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Testimony Favorable to HB0315: Juvenile Interrogation Protection Act

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Chair Delegate Luke Clippenger, Vice-Chair Delegate Vanessa E. Atterbeary, and other esteemed members of the House Judiciary Committee:

My name is Ezra Towne, and my pronouns are they/them/theirs. I am a parent of two children (ages 8 and 13) who attend Montgomery County Public Schools. **I submit this testimony today in favor of SB0136: Juvenile Interrogation Protection Act.**

I am privileged and lucky to have read this bill in its entirety. I have spare time, a home, a computer, a spouse with a full time job, and children who are doing well with virtual school today. My children are also white, and do not have intense developmental or psychological disabilities. Even so, they are far from perfect, and my 8 year old does have behavioral issues at school, including running away from staff and teachers.

SB0136 guarantees that minors, even if they are charged as adults, must be able to seek counsel before they are interrogated, and that the police officers must make a reasonable attempt to provide actual notice to the parent or guardian of the minor. Essentially, it gives children the same Miranda rights that are read to adults at the point of detention and/or arrest.

Maryland needs this bill, and recent news regarding police intervention, custody, and arrest in elementary, middle, and high school environments in just the past year bring this issue to the forefront.

First, there is clear evidence of disproportionate police intervention and arrest rates for black and brown students - especially black students. Their "crimes" and misbehavior are no different than their white cohorts in school settings.

Second, Maryland has more than few recent stories involving policy custody and arrest of minors in school settings. Below are examples of preschool and elementary school children in Montgomery County Public Schools that were placed in police custody during the school day:

- On January 14, 2020, a 5 year old preschooler "walked out" of East Silver Spring Elementary School. MCPD officers were called to help retrieve Shanta Grant's child. This five year old was terrified when the officers arrived, and didn't want to go in the car. The officers grabbed and forcefully placed the child in the police car. One of the officers berated the child on the way to the school - the five year old a "bad kid" who deserved a good spanking from a parent. When they arrived at the school, the officer forced the child into a chair and screamed directly in the preschooler's face. All of these actions were captured on a body cam. Shanta Grant is suing the county and the school district for the trauma caused to her five year old, and I would do the same in Grant's shoes.
- On May 14, 2019, a fourth grader was playing with toy money (clearly identifiable as such) on a school bus. Police and the FBI were called and brought to the child's school. Fake/play/counterfeit money is not illegal unless someone tries to spend it; the child absolutely did not. Tiffany Kelly, the 10 year old's mother I did not know any of this occurred until almost 4 pm, at the end of the school day, when the officer finally called her. This ten year old had a developmental disability, and was using the play money to help socialize with fellow students.

The above examples are mild compared to police intervention, discipline and arrest in our middle and high schools. I will leave others to submit testimony regarding examples of these throughout Maryland. *The very same parental notification requirement and right to legal counsel should be extended to ALL minors both inside our schools, and outside out of them.*

I urge the Judicial Proceedings Committee to file a favorable report on HB0315: Juvenile Interrogation Protection Act.

Sincerely,



Ezra Towne
D18, Montgomery County