

Virginia:

TITLE 52. POLICE (STATE) CHAPTER 7.1. VIRGINIA AMBER ALERT PROGRAM

§ 52-34.1. Definitions

As used in this chapter:

"Abducted child" means a child whose whereabouts are unknown, who is believed to have been abducted, who is 17 years of age or younger, and whose disappearance poses a credible threat as determined by law enforcement to the safety and health of the child and under such other circumstances as deemed appropriate by the Virginia State Police.

"Amber Agreement" means the voluntary agreement between law-enforcement officials and members of the media whereby a child will be declared abducted, and the public will be notified, and includes all other incidental conditions of the partnership as found appropriate by the Virginia State Police.

"Amber Alert" means the notice of child abduction provided to the public by the media or other methods under an Amber Agreement.

"Amber Alert Program" or "Program" means the procedures and Amber Agreements to aid in the identification and location of abducted children.

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

§ 52-34.2. Establishment of the Virginia Amber Alert Program

The Virginia State Police shall develop policies for the establishment of uniform standards for the creation of Amber Alert Programs throughout the Commonwealth. Amber Alert Programs may be local, regional, or statewide. They may include multiple localities or regions and may be expanded or compressed. The Virginia State Police may (i) inform local law-enforcement officials of the policies and procedures for the Amber Alert Programs set by the State Police; (ii) assist in determining the geographic scope of a particular Amber Alert; and (iii) establish procedures and standards by which a local law-enforcement agency may verify a child has been abducted and report such information to the Virginia State Police.

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

§ 52-34.3. Activation of Amber Alert Program upon an incident of child abduction

A. Upon receipt of a notice of a child abduction from a law-enforcement agency, the Virginia State Police shall confirm the accuracy of the information and provide assistance in the implementation of the Amber Alert Program as the investigation dictates.

B. Amber Alerts may be local, regional, or statewide. The initial decision to make a local or regional Amber Alert shall be at the discretion of the local or regional law-enforcement officials. Prior to making a local or regional Amber Alert, the local or regional law-enforcement officials shall confer with the Virginia State Police and provide information regarding the abducted child to the Virginia State Police. The initial decision to make a statewide Amber Alert shall be at the discretion of the Virginia State Police. The Missing Children Information Clearinghouse operated by the Virginia State Police shall serve as a central repository for information related to an abduction.

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

D. The Amber Alert shall include such information as the law-enforcement agency deems appropriate that will assist in the safe recovery of the abducted child.

E. The Amber Alert shall be cancelled under the terms of the Amber Agreement. Any local law-enforcement agency that locates a child who is the subject of an alert shall notify the Virginia State Police immediately that the child has been located.

TITLE 22.1. EDUCATION
CHAPTER 14. PUPILS
ARTICLE 5. PUPIL RECORDS

§ 22.1-288.1. Cooperation with local law-enforcement agencies; notation in school records of missing children

Each school board shall develop a cooperative arrangement with the local law-enforcement agencies within its jurisdiction to receive reports of disappearances of any children living within the school division.

Upon notification by a local law-enforcement agency of a child's disappearance, the principal of any school in which the child was enrolled at the time of the disappearance shall indicate in the child's cumulative record that the child has been reported as missing.

Upon receiving a request from any school or person for copies of the cumulative records and birth certificate of any child who has been reported by a local law-enforcement agency to be missing, the school being requested to transfer the records shall immediately notify the law-enforcement agency which provided the report to the school of the child's disappearance of the

location of the school or person requesting the cumulative records and birth certificate of the child.

§ 52-31. Missing Children Information Clearinghouse established

The Superintendent shall establish, organize, equip, staff and maintain within the Department of State Police a Missing Children Information Clearinghouse as a central repository of information regarding missing children. Such information shall be collected, processed, maintained and disseminated by the Clearinghouse as accurately and completely as possible to assist in the location of missing children.

§ 52-31.1. Superintendent to establish network

The Superintendent of State Police shall establish a network to implement reports of the disappearance of children by local law-enforcement agencies to local school division superintendents and the State Registrar of Vital Records. The network shall be designed to establish cooperative arrangements between local law-enforcement agencies and local school divisions concerning reports of missing children and notices to law-enforcement agencies of requests for copies of the cumulative records and birth certificates of missing children. The network shall also establish a mechanism for reporting the identities of all missing children to the State Registrar of Vital Records.

§ 52-32. Definitions

As used in this chapter, unless the context requires otherwise or it is otherwise specifically provided:

"Missing child" means any person who is under the age of 21 years, whose temporary or permanent residence is in Virginia, or is believed to be in Virginia, whose whereabouts are unknown to any parent, guardian, legal custodian or other person standing in loco parentis of the child, and who has been reported as missing to a law-enforcement agency within the Commonwealth.

"Missing child report" means a report prepared in a format prescribed by the Superintendent for use by law-enforcement agencies to report missing child information to the Missing Children Information Clearinghouse.

§ 52-33. Powers and duties of Clearinghouse

The Clearinghouse shall have the following powers and duties:

1. To maintain a centralized file for the exchange of information on missing children within the Commonwealth. The Clearinghouse shall accept a missing child report from any law-enforcement officer as defined in § 9.1-101. Any parent, guardian, legal custodian or other person standing in loco parentis of a missing child may contact the Clearinghouse to verify the entry of a missing child report on such child. If the Clearinghouse is requested to verify a missing child report which has not been received, the Clearinghouse shall immediately contact the appropriate law-enforcement agency and take such measures as may be necessary to determine whether a report should be entered in the centralized file.

2. To maintain a system of intrastate communication to receive information relating to the disappearance or sighting of missing children. Such system shall be available twenty-four hours per day, seven days per week.

3. To maintain close liaison with the National Crime Information Center and the National Center for Missing and Exploited Children for the exchange of information on children suspected of interstate travel and for assistance in the operation of the Clearinghouse.

4. To circulate a monthly bulletin on missing children to the news media, all law-enforcement agencies, and every school in the Commonwealth.

5. To provide emergency flyers containing physical and situational descriptions of missing children when requested by law-enforcement agencies.

6. To provide for training of public and private organizations regarding the operation of the Clearinghouse.

7. To provide assistance to law-enforcement agencies in planning and implementing programs to fingerprint children.

§ 52-34. Notification required when missing child located

Any law-enforcement officer who has reported a missing child to the Clearinghouse shall notify the Clearinghouse immediately upon determining the location of the child.

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