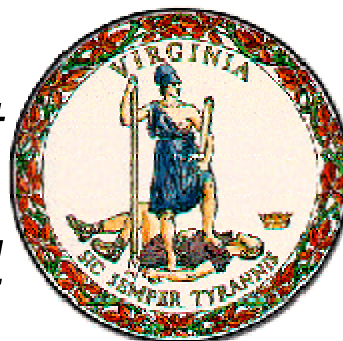


VIRGINIA STATE CRIME COMMISSION

Annual Report *2004*



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Crime Commission
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VIRGINIA STATE CRIME COMMISSION

I. Introduction

The Authority of the Commission

The Virginia State Crime Commission, created in 1986, is a legislative entity authorized by the *Code of Virginia* §§ 30-156—164 to research and make recommendations on all aspects of criminal justice and public safety issues. The Crime Commission is a Criminal Justice Agency as defined in Title 9.1-101 of the *Code of Virginia*.

Pursuant to House and Senate Joint Resolutions, General Assembly committees' direction, member requests and its own initiative, the Commission focuses on, among other things, issues related to:

- Institutional and community corrections;
- Education and treatment of inmates;
- Powers of law enforcement officers;
- Training and compensation of criminal justice professionals; and,
- Criminal statutes and procedures.

The Commission makes recommendations as it deems appropriate with respect to the foregoing matters, and coordinates the proposals and recommendations of all commissions and agencies as to legislation affecting crimes, crime control and criminal procedure. The Commission cooperates with the executive branch of state government, the Attorney General's office and the judiciary who are in turn encouraged to cooperate with the Commission. The Commission also cooperates with state and federal governmental agencies.

Thirteen members from across the state comprise the Commission's membership. The Speaker of the House appoints three members from the House of Delegates; the Senate Committee on Privileges and Elections appoints three members from the Senate;

the Governor appoints three members; and, the Attorney General or his designee. Each member serves on the Commission for four years; and, the Commission elects its own chairman every two years.

Commission Meetings

The full membership of the Commission met six times during 2004. These meetings convened in the General Assembly Building on January 13, April 20, September 21, October 13, November 17 and December 15.

The following pages highlight the numerous study referrals the Commission reviewed and analyzed during 2004. Additionally, the Commission formed a Joint Legislative Task Force, in conjunction with the Joint Commission on Technology and Science, to address the Computer Crimes study mandate. The Task Force was assisted by an Advisory Committee, comprised of selected representatives from the computer industry.

Joint Legislative Task Force on Computer Crimes Meetings

The Task Force, comprised of 19 members, met four times during 2004. These meetings were held on August 18, October 5, October 26 and November 8.

Computer Crimes Advisory Committee Meetings

The Advisory Committee, comprised of 17 members, met three times during 2004. These meetings were held on August 10, September 21 and October 19.

II. 2004 Studies

Campus Safety Interim Report

During the 2004 Session of the Virginia General Assembly, Delegate Phillip A. Hamilton introduced House Joint Resolution 122 (HJR 122), which directed the Crime Commission to study campus safety at Virginia's public and private institutions of higher education. Specifically, the resolution directed the Commission to examine the following areas: (i) current Virginia policies, procedures and programs used to promote safety at institutions of higher education; (ii) nature of criminal offenses at Virginia's public and private institutions of higher education; (iii) use of best practices or models for campus safety nationally; and, (iv) need to develop statewide procedures to ensure the dissemination of information pertaining to best practices for campus safety to Virginia's public and private institutions of higher education.

In spring 2004 the Crime Commission began the study pursuant to HJR 122. Due to the expansive scope of the study mandate, the study was extended from one year to two years. The first year of the study focused primarily on colleges and universities with an official police department. The second year of the study will continue to focus on colleges with police departments, as well as, colleges with security and public safety departments.

In the first year, the Crime Commission focused on the collection of personnel, budgetary and

policy information from Virginia colleges with police departments. A literature review was conducted to gain an understanding of campus safety issues and models, and staff made several visits to college campuses to understand the operations of campus police departments. Additionally, many campus crime statistics were requested, collected and compiled. A detailed survey was also developed and disseminated to each campus police department in the Commonwealth. The survey was used to gather information regarding each campus police department's budget, personnel, training, equipment, administrative relations and campus demographics. Finally, a Crime Commission Campus Safety Task Force was created to aid in the formulation of best practice recommendations.

Because this was the first year of a two year study, there were no recommendations made by the Crime Commission.

“Crime Commission staff has undertaken a number of activities to examine campus safety, such as the collection of campus crime logs, dispatch records, official crime statistics, as well as, surveys and field visits to campus police departments.”

Commonwealth's Attorneys Interim Report

During the 2004 Session of the Virginia General Assembly, Delegate Robert F. McDonnell introduced House Joint Resolution 225 (HJR 225), which directed the Crime Commission to study the operations of all Commonwealth's Attorneys' offices.

