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**HOUSE BILL NO. 1257**

Offered January 14, 2026

Prefiled January 14, 2026

*A BILL to amend and reenact §§ 9.1-101, as it is currently effective and as it shall become effective, 9.1-102, and 9.1-1110 of the Code of Virginia and to amend the Code of Virginia by adding in Article 1 of Chapter 17 of Title 15.2 a section numbered 15.2-1723.3 and by adding a section numbered 23.1-815.2, relating to law-enforcement agencies; use of certain technologies and interrogation practices; forensic laboratory accreditation.*

Patron—Glass

Committee Referral Pending

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 9.1-101, as it is currently effective and as it shall become effective, 9.1-102, and 9.1-1110 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Article 1 of Chapter 17 of Title 15.2 a section numbered 15.2-1723.3 and by adding a section numbered 23.1-815.2 as follows:**

**§ 9.1-101. (Effective until July 1, 2026) Definitions.**

As used in this chapter or in Chapter 23 (§ 19.2-387 et seq.) of Title 19.2, unless the context requires a different meaning:

"Administration of criminal justice" means performance of any activity directly involving the detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders or the collection, storage, and dissemination of criminal history record information.

"Board" means the Criminal Justice Services Board.

"Conviction data" means information in the custody of any criminal justice agency relating to a judgment of conviction, and the consequences arising therefrom, in any court.

"Correctional status information" means records and data concerning each condition of a convicted person's custodial status, including probation, confinement, work release, study release, escape, or termination of custody through expiration of sentence, parole, pardon, or court decision.

"Criminal history record information" means records and data collected by criminal justice agencies on adult individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, informations, or other formal charges, and any disposition arising therefrom. The term shall not include juvenile record information which is controlled by Chapter 11 (§ 16.1-226 et seq.) of Title 16.1, criminal justice intelligence information, criminal justice investigative information, or correctional status information.

"Criminal justice agency" means (i) a court or any other governmental agency or subunit thereof which as its principal function performs the administration of criminal justice and any other agency or subunit thereof which performs criminal justice activities, but only to the extent that it does so; (ii) for the purposes of Chapter 23 (§ 19.2-387 et seq.) of Title 19.2, any private corporation or agency which, within the context of its criminal justice activities, employs special conservators of the peace appointed under Chapter 2 (§ 19.2-12 et seq.) of Title 19.2, provided that (a) such private corporation or agency requires its officers or special conservators to meet compulsory training standards established by the Criminal Justice Services Board and submits reports of compliance with the training standards and (b) the private corporation or agency complies with the provisions of Article 3 (§ 9.1-126 et seq.), but only to the extent that the private corporation or agency so designated as a criminal justice agency performs criminal justice activities; and (iii) the Office of the Attorney General, for all criminal justice activities otherwise permitted under clause (i) and for the purpose of performing duties required by the Civil Commitment of Sexually Violent Predators Act (§ 37.2-900 et seq.).

"Criminal justice agency" includes any program certified by the Commission on VASAP pursuant to § 18.2-271.2.

"Criminal justice agency" includes the Department of Criminal Justice Services.

"Criminal justice agency" includes the Virginia Criminal Sentencing Commission.

"Criminal justice agency" includes the Virginia State Crime Commission.

"Criminal justice information system" means a system including the equipment, facilities, procedures, agreements, and organizations thereof, for the collection, processing, preservation, or dissemination of criminal history record information. The operations of the system may be performed manually or by using electronic computers or other automated data processing equipment.

"Department" means the Department of Criminal Justice Services.

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59 "Dissemination" means any transfer of information, whether orally, in writing, or by electronic means.  
60 The term shall not include access to the information by officers or employees of a criminal justice agency  
61 maintaining the information who have both a need and right to know the information.

62 "*Generative artificial intelligence (AI) system*" means any artificial intelligence technology or system that  
63 can generate new content, ideas, data patterns, or videos based on the input and training it has received,  
64 which includes text, images, audio, and video content.

65 "Law-enforcement officer" means any full-time or part-time employee of a police department or sheriff's  
66 office which is a part of or administered by the Commonwealth or any political subdivision thereof, or any  
67 full-time or part-time employee of a private police department, and who is responsible for the prevention and  
68 detection of crime and the enforcement of the penal, traffic or highway laws of the Commonwealth, and shall  
69 include any (i) special agent of the Virginia Alcoholic Beverage Control Authority; (ii) police agent  
70 appointed under the provisions of § 56-353; (iii) officer of the Virginia Marine Police; (iv) conservation  
71 police officer who is a full-time sworn member of the enforcement division of the Department of Wildlife  
72 Resources; (v) investigator who is a sworn member of the security division of the Virginia Lottery; (vi)  
73 conservation officer of the Department of Conservation and Recreation commissioned pursuant to  
74 § 10.1-115; (vii) full-time sworn member of the enforcement division of the Department of Motor Vehicles  
75 appointed pursuant to § 46.2-217; (viii) animal protection police officer employed under § 15.2-632 or  
76 15.2-836.1; (ix) campus police officer appointed under Article 3 (§ 23.1-809 et seq.) of Chapter 8 of Title  
77 23.1; (x) member of the investigations unit designated by the State Inspector General pursuant to § 2.2-311 to  
78 investigate allegations of criminal behavior affecting the operations of a state or nonstate agency; (xi)  
79 employee with internal investigations authority designated by the Department of Corrections pursuant to  
80 subdivision 11 of § 53.1-10 or by the Department of Juvenile Justice pursuant to subdivision A 7 of § 66-3;  
81 (xii) private police officer employed by a private police department; or (xiii) person designated as a sworn  
82 unit investigator by the Attorney General pursuant to subsection A of § 32.1-320.1. Part-time employees are  
83 those compensated officers who are not full-time employees as defined by the employing police department,  
84 sheriff's office, or private police department.

