

HOUSE BILL NO. 611

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Finance and Appropriations

on _____)

(Patrons Prior to Substitute--Delegates Price and McQuinn [HB 423])

A BILL to amend and reenact the Code of Virginia by adding in Article 15 of Chapter 1 of Title 9.1 a section numbered 9.1-192.1, relating to civilian deaths in custody; report.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 15 of Chapter 1 of Title 9.1 a section numbered 9.1-192.1 as follows:

§ 9.1-192.1. Civilian deaths in custody; annual report.

A. For the purposes of this section, "law-enforcement agency" means any sheriff's office, police department, or other agency or department that employs persons who have law-enforcement authority that is under the direction and control of the Commonwealth or any local governing body.

B. Every law-enforcement agency shall report to the Department the following information regarding the death of any person who is detained, under arrest or in the process of being arrested, en route to be incarcerated, or otherwise in the custody of such law-enforcement agency:

1. The name, gender, race, ethnicity, and age of the deceased;

2. The date, time, and location of death;

3. The law-enforcement agency that detained, arrested or was in the process of arresting, transported, or otherwise had custody of the deceased; and

4. A brief description of the circumstances surrounding the death and the cause of death.

C. Any law-enforcement agency that fails to comply with subsection B may, at the discretion of the Department, be declared ineligible for state grants or funds.

D. The Department shall analyze the data submitted pursuant to subsection B to determine the means by which such information can be used to reduce the number of such deaths. The Director shall

27 annually report the findings and recommendations resulting from the analysis and interpretation of the
28 data to the Governor, the General Assembly, and the Attorney General beginning on or before July 1,
29 2025, and each July 1 thereafter.

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