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SENATE BILL NO. 352
AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Governor
on April 12, 2026)

(Patron Prior to Substitute—Senator Salim)

A BILL to amend and reenact § 9.1-102 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 8.01-42.7 and 19.2-83.6:1, relating to law-enforcement officers; restrictions on wearing of facial coverings; exceptions; civil cause of action.

Be it enacted by the General Assembly of Virginia:

1. That § 9.1-102 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding sections numbered 8.01-42.7 and 19.2-83.6:1 as follows:

§ 8.01-42.7. Civil action against law-enforcement officer for certain conduct while unlawfully wearing facial covering.

A. As used in this section:

"Facial covering" means the same as that term is defined in § 19.2-83.6:1.

"Law-enforcement officer" means a federal law-enforcement officer.

B. Any person injured as a result of the tortious conduct of a law-enforcement officer who knowingly and intentionally wears a facial covering in violation of § 19.2-83.6:1, whether or not such law-enforcement officer has been charged with or convicted of the alleged violation, may bring a civil cause of action against such law-enforcement officer for actual damages or \$10,000, whichever is greater, including reasonable attorney fees and costs.

C. No action shall be commenced under this section more than two years after the most recent conduct prohibited in § 19.2-83.6:1.

§ 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

60 and fetuses, the impact of being placed in restrictive housing or solitary confinement on pregnant inmates,
61 and the impact of body cavity searches on pregnant inmates;

62 10. Establish compulsory minimum training standards for all dispatchers employed by or in any local or
63 state government agency, whose duties include the dispatching of law-enforcement personnel. Such training
64 standards shall apply only to dispatchers hired on or after July 1, 1988. Such training shall include training in
65 the identification of, communication with, and facilitation of the safe return of individuals diagnosed with
66 Alzheimer's disease and dementia, which shall include (i) techniques for respectful and effective
67 communication with individuals with Alzheimer's disease and dementia and their caregivers; (ii) techniques
68 for addressing the behavioral symptoms of Alzheimer's disease and dementia, including alternatives to
69 physical restraint; (iii) protocols for identifying and reporting incidents of abuse, neglect, and exploitation of
70 individuals with Alzheimer's disease and dementia to adult protective services; (iv) protocols for contacting
71 caregivers when an individual with Alzheimer's disease or dementia is found wandering or during an
72 emergency or crisis situation; (v) a reference list of local resources available for individuals with Alzheimer's
73 disease and dementia; and (vi) a reference list of local and national organizations that assist law-enforcement
74 personnel with locating missing and wandering individuals with Alzheimer's disease and dementia and
75 returning them to their caregivers;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

120 27. Cooperate with, and advise and assist, all agencies, departments, boards and institutions of the

121 Commonwealth, and units of general local government, or combinations thereof, including planning district
 122 commissions, in planning, developing, and administering programs, projects, comprehensive plans, and other
 123 activities for improving law enforcement and the administration of criminal justice throughout the
 124 Commonwealth, including allocating and subgranting funds for these purposes;

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

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

132 30. Coordinate the activities and projects of the state departments, agencies, and boards of the
 133 Commonwealth and of the units of general local government, or combination thereof, including planning
 134 district commissions, relating to the preparation, adoption, administration, and implementation of
 135 comprehensive plans to strengthen and improve law enforcement and the administration of criminal justice;

136 31. Do all things necessary on behalf of the Commonwealth and its units of general local government, to
 137 determine and secure benefits available under the Omnibus Crime Control and Safe Streets Act of 1968 (P.L.
 138 90-351, 82 Stat. 197), as amended, and under any other federal acts and programs for strengthening and
 139 improving law enforcement, the administration of criminal justice, and delinquency prevention and control;

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

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

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

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

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

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

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

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

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

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

183 e. Communication of death notifications;
184 f. The questioning of individuals suspected of driving while intoxicated concerning the physical location
185 of such individual's last consumption of an alcoholic beverage and the communication of such information to
186 the Virginia Alcoholic Beverage Control Authority;
187 g. Vehicle patrol duties that embody current best practices for pursuits and for responding to emergency
188 calls;
189 h. Criminal investigations that embody current best practices for conducting photographic and live
190 lineups;
191 i. Sensitivity to and awareness of human trafficking offenses and the identification of victims of human
192 trafficking offenses for personnel involved in criminal investigations or assigned to vehicle or street patrol
193 duties;
194 j. The recognition, prevention, and reporting of human trafficking;
195 k. Missing children, missing adults, and search and rescue protocol;
196 l. The handling and use of tear gas or other gases and kinetic impact munitions, as defined in § 19.2-83.3,
197 that embody current best practices for using such items as a crowd control measure or during an arrest or
198 detention of another person; and
199 m. The use of naloxone or other opioid antagonists to prevent opioid overdose deaths, in coordination
200 with statewide naloxone training programs developed by the Department of Behavioral Health and
201 Developmental Services and the Virginia Department of Health-;
202 38. Establish compulsory training standards for basic training and the recertification of law-enforcement
203 officers to ensure (i) sensitivity to and awareness of systemic and individual racism, cultural diversity, and
204 the potential for racially biased policing and bias-based profiling as defined in § 52-30.1, which shall include
205 recognizing implicit biases in interacting with persons who have a mental illness, substance use disorder, or
206 developmental or cognitive disability; (ii) training in de-escalation techniques; and (iii) training in the lawful
207 use of force, including the use of deadly force, as defined in § 19.2-83.3, only when necessary to protect the
208 law-enforcement officer or another person;
209 39. Review and evaluate community-policing programs in the Commonwealth, and recommend where
210 necessary statewide operating procedures, guidelines, and standards that strengthen and improve such
211 programs, including sensitivity to and awareness of systemic and individual racism, cultural diversity, and the
212 potential for racially biased policing and bias-based profiling as defined in § 52-30.1, which shall include
213 recognizing implicit biases in interacting with persons who have a mental illness, substance use disorder, or
214 developmental or cognitive disability;
215 40. Establish a Virginia Law-Enforcement Accreditation Center. The Center may, in cooperation with
216 Virginia law-enforcement agencies, provide technical assistance and administrative support, including
217 staffing, for the establishment of voluntary state law-enforcement accreditation standards. The Center may
218 provide accreditation assistance and training, resource material, and research into methods and procedures
219 that will assist the Virginia law-enforcement community efforts to obtain Virginia accreditation status;
220 41. Promote community policing philosophy and practice throughout the Commonwealth by providing
221 community policing training and technical assistance statewide to all law-enforcement agencies, community
222 groups, public and private organizations and citizens; developing and distributing innovative policing
223 curricula and training tools on general community policing philosophy and practice and contemporary critical
224 issues facing Virginia communities; serving as a consultant to Virginia organizations with specific
225 community policing needs; facilitating continued development and implementation of community policing
226 programs statewide through discussion forums for community policing leaders, development of law-
227 enforcement instructors; promoting a statewide community policing initiative; and serving as a statewide
228 information source on the subject of community policing including, but not limited to periodic newsletters, a
229 website and an accessible lending library;
230 42. Establish, in consultation with the Department of Education and the Virginia State Crime
231 Commission, compulsory minimum standards for employment and job-entry and in-service training curricula
232 and certification requirements for school security officers, including school security officers described in
233 clause (b) of § 22.1-280.2:1, which training and certification shall be administered by the Virginia Center for
234 School and Campus Safety (VCSCS) pursuant to § 9.1-184. Such training standards shall be specific to the
235 role and responsibility of school security officers and shall include (i) relevant state and federal laws; (ii)
236 school and personal liability issues; (iii) security awareness in the school environment; (iv) mediation and
237 conflict resolution, including de-escalation techniques such as a physical alternative to restraint; (v) disaster
238 and emergency response; (vi) awareness of systemic and individual racism, cultural diversity, and implicit
239 bias; (vii) working with students with disabilities, mental health needs, substance use disorders, and past
240 traumatic experiences; and (viii) student behavioral dynamics, including child and adolescent development
241 and brain research. The Department shall establish an advisory committee consisting of local school board
242 representatives, principals, superintendents, and school security personnel to assist in the development of the
243 standards and certification requirements in this subdivision. The Department shall require any school security
244 officer who carries a firearm in the performance of his duties to provide proof that he has completed a

245 training course provided by a federal, state, or local law-enforcement agency that includes training in active
 246 shooter emergency response, emergency evacuation procedure, and threat assessment;

247 43. License and regulate property bail bondsmen and surety bail bondsmen in accordance with Article 11
 248 (§ 9.1-185 et seq.);

