

Department of Planning and Budget
2020 Special Session I - Fiscal Impact Statement

1. Bill Number: HB5065

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

2. Patron: Marcia Price

3. Committee: Courts of Justice

4. Title: Attorney General; investigation and prosecution of certain offenses committed by a law-enforcement.

5. Summary: Gives the Attorney General the authority to institute or conduct criminal prosecutions in cases involving certain felony crimes committed by a law-enforcement officer in the performance of his official duties. The bill provides that the Division of Human Rights of the Department of Law shall have full and sole authority to do whatever is necessary or appropriate to enforce such offenses and shall exercise that authority to investigate, prosecute, and assure the enforcement of any such offenses. Also, the bill states that whenever a law-enforcement officer in the performance of his official duties commits any such offense, the employing law-enforcement agency shall immediately notify the Division of Human Rights. Upon receiving such notice or otherwise becoming aware of the commission of such offense, the bill requires the Division of Human Rights to cause an investigation to be made as soon as practicable.

6. Budget Amendment Necessary: Yes, Item 61

7. Fiscal Impact Estimates:

7a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2021	\$682,480	11	General Fund
2022	\$1,364,959	11	General Fund
2023	\$1,364,959	11	General Fund
2024	\$1,364,959	11	General Fund
2025	\$1,364,959	11	General Fund
2026	\$1,364,959	11	General Fund

8. Fiscal Implications: This bill mandates the Office of the Attorney General and Department of Law (OAG) employ sworn law enforcement officers to investigate police involved death cases. In many instances these cases are investigated with the cooperation of the Virginia State Police (VSP) or by VSP depending on the jurisdiction. Depending on the nature of the shooting, size of the Police Department, and number of witnesses involved, the investigation can require several detectives just for a determination of whether the shooting was justifiable.

The OAG indicates this bill will require three attorneys, one paralegal, five sworn investigators, one detective, and one supervisory officer/investigator. The estimated cost for the OAG are \$682,480 in FY 2021 and \$1,364,959 in FY 2022.

There will be additional costs and supervision required regarding the Department of Criminal Justice Service's (DCJS) mandated in-service training for sworn officers and annual qualifications with firearms, etc. OAG likely will need to contract with VSP's academy or a local or regional training academy to maintain certifications.

Virginia State Police indicates this bill has no fiscal impact. DCJS indicates requirements from this bill can be absorbed with current resources.

9. Specific Agency or Political Subdivisions Affected: Office of the Attorney General and Department of Law, Virginia State Police, Department of Criminal Justice Services

10. Technical Amendment Necessary: No

11. Other Comments: