

## **Department of Planning and Budget 2020 Special Session I Fiscal Impact Statement**

**1. Bill Number:** HB5137

**House of Origin**    ☒ Introduced    ☐ Substitute    ☐ Engrossed

**Second House**    ☐ In Committee    ☐ Substitute    ☐ Enrolled

**2. Patron:** Avoli

**3. Committee:** House Committee on Public Safety

**4. Title:** Law-enforcement agencies; all local & state agencies to obtain & maintain accreditation.

**5. Summary:** The proposed legislation requires all local and state law-enforcement agencies to obtain and maintain accreditation by the Virginia Law Enforcement Professional Standards Commission. The proposed legislation also states that the Department of Criminal Justice Services (DCJS) shall establish a review process to assist any law-enforcement agency that has failed to obtain or maintain accreditation status. The process shall require (i) such law-enforcement agency to submit an accreditation action plan and (ii) any law-enforcement agency that fails to demonstrate progress in developing or implementing any such accreditation action plan to enter into a memorandum of understanding with DCJS.

**6. Budget Amendment Necessary:** Yes. Items 403, 387, and 427.

**7. Fiscal Impact Estimates:** Preliminary (see Item 8 below).

**8. Fiscal Implications:** The Department of Criminal Justice Services (DCJS) reports that the proposed legislation would require all 350 local and state law-enforcement agencies to obtain and maintain accreditation from the Virginia Law Enforcement Professional Standards Commission (VLEPSC). According to the agency's website, the Virginia Sheriffs' Association, the Virginia Association of Chiefs of Police, and DCJS make up the VLEPSC. Executive board members consist of active Sheriffs and Chiefs of Police, who establish professional standards and administer the accreditation process according to which agencies are assessed. The VLEPSC is funded entirely through fees charged for accreditation. DCJS manages the day-to-day operations for the VLEPSC.

According to DCJS, there are currently only 98 VLEPSC-accredited agencies, the requirements of the proposed legislation would require 252 law enforcement agencies to obtain VLEPSC accreditation.

DCJS states that, in order to become VLEPSC accredited, agencies must pay administrative fees as well as allocate internal resources to meet the stipulated accreditation standards. DCJS also reports that once agencies become accredited, they

must maintain their accreditation through a re-accreditation process every four years. DCJS reports that the costs for an agency seeking accreditation typically range between \$1,000 and \$3,000. This amount is paid to VLEPSC in order to conduct the necessary site-visits. DCJS reports that each agency seeking accreditation also pays a \$250 initial application fee and a \$100 annual maintenance fee to VLEPSC. In terms of the number of personnel hours that may need to be allocated to the accreditation process, DCJS reports that a recent estimate provided by a local police department indicated that 6,000 hours over the course of 18 months were allocated to ensure accreditation.

The following state agencies report that a fiscal impact is anticipated as a result of the requirement to become VLEPSC certified:

- The Marine Resources Commission Law Enforcement Division (MRC) reports that obtaining VLEPSC accreditation will require one additional full-time staff position to serve as an Accreditation Officer. The agency reports that salary and benefits for this position, at a base salary of \$45,531, is expected to be a total of \$69,862 annually. MRC states that the first year costs of this position include furniture, and associated IT equipment (a computer, printer, cell phone, etc.), at an approximate cost of \$5,916. MRC reports that on-going costs would be approximately \$1,816 per year to cover cell phone expenses and annual training. The current year cost for this position, adjusted for ten months and including one-time expenses, will be \$59,204, and the on-going annual cost will be \$65,762. This amount does not include the \$250 initial application fee, the \$100 annual maintenance fee due thereafter, nor the expenses which are reimbursed to the VLEPSC accreditation team for their on-site visits.
- The Virginia State Police (VSP) reports that an additional full-time staff position will be necessary in order to comply with the requirement to maintain VLEPSC accreditation. The salary for this position will cost \$99,129 annually (\$59,447 of this amount is base salary). Additionally, VSP states that \$1,614 is required for fees associated with VITA computer hardware expenses, of which \$1,276 is on-going. VSP also reports that \$1,150 will be necessary annually for a records management fee in order to maintain the information necessary for accreditation. The current year cost for this position, adjusted for ten months and including one-time expenses, will be \$84,967, and the on-going annual cost will be \$101,659. In addition to this amount, VSP will be required to pay a \$250 initial application fee, and a \$100 annual maintenance fee thereafter. This amount does not include expenses which are reimbursed to the VLEPSC accreditation team for their on-site visits.

Information concerning the fiscal impact for unaccredited state agencies to achieve VLEPSC accreditation is currently not available. If information is available, the fiscal impact statement will be updated as necessary.

The legislation also requires the agency to establish a review process to assist any law-enforcement agency that has failed to obtain or maintain VLEPSC accreditation status,

report these results to the law-enforcement agency, monitor their progress, and enter into a memorandum of understanding, presumably to bring them into compliance. DCJS reports that it currently has one position dedicated to the accreditation process, which would be insufficient to address this increased workload. DCJS states that the current position handles approximately 98 already-accredited agencies and 26 that are undergoing the process. Additionally, the position does not currently review, assess, or provide technical support to agencies who have failed to become accredited, as required in the proposed legislation. Therefore, DCJS estimates that it will require three additional positions to comply with these requirements. This estimate is based on the agency's allocation of the expected workload. Based on the current position at the agency, DCJS estimates that each additional position would cost \$133,444 (\$70,000 salary, benefits, fringe, and travel costs), for a total of \$400,332 for all three additional positions. The current year cost for these positions, adjusted for ten months, will be \$333,610.

- 9. Specific Agency or Political Subdivisions Affected:** The Department of Criminal Justice Services, state and local law-enforcement agencies, Colleges and Universities with law enforcement personnel.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** None.