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HOUSE JOINT RESOLUTION NO. 26

Offered January 8, 2014

Prefiled December 26, 2013

Directing the Joint Legislative Audit and Review Commission to study reorganizing all or some state law-enforcement functions under the Virginia State Police. Report.

Patron—Landes

Referred to Committee on Rules

WHEREAS, the responsibility for the prevention and detection of crime and the enforcement of the laws of the Commonwealth is currently spread among numerous state agencies; and

WHEREAS, the citizens of Virginia expect the Commonwealth to employ professional law-enforcement officers who enforce the laws of the Commonwealth across the state with consistency and fairness; and

WHEREAS, it is important to ensure that law-enforcement agencies are accountable and operating as statutorily authorized; and

WHEREAS, consolidation of government functions often provides significant cost savings for the Commonwealth; and

WHEREAS, the Commonwealth of Virginia has several state agencies that have law-enforcement functions; and

WHEREAS, when more than one agency becomes involved in the same operational area, the chance of mutual interference is greatly increased; and

WHEREAS, there is a need to address this interference by de-confliction in order to eliminate any risk to the public and increase officer safety; and

WHEREAS, the primary state law-enforcement agency in the Commonwealth is the Virginia State Police; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Joint Legislative Audit and Review Commission be directed to study reorganizing all or some state law-enforcement functions under the Virginia State Police.

In conducting its study, the Joint Legislative Audit and Review Commission (JLARC) shall (i) identify all state agencies with law-enforcement functions; (ii) determine the law-enforcement investigatory functions defined by the Code of Virginia for each of the agencies with law-enforcement functions; (iii) examine the history, budget, and current activities of each law-enforcement agency function or division within an agency; (iv) determine whether those agencies or divisions are adequately and cost-effectively performing their statutory law-enforcement duties; (v) determine the level of basic and specialized law-enforcement training for each law-enforcement function or division within an agency; (vi) determine whether agencies have expanded their law-enforcement powers beyond what is specified by the Code of Virginia; (vii) identify whether specific law-enforcement investigatory functions are duplicated among state agencies; (viii) determine whether law-enforcement investigation functions need to be more specifically and narrowly defined among the state agencies with law-enforcement powers; (ix) determine whether consolidating all or some state agency law-enforcement functions under the Department of State Police would eliminate wasteful duplication of services, ensure uniform operational procedures, and facilitate de-confliction among state law-enforcement personnel; (x) determine whether consolidating law-enforcement operations within the Department of State Police would ensure all state law-enforcement personnel were operating in accordance with professionally accepted policies and procedures; (xi) determine whether consolidation of law enforcement within the Department of State Police would be more efficient by combining resources, such as facilities and training venues, the procurement of goods and services, and expertise; (xii) determine whether combining law-enforcement functions under the Department of State Police would increase interoperability; (xiii) determine whether combining law-enforcement resources under the State Police would be a force multiplier with regard to homeland security, response to natural/manmade disasters and providing a uniformly trained reactionary force to respond to the unique demands placed on law enforcement; (xiv) determine whether combining law-enforcement services under the Department of State Police would create an improved structure consisting of a network of well-trained law-enforcement officers under one umbrella in lieu of the current structure of silos; (xv) determine whether combining law-enforcement services under the Department of State Police would enhance the security posture of the Commonwealth; and (xvi) make recommendations for the consolidation of all or some law-enforcement agencies under the Virginia State Police.

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59 All agencies of the Commonwealth shall provide assistance to JLARC for this study, upon request.

60 The Joint Legislative Audit and Review Commission shall complete its meetings for the first year by
61 November 30, 2014, and for the second year by November 30, 2015, and the Chairman shall submit to
62 the Division of Legislative Automated Systems an executive summary of its findings and
63 recommendations no later than the first day of the next Regular Session of the General Assembly for
64 each year. Each executive summary shall state whether the Joint Legislative Audit and Review
65 Commission intends to submit to the General Assembly and the Governor a report of its findings and
66 recommendations for publication as a House or Senate document. The executive summaries and reports
67 shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for
68 the processing of legislative documents and reports and shall be posted on the General Assembly's
69 website.