

---

**Human Services Committee**

---

**HB 1010**

**Brief Description:** Notifying parents, guardians, and custodians when a juvenile is taken into custody.

**Sponsors:** Representatives Moeller, Hudgins, Appleton, Morrell, Kenney, Dickerson, B. Sullivan and Warnick.

**Brief Summary of Bill**

- Requires law enforcement to make a reasonable attempt to notify a child's parent, guardian, or custodian when the child is taken into custody and is being held.

**Hearing Date:** 1/16/07

**Staff:** Sonja Hallum (786-7092).

**Background:**

Law enforcement officers have a duty to investigate violations of the law. An officer may make an investigatory stop even though the officer lacks probable cause to believe that a suspect is involved in criminal activity. An investigatory stop is valid if a law enforcement officer has a well-founded suspicion based on objective facts that a suspect is connected to actual or potential criminal activity.

When a person is questioned by law enforcement, the person is not necessarily in "custody." A person is in "custody" if there is a formal arrest or if a reasonable person in a suspect's position would have felt that his or her freedom was curtailed to the degree associated with a formal arrest.

If a juvenile is held in custody by law enforcement for questioning, there is not a legal requirement to notify the juvenile's parents that the juvenile is in custody or where he or she is being held.

**Summary of Bill:**

---

*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Law enforcement is required to make reasonable attempts to notify a child's parent, guardian, or custodian when the child is taken into custody and is being held.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.