



VIRGINIA STATE CRIME COMMISSION

2022 INTERIM EXECUTIVE SUMMARY OF ACTIVITIES

The Virginia State Crime Commission was established within the legislative branch of government in 1966. The Crime Commission is a criminal justice agency as defined by Virginia Code § 9.1-101, and is authorized to study, report, and make recommendations on all areas of public safety and protection (Virginia Code § 30-156 *et seq.*). The Crime Commission consists of thirteen members – six members of the House of Delegates, three members of the Senate, three non-legislative citizen members appointed by the Governor, and the Attorney General or his designee.

During 2022, Crime Commission staff was directed to conduct a comprehensive review of Virginia's driving under the influence (DUI) laws and any trends or variances related to the enforcement of these laws. Staff also continued work on the expungement and sealing of criminal history records and parole. Additionally, staff participated as a member of the Virginia Pretrial Advancement Team as part of the Virginia Department of Criminal Justice Services' pilot of the Public Safety Assessment (PSA).

The Crime Commission held meetings on November 16th, December 5th, and January 10, 2023. At the November 16th meeting, staff presented on DUI data and barriers to DUI enforcement. Six other entities also provided DUI-related presentations, as well as additional recommendations for member consideration. At the December 5th meeting, the Virginia Criminal Sentencing Commission provided a presentation on findings from the 2018 Cohort as part of the Virginia Pretrial Data Project. Members also heard from key stakeholders on their progress of implementing the new criminal record sealing processes. Additionally, staff presented various matters from the DUI study for consideration by members, including two staff recommendations and ten policy options as requested by members.

At the January 10, 2023 meeting, members met to finalize the Crime Commission's legislative package for the 2023 Regular Session of the General Assembly. Ultimately, members unanimously endorsed the following:

- Enact legislation requiring the Department of Motor Vehicles (DMV) to collect existing data from various sources on DUI trends and enforcement across Virginia by both locality and individual law enforcement agencies and provide an annual comprehensive DUI report.
- Enact legislation to better facilitate the implementation and programming of the new sealing processes. The legislation does not expand or reduce the availability of expungement or sealing in Virginia.



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- Introduce budget amendments for the FY2024 budget to:
 - Require the Department of Forensic Science to ensure that all DUI blood sample submissions are screened for the presence of drugs within drug classes;
 - Require the Department of Forensic Science provide for both alcohol and drug testing of blood samples submitted for drivers killed in motor vehicle accidents; and,
 - Allocate additional funding for Virginia State Police to expand Drug Recognition Expert (DRE), Advanced Roadside Impaired Driving Enforcement (ARIDE), and field sobriety training for both state and local law enforcement officers.
- Request that the Office of the Executive Secretary of the Supreme Court of Virginia include drug impaired driving at the mandatory 2023 Judicial Conference of Virginia for District Courts.

The Executive Director of the Crime Commission serves as the designee for the Chair of the Crime Commission on the Forensic Science Board, Indigent Defense Commission, and Advisory Committee on Sexual and Domestic Violence.

The Crime Commission will publish its 2022 Annual Report by June 30, 2023. Additional information about the Crime Commission is available on the agency website at <http://vscc.virginia.gov>.