



Virginia Sexual and Domestic Violence Action Alliance Public Policy Priorities 2008

Budget and Funding Priorities

Increase state funding by approximately \$6 million for Sexual and Domestic Violence Agencies to provide comprehensive sexual and domestic violence services, including the establishment of community-based, age-appropriate and culturally sensitive services for children and youth and prevention programming.

- ⇒ \$2.3 million to strengthen and increase the availability of crisis and support services through Sexual Assault Crisis Centers across the Commonwealth. (ABC Board fund transfer)
- ⇒ \$3.5 million to provide comprehensive children's services by establishing community-based, age-appropriate children's services in every Virginia Sexual Assault Crisis Center and Domestic Violence Program. (ABC Board fund transfer and marriage license fee increase)
- ⇒ \$350,000 to establish sexual violence prevention initiatives in up to 10 Virginia communities with the state-level training, technical assistance, and resources to support these efforts. (Governor's Budget)

Legislative Priorities

Enhance services and community response to all those who have experienced sexual and domestic violence, including those who are traditionally underserved.

1. Provide Direct Reimbursement to Health Care Providers for Performing Physical Evidence Recovery Kits Examinations in Sexual Assault Cases

HB 956/SB 312

Provides that victims of sexual assaults will not be responsible for the payment of Physical Evidence Recovery Kits (PERKs) and clarifies that victims of sexual assault will not be required to participate in the criminal justice system or cooperate with law enforcement to be provided a PERK exam, reimbursement for the exam, or both.

2. Provide that Victims of Sex Offenses Shall Not Be Requested or Required to Submit to a Polygraph as a Condition of Proceeding with an Investigation

HB 1043 /HB 1488 /SB 164

Provides that victims of sex offenses can not be asked or required to take a polygraph as a condition of investigating the alleged offense and that a victim's refusal to take a polygraph shall not prevent the investigation or prosecution of the alleged offense.

3. Require Local Law Enforcement Agencies to Establish Written Policies on Responding to Sexual Violence

HB 1395/SB 786

Requires that the Department of State Police and local law-enforcement agencies to establish written policies and procedures regarding response to incidents involving sexual assault. The Department of Criminal Justice Services is directed to provide law-enforcement agencies with technical support and assistance in developing the policies and procedures. This legislation would not require each law

enforcement agency to establish the same policies and procedures, but it would require specific factors that each agency's procedures must include.

Promote systems advocacy and enhanced service delivery that prioritizes the safety, needs and autonomy of individuals who have experienced sexual and domestic violence.

1. Expand Pilot of Address Confidentiality Program

SB 764

Continues and expands the Office of the Attorney General pilot of the Address Confidentiality Program which provides domestic violence victims in hiding with an anonymous post office box address to use. Currently the program is being piloted in Arlington County; this bill expands the pilot to an additional 14 counties/cities through 2010.

2. Require Courts to Enter Protective Orders into the Court Management System Immediately Upon Issuance

HB 753/HB 974/SB 540

Provides that courts shall immediately enter protective orders into the court case management system so the information is available to law enforcement Virginia's Criminal Information Network (VCIN) immediately. Currently law enforcement enters protective orders upon receipt, but they may not be getting the orders from the court until a few days after the orders are issued which creates serious safety issues for victims.

3. Crime Victims & Witnesses; Immigration Status

SB 441

Enhances public safety by assuring crime victims and witnesses of crime that they will not face immigration inquiries if they come forward to cooperate with law enforcement. Without such protections, victims and witnesses of sexual and domestic violence will not report crimes due to fear of deportation or other consequences related to their immigration status.

4. Protective Orders; to include information on firearm possession

HB 814

Provides that protective orders of all types shall include information on whether or not the respondent possesses a firearm.

5. Protective Orders; possession of firearms

HB 281

Prohibits a person subject to a protective order from possessing a firearm. Currently, persons are prohibited from purchasing and transporting.

6. Oppose legislation that creates mandatory sentencing or jail time for sexual or domestic violence crimes.

7. Oppose legislation that gives local street-level law enforcement the duties of immigration enforcement.

Promote sexual and domestic violence offender accountability.

1. Repeal Virginia Code Section 18.2-66 and remove subsequent marriage of the victim and perpetrator as a defense to carnal knowledge of a 14-year-old female.

HB 597/SB 608

Prohibits an individual accused of carnal knowledge of a 14-year old female from using a subsequent marriage to the victim as a defense for the offense.

2. Oppose legislation that creates mandatory sentencing or jail time.

Questions? Contact Kristine Hall or Stacy Ruble at 804-377-0335 or publicpolicy@vsdvalliance.org