

REFERENCE TITLE: missing children; alert; notification; reporting

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

HB 2651

Introduced by
Representative Parker B

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. AS FOLLOWS:~~

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

23 2. FOR AN ABDUCTED, MISSING OR RUNAWAY CHILD:

24 (a) THE NATIONAL CRIME INFORMATION CENTER MISSING PERSON DATABASE.

25 (b) THE NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN.

26 (c) THE ATTORNEY GENERAL TO INITIATE A PICKUP OR RETURN ORDER, IF
27 APPLICABLE.

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

30 1. CONTACT THE FOLLOWING PERSONS TO OBTAIN INFORMATION ABOUT THE
31 CHILD'S DISAPPEARANCE:

32 (a) THE CHILD'S PARENTS.

33 (b) THE CHILD'S KNOWN RELATIVES.

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

35 (d) THE CHILD'S ATTORNEY.

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

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

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

40 2. PROVIDE A NOTICE OF DISAPPEARANCE IN WRITING AND TELEPHONICALLY
41 TO THE FOLLOWING PERSONS:

42 (a) THE CHILD'S PARENTS.

43 (b) THE CHILD'S KNOWN RELATIVES.

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

45 (d) THE CHILD'S ATTORNEY.

- 1 (e) THE CHILD'S GUARDIAN OR GUARDIAN AD-LITEM.
- 2 (f) THE CHILD'S COURT APPOINTED SPECIAL ADVOCATE.
- 3 (g) A JUDICIAL OFFICER IN ANY JUDICIAL MATTER INVOLVING THE CHILD.
- 4 (h) THE ASSISTANT ATTORNEY GENERAL REPRESENTING THE DEPARTMENT.
- 5 (i) IF THE CHILD IS A MEMBER OF AN INDIAN TRIBE IN THIS STATE, THE
- 6 CHILD'S INDIAN TRIBE.
- 7 C. FOR AN ABDUCTED CHILD, THE DEPARTMENT SHALL NOTIFY THE
- 8 APPROPRIATE AGENCY TO ISSUE AN AMBER ALERT.
- 9 D. WITHIN FORTY-EIGHT HOURS AFTER RECEIVING A REPORT OF A MISSING,
- 10 ABDUCTED OR RUNAWAY CHILD, THE DEPARTMENT SHALL PROVIDE ALL OF THE
- 11 FOLLOWING INFORMATION REGARDING THE CHILD AND, IF KNOWN, THE CHILD'S
- 12 ABDUCTOR TO ALL LOCAL MEDIA OUTLETS:
 - 13 1. A COMPLETE PHYSICAL DESCRIPTION OF THE CHILD AND, IF KNOWN, THE
 - 14 CHILD'S ABDUCTOR.
 - 15 2. THE LAST KNOWN LOCATION OF THE CHILD OR, IF KNOWN, THE CHILD'S
 - 16 ABDUCTOR.
 - 17 3. A DESCRIPTION OF THE CLOTHING THE CHILD OR, IF KNOWN, THE
 - 18 CHILD'S ABDUCTOR WAS LAST KNOWN TO BE WEARING.
 - 19 4. A DESCRIPTION OF ANY VEHICLE THAT MAY BE INVOLVED WITH THE
 - 20 CHILD'S DISAPPEARANCE.
 - 21 5. CURRENT PHOTOS OF THE CHILD AND, IF AVAILABLE, THE CHILD'S
 - 22 ABDUCTOR.
 - 23 6. A LAW ENFORCEMENT TELEPHONE NUMBER.
 - 24 7. INFORMATION REGARDING ANY OFFERED REWARDS.
- 25 E. THE DEPARTMENT SHALL DO ALL OF THE FOLLOWING ON AN ONGOING BASIS
- 26 UNTIL A MISSING, ABDUCTED OR RUNAWAY CHILD IS LOCATED OR THE CHILD REACHES
- 27 THE AGE OF MAJORITY:
 - 28 1. DOCUMENT IN WRITING EVERY EFFORT TO LOCATE THE MISSING, ABDUCTED
 - 29 OR RUNAWAY CHILD WITHIN TEN DAYS AFTER THE EFFORT TO LOCATE THE CHILD IS
 - 30 TAKEN.
 - 31 2. CONTACT LAW ENFORCEMENT EVERY SEVEN DAYS AND DOCUMENT THE
 - 32 INFORMATION PROVIDED AND RECEIVED.
 - 33 3. UPDATE SOCIAL MEDIA PLATFORMS EVERY FOURTEEN DAYS WITH
 - 34 INFORMATION REGARDING THE MISSING, ABDUCTED OR RUNAWAY CHILD.
 - 35 4. FOR A CHILD WHO HAS BEEN MISSING OR ABDUCTED OR WHO HAS BEEN A
 - 36 RUNAWAY FOR TWO OR MORE YEARS, WORK WITH A SPECIALIZED ARTIST TO CREATE AN
 - 37 AGE-PROGRESSION IMAGE OF THE CHILD.
- 38 F. THE DEPARTMENT SHALL DEVELOP TRAINING FOR DEPARTMENT EMPLOYEES
- 39 WHO HAVE DIRECT OVERSIGHT OF CHILDREN AND THE DIRECT SUPERVISORS OF THOSE
- 40 EMPLOYEES. THE TRAINING SHALL INCLUDE DEPARTMENT POLICIES FOR LOCATING
- 41 MISSING, ABDUCTED OR RUNAWAY CHILDREN AND THE REQUIREMENTS FOR ONGOING
- 42 EFFORTS TO LOCATE A MISSING, ABDUCTED OR RUNAWAY CHILD. ONGOING DEPARTMENT
- 43 EFFORTS SHALL INCLUDE ALL OF THE FOLLOWING:

