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## **ACLU OF RI POSITION: SUPPORT**

### **TESTIMONY ON 24-H 7954, AN ACT RELATING TO DELINQUENT AND DEPENDENT CHILDREN – PROCEEDINGS IN FAMILY COURT April 4, 2024**

This legislation neatly aligns with another bill being heard tonight, H 7096, by similarly providing more robust due process protections for juveniles being interrogated by law enforcement and prohibiting law enforcement from employing threats, physical harm, deprivation, deception, coercion, or psychologically manipulative interrogation tactics during the custodial interrogation of a juvenile. Especially because state law does not provide that juveniles have a right to the presence of a parent, guardian, or trusted adult if they come into contact with the criminal justice system outside of the school setting, this legislation ensures that juveniles are not subject to law enforcement tactics which are intentionally confusing or coerces them to confess to offenses that they have not committed.

Juveniles generally are less able to understand the full spectrum of their legal rights, and they are “uniquely vulnerable to giving false confessions,” with “numerous psychological studies establish[ing] that police interrogation techniques are especially impactful on juveniles.” Additionally, “several psychological studies on youth indicate that use of fake incriminating evidence during interrogation is likely to induce false confessions.”<sup>1</sup> These examples illustrate why ensuring that juveniles have explicit and significant due process protections codified into law are so important, and why the stakes are so high when juveniles do come into contact with the criminal justice system, especially when they do not have a trusted adult present to guide them through the process.

This legislation is good juvenile justice policy, it is good policy for due process, and it is good policy to guarantee that Rhode Island law reflects contemporary understandings of juvenile involvement in the criminal justice system and juvenile psychology. For these reasons, we strongly urge support of this important bill.

Thank you for your consideration.

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<sup>1</sup> <https://lawandinequality.org/2022/05/31/more-than-miranda-exploring-preventive-solutions-to-juvenile-false-confessions/>