, which shall be the policy-making body for carrying out the duties and powers hereunder, shall have the power and duty to:

1. 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;

... 3. Establish minimum training standards and qualifications for certification and recertification for law-enforcement officers serving as field training officers;

The Board approved the opening of this action on October 9, 2025.

Purpose

Describe the specific reasons why the agency has determined that this regulation is essential to protect the health, safety, or welfare of citizens. In addition, explain any potential issues that may need to be addressed as the regulation is developed.

The amendments being considered are necessary to protect public health and safety by ensuring that the compulsory minimum training standards and qualifications for certification and recertification for law-enforcement officers serving as field training officers remain adequate and appropriate.

Substance

Briefly identify and explain the new substantive provisions that are being considered, the substantive changes to existing sections that are being considered, or both.

The proposed action will update the regulation in response to the agency's periodic review. The contemplated amendments will modernize and clarify existing procedures, align regulatory requirements with current agency practices, remove redundancies, and revise language and forms to improve clarity and ease of compliance.

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.

There are no viable alternatives to the anticipated regulatory changes. § 9.1-102 (3) of the Code of Virginia mandates that the agency establish minimum training standards and qualifications for certification and recertification for law-enforcement officers serving as field training officers. Updating the regulation where necessary will ensure that DCJS's legislative mandate is achieved in the least burdensome or intrusive manner.

Periodic Review and Small Business Impact Review Announcement

If you wish to use this regulatory action to conduct, and this NOIRA to announce, a periodic review (pursuant to § 2.2-4017 of the Code of Virginia and the ORM procedures), and a small business impact review (§ 2.2-4007.1 of the Code of Virginia) of this regulation, keep the following text. Modify it as necessary for your agency. Otherwise, delete the paragraph below and insert "This NOIRA is not being used to announce a periodic review or a small business impact review."

This NOIRA is not being used to announce a periodic review or small business impact review.

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. In addition, as required by § 2.2-4007.02 of the

Code of Virginia, describe any other means that will be used to identify and notify interested parties and seek their input, such as regulatory advisory panels or general notices.

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, and (iii) the potential impacts of the regulation.

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 Lee Bryant, Division of Law Enforcement; 1100 Bank Street, Richmond, Virginia 23219, or at (804) 786-0410 or via email to lee.bryant@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 the proposed stage of this regulatory action.