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Dear Chairwoman Bartlett, Vice Chair Davis , and Honorable Members of the Committee,

Committee: Judiciary

Position: FAVORABLE WITH AMENDMENTS

I am Alita-Geri Carter a former practicing pediatric nurse practitioner, disability rights advocate, and founder of Qualequity Access, LLC. I leverage data-driven strategies to champion equity and accessibility in healthcare and education. By focusing on the social determinants of health, measures that support criminal justice reform address disparities in poverty and educational attainment. Such legislation can support the dismantling of systemic barriers.

I am writing to express my strong support for **House Bill 449**, the **Juvenile Justice Restoration Act**. This legislation represents a vital step toward reconciling the American values of law and order with our fundamental commitment to protecting the humanity of our most vulnerable citizens.

The pillars of our society rest upon the consistent application of law and the maintenance of public order. However, history teaches us that law and order stripped of humanity is a fragile veneer that can quickly lead to systemic injustice. By requiring children to consult with an attorney before a custodial interrogation, this bill ensures that the integrity of our legal process is maintained from the very first interaction.

The critical need to protect humanity in our justice system is addressed in this bill through several key provisions:

- **Mandatory Legal Consultation:** It establishes that a child must consult with an attorney, either retained or provided by the Public Defender, before any custodial interrogation can proceed.
- **Parental Involvement:** It mandates that law enforcement make reasonably calculated efforts to notify parents or guardians before a child is questioned.
- **Confidentiality and Professionalism:** Consultations must be confidential and conducted in accordance with the Maryland Rules of Professional Conduct.
- **Preservation of Rights:** The requirement for attorney consultation cannot be waived, ensuring that a child's lack of experience or legal knowledge does not lead to the forfeiture of their rights.



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Without these protections, we risk the "slippery slopes" of justice, where initial violations of a child's rights can lead to a degraded integrity of the entire legal proceeding. House Bill 449 wisely includes a rebuttable presumption that statements made in willful violation of these requirements are inadmissible, thereby incentivizing law enforcement to uphold the highest standards of the law.

Importantly, the bill balances these protections with the immediate needs of public safety by allowing interrogations without prior counsel only when information is urgently needed to protect against an imminent threat. While this is a critical exception it must be clarified with amendments to clearly qualify basic criteria for an imminent threat.

Revised Proposed Amendment Language

Section 3-8A-14.2(g)(1)(i)1. of the Courts and Judicial Proceedings Article would be amended as follows:

"The law enforcement officer reasonably believes that the information sought is necessary to protect against an imminent and substantial threat to the safety of one or more persons based on specific, articulable facts; for purposes of this section, a 'threat to public safety' shall be defined as a concrete danger of immediate harm and shall not be determined, influenced, or based, in whole or in part, upon the race, ethnicity, gender, sexual orientation, political affiliation, religious beliefs, or ideological associations of the child or any other individual."

True law and order are found not just in the enforcement of rules, but in the unwavering protection of the human rights that those rules were designed to serve. House Bill 449 is a testament to this balance, ensuring that our justice system remains both effective and humane.

I urge you to support the passage of this essential legislation.

Recommendation: **Favorable with Amendments**

Respectfully Submitted,

Alita-Geri Carter, MSN, DNP-C, CPNP-PC, BCPA

Resident, Howard County, MD