

Department of Planning and Budget 2006 Fiscal Impact Statement

1. Bill Number HB1336

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

2. Patron Bell

3. Committee Militia, Police and Public Safety

4. Title Law-enforcement officers; training related to sexual assault cases.

5. Summary/Purpose: This legislation proposes to amend and reenact § [9.1-102](#) of the Code of Virginia to require that officers receive training related to sexual assault and sets forth minimum guidelines for what such training must include.

6. Fiscal Impact Estimates are: Preliminary. See item #8.

7. Budget amendment necessary: No.

8. Fiscal implications: The fiscal implications of this legislation are uncertain. The legislation directs the agency to establish *compulsory* training standards and publish a model policy for law-enforcement personnel in the handling of family abuse, domestic violence, sexual assault and stalking cases, including standards for determining the predominant physical aggressor in accordance with § [19.2-81.3](#). The legislation also specifies the areas the training should address. The training should “*provide, at a minimum, guidance on (i) the dynamics of sexual assault, evidence collection and investigation in cases of sexual assault including the initiation and follow-through on Physical Evidence Recovery Kits, and communication with sexual assault victims; (ii) standards for completing and filing incident reports that document any special circumstances; (iii) policies regarding providing transportation to victims of sexual assault; (iv) community and legal resources available to victims of sexual assault; and (v) the use of criminal history checks of victims and alleged offenders in cases of sexual assault.*” The Department of Criminal Justice Services advises that it would need an additional staff member and salary support of roughly \$80,000 per year to meet the responsibilities of the agency as specified in this legislation.

At first review this legislation appears to require a significant amount of work to develop the training and model policies addressing the sensitive issue of sexual assault. However, it should be noted that the agency already has produced a model policy manual, has available examples of the sexual assault training some law enforcement agencies are presently providing voluntarily, if it doesn't already have a curriculum developed, and finally has access to its own experts on victims' needs and resources in the Victim Witness Section of the agency. Therefore, it appears likely that the agency could develop this training and policy with existing resources.

9. Specific agency or political subdivisions affected: Department of Criminal Justice Services and state and local law enforcement agencies.

10. Technical amendment necessary: None.

11. Other comments: None.

Date: 02/7/06 / MEM

Document: G:\Fis\06\Dcjs\Hb1336.Doc Michael McMahon

cc: Secretary of Public Safety