

For HB315
Juvenile Interrogation Protection Act

As community members who work with youth impacted by the juvenile legal system with the collective, “24 and None,” we felt it appropriate to submit our support for HB315 - Juvenile Justice Protection Act. As we prepared our young people to advocate via their own oral and/or written testimony, we were reminded of the various factors and conditions that make it difficult for young people to engage with the legal system and more importantly, the people who sign laws that impact them. Some of our young people are in school or working jobs to support their parents and/or children while also trying to advocate for their lives. We want to continue working with officials to brainstorm other ways for young people to be engaged with our legislative process in ways that are responsive to their lives. Below we have briefly outlined some research and the impact this bill would have on young people all across our state.

Research

Research shows that juveniles waive their *Miranda* rights at extremely high rates, roughly 90 percent of the time¹. When kids "sign the form" it is not clear they understand what they're giving up. Youth interrogation, much like many law enforcement practices in regards to our youth, are often uninformed with the analytical and best-practice recommendations set forth by developmental psychologists. What we know is that juveniles/youth cannot be held to the same rigid standards and expectations as adults because there is a critical yet fundamental understanding that the brain and their youthness impacts their degree of competency, confidence, and judgment². This is not to say that some of our young people are not capable of understanding the law and their rights, but it is to say that there are many environmental and circumstantial conditions within the climate of interrogation that impacts their ability to critically advocate for themselves, by themselves. Instead, we strongly urge that not only are parents informed and consulted before a child is interrogated by the police, but it is a mandatory practice that an attorney is consulted before questioning.

We understand that adults, law enforcement officials, and other authority figures hold a place of “power” in our culture broadly. Due to this cultural norm, people, especially young people, are likely to follow instructions, comply, and obey these figures. It is also the assumption that these people are supposed to protect and support youth. In many social fields, we understand youth to be among vulnerable populations that we provide additional protections. It is imperative that we continue that best-practice and codify these protections.

¹ American Bar Association. (2016). *Police routinely read juveniles their miranda rights, but do kids really understand them?*

https://www.americanbar.org/groups/public_interest/child_law/resources/child_law_practiceonline/child_law_practice/vol-35/august-2016/police-routinely-read-juveniles-their-miranda-rights--but-do-kid/#:~:text=Rsearch%20shows%20that%20juveniles%20waive,it%20at%20roughly%2090%20percent.

² Feld, B.C. (2013). *Kids, cops, and confessions: inside the interrogation room*. NYU Press.

MarTaze Gaines
Jamesha Caldwell

For HB315
Juvenile Interrogation Protection Act

“I was born and raised in Baltimore City, and spent some time in both Atlanta and Nashville. In each of these places, I have witnessed young people’s rights being ignored. Some of these people were childhood friends and others were strangers in a stranger city. I have also seen these same people fight for their rights time and time again. As we continue to fight for justice around the country and the world, it is important that we implement policy and solutions that are led by and centered around a largely impacted population, young people who are currently or formerly involved in the legal system. With this bill signed into law, we will be able to ensure that all young people’s rights are protected regardless of whether they understand them or not. We will also be able to hold officials accountable when they perform actions that negatively impact our community especially our young people.” - MarTaze Gaines, Project Coordinator, 24 and None

To ensure that all young people's rights are protected, we strongly urge all members to support the Juvenile Interrogation Protection Act.