

Hearing: January 27, 2022

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TESTIMONY ON SB0053 POSITION: FAVORABLE

The Juvenile Interrogation Protection Act

TO: Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

FROM: Claire Landers

My name is Claire Landers and I reside in Baltimore County, District 11.
I am submitting this testimony in support of SB0053, The Juvenile Interrogation Protection Act.

As a parent who has lived through the pleasures and perils of raising a teenager, I am keenly aware that situations can and do arise where a minor child will not act with good judgment or in their best long-term interests. That is “part of growing up” and most often the repercussions of bad decision-making is not detrimental to the entire arc of their life. Yet, we must all recognize that being detained and interrogated by police is a circumstance which might fundamentally alter the course of a young person’s life.

Being questioned by police while under custody is a stressful, fraught experience, even for the average adult who functions with a fully-mature brain and has accrued a lifetime of experience. We are all well aware that adults in custody can be coerced into making statements that are provably false through techniques of implicit intimidation or explicit threat. Similarly, adults can be persuaded by a skilled interrogator that it is “in their best interest” to waive their fundamental right to legal counsel - a decision that might have life-shattering consequences.

If we know that adults may be overwhelmed by interrogators, why ever would we allow any individual under 18 to face questioning alone, without a lawyer? Frankly, I believe the answer to that question is that as a society we really don’t care about the kids who are most likely to be detained and questioned by police: The Black and brown children who are more likely to be arrested, mistreated, incarcerated - and charged as adults - out of proportion to their numbers. In Maryland, we now have an opportunity to demonstrate a new direction.

I urge the members of the Senate’s Judicial Proceedings Committee to support SB53 and ensure that legal counsel is provided to every minor child who faces interrogation while in police custody. By moving SB53 forward, this esteemed committee will demonstrate a public commitment towards ensuring that the youngest members of our still-unequal society will have their basic legal rights protected when facing the full weight of police interrogators. Thank you.