

LD4970260

## HOUSE BILL NO. 2166

Offered January 23, 1995

*A BILL to amend the Code of Virginia by adding in Chapter 27 of Title 9 an article numbered 1.7, consisting of sections numbered 9-173.21 through 9-173.27, relating to reducing violent crime through expanded neighborhood policing and the creation of the Virginia Neighborhood Policing Fund.*

Patrons—Hall, Ball, Behm, Christian, Copeland, Crittenden, Cunningham, DeBoer, Jones, D.C., Jones, J.C., Melvin, Robinson, Spruill and Thomas; Senators: Lambert and Marsh

Referred to Committee on Counties, Cities and Towns

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

**1. That the Code of Virginia is amended by adding in Chapter 27 of Title 9 an article numbered 1.7, consisting of sections numbered 9-173.21 through 9-173.27, as follows:**

*Article 1.7.**Virginia Neighborhood Policing Act.**§ 9-173.21. Statement of legislative findings and intent.*

*A. The General Assembly finds that (i) most of the violent crime in Virginia occurs in twenty localities and that such violent crime is destroying the societal fabric of specific neighborhoods in those localities; and (ii) policing methods which address the problems that contribute to crime at the neighborhood level are the most effective in preventing violent crime, restoring peace and order, and improving the quality of life in those neighborhoods.*

*B. By this chapter, the General Assembly intends to ensure that the Commonwealth's resources are used to encourage neighborhood policing by (i) increasing citizen involvement in policing efforts; (ii) fostering cooperative interactions between citizens, law enforcement, and related agencies; and (iii) providing financial resources for additional police officers and technical assistance to develop cooperative state and local programs that target violent crime in specific neighborhoods in these twenty localities.*

*§ 9-173.22. Definitions.*

*For purposes of this article, the following definitions shall be applicable:*

*"Average violent crime rate" means the annual average number of violent index crimes per 100,000 persons for each city and county, as reported by the Superintendent of State Police, for the three most recent years for which data is available.*

*"Department" means the Department of Criminal Justice Services.*

*"Eligible localities" means those twenty cities or counties with the highest average violent crime rate.*

*"Fund" means the Virginia Neighborhood Policing Fund.*

*"Incidence of violent crimes" means the number of murders, rapes, robberies and aggravated assaults in eligible localities as reported by the Superintendent of State Police.*

*"Sworn law-enforcement officers" means the number of full-time employees of a police department, or a sheriff's office in those counties without a police department, whose primary duties are the preservation of peace, the maintenance of order, the prevention and detection of crime, the safeguard of life and property, and the apprehension of criminals.*

*"Sworn law-enforcement officers per capita" means the number of sworn law-enforcement officers per 100,000 persons in eligible localities.*

*§ 9-173.23. Fund established.*

*There is hereby established a special, permanent, nonreverting fund in the state treasury to be known as the Virginia Neighborhood Policing Fund. The Fund shall be administered by the Department and shall consist of such sums as may be (i) directed or appropriated by the General Assembly from time to time; (ii) granted by the United States government or its agencies or instrumentalities; (iii) donated or devised by individuals, associations, corporations, or partnerships; and (iv) accrued as interest, dividends, and appreciation. An unexpired balance in the Fund at the end of the biennium shall not be transferred to the general fund of the state treasury.*

*§ 9-173.24. Use of funds.*

*Funds received by eligible localities pursuant to this article shall be used exclusively to hire and equip additional police officers to implement or expand community policing efforts in neighborhoods with a high incidence of violent crime. Such efforts shall be directed at preventing violent crime, restoring peace and order, and improving the quality of life in those neighborhoods through increased citizen involvement and cooperative interaction between citizens, law enforcement, and related agencies*

INTRODUCED

HB2166

60 at the local and state level.

61 § 9-173.25. Total amount and method of distribution of funds.

62 A. The total amount available for distribution shall be equal to the total amount in the Fund.

63 B. On or before January 1 of each year, the Department, using the most recent data available, shall  
64 determine the eligible localities and the amounts to be distributed from the Fund. Eligible localities  
65 shall receive a portion of the total amount in the Fund as calculated by the following:

66 1. Sworn law-enforcement officers per capita shall be arranged into three groups with each group  
67 given a ranking of one, two or three, highest to lowest. Each ranked score shall then be divided by the  
68 total number of ranked scores to determine a proportion for each eligible locality. The resulting  
69 proportion shall then be multiplied by twenty-five percent of the available funds.

70 2. The incidence of violent crimes for all eligible localities shall be divided by the incidence of  
71 violent crime for each eligible locality to determine a proportion. The resulting proportion shall then be  
72 multiplied by seventy-five percent of the available funds.

73 3. The amounts resulting from the calculations in subdivisions 1 and 2 shall be added together to  
74 determine the amount to be distributed to each eligible locality.

75 C. Payments to eligible localities shall be made in equal quarterly installments by the State  
76 Treasurer on warrants issued by the Comptroller.

77 § 9-173.26. Maintenance of effort; nonsupplanting certification.

78 The General Assembly intends that, to the extent possible, sums from the Fund shall be used in  
79 conjunction with funds from the Anti-Crime Partnership program established pursuant to § 2.1-51.6:3  
80 and the Intensified Drug Enforcement Jurisdictions Fund established pursuant to § 14.1-133.3. As such,  
81 eligible localities shall certify to the Department that such sums have not and will not be used to  
82 supplant other funds available to the locality for law-enforcement services from any other source.

83 § 9-173.27. Evaluation of programs; report to Governor and General Assembly.

84 The Department shall biennially evaluate the Fund and its uses in selected eligible localities and  
85 include in its report the impact that neighborhood policing had on the maintenance of peace and order  
86 in neighborhoods with a high incidence of violent crime. Eligible localities shall cooperate with the  
87 Department in conducting such evaluations. A report containing the Department's findings and  
88 recommendations, if any, shall be provided to the Governor and General Assembly by December 1 of  
89 each odd-numbered year.

90 2. That the sum of ten million dollars in fiscal year 1995-96 and ten million dollars in fiscal year  
91 1996-97 is hereby appropriated from the general fund of the state treasury to the Virginia  
92 Neighborhood Policing Fund.