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SENATE BILL NO. 669

Offered January 20, 2022

A BILL to amend and reenact § 9.1-600 of the Code of Virginia, relating to alleged wrongdoing of law-enforcement employees.

Patron—Surovell

Referred to Committee on the Judiciary

Be it enacted by the General Assembly of Virginia:

1. That § 9.1-600 of the Code of Virginia is amended and reenacted as follows:

§ 9.1-600. Civilian protection in cases of police misconduct; minimum standards.

A. State, local, and other public law-enforcement agencies, ~~which~~ *that* have ~~ten~~ two or more law-enforcement officers, shall have procedures as established in subsection B, allowing citizen submission of complaints regarding the conduct of the law-enforcement agency, law-enforcement officers in the agency, or employees of the agency.

B. Law-enforcement agencies shall ensure, at a minimum, that in the case of all written complaints *or complaints submitted in an electronic format*:

1. The general public has access to the required forms and information concerning the submission of complaints, *including the posting of such forms and information on the agency's website*;

2. The law-enforcement agency assists individuals in filing complaints *and allows individuals to submit such complaints through the agency's website or other electronic format*;

3. *The law-enforcement agency provides a receipt or written acknowledgment confirming the submission of the complaint to the individual filing such complaint*;

4. *The law-enforcement agency provides a written response to any individual who has filed a complaint within 30 days of the filing of such complaint indicating the status of such complaint*;

5. *The law-enforcement agency provides a written response to any individual who has filed a complaint within 60 days of the filing of such complaint indicating the final disposition of such complaint and if any action, including disciplinary action, was taken as a result of such complaint or, if after 60 days a resolution of the complaint has not occurred, the law-enforcement agency provides a written response indicating the reason for the delay in reaching a final disposition and an anticipated date of completion*;

6. *For any complaint that is not resolved within 60 days, the law-enforcement agency provides a written response to any individual who has filed a complaint upon the resolution of such complaint indicating the final disposition of such complaint and if any action, including disciplinary action, was taken as a result of such complaint*;

7. *The law-enforcement agency provides notice to any individual who has filed a complaint if an investigation into a previously filed complaint has been reopened upon the submission of new materials after a final resolution for the previously filed complaint has been reached*; and

8. Adequate records are maintained of the nature and disposition of such cases.

C. All complaints submitted to a law-enforcement agency in accordance with this section, investigative materials associated with such complaints, and any dispositional information may be disclosed to the attorney for the Commonwealth when such materials are requested by the attorney for the Commonwealth and relate to a law-enforcement officer's credibility, integrity, or honesty or may constitute exculpatory or impeachment evidence.

INTRODUCED

SB669