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

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

253 46. Establish minimum standards for (i) employment, (ii) job-entry and in-service training curricula, and
 254 (iii) certification requirements for campus security officers. Such training standards shall include, but not be
 255 limited to, the role and responsibility of campus security officers, relevant state and federal laws, school and
 256 personal liability issues, security awareness in the campus environment, and disaster and emergency
 257 response. The Department shall provide technical support and assistance to campus police departments and
 258 campus security departments on the establishment and implementation of policies and procedures, including
 259 but not limited to: the management of such departments, investigatory procedures, judicial referrals, the
 260 establishment and management of databases for campus safety and security information sharing, and
 261 development of uniform record keeping for disciplinary records and statistics, such as campus crime logs,
 262 judicial referrals and Clery Act statistics. The Department shall establish an advisory committee consisting of
 263 college administrators, college police chiefs, college security department chiefs, and local law-enforcement
 264 officials to assist in the development of the standards and certification requirements and training pursuant to
 265 this subdivision;

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

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

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

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

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

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

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

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

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

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

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

- 307 58. Establish guidelines and standards for psychological examinations conducted pursuant to subsection C
308 of § 15.2-1705;
- 309 59. Establish compulsory in-service training standards, to include frequency of retraining, for
310 law-enforcement officers in the following subjects: (i) relevant state and federal laws; (ii) awareness of
311 cultural diversity and the potential for bias-based profiling as defined in § 52-30.1; (iii) de-escalation
312 techniques; (iv) working with individuals with disabilities, mental health needs, or substance use disorders;
313 and (v) the lawful use of force, including the use of deadly force, as defined in § 19.2-83.3, only when
314 necessary to protect the law-enforcement officer or another person;
- 315 60. Develop a model curriculum and lesson plans for the compulsory minimum entry-level, in-service,
316 and advanced training standards to be employed by criminal justice training academies approved by the
317 Department when conducting training;
- 318 61. Adopt statewide professional standards of conduct applicable to all certified law-enforcement officers
319 and certified jail officers and appropriate due process procedures for decertification based on serious
320 misconduct in violation of those standards and provide for a decertification review process in accordance
321 with § 15.2-1708;
- 322 62. Establish and administer a waiver process, in accordance with §§ 2.2-5515 and 15.2-1721.1, for
323 law-enforcement agencies to use certain military property. Any waivers granted by the Criminal Justice
324 Services Board shall be published by the Department on the Department's website;
- 325 63. Establish compulsory training standards for basic training and the recertification of law-enforcement
326 officers to include crisis intervention training in accordance with clause (ii) of § 9.1-188;
- 327 64. Advise and assist the Department of Behavioral Health and Developmental Services, and support local
328 law-enforcement cooperation, with the development and implementation of the Marcus alert system, as
329 defined in § 37.2-311.1, including the establishment of local protocols for law-enforcement participation in
330 the Marcus alert system pursuant to § 9.1-193 and for reporting requirements pursuant to §§ 9.1-193 and
331 37.2-311.1;
- 332 65. Develop an online course to train hotel proprietors and their employees to recognize and report
333 instances of suspected human trafficking;
- 334 66. Develop an online course to train unarmed security officers, armed security officers, couriers, security
335 canine handlers, and alarm respondents to recognize and report instances of suspected human trafficking to
336 meet the compulsory minimum, entry-level, and in-service training standards as required by § 9.1-141;
- 337 67. Establish standards and procedures for when the Board may grant a petition for reinstatement of
338 certification of a decertified officer pursuant to subsection E of § 15.2-1708;
- 339 68. Establish compulsory minimum and in-service training standards for law-enforcement officers on
340 communicating with individuals with an intellectual disability or a developmental disability as defined in
341 § 37.2-100, such as autism spectrum disorder as defined in the most recent edition of the Diagnostic and
342 Statistical Manual of Mental Disorders of the American Psychiatric Association, which shall include (i) an
343 overview and behavioral recognition of autism spectrum disorder, (ii) best practices for crisis prevention and
344 de-escalation techniques, (iii) an objective review of any relevant tools and technology available to assist in
345 communication, and (iv) education on law-enforcement agency and community resources for the autism
346 community on future crisis prevention. Such training standards shall be established in consultation with at
347 least one individual with autism spectrum disorder, one family member of an individual with autism spectrum
348 disorder, one specialist who works with individuals with autism spectrum disorder, one representative from
349 the Department of Behavioral Health and Developmental Services, and one representative from a state or
350 local law-enforcement agency;
- 351 69. Develop an online course for the Virginia Alcoholic Beverage Control Authority to offer to retail
352 licensees and their employees to train such licensees and employees to recognize and report instances of
353 suspected human trafficking;
- 354 70. Establish a model policy for best practices for law-enforcement officers responding to or investigating
355 an overdose, when prescriber information has been obtained during the course of such response or
356 investigation, to notify the prescriber of any controlled substance found to be in the possession of or believed
357 to have been ingested by the victim that such prescription of a controlled substance was involved in an
358 overdose. Such model policy shall include that a notification to a prescriber of a controlled substance shall
359 not be required if such notification would jeopardize an active law-enforcement investigation;
- 360 71. Establish a training curriculum for law-enforcement agencies, law-enforcement officers, and special
361 conservators of the peace on the discretion such officers can exercise regarding arrests as provided in Chapter
362 7 (§ 19.2-71 et seq.) of Title 19.2. Such training shall include (i) instruction on the scope and nature of
363 law-enforcement officer discretion in arrest decisions, with particular emphasis on encounters with
364 individuals experiencing a mental health crisis, including individuals currently subject to an emergency
365 custody order pursuant to § 37.2-808, a temporary detention order pursuant to § 37.2-809, or an involuntary
366 admission order pursuant to § 37.2-817, and (ii) instruction on the immediate and long-term effects of arrests
367 on individuals in need of mental health services due to a mental health crisis, including impacts on treatment
368 outcomes as identified in substantially accepted peer-reviewed research literature;

