

Bill Number: SB 531

**Scott D. Shellenberger, State's Attorney for Baltimore County
Support**

WRITTEN TESTIMONY OF SCOTT D. SHELLENBERGER,
STATE'S ATTORNEY FOR BALTIMORE COUNTY,
IN SUPPORT OF SENATE BILL 531
CRIMINAL LAW – CUSTODIAL INTERROGATION

I write in support of Senate Bill 531 Juvenile Law-Custodial Interrogation.

Current Law 3-8A-14.2 requires that the police may not conduct a custodial interrogation of a juvenile until the juvenile has consulted with an attorney. This is true even if the parents of the juvenile think it is in the juvenile's best interest to speak to the police.

The admissibility of statements of those in custody has been governed for decades by the Supreme Court ruling in Miranda v Arizona. The rules regarding interrogation have been governed by Case Law. A few years ago Maryland broke with this tradition and passed laws requiring more.

Senate Bill 531 would continue to require Miranda Rights be waived. Senate Bill 531 gives the ultimate decision making of waiving that right to the parents of the juvenile. This would be particularly needed in the case if 4 juveniles committed a crime and only 1 was caught. The parents may want that their child to not be the only one held solely responsible for the crime and may want the other 3 juveniles to share responsibility.

Senate Bill 531 is a common sense piece of Legislation that puts the parents of a juvenile in charge of the juvenile's life.

I urge a favorable report.