

SB 120_ JoShifrin_UNFAV

Hearing Date: February 13, 2024

Jo Shifrin

Bethesda, MD 20817

TESTIMONY ON SB 120- POSITION: UNFAVORABLE
Juvenile Law - Custodial Interrogation - Parental Consultation

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

FROM: Jo Shifrin

My name is Jo Shifrin. I am a resident of District 16. I am submitting this testimony against SB 120, Juvenile Law - Custodial Interrogation - Parental Consultation.

I am a Jewish retiree, and a Bethesda resident for the last 10 years. Jewish values hold that all of us deserve a life with dignity, respect, and safety. Jewish tradition also teaches that in a just world, all people would have what the *Torah* calls *dey machsoro*, that is, resources sufficient for their needs. Our tradition also teaches that the divine encompasses both justice and mercy. It is unfortunate that some lawmakers are guided by fear, choosing punishment over rehabilitation..

In 2022, Maryland passed the Child Interrogation Protection Act, which made tremendous progress in how the state treats juveniles who come in contact with the juvenile justice system. The law ensured that children who are subject to interrogation by law enforcement:

- are properly afforded their constitutional right to counsel,
- required parental notification that the child would be interrogated, and
- that the child would be read their Miranda rights, provided in a way commensurate with their developmental age.

The reasons that these protections are so important, is that young people:

- are far more vulnerable to falsely confessing because they have less impulse control,
- are more prone to risky decision-making,
- are more susceptible to the promise of immediate rewards, and
- are more likely to comply with authority.

But the proposed legislation, SB 120, undermines that prior law and ignores more than 20 years of data, research, and experience on the most effective way to hold children accountable for their misbehaviors. “According to the National Registry of Exonerations, 36 percent of all exonerees were younger than 18 years old at the time of the alleged offense. In a study of youth

who self-reported confessing, 35% reported falsely confessing. By allowing a process to continue that leads to so many false confessions, we are not only severely harming our young people but are causing significant detriment to public safety by not holding accountable the person who actually committed the offense.”¹

I respectfully urge this committee to return an unfavorable report on SB 120.

¹ According to the testimony of the National Juvenile Justice Network.