

Office of Regulatory Management
Economic Review Form

Agency name	Forensic Science Board/Department of Forensic Science
Virginia Administrative Code (VAC) Chapter citation(s)	6 VAC 40-40
VAC Chapter title(s)	Regulations for the Implementation of the Law Permitting DNA Analysis Upon Arrest for All Violent Felonies and Certain Burglaries
Action title	Regulatory Reduction Action for 6 VAC 40-40
Date this document prepared	July 2, 2024
Regulatory Stage (including Issuance of Guidance Documents)	Fast-Track

Cost Benefit Analysis

Complete Tables 1a and 1b for all regulatory actions. You do not need to complete Table 1c if the regulatory action is required by state statute or federal statute or regulation and leaves no discretion in its implementation.

Table 1a should provide analysis for the regulatory approach you are taking. Table 1b should provide analysis for the approach of leaving the current regulations intact (i.e., no further change is implemented). Table 1c should provide analysis for at least one alternative approach. You should not limit yourself to one alternative, however, and can add additional charts as needed.

Report both direct and indirect costs and benefits that can be monetized in Boxes 1 and 2. Report direct and indirect costs and benefits that cannot be monetized in Box 4. See the ORM Regulatory Economic Analysis Manual for additional guidance.

Table 1a: Costs and Benefits of the Proposed Changes (Primary Option)

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: None.</p> <p>Indirect Costs: None.</p> <p>Direct Benefits: Reduced time for DFS employees in deciphering handwritten entries or cross validating on warrant information and reduced time for local law enforcement agencies in submitting arrestee DNA samples because data entry into the tracking system is less time consuming than handwritten forms.</p> <p>DFS verification: 2,000 samples per fiscal year * 0.03 hour * \$28.25/hour=\$1,694.88 Local law enforcement agencies: 2,000 samples per year * 0.08 hours * \$25.76/hour=\$4,121.60</p> <p>Indirect Benefits: None.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) 0	(b) \$5,816.48
(3) Net Monetized Benefit	\$5,816.48	
(4) Other Costs & Benefits (Non-Monetized)		
(5) Information Sources	<p>DFS receives approximately 2,000 arrestee samples each fiscal year. Local law enforcement agencies typically submit these samples through the booking sections of the local jails. The U.S. Bureau of Labor and Statistics' Occupational Employment and Wages (May 2022) provides an hourly mean wage for correctional officers and jailers of \$25.76. As of July 1, 2024, DFS Data Bank analyst average hourly rate of \$ 28.25 from agency records.</p>	

Table 1b: Costs and Benefits under the Status Quo (No change to the regulation)

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: Continued time spent by local law enforcement officers with handwriting submission forms and the deciphering of such submission forms by DFS staff.</p> <p>DFS verification: 2,000 samples per fiscal year * 0.03 hour * \$28.25/hour=\$1,694.88 Local law enforcement agencies: 2,000 samples per year * 0.08 hours * \$25.76/hour=\$4,121.60</p>	
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	Indirect Costs: None. Direct Benefits: None. Indirect Benefits: None.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$5,816.48	(b) \$0
(3) Net Monetized Benefit	-\$5,816.48	
(4) Other Costs & Benefits (Non-Monetized)		
(5) Information Sources	DFS receives approximately 2,000 arrestee samples each fiscal year. Local law enforcement agencies typically submit these samples through the booking sections of the local jails. The U.S. Bureau of Labor and Statistics' Occupational Employment and Wages (May 2022) provides an hourly mean wage for correctional officers and jailers of \$25.76. As of July 1, 2024, DFS Data Bank analyst average hourly rate of \$ 28.25 from agency records.	

Table 1c: Costs and Benefits under Alternative Approach(es)

(1) Direct & Indirect Costs & Benefits (Monetized)	There were no alternative approaches that met the requirements imposed by the Virginia Code and the Federal DNA Identification Act for the protection of DNA Data Bank information.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a)	(b)
(3) Net Monetized Benefit		
(4) Other Costs & Benefits (Non-Monetized)		

(5) Information Sources	
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Impact on Local Partners

Use this chart to describe impacts on local partners. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 2: Impact on Local Partners

(1) Direct & Indirect Costs & Benefits (Monetized)	Direct Costs: None. Indirect Costs: None. Direct Benefits: Local law enforcement agencies can submit the required information utilizing the prelog function of the DNA data bank sample tracking system rather than handwriting the submission form. Local law enforcement agencies: 2,000 samples per year * 0.08 hours * \$25.76/hour=\$4,121.60 Indirect Benefits: None identified.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$0	(b) \$4,121.60
(3) Other Costs & Benefits (Non-Monetized)		
(4) Assistance		
(5) Information Sources	DFS receives approximately 2,000 arrestee samples each fiscal year. Local law enforcement agencies typically submit these samples through the booking sections of the local jails. The U.S. Bureau of Labor and Statistics' Occupational Employment and Wages (May 2022) provides an hourly mean wage for correctional officers and jailers of \$25.76.	

Impacts on Families

Use this chart to describe impacts on families. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 3: Impact on Families

(1) Direct & Indirect Costs & Benefits (Monetized)	Not applicable.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a)	(b)
(3) Other Costs & Benefits (Non-Monetized)		
(4) Information Sources		

Impacts on Small Businesses

Use this chart to describe impacts on small businesses. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 4: Impact on Small Businesses

(1) Direct & Indirect Costs & Benefits (Monetized)	Not applicable.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a)	(b)
(3) Other Costs & Benefits (Non-Monetized)		
(4) Alternatives		
(5) Information Sources		

Changes to Number of Regulatory Requirements

Table 5: Regulatory Reduction

For each individual action, please fill out the appropriate chart to reflect any change in regulatory requirements, costs, regulatory stringency, or the overall length of any guidance documents.

Change in Regulatory Requirements

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Total Net Change in Requirements
6 VAC 40-40-80 and 40-40-90	(M/A):	0	0	0	0
	(D/A):	1	0	0	0
	(M/R):	0	0	0	0
	(D/R):	13	0	-9	(-9)
				Grand Total of Changes in Requirements:	(M/A):0
					(D/A): (0)
					(M/R): 0
					(D/R): (-9)

Key:

Please use the following coding if change is mandatory or discretionary and whether it affects externally regulated parties or only the agency itself:

(M/A): Mandatory requirements mandated by federal and/or state statute affecting the agency itself

(D/A): Discretionary requirements affecting agency itself

(M/R): Mandatory requirements mandated by federal and/or state statute affecting external parties, including other agencies

(D/R): Discretionary requirements affecting external parties, including other agencies

Cost Reductions or Increases (if applicable)

VAC Section(s) Involved*	Description of Regulatory Requirement	Initial Cost	New Cost	Overall Cost Savings/Increases

Other Decreases or Increases in Regulatory Stringency (if applicable)

VAC Section(s) Involved*	Description of Regulatory Change	Overview of How It Reduces or Increases Regulatory Burden

Length of Guidance Documents (only applicable if guidance document is being revised)

Title of Guidance Document	Original Word Count	New Word Count	Net Change in Word Count

*If the agency is modifying a guidance document that has regulatory requirements, it should report any change in requirements in the appropriate chart(s).