

GENERAL ASSEMBLY OF VIRGINIA -- 1997 SESSION

ENROLLED

HOUSE JOINT RESOLUTION NO. 534

Directing the Virginia State Crime Commission to study criminal history records checks on volunteer and contract service providers.

Agreed to by the House of Delegates, February 20, 1997

Agreed to by the Senate, February 19, 1997

WHEREAS, there has been an increase in recent years in the use of volunteer and contract service providers in many areas previously reserved for state governmental agencies; and

WHEREAS, of special interest and concern to policy makers are those service providers working with children, the elderly, the mentally and physically incapacitated and challenged, and other citizens in need of specialized services; and

WHEREAS, Virginia law provides for criminal history background checks on some of these providers, but to varying degrees in terms of threshold crimes, breadth of record check on state or national level, length of time since crime or violation was committed, level of discretion used by the employing or appointing authority, and the possible complication of criminal record expungement; and

WHEREAS, there is a need to establish a clear policy for requiring criminal history record background checks for use in regulating, employing or appointing volunteer and contract service providers in various service positions throughout state government; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Virginia State Crime Commission be directed to study criminal history records checks on volunteer and contract service providers, with the goal of developing state policy in this area.

The Commission shall confer, in the course of its study, with the relevant state agencies charged to administer policies and regulations governing criminal history records checks of clients and volunteers. Such agencies shall include, but not be limited to, the Department of Social Services, the Department of State Police, the Department of Criminal Justice Services, the Department of Mental Health, Mental Retardation and Substance Abuse Services, and the State Office of Volunteerism. All agencies of the Commonwealth shall provide assistance to the Commission, upon request.

The Commission shall complete its work in time to submit its findings and recommendations to the Governor and the 1999 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may withhold expenditures or delay the period for the conduct of the study.

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