

GUIDELINES FOR WASHINGTON STATE LAW ENFORCEMENT

Interviewing Juvenile Suspects Under 16 Years of Age



WASHINGTON ASSOCIATION OF
SHERIFFS AND POLICE CHIEFS

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WASPC Model Policy

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Officers/deputies need to be mindful that juveniles, especially those under 16 years of age, naturally test limits and challenge authority. That, coupled with lack of life experience, makes juveniles prone to poor decision-making and susceptible to peer pressure. Juveniles who engage in misbehavior may be surprisingly vulnerable, and officers/deputies should be sensitive to recognizing when a juvenile suspect may need help in understanding his/her contact with the justice system and/or the consequences for criminal acts. Parents are an important part of the process involving their children and every effort should be made to help them remain engaged in the lives of their children.

- 1.** Officers/deputies upon taking a juvenile suspect under the age of 16 into custody (other than protective custody of a child pursuant to RCW 26.44.050) shall make a reasonable effort to contact a parent or guardian to notify them that the juvenile is being held in custody. Officers/deputies should document the attempts they make to make contact with a parent or guardian.
- 2.** Officers/deputies may question juvenile suspects who are in custody only after formally advising the juvenile of his/her constitutional rights, other applicable juvenile warnings, and receiving a waiver of those rights from the juvenile about to be questioned.
- 3.** When and if a juvenile suspect asks to consult his or her parents either before or during questioning, the interview should be terminated until such consultation has occurred.
- 4.** If parents are present at the time of the juvenile's arrest or prior to the beginning of the interview process, they should be allowed to consult with their child, except in cases where the parents are also suspects in the same incident or are witnesses to the incident.
- 5.** If parents arrive after the interview has begun and request contact with the juvenile suspect, it should be granted at the next logical break in the interview process, except in cases where the parents are also suspects in the same incident or are witness to the incident.
- 6.** If the juvenile suspect expresses fear or distress about contact with his/her parents and requests that the contact not occur, the juvenile's wishes should be taken into account. The officer/deputy should attempt to determine if the fear or distress is valid and make a determination if notification should be made to Child Protective Services.
- 7.** Juvenile suspects should be given regular breaks (at least every two hours) from the interview process.
- 8.** Situations involving children being interviewed because of allegations of abuse or neglect are governed by RCW 26.44.030, and are not covered by this model policy.