

Department of Planning and Budget 2021 Fiscal Impact Statement

1. Bill Number: SB1391S1

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

2. Patron: Lucas

3. Committee: Senate Committee on the Judiciary

4. Title: Pretrial data collection

5. Summary: The substitute bill requires the Virginia Criminal Sentencing Commission to collect and disseminate, on an annual basis, statewide and locality-level data related to adults charged with criminal offenses punishable by confinement in jail or a term of imprisonment.

The bill provides that any personal or case identifying information within the data shall not be subject to the Virginia Freedom of Information Act and shall not be made publicly available. The bill does not require that the Virginia Criminal Sentencing Commission submit such annual report prior to December 1, 2022.

Additionally, the bill requires the Virginia State Crime Commission to provide the Virginia Criminal Sentencing Commission with the final data set of all adults charged with a criminal offense punishable by confinement in jail or a term of imprisonment as of October 2017 and that the Virginia Criminal Sentencing Commission make such statewide and locality-level data publicly available on a website established and maintained by the Virginia Criminal Sentencing Commission as (i) an electronic dataset, excluding any personal and case identifying information, that may be downloaded by members of the public and (ii) an electronic interactive data dashboard tool that displays aggregated data based on characteristics or indicators selected by the user, by October 1, 2021. This bill is a recommendation of the Virginia State Crime Commission.

6. Budget Amendment Necessary: Yes, Item 49

7. Fiscal Impact Estimates: Preliminary (see #8)

8. Fiscal Implications: According to the Virginia Criminal Sentencing Commission (VCSC), the substitute bill will likely have a notable impact on the agency's workload. Under the provisions of the bill, VCSC would be responsible for the ongoing task of compiling large numbers of datasets from multiple agencies and merging those datasets into a database tracking system that tracks a cohort of individuals from the first contact with the magistrate through to disposition of the case.

VCSC estimates the agency will need funding and two positions to perform this work on an ongoing basis. The cost for each position is estimated to be \$101,500 (\$70,000 salary +

\$31,500 in benefits). Additionally, an estimated one-time cost in the first year of \$6,100 per FTE (\$3,500 office furniture, \$1,500 for a computer and two monitors, and \$1,100 for laptop) to support this initiative.

The Virginia State Crime Commission indicates the bill does not create a fiscal impact for the agency.

9. Specific Agency or Political Subdivisions Affected: Virginia Criminal Sentencing Commission, and Virginia State Crime Commission

10. Technical Amendment Necessary: No

11. Other Comments: None