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TESTIMONY IN SUPPORT OF SBI36/HB315
Juvenile Law - Juvenile Interrogation Protection Act

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

FROM: Anita Lampel, on behalf of Jews United for Justice (JUFJ)

My name is Anita Lampel. I live in Bethesda, in District 16. I offer my written testimony on behalf of Jews United for Justice, in favor of SBI 36/HB315, Juvenile Law - Juvenile Interrogation Protection Act. JUFJ organizes more than 5,500 Jewish Marylanders and allies in support of local and state campaigns for social, racial, and economic justice.

Jewish text teaches us that in all we do, we must work towards justice: “Tzedek, tzedek tirdof - Justice, justice shall you pursue.” As we work to reform our prison system, we must actively strive for justice and equity. SBI 36/HB315 brings us a step closer towards that pursuit.

My background and training is in child and adolescent mental health issues, and I have a Ph.D. from Stanford University. I’ve headed a department of child and adolescent mental health, served on commissions and committees addressing the needs of juvenile offenders, and given expert testimony in juvenile courts. I can state unequivocally that children and youth do not think in the same way as adults.

Children and youth are protected groups in society because they do not have the reasoning skills or behavioral controls that come with adulthood. As research shows definitively, their vulnerabilities are worse if they live in poverty, are exposed to violence, have learning disabilities, and/or are members of historically marginalized communities. Studies also show that Black children are routinely viewed as somehow more “mature” at a young age than white children, putting them at even greater risk of harsh treatment when interacting with the justice system. Children and youth are far more likely to give false confessions, to not understand the

consequences of their statements, and to conform to what the pressure of the moment is. Therefore, it is critical that we provide added protection for minors being interrogated by law enforcement.

Children and youth whose freedom -- whose ability to live with family and in their communities -- is at risk whenever they are questioned by law enforcement, must have legal counsel before being questioned and their parents must be notified that they are being questioned. This is the standard in many countries. This is the standard supported by every major advocacy group for children, including the American Psychiatric Association and the American Psychological Association.

Right now, Maryland maintains that children as young as seven-years-old can be held to answer in Juvenile Court for their action, and this state has a higher percentage of youth in the juvenile justice system than almost any other state in the U.S. The school to prison pipeline must stop. Adequate legal protection for juveniles being interrogated by police is one important step in that direction.

JUFJ respectfully urges a favorable report on SB136/HB315.