



Virginia
Regulatory
Town Hall

Notice of Intended Regulatory Action Agency Background Document

Agency Name:	Department of Criminal Justice Services
VAC Chapter Number:	6 VAC 20-30-10 through 20-30-130
Regulation Title:	Rules Relating to Compulsory In-Service Training Standards for Law Enforcement Officers, Jailors or Custodial Officers, Courtroom Security Officers, Process Service Officers, and Officers of the Department of Corrections
Action Title:	In-Service Training Standards
Date:	05-26-2000

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.

This regulation sets forth minimum training standards for continuing education and training of personnel in the positions noted in the title. In 1998, the Joint Legislative Audit and Review Committee (JLARC) conducted a study which resulted in several recommendations for improvement of in-service training standards. Current standards are being amended to reflect these recommendations.

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.

The source of legal authority to promulgate this regulation is the Code of Virginia 9-170(3)(5)(6) and (7).

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.

Amendments to the current standards reflect requirements for annual updates on legal issues, annual recertification in defensive tactics, and defining areas for additional job related training which advances an individual beyond entry-level training already received. Criminal justice personnel must continually work to maintain and advance beyond the knowledge and skills acquired through entry-level training. A few weeks training in legal issues and defensive tactics only offers a minimum level of competency to start working in any criminal justice position, but particularly that of law enforcement officer. As with firearms recertification, it is important that annual refreshers and recertification be required in order for officers to maintain and improve their knowledge and skills. This knowledge and skill directly impacts the safety and welfare of citizens wherever they may need law enforcement assistance.

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.

Currently, there are no alternatives that can meet the essential purpose of this action. The Department of Criminal Justice Services is studying the feasibility of establishing a distance learning program that may be useful for topics such as legal updates. Distance learning will not be appropriate for updating skill requirements such as defensive tactics.

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.

Amending the in-service training standards serves to increase the knowledge, skills, and abilities of criminal justice personnel. Whenever a family member may need the assistance of these personnel, they will have a more knowledgeable and skillful officer to respond. These amendments do not impact economic self-sufficiency, marital commitment, or disposable family income.