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HOUSE JOINT RESOLUTION NO. 528

Offered January 14, 2015

Prefiled December 18, 2014

Directing the Joint Legislative Audit and Review Commission to study the militarization of law-enforcement agencies in the Commonwealth. Report.

Patrons—Marshall, R.G., Berg and Cole

Referred to Committee on Rules

WHEREAS, the citizens of Virginia expect the Commonwealth and its localities to employ professional, civilian law-enforcement officers to enforce the laws of the Commonwealth; and

WHEREAS, the U.S. Department of Defense (DoD), through the Defense Logistics Agency's Law Enforcement Support Office, operates the 1033 Program; and

WHEREAS, under the 1033 Program, the DoD transfers excess property, including vehicles and weapons, to state and local law-enforcement agencies; and

WHEREAS, the value of the property transferred under the 1033 Program has increased from \$1 million in 1990 to almost \$450 million in 2013, and \$4.3 billion in property in total has been transferred to state and local law-enforcement agencies by the DoD; and

WHEREAS, the increasing availability to state and local law-enforcement agencies of weapons, vehicles, and other equipment designed for military use has led some law-enforcement agencies to employ military-style tactics; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Joint Legislative Audit and Review Commission be directed to study the militarization of law-enforcement agencies in the Commonwealth.

In conducting its study, the Joint Legislative Audit and Review Commission (JLARC) shall (i) determine the law-enforcement duties prescribed by the Code of Virginia for state and local law-enforcement agencies, (ii) identify all state and local law-enforcement agencies that are currently participating in or have received military property from the DoD through the 1033 Program, (iii) determine how law-enforcement agencies that have received military property from the DoD utilize such property in fulfilling their prescribed law-enforcement duties, and (iv) make recommendations for how law-enforcement agencies may utilize military property in the fulfillment of their duties while continuing to employ civilian law-enforcement tactics.

Technical assistance shall be provided to JLARC by the Department of Criminal Justice Services and the Department of State Police. All agencies of the Commonwealth shall provide assistance to JLARC for this study, upon request.

The Joint Legislative Audit and Review Commission shall complete its meetings for the first year by November 30, 2015, and for the second year by November 30, 2016, 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 next Regular Session of the General Assembly for each year. Each executive summary shall state whether JLARC 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 summaries and reports 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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