



Amherst County Board of Supervisors  
County Resolution No. 2023-14-R

**For consideration on August 1, 2023**

**A RESOLUTION, NO. 2023-14-R**

**RESOLUTION HONORING OFFICER MARK CHRISTOPHER WAGNER, II  
AND REQUESTING AMENDMENT OF THE LINE OF DUTY ACT**

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Approved as to form and legality by the Amherst County Attorney

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**BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY  
OF AMHERST, VIRGINIA:**

**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 Amherst 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 BY THE BOARD OF SUPERVISORS OF AMHERST COUNTY, VIRGINIA:** the Amherst 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 Amherst 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.

**I. That this resolution shall be in force and effect upon adoption.**





Adopted this 1<sup>st</sup> day of August 2023.

  
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Tom Martin, Chair  
Board of Supervisors of the County of Amherst, Virginia

**Member**

Tom Martin, Chair.....  
Claudia D. Tucker.....  
Drew Wade.....  
David W. Pugh, Jr., .....

**Vote**

**ATTEST:**

  
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Jeremy S. Bryant, County Administrator