85 "*Machine learning system*" means a subset of artificial intelligence in which algorithms and statistical  
86 models are used by systems to improve their performance on a specific task through experience and data  
87 without being explicitly programmed for that task.

88 "Private police department" means any police department, other than a department that employs police  
89 agents under the provisions of § 56-353, that employs private police officers operated by an entity authorized  
90 by statute or an act of assembly to establish a private police department or such entity's successor in interest,  
91 provided it complies with the requirements set forth herein. No entity is authorized to operate a private police  
92 department or represent that it is a private police department unless such entity has been authorized by statute  
93 or an act of assembly or such entity is the successor in interest of an entity that has been authorized pursuant  
94 to this section, provided it complies with the requirements set forth herein. The authority of a private police  
95 department shall be limited to real property owned, leased, or controlled by the entity and, if approved by the  
96 local chief of police or sheriff, any contiguous property; such authority shall not supersede the authority,  
97 duties, or jurisdiction vested by law with the local police department or sheriff's office including as provided  
98 in §§ 15.2-1609 and 15.2-1704. The chief of police or sheriff who is the chief local law-enforcement officer  
99 shall enter into a memorandum of understanding with the private police department that addresses the duties  
100 and responsibilities of the private police department and the chief law-enforcement officer in the conduct of  
101 criminal investigations. Private police departments and private police officers shall be subject to and comply  
102 with the Constitution of the United States; the Constitution of Virginia; the laws governing municipal police  
103 departments, including the provisions of §§ 9.1-600, 15.2-1705 through 15.2-1708, 15.2-1719, 15.2-1721,  
104 15.2-1721.1, and 15.2-1722; and any regulations adopted by the Board that the Department designates as  
105 applicable to private police departments. An authorized private police department may use the word "police"  
106 to describe its sworn officers and may join a regional criminal justice academy created pursuant to Article 5  
107 (§ 15.2-1747 et seq.) of Chapter 17 of Title 15.2. Any private police department in existence on January 1,  
108 2013, that was not otherwise established by statute or an act of assembly and whose status as a private police  
109 department was recognized by the Department at that time is hereby validated and may continue to operate as  
110 a private police department as may such entity's successor in interest, provided it complies with the  
111 requirements set forth herein.

112 "Private police officer" means a law-enforcement officer who is employed by a private police department  
113 that has entered into a memorandum of understanding with a police department or sheriff's office and who  
114 may exercise the power and duties conferred by law upon such police officers on real property owned, leased,  
115 or controlled by the employing entity and, if approved by the local chief of police or sheriff, any contiguous  
116 property. Any person employed as a private police officer pursuant to this section shall meet all requirements,  
117 including the minimum compulsory training requirements, for law-enforcement officers pursuant to this  
118 chapter. A private police officer is not entitled to benefits under the Virginia Retirement System, is not a  
119 "qualified law enforcement officer" or "qualified retired law enforcement officer" within the meaning of the  
120 federal Law Enforcement Officers Safety Act, 18 U.S.C. § 926B et seq., and shall not be deemed an

employee of the Commonwealth or any locality.

"School resource officer" means a certified law-enforcement officer hired by the local law-enforcement agency to provide law-enforcement and security services to Virginia public elementary and secondary schools.

"School security officer" means an individual who is employed by the local school board or a private or religious school for the singular purpose of maintaining order and discipline, preventing crime, investigating violations of the policies of the school board or the private or religious school, and detaining students violating the law or the policies of the school board or the private or religious school on school property, school buses, or at school-sponsored events and who is responsible solely for ensuring the safety, security, and welfare of all students, faculty, staff, and visitors in the assigned school.

"Unapplied criminal history record information" means information pertaining to criminal offenses submitted to the Central Criminal Records Exchange that cannot be applied to the criminal history record of an arrested or convicted person (i) because such information is not supported by fingerprints or other accepted means of positive identification or (ii) due to an inconsistency, error, or omission within the content of the submitted information.

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243 "School security officer" means an individual who is employed by the local school board or a private or  
244 religious school for the singular purpose of maintaining order and discipline, preventing crime, investigating

violations of the policies of the school board or the private or religious school, and detaining students violating the law or the policies of the school board or the private or religious school on school property, school buses, or at school-sponsored events and who is responsible solely for ensuring the safety, security, and welfare of all students, faculty, staff, and visitors in the assigned school.

"Sealing" means to prohibit public access to records relating to an arrest, charge, or conviction, including any ancillary matter ordered to be sealed, in the possession of (i) the Central Criminal Records Exchange; (ii) any court; (iii) any police department, sheriff's office, or campus police department; or (iv) the Department of Motor Vehicles unless dissemination is authorized for one or more of the purposes set forth in § 19.2-392.13 and pursuant to the rules and regulations adopted pursuant to § 9.1-128 and the procedures adopted pursuant to § 9.1-134.

"Unapplied criminal history record information" means information pertaining to criminal offenses submitted to the Central Criminal Records Exchange that cannot be applied to the criminal history record of an arrested or convicted person (i) because such information is not supported by fingerprints or other accepted means of positive identification or (ii) due to an inconsistency, error, or omission within the content of the submitted information.

