

SENATE BILL REPORT

SB 6579

As Reported By Senate Committee On:
Human Services & Corrections, February 1, 2006

Title: An act relating to juvenile interrogation.

Brief Description: Requiring parents be notified when a juvenile is taken into custody.

Sponsors: Senators McAuliffe, Eide, Weinstein, Schmidt, Berkey, Rasmussen, Franklin, Keiser and Shin.

Brief History:

Committee Activity: Human Services & Corrections: 1/23/06, 2/1/06 [DPS].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 6579 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell, McAuliffe and Thibaudeau.

Staff: Shani Bauer (786-7468)

Background: Empirical studies have shown that most juveniles who are 14 years old or younger, and many who are aged 15 to 17, do not understand the constitutional rights they have while in custody as well as the average adult offender. For this reason, some states have put additional safeguards in place when the subject of a police interrogation is a juvenile.

Parents would also be interested in knowing the location of their child when the child has been taken into police custody.

Summary of Substitute Bill: The Legislature finds that parents have a fundamental interest in knowing if their child has been taken into police custody. When taking a juvenile into custody, a law enforcement officer must make a reasonable attempt to notify the child's parent or guardian.

A joint task force on the interrogation of juveniles in custody is established, to be cochaired by two legislative members. Work group membership is prescribed.

The task force must report to the appropriate committees of the Legislature no later than January 1, 2007.

Substitute Bill Compared to Original Bill: The work group is changed to a legislative task force. Members are added to serve on the task force. Two legislative members must serve as cochairs in place of the Administrative Office of the Courts.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: Yes.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Washington Association of Sheriffs and Police Chiefs (WASPC) passed a resolution at the May conference to require efforts to notify parents when a juvenile is taken into custody. WASPC, therefore, supports this legislation and is very willing to participate in a work group to review statewide practices on interrogation. Despite research, 14-17 year olds are often very savvy about legal system.

Testimony Against: None.

Who Testified: PRO: James McMahan, WA Association of Sheriffs and Police Chiefs (WASPC); Don Pierce, WASPC; Bob Berg, Centralia Chief of Police.