
SENATE BILL 6024

State of Washington

59th Legislature

2005 Regular Session

By Senators Carrell, Stevens, Brandland and Hargrove

Read first time 02/22/2005. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to juveniles in the custody of law enforcement
2 officers; adding a new section to chapter 13.40 RCW; and creating a new
3 section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** It is important for juveniles who are taken
6 into custody for questioning to understand their constitutional rights
7 to remain silent and to consult with a lawyer. They need to understand
8 the ramifications of choosing to speak with police. For this reason,
9 the legislature finds that juveniles must be advised of their rights in
10 age-appropriate language. The legislature also finds that parents have
11 an important interest in knowing if their children have been taken into
12 police custody and where they are being held. The purpose of this act
13 is to create a juvenile Miranda warning to be used to advise juveniles
14 of their rights before they are questioned in custody. The purpose of
15 this act is also to require that law enforcement officers make
16 reasonable efforts to notify parents, guardians, or custodians of
17 juveniles taken into custody and where those juveniles are being held.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 13.40 RCW
2 to read as follows:

3 (1) When a law enforcement officer takes a juvenile into custody,
4 the officer must make a reasonable attempt to notify the juvenile's
5 parent, guardian, or custodian that the juvenile is in custody and
6 where the juvenile is being held.

7 (2) No statement, admission, or confession, written or oral, of a
8 juvenile under the age of eighteen given while in custody is admissible
9 unless, prior to taking of the statement, the juvenile is advised of
10 the juvenile's rights in substantially the following manner:

11 (a) You don't have to talk with us or answer our questions if you
12 don't want to.

13 (b) If you decide to talk with us, you have to understand that
14 anything you say can be used against you. We can tell the probation
15 officer and the judge what you tell us.

16 (c) You can talk to a lawyer now if you want to, and you can have
17 your lawyer with you when we ask our questions.

18 (d) If you want a lawyer, but you don't have enough money to hire
19 your own, the judge will get one for you and it won't cost you
20 anything.

21 (3) After a juvenile has been advised of his or her rights in
22 substantially the manner provided in this section, the law enforcement
23 officer shall ask the juvenile in substantially the following form:

24 (a) Do you understand what I have said?

25 (b) Do you want to ask me anything?

26 (c) Do you want to talk with me now?

27 (d) Do you want a lawyer, or not?

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