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May 27<sup>th</sup>, 2015

Ms. Francine C. Ecker, Director  
Department of Criminal Justice Services (DCJS)  
1100 Bank Street, 12th Floor  
Richmond, Virginia 23219

Dear Director Ecker:

The Private Investigators Association of Virginia, Inc. (PIAVA) is interested in participating *fully* in the Department's ongoing efforts to develop regulations for implementation of the provisions of the recently enacted Virginia statute that permits a licensed private security services business to hire a private investigator issued a registration by the Department as an *independent contractor*. We are especially interested in providing comment with regard to the reasonable amount of comprehensive general liability insurance to be set by the Department; and of which a registrant must provide evidence, prior to being hired as an independent contractor pursuant to the amended provisions of subsection C of § 9.1-139 of the Virginia Code.

As a matter of practice, PIAVA routinely monitors the Virginia Regulatory Town Hall (VRTH) for information relating to events and matters of interest. To date, we have not viewed a Notice of Intended Regulatory Action (NOIRA) published by DCJS via the VRTH in connection with its development of administrative regulations necessary for implementation of the above statutory amendment. As the amendment was scheduled at the time of its passage for implementation in July 2015, we are also writing to inquire about the status DCJS efforts to develop regulation(s) necessary for that purpose.

Based upon notices published in the VRTH, we are aware that the Private Security Services Advisory Board (PSSAB) is scheduled to meet on June 2, 2015 and the Criminal Justice Services Board (CJSB) is scheduled to meet on June 11, 2015. Neither VRTH meeting notice gives any indication that the formulation of particular regulations/proposed regulatory changes associated with the above statutory amendment will be a subject of discussion by attendees at either meeting. (Both meetings are described in VRTH notices only as "general business" sessions). In view of the above, we would also like to determine if DCJS intends to involve the PSSAB in its deliberative process or in the alternative to form regulatory advisory committee to obtain public input necessary for implementation of the above amendment to statute. Regardless of the

means chosen by the Department to obtain public/industry input regarding what would constitute a “reasonable amount” of comprehensive general liability insurance to be set by the Department and maintained by private investigative registrants desirous of serving as independent contractors, PIAVA would like to request to the opportunity to participate fully and to the extent feasible in the Department’s deliberations regarding administrative regulations associated with implementation of the change in statute.

Sincerely yours,

President of PIAVA

Copies:

- 1 - The Honorable James M. Lemunyon, Virginia House of Delegates  
P.O. Box 220962, Chantilly, VA 20153-0962
- 1 – The Honorable Marcus B. Simon, Virginia House of Delegates  
P.O. Box 958, Falls Church, VA 22040
- 1 - Sheriff Charles Jett, Chairman, Criminal Justice Service Board  
Stafford County Sheriff’s Office  
1225 Courthouse Road, PO Box 189  
Stafford, VA 22555
- 1 – Mr. Daniel Schmitt, Chairman, Private Security Services Advisory Board  
c/o RMC Events, 3700 West End Drive, Richmond, VA 23294
- 1 – Ms. Teresa Gooch, Director, Division of Law Enforcement and Security Services, DCJS
- 1 – Ms. Lisa D. McGee, Manager, Regulations, Policy & Budget, Division of Regulatory Affairs, DCJS