

Dear Members of the Judicial Proceedings Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City and Baltimore County. We are also working in collaboration with the Campaign for Justice, Safety, and Jobs. I am a resident of District 40. As a parent myself, and a former child of two parents, I am keenly aware that I am no lawyer, and neither were my parents. While my parents and I as a parent did our best to steer our children in the moral direction, we did not know the details of the law. **I am testifying against SB0120 Custodial Interrogation - Parental Consultation.**



Showing Up for Racial Justice

This bill would alter the Child Interrogation Protection Act in a way that creates an injustice, by allowing law enforcement to substitute a parent or guardian for access to an attorney.

- Children have the same Constitutional rights to an attorney as adults do. Due Process is the legal requirement that the state must respect a child's right to remain silent and right to counsel.
- Studies show that children waive their Miranda rights at a rate of 90 percent and make false confessions at a much higher rate than adults.¹
- Children's brains are not fully developed and added to that is the fear and confusion that children face during encounters with police. False confessions not only harm the child but also undermine the police's ability to apprehend the right person.
- Parents too may be fearful of police and just want to have their child home and safe. In the moment many are unlikely to be thinking of the child's constitutional rights and protections.

My son was once accused of shoplifting, and as a parent, I was terrified myself! My judgement at that time was in no way a substitute for the clear-minded thinking of an attorney.

If your child were in trouble with the law, would you consider that your own judgement in that first moment was equal to that of an attorney's? In fact, our parental judgement can only be strengthened by that of an attorney's!

It is for these reasons that I am encouraging you to vote against **SB0120 Custodial Interrogation - Parental Consultation.**

Thank you for your time, service, and consideration.

Sincerely,
Jan Kleinman
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Showing Up for Racial Justice Baltimore

¹ <https://abcnews.go.com/US/30000-children-age-10-arrested-us-2013-fbi/story?id=65798787>