

1 2023~~3~~4 General Laws Policy Statement
2

3 The basic purpose of local government is to provide essential services and protection for the
4 community that citizens cannot provide for themselves. Local governments should decide which
5 services and programs are of primary importance to the community. Virginia’s counties, cities
6 and towns need legislation that provides the maximum opportunity to foster improved quality of
7 life and high-quality growth.
8

9 **I. EFFECTIVE GOVERNMENT**

10
11 **GOVERNMENT STRUCTURE**

12 The General Assembly should allow significant diversity among municipal charters and not
13 impose uniformity. Charter amendments requested by the local governing body should be
14 supported by state government.
15

16 The General Assembly should promote the sharing of the economic, social, cultural, fiscal and
17 educational benefits and burdens of urbanization and gentrification among all local governments
18 involved.
19

20 The addition of sub-state and special district governments should be controlled. New districts
21 should not be created by the General Assembly unless local governments are unable to furnish
22 services. In addition, no sub-state districts, including planning district commissions, should be
23 granted real or quasi-legislative authority to undertake other functions except when expressly
24 directed by their member jurisdictions, including those towns not directly represented in the
25 entity. Local government officials are elected by their citizens; decisions made should be
26 respected by state officials.
27

28 VML urges a careful review of the statutes concerning consolidation of local governments to
29 ensure (a) that citizen-initiated petitions are signed by a reasonable number of affected citizens
30 who reside in the jurisdiction, and (b) adequate periods of time elapse between consolidation or
31 annexation actions. The Virginia Municipal League supports the General Assembly’s provision
32 of financial incentives to promote consolidation of local government services and cooperative
33 agreements among local governments. The General Assembly should respect the reversion
34 process as outlined in the state code.
35

36 **INTERGOVERNMENTAL ISSUES**

37 Local governments have a vital role in the Commonwealth. They must have sufficient powers
38 and flexibility to meet this role. The General Assembly should adopt legislation to promote and
39 expand, to the extent necessary, municipal powers, to (a) enhance the ability of local
40 governments to provide services required by their citizens, and (b) allow local governments to
41 meet their responsibilities in state/local partnerships. In addition, local governments who
42 provide redundant services should work together so the citizens receive the services necessary.
43

1 VML opposes intrusions into the way local governments conduct their business, including
2 burdensome regulations relating to:
3 1. meetings of governing bodies;
4 2. purchasing procedures;
5 3. matters that can be enacted by resolution or ordinance;
6
7 4. procedures for adopting ordinances; and
8 5. procedures for filling vacancies on local governing bodies.
9

10 State intervention in local affairs is only warranted in significant matters where regional or
11 statewide issues that are of great importance exist. No changes should be made in the laws or
12 regulations affecting local government without substantial local input from affected jurisdictions
13 and participation in developing those changes.
14

15 VML opposes legislation that:

- 16 1. bars courts from awarding attorney's fees to local governments when a frivolous suit is
17 filed; and
- 18 2. eliminates the notice of claim requirement found in Va. Code, § 15.2-209.
19

20 Membership on all state and regional commissions or committees dealing with matters affecting
21 local governments must include local officials who represent a demographic and geographic
22 cross-section of counties, cities, and towns.
23

24 VML supports legislation to transfer responsibility from local governments to the state
25 government for the liability, administration, and cost of community service options for persons
26 upon whom court costs and fines are levied.
27

Commented [GM1]: Janet? Thoughts?

28 **TOWNS**

29 The General Assembly and the executive branch should recognize towns as essential units of
30 local government, with important roles in providing services to citizens living in a concentrated
31 environment. As such, towns with their centrality and economic efficiency represent the future
32 of the urbanizing areas of the Commonwealth. Towns should have clear and full authority to be
33 formed and to act in a timely manner on matters which protect public health, safety, and welfare.
34

35 The General Assembly should respect and support the sovereignty, utility, and urban powers of
36 towns. No legislation should be enacted that allows counties to usurp or diminish the authorities
37 of towns nor dissolve a town unless at their own request. Excise taxes that counties are
38 authorized to levy generally must not apply within towns without the explicit approval by the
39 town's governing body.
40

