

Bill Number: HB624

Scott D. Shellenberger, State's Attorney for Baltimore County

Opposed

WRITTEN TESTIMONY OF SCOTT D. SHELLENBERGER,
STATE'S ATTORNEY FOR BALTIMORE COUNTY,
IN OPPOSITION OF HOUSE BILL 624
CHILD INTERROGATION PROTECTION ACT

I write in opposition to House Bill 624 that substantially hampers law enforcements ability to investigate crimes and goes well beyond the protections afforded under the Constitution. This bill also ignores some practical realities of some of the most heinous violent crimes that can be committed by juveniles.

On February 2, 2008, Nicholas Browning, who was 15 years old, shot his father in the head, shot his mother in the head and killed his younger brothers. All four died. Browning was 6'2" tall, 200lbs with an IQ of 125 and was an honor student. Browning wore gloves and had a spare magazine on him. This was a cold and calculated murder.

If House Bill 624 was in effect who do the police call for notification? Who does the lawyer call when consulting with the parents?

The gun Browning used was missing and hidden. Can the police conduct a public safety interview to retrieve the gun?

The problem that House Bill 624 presents is not a problem for just one case.

Also in 2008, Lewin Powell, who was 16 years old, beat his mother to death with a baseball bat. When his father arrived home, he tried to beat him to death. Powell was a student at McDonogh and beat his mother to death because she kept asking about his failing school grades.

Who do the police call in the Powell case? Do the police not have the right to find out where Mrs. Powell's body is hidden?

In 2018, four teens were in the Perry Hall area of Baltimore county committing burglaries. A neighbor became suspicious and called police. Officer Amy Caprio, a 29 year old police officer responded.

Office Caprio noticed a suspicious car and confronted the driver. Dawnta Harris, who was 17 years old, ran her over and killed her. Harris, at the time he killed Officer Caprio, was on probation and home detention with Juvenile Services. What do police do in this case and following the arrest of the three other teenagers who were burglarizing a home as Officer Caprio was murdered?

In all of these cases, police followed the Constitution of the United States. They followed the dictates of the Supreme Court and the Court of Appeals.

All these Defendants were properly advised of their rights.

What do police do about the sexual child abuse case that occurs between siblings or step siblings? If son is suspected of sexually abusing his sister, how will the police ever get to the truth if the parents have to be consulted prior to questioning? If questioning is blocked by the parents and a case cannot move forward, more sexual assaults may occur.

Passing House Bill 624 goes well beyond the constitutional protections for all other citizens of the United States. Each of the above Defendant's had an attorney for trial and reviewed the facts of their clients' cases to make sure the constitutional guarantees afforded Defendants had been complied with.

I urge an unfavorable report.