



## **GUIDANCE FOR PROVIDERS REGARDING LAW ENFORCEMENT INTERVIEWS OF YOUTH**

Law enforcement often has legitimate need to interview youth in OYA custody and the agency is not normally in the position to deny access. However, the agency does have the responsibility to ensure youth in its custody are aware of their rights with respect to responding to law enforcement questions.

Oregon Administrative Rule 416-150-0010 provides direction regarding law enforcement interrogation of youth in OYA custody (either in facility or community settings). While the rule speaks specifically to what OYA staff will do, it is advised community residential treatment providers and foster parents to be familiar with the rule requirements to help guide their actions if a LEA seeks to interrogate a youth placed with them.

The following should be followed by residential programs and foster parents should a LEA seek to interrogate a youth:

### **INTERROGATION WITHOUT A WARRANT**

1. Immediately contact the JPPO or field supervisor to apprise them of the LEA request. If the supervisor or JPPO is unavailable, telephone MacLaren and ask to have the Field Officer of the Day make contact.
2. The OD will contact the LEA to determine next steps. The program/foster parent will subsequently receive further instructions from the JPPO or field supervisor.
3. An interrogation without a warrant should be planful – an immediate request to interrogate may be denied by the program/foster parent. Inform the LEA of the need to contact OYA.

### **INTERROGATION WITH A WARRANT**

1. After ensuring the LEA representative has proper identification, notify the youth of his or her right to remain silent during the interrogation and to have legal representation present. Ensure that the youth understands his or her rights. Allow LEA representative access to the youth.
2. Immediately contact the JPPO or field supervisor to inform them that a LEA representative with a warrant is speaking to youth. Affirm with JPPO/field supervisor that youth was informed of his rights prior to interrogation.
3. If LEA representative seeks to interrogate during non-business hours, telephone MacLaren to request the Field Officer of the Day make contact.