41 Towns should retain the right to annex lands and otherwise expand their boundaries. Towns over
42 5,000 population should have the right to become independent cities; and cities, as stipulated in
43 the Code of Virginia, should have the right to revert to town status.
44

45 The General Assembly should scrutinize bills dealing with laws of general applications to local
46 governments, to avoid enacting any laws that could be sources of possible conflicts between

1 counties and towns. The following list provides examples of conflicts between towns and
2 counties exacerbated by legislative action:

- 3
- 4 1. taxation of town residents by county governments at the same rate as that applied to those
5 living in the county's unincorporated areas, when comparable benefits and services are
6 not provided;
- 7 2. county imposition of a merchants' capital tax on businesses located within the town at the
8 same rate as that applied to businesses located in unincorporated areas of the county,
9 when the town levies a business, professional and occupational license tax;
- 10 3. unequal town zoning and planning authority for land straddling or abutting town
11 corporate boundaries and unincorporated county areas;
- 12 4. funding of county sheriffs' and deputy sheriffs' salaries by the State Compensation Board
13 and other state-funded amenities not provided to town police departments; and
- 14 5. unequal statutory authority of towns in relationship to that of cities and counties.

15
16 The General Assembly should recognize the unintended consequences of inadvertently omitting
17 towns or cities or counties from legislation. The state laws on local taxes must allow towns to
18 determine how tax dollars collected from residents and businesses of the town will be used.

19 20 **ELECTION LAWS**

21 ~~Redistricting. VML recognizes that while redistricting is a political process, the process should
22 be conducted with the end goals of ensuring a strong and responsive representative form of
23 government that enables citizens with communities of like interest to influence election
24 outcomes through participation in the political process.~~

25 **Non-partisan local elections.**

26 VML opposes attempts to require that candidates nominated by political parties for local
27 elections be identified by party labels on ballots. Nationwide, about 75 percent of municipalities
28 have non-partisan elections. Virginia is not unique in this regard.

29
30 There is not a partisan way of responding to public safety, street improvements, enforcing the
31 codes, or taxation required for the numerous services that the state requires localities to offer
32 (and to pay for). The result of requiring party identification will be increased partisanship at the
33 local level, which will not improve local governance.

34
35
36 In addition, requiring party identification will further hinder the ability of Federal Employees
37 including our Military to participate as local elected officials.

38
39 **Administration of election laws.** Cities and counties have very little control over the
40 administration of elections, yet pay the majority of costs, including office overhead, voting
41 equipment, equipment storage and security maintenance, training of staff, safety of staff, and
42 printing of ballots. Cities and counties also pay a portion of the costs of the salaries for registrars
43 and members of electoral boards, to include salaries for staff other than the registrar, but have no
44 direct connection to the appointment of these officials. The state should provide an adequate
45 level of funding for local election administration that is commensurate with the State's extensive

1 control of the process. The General Assembly should not increase the cost of election
2 administration without providing state funding to pay for the increased expenditures.

3

4 **STATE AND FEDERAL MANDATES**

5 The state and federal governments must provide adequate funding for any local programs or
6 responsibilities that are mandated or expanded by state and federal laws or regulations.

7 The federal and state governments should not use project funding as a means of forcing local
8 land use decisions in contravention to local land use plans. These actions violate the principles
9 of local authority and weaken the local tax base.

10

11 Federal and state mandates must be reduced when funding is reduced, so that localities are not
12 required to spend additional local dollars to comply with the mandates. Further, funds should be
13 distributed in the most efficient way possible with the least regulatory control.

14

15 The Governor and General Assembly should promote state-local partnerships by requiring:

- 16 1. A review of mandates in specific program areas to (a) establish the full cost to local
17 governments of implementing mandates and (b) develop an equitable basis for
18 determining state-local funding responsibilities.
- 19 2. Completion of cost estimates for proposed legislation prior to its first full review by a
20 legislative committee, with legislation negatively affecting local governments' revenue-
21 raising ability being submitted to the Commission on Local Government "COLG" for a
22 fiscal impact analysis.
- 23 3. Use of a performance-based approach to mandates that (a) focuses on outcomes, (b)
24 offers incentives for achieving state objectives, and (c) gives local governments
25 autonomy to determine the best way to achieve the desired result.
- 26 4. Simplification of state reporting requirements associated with mandates, greater
27 efficiency and coordination, and making better use of reporting technology.

