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**HOUSE BILL NO. 5081**

Offered August 18, 2020

A *BILL to amend the Code of Virginia by adding in Article 15 of Chapter 1 of Title 9.1 a section numbered 9.1-193, relating to civilian deaths in custody; report.*

Patrons—Price, Aird, Bagby, Bourne, Carr, Cole, J.G., Guzman, Hayes, Jenkins, Kory, Levine, Lindsey, McQuinn, Scott and Ward; Senator: Boysko

Referred to Committee on Public Safety

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding in Article 15 of Chapter 1 of Title 9.1 a section numbered 9.1-193 as follows:**

Article 15.

Virginia Community Policing ~~Report~~ and Corrections Reports.**§ 9.1-193. Civilian deaths in custody; annual report.**

A. For the purposes of this section:

"Correctional facility" includes any local, regional, state, or juvenile correctional facility.

"Law-enforcement agency" means any sheriff's office, police department, or other agency or department that employs persons who have law-enforcement authority that is under the direction and control of the Commonwealth or any local governing body.

B. Every law-enforcement agency and correctional facility shall report to the Department the following information regarding the death of any person who is detained, under arrest or in the process of being arrested, en route to be incarcerated, incarcerated, or otherwise in the custody of such law-enforcement agency or correctional facility:

1. The name, gender, race, ethnicity, and age of the deceased;

2. The date, time, and location of death;

3. The law-enforcement agency or correctional facility that detained, arrested or was in the process of arresting, transported, incarcerated, or otherwise had custody of the deceased; and

4. A brief description of the circumstances surrounding the death and the cause of death.

C. Any law-enforcement agency or correctional facility that fails to comply with subsection A may, at the discretion of the Department, be declared ineligible for state grants or funds.

D. The Department shall analyze the data submitted pursuant to subsection B to (i) determine the means by which such information can be used to reduce the number of such deaths and (ii) examine the relationship, if any, between the number of such deaths and the actions of management of such law-enforcement agencies and correctional facilities. The Director shall annually report the findings and recommendations resulting from the analysis and interpretation of the data to the Governor, the General Assembly, and the Attorney General beginning on or before July 1, 2022, and each July 1 thereafter.

INTRODUCED

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