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HOUSE JOINT RESOLUTION NO. 513

Offered January 14, 2015

Prefiled December 8, 2014

Directing the Virginia State Crime Commission to study the use by law-enforcement agencies of specific mandates for the number of arrests or summonses that a law-enforcement officer must make or issue for traffic offenses or traffic infractions. Report.

Patron—McQuinn

Referred to Committee on Rules

WHEREAS, recent news reports have documented that the Chesterfield Police Department sets officer performance mandates requiring its officers to make one arrest and at least two traffic stops per day and that the failure to meet these mandates may result in disciplinary actions being taken against an officer; and

WHEREAS, numerous other states, including Illinois and Maryland, prohibit the use of similar mandates; and

WHEREAS, the use of such mandates by a state or local police department or sheriff's office may pressure a law-enforcement officer to make an arrest or issue a summons where otherwise the officer, in his discretion, may have determined that such an arrest or summons was not appropriate; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Virginia State Crime Commission be directed to study the use by law-enforcement agencies of specific mandates for the number of arrests or summonses that a law-enforcement officer must make or issue for traffic offenses or traffic infractions.

In conducting its study, the Virginia State Crime Commission shall (i) determine whether the Department of State Police imposes such mandates and the number of local police departments or sheriff's offices that impose such mandates, (ii) compare the number of arrests made or summonses issued by local police departments or sheriff's offices that impose such mandates with those made or issued by departments or offices that do not, and (iii) ascertain the amount of fines or fees collected by local police departments or sheriff's offices that impose such mandates as a result of such arrests or summonses.

Technical assistance shall be provided to the Virginia State Crime Commission by the Department of State Police. 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, 2015, and the Executive Director 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 2016 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 publication as a House or Senate document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

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