

Date of Hearing: February 26, 2025

Jo Shifrin

Bethesda, MD 20817

TESTIMONY ON HB 622- POSITION: UNFAVORABLE

Juvenile Law - Custodial Interrogation (Juvenile Justice Restoration Act of 2025)

TO: Chair Clinppinger, Vice Chair Bartlett, and members of the Judiciary Committee

FROM: Jo Shifrin

OPENING: My name is Jo Shifrin. I am a resident of District 16. I am submitting this testimony in strong opposition to HB 622, Juvenile Law - Custodial Interrogation (Juvenile Justice Restoration Act of 2025)

I moved to Bethesda 10 years ago to be near my grandchildren. My opposition to this legislation comes from my grounding in Jewish values. Among these values are *Tikkun Olam*, an obligation to make the world a more fair and equitable place for people to live.

In 2022, Maryland passed the Child Interrogation Protection Act, which made tremendous progress in how the state treated juveniles who come in contact with the juvenile justice system. The law ensured that children who are subject to interrogation by law enforcement:

- Are properly afforded their constitutional right to counsel,
- Required parental notification that the child would be interrogated, and
- That the child would be read their Miranda rights, provided in a way commensurate with their developmental age.

The reason that these protections are so important is that young people:

- Are far more vulnerable to falsely confessing because they have less impulse control,
- Are more prone to risky decision-making,
- Are more susceptible to the promise of immediate rewards, and
- Are more likely to comply with authority..

I've had personal experience with a situation like this. I was 18 years old and living in Philadelphia. It was 6 a.m. and I was in a line to order take-out food for a friend. My doctor had just started me on a medication that made me feel sick. A police officer came up behind me in the line and said "you're coming with me." I was taken outside and put into a police van and driven to a station. I was terrified. I was given no explanation as to why they were taking me. Once at the station, I was accused of taking illegal drugs and made to empty my purse so

they could find the contraband. They found the prescription medication but no illegal drugs. They barked questions at me for half an hour but ultimately let me go. Had I been 14, I might have admitted to anything, just to get out of there.

The Constitution of the United States bestows upon its residents a whole host of rights and protections. One of them is the right to speak with an attorney before being interrogated by the police when in custody. *The same right should be given to children.*

Unfortunately, this bill would allow parents to waive the right for their child to speak with an attorney. A disproportionate number of children arrested are from low income families. If a police officer called and spoke to a parent about a lawyer, they might think 'I can't afford a lawyer,' and might waive their kid's right to meet with one. Children often confess in custody to things they did not do, simply to please an adult. Sometimes they confess to things that they didn't do, because the police lie and tell them that if they do confess, they can go home. Parents should not be put in a position of making a split-second decision that might result in their child's incarceration.

I respectfully urge the Committee to return an unfavorable report on HB 622.