

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact §§ 9.1-102 and 19.2-60.1 of the Code of Virginia, relating to use of unmanned*  
 3 *aircraft systems by law-enforcement officers; search warrants; model policy.*

4 [S 647]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That §§ 9.1-102 and 19.2-60.1 of the Code of Virginia are amended and reenacted as follows:**8 **§ 9.1-102. Powers and duties of the Board and the Department.**9 The Department, under the direction of the Board, which shall be the policy-making body for carrying out  
 10 the duties and powers hereunder, shall have the power and duty to:

11 1. Adopt regulations, pursuant to the Administrative Process Act (§ 2.2-4000 et seq.), for the  
 12 administration of this chapter including the authority to require the submission of reports and information by  
 13 law-enforcement officers within the Commonwealth. Any proposed regulations concerning the privacy,  
 14 confidentiality, and security of criminal justice information shall be submitted for review and comment to any  
 15 board, commission, or committee or other body which may be established by the General Assembly to  
 16 regulate the privacy, confidentiality, and security of information collected and maintained by the  
 17 Commonwealth or any political subdivision thereof;

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

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

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

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

31 6. [Repealed];

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

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

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

46 10. Establish compulsory minimum training standards for all dispatchers employed by or in any local or  
 47 state government agency, whose duties include the dispatching of law-enforcement personnel. Such training  
 48 standards shall apply only to dispatchers hired on or after July 1, 1988. Such training shall include training in  
 49 the identification of, communication with, and facilitation of the safe return of individuals diagnosed with  
 50 Alzheimer's disease and dementia, which shall include (i) techniques for respectful and effective  
 51 communication with individuals with Alzheimer's disease and dementia and their caregivers; (ii) techniques  
 52 for addressing the behavioral symptoms of Alzheimer's disease and dementia, including alternatives to  
 53 physical restraint; (iii) protocols for identifying and reporting incidents of abuse, neglect, and exploitation of  
 54 individuals with Alzheimer's disease and dementia to adult protective services; (iv) protocols for contacting  
 55 caregivers when an individual with Alzheimer's disease or dementia is found wandering or during an  
 56 emergency or crisis situation; (v) a reference list of local resources available for individuals with Alzheimer's

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57 disease and dementia; and (vi) a reference list of local and national organizations that assist law-enforcement  
58 personnel with locating missing and wandering individuals with Alzheimer's disease and dementia and  
59 returning them to their caregivers;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

116 30. Coordinate the activities and projects of the state departments, agencies, and boards of the  
117 Commonwealth and of the units of general local government, or combination thereof, including planning

118 district commissions, relating to the preparation, adoption, administration, and implementation of  
 119 comprehensive plans to strengthen and improve law enforcement and the administration of criminal justice;

120 31. Do all things necessary on behalf of the Commonwealth and its units of general local government, to  
 121 determine and secure benefits available under the Omnibus Crime Control and Safe Streets Act of 1968 (P.L.  
 122 90-351, 82 Stat. 197), as amended, and under any other federal acts and programs for strengthening and  
 123 improving law enforcement, the administration of criminal justice, and delinquency prevention and control;

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

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

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

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

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

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

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

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

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

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

167 e. Communication of death notifications;

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

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

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

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

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

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

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

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

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

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

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

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

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

231 43. License and regulate property bail bondsmen and surety bail bondsmen in accordance with Article 11  
232 (§ 9.1-185 et seq.);

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

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

237 46. Establish minimum standards for (i) employment, (ii) job-entry and in-service training curricula, and  
238 (iii) certification requirements for campus security officers. Such training standards shall include, but not be  
239 limited to, the role and responsibility of campus security officers, relevant state and federal laws, school and  
240 personal liability issues, security awareness in the campus environment, and disaster and emergency  
241 response. The Department shall provide technical support and assistance to campus police departments and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

