

Hearing: February 2, 2022
Claire Landers
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TESTIMONY ON HB269 POSITION: FAVORABLE
Child Interrogation Protection Act

TO: Chair Clippinger, Vice Chair Moon, and member of the Judiciary Committee

FROM: Claire Landers

My name is Claire Landers. I am a resident of District 11. I respectfully submit this testimony to ask your support for HB269, The Child Interrogation Protection Act.

As a parent who has lived through the pleasures and perils of raising a teenager, I am keenly aware that situations can and do arise where minor children will not act with good judgment or in their best or others' interests. Society regards the experience of making and learning from mistakes a part of "growing up". Yet, we must all recognize that when a bad decision results in a young person being detained and interrogated by police, that places them amid a high-stakes process that could result in derailing the entire arc of their life.

Being held in custody and questioned by police is a stressful, fraught experience, even for an average adult who functions with a fully-developed brain and has accrued a lifetime of experience. Today, we all are well aware that police can coerce, through techniques of implicit intimidation or explicit threat, a mature adult into making statements that are provably false. A skilled interrogator can even persuade adults that it is "in their best interest" to forego their fundamental right to a lawyer, a decision that may result in major unforeseen consequences.

If we know that even adults may be overwhelmed by interrogators, how can we allow any individual under 18 to face questioning alone, without counsel of a lawyer? Frankly, I am certain the vast majority of Maryland parents would expect to be informed that their child is in the custody of police; they would certainly want a lawyer to be present during that child's interrogation, given their personal and legal vulnerability.

As a Marylander and a parent, I write especially to support Maryland's children who are most likely to be detained and questioned by police: The Black and brown children who are detained, arrested - and incarcerated out of proportion to their numbers throughout every facet of our criminal legal system. Mandating that a lawyer is present with every child facing interrogation while in police custody extends basic rights to impressionable minors; it is an important step Maryland must take to begin remediating the racial bias embedded in our state's legal systems.

I urge the members of the Judiciary Committee to move HB269 forward with a favorable report. In so doing, this esteemed committee will demonstrate its public commitment to ensuring that all of the youngest members of our still-unequal society will have their fundamental rights protected when facing the full weight of professional police interrogators. Thank you.