

## Maryland Youth Access to Counsel Hotline

# 800-810-6635

### Attorney Consultation for Youth—Available 24/7

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

### TIPS FOR USING THE YAC LINE:

- ★ When you call the YAC hotline, you will be connected directly to a YAC Attorney. If the call is not answered immediately, please leave a message with your name, badge number, and a return phone number. If you have not heard back after 15 minutes, please dial the YAC hotline again and your call will be routed to another on-call attorney.
- ★ Speak to the YAC Attorney, who will ask you for your badge number, and some basic questions about the situation and the child.
  - *If the youth requires an interpreter, alert the YAC Attorney right away.*
  - *There are multiple attorneys on-call. If there is more than one youth in need of assistance, please alert the YAC Attorney right away.*
- ★ When the YAC Attorney is ready, place the youth on the line.
  - *The conversation between attorney and youth **must be private** and cannot be listened to or recorded.*
  - *You must remain sufficiently out of range and ensure that **no one** can overhear 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 the youth asserts their constitutional rights, that is the end of the inquiry.*
  - *Never ask the youth what was discussed with the attorney.*

### SUMMARY OF Md Cts & Jud. 3–8A–14.2:

- ★ “(1) A Law enforcement officer may not conduct a custodial interrogation of a child **until the child has consulted with an attorney...**” MCJ3-8A-14.2(b)
- ★ The consultation **must be confidential** and may be conducted in person, over the telephone, or via video conference. MCJ3-8A-14.2(c)(1)(ii)
- ★ Consultation with an attorney is always required with only **ONE EXCEPTION**: “the law enforcement officer reasonably believes that the information sought is necessary to protect against a threat to public safety.”
  - *The public safety exception is to be construed narrowly, and it applies only where there is an objectively reasonable need to protect the police or the public from an immediate danger. New York v Quarles, (1984) 467 US 649.*
  - *Questions related to public safety must be limited to those questions “reasonably necessary to obtain the information necessary to protect...from an imminent threat.” MCJ3-8A-14.2(c)(1)(ii)*