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# City of Hampton, Virginia

## 2021 General Assembly Prep

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# Special Session Update

- Criminal justice reform initiatives
  - Omnibus police reform bill
  - Civilian Review Boards
  - Marcus alert/Co-response teams
  - Crisis Intervention Training
- COVID/Budget
  - Use of CARES and other relief funds

# Omnibus police reform (SB5030-Senator Locke)

- Senate bill is a comprehensive measure addressing several aspects of police reform (decertification, background checks, use of force, search warrants, data reporting, acquisition of military equipment); there are several house bills which address several of these issues
- House Appropriations Committee removed language regarding HB 599 funds if a locality didn't comply with legislation.
- House Conferees: Herring, Mullin, Coyner  
Senate Conferees: Surovell, Locke, Stuart
- Other bills still in negotiation:
  - HB 5049 - Helmer - Law-enforcement agencies; acquisition and use of military property. (Herring, Helmer, Campbell, J.L.)
  - HB 5099 - Aird - Search warrants; prohibition on no-knock search warrants. (Herring, Aird, Campbell, J.L.)
  - HB 5104 - Price - Law-enforcement officers, sheriff, etc.; minimum qualifications, disclosure of information. (Herring, Price, Rush)

# Civilian Review Boards (HB5055-Herring/SB5035-Hashmi)

- House and Senate bills are now in conference.
- Major difference is House bill was mandatory, but now both bills are local option
- Both bills outline the 8 powers that a CRB could undertake.
- Both bills allow the CRB to retain legal counsel. The House language requires the locality to pay. Senate language provides the funding would come from funds appropriated by the locality.
- Senate conferees: Hashmi, McClellan, Stuart and House conferees: Herring, Price, Miyares

# Marcus alert/Co-response teams (HB5043-Bourne/SB5038-McPike)

- HB 5043 requires teams to be phased in over six years and creates pilot projects.
- House version requires teams led by mental health service providers to include registered peer recovery specialists and law enforcement.
- House version requires a workgroup of state/local/advocate representatives to examine existing CIT programs and initiatives by July 1, 2021.
- SB 5038 speeds up the creation of the system statewide with response protocols instead of a single response model.
- Senate version does not include law enforcement on mobile crisis teams.
- Senate version requires a written plan for Marcus implementation by July 1, 2021 and best practices guidelines by December 2021.
- House conferees: Bourne, Hope, Kilgore  
Senate conferees: McPike, McClellan, Stuart

# Crisis Intervention Training (SB5014-Edwards)

- Adds systemic and individual racism, as well as bias training for persons with mental illness, substance use disorder, or developmental or cognitive disability.
- Adds de-escalation techniques, lawful use of force, and crisis intervention training to basic training and recertification as well as compulsory in-service training standards.
- Directs the Criminal Justice Services Board in consultation with the Department of Behavioral Health and Developmental Services, the Department for Aging and Rehabilitative Services, and law-enforcement, brain injury, and mental health stakeholders, shall develop a crisis intervention training program for basic training, recertification, and advanced training.

Passed House 96-2; Senate 22-14; now headed to the Governor.

# State budget differences

## House

- Coronavirus Relief Fund – allocates all but \$110.9 million; targets K-12, childcare services, utility relief, and voter safety.
- Contingent Appropriations – Up to \$207.4 million; includes school meals, VATI, Dam Rehab, state and local bonuses, and Housing Trust Fund in FY22.
- K-12 Enrollment Loss – language delays Jan. enrollment adjustment; Not included in Senate package.

## Senate

- Coronavirus Relief Fund – allocates additional \$399.5 million; targets K-12 and childcare services; does not allocate as much as the House.
- Contingent Appropriations – Up to \$373.5 million; includes supportive housing, STEP-VA, At-Risk students, Pre-K for At-Risk kids, local DSS prevention services, and 2% bonus for state employees/teachers/state supported locals.



# 2021 Legislative Agenda Planning

The Two Capitols team has begun engaging the City Council, City Manager, City Attorney, department and agency heads, as well as various coalition groups and stakeholders to build a comprehensive legislative package over the summer and fall.

# Hampton's Recent Legislative Successes

- Added Language To Expedite Testing In Certain Instances Of Possible HIV, Hepatitis B, Or Hepatitis C Exposure
- Amended the Fort Monroe statutes for clarification
- Provided for Local Ability for to Maintain Appearance of Certain Overgrown Properties
- Added \$3,855 in Funding for 7 of Hampton's Historical African American Cemeteries
- Added the City of Hampton to Localities that may Impose Conditions on Use Permits for Alcohol-Related Businesses
- Secured An Additional \$200,000 For Hampton To Purchase Land Encroaching Langley Air Force Base
- Secured \$6.5 Million in total Funding to Renovate the Virginia Tech Seafood Agricultural Research and Extension Center
- Clarified Language Regarding The Removal Of Vehicles In Emergency Situations

# Other Successful Legislative Initiatives

- Allowed localities to adopt an ordinance to ban firearms, ammunition, etc. in locally owned properties
- Added a requirement for lost or stolen firearms to be reported to the local law-enforcement agency or State police within 48 hours
- Created a new regional funding model to support priority projects identified by Hampton Roads Transit (HRT)
- Added Budget Language To Secure 150 Acre Parcel Of State Surplus Property For The Eastern Virginia Regional Industrial Facility Authority (EVRIFA)
- Secured funding for the Academies of Hampton

# Areas for Continued Work in 2021

- Create an Annual Fund to Address Needs of Virginia's Military and Federal Facilities
- Allow Localities to Increase and Protect Tree Canopy
- Serious or Habitual Offender Comprehensive Action Program for Juveniles (SHOCAP)
- Support and Fund Education Initiatives
- Continue To Fund Resiliency Efforts
- Modernize The Communications Sales And Use Tax
- Oppose Unfunded mandates

# Other Possible Topics

- Blight
- Coastal Resiliency
- Gray machine revenue for education
- Green energy initiatives
- Affordable Housing Solutions
- State Assistance to Local Police Departments (HB 599)
- Indoor/Outdoor firearm ranges
- Other budgetary items

# Outstanding Special Session legislation

- Criminal justice reform initiatives
  - Civilian Review Boards (mandatory)
  - Qualified Immunity
  - FOIA (law-enforcement criminal incident information)
  - Felony assault on First Responders
- COVID
  - Use of CARES and other relief funds
  - Transient lodging
  - Sick/Quarantine leave
  - Workers' Comp presumption

# Partner Priorities

- Hampton Roads Planning District Commission
- Hampton Roads Transportation Planning Organization
- Hampton Roads Transportation District Commission
- Hampton Roads Transportation Accountability Commission
- Hampton Roads Military and Federal Facilities Alliance
- Virginia Municipal League
- Virginia First Cities
- Hampton University
- Hampton-Newport News Community Services Board
- Hampton Roads Regional Jail
- Fort Monroe Authority
- Chesapeake Bay Foundation
- Virginia Seafood Agriculture Research and Extension Center

# 2021 Legislative Agenda Timeline

## Mid-October

Finalize legislative agenda with coordination from City Council and City Manager

## November

Finalize legislation for General Assembly members and have bills pre-filed (deadline for pre-filed drafting is **November 30, 2020**)

## Beginning of October

Gather ideas for the legislative package to present to City Council for discussion (Pre-filing began July 20)

## End of October/Early November

Finalize legislative agenda and present for approval by City Council

Start sharing legislative package with members of the General Assembly

## December

Finalize any budget amendments

Collect legislative priorities from Hampton delegation to present to Council/staff

Session starts January 13, 2021 at 12 noon



**Questions/Comments?**