

The background of the slide features a vibrant sunset sky with warm orange and yellow hues near the horizon, transitioning into a deep blue at the top. Silhouetted against this sky are eight diverse youth of various ages and ethnicities, captured in mid-air as if jumping or dancing joyfully. Their arms are raised, and their bodies are in dynamic, expressive poses. The silhouettes are dark and solid, contrasting sharply with the colorful sky. The overall mood is one of hope, freedom, and youthful energy.

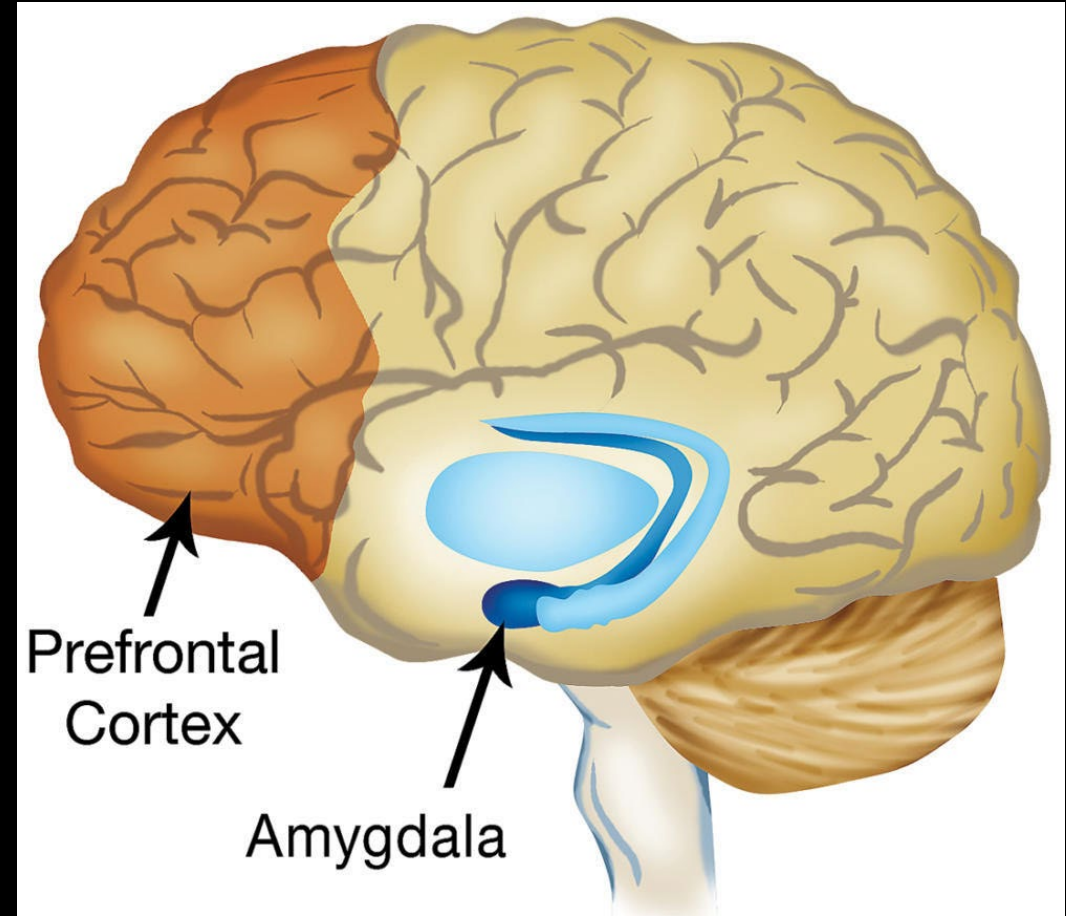
MiChance Dunlap Gittens Youth Rights Ordinance

Presentation to the Regional Law Safety and Justice Committee

*Anita Khandelwal and Katie Hurley,
King County Department of Public Defense*

The Ordinances are necessary because youth have a hard time understanding their constitutional rights.

- Adolescent brain science
- *Miranda* is confusing
- Knowing whether you can refuse police request to search is confusing



The Ordinance:

1. Police may not subject youth to questioning after administering *Miranda* warnings.
2. Police may not ask youth to consent to the search of their body, property, abodes, or vehicles -



--- WITHOUT PROVIDING ACCESS TO LEGAL COUNSEL.



King County

**Department of
PUBLIC
DEFENSE**



How to reach a public defender....

**DPD provides on-call attorney services 24
hours/seven days a week.**

Please call 206-477-8899

Applies to SPD and KCSO (including contract cities)

- *Ordinance went into effect on 9/20/20 for SPD*
- *Ordinance went into effect on 9/11/20 for KCSO (including contract cities)*

Partner cities and agencies

The Sheriff's Office is exceedingly proud to partner with the following cities and agencies to provide full-service police departments:

- Town of Beaux Arts Village
- City of Burien
- City of Carnation
- City of Covington
- City of Kenmore
- King County International Airport
- City of Maple Valley
- King County Metro Transit
- Muckleshoot Indian Tribe
- City of Newcastle
- City of Sammamish
- City of SeaTac
- City of Shoreline
- Town of Skykomish
- Sound Transit
- City of Woodinville

What the Ordinance does not do:

- Does not apply when officers want to ask questions during, for example, “Terry stops” or welfare checks.
- Does not stop officers from questioning youth if they reasonably believe the information sought is necessary to protect life from an imminent threat.
 - “The provisions Do not apply to questioning after an officer issues a *Miranda* warning, if:
 - The officer who issued the warning reasonably believes the information sought is necessary to protect life from an imminent threat;
 - Delay to allow legal consultation by phone would hamper the protection of life from an imminent threat; and
 - The questioning is limited to matters reasonably expected to obtain information necessary to protect life from an imminent threat.”
- Does not require the exclusion of any evidence in court.

If officers believe questioning without legal consultation is necessary to protect life from an imminent threat, need to document the following-

E. Law enforcement personnel shall prepare a written record for each instance when subsection D. of this section is invoked. The record shall document the following:

1. The time the youth was advised of the Miranda warnings;
2. The time the youth was questioned without legal consultation;
3. The reasons that justified questioning the youth without prior legal counsel consultation;
4. The questions posed to the youth;
5. Information related to the youth, including name, age and race;
6. Information related to the law enforcement personnel questioning the youth, including the name and badge number of each of the law enforcement personnel.

What the Ordinance does do:



- Provides youth with access to a public defender before a youth can be asked to waive a constitutional right
- “After the youth has consulted with legal counsel, the youth may advise, have a parent or guardian advise, or **direct legal counsel to advise**, the officer as to whether the youth chooses to assert a constitutional right. **Any assertion of rights by the youth via legal counsel shall be treated by an officer as though it came from the youth.**”

End of presentation

- Questions?