

Dear Members of the Judiciary Committee,

I am a resident of District 46 and a parent of two kids, ages 11 and am testifying in opposition to HB319, the Juvenile Justice Restoration Act.

14. I

I am submitting this testimony as a member of Showing Up for Racial Justice Baltimore, a group working as part of a multi-racial movement equity and racial justice in Baltimore City and Baltimore County.



for

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The sponsors of this bill want to prosecute children as young as years old.

Showing Up for Racial Justice

- Ten-year-olds (and 11 year olds, and so on) do not belong in handcuffs. They belong in school, outside, playing ball, laughing with friends, spending time in their communities.
- If a 10-year-old commits a crime, why would the law not take into account whose care the child is in? This legislation continues to ignore that.
- Detaining 10-year-olds is SUPER expensive.
- Why assume that a child has a more sophisticated understanding of the law than adults do?
- Have you considered other ways – that don't involve locking up children – to hold kids accountable for wrongdoing? Things that might help them develop a sense of communal responsibility, a sense that their actions matter (and can matter in good ways) to the people around them?
- Which color children would this law most likely affect?

When your committee passed the Child Interrogation Protection Act (CIPA) last year, this committee - and the legislature as a whole - recognized that children, who have both a diminished capacity to understand their legal rights and a greater vulnerability to coercion by adults, and who may be very intimidated by police, should be protected from giving up their right to consult an attorney without really understanding it. CIPA requires the police to both notify a child's parent or guardian of their intent to question the child, and ensure that the child actually receives advice from counsel before the questioning takes place. This bill would allow the child's parent or guardian to consent to interrogating the child without an attorney's advice. Not only does this give parents the right to waive their children's right to legal counsel, but also its obvious intent is to make it easier for police to pressure children to confess before seeking legal advice. Instead of pressuring the child, the police will simply pressure the parent- who has likely not consulted with an attorney either- to coerce the child into "cooperating" with the interrogation which may be against their own interests.

Last year, you recognized that kids waive their rights and make false confessions more often than adults, necessitating in an extra layer of protection between arrested children and interrogation. **The need for CIPA has not changed, and so CIPA should not change.**

It is for these reasons that I am encouraging you to vote against **HB319**..

Thank you for your time, service, and consideration.

Sincerely,
Liz Simon-Higgs
308 E Randall Street, Baltimore, MD 21230
Showing Up for Racial Justice Baltimore