Specifically, the two year study was to:

- ✦ Examine the quality of prosecutorial representation;
- ✦ Assess the efficiency by which prosecutorial services are provided;
- ✦ Determine the impact of the existing workloads;
- ✦ Identify any disparity in workload per attorney;
- ✦ Examine training and technical support services provided;
- ✦ Review opportunities for continuing legal education;
- ✦ Assess the ability to hire and retain qualified prosecutors;
- ✦ Determine reasonable caseload per attorney;
- ✦ Determine the appropriate role of localities in providing support for Commonwealth's Attorneys;
- ✦ Identify disparity among offices in the ability to provide quality prosecutorial representation to each locality; and,
- ✦ Examine considerations that would, if implemented reduce pretrial delay and thus minimize the costs of pretrial incarceration.

Throughout the first year of this two-year study, Crime Commission staff focused on employing several research methodologies to learn about various prosecutorial models across the 50 states. Staff conducted numerous structured telephone interviews with statewide prosecutor organizations and with statewide prosecutor organization coordinators. Through these conversations, staff collected information that led to an analysis of technical support, training, continuing education, information sharing (including the provision of brief-banks and case management systems), and legislative activities conducted by these statewide prosecutor organizations.

Beyond these structured telephone interviews, staff also conducted a 50-state analysis of enabling statutes and regulatory codes, analyzed previous prosecutorial studies, and reviewed national literature regarding state prosecutor staffing standards. Because this was the first year of a two year study, there were no recommendations made by the Crime Commission.

“Using Compensation Board staffing standards, 62% of Commonwealth's Attorneys' offices will be understaffed for their attorney positions during FY 05.

34% (41) of Commonwealth's Attorneys' offices have fewer than 1.5 state-approved attorney positions. ”

Computer Crimes Act

Item 18 of the 2004 Appropriations Act directed the Crime Commission to examine the statutory basis for computer crimes in the *Code of Virginia* including definitions and elements of offenses. To ensure recently developed methods of computer crime are adequately defined and punished in the *Code of Virginia*, the Crime Commission recommended several modifications to the existing Computer Crimes Act. The current definitions found in *Virginia Code* § 18.2-152.2 should be modified to eliminate redundancies, promote clarity, and focus the scope of the Act. Many of the existing computer crimes should be rewritten, for the same reasons, and several new crimes should be inserted into the Act. These new crimes will make it easier for prosecutors to convict people who use the Internet to perpetrate fraud, engage in identity theft, or disseminate viruses or other types of malicious computer programs.

The Crime Commission made the following recommendations:

Recommendation 1 – Create a new crime making it a Class 6 felony to fraudulently obtain from any person his personal identifying information through the use of a computer; if the information is subsequently sold, distributed or used in the commission of another crime the penalty would be a Class 5 felony.

Recommendation 2 – Add, as one of the crimes listed in the Computer Trespass statute, that it shall be illegal to disable or disrupt the ability of a computer to transmit computer information to other computers or to related computer equipment, such as printers, scanners, or fax machines.

Recommendation 3 – Add, as one of the crimes listed in the Computer Trespass statute, that it shall be illegal to maliciously install a computer program on the computer of another without the authorization of the owner.

Recommendation 4 – Create a new crime, making it a Class 1 misdemeanor to circumvent a security measure (such as a password, firewall, or access code) that controls access to a computer; a second or subsequent violation, or a violation carried out in the commission of another felony, would be a Class 6 felony.

Recommendation 5 – The term “computer” should be defined as a device that accepts information in digital or similar form and manipulates it for a result based on a sequence of instructions. Such term (for purposes of the Computer Crimes Act) does not include a device whose predominate purpose is not the storage and manipulation of user-inputted computer information, such as automated typewriters, simple handheld calculators, digital cameras, faxes or pagers.

Recommendation 6 – The phrase “without authority,” which is given a definition in § 18.2-152.2, should be amended to include a *mens rea* requirement of “know or reasonably should know.”

Recommendation 7 – The definitions provided in § 18.2-152.2 should be extensively rewritten to promote brevity, eliminate awkward phrasings, and simplify the concepts and terms. When a term has already been defined elsewhere in the *Code of Virginia*, it should have, as far as possible, an identical meaning in the Computer Crimes Act.

Computer Crimes Act (continued)

Recommendation 8 – Amend § 18.2-152.3 and 18.2-152.7 to remove the phrase “without authority.”

Recommendation 9 – Amend § 18.2-152.4 to require malice and lower the amount of resulting damage for a felony offense to \$1,000.

Recommendation 10 – Amend § 18.2-152.5 to change the term “personal information” to “personal identifying information” as defined in subdivisions (iii) through (xiii) of subsection C of § 18.2-186.3.

