

Submitted by: Rev. Marlon B. Tilghman (a Harford County, MD Pastor, U.S. Marine Corps SSgt, retired commission '92), 1118 Marksworth Road, Gwynn Oak, Maryland 21207.

Dear William Smith and members of the Senate Judiciary Proceeding Committee,

I am speaking in favor of Senate Bill 136 with amendments submitted by sponsor of the bill. It was former President Hubert Humphrey who said that, "*The **moral test of government** is how that government treats those who are in the dawn of life, the children.*" And it was Nelson Mandela who said that, "*There is no keener revelation of **a society's soul** than the way in which it treats its children.*" And Rev. Dr. Martin Luther King, Jr. summarized these respected leaders by saying, "*The law cannot control how people regard each other, but it can mandate how people treat each other.*"

BRIDGE Maryland, Inc., which represents several of the legislative districts on this committee, and throughout the state, wants our most vulnerable population in Maryland protected from harmful interrogations that could scar them for life. We want our children, grandchildren, nieces, nephews, and the next unborn generation to feel safe in the custody of police officers who are authorized to lie to get answers for incarceration. We want these things for several reasons. Theologically, we want SB136 to pass because our membership of over 7 faith traditions feel it is our moral imperative to protect them from the risk of emotional, cultural and situational trauma that could impact them into their adulthood. Our sacred texts in the Talmudic says *our children are our guarantors*. Our sacred text tells us in the Torah that, "*Children's children are a crown to the aged, and parents are the pride of their children*" (Proverbs 17:6). Our sacred text from the words of Jesus the Christ says, "*See that you do not despise one of these little ones. For I tell you that their angels in heaven always see the face of my Father in heaven*" (Matthew 18:10).

Historically we want you to support SB136 because it brings Miranda into the 21<sup>st</sup> Century to protect our children. Every game, movie, and TV program now have age appropriate labels for playing or viewing. Why? Because some language or content is not meant for certain audiences. In the case of *Miranda v. Arizona*, 384 U.S. 436 (1966), the U.S. Supreme Court ruled that the [Fifth Amendment to the U.S. Constitution](#) prevents prosecutors from using a person's statements made in response to [interrogation](#) in [police](#) custody as evidence at their [trial](#) unless they can show that the person was informed of the right to consult with

an [attorney](#) before and during questioning, and of the right against [self-incrimination](#) before police questioning, and that the defendant not only understood these rights, but voluntarily waived them.<sup>1</sup> In 1966, Miranda was not written for children who were immature, irresponsible, or fully aware that their words could affect their long-term freedom. [Miranda needs to catch up with the 21<sup>st</sup> Century.](#)

Sociologically we want you to support SB136 because Legal counsel before a custodial interrogation is the Law.<sup>2</sup> Law enforcement can lie to obtain information.<sup>3</sup> Police “interrogation methods are based on behavioral psychology, scientific methods, and advances in technology.”<sup>4</sup> Thus, how would the average child compete with that level of questioning? And most recently, Human Rights For Kids released the [2020 National State Ratings Report](#) which rated how well or how poorly each state's laws protected the human rights of children in the justice system. Maryland was tied with 5 other states for the worst score, leading HRFK to label Maryland one of the "Human Rights Offenders.” Their grading was based on the United Nations Convention on the Rights of the Child and the International Covenant on Civil and Political Rights.

Lastly, we want you to support SB136 because it's a reasonable request to notify a parent/guardian before a custodial interrogation. The mental scars on a child being interrogated outweighs the wait to contact a parent/guardian. There are endless ways of getting the message to parents/guardians, such as: home, work, and cell numbers; emails, social media (Facebook, Snapchat, Twitter, Instagram, etc.); Taking the child home before going to the precinct; Sending a patrol car to inform parent/neighbor, etc.

In summary, if I were to rephrase words from the Rev. Dr. Martin Luther King, Jr. on the triplets of evil, I would say, “*Now there is nothing new about why we should protect the most vulnerable, our children. What is new are the resources, skills, and techniques to protect them. Thus, the question is whether our state or nation has the will.*”<sup>5</sup>

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<sup>1</sup> [https://en.wikipedia.org/wiki/Miranda\\_v.\\_Arizona](https://en.wikipedia.org/wiki/Miranda_v._Arizona)

<sup>2</sup> [https://en.wikipedia.org/wiki/Miranda\\_v.\\_Arizona](https://en.wikipedia.org/wiki/Miranda_v._Arizona)

<sup>3</sup> <https://www.davidpshapirolaw.com/can-law-enforcement-lie-to-you/>

<sup>4</sup> Philip Matthew Stinson, Sr., J.D., Ph.D.

[https://scholarworks.bgsu.edu/cgi/viewcontent.cgi?article=1086&context=crim\\_just\\_pub](https://scholarworks.bgsu.edu/cgi/viewcontent.cgi?article=1086&context=crim_just_pub).

<sup>5</sup> King Jr., Martin Luther, “Martin Luther King, Jr. Saw Three Evils in the World | Racism was only the First,” The Atlantic, May 10, 1967, accessed September 12, 2020,

<https://www.theatlantic.com/magazine/archive/2018/02/martin-luther-king-hungry-club-forum/552533/>

Thus, if we are not providing good council to children in what could be the most influential decision in their life, we are being disobedient to God. Legal council is reasonable, parent notification is rational and Maranda that is age appropriate at least gives our children, the constituents of your children, a fair chance at due process. Therefore, we urge you to vote in favor of SB136 with amendments submitted by sponsors of the bill.

Sincerely,

Rev. Marlon B. Tilghman,  
Co-Chair of BRIDGE Maryland, Inc., Criminal Justice and Education Workgroup