



August 31, 2016

The Honorable Jerry Brown
Governor of California
State Capitol, Suite 1173
Sacramento, CA 95814

RE: SB 1052 (Lara and Mitchell) Custodial interrogation: juveniles
AAP-CA Position: Support

Dear Governor Brown:

The American Academy of Pediatrics, California (AAP-CA) representing 5,000 California pediatricians strongly supports SB 1052 (Lara and Mitchell). This bill would require that a youth under eighteen years of age consult with legal counsel in person, by telephone, or by video conference prior to a custodial interrogation and before waiving any of their constitutional rights. It would further require the court to consider the effect of the failure to comply with the above-specified requirement in adjudicating the admissibility of statements of a youth under eighteen years of age made during or after a custodial interrogation.

Research has demonstrated that brain development continues throughout adolescence and into early adulthood. The frontal lobes, responsible for mature thought, reasoning and judgment, develop last. Adolescents use their brains in a fundamentally different manner than adults. They are more likely to act on impulse, without fully considering the consequences of their decisions or actions. Based on this and in a 2013 policy statement, the American Academy of Child and Adolescent Psychiatry expressed its belief juveniles should always have counsel present when interrogated by law enforcement.

The United States Supreme Court has recognized these biological and developmental differences in their recent decisions on the juvenile death penalty, juvenile life without parole and the interrogations of juvenile suspects. In particular, the Supreme Court has recognized that there is a heightened risk that juvenile suspects will falsely confess when pressured by police during the interrogation process. Research also demonstrates that when in police custody, many juveniles do not fully understand or appreciate their rights, options or alternatives.

There are numerous cases of juveniles who have falsely confessed with their parents present during questioning. Pediatricians, therefore, respectfully urge you to sign SB 1052 and thank you for your public service and leadership on behalf of the health and well-being of children, youth, and families in California.

Sincerely,

Handwritten signature of Kris E. Calvin in black ink.

Kris Calvin
Chief Executive Officer
American Academy of Pediatrics, California

CC: Stuart Cohen, AAP-CA Chair; Lydia Bourne, AAP-CA Legislative Advocate; AAP-CA Leadership