28

29 The alarming tendency of state and federal agencies to treat guidelines authorized by enabling
30 legislation as having the stature of law itself must cease. In addition, the state should avoid
31 unessential and arbitrary implementation of federal regulations.

32

33 **STATE AND LOCAL RESPONSIBILITIES**

34 The state requires local governments to provide certain services, such as education, corrections,
35 social services, health and community mental health. The local government does not have the
36 option of not being the state's service provider in these areas. "State aid" to localities is the
37 state's payment for the implicit contractual arrangement for this assignment of duties. In
38 addition, local governments must contribute local funding to these services.

39

40 In addition to the state-mandated services, localities provide other services that are either
41 necessary (water and sewer, police and fire protection, etc.) or desired by residents (parks and
42 recreation, cultural activities, etc.). Local governments need the flexibility and resources to
43 collect revenues to meet all their responsibilities.

44

45 Two fundamental problems in Virginia's intergovernmental structure are first, the state does not
46 fund at adequate levels, existing services, particularly education and law enforcement, that it

1 requires local governments to provide; and second, local officials have very limited revenue
2 options, which forces them to rely heavily on real estate, personal property taxes and other local
3 revenue sources to pay for services.

4
5 Further, to improve the relationship of the state and local governments, the state —should:

- 6 1. Not restrict the taxing authority and revenue sources of local governments without local
7 concurrence.
- 8 2. Strengthen the partnership of the state with local governments by granting local
9 government full authority to deal effectively with issues affecting their own locality.
- 10 3. Participate as a financial partner with local governments in the costs of education,
11 including school construction and renovation, and, as an active partner, fully fund the
12 state’s fair share of the costs of education.
- 13 4. Follow specific procurement procedures before purchasing property, including adequate
14 inquiry into the purchase, public hearings and notice, and notice of intent to settle sent to
15 the locality. In addition, the state should consider remuneration to the locality for the loss
16 of real estate taxes as well as any loss in economic development potential.

17
18 **FREEDOM OF INFORMATION AND THE ADMINISTRATION OF GOVERNMENT**

19 VML strongly supports the free flow of information to citizens and the media through the
20 conduct of governmental affairs at all levels in the open, in good faith compliance with the
21 Freedom of Information Act (FOIA). VML also supports efforts to educate local government
22 officials about the Act, and the importance of extensive and accurate reporting of government
23 affairs.

24 Any proposed FOIA legislation should be reviewed by the FOIA Council prior to being enacted.

25
26
27 The use of electronic meetings should be allowed during a state of emergency when social
28 distancing is a necessity. VML supports the option of local and regional bodies to meet
29 electronically with public participation without a state of emergency in place. VML supports
30 amending Virginia Code Section 2.2-3708.3 and the definition of “remote participation” in
31 Virginia Code Section 2.2-3701 to allow members of public bodies who meet the definition of a
32 “person with a disability” (51.5-40.1) to both participate remotely in meetings of public bodies
33 and be counted toward the quorum when they participate in a meeting.”

34
35 Citizens have the right to have personal information protected. Government also must be able to
36 control its work processes so that public business can be conducted. It is in the public’s interest
37 to conduct some matters outside public view prior to official action. Accordingly, VML strongly
38 opposes extending limitations on closed meetings and exempt records, which would upset the
39 Act’s careful balance among a fully informed public, the protection of individuals’ privacy, the
40 ability of government to conduct its work and those matters for which the premature release
41 would not be in the best interest of the locality or its citizens. VML opposes legislation that
42 would require localities to record closed session in any manner.

43
44 VML supports legislation that allows the redaction of -email addresses furnished in confidence to
45 a local governing body with respect to complaints in local investigations to include local public
46 health and safety, nuisance, waste and recycling complaints.

