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SENATE BILL NO. 240

Offered January 12, 2022

Prefiled January 10, 2022

A BILL to amend and reenact §§ 15.2-1714 and 18.2-414.2 of the Code of Virginia, relating to newspersons crossing established police lines; exemption.

Patron—Hashmi

Referred to Committee on the Judiciary

Be it enacted by the General Assembly of Virginia:

1. That §§ 15.2-1714 and 18.2-414.2 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-1714. Establishing police lines, perimeters, or barricades.

Whenever fires, accidents, wrecks, explosions, crimes, riots, or other emergency situations where life, limb, or property may be endangered may cause persons to collect on the public streets, alleys, highways, parking lots, or other public area, the chief law-enforcement officer of any locality or that officer's authorized representative who is responsible for the security of the scene may establish such areas, zones, or perimeters by the placement of police lines or barricades as are reasonably necessary to (i) preserve the integrity of evidence at such scenes, (ii) notwithstanding the provisions of §§ 46.2-888 through 46.2-891, facilitate the movement of vehicular and pedestrian traffic into, out of, and around the scene, (iii) permit firefighters, police officers, and emergency medical services personnel to perform necessary operations unimpeded, and (iv) protect persons and property.

Any police line or barricade erected for these purposes shall be clearly identified by wording such as "Police Line — DO NOT CROSS" or other similar wording. If material or equipment is not available for identifying the prohibited area, then a verbal warning by identifiable law-enforcement officials positioned to indicate a location of a police line or barricade shall be given to any person or persons attempting to cross police lines or barricades without proper authorization.

Such scene may be secured no longer than is reasonably necessary to effect the above-described purposes. Nothing in this section shall limit or otherwise affect the authority of, or be construed to deny access to such scene by, any person charged by law with the responsibility of rendering assistance at or investigating any such fires, accidents, wrecks, explosions, crimes or riots.

~~Personnel from information services such as press, radio, and television, when gathering news, A credentialed newsperson as defined in § 19.2-271.5 shall be exempt from the provisions of this section except that it shall be unlawful for such persons to obstruct the police, firefighters, or emergency medical services personnel in the performance of their duties at such scene. Such personnel credentialed newspersons shall proceed at their own risk.~~

§ 18.2-414.2. Crossing established police lines, perimeters or barricades.

It shall be unlawful for any person to cross or remain within police lines or barricades ~~which that~~ have been established pursuant to § 15.2-1714 without proper authorization.

~~A credentialed newsperson as defined in § 19.2-271.5 shall be exempt from the provisions of this section except that it shall be unlawful for such persons to obstruct police, firefighters, or emergency medical services personnel in the performance of their duties within such police lines or barricades. Such credentialed newspersons shall proceed at their own risk.~~

Any person violating the provisions of this section ~~shall be~~ is guilty of a Class 3 misdemeanor.

INTRODUCED

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