1	HOUSE BILL NO. 159
2	AMENDMENT IN THE NATURE OF A SUBSTITUTE
3	(Proposed by the House Committee on Public Safety
4	on)
5	(Patron Prior to SubstituteDelegate Seibold)
6	A BILL to amend the Code of Virginia by adding sections numbered 53.1-39.3 and 66-21.1, relating to
7	use of canines in state correctional and juvenile correctional facilities; prohibited acts.
8	Be it enacted by the General Assembly of Virginia:
9	1. That the Code of Virginia is amended by adding sections numbered 53.1-39.3 and 66-21.1 as
10	follows:
11	§ 53.1-39.3. Use of canines in state correctional facilities; prohibited acts; policies and
12	regulations made public; incidents of use of canines reported; exception.
13	A. It is unlawful for any correctional officer or other employee of a state correctional facility who
14	is permitted to handle canines to use a patrol or security canine in any state correctional facility unless
15	such correctional officer or other employee (i) reasonably believes that the use of a patrol or security
16	canine is immediately necessary to protect any prisoner or any officer or employee from the threat of
17	serious bodily injury or death or (ii) has the prior approval of the warden or a supervisor to use a patrol or
18	security canine to intervene in an altercation, fight, or other incident between three or more prisoners. If
19	feasible, the correctional officer shall provide a warning to the subject of any canine use of force prior to
20	the deployment of a canine.
21	B. The Department shall make public any policies and regulations relating to (i) the use of canines,
22	(ii) training requirements for both canines and the handlers of such canines, and (iii) the supervision of
23	the officers or employees who are permitted to handle such canines.
24	C. The Department shall track all canine uses of force and all incidents in which canines were
25	present or requested for assistance but no canine use of force occurred. The information collected shall be
26	reported publicly and made available on the Department's website.

27	D. The provisions of this section shall not apply to the training or use of detector canines or detector
28	canine handlers.
29	E. Nothing in this section shall be construed as prohibiting the use of a canine to locate a prisoner
30	who has escaped from a state correctional facility.
31	§ 66-21.1. Use of canines in juvenile correctional facilities; prohibited acts; exception.
32	A. It is unlawful for any juvenile correctional officer or other employee of a juvenile correctional
33	facility to use a patrol or security canine in any juvenile correctional facility.
34	B. The provisions of this section shall not apply to the training or use of detector canines or detector
35	canine handlers.
36	C. Nothing in this section shall be construed as prohibiting the use of a canine to locate a juvenile
37	who has escaped from a juvenile correctional facility.
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