

SSB 6065 - S AMD 497
By Senator Padden

ADOPTED 02/08/2018

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.320
4 RCW to read as follows:

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

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

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

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

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

31 (d) Except when exigent circumstances apply, law enforcement
32 officers must recognize the potential time delay for parents or

1 guardians to be contacted and a reasonable time for parents or
2 guardians to arrive at the school.

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

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

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10 On page 1, line 2 of the title, after "premises;" strike the
11 remainder of the title and insert "and adding a new section to
12 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.

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