Recommendation 11 – Amend § 18.2-152.8 to clarify that computer information is property that can be the subject of a larceny or a fraud; the existing statute only states that it can be the subject of an embezzlement.

Recommendation 12 – Rewrite §§ 18.2-152.3, 18.2-152.4, and 18.2-152.6, so that the emphasis is on the unlawful action, rather than the use of a computer.

Recommendation 13 – Relocate § 18.2-152.9 (dealing with the statute of limitations for misdemeanor computer crimes) and § 18.2-152.10 (dealing with venue) to Title 19.2.

**Joint Legislative Task Force on
Computer Crimes**

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Steve Benjamin

Robert M. Blue

Richard Campbell

Senator Jeannemarie Devolites Davis

Charles D. Curran

Delegate Robert Hurt

Delegate Joe T. May

Delegate Ryan T. McDougale

Senator William C. Mims

Senator Stephen D. Newman

Delegate Samuel A. Nixon, Jr.

Jim E. Plowman

Delegate Thomas D. Rust

Computer Crimes Advisory Committee

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William B. Baker

Steve Benjamin

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Cynthia H. de Lorenzi

Magnolia Mansourkia

Thomas W. Mastaglio

Russell E. McGuire

Gregory C. Mullen

Brian H. Murray

Jeffrey H. Nelson

Jim E. Plowman

Greg Redfern

Terry E. Riley

William Wiita

Division of Forensic Science

In June 2004, Dr. Paul Ferrara, Director of the Virginia Division of Forensic Sciences (DFS), sent a letter to the Office of the Executive Secretary of the Supreme Court urging law enforcement agencies to use field tests to help alleviate the backlog of cases awaiting forensic testing. As a result of the memo and subsequent interviews with local law enforcement officials and Commonwealth's Attorneys, the Crime Commission initiated a study of DFS in June 2004. The study examined the lab's changes in workload, staffing and funding. In addition to analyzing requested data, Crime Commission staff met with the DFS Director and senior staff on several occasions to make additional data requests and to ask questions related to the lab's workload.

The study found that four main issues had contributed to the backlog of cases and delays at the Forensics Lab. These included:

- ✦ Increased workload;
- ✦ Lack of funding for requested positions and program expansion;
- ✦ Inability to hire staff for approved positions due to salary compression and an inability to provide competitive salary offers; and,
- ✦ Staff turnover.

Upon consultation with DFS staff and after analysis of employment and workload data, the Crime Commission identified 9 steps to alleviate the workload problems at the lab:

Funding for the remainder of the FY 05/06 Biennium:

- ✦ \$2,140,726 for 31 new forensic staff;
- ✦ \$3,096,922 to raise lab salaries 26.3% across the board to correct salary compression

and allow for competitive hiring with federal forensics labs;

- ✦ \$300,000 for the Forensic Professional Achievement Program;
- ✦ \$906,000 to restore funding for the Virginia Institute of Forensic Science and Medicine with requirements for contract employment by students;
- ✦ \$1,254,000 to expand the Eastern Lab and \$54,000 to pay rent on the new space;
- ✦ \$376,500 to begin a mitochondrial DNA testing program; and,
- ✦ Funds to acquire land and plan for a new Northern Virginia facility; most recent DFS estimate of land acquisition/planning was \$3,517,000.

Construction in the FY 07/08 Biennium:

- ✦ Appropriate funds to build a new lab in Northern Virginia; DFS requested \$33,737,000 for new facility in FY 2005.

In addition, the Crime Commission recommended the General Assembly consider two long-term statutory changes in the oversight of the lab to alleviate problems of accessibility and resource needs identification in the future:

- 1) Legislation to make the lab a separate, independent agency within the Secretary of Public Safety with an administrative oversight board and a scientific advisory board; and,
- 2) Mandate the lab provide an annual report to the Senate Finance Committee, House Appropriations Committee and the Crime Commission on workload, resource needs and long range planning for the lab.

The Crime Commission successfully introduced this legislation in Senate Bill 1153 (Stolle) and House Bill 2216 (Albo) to implement these recommendations.

Guardian Ad Litem

In 2002 the Virginia General Assembly passed legislation requiring the Virginia State Crime Commission to study the establishment of a statewide Indigent Defense Commission and the need for oversight and training for court-appointed counsel. In spring 2004, during a Virginia State Crime Commission meeting, the Spangenburg Group briefed members regarding indigent defense. While the Spangenburg report concentrated on indigent defense in their analysis, part of their 2002 court payment database included court payments for all Guardian Ad Litem (GAL) services in the Commonwealth. Members were apprised that some individuals were making in excess of \$100,000 per year on GAL work alone in 2002. Subsequently, Chairman David B. Albo directed staff to obtain the 2001 and 2003 data to ascertain if the same individuals and high levels of payments were present in those years, as well.

