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Re: Opposition to **SB0053** Juvenile Law- Child Interrogation Protection Act

As the Chief of the Juvenile Division of the Frederick County State's Attorney's Office I have dedicated the last 15 years of my career to balancing the safety of the community and the rehabilitation of the youth involved in delinquency. What separates the Juvenile Court from other areas of our law is the laser focus of the courts on rehabilitation.

The Juvenile Interrogation Act SB53 will put a roadblock to rehabilitation and accountability and cause an even greater spike in juvenile crimes. Make no mistake, the Juvenile Interrogation Act's requirement that every juvenile in custody have an attorney before talking to a police officer will shut down every single investigation involving youth. It is the nature of our legal system that a defense attorney will deny involvement for their client; they do not allow clients to speak. Crimes will go unsolved, and youth will not receive the needed rehabilitation. Whether the police are investigating a carjacking, a police shooting, a girl being harassed by boys in the neighborhood, or a kid's cell phone being stolen—these investigations will involve child witnesses who could be suspects. These investigations will all come to a grinding halt. To curtail the ability of the police to investigate crime to such a large degree will make our streets even more unsafe, our schools less safe, and our youth vulnerable.

Those supporting the Child Interrogation Protection Act indicate that protection is needed for our youth when talking to police, but they have gone too far. Requiring an attorney stops crimes from being solved, and importantly stops all rehabilitative efforts for the youth involved.

If this legislation was truly about protecting the youth from police misconduct, that could be done with the language in paragraph (b)(1) requiring detailed notice to parents that the youth is in custody, recommending the Court of Appeals to adopt/develop age-appropriate advisement of rights (E), and that the interrogation be recorded (G)(2). These suggestions meet the stated goal of protecting youth but would allow for crimes against our community to be investigated.

- Section 3-8A-14.2(C) that requires every youth have an attorney is the language that should be fatal to this legislation.

If youth cannot be interviewed by police officers, it will largely be other youth who are harmed. The number of victims and witnesses who will be begging for help will skyrocket. Every day our office now is in contact with parents begging for their child to be protected, and we will be forced to tell them there is

nothing that can be done. You can be sure they will be calling their State's Attorney's Office, their police agencies, their delegates, and their senators asking why Maryland put the defense attorneys in charge of protecting our communities.

The cornerstones of therapy, rehabilitation and change require acknowledgement of one's mistakes, taking ownership of wrongs, and working through them in rehabilitative services. Everyone who has raised a child knows being held accountable means something. **This legislation requiring an attorney for any youth is contrary to the stated purposes of Maryland's juvenile court system:**

"The purposes of this [Juvenile] subtitle are:

(1) To ensure that the Juvenile Justice System balances the following objectives for children who have committed delinquent acts:

(i) Public safety and the protection of the community;

(ii) Accountability of the child to the victim and the community for offenses committed; and

(iii) Competency and character development to assist children in becoming responsible and productive members of society;"

Md. Code Ann., Cts. & Jud. Proc. § 3-8A-02(a).

I urge your vote against any legislation that requires a lawyer be present for interviews of youth.

You can protect youth and require police follow the law without harming our communities in this way. This proposed legislation will shut down virtually every investigation involving our young people; Crimes will go unsolved and our Maryland neighborhoods more dangerous.

I would welcome any calls or questions.

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The mission of the Frederick County State's Attorney's Office is to promote public safety and foster a sense of security in our community by holding people accountable for violating the law and pursuing justice in a fair, honest, efficient and ethical manner.