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## HOUSE JOINT RESOLUTION NO. 97

Offered January 10, 2018

Prefiled January 9, 2018

*Directing the Joint Legislative Audit and Review Commission to study the efficiency and effectiveness of pretrial services agencies. Report.*

Patron—Gilbert

Referred to Committee on Rules

WHEREAS, the Pretrial Services Act (§ 19.2-152.2 et seq. of the Code of Virginia) was enacted in 1994 and authorized localities to establish pretrial services agencies; and

WHEREAS, as expressed in § 19.2-152.2 of the Code of Virginia, pretrial services agencies are "intended to provide better information and services for use by judicial officers in determining the risk to public safety and the assurance of appearance of persons . . . held in custody and charged with an offense, other than an offense punishable by death, who are pending trial or hearing"; and

WHEREAS, there are currently 32 pretrial services agencies serving 99, or 74 percent, of the Commonwealth's 134 localities; and

WHEREAS, pretrial services agencies receive significant funding from the general fund, receiving \$9.8 million in fiscal year 2015, \$9.2 million in fiscal year 2016, and \$10.1 million in fiscal year 2017; and

WHEREAS, the Department of Criminal Justice Services is responsible for prescribing standards for the operation and evaluation of pretrial services agencies; however, there has never been a comprehensive study of the effectiveness of pretrial services agencies as compared to other alternatives, such as the use of secured bonds and personal recognizance bonds, available to judicial officers; and

WHEREAS, it is imperative that there be a review of pretrial services agencies to evaluate whether such agencies are effective in promoting the goals of improving public safety and assuring the appearance in court of persons charged with criminal offenses and whether such agencies constitute an efficient use of state funds; 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 efficiency and effectiveness of pretrial services agencies.

In conducting its study, the Joint Legislative Audit and Review Commission shall compare the outcomes achieved by pretrial services agencies to outcomes achieved under other existing mechanisms for assuring the appearance in court of persons charged with criminal offenses, including the use of secured bonds and personal recognizance bonds.

Technical assistance shall be provided to the Joint Legislative Audit and Review Commission by the Department of Criminal Justice Services. All agencies of the Commonwealth shall provide assistance to the Joint Legislative Audit and Review Commission for this study, upon request.

The Joint Legislative Audit and Review 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 Assembly. The executive summary shall state whether the Joint Legislative Audit and Review 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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