

WASHINGTON STATE OFFICE OF PUBLIC DEFENSE: **YOUTH ACCESS TO COUNSEL (YAC) LINE**
877.J.PUB.DEF (877.578.2333)

Attorney Consultation for Youth—Available 24/7, Statewide

Effective Jan 1, 2022, the YAC Line will be available for use by Law Enforcement

TIPS FOR USING THE YAC LINE:

- When you call the YAC line, you will be prompted to enter your badge number and then will be connected directly to a YAC Attorney
 - Multiple attorneys will always staff the line, so if more than one youth needs attorney assistance, inform the YAC Attorney that you have multiple people involved
- Speak to the YAC Attorney, who will ask you some basic questions about the situation
 - If the youth requires an interpreter, alert the YAC Attorney
- When the YAC Attorney is ready, place the youth on the line
 - The conversation between attorney and youth must be private and cannot be recorded
 - You must remain sufficiently out of range to ensure that you do not hear the conversation
- When the youth is finished, you must speak to the YAC Attorney again
 - The attorney will advise you as to how the youth will proceed
 - If you are advised by the attorney that the youth is asserting their constitutional rights, that is the end of the inquiry
 - Never ask the youth what was discussed with the attorney

SUMMARY OF RCW 13.40.740:

- Law enforcement must provide “access to an attorney for consultation...before the juvenile waives any constitutional rights if a law enforcement officer:
 - (a) Questions a juvenile during a custodial interrogation;
 - (b) Detains a juvenile based on probable cause of involvement in criminal activity; or
 - (c) Requests that the juvenile provide consent to an evidentiary search of the juvenile or the juvenile's property, dwellings, or vehicles under the juvenile's control.” RCW 13.40.740(1).
- “After the juvenile has consulted with legal counsel, the juvenile may advise, direct a parent or guardian to advise, or direct legal counsel to advise the law enforcement officer that the juvenile chooses to assert a constitutional right. Any assertion of constitutional rights by the juvenile through legal counsel must be treated by a law enforcement officer as though it came from the juvenile.” RCW 12.40.740(5)
- The legal consultation “may not be waived.” RCW 13.40.740(2).
- Consultation is always required with TWO EXCEPTIONS:
 - “(a) The law enforcement officer believes the juvenile is a victim of trafficking as defined in RCW 9A.40.100; however, any information obtained from the juvenile by law enforcement pursuant to this subsection cannot be used in any prosecution of that juvenile; or
 - (b)(i) The law enforcement officer believes that the information sought is necessary to protect an individual's life from an imminent threat;
 - (ii) A delay to allow legal consultation would impede the protection of an individual's life from an imminent threat; and
 - (iii) Questioning by the law enforcement officer is limited to matters reasonably expected to obtain information necessary to protect an individual's life from an imminent threat.” RCW 13.40.740(4).