

Bill Number: HB 1374

Edward J. Coyne, Deputy State's Attorney for Carroll County Opposed

WRITTEN TESTIMONY OF EDWARD J. COYNE,
DEPUTY STATE'S ATTORNEY FOR CARROLL COUNTY
IN OPPOSITION TO HOUSE BILL 1374 CUSTODIAL
INTERROGATION OF MINORS- ADMISSIBILITY OF STATEMENTS

I write in opposition to House Bill 1374, which would create too high of a legal hurdle into admitting the statements from juvenile suspects of crimes into evidence. Law enforcement interview juveniles on a variety of crimes including crimes of violence. As prosecutors, we advocate for justice and public safety. The current judicial statement already adequately reviews the statements of juvenile and prosecutors have to overcome three different categories of legal requirements (common law voluntariness, constitutional voluntariness, and Miranda) prior to having a statement admitted into evidence. Once admitted, the jury must find beyond a reasonable doubt that the statement of the suspect was voluntary. The current practice is customized to the suspect because the Court and jury must take into account the age, intellectual abilities, and any mental issues among the numerous other factors in determining whether a statement should be considered as evidence. This bill would create an additional and unnecessary obstacle to admitting statements from Juvenile suspect. The bill would prevent justice in some cases where statements of Juveniles could not be considered in obtaining a just outcome.

The Carroll County State's Attorney's Office joins the Maryland State's Attorneys' Association in requesting that this committee give HB 1374 an unfavorable report.