- 1 1. CONTINUED CONTACT WITH LAW ENFORCEMENT AGENCIES.
- 2 2. CONTINUED CONTACT WITH CURRENT AND FORMER FOSTER FAMILIES OF THE
- 3 CHILD.
- 4 3. CONTINUED CONTACT WITH THE CHILD'S SCHOOL.
- 5 4. CONTINUED CONTACT WITH KNOWN ACQUAINTANCES OF THE CHILD.
- 6 5. CONTINUED IN-PERSON SEARCHING OF LOCATIONS AND PLACES WHERE THE
- 7 CHILD MAY BE FOUND.
- 8 6. CONTINUED REVIEW OF ANY SOCIAL MEDIA ACCOUNTS THAT MAY BE
- 9 ASSOCIATED WITH THE CHILD OR THE CHILD'S KNOWN ACQUAINTANCES.
- 10 7. CONTINUED EFFORTS WITH LAW ENFORCEMENT AGENCIES IN SEARCHING FOR
- 11 THE CHILD.
- 12 8. CONTINUED SEARCH EFFORTS WITH DEPARTMENT FIELD STAFF.
- 13 9. REFERRAL TO THE DEPARTMENT'S OFFICE OF CHILD WELFARE
- 14 INVESTIGATIONS FOR ASSISTANCE IF EXIGENT CIRCUMSTANCES EXIST.
- 15 G. THE DEPARTMENT SHALL DO ALL OF THE FOLLOWING WHEN A CHILD IS
- 16 LOCATED:
 - 17 1. INFORM ALL OF THE FOLLOWING:
 - 18 (a) ALL LAW ENFORCEMENT AGENCIES INVOLVED IN THE CHILD'S CASE.
 - 19 (b) THE ATTORNEY GENERAL'S OFFICE.
 - 20 (c) ALL MISSING AND EXPLOITED CHILDREN'S ORGANIZATIONS.
 - 21 2. HAVE IN-PERSON CONTACT WITH THE CHILD WITHIN TWENTY-FOUR HOURS
 - 22 AFTER THE CHILD IS LOCATED.
 - 23 3. OBTAIN A MEDICAL EXAM FOR THE CHILD.
 - 24 4. ASSESS THE CHILD'S EXPERIENCES WHILE ABSENT.
 - 25 5. ASSESS THE APPROPRIATENESS OF THE CHILD RETURNING TO THE CHILD'S
 - 26 CURRENT PLACEMENT.
 - 27 6. ASSESS FACTORS THAT CONTRIBUTED TO THE CHILD'S ABSENCE.
- 28 H. THE DEPARTMENT SHALL PROVIDE A MONTHLY REPORT TO THE PRESIDENT
- 29 OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES. THE REPORT
- 30 SHALL INCLUDE ALL OF THE FOLLOWING:
 - 31 1. THE NAMES OF ALL CURRENT MISSING, ABDUCTED OR RUNAWAY CHILDREN.
 - 32 2. INFORMATION REGARDING THE AGENCIES THE DEPARTMENT IS REQUIRED TO
 - 33 CONTACT PURSUANT TO THIS SECTION AND WHEN CONTACT WAS MADE.
 - 34 3. INFORMATION REGARDING THE DEPARTMENT'S COMPLIANCE WITH EFFORTS
 - 35 REQUIRED PURSUANT TO THIS SECTION.
 - 36 I. THE LEGISLATURE MAY REQUIRE AN ANNUAL INDEPENDENT AUDIT OF THE
 - 37 DEPARTMENT'S COMPLIANCE WITH THIS SECTION. IF THE INDEPENDENT AUDIT
 - 38 DETERMINES THAT THE DEPARTMENT IS NOT IN COMPLIANCE, THE DEPARTMENT SHALL
 - 39 CONTRACT WITH A THIRD PARTY TO OVERSEE EFFORTS TO LOCATE MISSING, ABDUCTED
 - 40 OR RUNAWAY CHILDREN.