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HOUSE BILL NO. 701

Offered January 11, 2012

Prefiled January 11, 2012

A BILL to amend and reenact § 23-234 of the Code of Virginia, relating to campus police; report of certain incidents to local law-enforcement agency.

Patrons—Filler-Corn, Plum and Watts

Referred to Committee on Militia, Police and Public Safety

Be it enacted by the General Assembly of Virginia:

1. That § 23-234 of the Code of Virginia is amended and reenacted as follows:

§ 23-234. Powers and duties; jurisdiction.

A. A campus police officer appointed as provided in § 23-233 or appointed and activated pursuant to § 23-233.1 may exercise the powers and duties conferred by law upon police officers of cities, towns, or counties, and shall be so deemed, including but not limited to the provisions of Chapters 5 (§ 19.2-52 et seq.), 7 (§ 19.2-71 et seq.), and 23 (§ 19.2-387 et seq.) of Title 19.2, (i) upon any property owned or controlled by the relevant public or private institution of higher education, or, upon request, any property owned or controlled by another public or private institution of higher education and upon the streets, sidewalks, and highways, immediately adjacent thereto, (ii) pursuant to a mutual aid agreement provided for in § 15.2-1727 between the governing board of a public or private institution and such other institution of higher education, public or private, in the Commonwealth or adjacent political subdivisions, (iii) in close pursuit of a person as provided in § 19.2-77, and (iv) upon approval by the appropriate circuit court of a petition by the local governing body for concurrent jurisdiction in designated areas with the police officers of the county, city, or town in which the institution, its satellite campuses, or other properties are located. The local governing body may petition the circuit court pursuant only to a request by the local law-enforcement agency for concurrent jurisdiction.

B. The chief law-enforcement officer of a public or private institution of higher education, or his designee, shall immediately notify the law-enforcement agency of the locality in which the institution of higher education is located of (i) the death of any person on the property of the institution when such person is medically unattended and (ii) any report alleging that a rape has occurred on the property of the institution. Upon notification, the local law-enforcement agency shall assume responsibility for leading the investigation. The campus police department and all other employees of the institution of higher education shall cooperate with the local law-enforcement agency conducting the investigation and shall provide any assistance requested by the local law-enforcement agency.