

Senate Engrossed House Bill
missing children; alert; notification; reporting

State of Arizona
House of Representatives
Fifty-sixth Legislature
First Regular Session
2023

CHAPTER 179
HOUSE BILL 2651

AN ACT

AMENDING SECTION 8-810, ARIZONA REVISED STATUTES; RELATING TO MISSING CHILDREN.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 8-810, Arizona Revised Statutes, is amended to
3 read:

4 8-810. Missing; abducted; runaway children; notification;
5 training; report; entry into databases; audit

6 A. ~~If the department receives~~ WITHIN TWENTY-FOUR HOURS AFTER
7 RECEIVING a report made pursuant to section 13-3620 or ~~receives~~ RECEIVING
8 information during the course of providing services that indicates a child
9 WHO IS A WARD OF THE COURT OR WHO IS IN THE CARE OF THE DEPARTMENT ~~is at~~
10 ~~risk of serious harm~~ IS MISSING, ABDUCTED OR A RUNAWAY and the child's
11 location is unknown, the department shall notify the appropriate law
12 enforcement agency ~~and provide the information required to make the record~~
13 ~~entry into the Arizona crime information center and the national crime~~
14 ~~information center missing person databases. This includes information~~
15 ~~about the child and child's parent, guardian, custodian or person of~~
16 ~~interest.~~

17 ~~B. The appropriate law enforcement agency shall immediately enter~~
18 ~~the information provided by the department pursuant to subsection A of~~
19 ~~this section into the Arizona crime information center and the national~~
20 ~~crime information center missing person databases. TO MAKE THE RECORD~~
21 ENTRY AS FOLLOWS:

22 1. FOR AN ABDUCTED CHILD, THE ARIZONA CRIMINAL JUSTICE INFORMATION
23 SYSTEM.

24 2. FOR AN ABDUCTED, MISSING OR RUNAWAY CHILD, THE NATIONAL CRIME
25 INFORMATION CENTER MISSING PERSON DATABASE.

26 B. WITHIN TWENTY-FOUR HOURS AFTER RECEIVING A REPORT OF A MISSING,
27 ABDUCTED OR RUNAWAY CHILD, THE DEPARTMENT SHALL DO THE FOLLOWING:

28 1. REPORT INFORMATION ON THE MISSING, ABDUCTED OR RUNAWAY CHILD TO
29 THE NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN.

30 2. UNLESS IT IS DETERMINED BY THE PRIMARY INVESTIGATIVE AGENCY THAT
31 IT WILL HINDER INVESTIGATION OR LOCATION EFFORTS, CONTACT THE FOLLOWING
32 PERSONS TO OBTAIN INFORMATION ABOUT THE CHILD'S DISAPPEARANCE:

33 (a) THE CHILD'S PARENTS.

34 (b) THE CHILD'S KNOWN RELATIVES.

35 (c) THE CHILD'S OUT-OF-HOME CAREGIVERS.

36 (d) THE CHILD'S ATTORNEY.

37 (e) THE CHILD'S GUARDIAN OR GUARDIAN AD-LITEM.

38 (f) THE CHILD'S COURT APPOINTED SPECIAL ADVOCATE.

39 (g) ANY OTHER PERSONS KNOWN TO THE DEPARTMENT WHO MAY HAVE RELEVANT
40 INFORMATION REGARDING THE CHILD'S LOCATION.

41 3. UNLESS IT IS DETERMINED BY THE PRIMARY INVESTIGATIVE AGENCY THAT
42 IT WILL HINDER INVESTIGATION OR LOCATION EFFORTS, PROVIDE A NOTICE OF
43 DISAPPEARANCE IN WRITING OR TELEPHONICALLY TO THE FOLLOWING PERSONS:

44 (a) THE CHILD'S PARENTS.

45 (b) THE CHILD'S KNOWN RELATIVES.