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

373 73. *Establish a model policy for law-enforcement agencies on the wearing of facial coverings as defined*
 374 *in § 19.2-83.6:1 by law-enforcement officers while such officers are engaged in the performance of their*
 375 *official duties. Such model policy shall include a statement that (i) no law-enforcement officer shall and (ii)*
 376 *no supervising officer of a law-enforcement agency shall allow a subordinate law-enforcement officer to*
 377 *wear a facial covering as defined in § 19.2-83.6:1 while engaged in the performance of his official duties.*
 378 *Such model policy shall also include the following exemptions:*

379 a. *A translucent face shield or clear mask, provided that such face shield or mask does not conceal the*
 380 *wearer's identity;*

381 b. *An N95 medical mask or surgical mask to protect against the transmission of disease or infection;*

382 c. *A mask, helmet, or other device necessary to protect against exposure to any toxin, gas, smoke, severe*
 383 *weather conditions that present a threat to health and safety, such as during the period for which a cold*
 384 *weather advisory has been issued for the area by the National Weather Service, or other hazardous or*
 385 *harmful environmental condition, including a respirator or self-contained breathing apparatus;*

386 d. *A mask, helmet, or other device necessary for underwater use;*

387 e. *A motorcycle helmet, or, when agency policy determines, other facial covering when a law-enforcement*
 388 *officer is utilizing a motorcycle or other vehicle that requires a helmet for safety, provided that the law-*
 389 *enforcement officer lowers or removes such facial covering to expose the law-enforcement officer's face*
 390 *before he engages with another person;*

391 f. *Protective eyewear necessary for protection against retinal weapons, including lasers;*

392 g. *A facial covering used by any law-enforcement officer assigned to a special weapons and tactics*
 393 *(SWAT) team or other specialized tactical team or unit while engaged in the performance of official SWAT*
 394 *team duties; or*

395 h. *A facial covering worn by a law-enforcement officer who is assigned to an undercover, drug, gang, or*
 396 *surveillance unit where the protection of such law-enforcement officer's identity is necessary as determined*
 397 *by the law-enforcement agency overseeing such unit or other responsible law-enforcement agency; and*

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

399 **§ 19.2-83.6:1. Prohibition on wearing of facial coverings.**

400 A. *For the purposes of this section:*

401 *"Facial covering" means any opaque mask, garment, helmet, headgear, or other item or device whereby a*
 402 *substantial portion of the face is hidden or covered to conceal the identity of the wearer, including a*
 403 *baalaclava, tactical mask, gator, ski mask, or other similar face-shielding item or device. "Facial covering"*
 404 *does not include sunglasses or prescription eyewear, provided that such sunglasses or eyewear does not*
 405 *otherwise conceal a substantial portion of the wearer's face.*

406 *"Law-enforcement officer" means any full-time or part-time federal, state, or local law-enforcement*
 407 *officer, including as defined in § 9.1-101.*

408 B. *Except as otherwise provided in subsection C, no law-enforcement officer shall wear a facial covering*
 409 *that conceals, obscures, or otherwise covers his face while such law-enforcement officer is engaged in the*
 410 *performance of his official duties.*

411 C. *A law-enforcement officer shall be deemed in compliance with this section if the law-enforcement*
 412 *agency that employs such law-enforcement officer has adopted and established a written policy for the use of*
 413 *facial coverings, using as guidance the model policy established by the Department of Criminal Justice*
 414 *Services under § 9.1-102, and if such law-enforcement officer acts in good faith in accordance with such*
 415 *applicable policy.*