#### **§ 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;

2. Establish compulsory minimum training standards subsequent to employment as a law-enforcement officer in (i) permanent positions and (ii) temporary or probationary status and establish the time required for completion of such training. Such compulsory minimum training standards shall include crisis intervention training in accordance with clause (i) of § 9.1-188;

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

4. Establish compulsory minimum curriculum requirements for in-service and advanced courses and programs for schools, whether located in or outside the Commonwealth, which are operated for the specific purpose of training law-enforcement officers;

5. Establish (i) compulsory minimum training standards for law-enforcement officers who utilize radar or an electrical or microcomputer device to measure the speed of motor vehicles as provided in § 46.2-882 and establish the time required for completion of the training and (ii) compulsory minimum qualifications for certification and recertification of instructors who provide such training;

6. [Repealed];

7. Establish compulsory minimum entry-level, in-service and advanced training standards for those persons designated to provide courthouse and courtroom security pursuant to the provisions of § 53.1-120, and to establish the time required for completion of such training;

8. Establish compulsory minimum entry-level, in-service and advanced training standards for deputy sheriffs designated to serve process pursuant to the provisions of § 8.01-293, and establish the time required for the completion of such training;

9. Establish compulsory minimum entry-level, in-service, and advanced training standards, as well as the time required for completion of such training, for persons employed as deputy sheriffs and jail officers by local criminal justice agencies and correctional officers employed by the Department of Corrections under the provisions of Title 53.1. For deputy sheriffs and jail officers who are employees of local or regional correctional facilities and correctional officers employed by the Department of Corrections, such standards shall include training on the general care of pregnant women, the impact of restraints on pregnant inmates and fetuses, the impact of being placed in restrictive housing or solitary confinement on pregnant inmates, and the impact of body cavity searches on pregnant inmates;

10. Establish compulsory minimum training standards for all dispatchers employed by or in any local or state government agency, whose duties include the dispatching of law-enforcement personnel. Such training standards shall apply only to dispatchers hired on or after July 1, 1988. Such training shall include training in the identification of, communication with, and facilitation of the safe return of individuals diagnosed with Alzheimer's disease and dementia, which shall include (i) techniques for respectful and effective communication with individuals with Alzheimer's disease and dementia and their caregivers; (ii) techniques for addressing the behavioral symptoms of Alzheimer's disease and dementia, including alternatives to physical restraint; (iii) protocols for identifying and reporting incidents of abuse, neglect, and exploitation of individuals with Alzheimer's disease and dementia to adult protective services; (iv) protocols for contacting

307 caregivers when an individual with Alzheimer's disease or dementia is found wandering or during an  
308 emergency or crisis situation; (v) a reference list of local resources available for individuals with Alzheimer's  
309 disease and dementia; and (vi) a reference list of local and national organizations that assist law-enforcement  
310 personnel with locating missing and wandering individuals with Alzheimer's disease and dementia and  
311 returning them to their caregivers;

312 11. Establish compulsory minimum training standards for all auxiliary police officers employed by or in  
313 any local or state government agency. Such training shall be graduated and based on the type of duties to be  
314 performed by the auxiliary police officers. Such training standards shall not apply to auxiliary police officers  
315 exempt pursuant to § 15.2-1731;

316 12. Consult and cooperate with counties, municipalities, agencies of the Commonwealth, other state and  
317 federal governmental agencies, and institutions of higher education within or outside the Commonwealth,  
318 concerning the development of police training schools and programs or courses of instruction;

319 13. Approve institutions, curricula and facilities, whether located in or outside the Commonwealth, for  
320 school operation for the specific purpose of training law-enforcement officers; but this shall not prevent the  
321 holding of any such school whether approved or not;

322 14. Establish and maintain police training programs through such agencies and institutions as the Board  
323 deems appropriate;

324 15. Establish compulsory minimum qualifications of certification and recertification for instructors in  
325 criminal justice training academies approved by the Department;

326 16. Conduct and stimulate research by public and private agencies which shall be designed to improve  
327 police administration and law enforcement;

328 17. Make recommendations concerning any matter within its purview pursuant to this chapter;

329 18. Coordinate its activities with those of any interstate system for the exchange of criminal history record  
330 information, nominate one or more of its members to serve upon the council or committee of any such  
331 system, and participate when and as deemed appropriate in any such system's activities and programs;

332 19. Conduct inquiries and investigations it deems appropriate to carry out its functions under this chapter  
333 and, in conducting such inquiries and investigations, may require any criminal justice agency to submit  
334 information, reports, and statistical data with respect to its policy and operation of information systems or  
335 with respect to its collection, storage, dissemination, and usage of criminal history record information and  
336 correctional status information, and such criminal justice agencies shall submit such information, reports, and  
337 data as are reasonably required;

338 20. Conduct audits as required by § 9.1-131;

339 21. Conduct a continuing study and review of questions of individual privacy and confidentiality of  
340 criminal history record information and correctional status information;

341 22. Advise criminal justice agencies and initiate educational programs for such agencies with respect to  
342 matters of privacy, confidentiality, and security as they pertain to criminal history record information and  
343 correctional status information;

344 23. Maintain a liaison with any board, commission, committee, or other body which may be established  
345 by law, executive order, or resolution to regulate the privacy and security of information collected by the  
346 Commonwealth or any political subdivision thereof;

347 24. Adopt regulations establishing guidelines and standards for the collection, storage, and dissemination  
348 of criminal history record information and correctional status information, and the privacy, confidentiality,  
349 and security thereof necessary to implement state and federal statutes, regulations, and court orders;

350 25. Operate a statewide criminal justice research center, which shall maintain an integrated criminal  
351 justice information system, produce reports, provide technical assistance to state and local criminal justice  
352 data system users, and provide analysis and interpretation of criminal justice statistical information;

353 26. Develop a comprehensive, statewide, long-range plan for strengthening and improving law  
354 enforcement and the administration of criminal justice throughout the Commonwealth, and periodically  
355 update that plan;

356 27. Cooperate with, and advise and assist, all agencies, departments, boards and institutions of the  
357 Commonwealth, and units of general local government, or combinations thereof, including planning district  
358 commissions, in planning, developing, and administering programs, projects, comprehensive plans, and other  
359 activities for improving law enforcement and the administration of criminal justice throughout the  
360 Commonwealth, including allocating and subgranting funds for these purposes;

