



OPD's Youth Access to Counsel Program: YAC Consultations can Help Youth in Crisis¹

When young people interface with law enforcement and are tasked with complex decisions, such as whether or not to waive their constitutional rights, many will experience a high stress response that can inhibit their ability to make reasoned decisions and cause them to become dysregulated. Along with providing consultations as required by statute, YAC Attorneys can play an important role in de-escalation.

Background on the YAC Program: The Youth Access to Counsel (YAC) Program was launched on January 1, 2022 to fulfill the mandates of [RCW 13.40.740](#)—which created a non-waivable requirement that law enforcement put youth into contact with an attorney during certain phases of an investigation, such as

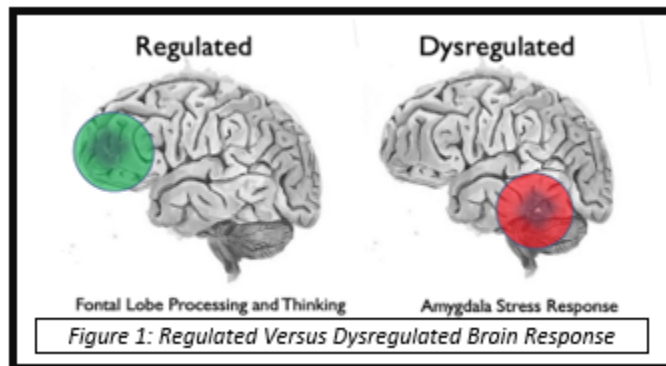
YAC Attorneys act as advocates for youth during stressful events—helping them slow down and reset so that they can think through their decisions.

prior to custodial interrogation or when seeking consent to search. The Office of Public Defense (OPD) created the YAC Line to provide these consultations statewide with attorneys available 24/7. YAC Attorneys are trained in both suicide prevention and de-escalation. During what may be the most stressful moment of a young person's life, YAC

Attorneys are trained to calm them down so that they can make an informed decision that will have long-ranging effects on their future.

What happens in a young person's brain during a stressful event? The transition of the brain from regulated to dysregulated creates a neuroscience phenomena involving two

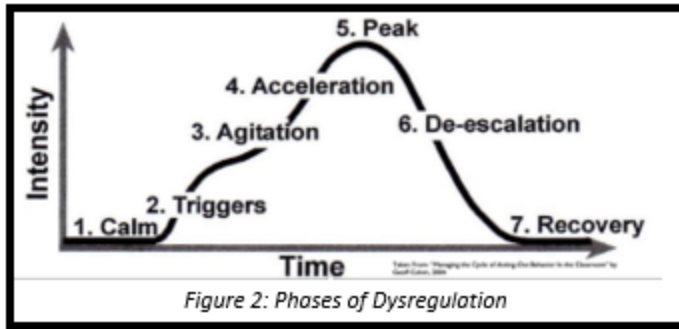
primary brain regions—the amygdala and prefrontal cortex (see Figure 1). While a young person experiences high stress, the amygdala may become overstimulated, creating a heightened risk for dysregulation.² As a result, they may experience an inability to manage emotions effectively and unpredictable emotional responses. Youth may then exhibit impulsivity, irritability, anxiety, anger, aggression and difficulty in regulating their stress, causing the biological phenomena of Toxic Stress (elevated cortisol and adrenaline) (see Figure 2). The connections between the emotional part of the brain (amygdala) and the decision-making center (prefrontal cortex) are not fully developed in a young person's brain. Rates of development differ among youth due to both nature and nurture factors³ such that stress regulation is further exacerbated for youth who have experienced complex trauma in childhood. A young person that is navigating a stressful event, including interacting with law enforcement, may



¹ Created in consultation with Dr. David Lewis, Psy.D., LMHC; Affiliate Clinical Professor at the Univ. WA; Director, Seattle Public Schools Department of Behavioral Health Services; Advisor for Relational Policing Innovation Team, Seattle Police Dep't.

² Althoff, R. & Ametti, M. (2021) Measurement of dysregulation in children and adolescents *Child Adolesc Psychiatr Clin N Am.* 2021; **30**:321-333.

³ Bronfenbrenner, U., & Ceci, S. J. (1994). Nature-nurture reconceptualized in developmental perspective: A bioecological model. *Psychological Review*, 101, 568-586.



experience an inability to effectively understand and process what is occurring in the moment—hindering their ability to make important decisions. Due to the tendency for a young person’s brain to dysregulate in stressful situations, young people oftentimes do not have the ability to comprehend complex concepts during stressful events.

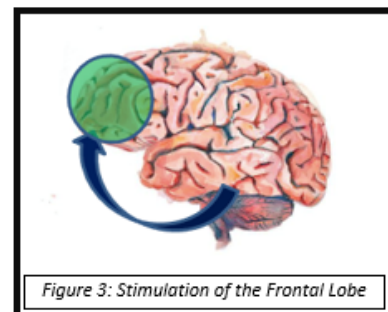
Why is this type of emotional regulation especially difficult for young people? Adults process and

think with the prefrontal cortex, the brain’s rational and information center. This is the part of the brain that responds to situations with thought out judgment and an awareness of long-term consequences. Teens process information with the amygdala and in healthy conditions develop the anatomy and psychological maturity to have efficient access to prefrontal processing.⁴ Because of their brain development, young people are particularly susceptible to experiences that create feelings of overwhelm during a stressful event. After experiencing this mental state, they are frequently unable to explain what they had been thinking. Further, a young person who has been impacted by Adverse Childhood Experiences (ACEs) and Childhood Complex Trauma, may face unique challenges in both recognition of what is currently happening during an event and in regulation of their emotions and behaviors.⁵ Childhood Trauma can contribute to an overdevelopment of the Amygdala and an underdevelopment in the frontal lobe and prefrontal cortex. As a result, for these youth in particular, there are significant impacts on short-term thinking and behaviors causing an inability to consider and recognize the consequences of their actions.⁶

YAC consultations are particularly helpful for young people who have experienced trauma during childhood as they oftentimes need more help becoming emotionally regulated after a stress event due to underdeveloped neuropathways.

How can a YAC consultation help a young person who is in crisis?

When a YAC Attorney consults with a young person in the midst of a stressful event, they can help the young person slow down so that they can transition away from a dysregulated emotional state. YAC attorneys are trained to establish a calm demeanor, build rapport, engage in motivational interviewing and ultimately support the youth to make an informed decision. By acting as an advocate in that moment, they can help to transition the youth’s brain from operating in the amygdala (stress) to the frontal lobe (rational thought processing) (Figure 3). Not only does this benefit the young person so that they can meaningfully consider decisions related to waiving their constitutional rights, but YAC Attorneys can also help to calm the youth down such that they can better follow law enforcement commands and safely interact with officers once the consultation concludes.



For Questions: Contact Liz Mustin, Supervising Attorney at elizabeth.mustin@opd.wa.gov.

⁴ Cracco, E., Goossens, L. & Braet, C. Emotion regulation across childhood and adolescence: evidence for a maladaptive shift in adolescence. *Eur. Child Adolesc. Psychiatry* 26, 909–921 (2017).

⁵ Anda, R., Felitti, V. (2006). The enduring effects of abuse and related adverse experiences in childhood. A convergence of evidence from neurobiology and epidemiology. *European Archives of Psychiatry and Clinical Neuroscience*, 256(3), 174-86.

⁶ Anda, R. & Brown, D. (2010). Adverse Childhood Experiences & Population Health in Washington: The Face of a Chronic Public Health Disaster. Olympia, WA: Family Policy Council.