

# 2020 SPECIAL SESSION I

INTRODUCED

20200073D

## HOUSE BILL NO. 5134

Offered August 25, 2020

*A BILL to amend the Code of Virginia by adding in Article 1 of Chapter 17 of Title 15.2 a section numbered 15.2-1723.2, relating to law-enforcement officers; duty to intervene and report unlawful use of force.*

Patrons—Bell, Cole, M.L., Cox, Coyner, Edmunds, Fowler, Gilbert, Leftwich, Marshall, Poindexter, Runion, Walker and Wilt

Referred to Committee for Courts of Justice

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

**1. That the Code of Virginia is amended by adding in Article 1 of Chapter 17 of Title 15.2 a section numbered 15.2-1723.2 as follows:**

**§ 15.2-1723.2. Law-enforcement officers; duty to intervene and report unlawful use of force.**

A. Any law-enforcement officer as defined in § 9.1-101 who witnesses another law-enforcement officer engaging or attempting to engage in the unlawful use of force against another person shall intervene, when such intervention is feasible, to end the unlawful use or attempted unlawful use of force or to prevent the further unlawful use of force. A law-enforcement officer shall also render aid, as circumstances objectively permit, to any person injured as the result of such unlawful use of force.

B. Any law-enforcement officer who intervenes pursuant to subsection A or who witnesses another law-enforcement officer engaging or attempting to engage in the unlawful use of force against another person shall report such intervention or unlawful use of force in accordance with the law-enforcement officer's employing agency's policies and procedures for reporting misconduct committed by a law-enforcement officer. No employing agency shall retaliate, threaten to retaliate, or take or threaten to take any disciplinary action against a law-enforcement officer who intervenes pursuant to subsection A or makes a report pursuant to this subsection.

C. In addition to any other penalty authorized by law, a violation of this section is grounds for disciplinary action against the law-enforcement officer, including dismissal, demotion, suspension, or transfer of the law-enforcement officer.

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