302 61. Adopt statewide professional standards of conduct applicable to all certified law-enforcement officers  
 303 and certified jail officers and appropriate due process procedures for decertification based on serious

304 misconduct in violation of those standards and provide for a decertification review process in accordance  
305 with § 15.2-1708;

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

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

311 64. Advise and assist the Department of Behavioral Health and Developmental Services, and support local  
312 law-enforcement cooperation, with the development and implementation of the Marcus alert system, as  
313 defined in § 37.2-311.1, including the establishment of local protocols for law-enforcement participation in  
314 the Marcus alert system pursuant to § 9.1-193 and for reporting requirements pursuant to §§ 9.1-193 and  
315 37.2-311.1;

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

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

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

323 68. Establish compulsory minimum and in-service training standards for law-enforcement officers on  
324 communicating with individuals with an intellectual disability or a developmental disability as defined in  
325 § 37.2-100, such as autism spectrum disorder as defined in the most recent edition of the Diagnostic and  
326 Statistical Manual of Mental Disorders of the American Psychiatric Association, which shall include (i) an  
327 overview and behavioral recognition of autism spectrum disorder, (ii) best practices for crisis prevention and  
328 de-escalation techniques, (iii) an objective review of any relevant tools and technology available to assist in  
329 communication, and (iv) education on law-enforcement agency and community resources for the autism  
330 community on future crisis prevention. Such training standards shall be established in consultation with at  
331 least one individual with autism spectrum disorder, one family member of an individual with autism spectrum  
332 disorder, one specialist who works with individuals with autism spectrum disorder, one representative from  
333 the Department of Behavioral Health and Developmental Services, and one representative from a state or  
334 local law-enforcement agency;

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

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

344 71. Establish a training curriculum for law-enforcement agencies, law-enforcement officers, and special  
345 conservators of the peace on the discretion such officers can exercise regarding arrests as provided in Chapter  
346 7 (§ 19.2-71 et seq.) of Title 19.2. Such training shall include (i) instruction on the scope and nature of  
347 law-enforcement officer discretion in arrest decisions, with particular emphasis on encounters with  
348 individuals experiencing a mental health crisis, including individuals currently subject to an emergency  
349 custody order pursuant to § 37.2-808, a temporary detention order pursuant to § 37.2-809, or an involuntary  
350 admission order pursuant to § 37.2-817, and (ii) instruction on the immediate and long-term effects of arrests  
351 on individuals in need of mental health services due to a mental health crisis, including impacts on treatment  
352 outcomes as identified in substantially accepted peer-reviewed research literature;

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

357 73. *In consultation with the Virginia Indigent Defense Commission and the Virginia Association of*  
358 *Commonwealth's Attorneys, establish a model policy for the operation of unmanned aircraft systems,*  
359 *pursuant to § 19.2-60.1, by any state or local law-enforcement agency or sheriff's office. Such model policy*  
360 *shall be made available on the Department's website; and*

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

362 **§ 19.2-60.1. Use of unmanned aircraft systems by public bodies; search warrant required.**

363 A. As used in this section, unless the context requires a different meaning:

364 "Unmanned aircraft" means an aircraft that is operated without the possibility of human intervention from  
365 within or on the aircraft.

366 "Unmanned aircraft system" means an unmanned aircraft and associated elements, including  
 367 communication links, sensing devices, and the components that control the unmanned aircraft.

368 B. No state or local government department, agency, or instrumentality having jurisdiction over criminal  
 369 law enforcement or regulatory violations, including ~~but not limited to~~ the Department of State Police, and no  
 370 department of law enforcement as defined in § 15.2-836 of any county, city, or town shall utilize an  
 371 unmanned aircraft system except during the execution of a search warrant issued pursuant to this chapter or  
 372 an administrative or inspection warrant issued pursuant to law.

