



State of Maryland
Department of State Police
Government Affairs Section
Annapolis Office (410) 260-6100

POSITION ON PROPOSED LEGISLATION

DATE: February 19, 2020

BILL NUMBER: Senate Bill 593 **POSITION:** Letter of Information

BILL TITLE: Juvenile Law – Child Interrogation Protection Act

REVIEW AND ANALYSIS:

This legislation seeks to require a law enforcement officer who takes a child into custody to provide notice to the child's parent, guardian or custodian. This legislation also prohibits the interrogation of a child by a law enforcement officer until the child has consulted with an attorney, a right that may not be waived.

Under current law, law enforcement officers are permitted to take a minor into custody, attempt to notify the parents of the custody, read the minor their Miranda rights, and then conduct an interrogation of the minor if the right to remain silent or invoke an attorney are not expressed.

This legislation could cause major delays in obtaining useful information from the minor. Such as at the scene of a crime, the ability to determine if there are any other suspects involved, the location of injured innocent people, or the location of a discarded weapon that could be subsequently obtained by another person and cause harm to that person or others.

Another possible issue with this legislation is what if the minor refuses to provide their name or any information regarding their parent, guardian or custodian. What if the minor will not provide any information regarding an attorney? The Public Defender may not be able to determine qualification for representation, but the legislation does not allow the interrogation to commence without the consultation.