

# **WEST VIRGINIA LEGISLATURE**

## **2020 REGULAR SESSION**

**Introduced**

### **House Bill 4945**

BY DELEGATE WILSON

[Introduced February 11, 2020; Referred to the  
Committee on the Judiciary]

1 A BILL to amend and reenact §62-14-3 of the Code of West Virginia, 1931, as amended, relating  
 2 to creating a criminal penalty for an agent or sworn officer who refuses or fails to enforce,  
 3 or who interferes with the enforcement of, the Compact Agreement on Detainers in  
 4 immigration cases.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 14. AGREEMENT ON DETAINERS.**

**§62-14-3. Enforcement of agreement; penalty for refusal or failure to enforce in immigration  
 detainers.**

1 All courts, departments, agencies, officers and employees of this state and its political  
 2 subdivisions are hereby directed to enforce the agreement on detainers and to cooperate with  
 3 one another and with other party states in enforcing the agreement and effectuating its purpose.

4 Notwithstanding any provision of this code to the contrary, for immigration detainers, any  
 5 state, county, or municipal agent or sworn officer who refuses to enforce the agreement, fails to  
 6 cooperate with another or other party states in enforcing the agreement, or interferes with  
 7 enforcing the agreement shall be guilty of a misdemeanor and, upon conviction thereof, shall be  
 8 confined in jail not more than 12 months, or fined not more than \$500 and confined in jail not more  
 9 than 12 months.

NOTE: The purpose of this bill is to create a criminal penalty for any sworn officer or agent who refuses or fails to enforce, or who interferes with the enforcement of, the Compact Agreement on Detainers in immigration cases.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.