

ADVISEMENT OF RIGHTS

All probationers – adult and juvenile – must be advised of their legal rights, preferably by the reading of a Miranda Advisement card, prior to questioning by an employee if criminal court action or prosecution could result from that questioning and client statements are to be court admissible.

In addition, statute requires juveniles to be advised of their legal rights when arrested by any Deputy Probation Officer, even if not questioned or a parent or guardian is not present (625 WIC). The arresting officer shall take immediate steps to notify the minor's parents, guardian, or responsible relative of the minor's arrest (627(a) WIC).

The juvenile and at least one parent or guardian must be advised of the minor's legal rights at the intake/detention process, prior to adjudication. At that time the minor must waive his rights, with the concurrence and approval of the parent or guardian, prior to specific questioning (627.5 WIC). If, after every effort to contact a parent or guardian is made, and the minor is in custody, the Probation Officer shall proceed with the detention process without questioning the minor about the offense.