

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Committee Substitute

for

Senate Bill 55

BY SENATOR RUCKER

[Reported January 22, 2026, from the Committee on
Judiciary]

1 A BILL to amend and reenact §61-5-17a of the Code of West Virginia, 1931, as amended, relating
2 to establishing a felony criminal offense for knowingly, willfully, and forcibly obstructing or
3 hindering a home incarceration supervisor or a social services worker while the home
4 incarceration supervisor or social services worker is lawfully acting in their official capacity
5 and the obstructing or hindering causes the death of the home incarceration supervisor or
6 a social services worker; establishing felony criminal penalty therefor of imprisonment in
7 a state correctional facility for 20 years to life; specifying minimum term of 20 years'
8 imprisonment for parole eligibility; and providing definitions.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5. CRIMES AGAINST PUBLIC JUSTICE.

§61-5-17a. Obstructing a law-enforcement officer, probation officer, parole officer, courthouse security officer, correctional officer, the State Fire Marshal, a deputy or assistant fire marshal, firefighter, or emergency medical service personnel, home incarceration supervisor, or social services worker causing death; penalty.

1 (a) Notwithstanding any provision of this code to the contrary, any person who knowingly,
2 willfully, and forcibly obstructs or hinders a law-enforcement officer, probation officer, parole
3 officer, courthouse security officer, correctional officer, the State Fire Marshal, a deputy or
4 assistant fire marshal, firefighter, or emergency medical service personnel, home incarceration
5 supervisor, or social services worker lawfully acting in his or her official capacity and thereby
6 proximately causes the death of a law-enforcement officer, probation officer, parole officer,
7 courthouse security officer, correctional officer, the State Fire Marshal, a deputy or assistant fire
8 marshal, firefighter, or emergency medical service personnel, home incarceration supervisor, or
9 social services worker so acting, is guilty of a felony and, upon conviction thereof, shall be
10 imprisoned in a state correctional facility for a term of 15 20 years to life. A person imprisoned
11 pursuant to the provisions of this section is not eligible for parole prior to having served a minimum
12 of 20 years of his or her sentence.

13 (b) For purposes of this section:

14 (1) "forcibly" "Forcibly" means actions which involve the use of physical force;

15 (2) "Home incarceration supervisor" means a person employed to supervise persons in

16 home incarceration through a home incarceration program; and

17 (3) "Social services worker" means a person employed by a governmental or private entity,

18 to provide social services such as investigating allegations of child or adult abuse or neglect.

19 working with delinquent youth, or providing mental health and educational assistance through

20 field work and home visits.