

February 13, 2024

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**TESTIMONY ON SB 0120 - POSITION: UNFAVORABLE--- Juvenile Law—Custodial
Interrogation—Parental Consultation**

TO: Chair William C. Smith, Jr., Vice Chair, Jeff Waldstreicher, and members of the Judicial Proceedings Committee

FROM: Susan Tafler, on behalf of Jews United for Justice

My name is Susan Tafler. I am a resident of Odenton in District 21. On behalf of Jews United for Justice, I am submitting this testimony against SB120 Juvenile Law—Custodial Interrogation—Parental Consultation, sponsored by Senators Watson, Carozza, and West. JUFJ organizes 6,000 Jewish Marylanders and allies from across the state in support of social, racial, and economic justice campaigns.

Jewish history and values have long recognized the differing capacities of children and adults. *Yetzer harah*, the “evil inclination,” is seen as a drive toward pleasure that can be tempered by *yetzer hatov*, the “good inclination” or moral sense that leads to benefits toward oneself and society. The ability to “tame” the basic instincts, *yetzer harah*, with higher level reasoning, *yetzer hatov*, grows stronger as we mature, warranting different treatment of children and adults.

I taught high school biology for a good number of years, so I know what teenagers are like. In my classroom, I certainly had my share of kids who were immature, impulsive, and disruptive, and a few who got themselves into trouble in school or their community. I did feel confident that given support and steady guidance those young troublemakers would eventually mature and settle down to turn into some pretty good adults. Teenagers are kids, and because they are kids, they often do not think about the consequences of their actions, even if that action is a serious crime. And teenagers certainly do not understand their legal options when they get in trouble.

That is why I supported the passage of the Child Interrogation Protection Act in 2022, to ensure that youth have legal consultation before police can question them, and why I am opposed to SB120. This legislation will repeal an excellent law, which helps kids understand their legal rights and the best course of action they could take to get the support and help they need. SB120 would authorize a child to consult with the child's parent or guardian instead of an attorney before a law enforcement officer may conduct a custodial interrogation of the child. While parents may think they have the best interests of their children at heart, they do not have the legal expertise of lawyers and cannot properly understand the legal ramifications facing their child. Parents should not be able to waive their child's legal rights.

Kids are kids, but they are still people. They deserve the same rights and justice that we all do. On behalf of Jews United for Justice, I respectfully urge this committee to return an unfavorable report on SB120.