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HOUSE JOINT RESOLUTION NO. 78

Offered January 11, 2006

Prefiled January 10, 2006

Directing the Virginia State Crime Commission to study domestic violence. Report.

Patron—Ware, O.

Referred to Committee on Rules

WHEREAS, domestic violence is a major social problem affecting all areas of our society; and

WHEREAS, domestic violence and its repercussions are felt not just in the home, but in the workplace and in Virginia's schools; and

WHEREAS, although domestic violence and stalking are now recognized and punished through the criminal justice system, more can be done to improve the response to and aftercare services for their victims; and

WHEREAS, certain improvements in the justice system and the manner in which services are provided to victims of domestic violence need to be considered; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Virginia State Crime Commission be directed to study domestic violence.

In conducting its study, the Commission shall consider legislation that would (i) allow the use of the Virginia Domestic Violence Victim Fund to provide immediate assistance to victims of domestic violence, (ii) permit the victimless prosecution of domestic violence cases when a victim is uncooperative and sufficient evidence or supporting witnesses are otherwise available, (iii) enact sentencing guidelines requiring a set fine and incarceration for domestic violence offenses, and (iv) prohibit the immediate release of domestic violence offenders in order to prevent them from being able to immediately confront their victims.

All agencies of the Commonwealth shall provide assistance to the Commission for this study, upon request.

The Commission shall complete its meetings by November 30, 2006, and the chairman 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 2007 Regular Session of the General Assembly. The executive summary shall state whether the 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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