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SENATE BILL NO. 813

Offered January 8, 2020

Prefiled January 8, 2020

A *BILL to amend the Code of Virginia by adding in Title 52 a chapter numbered 7.5, consisting of sections numbered 52-34.13, 52-34.14, and 52-34.15, relating to establishment of the Virginia High Speed Chase Alert Program.*

 Patron—Morrissey

Referred to Committee on the Judiciary

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 7.5, consisting of sections numbered 52-34.13, 52-34.14, and 52-34.15, as follows:

CHAPTER 7.5.**VIRGINIA HIGH SPEED CHASE ALERT PROGRAM.****§ 52-34.13. Definitions.***As used in this chapter:*

"High speed chase" means an active attempt by an on-duty law-enforcement officer while driving a conspicuously marked law-enforcement vehicle to apprehend or stop another moving motor vehicle, or an occupant within such other motor vehicle, and the driver of such other vehicle is resisting apprehension by maintaining or increasing his speed or by ignoring the law-enforcement officer's attempt to stop such vehicle, and the ongoing pursuit poses a credible threat as determined by the pursuing law-enforcement agency to the health and safety of other motor vehicle operators or the general public and under such other circumstances as deemed appropriate by the Virginia State Police.

"High Speed Chase Alert" means the notice of a high speed chase provided to the public by the media or other methods under a High Speed Chase Alert Agreement.

"High Speed Chase Alert Agreement" means a voluntary agreement between law-enforcement officials and members of the media whereby a high speed chase will be declared, and the public will be notified by media outlets, and includes all other incidental conditions of the partnership as found appropriate by the Virginia State Police.

"High Speed Chase Alert Program" means the procedures and High Speed Chase Alert Agreements to aid in the identification and location of a high speed chase and to alert other nearby persons and motorists for safety reasons.

"High speed chase report" means a report prepared in a format prescribed by the Superintendent of State Police for use by law-enforcement agencies to report high speed chases to the Virginia State Police.

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

§ 52-34.14. Establishment of the Virginia High Speed Chase Alert Program.

The Virginia State Police shall develop policies for the establishment of uniform standards for the creation of High Speed Chase Alert Programs throughout the Commonwealth. The Virginia State Police shall (i) inform local law-enforcement officials of the policies and procedures to be used for the High Speed Chase Alert Programs; (ii) assist in determining the geographic scope of a particular High Speed Chase Alert; and (iii) establish procedures and standards by which a local law-enforcement agency shall verify that a motor vehicle pursuit involving a law-enforcement officer is a high speed chase and shall report such information to the Virginia State Police.

The establishment of a High Speed Chase Alert Program by a local law-enforcement agency 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 a High Speed Chase Alert Program.

§ 52-34.15. Activation of High Speed Chase Alert Program upon an incident of a high speed chase.

A. Upon receipt of a notice of a high speed chase from a law-enforcement agency, the Virginia State Police shall confirm the accuracy of the information and provide assistance in the activation of the High Speed Chase Alert Program as the investigation dictates.

B. High Speed Chase Alerts may be local, regional, or statewide. The initial decision to make a local High Speed Chase Alert shall be at the discretion of the local law-enforcement official. Prior to making a local High Speed Chase Alert, the local law-enforcement official shall confer with the Virginia State Police and provide information regarding the high speed chase to the Virginia State Police. The

59 *decision to make a regional or statewide High Speed Chase Alert shall be at the discretion of the*
60 *Virginia State Police.*

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

64 *D. The High Speed Chase Alert shall include the high speed chase report information and any other*
65 *such information as the law-enforcement agency deems appropriate.*

66 *E. The High Speed Chase Alert shall be canceled under the terms of the High Speed Chase Alert*
67 *Agreement. Upon the ending of a high speed chase, the local law-enforcement agency that was last in*
68 *pursuit shall notify the Virginia State Police immediately that the high speed chase has ended.*