

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 18.2-64.2 of the Code of Virginia, relating to carnal knowledge of an*
3 *inmate, parolee, probationer, detainee, or pretrial or posttrial offender, etc.*

4 [H 2631]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That §18.2-64.2 of the Code of Virginia is amended and reenacted as follows:**

8 § 18.2-64.2. Carnal knowledge of an inmate, parolee, probationer, detainee or pretrial or posttrial
9 offender; penalty.

10 An accused shall be guilty of carnal knowledge of an inmate, parolee, probationer, *detainee*, or
11 pretrial or posttrial offender if he or she is an employee or contractual employee of, or a volunteer with,
12 a state or local correctional facility or regional jail, the Department of Corrections, *the Department of*
13 *Juvenile Justice, a secure facility or detention home, as defined in § 16.1-228, a state or local court*
14 *services unit, as defined in § 16.1-235, a local community-based probation program or a pretrial services*
15 *program; is in a position of authority over the inmate, probationer, parolee, detainee, or a pretrial or*
16 *posttrial offender; knows that the inmate, probationer, parolee, detainee, or pretrial or posttrial offender*
17 *is under the jurisdiction of the state or local correctional facility, a regional jail, the Department of*
18 *Corrections, the Department of Juvenile Justice, a secure facility or detention home, as defined in*
19 *§ 16.1-228, a state or local court services unit, as defined in § 16.1-235, a local community-based*
20 *probation program, or a pretrial services program; and carnally knows, without the use of force, threat or*
21 *intimidation (i) an inmate who has been committed to jail or convicted and sentenced to confinement in*
22 *a state or local correctional facility or regional jail or (ii) a probationer, parolee, detainee, or a pretrial*
23 *or posttrial offender under the jurisdiction of the Department of Corrections, the Department of Juvenile*
24 *Justice, a secure facility or detention home, as defined in § 16.1-228, a state or local court services unit,*
25 *as defined in § 16.1-235, a local community-based probation program, a pretrial services program, a*
26 *local or regional jail for the purposes of imprisonment, a work program or any other parole/probationary*
27 *or pretrial services program. Such offense is a Class 6 felony.*

28 For the purposes of this section, "carnal knowledge" includes the acts of sexual intercourse,
29 cunnilingus, fellatio, anallingus, anal intercourse and animate or inanimate object sexual penetration.

ENROLLED

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