



February 8, 2024

Honorable Chair Luke Clippinger
House Judiciary Committee
House Office Building, Room 121
Annapolis, MD 21401

Re: Testimony in SUPPORT of HB0169 Custodial Interrogation of Minors - Admissibility of Statements

Dear Chair Clippinger and House Judiciary Committee Members:

On behalf of the Council on American-Islamic Relations, I thank you for this opportunity to testify in strong support of House Bill 169 Custodial Interrogation of Minors - Admissibility of Statements. CAIR is America's largest Muslim civil rights and advocacy organization.

This bill aims to establish a rebuttable presumption that a statement made by a minor during a custodial interrogation by law enforcement is involuntary and inadmissible in a juvenile or criminal proceeding if law enforcement intentionally uses false information to elicit the statement.

As a civil rights activist deeply involved in social justice work and advocacy for a decade on behalf of diverse communities that often struggle with trust in law enforcement, I have seen firsthand the detrimental effects that coercive interrogation tactics can have on minors, particularly those who may be vulnerable or easily influenced.

The American Psychological Association has conducted extensive research on the vulnerability of minors during interrogations, highlighting the increased susceptibility of juveniles to suggestion, coercion, and false confession due to their developmental immaturity and lack of understanding of legal proceedings.¹

The Innocence Project has documented numerous cases of wrongful convictions involving minors who confessed to crimes they did not commit, often as a result of coercive or deceptive interrogation practices.

It is imperative that we safeguard minors' rights in the criminal justice system and ensure that their statements are obtained through fair and ethical means, which requires maintaining a certain standard of procedural conduct.

The use of false information by law enforcement officers to elicit statements from minors is not only deceptive but also undermines the integrity of the justice system. Such tactics can lead to coerced confessions, wrongful convictions, and irreversible harm to the lives of innocent young people. These disproportionately impact communities of color, especially African American youth who are incarcerated at staggering rates in our state.

In my work, I personally have spoken and worked with young members of my communities of different ethnic and racial backgrounds who harbor a deep-rooted fear of law enforcement because of unwarranted surveillance, profiling and scrutiny of American Muslim communities in the post-9/11 climate in our country.

By establishing a rebuttable presumption against the admissibility of statements obtained through unethical means, HB0169 takes a crucial step towards protecting the rights and well-being of minors during interrogations.

Furthermore, this bill aligns with the principles of fairness and due process that are fundamental to our legal system. It ensures that minors are afforded the same protections against coercion and deception as adults, recognizing their unique vulnerabilities and the need for special safeguards.

By providing a clear framework for evaluating the voluntariness of statements made by minors, this bill promotes transparency and accountability, and by extension improves trust in law enforcement practices.

In conclusion, I urge you to support HB0169 and take a stand against the use of deceptive interrogation tactics on minors. By enacting this legislation, Maryland can lead the way in upholding justice, fairness, and the rights of all individuals, regardless of age. Thank you for your attention to this important issue.

Sincerely,

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1. "Perceptions of children during a police interrogation: Guilt, confessions, and interview fairness"; Redlich, A. et al. *Psychology, Crime & Law*, Vol. 14, 2008