

Department of Planning and Budget 2022 Fiscal Impact Statement

1. Bill Number: HB1142

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Torian

3. Committee: Public Safety

4. Title: Virginia Community Policing Act; collection of data and reporting requirements.

5. Summary: Provides that in order to comply with the Virginia Community Policing Act, law enforcement officers must also collect the following information: (i) the address, neighborhood or zip code where the stop took place, (ii) the date and time of the stop, (iii) the duration of the stop, (iv) whether any property was patted down and the location of the pat down or search if different from the location of the initial encounter; (v) whether the officer requested and obtained consent for a pat down or search, whether the officer had a search warrant for the person or property, or whether there was an outstanding arrest warrant, (vi) whether a weapon was found, and if so, the type and whether it was lawfully possessed, (vii) whether other contraband was found, and if so, what it was and whether it was seized, and (viii) the race or ethnicity of the law enforcement officer who responded to the stop. It also adds that information must be collected when an officer responds to a motor vehicle accident, for stops or stops and frisks based on probable cause only, and for consensual investigative encounters and stops or stops and frisks without cause.

6. Budget Amendment Necessary: Yes. Item 429.

7. Fiscal Impact Estimates: Preliminary. See Item 8 below.

8. Fiscal Implications: According to the Department of State Police (VSP), the proposed legislation would require the agency to make modifications to the Virginia Community Policing Act database in order to collect the additional data. The agency estimates a \$235,000 one-time cost in the first year to make the required database modifications. VSP also estimates a one-time cost of \$3,000 the first year to conduct training for troopers about the new data collection requirements. The agency also estimates it will need one additional analyst position to manage the expanded data collection requirements and database submission and reporting responsibilities. Annual costs for the position are \$94,277 for salary and benefits. IT hardware and software costs associated with the position are approximately \$1,991 the first year and \$1,540 the second year. The total estimated cost for VSP to comply with the provisions of this bill is \$334,268 the first year and \$95,817 the second year.

Any potential fiscal impact on local law enforcement agencies as a result of the provisions of this bill are indeterminate at this time.

9. Specific Agency or Political Subdivisions Affected: Department of State Police and local law enforcement agencies.

10. Technical Amendment Necessary: No.

11. Other Comments: None.