

Mr. Chairman and Members of the House Judiciary Committee:

I am writing today in opposition of the “Juvenile Interrogation” Bill, SB0053. As a prosecutor and a lifelong Anne Arundel County Resident, I am concerned about how this Bill will impact victims of crimes. There are already Federal Constitution protections in place and case law as it relates to questioning juveniles (see *In re Lucas F.*, 68 Md. App. 97 (1986)). Juveniles are protected as it relates interrogations, even more than adults, as case law has more broadly defined custody with respect to Juveniles. Courts have already recognized they can consider the age of the child when determining if a statement was voluntary and therefore admissible in court at a subsequent trial or court proceeding. They are already afforded heightened protections of their rights based on case law surrounding juvenile confessions and statements.

To name a few of the unintended consequences of the “Juvenile Interrogation” Bill please consider the following examples:

- The child victim who is being sexually molested or mistreated by another child or sibling. This Bill would in effect limit the investigating officer’s ability to speak to the child suspect.
- Often in child sex cases we can shield or protect a very young victim from having to testify because we have a statement from the juvenile offender. Without an offenders statement you are putting a child sex victim in a position of having to testify or risk continued abuse in the community.
- This Bill could also put parents in a position where they have to sit through one child being questioned as to the abuse or maltreatment of their other child or to choose which child they seek to protect.
- The “Juvenile Interrogation” Bill would also prevent a child from speaking to officers about an incident willingly because this bill precludes the child’s ability to even waive their right to counsel.

What is often ignored about these discussions involving juveniles is the primary purpose of juvenile court is to provide guidance, treatment and rehabilitation. In all juvenile court cases records are protected by confidentially statutes and the goal is to get the juvenile offender treatment in hopes of preventing future crimes. Treatment is not only a benefit to society

generally but also to the respondent. If someone is not held accountable and offered the opportunity for treatment when they are young no one wins!

The dangers that this Bill seeks to address can be and are already mitigated in other ways. School Resource Officers are already given specific training in this area to ensure the rights of juveniles are protected. In serious cases, such as homicides and sex offenses, it is common for detectives to reach out to the State's Attorney Office for guidance on how to properly conduct interviews with juveniles.

I am not arguing against rights for juveniles in the state of Maryland but rather advocating for the rights of our victims. Our victims deserve to have officers investigate crimes that have been committed against them. They do not deserve to be victimized any further. The Juvenile Interrogation Bill as it stands is a road block to officers investigating and solving crimes committed in this State.

Thank you in advance for your time and consideration,

Joanna Petros

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for Anne Arundel County,  
Juvenile Division Chief