

VIRGINIA ACTS OF ASSEMBLY -- 2018 SESSION

CHAPTER 180

An Act to amend and reenact § 19.2-152.7 of the Code of Virginia, relating to Department of Criminal Justice Services to review pretrial services agencies; report.

[S 783]

Approved March 5, 2018

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-152.7 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-152.7. Funding; failure to comply.

Counties and cities shall be required to establish a pretrial services agency only to the extent funded by the Commonwealth through the general appropriation act. The Department of Criminal Justice Services shall ~~periodically~~ *annually* review each agency established under this article to determine compliance with the submitted plan and operating standards. If the Department determines that any agency is not in substantial compliance with the submitted plan or standards, the Department may suspend all or any portion of financial aid made available to the locality for purposes of this article until there is compliance.

The Department shall report annually on or before December 31 to the Governor and the General Assembly on the performance of each pretrial services agency, to include (i) the total amount of funding received by that agency; (ii) the number of investigations conducted by that agency; (iii) the number of defendants placed on pretrial supervision with that agency; (iv) the average daily caseload of that agency, (v) the appearance, public safety, and compliance rates of defendants placed on pretrial supervision with that agency; and (vi) a determination of whether that agency is in substantial compliance with all grant conditions and standards prescribed by the Department pursuant to § 19.2-152.3. If an agency is not in substantial compliance with all grant conditions and standards prescribed by the Department pursuant to § 19.2-152.3, that agency and the Department shall develop a plan and identify a timeframe to achieve compliance. A copy of that plan of compliance shall be included in the annual report. The Department shall ensure such report is available to the public.