**6065-S AMS PADD S5075.1 - NOT FOR FLOOR USE**

**SSB 6065** - S AMD **497**

By Senator Padden

**ADOPTED 02/08/2018**

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec.**  A new section is added to chapter 28A.320 RCW to read as follows:

(1) By August 1, 2018, each school district shall adopt a policy and procedures for interviews and interrogations of students on school premises that at a minimum incorporates the model policy and procedures on this topic revised by the Washington state school directors' association in July of 2013 and must also include the procedures set forth in subsection (2) of this section.

(2) The procedures adopted under subsection (1) of this section must include the following for law enforcement interviews and interrogations of students not involving child abuse or neglect investigations:

(a) If a student is under twelve years of age, parents, guardians, or designated adults must be notified and give permission before any interview or interrogation takes place unless the law enforcement officer has a warrant, court order, or indicates that exigent circumstances exist;

(b) If a student is twelve to eighteen years of age, the principal or designee will make a reasonable effort to contact the parents or guardians prior to the interview or as soon as possible thereafter. If a parent or guardian cannot be contacted, the principal or designee will contact the designated adults noted on the student's emergency contact card for their consent. Parent contact is not required when the law enforcement officer has a warrant, court order, or indicates that exigent circumstances exist;

(c) If a student is eighteen to twenty-one years of age, the principal or designee is not required to contact the parents or guardians before an interview or interrogation; and

(d) Except when exigent circumstances apply, law enforcement officers must recognize the potential time delay for parents or guardians to be contacted and a reasonable time for parents or guardians to arrive at the school.

(3) School districts shall notify law enforcement officers within their boundaries of the policy and procedures adopted under subsection (1) of this section. Such notification may be by electronic means.

(4) For the purposes of this section, "exigent circumstances" means circumstances that include, but are not limited to, serious threats to the health and safety of students and staff."

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**ADOPTED 02/08/2018**

On page 1, line 2 of the title, after "premises;" strike the remainder of the title and insert "and adding a new section to chapter 28A.320 RCW."

EFFECT: (1) States that if a student is 12 and older, parent contact before an interview or interrogation is not required when the law enforcement officer has a warrant, court order, or indicates that exigent circumstances exist.

(2) Provides that law enforcement officers do not have to recognize the potential time delay for parents or guardians to be contacted and a reasonable time for them to arrive when exigent circumstances apply.

(3) Provides that if a student is 18 to 21, the principal or designee is not required to contact the parents or guardians before an interview or interrogation.

(4) Provides a definition for exigent circumstances to mean circumstances that include, but are not limited to, serious threats to the health and safety of students and staff.