Based on the 2001 and 2003 analysis of the courts and caseloads, Chairman Albo directed the Crime Commission staff to further study payments to GALs in the Commonwealth, as well as services provided for those years.

To further analyze the GAL payments, the Crime Commission staff selected a sample of 592 files to review payment vouchers and court files to gain a broader perspective of the services GAL's provide. Based on the analysis, the Crime Commission made the following recommendations for the Supreme Court of Virginia to ensure greater accountability in the GAL system:

Recommendation 1 - Mandate all GAL's submit itemized vouchers in every case, clearly establishing specific dates, times and hours for activities that are billed. The itemization also should clearly indicate when the GAL met with

his clients, the parents or other parties, and any witnesses in the case, as well as the location where such meetings took place.

Recommendation 2 - Create a form to submit with payment vouchers that: (a) affirms the attorney has not "double billed" (i.e., each hour or unit of time has only been billed once, and has not been rebilled against other clients); and, (b) affirms that, at the time of submission of a voucher, the GAL has addressed items A-K related to the duties and responsibilities specified on the back of the Appointment Order (met with client, interviewed witnesses, etc.)

Recommendation 3 - Require that at the time of the payment voucher submission, the attorney inform the appointing court of the number of other outstanding GAL cases he has at that time in all courts.

Recommendation 4 - Instruct the courts to have all GAL's submit written reports in all cases where the attorney has worked for more than ten hours out-of-court; in those rare instances where a GAL feels a report is not appropriate, he should inform the Court (preferably in the form of a motion) why a report is not appropriate, and receive permission from the Court not to file a report.

The Supreme Court was to report back to the Crime Commission by May 1, 2005 as to their intentions to implement any of the identified recommendations.

Analysis of the three years of GAL reimbursements found over 100 individuals had in excess of 120 cases in at least one of the three years.

Mistaken Eyewitness Identification

During the 2004 Session of the Virginia General Assembly, Delegate Harry R. Purkey introduced House Joint Resolution 79 (HJR 79), directing the Virginia State Crime Commission to study mistaken identification in criminal cases. Specifically, the resolution directed the Commission to: (i) review the cases in the United States in which DNA profiling was used to exonerate persons convicted of a crime; (ii) examine the procedures used in traditional police lineups or photographic review; and, (iii) consider the sequential method as a procedure for identifying suspects. As a result of the study effort, the Crime Commission made the following recommendations to improve the procedures for conducting lineups in Virginia:

Recommendation 1 - Amend the *Code of Virginia* to require local police and sheriff's departments to have a written policy for conducting in-person and photographic lineups.

Recommendation 2 - Request the Department of Criminal Justice Services (DCJS), in cooperation with the Virginia State Crime Commission, to establish a workgroup to develop a model policy for conducting in-person and photographic lineups.

Recommendation 3 - Request DCJS, through regulation, to amend the entry level and in-service training academy requirements regarding lineups to include only use of the sequential method, by October 1, 2005.

Recommendation 4 - Request DCJS to work with the Virginia Law Enforcement Professional Standards Commission to include the sequential method for conducting lineups as part of the accreditation process for law enforcement agencies.

Recommendation 5 - Require DCJS, in conjunction with the Crime Commission, work with the Virginia Sheriffs' Association and the Virginia Chiefs of Police Association to assist members in using and understanding the benefits of the sequential method of lineups; presentation to each association's annual meetings will occur.

Recommendation 6 - Amend the *Code of Virginia* to designate the Virginia State Police, through their oversight of the Central Criminal Records Exchange, as a repository for all mug shots and queries for photographic lineups.

The Crime Commission successfully introduced Senate Bill 1164 (Stolle) and House Bill 2632 (Moran) to implement the legislative recommendations.

State Police estimate the equipment and operational costs for the mugshot database to be approximately \$1,105,000 in FY06. It is projected there will be over 3,600,000 criminal history requests per year.

63% of law enforcement agency's responding to the survey did not have a written policy concerning lineup procedures.

Mistaken eyewitness identification was a factor in 7 of the 8 DNA exoneration cases in Virginia.

Murder by Lying in Wait as a Capital Offense

In 2004, Delegate McDonnell made a request to the Virginia State Crime Commission for staff to study the idea of expanding Virginia's capital murder statutes to include the concept of "lying in wait" or "ambush" as an aggravating factor that could be considered by juries.

Because this proposed factor would be inconsistent with Virginia's current capital murder scheme, and because the broad categories in current capital sentencing instructions already allow juries to consider whether a defendant carried out his crime by "lying in wait," the Crime Commission recommended not to modify any of Virginia's capital murder statutes in this manner.

