

## **Compensation Board 2006 Fiscal Impact Statement**

**1. Bill Number** HB21

<b>House of Origin</b>	Introduced	Substitute	Engrossed
<b>Second House</b>	In Committee	Substitute	Enrolled

**2. Patron** Fralin

**3. Committee**

**4. Title** Victims of crime; notice of court hearings.

**5. Summary/Purpose:**

Notice to crime victims of court hearings. Clarifies that the notice provided by an attorney for the Commonwealth to a crime victim of a pending court proceeding relating to his case extends to bail hearings. The bill also provides that victims shall be notified of the release of an accused on bail.

**6. Fiscal Impact Estimates are:** See Item 8.

**7. Budget amendment necessary:** See Item 8.

**8. Fiscal implications:**

This proposal affects Commonwealth's Attorneys as well as Sheriffs and regional jail superintendents. Commonwealth's Attorneys currently are required by § 19.2-11.01 to provide any victim who has submitted an address and telephone number with advance notice of judicial proceedings whenever practicable. The proposed language clarifies that this requirement extends to bail hearings. For any Commonwealth's Attorneys office not presently notifying victims of bail hearings, enacting this legislation may increase workload and result in fiscal impact.

Sheriffs and regional jail superintendents currently must notify a victim who has submitted his address and telephone number of a prisoner's release, discharge, escape, name change, or transfer. Per § 53.1-133.02, this provision applies to offenders who have been sentenced to more than 30 days of incarceration. It appears that neither the current language nor the proposal applies to offenders sentenced to serve 30 days or less. Requiring jailers to notify victims of releases to bail while an accused is awaiting trial will increase workload for the Sheriffs and jail superintendents and may have a fiscal impact in those offices.

The Compensation Board does not allocate positions to Commonwealth's Attorneys and Sheriffs for any requirements related to victim notification. Any fiscal impact associated with this legislation would fall to the localities. The Department of Criminal Justice Services (DCJS) provides grant money that funds 102 victim/witness programs around the Commonwealth; 80 of these programs are based in the office of a Commonwealth's Attorney (there are 120 Commonwealth's Attorneys statewide). Some victim/witness programs

provide services to more than one locality. DCJS reports that 13 Sheriff's offices (out of 67 Sheriffs who have jail responsibilities) in Virginia have received grant funds to implement a victim/witness program.

The Virginia Sheriffs Association (VSA) has applied for a federal grant to obtain a notification system known as VINE. VINE is designed to provide updated prisoner custody information and automatic telephone notification to registered users, including victims. The VSA has stated that Sheriffs should be able to perform the proposed notification function and many others if the Federal grant is approved. Until there are resources to pay for the proposed additional service, the VSA opposes the bill.

There is not enough information currently available to reliably estimate the fiscal implications of this bill for Commonwealth's Attorneys, Sheriffs, jail superintendents, local governments and regional jail boards.

**9. Specific agency or political subdivisions affected:**

Commonwealth's Attorneys  
Sheriffs with jail responsibilities  
Regional jail superintendents  
Local governments  
Regional jail boards

**10. Technical amendment necessary:** None.

**11. Other comments:** None:

**Date:** 01/09/06 / MFO

**Document:** SCB s:\legislative action papers\2006 session\fis\hb21.doc

cc: Secretary of Administration