

# VIRGINIA ACTS OF ASSEMBLY -- 2002 SESSION

## CHAPTER 336

*An Act to amend and reenact §§ 53.1-93, 53.1-95.8 and 53.1-109 of the Code of Virginia, relating to authority of superintendent and jail officers; fees for transportation, etc.*

[H 1179]

Approved April 1, 2002

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 53.1-93, 53.1-95.8 and 53.1-109 of the Code of Virginia are amended and reenacted as follows:**

§ 53.1-93. When sheriffs to summon or employ guards and other persons; allowances therefor.

Whenever in the discretion of the court it is necessary for the safekeeping of a prisoner under charge of or sentence for a crime, whether the prisoner be in jail, hospital, court or elsewhere, the court may order the sheriff to summon a sufficient guard. Whenever ordered by the court to do so, the sheriff shall summon or employ temporarily such persons as may be needed to preserve proper order or otherwise to aid the court in its proper operation and functioning. For such guard or other service the court may allow so much as it deems proper, not exceeding the hourly equivalent of the minimum annual salary paid a full-time deputy sheriff who performs like services in the same county or city. In addition, mileage and other expenses for rendering the services shall be paid for each such person. *A prisoner may be charged reasonable fees for providing him a security escort, supervision and transportation to and from a funeral or graveside service.*

§ 53.1-95.8. Authority of superintendent and jail officers; oath and bond.

The superintendent appointed by an authority created pursuant to this article to administer its correctional facility shall have and exercise the same control and authority over the prisoners committed or transferred to such facility as the sheriffs of this Commonwealth have by law over the prisoners committed or transferred to their jails.

During the term of their appointment, the superintendent and jail officers are hereby vested with the powers and authority of a conservator of the peace (i) within the limits of such correctional facility and within one mile thereof; (ii) for the purpose of conveying prisoners to and from such facility; (iii) for the purpose of enforcing the provisions of alternative incarceration and treatment programs pursuant to §§ 53.1-129, 53.1-131, and 53.1-131.2 and pretrial supervision programs operated pursuant to § 19.2-123; (iv) for the purpose of providing security and supervision of prisoners taken to a medical, dental, or psychiatric facility; and (v) for the purpose of providing a security escort and supervision of prisoners transported to a funeral or graveside service. *Prisoners may be charged reasonable fees for services described in clause (v).*

Before entering upon the duties of their office, the superintendent and jail officers shall take and subscribe the oath prescribed by § 49-1. An authority created pursuant to this article may require the superintendent or jail officers or both to give bond in such penalty and with such security as the authority may prescribe, conditioned upon the faithful discharge of the duties of their offices.

§ 53.1-109. Authority of jail superintendent and jail officers.

The jail superintendent shall have and exercise the same control and authority over the prisoners committed or transferred to a regional jail or jail farm as the sheriffs of this Commonwealth have by law over the prisoners committed or transferred to local jails.

During the term of their appointment the superintendent and jail officers are hereby invested with the powers and authority of a conservator of the peace (i) within the limits of such jail or jail farm and within one mile thereof, whether such jail or jail farm is situated within or beyond the limits of such political subdivisions establishing and maintaining the same; (ii) for the purpose of conveying prisoners to and from such jail or jail farm; (iii) for the purpose of enforcing the provisions of alternative incarceration or treatment programs pursuant to §§ 53.1-129, 53.1-131, and 53.1-131.2 and pretrial supervision programs operated pursuant to Article 1 (§ 19.2-119 et seq.) of Chapter 9 of Title 19.2; (iv) for the purpose of providing security and supervision of prisoners taken to a medical, dental, or psychiatric facility; and (v) for the purpose of providing a security escort and supervision of prisoners transported to a funeral or graveside service. *Prisoners may be charged reasonable fees for services described in clause (v).*