



# 2014 Summary of Victim Related Legislation



Virginia Department of  
Criminal Justice Services

[www.dcjs.virginia.gov](http://www.dcjs.virginia.gov)



# Selected Crime Victim Related Bills That Passed

## **HB 171** Crime victim rights; offenses by juveniles.

- *Amend §§ 16.1-309.1 and 19.2-11.01*
- *Chief patron: Farrell, Peter F.*
- Through clarifying amendments, this bill expands the list of offenses for which a victim of a delinquent act committed by a juvenile may request that the victim be informed of the charge brought, the findings of the court, and the disposition of the case





# Selected Crime Victim Related Bills That Passed

## [HB 171](#) (continued)

- to include violations of assault and battery, stalking, violation of a protective order, sexual battery, or attempted sexual battery that would be misdemeanors if committed by an adult. The bill also provides that the definition of "victim" for purposes of the Crime Victim and Witness Rights Act includes victims of certain delinquent acts.





# Selected Crime Victim Related Bills That Passed

**HB 285** Emergency protective orders; arrests for domestic assault, definition of law-enforcement officer.

- *Chief patron:* Bell, Robert B.
- Amend §§ [16.1-253.4](#) and [19.2-81.3](#)
- This bill includes special conservators of the peace who have met the certification requirements for a law-enforcement officer in the definition of a law-enforcement officer for the purposes of obtaining an emergency protective order and for making arrests for assault and battery against a household





# Selected Crime Victim Related Bills That Passed

## [HB 285](#) (continued)

- member, stalking, and violation of a protective order.
- This bill is identical to [SB 71](#).





# Selected Crime Victim Related Bills That Passed

**[HB 334](#) Multidisciplinary child sexual abuse response teams, local; attorney to establish to review cases.**

- *Add § [15.2-1627.5](#)*
- *Chief patron:* Bell, Robert B.
- This bill requires every attorney for the Commonwealth to establish a multidisciplinary child sexual abuse response team to conduct regular reviews of cases involving felony sex offenses involving children. Such teams may also review other





# Selected Crime Victim Related Bills That Passed

## [HB 334](#) (continued)

- reports of child abuse and neglect or sex offenses involving children in the jurisdiction. The bill has a delayed effective date of July 1, 2015.
- This bill is identical to [SB 421](#).







# Selected Crime Victim Related Bills That Passed

## **HB 335** Family abuse protective orders; motor vehicles.

- Amend § [16.1-279.1](#)
- *Chief patron:* Bell, Robert B.
- This bill modifies the provision specifying that the court may grant the petitioner temporary exclusive possession or use of a motor vehicle owned by the petitioner or jointly owned by the parties to provide that the court may direct a respondent to maintain insurance, registration, and







# Selected Crime Victim Related Bills That Passed

## [HB 335](#) (continued)

- taxes on a motor vehicle and enjoin the respondent from terminating such insurance, registration, and taxes.
- This bill is identical to [SB 151](#).





# Selected Crime Victim Related Bills That Passed

## **HB 624** Protective orders; companion animals.

- Amend §§ [16.1-253](#), [16.1-253.1](#), [16.1-253.4](#), [16.1-279.1](#), [19.2-152.8](#), [19.2-152.9](#), and [19.2-152.10](#)
- *Chief patron:* Watts, Vivian E.
- This bill provides that a court may include in a protective order provisions prohibiting harm to a companion animal.
- This bill was incorporated into [HB 972](#).





# Selected Crime Victim Related Bills That Passed

**HB 868** Geriatric prisoners; conditional release, after offense, etc., person subject to protective order.

- Amend § [53.1-40.01](#)
- *Chief patron:* Yost, Joseph R.
- This bill provides that a prisoner is ineligible for conditional release due to age if he was convicted of a felony act of violence and was subject to a protective order at the time of the offense or after the offense but prior to being released from incarceration for the offense and the victim of the felony offense was the protected person under the protective order.





# Selected Crime Victim Related Bills That Passed

## **HB 885 Criminal Injuries Compensation Fund; filing of claims.**

- Amend § [19.2-368.5](#)
- *Chief patron:* Peace, Christopher K.
- This bill allows the Fund to extend the time for filing a claim if the attorney for the Commonwealth submits written notice that the crime is being investigated as a result of newly discovered evidence. This provision applies to crimes committed on or after July 1, 1977, because under current law, the only claims that can be accepted are those for crimes that occurred on or after that date,





# Selected Crime Victim Related Bills That Passed

## [HB 885](#) (continued)

- and does not apply to crimes committed on or after July 1, 2001, because legislation that became effective on July 1, 2001, allowed the Virginia Workers' Compensation Commission, which administers the Fund, to extend the time for filing for good cause shown. The bill raises from \$2,000 to \$3,000 the maximum amount of an emergency award, from \$1,000 to \$2,000 the maximum moving expenses, and from \$2,500 to \$3,500 the maximum reimbursement for





# Selected Crime Victim Related Bills That Passed

## [HB 885](#) (continued)

- mental health counseling for relatives of homicide victims. The bill also requires the Virginia State Crime Commission to convene a stakeholder workgroup to support an efficient and comprehensive streamlining of current federal and state sexual and domestic violence victim service agency funding.







# Selected Crime Victim Related Bills That Passed

## **HB 972 Protective orders; companion animals.**

- Amend §§ [16.1-253](#), [16.1-253.1](#), [16.1-253.4](#), [16.1-279.1](#), [19.2-152.8](#), [19.2-152.9](#), and [19.2-152.10](#)
- *Chief patron:* Cline, Benjamin K.
- This bill provides that a court may include in a protective order provisions granting to the petitioner possession of a companion animal if the petitioner is the owner of the animal.
- This bill incorporates [HB 624](#).







