

HOUSE BILL NO. 159

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Public Safety

on \_\_\_\_\_)

(Patron Prior to Substitute--Delegate Seibold)

A BILL to amend the Code of Virginia by adding sections numbered 53.1-39.3 and 66-21.1, relating to use of canines in state correctional and juvenile correctional facilities; prohibited acts.

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

**1. That the Code of Virginia is amended by adding sections numbered 53.1-39.3 and 66-21.1 as follows:**

**§ 53.1-39.3. Use of canines in state correctional facilities; prohibited acts; policies and regulations made public; incidents of use of canines reported; exception.**

A. It is unlawful for any correctional officer or other employee of a state correctional facility who is permitted to handle canines to use a patrol or security canine in any state correctional facility unless such correctional officer or other employee (i) reasonably believes that the use of a patrol or security canine is immediately necessary to protect any prisoner or any officer or employee from the threat of serious bodily injury or death or (ii) has the prior approval of the warden or a supervisor to use a patrol or security canine to intervene in an altercation, fight, or other incident between three or more prisoners. If feasible, the correctional officer shall provide a warning to the subject of any canine use of force prior to the deployment of a canine.

B. 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.

C. The Department shall track all canine uses of force and all incidents in which canines were present or requested for assistance but no canine use of force occurred. The information collected shall be reported publicly and made available on the Department's website.