- 1 (c) THE CHILD'S OUT-OF-HOME CAREGIVERS.
- 2 (d) THE CHILD'S ATTORNEY.
- 3 (e) THE CHILD'S GUARDIAN OR GUARDIAN AD-LITEM.
- 4 (f) THE CHILD'S COURT APPOINTED SPECIAL ADVOCATE.
- 5 (g) A JUDICIAL OFFICER IN ANY JUDICIAL MATTER INVOLVING THE CHILD.
- 6 (h) THE DUTY ASSISTANT ATTORNEY GENERAL TO INITIATE A MOTION FOR A
- 7 PICKUP.
- 8 (i) IF THE CHILD IS A MEMBER OF AN INDIAN TRIBE IN THIS STATE, THE
- 9 CHILD'S INDIAN TRIBE.
- 10 C. FOR A MISSING, ABDUCTED OR RUNAWAY CHILD, THE DEPARTMENT SHALL
- 11 NOTIFY THE APPROPRIATE LAW ENFORCEMENT AGENCY. THE LAW ENFORCEMENT AGENCY
- 12 SHALL DETERMINE IF THE SITUATION MEETS AMBER ALERT CRITERIA OR SILVER
- 13 ALERT CRITERIA PURSUANT TO SECTION 41-1728.
- 14 D. WITHIN FORTY-EIGHT HOURS AFTER RECEIVING A REPORT OF A MISSING,
- 15 ABDUCTED OR RUNAWAY CHILD, THE LOCAL LAW ENFORCEMENT AGENCY SHALL PROVIDE
- 16 TO ALL LOCAL MEDIA OUTLETS AND POST TO SOCIAL MEDIA PLATFORMS ALL OF THE
- 17 FOLLOWING INFORMATION REGARDING THE CHILD AND, IF KNOWN, THE CHILD'S
- 18 ABDUCTOR:
 - 19 1. A COMPLETE PHYSICAL DESCRIPTION OF THE CHILD AND, IF KNOWN, THE
 - 20 CHILD'S ABDUCTOR.
 - 21 2. THE LAST KNOWN LOCATION OF THE CHILD OR, IF KNOWN, THE CHILD'S
 - 22 ABDUCTOR.
 - 23 3. A DESCRIPTION OF THE CLOTHING THE CHILD OR, IF KNOWN, THE
 - 24 CHILD'S ABDUCTOR WAS LAST KNOWN TO BE WEARING.
 - 25 4. A DESCRIPTION OF ANY VEHICLE THAT MAY BE INVOLVED WITH THE
 - 26 CHILD'S DISAPPEARANCE.
 - 27 5. CURRENT PHOTOS OF THE CHILD AND, IF AVAILABLE, THE CHILD'S
 - 28 ABDUCTOR.
 - 29 6. A LAW ENFORCEMENT TELEPHONE NUMBER.
 - 30 7. INFORMATION REGARDING ANY OFFERED REWARDS.
- 31 E. THE DEPARTMENT SHALL DO ALL OF THE FOLLOWING ON AN ONGOING BASIS
- 32 UNTIL A MISSING, ABDUCTED OR RUNAWAY CHILD IS LOCATED OR THE CHILD REACHES
- 33 THE AGE OF MAJORITY:
 - 34 1. DOCUMENT IN WRITING EVERY EFFORT THE DEPARTMENT HAS MADE TO
 - 35 LOCATE THE MISSING, ABDUCTED OR RUNAWAY CHILD WITHIN TEN DAYS AFTER THE
 - 36 EFFORT TO LOCATE THE CHILD IS TAKEN. THE WRITTEN DOCUMENT SHALL SPECIFY
 - 37 THE NOTIFICATIONS AND DOCUMENTATION SENT TO INDIVIDUALS AND DEPARTMENTS
 - 38 PURSUANT TO THE REQUIREMENTS OF THIS SECTION.
 - 39 2. CONTACT LAW ENFORCEMENT FREQUENTLY AND DOCUMENT THE INFORMATION
 - 40 PROVIDED AND RECEIVED.
 - 41 3. FOR A CHILD WHO HAS BEEN MISSING OR ABDUCTED OR WHO HAS BEEN A
 - 42 RUNAWAY FOR TWO OR MORE YEARS, WORK WITH THE NATIONAL CENTER FOR MISSING
 - 43 AND EXPLOITED CHILDREN TO CREATE AN AGE-PROGRESSION IMAGE OF THE CHILD.
 - 44 F. THE DEPARTMENT SHALL DEVELOP AND CONDUCT ANNUAL TRAINING FOR
 - 45 DEPARTMENT EMPLOYEES WHO HAVE DIRECT OVERSIGHT OF CHILDREN AND THE DIRECT