# Selected Crime Victim Related Bills That Passed

## **HB 1222** First responders; mental health education and training.

- *Chief patron:* Watts, Vivian E.
- This bill provides that the Secretary of Public Safety and the Secretary of Health and Human Resources shall encourage the dissemination of information about specialized training in evidence-based strategies to prevent and minimize mental health crises in all jurisdictions. The information shall be disseminated to law-enforcement personnel, other





# Selected Crime Victim Related Bills That Passed

## [HB 1222](#) (continued)

- first responders, hospital emergency department personnel, school personnel, and other interested parties.





# Selected Crime Victim Related Bills That Passed

## **HB 1233 Address Confidentiality Program; victims of stalking eligible for Program.**

- Amend § [2.2-515.2](#)
- *Chief patron:* Toscano, David J.
- This bill makes victims of stalking eligible for the Address Confidentiality Program. Under current law, only victims of domestic violence are eligible for participation. The bill also allows the Office of the Attorney General to cancel a program participant's certification if the participant obtains a name change through an order of the court and does not provide notice and a copy of the order to the Office of the Attorney General within seven days after entry of the order.





# Selected Crime Victim Related Bills That Passed

## **SB 151 Family abuse protective orders; allowable conditions.**

- Amend § [16.1-279.1](#)
- *Chief patron:* Stuart, Richard H.
- Modifies the provision specifying that the court may grant the petitioner temporary exclusive possession or use of a motor vehicle owned by the petitioner or jointly owned by the parties to provide that the court may direct a respondent to maintain





# Selected Crime Victim Related Bills That Passed

## [SB 151](#) (continued)

- insurance, registration, and taxes on a motor vehicle and enjoin the respondent from terminating such insurance, registration, and taxes.
- This bill is identical to [HB 335](#).





# Selected Crime Victim Related Bills That Passed

## **SB 239** Student mental health policies; violence prevention committee.

- Amend § [23-9.2:10](#)
- *Chief patron:* Petersen, J. Chapman
- Requires the violence prevention committee of each public institution of higher education to establish policies and procedures to encourage all faculty and staff to report behavior that may represent a threat to the community to members of the campus community identified by the committee. The bill also requires each violence prevention committee to include notification of family members or guardians, or both,





# Selected Crime Victim Related Bills That Passed

## [SB 239](#) (continued)

- as a sufficient means of action in the committee's policies and procedures for the assessment of individuals whose behavior may present a threat, unless such notification would prove harmful to the individual in question.







# Selected Crime Victim Related Bills That Passed

**SB 421 Multidisciplinary child sexual abuse response teams, local; attorney to establish to review cases.**

- *Add § [15.2-1627.5](#)*
- *Chief patron: McDougle, Ryan T.*
- Requires every attorney for the Commonwealth to establish a multidisciplinary child sexual abuse response team to conduct regular reviews of cases involving felony sex offenses involving children. Such teams may also review other reports of child abuse and neglect or sex





# Selected Crime Victim Related Bills That Passed

## [SB 421](#) (continued)

- offenses involving children in the jurisdiction. The bill has a delayed effective date of July 1, 2015, and is identical to HB 334.





# Selected Crime Victim Related Bills That Passed

## **SB 640 Witnesses; right to nondisclosure of certain information.**

- Amend §§ [19.2-11.2](#) and [19.2-267](#)
- *Chief patron:* Howell, Janet D.
- Adds witnesses in criminal prosecutions of manufacturing, selling, giving, etc., a controlled substance and of violent felonies to the list of those witnesses who may request to have their addresses, telephone numbers, and places of employment withheld from disclosure. The bill also prohibits an attorney who issues a





# Selected Crime Victim Related Bills That Passed

## [SB 640](#) (continued)

- summons for a witness in a criminal case from filing the names and addresses of witnesses who are protected from disclosure of such information with the clerk of the court.





# Selected Crime Victim Related Bills That Passed

## **SB 654 Criminal Justice Services, Department of; human trafficking policy.**

- Amend § [9.1-102](#)
- *Chief patron:* Obenshain, Mark D.
- Requires the Department of Criminal Justice Services to publish and disseminate a model policy or guideline for law-enforcement personnel involved in criminal investigations or assigned to vehicle or street patrol duties to ensure that law-enforcement personnel





## **SB 654 (continued)**

- are sensitive to and aware of human trafficking offenses and the identification of victims of human trafficking offenses.



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# Selected Crime Victim Related Bills That Failed

[HB 1](#) Criminal Injuries Compensation Fund; emergency award to claimant shall not exceed \$3000, etc.

[HB 486](#) Human trafficking of children; reports and investigation.

[HB 657](#) Victims of crime; testimony using two-way closed-circuit television for certain offenses.

[HB 716](#) Trafficking in persons; penalties.







# Selected Crime Victim Related Bills That Failed

[HB 833](#) Safe days for employees; duty of employer to provide.

[HB 1126](#) Witnesses; protection of identity.

[SB 4](#) Sexual and Domestic Violence Subfund; funding of sexual and domestic violence prevention, etc.

[SB 275](#) Health insurance; victims of sexual assault, cost-sharing requirement for HIV medication.





# Selected Crime Victim Related Bills That Failed

[SB 373](#) Trafficking in persons; penalties.

[SB 625](#) Protective orders; hearing to be held simultaneously with pending criminal action.

[SB 659](#) Protective orders, preliminary; changes standard for issuing.





# Selected Crime Victim Related Bills

- Additional information about all bills considered and the state budget is available through the Legislative Information System which can be found at:  
<http://leg1.state.va.us/lis.htm>



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