Prisoner Litigation Reform Act

During the 2004 Session of the Virginia General Assembly, Senator Henry Marsh introduced Senate Bill 49 (SB 49) which proposed to modify the Virginia Prisoner Litigation Reform Act. Because the Act had only been in effect for a year and a half, prior to taking action on the Senate Bill, the Senate Courts of Justice Committee wanted to determine what impact, if any, the Act was having on prisoner litigations. Thus, SB 49 was continued in Senate Courts and referred by letter request to the Virginia State Crime Commission for study.

To comply with the study request, the Virginia State Crime Commission obtained from the Attorney General's Office a list of all civil lawsuits filed by prisoners that had been dismissed from January 1, 2003 to August 2, 2004 to determine the extent to which the Act was impacting inmates' ability to seek relief.

The districts where those cases were dismissed were then contacted by staff to determine the nature of the lawsuits and the ultimate reason for dismissal. Additionally, phone interviews were conducted with some of the clerks for further insight into how the Act is applied.

A review of the Attorney General's case files found that it does not appear that the Act is preventing *pro se* prisoners from gaining *in forma pauperis* status and proceeding on with their lawsuits. Nor does it appear that the Virginia Prisoner Litigation Reform Act is hindering the ability of inmates to pursue their legal rights in court. Additionally, clerks that were interviewed anecdotally stated prisoners were routinely granted *in forma pauperis* status by judges, but were not required to follow payment plans.

Based on the staff analysis, the Virginia State Crime Commission recommended not amending the Act as proposed by Senate Bill 49.

Prisoner Litigation Reform Act Findings

According to the Attorney General's Office, there were 316 inmate civil cases dismissed in 2003 and 299 cases dismissed through August in 2004.

Petitions for habeas corpus relief were the most frequent type of dismissed inmate lawsuits.

41% (128) of the dismissed cases in 2003 and 35% (104) of the dismissed cases through August 2004 were for habeas corpus relief.

VIRGINIA STATE CRIME COMMISSION

III. Crime Commission Legislation

2005 General Assembly Session

Computer Crimes

House Bill 2214 (Delegate Albo)

Computer crimes; penalties. Modernized the Virginia Computer Crimes Act by removing superfluous language and relocating language. The bill punished using a computer to interfere with a computer system, or using a computer to circumvent a computer security measure.

House Bill 2215 (Delegate Albo)

Computer crimes; penalties. Modernized the Virginia Computer Crimes Act by updating definitions to comport with changing technology, and removing superfluous language. The bill added unauthorized installation of software on the computer of another, disruption of another computer's ability to share or transfer information and maliciously obtaining computer information without authority as additional crimes of computer trespass, a Class 1 misdemeanor. The bill also reduced the felony (Class 6) threshold from \$2,500 to \$1,000 for property damage resulting from computer trespass.

House Bill 2631 (Delegate Bell)

Computer crimes; penalties. Revised provisions in the Virginia Computer Crimes Act relating to computer fraud. This bill redefined computer invasion of privacy as the unauthorized gathering of identifying information, and punished subsequent offenses, the transferring of such information to another, or the use of such information in the commission of another crime as a Class 6 felony. Currently, the offense is punishable as a Class 1 misdemeanor. Additionally, the fraudulent gathering of such information is punished as a Class 6 felony, a new crime, and transferring the information to another or use of the information in the commission of another crime is a Class 5 felony.

Senate Bill 1163 (Senator Stolle)

Computer crimes; penalties. Modernized the Virginia Computer Crimes Act by revising definitions of "computer", "using a computer" and "without authority." The bill revised provisions relating to computer trespass and reduced thresholds for damages. Gathering identifying information (phishing) is punished as a felony. Statute of limitation and venue provisions are relocated in the Code. This bill encompassed all of the changes made by House Bills 2214, 2215 and 2231.

2005 General Assembly Session Legislation (continued)

Criminal Procedure

House Bill 2632 (Delegate Moran)

Criminal procedure; Central Criminal Records Exchange (CCRE). Required, as of January 1, 2006, law-enforcement agencies making a report to the CCRE include with the report and fingerprints, a photograph of the individual arrested. The State Police and local law enforcement are required to establish written procedures for conducting in-person and photographic lineups. This bill was identical to SB 1164.

Senate Bill 1164 (Senator Stolle)

Criminal procedure; Central Criminal Records Exchange (CCRE). Required, as of January 1, 2006, law-enforcement agencies making a report to the CCRE include with the report and fingerprints, a photograph of the individual arrested. The State Police and local law enforcement are required to establish written procedures for conducting in-person and photographic lineups. This bill was identical to HB 2632.

