

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 Luke Clippinger and Honorable House Judiciary Committee,

On behalf of Bridge Maryland, Inc, we speak in **favor of Senate Bill 0053** with amendments. BRIDGE Maryland, Inc., which represents several of the legislative districts on this committee and throughout the state, want to THANK YOU for passing the Child Interrogation Bill out of committee in 2021 and we applaud your efforts to protect our most vulnerable population in Maryland with this bill. After weeks of negotiations with the MYJC team we support the amendments in Senate Bill 53. This bill maintains the theological stance of over 7 faith traditions that feel it is our moral imperative to protect children from the risk of emotional, cultural, and situational trauma that could impact them into their adulthood. A position from our sacred text that says in the Talmudic, *our children are our guarantors*. Our sacred text that says in the Torah that, "*Children's children are a crown to the aged, and parents are the pride of their children*" (Proverbs 17:6). And 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, SB53 will bring Miranda into the 21<sup>st</sup> Century to protect our children. Every game, movie, and TV program now has 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.<sup>1</sup> 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 21<sup>st</sup> Century.

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<sup>1</sup> [https://en.wikipedia.org/wiki/Miranda\\_v.\\_Arizona](https://en.wikipedia.org/wiki/Miranda_v._Arizona)

Sociologically, SB53 reinforces that legal counsel before a custodial interrogation is the Law.<sup>2</sup> Law enforcement can lie to obtain information.<sup>3</sup> Police “interrogation methods are based on behavioral psychology, scientific methods, and advances in technology.”<sup>4</sup> 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, SB53 is a reasonable request to notify a parent/guardian before a custodial interrogation. The mental scars on a child being interrogated outweigh 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. Thus, we urge you to vote in favor of SB53 with amendments. Let’s show our children we want #CareNotCage and #KidCantWait.

Sincerely,

*Marlon Tilghman*

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

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<sup>2</sup> [https://en.wikipedia.org/wiki/Miranda\\_v.\\_Arizona](https://en.wikipedia.org/wiki/Miranda_v._Arizona)

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

<sup>4</sup> Philip Matthew Stinson, Sr., J.D., Ph.D.

[https://scholarworks.bgsu.edu/cgi/viewcontent.cgi?article=1086&context=crim\\_just\\_pub](https://scholarworks.bgsu.edu/cgi/viewcontent.cgi?article=1086&context=crim_just_pub).