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RESOLUTION R2023-45
NELSON COUNTY BOARD OF SUPERVISORS
RESOLUTION HONORING OFFICER MARK CHRISTOPHER WAGNER, II
AND REQUESTING AMENDMENT OF THE LINE OF DUTY ACT

WHEREAS, Mark Christopher Wagner II served for seven years with the Massanutten Police Department, beginning his law enforcement career as a Gate Attendant and in May of 2019, earned Police Officer status following his graduation from Central Shenandoah Police Academy; and

WHEREAS, Officer Wagner joined the Wintergreen Police Department in August of 2020 and diligently served the Wintergreen Community with unwavering honor and commitment; and

WHEREAS, Officer Mark Christopher Wagner II was killed in the line of duty on June 16, 2023, in his capacity as a law enforcement officer employed by the Wintergreen Police Department, a private police department; and

WHEREAS, the Line of Duty Act, Virginia Code § 9.1-400 *et seq.*, excludes private Police Officers from the benefits of that Act; and

WHEREAS, by definition under the Code of Virginia private Police Officers are law enforcement officers; and

WHEREAS, private Police Officers, just as their counterparts employed by a police department or sheriff's office which is a 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 the penal laws and are exposed to the same risks of injury or death; and,

WHEREAS, it is the sense of the Nelson County Board of Supervisors that the Line of Duty Act should be amended to afford private Police Officers the benefits available under the Act.

NOW, THEREFORE, BE IT RESOLVED, the Nelson County Board of Supervisors hereby honors Officer Mark Christopher Wagner II of Wintergreen Police Department for his heroism and honorable service to the citizens of Wintergreen and the County, for whom he made the ultimate sacrifice, and

BE IT FURTHER RESOLVED, the Nelson County Board of Supervisors hereby calls upon the General Assembly to amend the Code of Virginia to afford private Police Officers the benefits available under Virginia Code § 9.1-400 *et seq.*, Line of Duty Act, and

BE IT FINALLY RESOLVED, said Board hereby directs that a copy of this Resolution requesting these State Code amendments be delivered forthwith to representatives in the General Assembly.

Adopted: July 11, 2023

Attest: , Clerk
Nelson County Board of Supervisors