

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025

A Bill

SENATE BILL 609

4
5 By: Senator J. Scott
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For An Act To Be Entitled

8
9 AN ACT CONCERNING THE CUSTODIAL INTERROGATION OF A
10 MINOR; TO PROVIDE FOR A MINOR’S RIGHT TO CONSULT WITH
11 HIS OR HER PARENT OR GUARDIAN BEFORE A CUSTODIAL
12 INTERROGATION; AND FOR OTHER PURPOSES.
13

Subtitle

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16 TO PROVIDE FOR A MINOR’S RIGHT TO
17 CONSULT WITH HIS OR HER PARENT OR
18 GUARDIAN BEFORE A CUSTODIAL
19 INTERROGATION.
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. Arkansas Code Title 16, Chapter 80, Subchapter 1, is
24 amended to add an additional section to read as follows:

25 16-80-105. Right of minor to consult with parent or legal guardian –
26 Definition.

27 (a) As used in this section, “minor” means a person who is under
28 eighteen (18) years of age.

29 (b) A minor shall have the opportunity to consult with his or her
30 parent or legal guardian in person, by telephone, or by video conference
31 before:

32 (1) A custodial interrogation of the minor takes place; or

33 (2) The minor waives his or her right to:

34 (A) Refuse to answer questions or incriminate himself or
35 herself; and

36 (B) To have an attorney:



1 (i) Present during a custodial interrogation; and

2 (ii) Appointed to represent the minor if he or she
3 cannot afford an attorney.

4 (c) A minor's right to consult with a parent or legal guardian under
5 subsection (b) of this section shall not be waived by the minor.

6 (d) Except as provided in subsection (e) of this section, any
7 statements obtained from a minor in violation of this section shall be
8 inadmissible in a delinquency or criminal proceeding unless the prosecuting
9 attorney proves by clear and convincing evidence that the statement was made
10 knowingly, intelligently, and voluntarily.

11 (e) This section does not prevent a statement of a minor obtained
12 during a custodial interrogation of the minor from being admissible as
13 evidence if the law enforcement officer who questions the minor:

14 (1) Reasonably believes that the information he or she sought is
15 necessary to protect another person from an imminent threat to the person's
16 life; and

17 (2) Limits his or her questions to those that are reasonably
18 necessary to protect another person from an imminent threat to the person's
19 life.