



Maryland State's Attorneys' Association

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DATE: February 5, 2025

BILL NUMBER: SB 531

POSITION: Favorable

The Maryland State's Attorneys' Association (MSAA) supports Senate Bill 531 and urges this Committee to issue a favorable report.

The Child Interrogation Protection Act, enacted in 2022, requires juveniles to speak with an attorney before participating in a custodial interrogation, and has functionally eliminated the ability of investigators to speak with juvenile suspects. Maryland's prosecutors opposed this bill out of concern that it would end a longstanding, and constitutional, technique used by law enforcement to investigate crime, identify perpetrators (including adult coconspirators), and protect public safety – indeed, after the bill passed, many jurisdictions across Maryland have not had even one juvenile agree to speak to investigators after the required consultation with an attorney.

SB 531 represents a new approach that better balances a juvenile suspect's rights with the importance of investigative interviews to public safety, all in a way calibrated to assist the truth-seeking and accountability functions of the criminal legal process. Recognizing a core truth – an attorney, after a brief consultation over the phone, will not understand a child as well as their parent – SB 531 involves parents early in an investigation and affords them the chance to allow their children to speak to investigators. Nothing in this bill requires juvenile suspects to speak to investigators, and courts will still serve the gatekeeping function they have always served in reviewing statements provided in custodial settings to ensure they were voluntarily given. Because the totality of the circumstances analysis required in evaluating these statements and the parental consent provisions of SB 531 provide adequate safeguards to permit custodial interviews of juveniles suspected of committing a crime, MSAA urges this Committee to issue a favorable report.