361 28. Define, develop, organize, encourage, conduct, coordinate, and administer programs, projects and  
362 activities for the Commonwealth and units of general local government, or combinations thereof, in the  
363 Commonwealth, designed to strengthen and improve law enforcement and the administration of criminal  
364 justice at every level throughout the Commonwealth;

365 29. Review and evaluate programs, projects, and activities, and recommend, where necessary, revisions or  
366 alterations to such programs, projects, and activities for the purpose of improving law enforcement and the  
367 administration of criminal justice;

368 30. Coordinate the activities and projects of the state departments, agencies, and boards of the

Commonwealth and of the units of general local government, or combination thereof, including planning district commissions, relating to the preparation, adoption, administration, and implementation of comprehensive plans to strengthen and improve law enforcement and the administration of criminal justice;

31. Do all things necessary on behalf of the Commonwealth and its units of general local government, to determine and secure benefits available under the Omnibus Crime Control and Safe Streets Act of 1968 (P.L. 90-351, 82 Stat. 197), as amended, and under any other federal acts and programs for strengthening and improving law enforcement, the administration of criminal justice, and delinquency prevention and control;

32. Receive, administer, and expend all funds and other assistance available to the Board and the Department for carrying out the purposes of this chapter and the Omnibus Crime Control and Safe Streets Act of 1968, as amended;

33. Apply for and accept grants from the United States government or any other source in carrying out the purposes of this chapter and accept any and all donations both real and personal, and grants of money from any governmental unit or public agency, or from any institution, person, firm or corporation, and may receive, utilize and dispose of the same. Any arrangements pursuant to this section shall be detailed in the annual report of the Board. Such report shall include the identity of the donor, the nature of the transaction, and the conditions, if any. Any moneys received pursuant to this section shall be deposited in the state treasury to the account of the Department. To these ends, the Board shall have the power to comply with conditions and execute such agreements as may be necessary;

34. Make and enter into all contracts and agreements necessary or incidental to the performance of its duties and execution of its powers under this chapter, including but not limited to, contracts with the United States, units of general local government or combinations thereof, in Virginia or other states, and with agencies and departments of the Commonwealth;

35. Adopt and administer reasonable regulations for the planning and implementation of programs and activities and for the allocation, expenditure and subgranting of funds available to the Commonwealth and to units of general local government, and for carrying out the purposes of this chapter and the powers and duties set forth herein;

36. Certify and decertify law-enforcement officers in accordance with §§ 15.2-1706 and 15.2-1707 and provide for a decertification review process in accordance with § 15.2-1708;

37. Establish training standards and publish and periodically update model policies for law-enforcement personnel in the following subjects:

a. The handling of family abuse, domestic violence, sexual assault, and stalking cases, including standards for determining the predominant physical aggressor in accordance with § 19.2-81.3. The Department shall provide technical support and assistance to law-enforcement agencies in carrying out the requirements set forth in subsection A of § 9.1-1301;

b. The identification of, communication with, and facilitation of the safe return of individuals diagnosed with Alzheimer's disease and dementia, which shall include (i) techniques for respectful and effective communication with individuals with Alzheimer's disease and dementia and their caregivers; (ii) techniques for addressing the behavioral symptoms of Alzheimer's disease and dementia, including alternatives to physical restraint; (iii) protocols for identifying and reporting incidents of abuse, neglect, and exploitation of individuals with Alzheimer's disease and dementia to adult protective services; (iv) protocols for contacting caregivers when an individual with Alzheimer's disease or dementia is found wandering or during an emergency or crisis situation; (v) a reference list of local resources available for individuals with Alzheimer's disease and dementia; and (vi) a reference list of local and national organizations that assist law-enforcement personnel with locating missing and wandering individuals with Alzheimer's disease and dementia and returning them to their caregivers;

c. Sensitivity to and awareness of systemic and individual racism, cultural diversity, and the potential for racially biased policing and bias-based profiling as defined in § 52-30.1, which shall include recognizing implicit biases in interacting with persons who have a mental illness, substance use disorder, or developmental or cognitive disability;

d. Protocols for local and regional sexual assault and human trafficking response teams;

e. Communication of death notifications;

f. The questioning of individuals suspected of driving while intoxicated concerning the physical location of such individual's last consumption of an alcoholic beverage and the communication of such information to the Virginia Alcoholic Beverage Control Authority;

g. Vehicle patrol duties that embody current best practices for pursuits and for responding to emergency calls;

h. Criminal investigations that embody current best practices for conducting photographic and live lineups;

i. Sensitivity to and awareness of human trafficking offenses and the identification of victims of human trafficking offenses for personnel involved in criminal investigations or assigned to vehicle or street patrol duties;

j. The recognition, prevention, and reporting of human trafficking;

k. Missing children, missing adults, and search and rescue protocol;

l. The handling and use of tear gas or other gases and kinetic impact munitions, as defined in § 19.2-83.3, that embody current best practices for using such items as a crowd control measure or during an arrest or detention of another person; and

m. The use of naloxone or other opioid antagonists to prevent opioid overdose deaths, in coordination with statewide naloxone training programs developed by the Department of Behavioral Health and Developmental Services and the Virginia Department of Health;

38. Establish compulsory training standards for basic training and the recertification of law-enforcement officers to ensure (i) sensitivity to and awareness of systemic and individual racism, cultural diversity, and the potential for racially biased policing and bias-based profiling as defined in § 52-30.1, which shall include recognizing implicit biases in interacting with persons who have a mental illness, substance use disorder, or developmental or cognitive disability; (ii) training in de-escalation techniques; and (iii) training in the lawful use of force, including the use of deadly force, as defined in § 19.2-83.3, only when necessary to protect the law-enforcement officer or another person;

