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HOUSE BILL NO. 908

Offered January 12, 2022

Prefiled January 12, 2022

A *BILL to amend the Code of Virginia by adding a section numbered 53.1-39.2 and by adding in Chapter 2 of Title 66 a section numbered 66-25.2:2, relating to use of canines in correctional facilities; prohibited acts.*

Patron—Lopez

Referred to Committee on Public Safety

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 53.1-39.2 and by adding in Chapter 2 of Title 66 a section numbered 66-25.2:2 as follows:

§ 53.1-39.2. Use of canines in correctional facilities; prohibited acts.

A. Except where there is an imminent threat of death or serious bodily injury to any prisoner or any officer or employee, it is unlawful for any correctional officer, jail officer, or other employee of a state or local correctional facility who is permitted to handle canines to use a canine to (i) extract a prisoner from his cell or (ii) intervene in an altercation, fight, or other incident between prisoners.

B. All incidents involving the use of a canine shall be reported to a database established by the Department. Such reports shall be made available to the public and shall include the name of the facility, the name of the canine, and the name of the canine's handler.

C. The Department shall make public any policies and regulations relating to (i) the use of canines, (ii) training requirements for both canines and the handlers of such canines, and (iii) the supervision of the officers or employees who are permitted to handle such canines.

D. The provisions of this section shall not apply to the training or use of detector canines or detector canine handlers.

§ 66-25.2:2. Use of canines in juvenile correctional facilities; prohibited acts.

A. Except where there is an imminent threat of death or serious bodily injury to any juvenile or any officer or employee, it is unlawful for any juvenile correctional officer or other employee of a juvenile correctional facility who is permitted to handle canines to use a canine to (i) extract a juvenile from his cell or (ii) intervene in an altercation, fight, or other incident between juveniles.

B. All incidents involving the use of a canine shall be reported to a database established by the Department. Such reports shall be made available to the public and shall include the name of the facility, the name of the canine, and the name of the canine's handler.

C. The Department shall make public any policies and regulations relating to (i) the use of canines, (ii) training requirements for both canines and the handlers of such canines, and (iii) the supervision of the officers or employees who are permitted to handle such canines.

D. The provisions of this section shall not apply to the training or use of detector canines or detector canine handlers.

INTRODUCED

HB908