

2022 SESSION

INTRODUCED

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HOUSE BILL NO. 1208

Offered January 18, 2022

A *BILL to amend and reenact § 53.1-95.8 of the Code of Virginia, relating to jail authorities; superintendent designating jail officers with internal investigations authority.*

Patron—Hayes

Committee Referral Pending

Be it enacted by the General Assembly of Virginia:

1. That § 53.1-95.8 of the Code of Virginia is amended and reenacted as follows:

§ 53.1-95.8. Authority of superintendent and jail officers; oath and bond; fees charged to prisoner.

The superintendent appointed by an authority created pursuant to this article to administer its correctional facility shall have and exercise the same control and authority over the prisoners committed or transferred to such facility as the sheriffs of this Commonwealth have by law over the prisoners committed or transferred to their jails.

During the term of their appointment, the superintendent and jail officers are hereby vested with the powers and authority of a conservator of the peace (i) within the limits of such correctional facility and within one mile thereof; (ii) for the purpose of conveying prisoners to and from such facility; (iii) for the purpose of enforcing the provisions of alternative incarceration and treatment programs pursuant to §§ 53.1-129, 53.1-131, and 53.1-131.2; (iv) for the purpose of providing security and supervision of prisoners taken to a medical, dental, or psychiatric facility; and (v) for the purpose of providing a security escort and supervision of prisoners transported to a funeral or graveside service. Prisoners may be charged reasonable fees for services described in clause (v).

Before entering upon the duties of their office, the superintendent and jail officers shall take and subscribe the oath prescribed by § 49-1. An authority created pursuant to this article may require the superintendent or jail officers or both to give bond in such penalty and with such security as the authority may prescribe, conditioned upon the faithful discharge of the duties of their offices.

The superintendent may designate jail officers with internal investigations authority to have the same power as a sheriff or a law-enforcement officer in the investigation of allegations of criminal behavior affecting the operations of the authority. Such jail officers shall be subject to any minimum training standards established by the Department of Criminal Justice Services under § 9.1-102 for law-enforcement officers prior to exercising any law-enforcement power granted under this section.

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