

# WEST VIRGINIA CODE: §15-10-7

## §15-10-7. Cooperation with military authorities.

(a) The head of a law-enforcement agency or head of a campus police department, as those positions are defined in §15-10-3 of this code, may assign law-enforcement personnel under his or her command, or a prosecuting attorney of any county within the state, may assign an assistant prosecutor within their office to provide assistance, cooperation, and information to the National Guard of this state or any service component of the armed forces of the United States Department of Defense located in this state upon the written request of the Adjutant General or commanding officer of the unit or facility.

(b) A law-enforcement agency, campus police department, or prosecuting attorney shall, within a reasonable time after receiving a written request made by the Adjutant General or commanding officer of a National Guard unit located within the state, disclose all records and information pertaining to the following in which an alleged offender or victim is a member of the National Guard of this state or any service component of the armed forces of the United States located in this state:

- (1) Alleged violations of the federal and state Codes of Military Justice;
- (2) Alleged violations of the criminal laws of the United States and the State of West Virginia;
- (3) Investigations and other actions related to reports of sexual assault or sexual harassment, to include any cases of reprisal or retaliation;
- (4) Violations of military directives, regulations, or instruction; and
- (5) Notwithstanding the provisions of §61-8B-19 of this code, alleged violations of the offenses enumerated in §61-8A-1 *et seq.*, §61-8B-1 *et seq.*, §61-8C-1 *et seq.*, or §61-14-1 *et seq.* of this code, or for the offenses included in §61-8D-3a, §61-8D-5, and §61-8D-6 of this code.

(c) The purpose of this section is to support the military by providing it objective, qualified law-enforcement services.

(d) The purpose of the amendments made to this section during the regular session of the Legislature, 2024, are to ensure force readiness of the National Guard and the armed forces by providing objective, relevant, and timely information related to military personnel; protecting members who may be the victims of a crime; and ensuring command awareness of members who may be subject to a criminal investigation.