



MARYLAND LEGISLATIVE LATINO CAUCUS

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TO: Delegate Luke Clippinger, Chair
Delegate Vanessa E. Atterbeary, Vice Chair
Judiciary Committee Members

FROM: Maryland Legislative Latino Caucus (MLLC)

DATE: February 4, 2021

RE: HB315 Juvenile Law – Juvenile Interrogation Protection Act.

The MLLC supports HB315 Juvenile Law – Juvenile Interrogation Protection Act.

The MLLC is a bipartisan group of Senators and Delegates committed to supporting legislation that improves the lives of Latinos throughout our state. The MLLC is a crucial voice in the development of public policy that uplifts the Latino community and benefits the state of Maryland. Thank you for allowing us the opportunity to express our support of HB315.

Children are uniquely susceptible to coercive psychological interrogation techniques designed for adults because of their social status compared to their adult interrogators, beliefs on their obligation to obey authority, dependence on adults, and vulnerability to intimidation. These circumstances lead to false confessions and undermining the reliability of the fact-finding process. *Everyone*, including children, have the right to counsel during a custodial interrogation.

Minors are liable to be arrested and interrogated by law enforcement without their parents or legal guardians being notified, and without legal counsel present. According to [The Sentencing Project](#), youth of color remain far more likely to be arrested than white youth. Black and Brown children are disproportionately prosecuted and convicted based on questionable confessions. Between 2003 and 2013, the racial gap between Black and white youth in secure commitment increased by 15%. Latino juveniles were 61% more likely to be committed to detention than Whites. Our children receive harsher punishments and are put at a higher risk to enter the adult criminal system. Our justice system continues to oppress our young people of color by taking advantage of minors' underdeveloped decision-making abilities and not properly informing them about their rights.

HB315 requires parents or guardians to be given notice of arrested or detained juveniles by the arresting law enforcement officers. With the recommendation by the American Bar Association, this bill also creates a Miranda warning for juveniles, and will require all juveniles access to an attorney prior to being interrogated in a custodial interrogation. We demand a voice and protection for our children.

The MLLC supports this bill and urges a favorable report on HB315.