

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **House Bill 4601**

By Delegates Burkhammer, Mazzocchi, Chiarelli,

Heckert, Kimble, Miller, Pinson, and Holstein

[Introduced January 20, 2026; referred to the

Committee on the Judiciary]

1 A BILL to amend and reenact §15-2-15 of the Code of West Virginia, 1931, as amended, relating to  
2 the Child Abuse and Neglect Investigations Unit; expanding the number of members in the  
3 unit; expanding the number of regional members to assist CPS; establishing offices for the  
4 unit in each State Police District; providing parameters for supervision of the unit; providing  
5 retired members of the State Police the ability to be part of the unit; and establishing  
6 requirements to be followed when reemploying a retired State Police officer.

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

**ARTICLE 2. WEST VIRGINIA STATE POLICE.**

**§15-2-15. State Police Child Abuse and Neglect Investigations Unit.**

1 (a) The superintendent shall maintain a special unit of the State Police called the Child  
2 Abuse and Neglect Investigations Unit. The purpose of the unit is to focus on identifying,  
3 investigating, and prosecuting criminal child abuse and neglect cases, in coordination with Child  
4 Protective Services, established pursuant to §49-2-802 of this code. The unit shall assist other  
5 State Police members with child abuse or neglect investigations as well as the Division of Child  
6 Protective Services. The unit may provide training, technical expertise, and coordination of  
7 services for other law-enforcement agencies, Child Protective Services caseworkers, prosecuting  
8 attorneys, and multidisciplinary teams established pursuant to the provisions of §49-4-402 of this  
9 code, to identify, investigate, report, and prosecute criminal child abuse and criminal child neglect  
10 cases. However, nothing in this section may be construed to mean that the unit will assume the  
11 duties or investigations of other State Police members or other law-enforcement officers.

12 (b) The unit shall consist of, at a minimum, six 21 retired members of the West Virginia  
13 State Police with each of the 21 Districts of the West Virginia State Police contributing at least one  
14 retired member to this unit. The superintendent shall assign a unit director, and five regional The  
15 members of the unit shall, to be dedicated and trained to assist county Child Protective Services  
16 Offices and caseworkers in investigating and coordinating with other law-enforcement personnel,

17 cases of suspected child abuse or neglect. Cases to be investigated include allegations received  
18 pursuant to §49-2-803 of this code, and any other credible child abuse or neglect allegations.

19 (c) The unit director's duties include:

20 (1) Overseeing State Police members assigned to the unit;

21 (2) Coordinating activities of the unit with Child Protection Services;

22 (3) Assisting Child Protective Services in developing and refining protocols for improving  
23 identification and prosecution of suspected criminal acts of child abuse or neglect; and

24 (4) Assuring that all other directives and responsibilities of the unit are fulfilled.

25 (d) The unit shall maintain a statewide statistical index on child abuse and neglect  
26 convictions resulting from convictions for violations of §61-8D-2, §61-8D-2a, §61-8D-3,  
27 §61-8D-3a, §61-8D-4 and §61-8D-4a of this code, to monitor the timely and proper investigation  
28 and disposition of child abuse or neglect cases. The statistical data index maintained by the unit  
29 shall not contain information of a specific nature that would identify individual cases or persons.

30 (e) The unit shall maintain at least one investigative office in each West Virginia State  
31 Police District, located within a Department of Human Services office that provides social services  
32 for that district.

33 (f) Investigators employed by the unit shall be supervised by four members of the West  
34 Virginia State Police, with preference given to members who have prior experience with the  
35 Internet Crimes Against Children (ICAC) Task Force or substantial experience in investigating  
36 allegations of child abuse and neglect.

37 (e) (g) On or before December 31, of each year, the unit director shall submit an annual  
38 report to the Joint Committee on Government and Finance. The annual report is to include the  
39 statistical index required under the provisions of subsection (d) of this section, and may include  
40 recommendations for statutory or program reforms that will assist the unit and further promote the  
41 goals of the unit. The report may not contain information of a specific nature that would identify  
42 individual cases or persons.

