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HOUSE JOINT RESOLUTION NO. 730

Offered January 15, 2013

Directing the Virginia State Crime Commission to study laws and policies governing the investigation of child sexual abuse in the Commonwealth. Report.

Patron—Albo

Referred to Committee on Rules

WHEREAS, over 5,000 reports of child sexual abuse are received by the Virginia Department of Social Services each year; and

WHEREAS, high quality investigations of alleged cases of child sexual abuse are fundamental for the protection of children and the successful prosecution of perpetrators; and

WHEREAS, significant variations exist across agencies with regard to how reports of alleged child sexual abuse are received, investigated, and tracked, including variations in requirements for notification of the individual alleged to have committed the abuse; and

WHEREAS, these differences may result in opportunities for individuals who are alleged to have committed child sexual abuse and who are the subjects of investigations to destroy evidence, intimidate victims, or otherwise interfere with the conduct of such investigation; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Virginia State Crime Commission be directed to study laws and policies governing the investigation of child sexual abuse in the Commonwealth.

In conducting its study, the Virginia State Crime Commission shall (i) identify and evaluate laws, regulations, policies, and training practices of the Commonwealth and its agencies governing reporting, investigation, and tracking complaints of suspected child abuse, including suspected sexual abuse of a child and including such laws, regulations, policies, and training practices of or governing the Department of Social Services, local departments of social services, law-enforcement agencies, schools, and child welfare agencies; (ii) identify variations or discrepancies in how the various agencies receive, investigate, and track alleged cases of child sexual abuse, particularly those variations or discrepancies that may create opportunities for individuals who are alleged to have committed child sexual abuse and who are the subjects of investigations to destroy evidence, intimidate victims, or otherwise interfere with the conduct of such investigation; and (iii) develop recommendations for legislative, regulatory, and budgetary changes to reduce or eliminate variations or discrepancies in how the various agencies receive, investigate, and track alleged cases of child sexual abuse in order to increase the quality and effectiveness of child protective services, investigations of alleged child sexual abuse, and prosecutions of individuals alleged to have committed child sexual abuse in the Commonwealth. Additionally, in conducting its study, the Virginia State Crime Commission shall convene a work group, which shall consist of one representative of a rural local department of social services child protective services unit and one representative of an urban local department of social services child protective services unit, each of whom shall have experience in the investigation of cases of alleged child sexual abuse; one representative of a rural law-enforcement agency and one representative of an urban law-enforcement agency, each of whom shall have experience in the instigation of cases against alleged perpetrators of child sexual abuse; one attorney for the Commonwealth representing a rural jurisdiction and one attorney for the Commonwealth representing an urban jurisdiction, each of whom shall have experience in the prosecution of cases of alleged child sexual abuse; one representative of a rural county or city attorney and one representative of an urban county or city attorney, each of whom shall have experience representing the local department of social services in civil matters related to cases of alleged child sexual abuse; one representative of the Virginia Department of Social Services, Division of Family Services; one representative of the Department of Criminal Justice Services with experience in matters related to investigation of cases of alleged child sexual abuse; one representative of the Office of the Attorney General; and one representative of a nationally accredited child advocacy center.

Technical assistance shall be provided to the Virginia State Crime Commission by the Virginia State Police and the Department of Social Services. All agencies of the Commonwealth shall provide assistance to the Virginia State Crime Commission for this study, upon request.

The Virginia State Crime Commission shall complete its meetings by November 30, 2013, and the Chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the 2014 Regular Session of the General Assembly. The executive summary shall state whether the Virginia State Crime Commission intends to submit to the General Assembly and the Governor a report of its findings and recommendations for

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59 publication as a House or Senate document. The executive summary and report shall be submitted as
60 provided in the procedures of the Division of Legislative Automated Systems for the processing of
61 legislative documents and reports and shall be posted on the General Assembly's website.