

# MARYLAND COALITION TO REFORM SCHOOL DISCIPLINE

## HOUSE JUDICIARY COMMITTEE HOUSE BILL 626

### Custodial Interrogation of Minors - Admissibility of Statements (Exonerated 5 Act) February 19, 2026

#### POSITION: FAVORABLE

The Maryland Coalition to Reform School Discipline (“CRSD”) brings together advocates, service providers, and community members dedicated to transforming school discipline practices within Maryland’s public-school systems. We are committed to safe schools and to making discipline fair, responsive to students’ behavioral needs, and designed to keep children on track to graduate. **CRSD supports HB 626** which would establish a rebuttable presumption that a statement made by a minor during a custodial interrogation is involuntary and is inadmissible in a juvenile or criminal proceeding if the law enforcement officer intentionally used information known by the officer to be false in order to elicit the statement.

CRSD supports HB 626 because it would ensure that the rights of children interrogated at school are protected. The U.S. Supreme Court has long held that children do not shed their constitutional rights at the school house door. In *J.D.B. V. North Carolina*,<sup>1</sup> the Court examined the unique circumstances that interrogation in schools presents and held that a child’s age informs the *Miranda* custody analysis. The court noted that “children will often feel bound to submit to police questioning when an adult in the same circumstances would feel free to leave.”<sup>2</sup> The court likewise recognized the risk of false confessions, finding it “all the more acute—when the subject of custodial interrogation is a juvenile.”<sup>3</sup> Deceptive tactics during an interrogation of a child heightens the risk of false confessions even further, particularly when considering a child’s brain development, suggestability, and response to authority.<sup>4</sup> This is particularly true for children with disabilities who may be anxious or eager to please because of their disabilities or their understanding of the questions presented during interrogation may be likewise impacted by their disabilities.

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<sup>1</sup> 564 U.S. 261 (2011)(a 13 year old was questioned by law enforcement at school and was not provided his Miranda warnings or informed that he was free to leave).

<sup>2</sup> *Id* at 254.

<sup>3</sup> *Id* at 269.

<sup>4</sup> See Quiroz, Nigel, *Five Facts About Police Deception and Youth You Should Know*, Innocence Protect (May 13, 2022); <https://innocenceproject.org/news/police-deception-lying-interrogations-youth-teenagers/>. See also Stillinghagan, Allison, *The Kids Aren’t Alright: The Road to Abandoning Deceptive Interrogation Techniques for Juvenile Suspects in Maryland*, 81 Md. L. Rev. 1084 (2022), <https://digitalcommons.law.umaryland.edu/mlr/vol81/iss3/8/>.

During the 2022-23 school year, there were 1,639 school-based arrests in Maryland.<sup>5</sup> Law enforcement through School Resource Officers (SROs) have a significant presence in our schools. As a result, SROs have regular and daily contact with students. Advocates have long raised concerns that law enforcement in schools exacerbates the school-to-prison pipeline, by criminalizing student behavior and increasing the risk of contact with the juvenile justice system.

In a school setting, the routine presence of law enforcement also blurs the line between school discipline and criminal investigation, making it less clear to students that they have the right not to answer questions posed by law enforcement. Students are conditioned to comply with authority in schools and this dynamic can be especially confusing when being questioned by an SRO, leading children to believe they must respond to questioning even when they have a constitutional right to remain silent.

Given the long-term consequences of the school-to-prison pipeline, added protections provided by HB 626 are necessary to ensure that children, including children with disabilities, are not tricked into confessions, and that trust between law enforcement and school communities is not eroded. We envision school communities rooted in restorative practices rather than punitive measures.

**For these reasons, CRSD strongly supports HB 626.**

For more information contact: Maryland Coalition to Reform School Discipline  
[CRSDMaryland@gmail.com](mailto:CRSDMaryland@gmail.com)

### **CRSD Members**

- ACLU of Maryland
- Disability Rights Maryland
- League of Women Voters of Maryland
- Maryland Office of the Public Defender
- Project HEAL (Health, Education, Advocacy, and Law) at Kennedy Krieger Institute
- Public Justice Center
- Strong Schools Maryland
- The Choice Program at UMBC
- The Sayra and Neil Meyerhoff Center for Families, Children and the Courts at University of Baltimore School of Law

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<sup>5</sup> See the most recent school-based arrest data at *Maryland Public Schools Student Arrest Data School Year 2023 - 2024*, <https://marylandpublicschools.org/about/documents/dsfss/sssp/studentarrest/marylandpublicschoolsarrestdatas20232024-a.pdf>.