

HB 2718 STAFF MEASURE SUMMARY

House Committee On Judiciary

Prepared By: Whitney Perez, Counsel

Meeting Dates: 3/22

WHAT THE MEASURE DOES:

Requires youth to consult with counsel prior to custodial interview with a peace officer.

REVENUE: May have revenue impact, but no statement yet issued

FISCAL: May have fiscal impact, but no statement yet issued

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

House Bill 2718 requires youth to consult with legal counsel in person, by telephone or by video conference prior to a custodial interview with a peace officer. It also directs courts to consider a failure to comply with this provision when determining the admissibility of a youth's statements made during a custodial interview. HB 2718 provides an exception to this provision when a peace officer limits question to obtaining information that the peace officer believed was necessary to protect life or property from a substantial threat. Finally, HB 2718 defines key terms, such as custodial interview.