1 SUPERVISORS OF THOSE EMPLOYEES. THE TRAINING SHALL INCLUDE DEPARTMENT
2 POLICIES FOR LOCATING MISSING, ABDUCTED OR RUNAWAY CHILDREN AND THE
3 REQUIREMENTS FOR ONGOING EFFORTS TO LOCATE A MISSING, ABDUCTED OR RUNAWAY
4 CHILD, UNLESS IT IS DETERMINED BY THE PRIMARY INVESTIGATIVE AGENCY THAT IT
5 WILL HINDER INVESTIGATION OR LOCATION EFFORTS. ONGOING DEPARTMENT EFFORTS
6 SHALL INCLUDE ALL OF THE FOLLOWING:
7 1. CONTINUED CONTACT WITH LAW ENFORCEMENT AGENCIES.
8 2. CONTINUED CONTACT WITH THE CHILD'S PARENTS, GUARDIAN OR
9 CUSTODIAN.
10 3. CONTINUED CONTACT WITH THE CHILD'S KNOWN RELATIVES.
11 4. CONTINUED CONTACT WITH CURRENT AND FORMER FOSTER FAMILIES OF THE
12 CHILD.
13 5. CONTINUED CONTACT WITH THE CHILD'S SCHOOL.
14 6. CONTINUED CONTACT WITH KNOWN ACQUAINTANCES OF THE CHILD.
15 7. CONTINUED IN-PERSON SEARCHING OF LOCATIONS AND PLACES WHERE THE
16 CHILD MAY BE FOUND.
17 8. CONTINUED REVIEW OF ANY SOCIAL MEDIA ACCOUNTS THAT MAY BE
18 ASSOCIATED WITH THE CHILD OR THE CHILD'S KNOWN ACQUAINTANCES.
19 9. CONTINUED EFFORTS WITH LAW ENFORCEMENT AGENCIES IN SEARCHING FOR
20 THE CHILD.
21 10. CONTINUED SEARCH EFFORTS WITH DEPARTMENT FIELD STAFF.
22 11. REFERRAL TO THE DEPARTMENT'S OFFICE OF CHILD WELFARE
23 INVESTIGATIONS FOR ASSISTANCE IF EXIGENT CIRCUMSTANCES EXIST.
24 G. THE DEPARTMENT SHALL DO ALL OF THE FOLLOWING WHEN A CHILD IS
25 LOCATED:
26 1. INFORM ALL OF THE FOLLOWING:
27 (a) ALL LAW ENFORCEMENT AGENCIES INVOLVED IN THE CHILD'S CASE.
28 (b) THE ATTORNEY GENERAL'S OFFICE.
29 (c) THE NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN.
30 2. HAVE IN-PERSON CONTACT WITH THE CHILD WITHIN TWENTY-FOUR HOURS
31 AFTER THE CHILD IS LOCATED.
32 3. OBTAIN A MEDICAL EXAM FOR THE CHILD.
33 4. ASSESS THE CHILD'S EXPERIENCES WHILE ABSENT FROM CARE, INCLUDING
34 SCREENING TO DETERMINE IF THE CHILD IS A SEX TRAFFICKING VICTIM.
35 5. ASSESS THE APPROPRIATENESS OF THE CHILD RETURNING TO THE CHILD'S
36 CURRENT PLACEMENT.
37 6. ASSESS FACTORS THAT CONTRIBUTED TO THE CHILD'S ABSENCE.
38 H. THE LEGISLATURE MAY CONVENE THE JOINT LEGISLATIVE OVERSIGHT
39 COMMITTEE ON THE DEPARTMENT OF CHILD SAFETY ESTABLISHED BY SECTION 41-1292
40 TO ADDRESS CONCERNS AND DEVIATIONS FROM POLICY AND PROCEDURE AND PROVIDE
41 RECOMMENDATIONS. THE LEGISLATURE MAY REQUEST AN ANNUAL INDEPENDENT AUDIT
42 OF THE DEPARTMENT'S COMPLIANCE WITH THIS SECTION. IF THE INDEPENDENT
43 AUDIT DETERMINES THAT THE DEPARTMENT IS NOT IN COMPLIANCE, THE INDEPENDENT
44 AUDIT SHALL PROVIDE RECOMMENDATIONS FOR IMPROVING THE DEPARTMENT'S EFFORTS
45 TO LOCATE MISSING, ABDUCTED OR RUNAWAY CHILDREN.

APPROVED BY THE GOVERNOR JUNE 19, 2023.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JUNE 19, 2023.