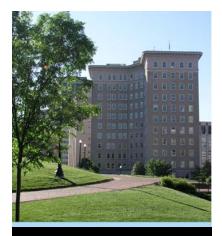




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Virginia Department of Criminal Justice Services www.dcjs.virginia.gov Victims Services Related Legislation: 2015 Session of the General Assembly

Division of Programs and Services Victims Services



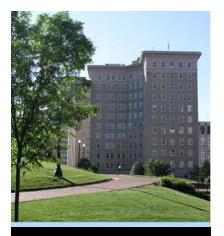


#### Selected Crime Victim Related Bills That Passed\*

#### HB 1353 & SB 1074 Sex Offender and Crimes Against Minors Registry; Supplement to Registry.

- <u>HB 1353</u> (*Chief Patron*: David I. Ramadan)/
- <u>SB 1074</u> (*Chief Patron*: Ryan T. McDougle; *Chief Co-Patron*: Jennifer T. Wexton)
- Amends/Adds: § <u>9.1-918</u> and §<u>9.1-923</u>
- Requires the Superintendent of State Police to establish a Supplement to the Sex Offender and Crimes Against Minors Registry.

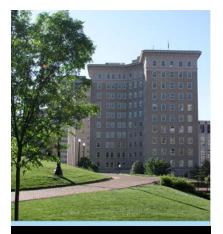
\*Unless otherwise indicated, bills are effective 7/1/15.





## HB 1493 Enticing another into a dwelling house; person who commits certain violations, Class 6 felony.

- Chief Patron: Jackson H. Miller; Chief Co-Patron: David E. Yancey
- Adds: <u>§18.2-50.3</u>
- Provides that a person who commits certain specified crimes, including capital murder, within a dwelling house and who, with the intent to commit such crime, enticed, solicited, requested, or otherwise caused the victim to enter the dwelling house is guilty of a separate and distinct Class 6 felony.

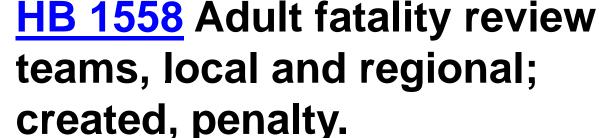




#### HB 1506 Deferred and installment payments; condition of all agreements for fines, costs, etc., posting.

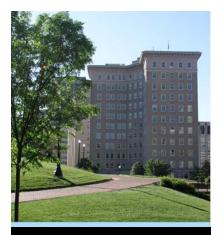
- Chief Patron: Patrick A. Hope
- Amends: § <u>19.2-354</u>
- Requires that the guidelines for conditions of all deferred or installment payment agreements for the payment of court-ordered fines or other penalties (e.g., restitution) be reduced to writing as well as posted in the clerk's office and on the court's website, if a website is available.

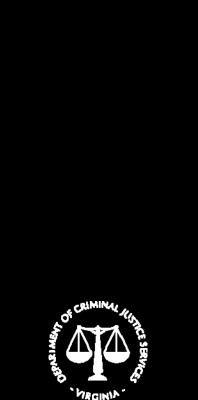




- Chief Patron: Thomas Davis Rust
- Amends: §§ <u>2.2-3705.5</u>, <u>2.2-3711</u>, <u>2.2-4002</u>, <u>32.1-283.5</u>, and <u>63.2-1606</u>; Adds: §<u>32.1-</u> <u>283.6</u>
- Allows for the creation of local or regional adult fatality review teams upon the initiative of any local or regional law-enforcement agency, department of social services, emergency medical services agency, CA or CSB.







#### **HB 1698** Students; questionnaires and surveys requesting sexual information, etc.

- Chief Patron: Tony O. Wilt
- Amends: § <u>22.1-79.3</u>
- Requires each school board, in any case in a questionnaire or survey requesting that students provide sexual information or any other information that the school board deems to be sensitive in nature – give the parent 30 days written notice.





#### HB 1785 Campus police departments; sexual assault reporting.

- Chief Patron: James P. Massie; Chief Co-Patron: Eileen Filler-Corn
- Amends: § <u>23-234</u>
- Requires that mutual aid agreements between a campus police force and a law-enforcement agency contain certain provisions.





