
**Juvenile Justice & Family Law
Committee**

HB 2992

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

Sponsors: Representatives Moeller, Darneille, Hasegawa and Dunn.

Brief Summary of Bill

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

Hearing Date: 1/24/06

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:

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.