2018 Special Session I

Budget Bill - HB5001 (Chapter 1)

Bill Order » Office of Public Safety and Homeland Security » Item 410

Department of Forensic Science

Item 410	First Year - FY2017	Second Year - FY2018
Law Enforcement Scientific Support Services (30900)	**$44,262,469**	~~**$45,600,887**~~ ***$45,725,887***
Biological Analysis Services (30901)	$12,722,433	~~$12,900,492~~ *$12,950,492*
Chemical Analysis Services (30902)	$13,204,085	~~$8,239,190~~ *$8,314,190*
Toxicology Services (30903)	$0	$7,042,248
Physical Evidence Services (30904)	$8,804,422	$8,755,850
Training Services (30905)	$1,770,681	$673,022
Administrative Services (30906)	$7,760,848	$7,990,085
Fund Sources:		
General	$42,232,539	~~$43,570,743~~ *$43,695,743*
Federal Trust	$2,029,930	$2,030,144

Authority: §§ 9.1-1100 through 9.1-1113, Code of Virginia.

A. Notwithstanding the provisions of § 58.1-3403, Code of Virginia, the Department of Forensic Science shall be exempt from the payment of service charges levied in lieu of taxes by any county, city, or town.

B.1. The Forensic Science Board shall ensure that all individuals who were convicted due to criminal investigations, for which its case files for the years between 1973 and 1988 were found to contain evidence possibly suitable for DNA testing, are informed that such evidence exists and is available for testing. To effectuate this requirement, the Board shall prepare two form letters, one sent to each person whose evidence was tested, and one sent to each person whose evidence was not tested. Copies of each such letter shall be sent to the Chairman of the Forensic Science Board and to the respective Chairmen of the House and Senate Committees for Courts of Justice. The Department of Corrections shall assist the board in effectuating this requirement by providing the addresses for all such persons to whom letters shall be sent, whether currently incarcerated, on probation, or on parole. In cases where the current address of the person cannot be ascertained, the Department of Corrections shall provide the last known address. The Chairman of the Forensic Science Board shall report on the progress of this notification process at each meeting of the Forensic Science Board.

2. Upon a request pursuant to the Virginia Freedom of Information Act for a certificate of analysis that has been issued in connection with the Post Conviction DNA Testing Program and that reflects that a convicted person's DNA profile was not indicated on items of evidence tested, the Department of Forensic Science shall make available for inspection and copying such requested record after all personal and identifying information about the victims, their family members, and consensual partners has been redacted, except where disclosure of the

information contained therein is expressly prohibited by law or the Commonwealth's Attorney to whom the certificate was issued states that the certificate is critical to an ongoing active investigation and that disclosure jeopardizes the investigation.

C. The Department of Forensic Science, in cooperation with the Office of the Attorney General, shall pursue funding opportunities including federal grants to ensure that Physical Evidence Recovery Kits, associated with sexual assault reports or other investigations, which were collected but not submitted to the Department between July 1, 2014, and June 30, 2016, are analyzed.