39. Review and evaluate community-policing programs in the Commonwealth, and recommend where necessary statewide operating procedures, guidelines, and standards that strengthen and improve such programs, including sensitivity to and awareness of systemic and individual racism, cultural diversity, and the potential for racially biased policing and bias-based profiling as defined in § 52-30.1, which shall include recognizing implicit biases in interacting with persons who have a mental illness, substance use disorder, or developmental or cognitive disability;

40. Establish a Virginia Law-Enforcement Accreditation Center. The Center may, in cooperation with Virginia law-enforcement agencies, provide technical assistance and administrative support, including staffing, for the establishment of voluntary state law-enforcement accreditation standards. The Center may provide accreditation assistance and training, resource material, and research into methods and procedures that will assist the Virginia law-enforcement community efforts to obtain Virginia accreditation status;

41. Promote community policing philosophy and practice throughout the Commonwealth by providing community policing training and technical assistance statewide to all law-enforcement agencies, community groups, public and private organizations and citizens; developing and distributing innovative policing curricula and training tools on general community policing philosophy and practice and contemporary critical issues facing Virginia communities; serving as a consultant to Virginia organizations with specific community policing needs; facilitating continued development and implementation of community policing programs statewide through discussion forums for community policing leaders, development of law-enforcement instructors; promoting a statewide community policing initiative; and serving as a statewide information source on the subject of community policing including, but not limited to periodic newsletters, a website and an accessible lending library;

42. Establish, in consultation with the Department of Education and the Virginia State Crime Commission, compulsory minimum standards for employment and job-entry and in-service training curricula and certification requirements for school security officers, including school security officers described in clause (b) of § 22.1-280.2:1, which training and certification shall be administered by the Virginia Center for School and Campus Safety (VCSCS) pursuant to § 9.1-184. Such training standards shall be specific to the role and responsibility of school security officers and shall include (i) relevant state and federal laws; (ii) school and personal liability issues; (iii) security awareness in the school environment; (iv) mediation and conflict resolution, including de-escalation techniques such as a physical alternative to restraint; (v) disaster and emergency response; (vi) awareness of systemic and individual racism, cultural diversity, and implicit bias; (vii) working with students with disabilities, mental health needs, substance use disorders, and past traumatic experiences; and (viii) student behavioral dynamics, including child and adolescent development and brain research. The Department shall establish an advisory committee consisting of local school board representatives, principals, superintendents, and school security personnel to assist in the development of the standards and certification requirements in this subdivision. The Department shall require any school security officer who carries a firearm in the performance of his duties to provide proof that he has completed a training course provided by a federal, state, or local law-enforcement agency that includes training in active shooter emergency response, emergency evacuation procedure, and threat assessment;

43. License and regulate property bail bondsmen and surety bail bondsmen in accordance with Article 11 (§ 9.1-185 et seq.);

44. License and regulate bail enforcement agents in accordance with Article 12 (§ 9.1-186 et seq.);

45. In conjunction with the Virginia State Police and the State Compensation Board, advise criminal justice agencies regarding the investigation, registration, and dissemination of information requirements as they pertain to the Sex Offender and Crimes Against Minors Registry Act (§ 9.1-900 et seq.);

46. Establish minimum standards for (i) employment, (ii) job-entry and in-service training curricula, and (iii) certification requirements for campus security officers. Such training standards shall include, but not be limited to, the role and responsibility of campus security officers, relevant state and federal laws, school and personal liability issues, security awareness in the campus environment, and disaster and emergency



response. The Department shall provide technical support and assistance to campus police departments and campus security departments on the establishment and implementation of policies and procedures, including but not limited to: the management of such departments, investigatory procedures, judicial referrals, the establishment and management of databases for campus safety and security information sharing, and development of uniform record keeping for disciplinary records and statistics, such as campus crime logs, judicial referrals and Clery Act statistics. The Department shall establish an advisory committee consisting of college administrators, college police chiefs, college security department chiefs, and local law-enforcement officials to assist in the development of the standards and certification requirements and training pursuant to this subdivision;

47. Assess and report, in accordance with § 9.1-190, the crisis intervention team programs established pursuant to § 9.1-187;

48. In conjunction with the Office of the Attorney General, advise law-enforcement agencies and attorneys for the Commonwealth regarding the identification, investigation, and prosecution of human trafficking offenses using the common law and existing criminal statutes in the Code of Virginia;

49. Register tow truck drivers in accordance with § 46.2-116 and carry out the provisions of § 46.2-117;

50. Administer the activities of the Virginia Sexual and Domestic Violence Program Professional Standards Committee by providing technical assistance and administrative support, including staffing, for the Committee;

51. In accordance with § 9.1-102.1, design and approve the issuance of photo-identification cards to private security services registrants registered pursuant to Article 4 (§ 9.1-138 et seq.);

52. In consultation with the State Council of Higher Education for Virginia and the Virginia Association of Campus Law Enforcement Administrators, develop multidisciplinary curricula on trauma-informed sexual assault investigation;

53. In consultation with the Department of Behavioral Health and Developmental Services, develop a model addiction recovery program that may be administered by sheriffs, deputy sheriffs, jail officers, administrators, or superintendents in any local or regional jail. Such program shall be based on any existing addiction recovery programs that are being administered by any local or regional jails in the Commonwealth. Participation in the model addiction recovery program shall be voluntary, and such program may address aspects of the recovery process, including medical and clinical recovery, peer-to-peer support, availability of mental health resources, family dynamics, and aftercare aspects of the recovery process;

