WEST VIRGINIA CODE: §61-7B-5

§61-7B-5. Prohibitions on police activity.

(a) No police agency, department, or officer of this state may participate in the execution

of a federal search warrant when the only property sought to be taken and seized under the warrant is firearms, firearms accessories, or ammunition which is lawful for the person, whose premises are to be searched, to possess under the laws of this state.

(b) No police department, agency or officer of this state may participate in the execution of a federal arrest warrant of a citizen of this state or a person subject to the protections of the state constitution and the laws of West Virginia when the federal arrest warrant charges no crime other than the crime of the possession of firearms, firearm accessories, or ammunition which is lawful for the person who is to be arrested under the warrant to possess under the laws of this state.

(c) No police department, agency, or officer of the state may enforce an order under a red flag law against a citizen of this state or a person subject of the protections of the laws of this state when the person against whom the order is directed has the lawful right under the laws of this state to possess firearms.

(d) No police department, agency, or officer of this state engaged in a traffic stop or in response to a noise complaint may arrest or detain a person who is subject to the protection of the Constitution and laws of this state for the violation of a new inconsistent federal firearms law or inconsistent presidential executive order or action.

WV Legislature