1
2 In addition, localities should be able to continue charging reasonable fees for any and all records,
3 including for research time and for computer records that must be provided under the Act to
4 avoid shifting the cost of copying from the requestor to the general taxpayers. The Act should
5 continue to limit rights to documents to citizens of the Commonwealth and news organizations
6 that publish in the Commonwealth here.

7
8 VML opposes any further legislation that would control the time allotted for public comment at
9 public meetings. While VML supports public comment, localities should have the discretion to
10 determine procedures for when public comment should be taken.

11
12 VML opposes legislation to limit the use of any legitimate means of communications from one
13 elected official to another, including letters, emails and conversation. The General Assembly
14 should not exempt itself from anything that it imposes on a locality. The “working papers”
15 exemption should continue to remain in place.

16
17 State policy must assist local governments to contact and notify their citizens in the most
18 efficient and cost-effective manners possible. Ads required by the *Code of Virginia* are
19 increasingly more expensive to run in the newspaper and often are only seen by a decreasing
20 number of citizens. The current trend is for local newspapers to reduce the number of times they
21 are published weekly and/or going to an online platform. This has resulted in localities needing
22 to meet certain advertising requirements with only expensive newspapers available for legal
23 notices.

24
25 A locality’s internet presence, social media, local cable access channels, local radio, and TV
26 provide alternative methods to contact the citizens much more broadly and effectively than
27 newspaper ads in many areas of the Commonwealth. The state code should be amended to allow
28 local governments electronic and other alternative means of communicating with their citizens
29 when providing required legal notices.

30
31 In addition, small towns should be allowed to use first class mail instead of newspaper
32 advertising to notify the citizens of government actions such as advertising a budget hearing or
33 advertising a land use hearing.

34 **GOVERNMENTAL & MUNICIPAL OFFICIAL LIABILITY**

35 VML calls upon Virginia’s congressional delegation to support legislation to restore suits
36 brought under 42 U.S.C. Section 1983 to traditional civil rights actions, and to preclude the
37 award of damages if the court finds that the government or its officials were acting in good faith.
38

39 Expanding liability and eroding immunities at the state level across the nation have had a chilling
40 effect on the actions of local government officials contributing to local government insurance
41 problems, creating immense financial risks (particularly for legal costs), and posing a substantial
42 obstacle to the provision of needed public services.
43

44
45 The Virginia General Assembly should strengthen and must maintain the principles of sovereign
46 immunity for local governments and their officials.

1
2 VML strongly opposes bringing local governments under the Virginia Tort Claims Act. This
3 action would seriously erode the sovereign immunity doctrine and lead to a substantial increase
4 in frivolous suits.

5
6 The tort reparations system in the U.S. creates many difficulties in the administration of justice.
7 VML supports efforts at the national and state levels to address tort reform, such as limitations
8 on the tort liability of local governments in areas where local governments do not enjoy
9 sovereign immunity.

10
11 The General Assembly should adopt legislation to codify the proposition that real property of
12 local governments shall be exempt from liens created by statute or otherwise. This proposition
13 has already been recognized by the Virginia Supreme Court for mechanics liens.

14
15 **PERSONNEL**

16 Management has the responsibility to ensure that employment, training, and promotional
17 opportunities are provided without regard to any unlawful discriminatory factor, qualified
18 persons with disabilities or any other factors not related to job performance.

19
20 VML supports:

- 21 1. the current injury by accident definition in the Virginia Workers' Compensation Act.
- 22 2. the current Workers' Compensation Act provisions for use of an employer selected panel
23 of physicians to treat injured workers.
- 24 3. maintenance of the exclusive remedy provisions of the Virginia Workers' Compensation
25 Act.
- 26 4. local governments' authority to establish hours of work, salaries, and working conditions
27 for local employees.
- 28 5. VML continues to support the current rules for work-related disability benefits.

29
30 VML opposes:

- 31 1. Any attempt to require collective bargaining or 'meet and confer' requirements for public
32 employers or employees; and
- 33 2. Any attempt by the federal government to stipulate grievance procedures for state and
34 local employees or additional state government procedures, such as the police officers
35 bill of rights.

