



February 8, 2023

HB 169 – Custodial Interrogation of Minors - Admissibility of Statements
House Judiciary Committee
Position: Favorable

Human Rights for Kids respectfully requests that the Committee issue a favorable report on House Bill 169. We are grateful to Delegate Acevero for his leadership in introducing this bill and we appreciate the opportunity to express our support.

Human Rights for Kids is a Washington, D.C.-based non-profit organization dedicated to the promotion and protection of the human rights of children. We work to inform the way the nation understands Adverse Childhood Experiences (ACEs) from a human rights perspective, to better educate the public and policymakers’ understanding of the relationship between early childhood trauma and negative life outcomes. We use an integrated, multi-faceted approach which consists of research and public education, coalition-building and grassroots mobilization, and policy advocacy and strategic litigation to advance critical human rights on behalf of children in the United States.

We support HB 169 because minors who come into contact with the justice system must be treated differently than adults. This is because the brain science tells us that children’s brains are not fully developed, and therefore they are more vulnerable to deceptive police tactics. During custodial interrogation, young people are especially likely to feel fear and take actions they believe will satisfy law enforcement and lead to their release.

When examining the research, it becomes clear that when subject to interrogation and deceptive tactics, children are likely to falsely confess: “Coercive and deceptive interrogation methods, coupled with the recognized vulnerabilities and susceptibilities of children as a group, has led to an unacceptably high rate of false confessions among juvenile suspects.”¹ According

¹ “Five Facts about Police Deception and Youth You Should Know” by Nigel Quiroz, The Innocence Project: <https://innocenceproject.org/police-deception-lying-interrogations-youth-teenagers/>

to the National Registry of Exonerations 36% of exonerees who were wrongly convicted as children falsely confessed.² The number is even higher when considering 14- and 15-year-olds (57%) and children under 14 (86%).³

It is for the foregoing reasons that Human Rights for Kids respectfully requests that the Committee issue a favorable report on HB 169 by Delegate Acevero.

Thank you for your time and consideration.

Submitted by: Emily Virgin, Director of Advocacy & Government Relations, Human Rights for Kids, evirgin@humanrightsforkids.org

² “Age and Mental Status of Exonerated Defendants Who Confessed” 3/17/2020, National Registry of Exonerations, <https://www.law.umich.edu/special/exoneration/Documents/Age%20and%20Mental%20Status%20of%20Exonerated%20Defendants%20Who%20Falsely%20Confess%20Table.pdf>

³ Id.