WEST virginia legislature

2021 regular session

Committee Substitute

for

Senate Bill 660

By Senators Weld, Woodrum, Rucker, and Romano

[Originating in the Committee on the Judiciary; reported on March 25, 2021]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §15-10-7, relating generally to providing for cooperation between civilian law-enforcement agencies and military authorities to facilitate objective independent investigations of possible offenses.

Be it enacted by the Legislature of West Virginia:

Article 10. Cooperation Between Law-Enforcement Agencies.

§15-10-7. Cooperation with military authorities.

(a) The head of a law-enforcement agency or head of a campus police department, as those positions are defined in §15-10-3 of this code, may assign law-enforcement personnel under his or her command to provide assistance, cooperation, and information to the National Guard of this state or any service component of the United States Department of Defense located in this state upon the written request of the Adjutant General or commanding officer of the unit or facility.

(b) The assistance authorized by subsection (a) of this section may be provided for, but not be limited to:

(1) Alleged violations of the federal and state Codes of Military Justice;

(2) Alleged violations of the criminal laws of the United States and the State of West Virginia;

(3) Investigations and other actions related to reports of sexual assault or sexual harassment, to include any cases of reprisal or retaliation;

(4) Violations of military directives, regulations, or instruction; and

(5) Other reasonable requests by the National Guard.

(c) The purpose of this section is to support the military by providing it objective, qualified law-enforcement services.