
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 juvenile's parent, guardian, or custodian when their child has been taken into custody, and the location where he or she is being held.

Hearing Date: 1/15/08

Staff: Brian Considine (786-7290).

Background:

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.

A person is not necessarily in "custody" when he or she is questioned by law enforcement. A person is in "custody" if there is a formal arrest, or if in looking at all the circumstances surrounding the incident, a reasonable person would have believed that his or her freedom was restricted 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.

When a juvenile is taken into custody, law enforcement is required to make a reasonable attempt to notify a juvenile's parent, guardian, or custodian that their child is in custody, and the location where he or she 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.