



Unified Regulatory Plan of the Virginia Department of Criminal Justice Services for Fiscal Year 2025

Prepared on June 16, 2024

Agency Summary

The Virginia Department of Criminal Justice Services (DCJS) is one of 11 agencies that falls within the Secretariat of Public Safety and Homeland Security in the Commonwealth of Virginia. The agency is charged with planning and carrying out initiatives, programs, and services in order to improve the function and effectiveness of the criminal justice system as a whole, and does this through planning, coordination, program development and evaluation, data and policy analysis, technical and financial assistance, training for criminal justice personnel, educators and school and campus safety personnel, as well as victims service providers. The Criminal Justice Services Board is the agency's policy board, which is comprised of representatives from various facets of the criminal justice system on both the state and local levels of government, as well as citizens. DCJS' primary constituents and stakeholders are local and state criminal justice agencies and practitioners, but the agency also serves private security professionals and businesses, private nonprofit agencies and advocacy groups and associations, as well as the citizens of the Commonwealth. DCJS is authorized to promulgate regulations for the administration of its responsibilities, pursuant to the *Code of Virginia*, Title 9.1, Chapter 1, Article 1.

Individual Regulatory Activities

As of June 2024, DCJS currently has 12 active regulatory actions underway which include 15 of the agency's 24 current regulations housed within Virginia Administrative Code, and four new regulations that originate from legislative mandates dating back to the Special Session I of 2020 (for a total of 18 regulations undergoing revision), respectively. During Fiscal Year 2025, DCJS plans to open four additional actions for revision and periodic review, for a total of 19 of the 24 to undergo amendment, equating to approximately 80% of all current agency regulations. The agency anticipates that no less than 146 regulatory sections of the 394 total regulatory sections (or approximately 37%) will ultimately be affected, with the goal of meeting Governor Youngkin's Executive Order 19 requirements for overall agency reduction. While many active regulatory actions have been carried over from previous fiscal years awaiting certification or review at various stages of Executive Branch Review, DCJS also plans to continue its update of agency guidance documents and ensure that all periodic reviews are up to date to comply with EO14 and § 2.2-4017. All actions for FY25 are detailed below in the prescribed tables.

Title of Proposed Regulatory Action or Guidance Document
Comprehensive Review and Update of the 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, Division of Operations, affecting Chapter 6 VAC 20-30
Brief Overview This regulatory action amends, revises, and enhances the current in-service training standards to reflect recently passed legislation, create cohesiveness with the compulsory minimum training standards for basic law enforcement recruits, and serves as a periodic review, as one has not been conducted in some time. The minimum number of hours of required for in-service training, as well as new areas of training such as working with individuals with disabilities, mental health needs or substance use disorders, and the lawful use of force and de-escalation techniques will also be included in the changes to 6 VAC 20-30-30. Additionally, a set minimum number of hours will also be dedicated to practical exercises, which is not currently within the regulation. DCJS is also anticipating

<p>the need to amend 6 VAC 20-30-50, to possibly include a form of allowable online in-service training as an option for certain topics, in addition to updating the FORMS section of this regulation to reflect relevant changes made. The process of revising this regulation is nearing completion, as the agency concluded meetings with workgroups comprised of subject matter experts but is now awaiting agency and Board approval. The agency will also be seeking approval to add an additional regulatory section for the in-service training requirements for public safety telecommunicators (which will be changed from the current role title of “dispatchers”).</p> <p>This action’s NOIRA was submitted in May of 2021 and it was published in the Volume 38, Issue 5 of the Virginia Register in October of 2021. DCJS anticipates submission to the Proposed Stage in the latter part of 2024, once the CJSB approves of the regulatory text and the addition of in-service training standards for public safety telecommunicators.</p>	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input checked="" type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	This action does not reduce regulatory requirements or compliance burdens but rather, updates outdated language and the minimum number of hours required, and replaces the existing outdated FORMS section, which is currently listed as the PIC-1 Form (rev. 11/05).
Expected Date	December 2024

