

HOUSE BILL NO. 1388

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Public Safety

on _____)

(Patron Prior to Substitute--Delegate Anthony)

A BILL to amend the Code of Virginia by adding in Title 52 a chapter numbered 7.1:1, consisting of sections numbered 52-34.3:1, 52-34.3:2, and 52-34.3:3, relating to alert for missing or endangered children; Virginia Critical Operation for a Disappeared Child Initiative (Codi) Alert Program.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 52 a chapter numbered 7.1:1, consisting of sections numbered 52-34.3:1, 52-34.3:2, and 52-34.3:3, as follows:

CHAPTER 7.1:1.

VIRGINIA CRITICAL OPERATION FOR A DISAPPEARED CHILD INITIATIVE (CODI) ALERT PROGRAM.

§ 52-34.3:1. Definitions.

As used in this chapter, unless the context requires a different meaning:

"Critical Operation for a Disappeared Child Initiative Agreement" or "Codi Agreement" means the voluntary agreement between law-enforcement officials and members of the media whereby a child will be declared missing or endangered and the public will be notified, and includes all other incidental conditions of the partnership as found appropriate by the Virginia State Police.

"Critical Operation for a Disappeared Child Initiative Alert" or "Codi Alert" means the notice of a missing or endangered child provided to the public by the media or other methods under a Codi Agreement.

"Critical Operation for a Disappeared Child Initiative Alert Program" or "Codi Alert Program" or "Program" means the procedures and Codi Agreements to aid in the identification and location of missing or endangered children.

27 "Media" means print, radio, television, and Internet-based communication systems or other
28 methods of communicating information to the public.

29 "Missing or endangered child" means a child (i) who is 17 years of age or younger or is currently
30 enrolled in a secondary school in the Commonwealth, regardless of age; (ii) whose whereabouts are
31 unknown; and (iii) whose disappearance is under suspicious circumstances or poses a credible threat as
32 determined by law enforcement to the safety and health of the child and under such other circumstances
33 as deemed appropriate by the Virginia State Police.

34 **§ 52-34.3:2. Establishment of the Virginia Critical Operation for a Disappeared Child**
35 **Initiative (Codi) Alert Program.**

36 The Virginia State Police shall develop, in consultation with representatives of local law-
37 enforcement agencies, including representatives from the Virginia Sheriffs' Association and the Virginia
38 Association of Chiefs of Police, policies for the establishment of uniform standards for the creation of
39 Codi Alert Programs throughout the Commonwealth. Codi Alert Programs may be local, regional, or
40 statewide. They may include multiple localities or regions and may be expanded or compressed. The
41 Virginia State Police may (i) inform local law-enforcement officials of the policies and procedures for the
42 Codi Alert Programs set by the Virginia State Police, (ii) assist in determining the geographic scope of a
43 particular Codi Alert, and (iii) establish procedures and standards by which a local law-enforcement
44 agency may verify a child is missing or endangered and report such information to the Virginia State
45 Police.

46 The establishment of a Codi Alert Program by a locality and the media is voluntary, and nothing
47 in this chapter shall be construed to be a mandate that local officials or the media establish or participate
48 in a Codi Alert Program. Existing Codi Agreements and Codi Alert Programs shall not be altered by the
49 act of assembly creating this chapter.

50 **§ 52-34.3:3. Activation of the Virginia Critical Operation for a Disappeared Child Initiative**
51 **(Codi) Alert Program upon incident of a missing or endangered child.**

52 A. Upon receipt of a notice of a missing or endangered child from a law-enforcement agency, the
53 Virginia State Police shall confirm the accuracy of the information and provide assistance in the
54 implementation of the Codi Alert Program as the investigation dictates.

55 B. Codi Alerts may be local, regional, or statewide. The initial decision to make a local or regional
56 Codi Alert shall be at the discretion of the local or regional law-enforcement officials. Prior to making a
57 local or regional Codi Alert, the local or regional law-enforcement officials shall confer with the Virginia
58 State Police and provide information regarding the missing or endangered child to the Virginia State
59 Police. The initial decision to make a statewide Codi Alert shall be at the discretion of the Virginia State
60 Police. The Missing Children Information Clearinghouse operated by the Virginia State Police shall serve
61 as a central repository for information related to a missing or endangered child.

62 C. In those situations where appropriate, the Virginia State Police shall send the Codi Alert to
63 Virginia's emergency alert system. Participating media are encouraged to issue the Codi Alert at
64 designated intervals as specified by the Codi Alert Program.

65 D. In those situations where appropriate and an existing system is available, the Virginia State
66 Police shall contact the operator of the existing automatic dialing-announcing device system to target
67 residents in the geographic location where the missing or endangered child was most recently seen. For
68 purposes of this section, "automatic dialing-announcing device system" means a device that (i) selects and
69 dials telephone numbers and (ii) working alone or in conjunction with other equipment, disseminates a
70 prerecorded or synthesized voice message to the telephone number called.

71 E. The Codi Alert shall include such information as the law-enforcement agency deems
72 appropriate that will assist in the safe recovery of the missing or endangered child.

73 F. The Codi Alert shall be cancelled under the terms of the Codi Agreement. Any local law-
74 enforcement agency that locates a child who is the subject of a Codi Alert shall notify the Virginia State
75 Police immediately that the child has been located.

76 **2. That the Virginia State Police shall ensure the Virginia Critical Operation for a Disappeared**
77 **Child Initiative Alert Program, or Codi Alert Program, as created by this act, is available and**
78 **operational no later than July 1, 2025.**

79

#