Department of Planning and Budget 2025 General Assembly Session State Fiscal Impact Statement

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Bill Number: HB1728 H1 Patron: Delaney

Bill Title: Child victims and witnesses using two-way closed-circuit television; standard.

Bill Summary: Allows the court to order the testimony of a child to be taken by two-way closed-circuit television (CCTV) if it finds that the child is unavailable to testify in open court in the presence of the defendant, the jury, the judge, and the public if the court finds, by clear and convincing evidence, based upon expert opinion testimony, that the child will suffer at least moderate emotional trauma as a result of testifying in the defendant's presence and not in the courtroom generally. Under current law, the court may order such testimony be taken by CCTV if there is a substantial likelihood, based upon expert opinion testimony, that the child will suffer severe emotional trauma from so testifying. Current law also provides that none of the cost of the two-way closed-circuit television shall be assessed against the defendant.

The bill also extends the application window for the party seeking such order from seven to 30 days before the trial date or such other preliminary proceeding to which such order is to apply.

Budget Amendment Necessary: Yes **Items Impacted:** Item 416

Explanation: See below

Fiscal Summary: According to the Virginia State Police (VSP) funding for three part-time civilian CCTC technicians, three additional vehicles, and CCTV equipment would be needed to address the workload increase resulting from this bill.

General Fund Expenditure Impact:

<u>Agency</u>	FY2025	<u>FY2026</u>	<u>FY2027</u>	<u>FY2028</u>	<u>FY2029</u>	<u>FY2030</u>
Virginia State Police		\$321,730	\$200,194	\$200,194	\$200,194	\$200,194
TOTAL		\$321,730	\$200.194	\$200.194	\$200.194	\$200,194
TOTAL		\$321,730	\$200,194	\$200,194	\$200,194	\$

Fiscal Analysis: According to the Department of State Police (VSP), the agency's High Tech Crimes Division Technical Support Section (TSS) is responsible for the installation and maintenance of the Courtroom CCTV systems when requested by the courts. This unit is currently comprised of ten sworn special agents and one part time, civilian CCTV technician. The CCTV technician has primary responsibility for installing and operating the equipment during testimony. When he is not available, the request is handled by a special agent.

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VSP reports that, over the past five years, it has handled an average of approximately 80 CCTV installation requests annually. Installations require one day for installation and at least one day for the trial. However, VSP reports that most courts require the CCTV operator to remain for the length of the trial.

Because the proposed legislation lowers the trauma threshold for allowable CCTV testimony, VSP believes that CCTV requests will increase. The agency estimates it may need up to three additional part-time (wage) CCTV technician positions to address the increased workload. VSP estimates the cost for each position as follows:

	Quantity	Cost per Position	Total First Year	Total Second Year
Television System Engineer (wage)	3	\$65,071	\$195,214	\$195,214
Vehicle (one-time)	3	\$25,000	\$75,000	\$0
CCTV Systems Equipment (one-time)	3	\$15,000	\$45,000	\$0
IT Hardware			\$6,516	\$4,980
Total Cost			\$321,730	\$200,194

According to the Office of the Executive Secretary of the Supreme Court (OES), this bill is not expected to have a fiscal impact on Courts.

Other: None