

2010 SESSION

HOUSE SUBSTITUTE

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HOUSE BILL NO. 913

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Militia, Police and Public Safety
on February 9, 2010)

(Patron Prior to Substitute—Delegate Bell, R.B.)

A BILL to amend and reenact § 53.1-30 of the Code of Virginia, relating to victim of prisoner visiting prisoner in prison.

Be it enacted by the General Assembly of Virginia:

1. That § 53.1-30 of the Code of Virginia is amended and reenacted as follows:

§ 53.1-30. Who may enter interior of state correctional facilities; searches of those entering.

A. The Governor, members of the General Assembly, and members of the Board of Corrections may go into the interior of any state correctional facility. Attorneys shall be permitted in the interior of a state correctional facility to confer with prisoners who are their clients and with prisoners who are witnesses in cases in which they are involved. The Director shall prescribe, subject to approval of the Board, the time and conditions on which attorneys and other persons may enter any state correctional facility.

B. *The Department shall promulgate a policy to assist a person who was the victim of a crime committed by an offender incarcerated in any state correctional facility to visit with such offender. Such guidelines may include provisions necessary to preserve the safety and security of those at such visit and the good order of the facility, including consideration of the offender's security level, crime committed, and institutional behavior of the offender. Where appropriate, the Department shall make whatever arrangements are necessary to effectuate such a visit. This subsection shall not apply (i) to juvenile victims or (ii) when the offender has been sentenced to death.*

BC. Any person seeking to enter the interior of any state correctional facility shall be subject to a search of his person and effects. Such search shall be performed in a manner reasonable under the circumstances and may be a condition precedent to entering a correctional facility.

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