#### HB 1928 & SB 1187 DNA: Analysis upon Conviction of Certain Misdemeanors

- HB 1928 (Chief Patron: Robert B. Bell)/
- <u>SB 1187</u> (*Chief Patron*: Mark D. Obenshain)
- Amends: §§ <u>19.2-310.2</u> and <u>19.2-310.7</u>
- Includes additional misdemeanor violations to the list of offenses for which an adult convicted of such offense must have a sample of his blood, saliva, or tissue taken for DNA analysis





#### HB 1930 & SB 712 Higher Educational Institutions: Reporting Sexual Violence

- <u>HB 1930</u> (*Chief Patron*: Robert B. Bell; *Chief Co-Patrons*: David B. Albo, C. Todd Gilbert)/
- <u>SB 712</u> (*Chief Patron*: Richard H. Black; *Chief Co-Patrons*: George L. Barker, R. Creigh Deeds, and Richard L. Saslaw)
- Adds: § § <u>23-9.2:15</u>, <u>23-9.2:16</u>, and <u>23-9.2:17</u>
- Requires any responsible employee of a public or private nonprofit institution of higher education who in the course of his employment obtains information that an act





#### HB 1930 & SB 712 Higher Educational Institutions: Reporting Sexual Violence (continued)

 of sexual violence has been committed against a student or on campus property or other property related to the institution to report such information to the Title IX coordinator for the institution as soon as practicable.





## HB 1946 & SB 919 Administrative subpoenas; electronic communication services.

- <u>HB 1946</u> (*Chief Patron*: Jennifer L. McClellan)/
- <u>SB 919</u> (*Chief Patron*: Jennifer T. Wexton)
- Amends: § <u>19.2-10.2</u>
- Authorizes the Attorney General, as attorneys for the Commonwealth are currently authorized, to issue administrative subpoenas to obtain certain records and other information from electronic communication service and remote computing service providers if relevant to a law-enforcement investigation of certain pornography, abduction, and prostitution crimes.





### HB 1964 & SB 1188 Commercial Sex Trafficking: Penalties

- <u>HB 1964</u> (*Chief Patron*: Timothy D. Hugo; *Chief Co-Patrons*: Robert L. Anderson, Robert B. Bell, and C. Todd Gilbert)/
- <u>SB 1188</u> (Chief Patron: Mark D. Obenshain; Chief Co-Patron: John S. Edwards)
- Amends: §§ <u>9.1-902</u>, <u>17.1-805</u>, <u>18.2-46.1</u>, <u>18.2-356</u>, <u>18.2-357</u>, <u>18.2-513</u>, <u>19.2-215.1</u>, and <u>19.2-386.35</u>
- Creates new felonies for trafficking of persons for commercial sexual activity





#### HB 1964 & SB 1188 Commercial Sex Trafficking: Penalties (continued)

 Provides that any person who solicits, invites, recruits, encourages, or otherwise causes or attempts to cause a person to engage in prostitution with the intent to receive money or other valuable thing or to assist another in receiving money or other valuable thing from the earnings of the solicited person from an act of prostitution is guilty of a Class 5 felony





#### HB 2092 & SB 1094 Establishment of Sexual and Domestic Violence Committees

- <u>HB 2092</u> (*Chief Patron*: Christopher K. Peace; *Chief Co-Patron:* Jennifer L. McClellan)/
- <u>SB 1094</u> (*Chief Patron*: Janet D. Howell)
- Amends: § § <u>9.1-102</u>; Adds: <u>9.1-116.2</u>, and <u>9.1-116.3</u>
- Establishes the Virginia Sexual and Domestic Violence Program Professional Standards Committee
- Establishes an Advisory Committee on Sexual and Domestic Violence



#### HB 2092 & SB 1094

#### Establishment of Sexual and Domestic Violence Committees (continued)

• Both bills are recommendations of the Crime Commission.







- Chief Patron: Benjamin L. Cline
- Amends: § <u>19.2-120</u>
- Adds strangulation where the alleged victim is a family or household member to the list of crimes charged for which there is a rebuttable presumption against admission to bail.







