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March 10, 2017

The Honorable Ricardo Lara  
State Capitol, Room 5050  
Sacramento, CA 95814  
Fax: (916) 651-4933

RE: SB 395 (Lara): Custodial interrogation: juveniles  
AAP-CA Position: Support

Dear Senator Lara:

The American Academy of Pediatrics, California (AAP-CA), representing over 5,000 California pediatricians, strongly supports your proposed legislation SB 395 (Lara). This bill would require that minors consult with legal counsel before a custodial interrogation and before waiving their rights to remain silent, to have counsel present, or to have counsel appointed if he or she is unable to afford counsel.

Research shows that teenagers do not have complete brain development and that cognitive changes continue long into young adulthood. This makes them unable to make the same informed decisions that adults can make. Additionally, children and adolescents are less informed about the legal system, less able to make complex decisions, and more susceptible to outside pressure than adults—and they are especially susceptible to pressure from authority figures. This puts them at a disadvantage in police interrogations, where they may be pressured into waiving their rights before they have any real idea of what those rights are. No child should enter an interrogation situation without the presence of a knowledgeable adult who can advocate for their interests.

SB 395 (Lara) would make sure that minors are able to consult legal counsel before interrogation, so that they are not pressured into waiving their rights without at least some awareness of the consequences that could have. This would help reduce the burden of toxic stress on children who are interrogated, and would help to improve the health and well-being of all California children caught up in complicated, often traumatic legal situations.

Pediatricians strongly support SB 395 (Lara). We thank you for your public service and for your leadership on behalf of the health and well-being of children, youth, and families in California.

Sincerely,

A handwritten signature in black ink, appearing to read "Macy" followed by a stylized flourish.

Nancy Graff, M.D., Fellow of the American Academy of Pediatrics  
State Government Affairs Committee, American Academy of Pediatrics, California

CC: Kris Calvin, CEO; AAP-CA Leadership; Lydia Bourne