Division of Forensic Science

Senate Bill 1153 (Senator Stolle)

Department of Forensic Science, the Forensic Science Board, and the Scientific Advisory Committee created. Created the Department of Forensic Science as a department within the executive branch of state government and assigned its powers and duties. The bill also created the Forensic Science Board as a policy board and the Scientific Advisory Committee as an advisory board and likewise assigned their respective powers and duties.

The bill also abolished the Division of Forensic Science within the Department of Criminal Justice Services. The bill contained numerous technical amendments to accomplish this. This bill was identical to HB 2216.

House Bill 2216 (Delegate Albo)

Department of Forensic Science, the Forensic Science Board, and the Scientific Advisory Board created. Created the Department of Forensic Science as a department within the executive branch of state government and assigned its powers and duties. The bill also created the Forensic Science Board as a policy board, and the Scientific Advisory Board as an advisory board and likewise assigned their respective powers and duties. The bill also abolished the Division of Forensic Science within the Department of Criminal Justice Services. The bill contained numerous technical amendments to accomplish this. This bill was identical to SB 1153.

Indigent Defense Commission

Senate Bill 1165 (Senator Stolle)

Virginia Indigent Defense Commission; powers and duties. Required the Commission to report periodically to the Virginia State Crime Commission, the Courts of Justice Committees, the Senate Finance Committee and the House Appropriations committee on advisory caseload standards for public defender offices.

VIRGINIA STATE CRIME COMMISSION

IV. Crime Commission Publications

Documents & Reports	Date of Publication	Publication Number
Campus Safety Interim Report	2005	House Document 42
Commonwealth's Attorneys Interim Report	2005	House Document 43
Computer Crimes Act	2005	Report Document 77
Division of Forensic Science	2005	Report Document 62
Guardian Ad Litem	2005	Report Document 61
Mistaken Eyewitness Identification	2005	House Document 40
Murder by Lying in Wait as a Capital Offense	2005	Report Document 64
Prisoner Litigation Reform Act	2005	Report Document 74
Bail Bondsmen and Bounty Hunters (Final Report)	2004	House Document 13
Definition of a Family or Household Member	2004	Report Document 40
Felony for Nonsupport; Penalty	2004	Report Document 41
Indigent Defense Commission (Final Report)	2004	Senate Document 13
Protective Orders in Virginia – FY 2003	2004	
Reorganization and Restructuring of Title 18.2	2004	House Document 15
21 Day Rule	2004	Report Document 52
Assault & Battery Against a Family or Household Member	2003	Report Document 48
Atkins v. Virginia	2003	Report Document 54
Bail Bondsmen and Bounty Hunters (Interim Report)	2003	House Document 21
Capital Murder of a Law Enforcement Officer	2003	Report Document 49
Facial Recognition Technology	2003	Report Document 53

VIRGINIA STATE CRIME COMMISSION 2004 ANNUAL REPORT

Documents & Reports	Publication Date	Publication Number
Indigent Defense Commission (Interim Report)	2003	Senate Document 11
Mistaken Identity	2003	Report Document 50
Protective Orders in Dating Relationships	2003	Report Document 51
Procedures Involved with Protective Orders	2003	Report Document 46
Sentencing of Misdemeanor Offenders	2003	House Document 19
Special Conservators of the Peace and Special Police	2003	Senate Document 12
Subpoena Duces Tecum	2003	Report Document 52

These reports can be accessed and downloaded on-line from our website at <http://vscc.state.va.us>.

For a more detailed listing of all our reports please visit the Virginia General Assembly website at <http://legis.state.va.us>.

VIRGINIA STATE CRIME COMMISSION

V. Acknowledgements

The Virginia State Crime Commission extends its appreciation to the following agencies and individuals for their assistance and cooperation:

Campus Safety Interim Report

Bridgewater College
Central Virginia Community College
Christopher Newport University
College of William and Mary
Emory and Henry College
Ferrum College
George Mason University
Hampden-Sydney College
Hampton University
James Madison University
Liberty University
Longwood College
Mary Washington College
Norfolk State University
Northern Virginia Community College
Old Dominion University
Radford University
Southwest Virginia Community College
State Council of Higher Education for Virginia
(SCHEV)
Thomas Nelson Community College
University of Richmond
University of Virginia's College at Wise
University of Virginia
Virginia Association for Campus Law Enforcement
Administrators (VACLEA)

Virginia Commonwealth University
Virginia Highlands Community College
Virginia Military Institute
Virginia Polytechnic Institute
Virginia State University
Virginia Union University
Virginia Western Community College

Chief Jeff Brown, Christopher Newport University
Captain Michael Coleman, University of Virginia
Chief Robert Dillard, University of Richmond
Chief Debra Duncan, Virginia Polytechnic Institute
Chief Willie Fuller, Virginia Commonwealth University
Chief Paul Norris, University of Virginia
Norma Poole, Virginia State Police
Tom Turner, Roanoke College