373 C. Notwithstanding the prohibition in this section, an unmanned aircraft system may be deployed without  
 374 a warrant (i) when an Amber Alert is activated pursuant to § 52-34.3; (ii) when a Senior Alert is activated  
 375 pursuant to § 52-34.6; (iii) when a Blue Alert is activated pursuant to § 52-34.9; (iv) where use of an  
 376 unmanned aircraft system is determined to be necessary to alleviate an immediate danger to any person,  
 377 *including to provide real-time aerial observation of law-enforcement incidents to increase on-scene safety*  
 378 *and security, deliver essential supplies, and provide enhanced communication for emergency personnel in*  
 379 *response to emergency calls; (v) by a law-enforcement officer, an employee of the Department of State*  
 380 *Police, or an employee of a local law-enforcement agency following an accident where a report is required*  
 381 *pursuant to § 46.2-373, to survey the scene of such accident for the purpose of crash reconstruction and*  
 382 *record the scene by photographic or video images; (vi) by the Department of Transportation when assisting a*  
 383 *law-enforcement officer to prepare a report pursuant to § 46.2-373; (vii) *to capture digital documentation of a**  
 384 *crime scene or response to a public safety call for service only when such crime scene or call for service is*  
 385 *located on public property; (viii) for training exercises related to such uses; ~~(viii)~~ (ix) if a person with legal*  
 386 *authority consents to the warrantless search; ~~(ix)~~ (x) by a law-enforcement officer or an employee of a*  
 387 *law-enforcement agency to (a) aurally survey a primary residence of the subject of the arrest warrant to*  
 388 *formulate a plan to execute an existing arrest warrant or capias for a felony offense or (b) (1) locate a person*  
 389 *sought for arrest when such person has fled from a law-enforcement officer and a law-enforcement officer*  
 390 *remains in hot pursuit of such person or (2) aurally survey public property incident to a call for service for*  
 391 *purposes of locating and identifying any persons of interest while a law-enforcement officer is physically en*  
 392 *route to such location; or ~~(x)~~ (xi) by a law-enforcement officer investigating unmanned aircraft systems*  
 393 *surrounding or over property of the federal or state government, public critical infrastructure as defined in*  
 394 *§ 44-146.28:2, or nongovernment-operated prison or jail facilities.*

395 D. The warrant requirements of this section shall not apply when such systems are utilized to support the  
 396 Commonwealth or any locality for purposes other than law enforcement, including damage assessment,  
 397 traffic assessment, flood stage assessment, ~~and~~ wildfire assessment, *and fire or rescue operations*. Nothing  
 398 herein shall prohibit use of unmanned aircraft systems for private, commercial, or recreational use or solely  
 399 for research and development purposes by institutions of higher education and other research organizations or  
 400 institutions.

401 E. Evidence obtained through the utilization of an unmanned aircraft system in violation of this section is  
 402 not admissible in any criminal or civil proceeding.

403 F. In no case may a weaponized unmanned aircraft system be deployed in the Commonwealth or its use  
 404 facilitated in the Commonwealth by a state or local government department, agency, or instrumentality or  
 405 department of law enforcement in the Commonwealth except in operations at the Space Port and Naval/Aegis  
 406 facilities at Wallops Island. No weaponized unmanned aircraft systems shall be construed to include such  
 407 systems designed and used for the purpose of disabling another unmanned aircraft system.

408 G. Nothing herein shall apply to the Armed Forces of the United States or the Virginia National Guard  
 409 while utilizing unmanned aircraft systems during training required to maintain readiness for its federal  
 410 mission or when facilitating training for other U.S. Department of Defense units.

411 **2. That the Department of Criminal Justice Services shall establish the model policy for the use of**  
 412 **unmanned aircraft systems by any state or local law-enforcement agency or sheriff's department as**  
 413 **required by § 9.1-102 of the Code of Virginia, as amended by this act, by December 1, 2026.**

414 **3. That the provisions of § 19.2-60.1 of the Code of Virginia, as amended by this act, shall not become**  
 415 **effective unless reenacted by the 2027 Session of the General Assembly.**