54. Establish compulsory minimum training standards for certification and recertification of law-enforcement officers serving as school resource officers. Such training shall be specific to the role and responsibility of a law-enforcement officer working with students in a school environment and shall include (i) relevant state and federal laws; (ii) school and personal liability issues; (iii) security awareness in the school environment; (iv) mediation and conflict resolution, including de-escalation techniques; (v) disaster and emergency response; (vi) awareness of systemic and individual racism, cultural diversity, and implicit bias; (vii) working with students with disabilities, mental health needs, substance use disorders, or past traumatic experiences; and (viii) student behavioral dynamics, including current child and adolescent development and brain research;

55. Establish a model policy for the operation of body-worn camera systems as defined in § 15.2-1723.1 that also addresses the storage and maintenance of body-worn camera system records;

56. Establish compulsory minimum training standards for detector canine handlers employed by the Department of Corrections, standards for the training and retention of detector canines used by the Department of Corrections, and a central database on the performance and effectiveness of such detector canines that requires the Department of Corrections to submit comprehensive information on each canine handler and detector canine, including the number and types of calls and searches, substances searched for and whether or not detected, and the number of false positives, false negatives, true positives, and true negatives;

57. Establish compulsory training standards for basic training of law-enforcement officers for recognizing and managing stress, self-care techniques, and resiliency;

58. Establish guidelines and standards for psychological examinations conducted pursuant to subsection C of § 15.2-1705;

59. Establish compulsory in-service training standards, to include frequency of retraining, for law-enforcement officers in the following subjects: (i) relevant state and federal laws; (ii) awareness of cultural diversity and the potential for bias-based profiling as defined in § 52-30.1; (iii) de-escalation techniques; (iv) working with individuals with disabilities, mental health needs, or substance use disorders; and (v) the lawful use of force, including the use of deadly force, as defined in § 19.2-83.3, only when necessary to protect the law-enforcement officer or another person;

60. Develop a model curriculum and lesson plans for the compulsory minimum entry-level, in-service, and advanced training standards to be employed by criminal justice training academies approved by the Department when conducting training;

61. Adopt statewide professional standards of conduct applicable to all certified law-enforcement officers

555 and certified jail officers and appropriate due process procedures for decertification based on serious  
556 misconduct in violation of those standards and provide for a decertification review process in accordance  
557 with § 15.2-1708;

558 62. Establish and administer a waiver process, in accordance with §§ 2.2-5515 and 15.2-1721.1, for  
559 law-enforcement agencies to use certain military property. Any waivers granted by the Criminal Justice  
560 Services Board shall be published by the Department on the Department's website;

561 63. Establish compulsory training standards for basic training and the recertification of law-enforcement  
562 officers to include crisis intervention training in accordance with clause (ii) of § 9.1-188;

563 64. Advise and assist the Department of Behavioral Health and Developmental Services, and support local  
564 law-enforcement cooperation, with the development and implementation of the Marcus alert system, as  
565 defined in § 37.2-311.1, including the establishment of local protocols for law-enforcement participation in  
566 the Marcus alert system pursuant to § 9.1-193 and for reporting requirements pursuant to §§ 9.1-193 and  
567 37.2-311.1;

568 65. Develop an online course to train hotel proprietors and their employees to recognize and report  
569 instances of suspected human trafficking;

570 66. Develop an online course to train unarmed security officers, armed security officers, couriers, security  
571 canine handlers, and alarm respondents to recognize and report instances of suspected human trafficking to  
572 meet the compulsory minimum, entry-level, and in-service training standards as required by § 9.1-141;

573 67. Establish standards and procedures for when the Board may grant a petition for reinstatement of  
574 certification of a decertified officer pursuant to subsection E of § 15.2-1708;

575 68. Establish compulsory minimum and in-service training standards for law-enforcement officers on  
576 communicating with individuals with an intellectual disability or a developmental disability as defined in  
577 § 37.2-100, such as autism spectrum disorder as defined in the most recent edition of the Diagnostic and  
578 Statistical Manual of Mental Disorders of the American Psychiatric Association, which shall include (i) an  
579 overview and behavioral recognition of autism spectrum disorder, (ii) best practices for crisis prevention and  
580 de-escalation techniques, (iii) an objective review of any relevant tools and technology available to assist in  
581 communication, and (iv) education on law-enforcement agency and community resources for the autism  
582 community on future crisis prevention. Such training standards shall be established in consultation with at  
583 least one individual with autism spectrum disorder, one family member of an individual with autism spectrum  
584 disorder, one specialist who works with individuals with autism spectrum disorder, one representative from  
585 the Department of Behavioral Health and Developmental Services, and one representative from a state or  
586 local law-enforcement agency;

587 69. Develop an online course for the Virginia Alcoholic Beverage Control Authority to offer to retail  
588 licensees and their employees to train such licensees and employees to recognize and report instances of  
589 suspected human trafficking;

590 70. Establish a model policy for best practices for law-enforcement officers responding to or investigating  
591 an overdose, when prescriber information has been obtained during the course of such response or  
592 investigation, to notify the prescriber of any controlled substance found to be in the possession of or believed  
593 to have been ingested by the victim that such prescription of a controlled substance was involved in an  
594 overdose. Such model policy shall include that a notification to a prescriber of a controlled substance shall  
595 not be required if such notification would jeopardize an active law-enforcement investigation;

596 71. Establish a training curriculum for law-enforcement agencies, law-enforcement officers, and special  
597 conservators of the peace on the discretion such officers can exercise regarding arrests as provided in Chapter  
598 7 (§ 19.2-71 et seq.) of Title 19.2. Such training shall include (i) instruction on the scope and nature of  
599 law-enforcement officer discretion in arrest decisions, with particular emphasis on encounters with  
600 individuals experiencing a mental health crisis, including individuals currently subject to an emergency  
601 custody order pursuant to § 37.2-808, a temporary detention order pursuant to § 37.2-809, or an involuntary  
602 admission order pursuant to § 37.2-817, and (ii) instruction on the immediate and long-term effects of arrests  
603 on individuals in need of mental health services due to a mental health crisis, including impacts on treatment  
604 outcomes as identified in substantially accepted peer-reviewed research literature;

