



**Joint Testimony of The University of Baltimore School of Law's Sayra and Neil Meyerhoff  
Center for Families, Children and the Courts (CFCC) & Center for Criminal Justice  
Reform (CCJR)**

**In Support of HB 626**

**Custodial Interrogation of Minors - Admissibility of Statements  
*Exonerated 5 Act***

February 17, 2026

Dear Chairperson J. Sandy Bartlett, Vice-Chairperson Debra Davis, and Members of the House Judiciary Committee,

The Sayra and Neil Meyerhoff Center for Families, Children and the Courts (CFCC) at the University of Baltimore School of Law envisions communities where children and families thrive without unnecessary involvement in the legal system. We engage communities in all that we do to work towards transforming systems that create barriers to family well-being. CFCC offers this testimony in partnership with the Center for Criminal Justice Reform (CCJR) at the University of Baltimore School of Law. The CCJR is dedicated to supporting community-driven efforts to improve public safety and address the harm and inequities caused by the criminal legal system.

**CFCC and CCJR strongly support HB 626**, which seeks to establish a rebuttable presumption that a statement by a minor during a custodial interrogation is inadmissible in a juvenile or criminal proceeding against that minor when a government official intentionally uses deceptive techniques to induce the disclosure of that statement. This bill would help **reduce the number of false confessions that lead to wrongful convictions, promote the reliability of evidence permitted in court, and safeguard the constitutional rights of minors during a custodial interrogation.**

**I. Children are more vulnerable than adults and are much more likely to provide a false confession during interrogations.**

This bill prohibits interrogation tactics that intentionally exploit a minor's vulnerabilities and heighten the likelihood of eliciting false statements. Experts agree that a minor's age alone increases the likelihood of a false

confession during a custodial interrogation.<sup>1</sup> The National Registry of Exonerations reveals an inverse relationship between the likelihood of false confessions and age.<sup>2</sup> Disturbingly, nearly one-third of juveniles who made a false confession were subject to deceptive tactics used by an interrogator, such as duress, threats, or an insincere display of friendliness.<sup>3</sup> These manipulative approaches can result in lifelong repercussions for minors, including extensive jail time for crimes they did not commit.<sup>4</sup> HB 626 will not only protect minors from being manipulated by deceptive tactics, but it will also improve the quality and accuracy of the criminal justice system.

## **II. Maryland currently allows law enforcement to use deceptive tactics to elicit unreliable admissions by youth for use in court.**

The current standards permit the admission of statements induced by deceptive tactics, increasing the risk of wrongful convictions and undermining essential safeguards for children accused of crimes.<sup>5</sup> A false confession often leads the jury to a premature judgment of guilt, often in the face of substantial exculpatory evidence.<sup>6</sup> Further, even when custodial interrogations are recorded, it remains difficult for jurors to distinguish improper interrogative methods and their impact on children's statements.<sup>7</sup>

False confessions are a leading cause of wrongful conviction among youth.<sup>8</sup> DNA evidence revealed that nearly one-third of wrongful convictions were based on false confessions.<sup>9</sup> Wrongful convictions undermine the integrity of our judicial system and allow actual perpetrators of harm to escape accountability. This bill safeguards against these systemic erosions, promotes the reliability of admitted evidence, and reduces the number of false confessions that result in wrongful convictions.

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<sup>1</sup> Grove, Lauren J., et al., *Do Laypeople Recognize Youth As A Risk Factor For False Confession? A Test Of The 'Common Sense' Hypothesis*, (Jun. 16, 2020), <https://pmc.ncbi.nlm.nih.gov/articles/PMC8547885/>.

<sup>2</sup> University of Michigan Law School, *Age And Mental Status Of Exonerated Defendants Who Confessed*, <https://www.law.umich.edu/special/exoneration/Documents/Age%20and%20Mental%20Status%20of%20Exonerated%20Defendants%20Who%20Falsely%20Confess%20Table.pdf>, (Last visited Feb. 16, 2026)

<sup>3</sup> Grove, Lauren J., et al., *Do Laypeople Recognize Youth As A Risk Factor For False Confession? A Test Of The 'Common Sense' Hypothesis*, (Jun. 16, 2020), <https://pmc.ncbi.nlm.nih.gov/articles/PMC8547885/>.

<sup>4</sup> Quiroz, Nigel, *Five Facts About Police Deception and Youth You Should Know*, (May 13, 2022), <https://innocenceproject.org/police-deception-lying-interrogations-youth-teenagers/#:~:text=It%20is%20almost%20always%20legal,to%20extract%20confessions%20from%20people>.

<sup>5</sup> Maryland Alliance for Justice Reform, *Juvenile Interrogation: The Right to Attorney and Deceptive Practices*, <https://www.ma4jr.org/juvenile-interrogation>, (Last visited Feb. 16, 2026)

<sup>6</sup> Grove, Lauren J., et al., *Do Laypeople Recognize Youth As A Risk Factor For False Confession? A Test Of The 'Common Sense' Hypothesis*, (Jun. 16, 2020), <https://pmc.ncbi.nlm.nih.gov/articles/PMC8547885/>.

