

# 2006 SESSION

INTRODUCED

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## HOUSE BILL NO. 1205

Offered January 11, 2006

Prefiled January 11, 2006

*A BILL to amend and reenact § 52-11 of the Code of Virginia, relating to defense of police officers.*

Patron—Moran

Referred to Committee on Militia, Police and Public Safety

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

**1. That § 52-11 of the Code of Virginia is amended and reenacted as follows:**

§ 52-11. Defense of police officers.

If any police officer appointed by the Superintendent of State Police shall be brought before any regulatory body, summoned before any grand jury, investigated by any other law-enforcement agency, or arrested or indicted or otherwise prosecuted on any charge arising out of any act committed in the discharge of his official duties, the Superintendent may, *upon written request of the officer*, employ special counsel approved by the Attorney General to defend such officer.

~~Upon~~ *At the conclusion of any investigation, trial, or other proceeding related to the defense of the police officer and upon a finding that (i) the officer did not violate a law or regulation resulting from the act which was the subject of the investigation and (ii) the officer will not be terminated from employment as the result of such act, the Superintendent shall pay for the special counsel employed. The compensation for special counsel employed, pursuant to this section, shall, subject to the approval of the Attorney General, be paid out of the funds appropriated for the administration of the Department of State Police.*

*At the conclusion of any investigation, trial, or other proceeding related to the defense of the police officer and upon a finding that (i) the officer violated a law or regulation resulting from the act that was the subject of the investigation or (ii) the officer will be terminated from employment as the result of such act, the officer shall pay for the special counsel employed.*

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