<p>Title of Proposed Regulatory Action or Guidance Document Comprehensive Review and Update of the Compulsory Minimum Training Standards for Dispatchers, affecting Chapter 6 VAC 20-60</p>	
<p>Brief Overview This anticipated regulatory action will revise the compulsory minimum training standards for dispatchers, located within 6 VAC 20-60-20, and update the FORMS and DIBR sections, as well as serve as a periodic review. Although the last review and update of these standards was completed in early 2019, DCJS has found numerous technical errors and has identified the need to make many of the enumerated tasks more easily measurable. DCJS is also prepared to make the necessary additions to include the new MARCUS Alert information to include the newly adopted Right Help, Right Now initiative, as well as the 988 helpline that is relevant to all 911 telecommunicators. This potential action has not yet been submitted to the Criminal Justice Services Board for approval due to DCJS needing to work with subject matter experts to incorporate legislation from 2024 (requiring the training of dispatchers in de-escalation and working with individuals with Alzheimer’s Disease and dementia) but is expected to be on the CJSB agenda for such in the October 2024.</p>	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input checked="" type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document

Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Discretionary action <input checked="" type="checkbox"/> Action required by state statute
Deregulatory Component	<p>This action will not reduce regulatory requirements or compliance burdens, but rather, will update outdated language within the compulsory minimum training standards, fix technical and grammatical errors and a lack of measurability in certain performance outcomes and training objectives, as well as will provide updates to the FORMS and DIBR sections within this regulation.</p>
Expected Date	December 2024

Title of Proposed Regulatory Action or Guidance Document	
Comprehensive Review and Update of the Rules Relating to School Security Officers, affecting Chapter 6 VAC 20-240	
Brief Overview	
Although this action was withdrawn in 2023, this NOIRA will be resubmitted after review and revision by the Virginia Center for School and Campus Security Division of DCJS is complete. Updates will be made to all regulatory sections after consulting with stakeholders and interested parties.	
Regulatory Stage (check one box)	<input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Fast-Track Rule <input type="checkbox"/> Final Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Guidance Document <input type="checkbox"/> Exempt Rule
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Discretionary action <input type="checkbox"/> Action required by state statute
Deregulatory Component	<p>This action will likely reduce the regulatory requirements and support the overall efforts toward regulatory reduction in the Commonwealth. It will provide technical amendments and updates to training standards and relevant information and requirements related to School Security Officers.</p>
Expected Date	December 2024

Title of Proposed Regulatory Action or Guidance Document	
Comprehensive Review and Update of the Rules Relating to Campus Security Officers, affecting Chapter 6 VAC 20-270	
Brief Overview	
Although this action was withdrawn in 2023, this NOIRA will be resubmitted after review and revision by the Virginia Center for School and Campus Security Division of DCJS is complete. Updates will be made to all regulatory sections after consulting with stakeholders and interested parties.	
Regulatory Stage (check one box)	<input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	This action will likely reduce the regulatory requirements and support the overall efforts toward regulatory reduction in the Commonwealth. It will provide technical amendments and updates to training standards and relevant information and requirements related to Campus Security Officers.
Expected Date	December 2024

Title of Proposed Regulatory Action or Guidance Document	
New Regulation Related to Training Standards for School Resource Officers (will be Chapter 6 VAC 20-55)	
Brief Overview	
The Virginia Center for School and Campus Safety division of DCJS has been working with subject matter experts and facilitating a workgroup to establish training standards for School Resource Officers (SROs) who are sworn officers, employed by Sheriffs' Offices or Police Departments in the Commonwealth, and assigned to elementary, middle, high schools, and colleges in Virginia. DCJS anticipates the promulgation of this new regulation in late 2024, after final departmental approval is given after consultation with the Secretary of Public Safety and Homeland Security. Although the standards and requirements themselves have been under development for some time, as stated in the above actions pertaining to this division of DCJS, the agency is currently working towards final agency approval, and ultimately COT and CJSB approval. This action will likely be promulgated as an Emergency Action, as the legislative mandate from 2019 (HB2609 identical to SB1130) requiring DCJS to establish compulsory minimum training standards for law enforcement officers serving as a school resource officer has already been codified.	
Regulatory Stage	<input checked="" type="checkbox"/> NOIRA <input checked="" type="checkbox"/> Emergency Rule

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(check one box)	<input type="checkbox"/> Proposed Rule <input type="checkbox"/> Fast-Track Rule <input type="checkbox"/> Final Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Guidance Document <input type="checkbox"/> Exempt Rule
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Discretionary action <input checked="" type="checkbox"/> Action required by state statute
Deregulatory Component	This action will not reduce the regulatory requirements of the agency, but rather, will enhance the safety of some of the youngest citizens of Virginia by the promulgation new regulation setting statewide standards and requirements to be utilized by employing Sheriffs' Offices or Police Departments for their SROs working in/on school campuses.
Expected Date	December 2024