

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 16.1-247.1, relating to custodial*  
3 *interrogation of a child; parental notification and contact.*

4  
5 Approved

[H 746]

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That the Code of Virginia is amended by adding a section numbered 16.1-247.1 as follows:**

8 ***§ 16.1-247.1. Custodial interrogation of a child; parental notification and contact.***

9 *A. Prior to any custodial interrogation of a child by a law-enforcement officer who has arrested such*  
10 *child pursuant to subsection C, CI, or D of § 16.1-246, the child's parent, guardian, or legal custodian*  
11 *shall be notified of his arrest and the child shall have contact with his parent, guardian, or legal*  
12 *custodian. The notification and contact required by this subsection may be in person, electronically, by*  
13 *telephone, or by video conference.*

14 *B. Notwithstanding the provisions of subsection A, a custodial interrogation may be conducted if (i)*  
15 *the child's parent, guardian, or legal custodian is a codefendant in the alleged offense; (ii) the child's*  
16 *parent, guardian, or legal custodian has been arrested for, has been charged with, or is being*  
17 *investigated for a crime against the child; (iii) if, after every reasonable effort has been made to comply*  
18 *with subsection A, the child's parent, guardian, or legal custodian cannot be located or refuses contact*  
19 *with the child; or (iv) if the law-enforcement officer conducting the custodial interrogation reasonably*  
20 *believes the information sought is necessary to protect life, limb, or property from an imminent danger*  
21 *and the law-enforcement officer's questions are limited to those that are reasonably necessary to obtain*  
22 *such information.*

ENROLLED

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