

DOWNEY POLICE DEPARTMENT

TRAINING



BULLETIN

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Chief of Police

No. 18-01

W&I 625.6 – Custodial Interrogation of minor 15-years-old or younger

With the passing of Senate Bill 395, effective January 1, 2018, Welfare and Institutions Code section 625.6 has been implemented, addressing special guidelines regarding the custodial interrogation of juveniles who are 15-years-old or younger. Section W&I 625.6 prohibits a law enforcement officer from conducting a custodial interrogation or accepting a waiver of Miranda Rights by a minor 15-years-old or younger until the minor has had an opportunity to consult with legal counsel. This consultation must occur in person, by telephone or by video conference and may not be waived.

W.I.C. 625.6 states:

- (a) Prior to a custodial interrogation, and before the waiver of any Miranda rights, a youth 15 years of age or younger **shall consult with legal counsel** in person, by telephone, or by video conference. **The consultation may not be waived.***
- (b) The court shall, in adjudicating the admissibility of statements of a youth 15 years of age or younger made during or after a custodial interrogation, consider the effect of failure to comply with subdivision (a).*
- (c) This section does not apply to the admissibility of statements of a youth 15 years of age or younger if both of the following criteria are met:
 - (1) The officer who questioned the youth reasonably believed the information he or she sought was necessary to protect life or property from an imminent threat.*
 - (2) The officer's questions were limited to those questions that were reasonably necessary to obtain that information.**

In response to the new law, the Los Angeles County Public Defender will be available to provide telephonic attorney consultations for youth 15-years-old and under 24 hours a day / 7 days a week. Public Defender attorneys can be reached during regular business hours of 7:30 am to 5:30 pm by calling **(213) 974-3002**. During non-business hours Public Defender attorneys can be accessed through the Los Angeles County Operator by dialing **6-1-1**. In addition, the attached flier with the above listed phone numbers will be posted in the jail, report room, and juvenile holding cells.

For further information regarding W&I 625.6 refer to the attached "One Minute Brief" provided by the Los Angeles County District Attorney's Office.