- Amends: §§ <u>53.1-133.02</u> and <u>53.1-160</u>
- Requires the sheriff, superintendent, or the DOC to give notice to any victim of the offense for which a prisoner was incarcerated as soon as practicable following the transfer of such prisoner
- Under current law, such notice must be given at least 15 days prior to the transfer





# A CRIMINAL RUSA



Virginia Department of Criminal Justice Services www.dcjs.virginia.gov

#### HJ 600 & SJ 245 Sexual Assault Awareness Month

- HJ 600 (Chief Patron: Kaye Kory)/
- <u>SJ 245</u> (*Chief Patron*: Barbara A. Favola)
- Designates the month of April, in 2015 and in each succeeding year, as Sexual Assault Awareness Month in Virginia.





#### Selected Crime Victim Related Bills That Failed

- HB 486 Human trafficking of children; reports and investigation.
- HB 716 Trafficking in persons; penalties.
- HB 1453 Stalking; penalty.
- HB 1343 Campus police departments; sexual assault reporting.
- HB 1418 Criminal injuries compensation; confidentiality.





#### Selected Crime Victim Related Bills That Failed

- HB 1442 Police and court records; fees for expungement from record.
- HB 1430 Unemployment compensation; benefit charges.
- HB 1453 Stalking; penalty.
- HB 1505 Sexual offenses; prohibiting proximity to victims of the offense, penalty.
- HB 1508 Higher educational institutions; memorandum of understanding and policies. Companion <u>SB 981</u>.





#### Selected Crime Victim Related Bills That Failed

HB 1749 Expungement of protective orders.
HB 1786 Higher education; reporting of sexual assault, penalty. Companion <u>SB 734</u>
HB 1884 Assault and battery; penalty when occurs against family or household member.
HB 1902 Stalking; early termination of rental agreements, penalty.
HB 1945 Domestic violence leave for

<u>HB 1945</u> Domestic violence leave for employees. Companion <u>SB 990</u>

\*HB 1954 was incorporated by HB 2092 (see bills that passed).





#### Selected Crime Victim Related Bills That Failed

HB 2045 Protective orders; possession of firearms; penalty.

HB 2105 Spousal support; denial to spouse convicted of certain violations.

HB 2150 Domestic violence or sexual assault leave; duty of employers.

HB 2328 Protective orders; person must surrender any firearms, penalty.

HB 2388 Parole Board; person eligible for parole, deferred release.





#### Selected Crime Victim Related Bills That Failed

SB 255 Sexual crimes against minors; extend statute of limitations.

SB 275 Health insurance; victims of sexual assault, cost-sharing requirement for HIV medication.

<u>SB 384</u> Sexual offenders; certain persons prohibited proximity to children at public libraries, penalty.





#### Selected Crime Victim Related Bills That Failed

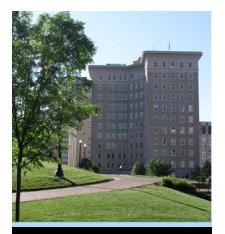
SB 710 Human trafficking; new felonies created, penalties.

<u>SB 734</u> Higher education; reporting of sexual

assault, penalty. Companion <u>HB 1786</u>

<u>SB 902</u> Minors; procedures for collection of physical evidence.

<u>SB 909</u> Protective orders; person subject to an order is prohibited from possessing a firearm, penalty.





#### Selected Crime Victim Related Bills That Failed

<u>SB 943</u> Firearms; possession or transportation following convictions for certain misdemeanor crimes.

<u>SB 981</u> Higher educational institutions; memorandum of understanding and policies. Companion <u>HB 1508</u>

<u>SB 990</u> Domestic violence leave; employers to provide for employees. Companion <u>HB 1945</u>

SB 1192 Higher educational institutions; sexual misconduct policies.

<u>SB 1252</u> Higher educational institutions; reporting of sexual assault, penalty.





#### Selected Crime Victim Related Bills That Failed

<u>SB 1253</u> Sexual crimes against minors; extends statute of limitations.

<u>SB 1275</u> Higher educational institutions; reporting of sexual assault to DCJS.

SB 1297 Stalking; penalty.

SB 1329 Higher educational institutions; memorandum of understanding and policies for sexual assaults.

SB 1379 Higher educational institutions; sexual misconduct policies.



#### **Additional Information**

To learn more about any of these bills, please visit <u>http://lis.virginia.gov/</u> and click on "Bills & Resolutions" to search by bill number.



Questions regarding legislation:

Kay Bullock Eleanore Ashman 804-786-3973 804-225-4060

