



The Arc Maryland
8601 Robert Fulton Drive, Suite 140
Columbia, MD 21046
T 410.571.9320
F 410.974.6021
www.thearcmd.org

SB136/HB315: Juvenile Law - Juvenile Interrogation Protection Act
Assigned to House Judiciary Committee and Senate Judicial Proceedings Committee
February 4, 2021

Position: Support

The Arc Maryland is the largest statewide advocacy organization dedicated to the rights and quality of life of children and adults with intellectual and developmental disabilities. We support SB 136/HB315.

Often, children who become entangled in the legal justice system are questioned by law enforcement without a parent or attorney present. As a result, they face criminal charges, prosecution, and incarceration often without the basic due process rights to which adults are entitled.

Without consideration for the due process rights of children, and supports to ensure these rights are upheld, our current system presents dangers for all children and particularly children with intellectual and developmental disabilities who may lack awareness of the severity of their situation. Some children with disabilities may experience dysregulation of their emotions or have adverse reactions to their environment, causing them to become disruptive or even aggressive. In these situations, trauma-informed and restorative practices/positive behavioral interventions are the keys to safe and effective incident resolution, but we have only just begun to see these practices used in our schools. Students with disabilities, therefore, remain vulnerable to disciplinary responses from schools, and police involvement in incidents.

According to the Maryland Public Schools Arrest Data School Year 2018-2019ⁱ, students with disabilities were referred to law enforcement 16% more often than students without disabilities.

Also, in 2018-2019, Maryland students with disabilities made up 12% of the student population, but received 23% of school-related arrests.ⁱⁱ

We urge the committee to return a favorable report on SB136/HB315 to protect juveniles from interrogation in the absence of their parents or legal representation.

Sincerely,

Ande Kolp
Executive Director
email: akolp@thearcmd.org

ⁱ<http://marylandpublicschools.org/about/Documents/DSFSS/SSSP/StudentArrest/MarylandPublicSchoolsArrestDataSY20182019.pdf>

ⁱⁱ<http://marylandpublicschools.org/about/Documents/DSFSS/SSSP/StudentArrest/MarylandPublicSchoolsArrestDataSY20182019.pdf>