

HB0626\_RichardKaplowitz\_FAV

02/19/2026

Richard Keith Kaplowitz

Frederick, MD 21703

**TESTIMONY ON HB#/0626- POSITION: FAVORABLE**

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

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

**FROM:** Richard Keith Kaplowitz

My name is Richard Keith Kaplowitz. I am a resident of District 3, Frederick County. I am submitting this testimony in support of HB#/0626, **Custodial Interrogation of Minors - Admissibility of Statements (Exonerated 5 Act)**

The Fair and Just Prosecution Organization has declared *Youth Interrogation: Key Principles and Policy Recommendations* <sup>1</sup>

Without proper protections, interrogations of children can have serious and harmful ramifications. These include, among others, Miranda waivers that are not truly knowing and voluntary, coerced and false confessions, wrongful convictions, trauma to young people, and inadmissible evidence obtained through improper interrogations. In addition to the inherent harm to children and their loved ones these practices cause, these troubling outcomes also result in diminished public confidence in the criminal legal system that, ultimately, erodes public safety and impacts the entire community.

Law enforcement officers are often permitted to use deception, including lying about evidence or promising leniency, to secure confessions from suspects, a practice that frequently leads to false confessions in minors. Children are particularly susceptible to these tactics due to brain development, often leading them to believe they must comply with authority figures, which causes higher rates of false confessions. <sup>2</sup>

**Common False Statements and Tactics**

- **Fabricating Evidence**
- **Witness/Accomplice Deception**
- **False Leniency Promises**
- **Minimization**

This bill will establish a certain rebuttable presumption that a statement made by a minor during a custodial interrogation is involuntary and is inadmissible in a juvenile or criminal proceeding against the minor if the law enforcement officer intentionally used information known by the officer to be false to elicit the statement.

**I respectfully urge this committee to return an favorable report on HB#/0626.**

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<sup>1</sup> <https://fairandjustprosecution.org/wp-content/uploads/2022/01/FJP-Juvenile-Interrogation-Issue-Brief.pdf>

<sup>2</sup> Google AI Search "false statements by law enforcement to minors during custodial interrogation"