

SB120_AnnaRubin_UNFAV
Feb. 12, 2024
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TESTIMONY ON SB120 POSITION: UNFAVORABLE

Juvenile Law - Custodial Interrogation - Parental Consultation

TO: Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

FROM: Dr. Anna Rubin

My name is Anna Rubin. I am a resident of District 13. I am submitting this testimony against SB052, the Juvenile Law - Custodial Interrogation - Parental Consultation Act. I am a White member of Columbia Jewish Congregation and act as the co-chair of its Social Action Committee and a member of the CJC Standing for Racial Justice Committee. I am also co-chair of the Indivisible Howard County Immigration Action Team.

Jewish tradition focuses a great deal on nurturing, educating and caring for children. We are taught that the Divine encompasses both justice and mercy, but some prosecutors and lawmakers scapegoat Black children rather than nurture them as the divine beings we know all children are. I thank God that my Latino son never was suspected of a crime or was apprehended in his young years because he would have had no idea what Miranda rights were. Why should a child not have the same protection as an adult?

- I am opposed to SB120 because the proposed changes do not enhance community safety. This bill undermines important provisions of the Juvenile Justice Restoration Act and ignores over 20 years of research and data on the most effective ways to hold kids accountable and improve safety. SB120 targets the Child Interrogation Protection Act, a crucial piece of legislation passed into law in the past few years to protect the rights and dignity of children.
- Children must be given the opportunity to speak to a lawyer prior to a custodial interrogation by law enforcement – SB52's stipulation that parents, guardians, or custodians of a child can consent to the custodial interrogation of a child without the child's consultation with an attorney is simply insufficient.

I am very concerned that the proposed changes may steamroll intake, and lead to coerced confessions from children and their parents who do not understand the child's Miranda rights as has been well-documented before this situation was reformed. This proposed law is not based on data – it seems to be based on a response to inflammatory media and dangerous notions of predatory black and minority youth. And it seems to be a response of police and states' attorneys to enhance their reputations as 'tough on crime' rather than serving the safety of the community.

I respectfully urge this committee to return an unfavorable report on SB120.

Sincerely,
Dr. Anna Rubin