<sup>7</sup> Crane, Megan, et al., *The Truth About Juvenile False Confessions*, (2016), [https://www.prisonpolicy.org/scans/aba/Juvenile\\_confessions.pdf](https://www.prisonpolicy.org/scans/aba/Juvenile_confessions.pdf).

<sup>8</sup> The Innocence Project, *New Study Finds False Confessions More Likely Among Juveniles*, <https://innocenceproject.org/news/new-study-finds-false-confessions-more-likely-among-juveniles/> (Last visited Feb. 17, 2026)

<sup>9</sup> Maryland Alliance for Justice Reform, *Juvenile Interrogation: The Right to Attorney and Deceptive Practices*, <https://www.ma4jr.org/juvenile-interrogation>, (Last visited Feb. 16, 2026)

### **III. Current standards exacerbate racial disparities and disproportionately affect youth of color.**

Racial disparities are pervasive throughout our legal system, including the factors that drive wrongful convictions for youth.<sup>10</sup> Data reveal that youth of color are far more likely than white youth to be involved in the juvenile justice system, increasing their exposure to possible manipulation in custodial interrogations.<sup>11</sup> In Maryland, nine out of ten individuals who were imprisoned before 18 were youth of color.<sup>12</sup> Further, research shows that wrongfully convicted Black individuals spend a substantially greater amount of time incarcerated than similarly situated white individuals.<sup>13</sup> As a result, current legal standards that allow the use of deceptive tactics to elicit statements from suspects disproportionately impact youth of color. This bill is a crucial step towards the many steps needed to achieve greater racial equity in the justice system.

### **IV. It violates youth due process rights to allow law enforcement to use false statements during interrogation.**

In *Roper v. Simmons*<sup>14</sup>, the U.S. Supreme Court held that holding a juvenile to the same culpability standard as an adult due to their fundamental differences in maturity and development would be unjust. The decision underscored the necessity of treating minors differently from adults.<sup>15</sup> The need to treat minors differently is due, in part, to our scientific understanding of brain development continuing into early adulthood.<sup>16</sup> The prefrontal cortex, the portion of the brain that regulates impulsive behavior and decision-making, is not fully developed until one's early twenties.<sup>17</sup> This biological difference between adults and children was recognized by the Supreme Court when it explained that "developments in psychology and brain science continue to show fundamental differences between juvenile and adult minds."<sup>18</sup>

An interrogation where coercive techniques that are typically utilized for adults will unjustly pressure minors to falsely confess to a crime. Notably, minors are two to three times more likely to confess falsely than adults, with power dynamics and pressure to comply with an authority figure

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<sup>10</sup> Equal Justice Initiative, *Study Shows Race Is Substantial Factor in Wrongful Convictions*, (Dec. 28, 2022), <https://eji.org/news/study-shows-race-is-substantial-factor-in-wrongful-convictions/>.

<sup>11</sup> Maryland Department of Juvenile Services, *Research Brief-- Putting Youth Crime In Maryland in Context*, (Sept. 2023), [https://djs.maryland.gov/Documents/MD-DJS-Juvenile-Crime-Data-Brief\\_20230912.pdf](https://djs.maryland.gov/Documents/MD-DJS-Juvenile-Crime-Data-Brief_20230912.pdf).

<sup>12</sup> *Id.*

<sup>13</sup> Equal Justice Initiative, *Study Shows Race Is Substantial Factor in Wrongful Convictions*, (Dec. 28, 2022), <https://eji.org/news/study-shows-race-is-substantial-factor-in-wrongful-convictions/>.

<sup>14</sup> 543 U.S. 551 (2005)

<sup>15</sup> Grove, Lauren J., et al., *Do Laypeople Recognize Youth As A Risk Factor For False Confession? A Test Of The 'Common Sense' Hypothesis*, (Jun. 16, 2020), <https://pmc.ncbi.nlm.nih.gov/articles/PMC8547885/>.

<sup>16</sup> Crane, Megan, et al., *The Truth About Juvenile False Confessions*, (2016), [https://www.prisonpolicy.org/scans/aba/Juvenile\\_confessions.pdf](https://www.prisonpolicy.org/scans/aba/Juvenile_confessions.pdf)

<sup>17</sup> *Id.*

<sup>18</sup> See *Graham v. Fla.*, 560 U.S. 48, 68 (2010)

certainly playing a role.<sup>19</sup> Adults have fully developed brains and may be more aware of the tactics and consequences of their decisions in ways that a minor cannot in the same way comprehend. It is radically different to expose a minor to deceptive tactics during an interrogation than an adult. This bill will help ensure the preservation of a minor's due process rights and prevent the use of unreliable and improperly induced statements that could have a devastating impact on a child's life.

### **Conclusion**

HB 626 will justly ensure minors are protected from the unfair use of deceptive tactics that target their vulnerabilities in efforts to forego a proper investigation, ultimately preserving the fundamental principles of justice in the legal system.

**For these reasons, the CFCC and CCJR strongly support HB 626 and urge a favorable report.**

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<sup>19</sup> *Id.*