

1 COMMITTEE SUBSTITUTE

2 FOR

3 **Senate Bill No. 387**

4 (By Senators Cole, Blair, Carmichael, D. Hall, M. Hall, Jenkins,
5 McCabe, Walters, Williams and Nohe)

6 _____
7 [Originating in the Committee on the Judiciary;
8 reported January 31, 2014.]
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11 A BILL to amend the Code of West Virginia, 1931, as amended, by
12 adding thereto a new section, designated §15-10-6, relating to
13 clarifying that duly authorized officers of the United States,
14 the District of Columbia or other states have legal custody of
15 their prisoners while they are in West Virginia.

16 *Be it enacted by the Legislature of West Virginia:*

17 That the Code of West Virginia, 1931, as amended, be amended
18 by adding thereto a new section, designated §15-10-6, to read as
19 follows:

20 **ARTICLE 10. COOPERATION BETWEEN LAW-ENFORCEMENT AGENCIES.**

21 **§15-10-6. Transportation of out-of-state prisoners; authority of**
22 **foreign law-enforcement officers.**

23 (a) Duly authorized law enforcement officers of the United
24 States, the District of Columbia and other states or political
25 subdivisions thereof who are transporting prisoners through this

1 state, delivering prisoners to this state or taking custody of a
2 person in this state for transport to another jurisdiction are
3 deemed to have lawful custody of said prisoner while in this state.

4 (b) Given that duly authorized officers of other jurisdictions
5 often have a need to travel through or to this state with prisoners
6 for short durations of time, such as for medical treatment, the
7 purpose of this section is to clarify the authority and
8 jurisdiction of those officers of the United States, the District
9 of Columbia and other states while having custody of a prisoner
10 during the time they are in West Virginia.