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HOUSE JOINT RESOLUTION NO. 122

Offered January 10, 2018

Directing the Virginia State Crime Commission to study laws and policies governing the investigation of child abuse in the Commonwealth. Report.

Patron—Reid

Referred to Committee on Rules

WHEREAS, in a one-year period between July 1, 2016, and June 30, 2017, over 127,000 referrals for alleged child abuse were received by Virginia Child Protective Services; and

WHEREAS, out of the referrals received, 21,621 were investigated and 50,176 resulted in a family assessment; and

WHEREAS, high-quality investigations of alleged cases of child abuse are fundamental for the protection of children and the successful prosecution of perpetrators; and

WHEREAS, significant variations exist across agencies and across local departments and jurisdictions with regard to how reports of alleged child abuse are received, investigated, and tracked; and

WHEREAS, these variations may result in lapses in reporting, tracking, investigating, and prosecuting complaints and cases of alleged child abuse and how well children in these jurisdictions are protected; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Virginia State Crime Commission be directed to study laws and policies governing the investigation of child abuse in the Commonwealth.

In conducting its study, the Virginia State Crime Commission shall (i) identify and evaluate laws, regulations, policies, and training practices of the Commonwealth and its agencies governing the reporting, investigation, and tracking of complaints of suspected child abuse, including such laws, regulations, policies, and training practices of or governing the Department of Social Services, local departments of social services, law-enforcement agencies, and child welfare agencies; (ii) identify variations or discrepancies in how the various agencies receive, investigate, and track alleged cases of child abuse; (iii) identify any reasons for an agency or local department to not investigate a complaint of child abuse; (iv) identify any advantages or disadvantages of requiring local police departments or the Virginia State Police to investigate all complaints of child abuse and the potential budgetary impact to the Commonwealth; and (v) develop recommendations for legislative, regulatory, and budgetary changes to reduce or eliminate variations or discrepancies in how the various agencies receive, investigate, and track alleged cases of child abuse in order to increase the quality and effectiveness of child protective services, investigations of alleged child abuse, and prosecutions of individuals alleged to have committed child abuse in the Commonwealth. Additionally, in conducting its study, the Virginia State Crime Commission shall convene a work group, which shall consist of one representative of a rural local department of social services child protective services unit and one representative of an urban local department of social services child protective services unit, each of whom shall have experience in the investigation of cases of alleged child abuse; one representative of the Virginia State Police, who shall have experience in the instigation of cases against alleged perpetrators of child abuse; one representative of a rural law-enforcement agency and one representative of an urban law-enforcement agency, each of whom shall have experience in the instigation of cases against alleged perpetrators of child abuse; one attorney for the Commonwealth representing a rural jurisdiction and one attorney for the Commonwealth representing an urban jurisdiction, each of whom shall have experience in the prosecution of cases of alleged child abuse; one representative of a rural county or city attorney and one representative of an urban county or city attorney, each of whom shall have experience representing the local department of social services in civil matters related to cases of alleged child abuse; one representative of the Virginia Department of Social Services, Division of Family Services; one representative of the Department of Criminal Justice Services with experience in matters related to the investigation of cases of alleged child abuse; one representative of the Office of the Attorney General; and once representative of a nationally accredited child advocacy center.

Technical assistance shall be provided to the Virginia State Crime Commission by the Department of Social Services and the Virginia State Police. All agencies of the Commonwealth shall provide assistance to the Virginia State Crime Commission for this study, upon request.

The Virginia State Crime Commission shall complete its meetings by November 30, 2018, 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 2019 Regular Session of the General

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59 Assembly. The executive summary shall state whether the Virginia State Crime Commission intends to
60 submit to the General Assembly and the Governor a report of its findings and recommendations for
61 publication as a House or Senate document. The executive summary and report shall be submitted as
62 provided in the procedures of the Division of Legislative Automated Systems for the processing of
63 legislative documents and reports and shall be posted on the General Assembly's website.