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Honorable Members of the General Assembly,

Officer Mark Christopher Wagner, II served the Wintergreen community as a private police officer, as recognized by the Commonwealth of Virginia, and while responding to a disturbance call in his capacity as a law enforcement officer, was shot and killed in the line of duty on June 16, 2023. Under the Code of Virginia, Officer Wagner and all the other officers serving in private police departments are not eligible for Line of Duty benefits.

By definition under the Code of Virginia private police officers are law enforcement officers subject to the same training and statutory standards as a deputy sheriff or police officer of any city, county, or town of the Commonwealth. The Line of Duty Act, Virginia Code § 9.1-400 et seq., excludes private Police Officers from the benefits of that Act. Private Police Officers, just as their counterparts employed by a police department or sheriff's office which is part of or administered by the Commonwealth or any political subdivision thereof, are responsible for the prevention and detection of crime and the enforcement of penal laws and are exposed to the same risks of injury or death.

Albemarle County joins other localities in requesting that the Line of Duty Act be amended to afford private police officers the benefits available under this Act.

Respectfully,

Donna P. Price
Chair, Albemarle County Board of Supervisors

CC:
Albemarle County Board of Supervisors
Jeffrey B. Richardson, County Executive
Steve Rosenberg, County Attorney