43           (f) (h) Every state law-enforcement agency of this state shall periodically provide statistical  
44 information regarding child abuse and neglect cases investigated and prosecuted by that law-  
45 enforcement agency to the unit.

46           (g) (i) The superintendent may propose rules for legislative approval or procedural rules as  
47 necessary to effectuate the provisions of this section in accordance with the provisions of  
48 §29A-3-1 et seq. of this code. The superintendent shall provide forms to law-enforcement  
49 agencies, circuit clerks, and parole officers to facilitate submission of appropriate information  
50 necessary to prepare the statistical reports required by this section.

51           (h) (j) There is continued a special account in the state Treasury, into which shall be  
52 deposited any gifts, grants or donations made to the unit, and any other funds directed to be  
53 deposited into the account by appropriation of the Legislature, and to be expended for the  
54 purposes of this section pursuant to appropriation of the Legislature.

55           (k) Notwithstanding any provision of this code to the contrary, any honorably retired  
56 member of the State Police may, at the discretion of the superintendent, be considered for a  
57 position with the Child Abuse and Neglect Investigations Unit and:

58           (1) No pension rights of any kind shall accrue or attach pursuant to reemployment under  
59 this section:

60           (2) Notwithstanding any provision of this code to the contrary, any honorably retired  
61 member of the State Police who qualifies for reemployment pursuant to the provisions of this  
62 section and is not currently certified as a law-enforcement officer under §30-29-5 of this code may  
63 be deemed to have met the entry level law-enforcement recertification requirements of 149 CSR  
64 215, Section 15.3, upon successful completion of a course of instruction prescribed by the  
65 superintendent. Such course of instruction shall include at a minimum the following subject areas:  
66 Firearms training and certification, defensive driving, mechanics of arrest, law of arrest search and  
67 seizure, West Virginia motor vehicle law, criminal law update, and domestic crimes;

68       (3) Any member reemployed pursuant to the provisions of this section shall hold the  
69       nonsupervisory rank of trooper and shall receive the same compensation as a regularly enlisted  
70       member at the rank of corporal. For purposes of determining length of service pursuant to §15-2-5  
71       of this code, any member reemployed pursuant to this section shall not receive credit for all years  
72       of service rendered after reemployment. Any member reemployed pursuant to this section shall  
73       exercise the same authority as a regularly enlisted member of the State Police, shall be subject to  
74       the same oath, shall execute the same bond, shall exercise the same powers and shall be subject  
75       to the same limitations as a regularly enlisted member of the State Police;

76       (4) Any member reemployed pursuant to the provisions of this section shall not be eligible  
77       for promotion or reclassification of any type, nor shall he or she be eligible for appointment to  
78       temporary rank pursuant to the provisions of section four of this article;

79       (5) Any retired member applying for reemployment under this section shall be required to  
80       pass such mental and physical examinations, and meet such other requirements as may be  
81       provided for in rules promulgated by the superintendent pursuant to this section;

82       (6) Notwithstanding the provisions of section ten of this article, the superintendent may  
83       make provisions for coverage of personnel employed pursuant to the provisions of §15-2-10(e);

84       (7) Any individual reemployed pursuant to this section is not eligible to contribute to any  
85       pension plan administered by the Consolidated Public Retirement Board, nor may he or she  
86       establish or accrue any new pension eligibility pursuant to such reemployment;

87       (8) Notwithstanding any provision of this code to the contrary, any member reemployed  
88       pursuant to this section shall serve at the will and pleasure of the superintendent, but retain the  
89       right to a grievance hearing pursuant to the provisions of §15-2-6 of this code and West Virginia  
90       State Police grievance procedure, 81 CSR 8. Any member reemployed pursuant to this section  
91       shall not be included in the classified service of the civil service system; and

92        (9) Notwithstanding any provision of this code to the contrary, compensation paid to any  
93    member reemployed pursuant to this section shall be in addition to any retirement payments or  
94    pension benefits which he or she is already entitled to receive under §15-2-27 of this code.

NOTE: The purpose of this bill is to create an expanded WVSP Unit specifically utilized for investigation of child abuse and neglect cases.

The bill has been recommended for introduction by the Joint Committee on Children and Families.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.