

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Committee Substitute

for

Senate Bill 630

BY SENATORS RUCKER, TRUMP, WOELFEL, DEEDS,

GRADY, BARRETT, AND HAMILTON

[Originating in the Committee on the Judiciary;

reported on February 17, 2023]

1 A BILL to amend the Code of West Virginia 1931, as amended, by adding thereto a new section,
2 designated §61-5-17a, relating to creating the offense of knowingly and willfully
3 obstructing a social service worker or home incarceration supervisor, acting in his or her
4 official capacity thereby causing the death of the social worker or home incarceration
5 supervisor; defining social service worker; and establishing the criminal penalty therefor
6 as life in prison with parole eligibility after service of 15 years.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5. CRIMES AGAINST PUBLIC JUSTICE.

§61-5-17a. Willfully obstructing a social service worker causing death; definitions; penalty.

1 (a) Notwithstanding any provision of this code to the contrary, any person who knowingly
2 and willfully obstructs a social service worker or home incarceration supervisor lawfully acting in
3 his or her official capacity, and thereby proximately causes the death of a social service worker
4 or home incarceration supervisor, is guilty of a felony, and upon conviction thereof, shall be
5 imprisoned in a state correctional facility for a term of 15 years to life.

6 (b) "Home Incarceration Supervisor" means a person employed to supervise persons in
7 home incarceration through a home incarceration program.

8 (c) "Social services worker" means a person employed by a governmental or private entity
9 to provide social services such as investigating allegations of child or adult abuse or neglect,
10 working with delinquent youth, providing mental health and educational assistance through field
11 work and home visits.