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SENATE BILL NO. 838

Offered January 15, 2018

A *BILL to amend the Code of Virginia by adding in Chapter 2 of Title 29.1 a section numbered 29.1-219, relating to Virginia Conservation Police Review Board.*

Patrons—Spruill and Peake; Delegate: Fariss

Referred to Committee on Agriculture, Conservation and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 2 of Title 29.1 a section numbered 29.1-219 as follows:

§ 29.1-219. Virginia Conservation Police Review Board.

A. *There shall be a Virginia Conservation Police Review Board (Review Board) composed of six members as follows:*

1. *One nonlegislative citizen member who shall be a current or retired State Police officer who holds or held the rank of first sergeant or higher, appointed by the Governor;*

2. *One nonlegislative citizen member who shall be an attorney licensed to practice in the Commonwealth who has experience in criminal defense, appointed by the Governor from among three nominees put forward by the Virginia Association of Criminal Defense Lawyers;*

3. *One nonlegislative citizen member who shall be a properly licensed recreational angler and resident of the Commonwealth, appointed by the Speaker of the House of Delegates;*

4. *One nonlegislative citizen member who shall be a properly licensed hunter and resident of the Commonwealth, appointed by the Senate Rules Committee;*

5. *The chairman of the Board of Game and Inland Fisheries, who shall serve as chairman of the Review Board; and*

6. *The Attorney General or his designee, who shall serve ex officio without voting privileges.*

B. *Each appointed member of the Review Board shall be appointed for a term of four years. The chairman of the Board of Game and Inland Fisheries and the Attorney General shall serve terms coincident with their terms of office. An appointment to fill a vacancy in an appointed membership shall be made in the same manner as in the original appointment, but only for the unexpired term. No appointed member shall be eligible to serve more than two consecutive four-year terms. The majority of the voting members shall constitute a quorum.*

C. *The Review Board shall (i) review citizen complaints of misconduct by regular and special conservation police officers, (ii) review and evaluate the performance of regular and special conservation police officers in carrying out Department policy, and (iii) review the level of coordination and the status of the working relationships as they exist between regular and special conservation police officers and other law-enforcement agencies.*

D. *In carrying out its duties, the Review Board and any Department employees designated by the Board of Game and Inland Fisheries shall have access to all Department law-enforcement records, facilities, and landholdings.*

E. *The Review Board shall report its findings to the Board of Game and Inland Fisheries, which shall take action thereon as it deems appropriate. The Review Board may refer serious cases of officer misconduct to the Secretary of Natural Resources with the recommendation that the Secretary discipline the officer or terminate his employment.*

F. *No member of the Commission shall receive any salary, but each member shall be reimbursed from the budget of Department of Game and Inland Fisheries for all reasonable and necessary expenses incurred in the performance of his duties as provided in §§ 2.2-2813 and 2.2-2825.*

INTRODUCED

SB838