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HOUSE JOINT RESOLUTION NO. 607

Offered January 11, 2017

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Directing the Virginia State Crime Commission to study the feasibility and need for a criminal offense related to providing material support for terrorist organizations that would allow state and local officials to investigate and prosecute persons suspected of providing such support. Report.

Patron—Hope

Referred to Committee on Rules

WHEREAS, terrorism is a present and evolving threat to the United States and the Commonwealth; and

WHEREAS, in recent years multiple Virginia residents have been arrested and charged federally with providing material support to terrorist organizations; and

WHEREAS, state and local law-enforcement agencies are unable to investigate and prosecute such terrorism-related activities because it is not a violation of the Code of Virginia to provide material support to a terrorist organization unless the person intends to commit or aid in an act of terrorism; and

WHEREAS, if the federal government is slow to act or fails to act in investigating and prosecuting such cases, the Commonwealth has enacted no statute under which a person suspected of providing material support to a terrorist organization may be arrested or charged; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Virginia State Crime Commission be directed to study the feasibility and need for a criminal offense related to providing material support for terrorist organizations that would allow state and local officials to investigate and prosecute persons suspected of providing such support.

In conducting its study, the Virginia State Crime Commission (the Commission) shall investigate and determine, to the extent possible, (i) the feasibility of investigating and prosecuting persons suspected of providing material support to terrorist organizations; (ii) the potential conflicts of such investigation and prosecution with federal law-enforcement agencies; and (iii) the need for a state or local mechanism for investigating and prosecuting such offenses given the involvement of federal law-enforcement agencies in investigating terrorism.

Technical assistance shall be provided to the Commission by the Virginia State Police. 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, 2017, 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 2018 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.

INTRODUCED

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