605 72. Establish a model policy for the provision of security at nonprofit institutions that serve individuals  
606 and communities at risk of hate crimes as defined in § 52-8.5 within the Commonwealth, incorporating  
607 relevant information about various traditions, services, or activities that any law-enforcement officer,  
608 unarmed security officer, or armed security officer providing such security may encounter; ~~and~~

609 73. *Establish a comprehensive framework for the use of generative artificial intelligence (AI) and*  
610 *machine learning systems by law-enforcement agencies within the Commonwealth, which shall include:*

611 *a. Developing policies and procedures for the use of generative AI and machine learning systems in law-*  
612 *enforcement activities. These policies and procedures shall include guidelines on the use of generative AI and*  
613 *machine learning systems in (i) preparing and completing legal instruments and public records; (ii)*  
614 *generating or acquiring evidence that may be referenced in legal instruments or proceedings or in custodial*  
615 *or noncustodial interrogations; and (iii) processing information obtained through audio, visual, or digital*  
616 *surveillance or any combination thereof;*

b. Establishing and publishing a model policy for the use of generative AI and machine learning systems to serve as a guideline for law-enforcement agencies in the Commonwealth; and

c. Establishing compulsory minimum training standards for basic training and recertification of law-enforcement officers in the use of generative AI and machine learning systems;

74. Establish a comprehensive framework for the use of audiovisual surveillance technologies, including license plate reader systems, by law-enforcement agencies within the Commonwealth. For the purposes of this subdivision, "audiovisual surveillance technologies" means systems or devices that facilitate the capture, recording, analysis, or transformation of information across the auditory or electromagnetic spectrums and that are employed or utilized for the purposes of surveilling persons, property, or geographic areas. The comprehensive framework shall include:

a. Developing policies and procedures that ensure such audiovisual surveillance technology usage, data security, and data retention are in compliance with existing laws and regulations;

b. Establishing and publishing a model policy for the use of audiovisual surveillance technologies to serve as a guideline for law-enforcement agencies in the Commonwealth. Law-enforcement agencies may adopt additional policies beyond such model policy but shall not adopt policies that contradict such model policy; and

c. Establishing compulsory minimum training standards for basic training and recertification of law-enforcement officers operating or accessing audiovisual surveillance technologies, which shall include training on relevant state and federal laws, operational guidelines, privacy and civil liberties considerations, and proper data handling and retention;

75. Establish a comprehensive framework for the custodial and noncustodial interrogation of adults and juveniles by law-enforcement officers within the Commonwealth, which shall include:

a. Developing model policies and procedures for interrogation practices, which shall include guidance on when the use of the following is considered lawful: (i) false promises of leniency, (ii) misleading statements regarding evidence or statements of witnesses or co-conspirators, and (iii) inauthentic replica documents or computer-generated audiovisual evidence;

b. Establishing and publishing a model policy for conducting such interrogations to serve as a guideline for law-enforcement agencies in the Commonwealth; and

c. Establishing compulsory minimum training standards for basic training and recertification of law-enforcement officers on conducting such interrogations; and

76. Perform such other acts as may be necessary or convenient for the effective performance of its duties.

#### **§ 9.1-1110. Functions of Forensic Science Board.**

A. The Board 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 (i) this chapter or (ii) §§ 15.2-1723.3, 18.2-268.6, 18.2-268.9, 19.2-188.1, and 19.2-310.5, and 23.1-815.2 and for any provisions of the Code as they relate to the responsibilities of the Department. Any proposed regulations concerning the privacy, confidentiality, and security of criminal justice information or DNA identification shall be submitted for review and comment to any board, commission, or committee or other body that 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;

2. Develop and establish program and fiscal standards and goals governing the operations of the Department;

3. Ensure the development of long-range programs and plans for the incorporation of new technologies as they become available;

4. Review and comment on all budgets and requests for appropriations for the Department prior to their submission to the Governor and on all applications for federal funds;

5. Monitor the activities of the Department and its effectiveness in implementing the standards and goals of the Board;

6. Advise the Governor, Director, and General Assembly on matters relating to the Department and forensic science in general;

7. Review, amend, and approve recommendations of the Scientific Advisory Committee;

8. Monitor the receipt, administration, and expenditure of all funds and other assistance available for carrying out the purposes of this chapter;

9. Approve Department applications for grants from the United States government or any other source in carrying out the purposes of this chapter and approve of acceptance of any and all donations both real and personal, and grants of money from any governmental unit or public agency, or from any institution, person, firm or corporation, and may receive, utilize and dispose of the same. With regard to any grants of money from a governmental or public agency, the Board may delegate or assign the duties under this subdivision to the chairman of the Board who may, with the concurrence of the vice-chairman and in consultation with the Director, make such determinations. Any grants or donations received pursuant to this section shall be detailed in the annual report of the Board. The report shall include the identity of the donor, the nature of the transaction, and the conditions, if any. Any moneys received pursuant to this section shall be deposited in the

679 state treasury to the account of the Department;

680 10. Monitor all contracts and agreements necessary or incidental to the performance of the duties of the  
681 Department and execution of its powers under this chapter, including but not limited to, contracts with the  
682 United States, units of general local government or combinations thereof, in Virginia or other states, and with  
683 agencies and departments of the Commonwealth; and

684 11. Recommend actions to foster and promote coordination and cooperation between the Department and  
685 the user programs that are served.