36
37 **LINE OF DUTY ACT**

38 The cost of the current Line of Duty Act is not sustainable for either the state or local
39 governments.

40
41 VML supports recommendations and options made by the Joint Legislative Audit and Review
42 Commission for the Line of Duty Act program that would ensure the fiscal sustainability of the
43 program and ensure that the benefits are available to those who need and deserve them. Further,
44 VML supports a new, dedicated funding source to pay for LODA benefits, but opposes any
45 funding approach that would rely on or adversely affect existing local revenue sources. Adding

1 additional members to the Line of Duty Act would further burden the state and local
2 governments.

3
4
5 **TELECOMMUNICATIONS AND BROADBAND - LOCAL GOVERNMENT**
6 **PRINCIPLES**

7 VML sets forth the following principles to guide any federal or state legislative action regarding
8 telecommunications issues.

9
10 VML supports legislation that promotes and protects the ability of localities to establish, operate,
11 and maintain sustainable and affordable broadband authorities to provide essential broadband to
12 all communities throughout the Commonwealth of Virginia.

- 13
14 1. Public Rights-of-Way. Local rights-of-way are public property. The rights-of-way
15 contain numerous utility and other facilities. Proper management and maintenance of
16 rights-of-way are essential to ensure public safety, to protect the integrity of the property,
17 to guarantee the safety of workers and to maintain the efficiency of local streets, utility
18 systems, and transportation facilities and networks. Private use of public rights-of-way
19 significantly increases management responsibilities and maintenance costs. Any private
20 use of public rights-of-way should be valued at fair market value.
- 21
22 2. Franchise authority. Neither the federal government nor the state should enact any laws
23 to shift the award of franchises to use the public rights of way from the local governing
24 body to any state or federal agency. Individuals and businesses in the community help to
25 buy and maintain rights-of-way through their taxes. Rights-of-way should not be used
26 for private purposes without approval by and compensation to the local government for
27 the right to use the space, and local governments must have authority to control the
28 rights-of-way. The procurement process for franchise authority should be streamlined.
- 29
30 3. Equitable Taxation. Telecommunications providers are valued members of our corporate
31 community. All members of the corporate community must pay taxes on an equitable
32 basis, as appropriately determined by the local government. No legislation should restrict
33 the ability of local governments to impose equitable taxes on telecommunications
34 providers.
- 35
36 4. Universal Service and Consumer Access. Important educational and community services
37 are provided via telecommunications. Telecommunications providers must be responsive
38 to citizen needs and concerns and provide appropriate customer services to all segments
39 of our community so that disparities due to income or geographic location affecting
40 citizen access to new technology are minimized.
- 41
42 5. Competition. Local governments are interested in healthy competition in the field of
43 telecommunications. To ensure a competitively neutral and non-discriminatory market,
44 all service providers must pay fair compensation for the use of public property.
45 Governments should not be forced to subsidize some participants in this free-market
46 competition through lower-than-fair-market charges or any other means.

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6. Local Government as Customers. Local governments are important consumers of telecommunications services. In many communities, the local government is the single largest ~~customers~~customer of telecommunications services through its government offices, education facilities and emergency communications. As valuable customers, local governments should be treated equitably.
 7. Private Equipment placed on Public Facilities. Local governments should continue to have the authority to approve the location and fees for any attachment or co-location of communications infrastructure on local government buildings and facilities.
 8. Broadband and Local Governments. VML supports efforts to make affordable broadband access available to all Virginians. VML believes there are several ways to achieve this goal and no one technology or method of delivery should be chosen as the answer for our geographically diverse state. While public-private partnerships between a local government and a broadband provider may be the right approach for some communities, a municipal government broadband authority owning and operating a new project may be better for others. State grants should allow localities, groups of localities, municipal broadband authorities and public-private partnerships to submit applications for state grants without prejudice to the applicant.
 9. 5G. The current 5G statutes have eroded the authority of localities to charge fair market value, add appropriate screening, and control placement of these facilities along with added undue burdens in the form of shot clocks and limited review of applications. VML supports the ability of localities to ensure that their communities retain their unique character to include regulating these structures, particularly in historic areas.

