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TESTIMONY OF THE OFFICE OF THE PUBLIC DEFENDER REGARDING:

House Bill No. 5922

ENTITLED, AN ACT RELATING TO DELINQUENT AND DEPENDENT CHILDREN – PROCEEDINGS IN FAMILY COURT

Chairman Craven and Members of the House Judiciary Committee:

The Office of the Public Defender supports HB5922, which aims to prohibit the use of threats, physical harm, deprivation, deception, coercion, and psychologically manipulative interrogation tactics during the custodial interrogation of juveniles.

The interrogation process for juveniles holds profound implications for their rights, well-being, and future outcomes. Research consistently demonstrates that young individuals are particularly vulnerable to the pressures and tactics often employed during custodial interrogations.¹ Their cognitive development, emotional maturity, and understanding of legal proceedings are still evolving, rendering them susceptible to suggestion, intimidation, and manipulation.

HB5922 recognizes the fundamental principle that juveniles, like all individuals, are entitled to fair treatment and protection from abusive or coercive interrogation tactics. The detrimental effects of coercive interrogation tactics on juveniles extend beyond the immediate interrogation room. Such practices can yield false confessions, leading to wrongful convictions. In fact, 34% of juvenile cases resulting in exoneration in 2022 involved a false confession, whereas only 10% of adults who were later exonerated had falsely confessed.² A study from Northwestern University of all cases from 1989 to 2003 where juveniles were exonerated revealed even higher numbers of false confessions.³ Further, deceptive and coercive tactics can cause irreparable harm to the juvenile's mental and emotional wellbeing and further erode public trust in the criminal legal system.

¹ See K'reisa Cox, *Curtailling Coercion of Children: Reforming Custodial Interrogations of Juveniles*, 49 JLEGIS 393, 397-98 (2023).

² See National Registry of Exonerations, <https://law.umich.edu/special/exoneration/Documents/Age%20and%20Mental%20Status%20FINANCIAL%20CHART.pdf>, (last accessed 3/11/25).


³ Samuel R. Gross et al., *Exonerations in the United States 1989 Through 2003*, 95 J. Crim. L. & Criminology 523, 545 & tbl. 4 (2005).

In addition to the concern that deceptive coercive tactics can lead to wrongful convictions and negative impacts on juvenile wellbeing, the International Association of Chiefs of Police ("IACP") has identified other reasons to discontinue their use.⁴ Specifically, the IACP noted that there can be public safety concerns at play, since the wrongful juvenile conviction could allow the real perpetrator of the crime to remain at large.

If this bill were to pass, Rhode Island would join a growing number of states who have recognized the need to curtail the use of coercive tactics in juvenile custodial interrogations. Specifically, Oregon, Illinois, Delaware, California, Utah, Colorado, Indiana, and Nevada have all passed laws targeting these practices.

In conclusion, the Office of the Public Defender urges the Judiciary Committee to support and advance HB5922.

Sincerely,

A handwritten signature in black ink, appearing to read 'Megan F. Jackson', followed by a long horizontal line extending to the right.

Megan F. Jackson
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⁴ "Reducing Risks: An Executive's Guide to Effective Juvenile Interview and Interrogation," [ReducingRisksAnExecutiveGuidetoEffectiveJuvenileInterviewandInterrogation.pdf](#) (last accessed 3/11/25).