Commonwealth's Attorney Interim Report

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Commonwealth's Attorneys' Services Council

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Computer Crimes Act

Joint Legislative Task Force on Computer Crimes

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Delegate Robert Hurt
Delegate Joe T. May
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Senator William C. Mims
Senator Stephen D. Newman
Delegate Samuel A. Nixon, Jr.
The Honorable Jim E. Plowman
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Division of Forensic Science

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Margaret Edds
Paul Timmerick

Department of Criminal Justice Services

Leonard G. Cooke, Director
Bobby Mathieson, Deputy Director

Department of Planning and Budget

Michael Maul
Mike McMahan

Division of Forensic Science

Gene Colburn
Dr. Paul Ferrara
Steve Sigel

Division of Legislative Services

Maria Everett
Amigo Wade

House Appropriations Committee Staff

Craig Burns
Tony Maggio
Robert Vaughn

Office of the Governor

Robert Blue
Gail Jaspen

Office of the Secretary of Public Safety

Bob Crouch
John Marshall

Senate Finance Staff

Betsey Daley
Dick Hickman

Virginia Compensation Board

Anne Wilmoth

Virginia Institute of Forensic Science and Medicine

Linda Carne
Ramona Thiss

Guardian Ad Litem

**Juvenile & Domestic Relations
Clerks of Court**

Alexandria J&DR Court

Arlene Z. Rager

Arlington J&DR Court

Jacqueline D. Sites

Augusta/Staunton J&DR Court

Donna Coffey Bosserman

Buckingham Combined Court

Judy P. Jamerson

Chesterfield J&DR Court

Beverly A. Vaughan

Cumberland Combined Court

Carolyn Z. Helgeson

Danville J&DR Court

Iva A. Newman

Fairfax County J&DR Court

Jennifer Watson Flanagan

Floyd Combined Court

Judy R. Bell

Franklin County J&DR Court

Betty D. Shepherd

Frederick/Winchester J&DR Court

Ann B. Lloyd

Fredericksburg J&DR Court

Joan M. Millward

Hanover J&DR Court

Tami Leonard

Henrico J&DR Court

Charles Thomas Elliott

Lexington/Rockbridge Combined Court

Martha L. Campbell

Loudoun J&DR Court

Patty A. Maher-Wade

Newport News J&DR Court

Patsy Ann Ewell

Petersburg J&DR Court

Sandra B. Sneade

Pittsylvania J&DR Court

Ginger E. Shelton

Prince William J&DR Court

Frances H. Hedrick

Richmond J&DR Court

Deborah K. Daughtrey

Roanoke City J&DR Court

David Carl Wells

Stafford J&DR Court

Katherine Malley Aylor

Supreme Court of Virginia

Mary Gibson

Lelia Hopper

Kathy Mays

Cyril Miller

David Whipp

Virginia Department of Accounts

Bill Mathews

David A. Von Moll

Mistaken Eyewitness Identification

Chesterfield County Police Department

Sergeant Casey Carr

Goochland County Sheriff's Office

Sheriff James L. Agnew

Henrico Police Department

Captain Jan Stem

Sergeant Al Harper

Steve Guthrie, Project Leader, Department of
Information Technology

New Kent County Sheriff's Office

F. W. "Wakie" Howard, Jr., Sheriff

New Jersey Office of the Attorney General

Lori Linskey, Prosecutor

Virginia Beach Police Department

Detective Rick Deems

Deputy Chief Gregory Mullen

Sergeant Bruce Razey

Virginia Compensation Board

Jim Matthews, Deputy Director

Virginia Department of Criminal Justice Services

Leon Baker, Interim Division Director, Division of
Regulation and Research

Ron Bessent, Criminal Justice Program Manager,
Standards and Training Division

Dr. Paul Ferrara, Division Director, Division of
Forensic Sciences

George Gotschalk, Section Chief, Standards and
Training Division

Judy Kirkendall, Job Task Analysis Administrator,
Standards and Training Division

