
**Written Testimony Submitted for the Record to the
Maryland House of Delegates
Judiciary Committee
For the Hearing on
Custodial Interrogation of Minors - Admissibility of Statements (HB 1374)
March 3, 2022**

SUPPORT

Free State PTA represents over 34,000 volunteer members and families in over 500 public schools. Free State PTA is comprised of families, students, teachers, administrators, and business as well as community leaders devoted to the educational success of children and family engagement in Maryland. As the state's premier and largest child advocacy organization, Free State PTA is a powerful voice for all children, a relevant resource for families, schools and communities and a strong advocate for public education.

Free State PTA submits this testimony in support of House Bill 1374 – Custodial Interrogation of Minors - Admissibility of Statements. This bill establishes two clear procedural actions:

1. A rebuttable presumption that a statement made by a minor during a custodial interrogation is involuntary and is inadmissible in a juvenile or criminal proceeding against the minor if the law enforcement officer intentionally used information known by the officer to be false in order to elicit the statement.
2. The presumption may be rebutted by clear and convincing evidence that the statement was voluntary and not made in response to the false information used by the officer to elicit the statement.

Our PTA Association supports the reauthorization of the Juvenile Justice Reform Act of 2018 which reauthorized the Juvenile Justice and Delinquency Prevention Act (JJDP) and strengthened the nation's juvenile justice system. Key [amendments](#) to this act involves not treating minors as adults. House bill 1374, in fact, prevents schemes to elicit potentially false statements to be used on minors just as it is used for adults. Given the fact that a well-known case of the Central Park Five that eventually exonerated, several years later, five youth wrongfully accused of a heinous crime, is proof positive that when [officers intentionally use misinformation](#) to obtain statements it hurts children as they turn into adults and makes vulnerable society to more crimes because the real criminal is still at large.

This bill also improves the outlook that youth have on the integrity of being a police officer. When it comes to career and college readiness, law enforcement professions are highly scrutinized and intriguing to many minors. But to some youth, they may be plagued with fear of and disrespect toward law enforcement. Strengthening the work-related practices of police officers provides an improved outlook on the profession. Ultimately, minimizing deceptive tactics to obtain a statement that is likely false helps no one.

Free State PTA speaks up for every child, and this legislation protects minors, fosters integrity within law enforcement, and most important improves the opportunity to obtain criminals using facts. It is for these reasons above that Free State PTA urges a favorable vote in support of House Bill 1374.

Testimony is presented on the behalf of

Marla Posey-Moss

Marla Posey-Moss, President

Free State Parent Teacher Association

president.fsptamd@gmail.com

The mission of Free State PTA is to make every child's potential a reality by engaging and empowering families and communities to advocate for all children.