686 B. By November 1 of each year, the Board shall review and make recommendations to the Chairmen of  
687 the House Committee on Appropriations, the Senate Committee on Finance and Appropriations, and the  
688 Virginia State Crime Commission concerning:

689 1. New major programs and plans for the activities of the Department and elimination of programs no  
690 longer needed;

691 2. Policy and priorities in response to agency needs;

692 3. General fiscal year operational budget and any major changes in appropriated funds;

693 4. Actions to foster and promote coordination and cooperation between the Department and the user  
694 programs ~~which~~ *that* are served;

695 5. Rules and regulations necessary to carry out the purposes and intent of this chapter; and

696 6. Any recommendations submitted to the Board or the Director by the Scientific Advisory Committee.

697 **§ 15.2-1723.3. Crime laboratories operated by local law-enforcement agencies; accreditation.**

698 A. For purposes of this section:

699 "Forensic laboratory" means a laboratory or other entity that conducts a forensic laboratory analysis.

700 "Forensic laboratory analysis" means a medical, chemical, toxicological, ballistic, or other expert  
701 examination or test performed on physical evidence, including DNA evidence, for the purpose of determining  
702 the connection of the evidence to a criminal action. "Forensic laboratory analysis" does not include (i) an  
703 autopsy conducted by a medical examiner or other forensic pathologist who is a licensed physician; (ii) a  
704 latent print examination; (iii) a breath test in accordance with § 18.2-268.9, 29.1-738.2, or 46.2-341.26:9;  
705 (iv) an examination or test of digital or electronic evidence; (v) a presumptive chemical test or any  
706 presumptive mobile instrument used to detect the presence of drugs or alcohol; or (vi) an examination  
707 conducted with equipment approved by a federal agency in a manner not inconsistent with any requirements,  
708 if developed, by such agency, such as those specific to National Integrated Ballistic Information Network  
709 Sites.

710 B. No local law-enforcement agency shall purchase any equipment or any instrument that is intended to  
711 be used in forensic laboratory analysis unless such equipment or instrument has been approved by the  
712 Department of Forensic Science or the Forensic Science Board, including such equipment or instrument that  
713 has been published in the Virginia Register of Regulations in the list of approved devices.

714 C. No local law-enforcement agency shall purchase any breath test device that is to be used in  
715 accordance with § 18.2-268.9, 29.1-738.2, or 46.2-341.26:9 or any presumptive chemical test or any  
716 presumptive mobile instrument to detect the presence of drugs or alcohol unless such tests have been  
717 approved by the Department of Forensic Science or the Forensic Science Board, including such tests that  
718 have been published in the Virginia Register of Regulations in the list of approved devices.

719 D. Nothing in this section shall prevent the Commonwealth from introducing relevant and admissible  
720 evidence, including expert testimony.

721 **§ 23.1-815.2. Crime laboratories operated by campus police departments; accreditation.**

722 A. For purposes of this section:

723 "Forensic laboratory" means a laboratory or other entity that conducts a forensic laboratory analysis.

724 "Forensic laboratory analysis" means a medical, chemical, toxicological, ballistic, or other expert  
725 examination or test performed on physical evidence, including DNA evidence, for the purpose of determining  
726 the connection of the evidence to a criminal action. "Forensic laboratory analysis" does not include (i) an  
727 autopsy conducted by a medical examiner or other forensic pathologist who is a licensed physician; (ii) a  
728 latent print examination; (iii) a breath test in accordance with § 18.2-268.9, 29.1-738.2, or 46.2-341.26:9;  
729 (iv) an examination or test of digital or electronic evidence; (v) a presumptive chemical test or any  
730 presumptive mobile instrument used to detect the presence of drugs or alcohol; or (vi) an examination  
731 conducted with equipment approved by a federal agency in a manner not inconsistent with any requirements,  
732 if developed, by such agency, such as those specific to National Integrated Ballistic Information Network  
733 Sites.

734 B. No campus police department at a public institution of higher education shall purchase any equipment  
735 or any instrument that is intended to be used in forensic laboratory analysis unless such equipment or  
736 instrument has been approved by the Department of Forensic Science or the Forensic Science Board,  
737 including such equipment or instrument that has been published in the Virginia Register of Regulations in the  
738 list of approved devices.

739 C. No campus police department at a public institution of higher education shall purchase any breath test  
740 device that is to be used in accordance with § 18.2-268.9, 29.1-738.2, or 46.2-341.26:9 or any presumptive

chemical test or any presumptive mobile instrument to detect the presence of drugs or alcohol unless such tests have been approved by the Department of Forensic Science or the Forensic Science Board, including such tests that have been published in the Virginia Register of Regulations in the list of approved devices.

D. Nothing in this section shall prevent the Commonwealth from introducing relevant and admissible evidence, including expert testimony.

2. That the Department of Criminal Justice Services shall establish and publish model policies for the use of generative artificial intelligence (AI) and machine learning systems, audiovisual surveillance technologies, and conducting interrogations as required by the provisions of this act by January 1, 2027, and all law-enforcement agencies in the Commonwealth shall adopt policies consistent with such model policies by July 1, 2027.

3. That any person employed as a law-enforcement officer prior to July 1, 2026, shall complete the training in the use of generative artificial intelligence (AI) and machine learning systems and conducting interrogations required by this act by January 1, 2030.

4. That any law-enforcement officer who is authorized to operate or access audiovisual surveillance technologies shall complete the training related to audiovisual surveillance technologies required by the provisions of this act by July 1, 2030.

5. That the provisions of § 9.1-1110, as amended by this act, and §§ 15.2-1723.3 and 23.1-815.2, as created by this act, shall become effective on January 1, 2030.

INTRODUCED

HB1257