28 TECHNOLOGY

29 Local government should maintain its authority to address and implement its unique 30 cybersecurity plan without state interference.

31 ~~State law should allow all counties, cities, and towns to make full and appropriate use of modern~~
32 ~~technology to promote public safety. Localities should have maximum flexibility to contract~~
33 ~~with the private sector to implement all aspects of such technology.~~

34
35 ~~Next Generation 911 is vital to public safety in the Commonwealth; we support this technology~~
36 ~~as a funded mandate.~~

37
38 When a local government has a cybersecurity incident it should have the time and ability to
39 consult with their own consultants and law enforcement prior to any state involvement.

40
41 Local governments should have authority to regulate the use of unmanned aerial vehicles in their
42 jurisdictions insofar as is consistent with FAA regulations. Especially when such systems are
43 utilized to support a local governing body or authority authorized under title 15.2 for purposes of
44 inspecting their own facilities, assessing damage caused by natural or manmade disasters, and by
45 fire and rescue personnel for purposes of assessing an emergency to which they are responding.
46

1 **UTILITIES**

2 Fundamental policies should be honored by the state in promoting the delivery of utility services
3 by local governments and the authorities they create:

- 4
- 5 1. Each provider of service must be free to set its rates without interference from other local
6 governments or the state.
 - 7 2. Each local government providing utility services must be able to compete fairly with any
8 other providers without state interference.
 - 9 3. Each local government that provides utility services must be able to manage its revenues
10 and expenditures related to the services without state interference.

11

12 Virginia’s localities and water and sewer authorities must retain the ability to enforce liens
13 against landlords’ properties for the unpaid water and sewer bills of their tenants by having the
14 ability to collect monies owed. No further limits should be placed on this authority.

15

16 Municipal utility systems must continue to have the authority to set their own rates. Any attempt
17 by the State Corporation Commission to regulate rates for utility services furnished by local
18 governments would violate the Virginia Constitution.

19

20 Local governments that provide utility services must continue to have the authority to negotiate
21 the rates, terms, and conditions for any attachments to or joint use of municipally owned utility
22 infrastructure. The safe and efficient operation of the municipal utility requires that final
23 approval for any joint use or co-location on its facilities remain with the ~~utility-utility~~.

24

25 The State Corporation Commission should develop a structure to ensure that the amounts that
26 utilities can charge localities and other entities for placing electric utility lines and other facilities
27 underground are based on the most cost-effective, competitive, yet safe methods.

28

29 **II. PUBLIC SAFETY**

30

31 VML supports legislation that preserves law and order and promotes the safety, quality of life
32 and administration of justice within our communities. The Commonwealth should provide
33 funding for programs that prepare our youth to be productive, responsible, self-reliant members
34 of society by enhancing its efforts to prevent juvenile crime, minimize violence, and reduce the
35 formation and operation of gangs.

36

37 The state should continue to assist localities in their efforts to coordinate public safety activities
38 including emergency services-

39

40 VML supports legislation that will clearly establish the relationships between State and localities
41 to assure efficient and appropriate command, control, and communications during local
42 emergencies.

43

44 State law should allow all counties, cities, and towns to make full and appropriate use of modern
45 technology to promote public safety. Localities should have maximum flexibility to contract
46 with the private sector to implement all aspects of such technology. VML supports the General

1 Assembly reviewing the ability of law enforcement to stop vehicles for expiration of registration
2 stickers, illegal use of defective and unsafe equipment, taillights, brake lights and the suspension
3 of objects or alteration of vehicle to obstruct a driver's view to promote the safety and security of
4 all persons on the road.*

5
6 Next Generation 911 is vital to public safety in the Commonwealth; we support this technology
7 as a funded mandate.

8
9 Greater latitude should be given to localities in encouraging innovative methods of combating
10 traffic violations and crime. This includes reviewing the current traffic violation code sections to
11 include a review of equity of safety.

