## Local Government Mandate Statement Kentucky Legislative Research Commission 2024 Regular Session

## **Part I: Measure Information**

Bill Request #: 846			
Bill #: HB 157			
<b>Document ID #:</b> 2319			
Bill Title: AN ACT relating to the interrogation of children.			
Sponsor: Representative Keturah J. Herron			
Unit of Government:XCityXCountyXUrban-CountyXCharter CountyXConsolidated LocalXGovernment			
Office(s) Impacted: Law Enforcement, Jails			
Requirement: X Mandatory Optional			
Effect on Powers & Duties: X Modifies Existing Adds New Eliminates Existing			

## Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

**Section 1** prohibits law enforcement officers from employing threats, physical harm, deception, or psychologically manipulative interrogation tactics during the custodial interrogation of a child relating to the commission of a public offense. This prohibition does not apply if the law enforcement officer reasonably believes that the information being sought during the interrogation is necessary to protect life or property from imminent threat, and that the questions are limited only to what is necessary to obtain information related to the imminent threat.

Section 2 adds a new section to the Kentucky Rules of Evidence stating that statements made by children during a custodial interrogation that don't comply with statute are not admissible against the child in any court proceeding. However, if it otherwise complies with rules of evidence, then this excluded evidence is admissible if offered in a lawsuit where someone is seeking damages for harm caused by the interrogation.

The fiscal impact of HB 157 is indeterminable, but likely to be minimal. Law enforcement officers will need to be trained on the new rules and procedures, but this will likely not result in additional required expenditures as it can be integrated into existing training programs. There may be existing continuing education training requirements offered through the Kentucky Department of Criminal Justice Training and the Kentucky Law Enforcement Council that could address these new rules.

The Kentucky State Police, Kentucky Sheriffs Association, Kentucky Department of Criminal Justice Training, and Kentucky Law Enforcement Council were contacted in relation to HB 157 but as of yet have not responded.

## **Data Source(s):** <u>LRC Staff</u>

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