

SB 5327: Creating a confidential youth safety and well-being tip line

WDA and WACDL appreciate the good intentions that have spurred the introduction of this bill; however, we have concerns that it unnecessary and will lead to constitutional legal challenges. Our specific concerns are outlined below. We would urge the committee not to pass the bill in its current form.

- **It improperly prevents information from being disclosed to the defense.** Subsection 6 of the bill says confidential information that lead to prosecution can only be disclosed upon motion by the defendant. This is improper burden shifting since the state must provide evidence to the defense. We believe this will lead to legal challenges as it automatically withholds evidence from the defendant, which violates constitutional protections afforded defendants through the United States Supreme Court decision in *Brady v. Maryland*.
- **It is unnecessary and duplicative of current services already provided by police and the Department of Children, Youth and Families (DCYF).** There are existing options if they are worries about potential safety issues. Child Protective Services has a hotline for children and people can call the police if there is an imminent threat. Additionally, teachers, counselors, and many other professionals working with children are already mandatory under state and federal law. Issues relating to the mental health of a teen are best addressed through the mental health system.

For more information, contact:

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