2024 Special Session I

Budget Bill - HB6001 (Chapter 2)

Virginia State Crime Commission

Item 23	First Year - FY2025	Second Year - FY2026
Criminal Justice Research, Planning and Coordination (30500)	**$1,844,034**	**$1,844,034**
Criminal Justice Research (30503)	$1,844,034	$1,844,034
Fund Sources:		
General	$1,706,521	$1,706,521
Federal Trust	$137,513	$137,513

Authority: Title 30, Chapter 16, Code of Virginia.

A.1. The Virginia State Crime Commission shall review cases at the Virginia Department of Forensic Science (Department), in consultation with the Department's Scientific Advisory Committee, where testing or analysis was performed by Mary Jane Burton and report on the total number of the following: (i) case files that contain at least one named suspect; (ii) cases where scientific testimony was provided; and (iii) named suspects who were convicted of an offense related to such testing, categorized by persons: (a) currently incarcerated, on probation, or on parole; (b) executed; or, (c) deceased.

2. Notwithstanding any other provision of law, the Crime Commission and other state and local agencies may receive and disseminate to individuals, state and local agencies, and private organizations involved in the completion of this review (i) personal or case identifying information related to the named suspects, (ii) Virginia criminal history record information related to the named suspects, (iii) expunged or sealed police and court records related to the Department case file of a named suspect, and (iv) any other information that may be necessary to the successful and timely completion of the review. Information received or disseminated for purposes of this review shall not be subject to the Virginia Freedom of Information Act (§ 2.2-3700).

3. The Virginia State Crime Commission shall have the authority to review additional case files to address related matters as deemed appropriate, in consultation with the House Appropriations and Senate Finance and Appropriations Committees. The Crime Commission shall report on its findings by the first day of each General Assembly Session until completion of this review.

B.1. For the purpose of carrying out its duties and notwithstanding any contrary provision of law, the Virginia State Crime Commission shall have the legal authority to access the records, information, facilities, and employees of every department, division, board, bureau, commission, authority, or other agency created by the Commonwealth or to which the Commonwealth is a party or from any political subdivision of the Commonwealth. Upon request, such entities shall provide the Virginia State Crime Commission with records and any other information deemed necessary by the Virginia State Crime Commission for the performance of its duties. Additionally, upon request, such entities shall allow the Virginia State Crime Commission access to their facilities and ample opportunity to observe their operations. Such entities may not require the Virginia State Crime Commission to pay a fee to obtain records or any other information, or to access their facilities or observe their operations. Upon request, the Executive Secretary of the Supreme Court of Virginia shall provide the Virginia State Crime Commission with case

data, in an electronic format, from its district and circuit court case management systems for all adults and juveniles charged with a criminal offense, civil offense, or traffic violation. If a clerk of the circuit court does not participate in the statewide Circuit Case Management System maintained by the Executive Secretary of the Supreme Court of Virginia, then upon request such clerk of the circuit court shall provide the Virginia State Crime Commission with case data, in an electronic format, from its own case management system for all adults and juveniles charged with a criminal offense, civil offense, or traffic violation.

2. The Virginia State Crime Commission may use the data provided by the Executive Secretary of the Supreme Court of Virginia or any clerk of the circuit court for research, evaluation, or statistical purposes only and shall ensure the confidentiality and security of the data. The Virginia State Crime Commission shall not publish personal or case identifying information, including names, social security numbers, and dates of birth, which may be included in the data from the case management systems. Upon transfer to the Virginia State Crime Commission, such data shall not be subject to the Virginia Freedom of Information Act. Except for the publishing of personal or case identifying information, including names, social security numbers, and dates of birth, the restrictions in this section shall not prohibit the Virginia State Crime Commission from publishing aggregate data as part of its reports or presentations, or from sharing aggregate data when requested by a member of the General Assembly, a member of the Virginia State Crime Commission, the Office of the Attorney General, the Office of the Governor, or a member of the Governor's Cabinet.