

Department of Planning and Budget

2011 Fiscal Impact Statement

1. Bill Number: SB1103

House of Origin ☐ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☒ Enrolled

2. Patron: Hanger

3. Committee: Passed Both Houses

4. Title: Department of Forensic Science; powers and duties.

5. Summary: This bill provides for the Department of Forensic Science to provide forensic laboratory services upon the request of the head of any private police department that has been designated as a criminal justice agency by the Department of Criminal Justice Services.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Indeterminate. Final. See Item #8.

8. Fiscal Implications: Although it is not possible to estimate the fiscal impact from the bill at this time, there may be some impact to the Commonwealth. Many individuals working for private police departments are designated as special conservators of the peace, requiring only a minimum of 24 to 40 hours of training. Across Virginia, there are approximately 50 institutional police and private police departments. While the required training does appear to include some legal discussion of the Rules of Evidence, it does not include training on evidence handling.

The Department of Forensic Science (DFS) has worked with local law enforcement in the suitability of evidence for testing and how to properly handle the evidence and submit it to DFS. Under the current process, private police departments submit their evidence to their local law enforcement agency, which presumably exercise some discretion in the decision to submit evidence to DFS and attend to the proper handling and actual submission to DFS. Bypassing the local law enforcement may result in increased evidence submissions, requiring additional scientific resources and an increase in the administrative and training resources necessary to ensuring the evidence is properly submitted.

9. Specific Agency or Political Subdivisions Affected: Department of Forensic Science, private police departments designated by the Department of Criminal Justice Services as a criminal justice agency.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 2/25/11

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Cc: Secretary of Public Safety