

Natalie Spicyn MD, MHS, FAAP
3933 Keswick Road
Baltimore, MD 21211
District 41

February 2, 2021

TESTIMONY IN SUPPORT OF SB0136
Juvenile Law - Child Interrogation Protection Act

TO: Hon. Chairman Smith and the members of the Judicial Proceedings Committee

FROM: Natalie Spicyn MD, MHS, FAAP

I am a primary care physician at a community health center in the Park Heights neighborhood of Baltimore, where, as a board-certified pediatrician and adult internal medicine specialist, I care for children, adolescents and adults across the life span. I am writing in strong support of SB 593, which reforms current juvenile interrogation practices to bring them in line with what is appropriate given our understanding of the developing adolescent brain.

It is well-known that the area of the brain that is responsible for higher order cognitive processing, the prefrontal cortex, continues to develop well into the 3rd decade of life. In our medical training, physicians are taught to be responsive to the differences in how adolescents and adults approach decision-making and weigh consequences; for example, when counseling an adult about smoking cessation, we focus on risk of developing emphysema or lung cancer, but when counseling an adolescent, we focus on bad breath, and stained teeth. This is because we understand that the adolescent brain does not process long term risk, such as that of developing lung cancer in several decades, in the same way the adult brain does; it assigns lower saliency, despite greater gravity of this outcome.

It is easy, then, to understand why it is inappropriate for an adolescent to be read the standard “adult” set of Miranda rights, in a situation which is intimidating by definition, and then to potentially waive those rights without the benefit of legal counsel. Without fully comprehending the consequences, juveniles in police custody are easily intimidated into false confessions, which is absolutely unacceptable. Indeed, the Supreme Court of the United States has recognized the need to take age into account when a child is read their Miranda rights.

Children, regardless of their physical size or stature, are not just “little adults” when it comes to their cognitive development and processes, and SB 136 is frankly common sense legislation that ensures that law enforcement must take extra care to not treat children as little adults, expedient as that might be. I hope you will prioritize passage of SB 136 during this legislative session and respectfully urge a favorable report.