

HB 1920: Concerning investigations of child abuse or neglect at residential facilities.

WDA and WACDL support adoption of HB 1920 but believe that additional language should be included to recognize the vulnerability of children in residential facilities and to ensure that any juvenile suspect is provided access to an attorney before being questioned.

This bill specifically addresses allegations of abuse or neglect by one resident by another resident. Based on HB 1140, juveniles must be provided access to an attorney before undergoing custodial interrogation. WDA and WACDL are concerned that this bill does not recognize the vulnerability of children in this situation and that questioning by employees of DCYF would not follow the law as established in HB 1140 and codified under RCW 13.40.740.

Children in residential facilities are vulnerable. WDA and WACDL want to ensure the safety of children in those facilities but do not want to compromise the protections established in HB 1140. Language must be added to include that any investigator must understand the vulnerability of children in this living situation and must compel providing access to an attorney for any child being investigated for a criminal allegation by DCYF. Children in residential facilities do not have the same abilities to terminate questioning and most are not voluntarily in the facility. Both DCYF investigators and law enforcement must provide access to an attorney.

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