

Department of Planning and Budget 2002 Fiscal Impact Statement

1. **Bill Number** SB280

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. **Patron** Marsh

3. **Committee** Courts of Justice

4. **Title** Racial Profiling and Traffic Statistics Reporting Act.

5. **Summary/Purpose:** Requires the Superintendent of State Police to require each local and state police officer, during the course of his official duties, to collect certain information pertaining to traffic stops, including the race, ethnicity, color, age and gender of the alleged traffic offender, and to record the specific reason for the stop, whether the person was interrogated, charged or arrested, and whether a written citation or warning was issued. Police officers must also indicate the specific traffic violation committed. Police officers participating in the collection of such traffic data and information have been granted civil immunity for acts and omissions during the performance of their official duties, absent gross negligence or willful misconduct. The bill also requires the development of a statewide database for collecting, correlating, analyzing, interpreting, and reporting data and information generated through such traffic stop reports.

6. **Fiscal Impact Estimates are:** **PRELIMINARY**

6a. Expenditure Impact: (estimated State Police costs only)

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2001-02			
2002-03	\$1,672,536	48	GF
2003-04	\$1,461,336	48	GF

7. **Budget amendment necessary:** Yes.

8. **Fiscal implications:** In order to implement the proposed legislation, the Department of State Police estimates that it will require a position in each of the 48 Area Offices. These 48 positions will be responsible for data entry of statistics received from stops made by state troopers assigned to their area office. Also reflected under Item 6 are the one-time equipment costs for these 48 positions and the costs associated with the development and maintenance of an automated system to collect the required information. This estimated impact does not include any costs for possible loss of state trooper productivity (trooper taking additional time per each traffic stop to collect and report this data) or the fiscal impact on local police agencies (data collection, entry and electronically submitting data to the Department of State Police).

The fiscal impact of this legislation could be partially avoided if resources are committed to the Statewide Area Radio System (STARS). This system could permit the Department of State Police, as well as the local law enforcement agencies, to submit required data directly to the Department of State Police from the alleged traffic offense scene. If funded, the system could be providing some racial profiling data from state and local police officers in less than two years (the entire state in about 6 years).

9. Specific agency or political subdivisions affected: Department of State Police, all law enforcement agencies in Virginia.

10. Technical amendment necessary: No.

11. Other comments: None.

Date: 01/29/02/JGC

Document: G:\JGC\EFIS\FY0 2\COMPLETED\SB280.DOC

cc: Secretary of Public Safety