

VIRGINIA ACTS OF ASSEMBLY -- 2001 RECONVENED SESSION

CHAPTER 848

An Act to amend and reenact § 18.2-55 of the Code of Virginia, relating to bodily injuries caused by prisoners, state juvenile probationers and state and local adult probationers or adult parolees; penalty.

[S 1181]

Approved April 5, 2001

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-55 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-55. Bodily injuries caused by prisoners, state juvenile probationers and state and local adult probationers or adult parolees.

A. It shall be unlawful for a person confined in a state, local or regional correctional facility as defined in § 53.1-1; in a secure facility or detention home as defined in § 16.1-228 or in any facility designed for the secure detention of juveniles; or while in the custody of an employee thereof to knowingly and willfully inflict bodily injury on:

1. An employee thereof, or
2. Any other person lawfully admitted to such facility, except another prisoner or person held in legal custody, or
3. Any person who is supervising or working with prisoners or persons held in legal custody, or
4. Any such employee or other person while such prisoner or person held in legal custody is committing any act in violation of § 53.1-203.

B. It shall be unlawful for ~~a~~ *an accused*, probationer or parolee under the supervision of, *or being investigated by*, (i) a probation or parole officer ~~as whose powers and duties are defined in § 16.1-237 or § 53.1-145~~, (ii) *a local pretrial services officer associated with a program established pursuant to Article 5 (§ 19.2-152.2) of Chapter 9 of Title 19.2*, or (iii) *a local probation officer associated with a program established pursuant to Article 2 (§ 53.1-180 et seq.) of Chapter 9 of Title 53.1*, to knowingly and willfully inflict bodily injury on such officer while *he is* in the performance of ~~such officer's~~ *his* duty, *knowing or having reason to know that the officer is engaged in the performance of his duty*.

Any person violating any provision of this section ~~shall be~~ *is* guilty of a Class 5 felony.

2. That the provisions of this act may result in a net increase in periods of imprisonment in state correctional facilities. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation is \$0.