



TESTIMONY TO THE SENATE JUDICIAL PROCEEDINGS COMMITTEE

SB 326 - Juvenile Law - Questioning of a Juvenile - Crime of Violence or Crime Involving a Firearm

Position: Oppose

By: Linda Kohn, President, The League of Women Voters of Maryland

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The League of Women Voters of Maryland supports family involvement in all activities pertaining to juvenile corrections, and urges the “use of specialized judges, counseling services and administration of juvenile cases all geared to dealing with families.” The League of Women Voters of the United States supports a criminal justice system that is just, effective, equitable, transparent, and that fosters public trust at all stages, including policing practices, and policing practices that “build public trust and positive community relationships.”

Based on these positions, the League of Women Voters of Maryland opposes this bill. Current law governing custodial interrogation of a child includes an exception for officers to ask questions necessary to protect public safety when investigating an ongoing threat to public safety. SB 326, however, by designating that exception with “(i)” and inserting “or” and a new provision designated “(II),” would create a new exception applicable to certain cases. This new provision would eliminate the protection of counsel and substitute a weak parental notification requirement in place of actual communication with parents. As the consequences of these serious offenses would be more severe, the need for counsel would be greater. Similarly, the need for actual consultation with the child’s parents would be greater.

It would be very difficult, if not impossible, to build public trust in the police if officers were known to interrogate juveniles without completing actual proper notification of their parents. This bill may undermine public trust in some police departments, which is not the desired result.

We urge the Committee to give an unfavorable report on SB 326.