

Submitted by: Rev. Dr. Marlon B. Tilghman (a Harford County, MD Pastor, U.S. Marine Corps SSgt, retired commission '92), 1118 Marksworth Road, Gwynn Oak, Maryland 21207.

Dear Chair William Smith and Honorable Senate Judiciary Proceeding Committee,

I am speaking in favor of Senate Bill 53. It was former Vice-President Hubert Humphrey who said, "*The **moral test of government** is how that government treats those who are in the dawn of life, the children.*" And it was Nelson Mandela who said that, "*There is no keener revelation of **a society's soul** than the way in which it treats its children.*" And Rev. Dr. Martin Luther King, Jr. summarized these respected leaders by saying, "*The law cannot control how people regard each other, but it can mandate how people treat each other.*"

BRIDGE Maryland, Inc., which represents several of the legislative districts on this committee, and throughout the state, wants our most vulnerable population in Maryland protected from interrogations that could scar them for life. We want our children, grandchildren, nieces, nephews, and the next unborn generation to feel comfortable in the custody of police officers. We want these things for several reasons. Theologically, we want SB53 to pass because our membership of over 7 faith traditions feel it is our moral imperative to protect them from the risk of emotional, cultural, and situational trauma that could impact them into their adulthood. Our sacred texts in the Talmudic says *our children are our guarantors*. Our sacred text tells us in the Torah that, "*Children's children are a crown to the aged, and parents are the pride of their children*" (Proverbs 17:6). Our sacred text from the words of Jesus the Christ says, "*See that you do not despise one of these little ones. For I tell you that their angels in heaven always see the face of my Father in heaven*" (Matthew 18:10).

Historically we want you to support SB53 because it brings Miranda into the 21st Century to protect our children. Every game, movie, and TV program now have age-appropriate labels for playing or viewing. Why? Because some language or content is not meant for certain audiences. In the case of *Miranda v. Arizona*, 384 U.S. 436 (1966), the U.S. Supreme Court ruled that the [Fifth Amendment to the U.S. Constitution](#) prevents prosecutors from using a person's statements made in response to [interrogation](#) in [police](#) custody as evidence at their [trial](#) unless they can show that the person was informed of the right to consult with an [attorney](#) before and during questioning, and of the right against [self-incrimination](#) before police questioning, and that the defendant not only understood these rights, but voluntarily

waived them.¹ In 1966, Miranda was not written for children who were immature, irresponsible, or fully aware that their words could affect their long-term freedom. Miranda needs to catch up with the 21st Century.

Sociologically we want you to support SB53 because Legal counsel before a custodial interrogation is the Law.² Law enforcement can lie to obtain information.³ Police “interrogation methods are based on behavioral psychology, scientific methods, and advances in technology.”⁴ Thus, how would the average child compete with that level of questioning? And most recently, Human Rights For Kids released the [2020 National State Ratings Report](#) which rated how well or how poorly each state's laws protected the human rights of children in the justice system. Maryland was tied with 5 other states for the worst score, leading HRFK to label Maryland one of the "Human Rights Offenders.” Their grading was based on the United Nations Convention on the Rights of the Child and the International Covenant on Civil and Political Rights. To be clear, we certainly believe and agree that police officers should question anyone to solve crimes, but children and youth particularly need and are entitled to wise legal counsel before speaking to anyone concerning an alleged crime.

Lastly, we want you to support SB53 because it’s a reasonable request to notify a parent/guardian before a custodial interrogation. The mental scars on a child being interrogated outweighs the wait to contact a parent/guardian. There are endless ways of getting the message to parents/guardians, such as: home, work, and cell numbers; emails, social media (Facebook, Snapchat, Twitter, Instagram, etc.); Taking the child home before going to the precinct; Sending a patrol car to inform parent/neighbor, etc.

In summary, if I were to rephrase words from the Rev. Dr. Martin Luther King, Jr. on the triplets of evil, I would say, “*Now there is nothing new about why we should protect the most vulnerable, our children. What is new are the resources, skills, and techniques to protect them.*”

¹ https://en.wikipedia.org/wiki/Miranda_v._Arizona

² https://en.wikipedia.org/wiki/Miranda_v._Arizona

³ <https://www.davidpshapirolaw.com/can-law-enforcement-lie-to-you/>

⁴ Philip Matthew Stinson, Sr., J.D., Ph.D.

https://scholarworks.bgsu.edu/cgi/viewcontent.cgi?article=1086&context=crim_just_pub.

Thus, the question is whether our state or nation has the will. ⁵ Thus, we urge you to vote in favor of SB53.

Sincerely,

Marlon Tilghman

Rev. Dr. Marlon B. Tilghman,
Co-Chair of BRIDGE Maryland, Inc., Criminal Justice Workgroup

⁵ King Jr., Martin Luther, "Martin Luther King, Jr. Saw Three Evils in the World | Racism was only the First," The Atlantic, May 10, 1967, accessed September 12, 2020, <https://www.theatlantic.com/magazine/archive/2018/02/martin-luther-king-hungry-club-forum/552533/>