

## Department of Planning and Budget 2020 Fiscal Impact Statement

1. **Bill Number:** HB893

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

2. **Patron:**        Guzman

3. **Committee:** Counties, Cities, and Towns

4. **Title:**            Law enforcement; use of force; data collection and reporting requirement.

5. **Summary:** Requires the sheriffs and chiefs of police of every locality to collect data pertaining to the use of force by law enforcement officers, and to report such data to the Superintendent of State Police. The bill also requires State Police officers to report such data to their supervisory officers, who shall forward it to the Superintendent. The bill requires the Department of State Police (VSP) to include such data in the annual Crime in Virginia report in the following instances: (i) any civilian fatality that occurs in connection with the use of force by a law enforcement officer; (ii) any serious bodily injury to a civilian that occurs in connection with the use of force; and (iii) the discharge of a firearm by a law enforcement officer at or in the direction of a civilian. For any such incident, the following information shall be included: (i) the date, time, and location of the incident; (ii) the number of law enforcement officers involved in the incident; (iii) the basis for the initial contact between the civilian and the officers; (iv) if the initial contact was due to unlawful or criminal activity, the most serious reported offenses committed by the civilian prior to or at the time of the incident; (v) the age, sex, gender identity, national origin, race, ethnicity, English proficiency status, and developmental or intellectual disability status of the civilian; (vi) the type of force used against the law enforcement officer, civilian, or both, including the types of weapons used, if applicable; (vii) the type of serious bodily injury or cause of death of the civilian, if applicable; (viii) whether the civilian resisted and the type of resistance, if applicable; (ix) any apparent or known impairment in the physical condition of the civilian, including drug or alcohol impairment, if applicable; (x) any apparent or known mental or physical disability of the civilian, if applicable; (xi) whether, at any time during the incident, the civilian was armed or believed to be armed with a weapon; (xii) the age, sex, gender identity, national origin, race, ethnicity, and English proficiency status of the law enforcement officer; (xiii) whether the law enforcement officer was on duty at the time of the incident; and (xvi) in the case of a report in which a civilian fatality or serious bodily injury occurs, whether the law enforcement officer discharged a firearm during the incident. All such data should be reported to VSP on forms provided by the Department.

6. **Budget Amendment Necessary:** No.

7. **Fiscal Impact Estimates:** Preliminary. See below.

- 8. Fiscal Implications:** This bill would require all local and state law enforcement officers to collect data relating to incidents involving use of force, and to provide such data to the Department of State Police (VSP). The bill requires VSP to include incidents of use of force that involve a civilian fatality, a serious bodily injury to a civilian, or the discharge of a firearm by a law enforcement officer at or in the civilian's direction in its annual Crime in Virginia report. According to VSP, there is no anticipated fiscal impact on agency operations as a result of the provisions of this bill. The bill may have a fiscal impact on local law enforcement agencies, however, the potential fiscal impact on local law enforcement agencies cannot be determined at this time.
- 9. Specific Agency or Political Subdivisions Affected:** Department of State Police, Local law enforcement agencies.
- 10. Technical Amendment Necessary:** No.
- 11. Other Comments:** None.