12
13 VML supports expanded legalization of speed cameras on all roads at all times. VML supports
14 the establishment of School Crossing Zones as defined in 46.2-873 for highways located within
15 the grounds of a public institution of higher education as defined in 23.1-100 or within one-half
16 mile of the grounds of a building or property used by the Public Institution of Higher Education.

17
18 VML supports full restitution for any law enforcement response that is a hoax.

19
20 VML supports local jurisdictions efforts to maintain animal shelters in a fiscally responsible
21 manner and does not support any state or federal mandate that would provide a financial burden
22 on local animal shelters.

23 **The New positions in this section did not have unanimous support.*

24 **MARIJUANA-RELATED POLICE TRAINING**

25 VML is concerned that the Commonwealth may experience sky-rocketing roadside fatalities and
26 accidents with injury, as evidenced in states where marijuana became legal prior to 2021. The
27 ramifications ~~of legalization~~of legalization of marijuana for personal use make it imperative that
28 resources for marijuana-related police training be prioritized for the following reasons:

- 29
- 30 • There are not enough qualified DREs (Drug Recognition Experts) in the state of Virginia.
31 To be certified for DRE, officers must attend a combination of approximately 120 hours
32 of classroom instruction and apprenticeship in the field.
- 33 • Due to staffing shortages, agencies lack time to send officers to the required DRE classes
34 even if funding and training are ~~available~~available.
- 35 • Ambiguous laws on legal traffic stops and field sobriety will likely result in prosecutorial
36 challenges due to lack of training in roadside testing methods, no per se limit for
37 presumption of impairment for drugged driving, and the absence of an approved
38 instrument to test levels of drugs in the blood. Additional training is also needed for
39 prosecutors to achieve successful outcomes in court for drugged driving offenses.
- 40

41 VML supports significant and immediate resources for marijuana-related police training.

42 **Some localities object to lines 46-4 on pages 10 and 11.*

43 44 **COMMUNITY CORRECTIONS**

45 VML requests both increased funding and an equitable distribution formula for services provided
46 under the Comprehensive Community Corrections Act (CCCA) and the Pre-Trial Services Act

1 (PSA). Since the advent of these programs in 1995, caseloads have effectively doubled at the
2 local level, while state resources have failed to meet the caseload increases. These resources are
3 allocated to localities on a discretionary grant basis. Given the statewide character of this
4 program, it is now time to allocate these funds through an equitable formula that recognizes
5 regional costs and benefits of these services.

6

7 **COURT FEES**

8 A user of the court system should not force increased costs on the general population. VML
9 supports legislation to increase court fees to pay for courthouse maintenance, security,
10 renovation and construction and other court-related projects.

11

12 **COURT SECURITY**

13 The General Assembly should adopt legislation making it clear that local judges do not have the
14 authority to order localities to fund more deputy positions for court security than are provided for
15 in the State Code and Appropriations Act.

16

17 **INTERNAL AFFAIRS INVESTIGATIONS**

18 Legislation should be enacted to restrict the use, in civil matters, of information gathered in
19 internal investigations.

20

21 **OVERCROWDING/STATE SUPPORT**

22 The state should honor its commitment to remove state prisoners from local jails.

23

24 The state should fully fund the per diem reimbursement for all state prisoners.

25

26 Jails built by a single large locality should be eligible for the same state reimbursement rate for
27 construction as a regional jail facility.

28

29 Local governments should not be forced to pay for state prisoners. The state reimbursement rate
30 must be restored to an amount that is fair to localities reflecting actual costs.

31

32 **TRAINING ACADEMIES**

33 The state should fully fund all mandated criminal justice training provided through certified
34 academies.

35

36 **VIOLENCE/TERRORISM**

37 The General Assembly should enable localities to help communities deal with criminal issues by:

38

- 39 1. expanding state and local cooperative efforts in neighborhoods and localities,
- 40 2. promoting additional prevention and intervention programs to deal with
41 youth who may adopt a violent way of life, and
- 42 3. granting localities more flexibility to handle problems of abandoned and blighted
43 structures.