Virginia Department of Motor Vehicles

Karen Chappell, Deputy Commissioner

Ed Ryder

Virginia Sheriffs' Association

John Jones, Executive Director

Virginia State Police

Mary Crawford, AFIS Manager

Elaine Shepherd

Lt. Tom Turner

Prisoner Litigation Reform Act

City of Alexandria

Edward Semonian Jr., Clerk, Circuit Court

City of Charlottesville

Paul C. Garrett, Clerk, Circuit Court

City of Chesapeake

Faye W. Mitchell, Clerk, Circuit Court

City of Colonial Heights

Stacy L. Stafford, Clerk, Circuit Court

City of Danville

Gerald A. Gibson, Clerk, Circuit Court

City of Emporia

Nancy E. Roach, Clerk, General District Court

City of Fairfax

John T. Frey, Clerk, Circuit Court

City of Fredericksburg

Sharron S. Mitchell, Clerk, Circuit Court

City of Hampton

Linda B. Smith, Clerk, Circuit Court

City of Harrisonburg

L. Wayne Harper, Clerk, Circuit Court

City of Hopewell

Barbara S. Davis, Clerk, Circuit Court

City of Lynchburg

Larry B. Palmer, Clerk, Circuit Court

City of Newport News

Rex A. Davis, Clerk, Circuit Court

City of Norfolk

George E. Schaefer, Clerk, Circuit Court

City of Petersburg

Benjamin O. Scott, Clerk, Circuit Court

City of Richmond

Bevill M. Dean, Clerk, Circuit Court

City of Roanoke

Brenda S. Hamilton, Clerk, Circuit Court

City of Suffolk

W. R. Carter, Jr. , Clerk, Circuit Court

City of Virginia Beach

J. Curtis Fruit, Clerk, Circuit Court

City of Williamsburg/James City County

Betsy B. Woolridge, Clerk, Circuit Court

County of Alleghany

Michael D. Wolfe, Clerk, Circuit Court

County of Arlington

David A. Bell, Clerk, Circuit Court

County of Augusta

John B. Davis, Clerk, Circuit Court

County of Bland

Ronald B. Hall, Clerk, Circuit Court

County of Buchanan

Jim M. Bevins Jr., Clerk, Circuit Court

County of Buckingham

Malcolm Booker Jr., Clerk, Circuit Court

Judy P. Jamerson, Clerk, General District Court

County of Caroline

Ray S. Campbell Jr., Clerk, Circuit Court

County of Charles City

Thomas R. Williams, Clerk, Circuit Court

County of Chesterfield

Judy L. Worthington, Clerk, Circuit Court

County of Dinwiddie

Annie L. Williams, Clerk, Circuit Court

County of Frederick

Rebecca P. Hogan, Clerk, Circuit Court

County of Gloucester

Ann C. Gentry, Clerk, Circuit Court

County of Goochland

Lee Grubbs Turner, Clerk, Circuit Court

County of Greensville

Robert C. Wrenn, Clerk, Circuit Court

Nancy E. Roach, Clerk, General District Court

County of Hanover

Frank D. Hargrove, Jr., Clerk, Circuit Court

County of Henrico

Yvonne G. Smith, Clerk, Circuit Court

County of Henry

Vickie Stone Helmstutler, Clerk, Circuit Court

County of Loudoun

Gary M. Clemens, Clerk, Circuit Court

County of Lunenburg

Gordon F. Erby, Clerk, Circuit Court

County of Mecklenburg

E. E. Coleman Jr., Clerk, Circuit Court

County of Nottoway

James W. King, Clerk, Circuit Court

Nancy P. Derrick, Clerk, General District Court

County of Pittsylvania

H. F. Haymore Jr., Clerk, Circuit Court

County of Powhatan

William E. Maxey Jr., Clerk, Circuit Court

Gloria M. Blankenship, Clerk, General District Court

County of Prince George

Bishop Knott Jr., Clerk, Circuit Court

County of Prince William

David C. Mabie, Clerk, Circuit Court

County of Pulaski

R. Glenwood Lookabill, Clerk, Circuit Court

County of Richmond

Wanda E. Brownlee, Clerk, General District Court

County of Roanoke

Steven A. McGraw, Clerk, Circuit Court

County of Rockbridge

D. Bruce Patterson, Clerk, Circuit Court

County of Rockingham

L. Wayne Harper, Clerk, Circuit Court

County of Russell

Dollie M. Compton, Clerk, Circuit Court

County of Scott

Mark A. Taylor, Clerk, Circuit Court

County of Smyth

Jimmy L. Warren, Clerk, Circuit Court

County of Southampton

Wayne M. Cosby, Clerk, Circuit Court

County of Spotsylvania

Paul M. Metzger, Clerk, Circuit Court

County of Stafford

Barbara G. Decatur, Clerk, Circuit Court

County of Surry

Gail P. Clayton, Clerk, Circuit Court

County of Sussex

Gary M. Williams, Clerk, Circuit Court

Frances M. Fountain, Clerk, General District Court

County of Wise

J. Jack Kennedy, Jr., Clerk, Circuit Court

Jean C Sparks, Clerk, General District Court

County of Wythe

Hayden H. Horney, Clerk, Circuit Court

County of York

Lynn Jenkins, Clerk, Circuit Court

Office of the Attorney General

Richard Campbell, Deputy Attorney General,
Technology and Transportation

Vivian Ferry, Senior Legal Secretary

Alan Katz, Senior Assistant Attorney General/Chief

Virginia Court of Appeals

Cynthia L. McCoy, Clerk

Virginia Supreme Court

Patricia Harrington, Clerk