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September 9, 2020

Governor Gavin Newsom
1303 10th St, Suite 1173
Sacramento, CA 95814

RE: SB 203 (Bradford): Juveniles: custodial interrogation
AAP-CA Position: Support

Dear Governor Newsom:

The American Academy of Pediatrics, California (AAP-CA) representing the over 5,000 pediatrician members of California AAP Chapters 1, 2, 3 and 4 statewide, strongly supports proposed legislation SB 203 (Bradford) as revised on August 21, 2020, expanding and extending protections for minors prior to a custodial interrogation by a law enforcement officer, by requiring a youth 17 years of age or younger consult with legal counsel before waiving Miranda rights.

According to an article in *Pediatrics*, “Despite the fact that teenagers are capable of rational and intelligent decision-making, it is unwise to conclude that they always make decisions using the same cognitive processes that adults do. Adolescents, even those at the age of majority, have a relatively underdeveloped prefrontal cortex, particularly in those regions concerned with functions essential to good decision-making. The result is a situation in which the prefrontal cortex is often not fully engaged, allowing the more fully matured, but more reactive, socioemotional system of the brain to dominate, particularly under conditions of high stress or emotion, peer presence or pressure, and perceived short-term benefit.”¹

Research points to adolescents being less capable of understanding their constitutional rights than adults, making them more susceptible to the influence of figures of authority and promises of short-term benefits. Existing law already requires that a youth 15 years of age or younger consult with legal counsel in person, by telephone, or by video conference before waiving Miranda rights. SB 203 would extend that requirement to youths 17 years of age or younger to protect their constitutional right against self-incrimination.

California pediatricians respectfully request your signature on SB 203 (Bradford). Thank you for your public service and leadership on behalf of the health and well-being of the children, youth, and families of California.

Sincerely,

A handwritten signature in black ink that reads "Kris E. Calvin".

Kris Calvin, CEO
American Academy of Pediatrics, California

cc: AAP California Leadership

¹ https://pediatrics.aappublications.org/content/146/Supplement_1/S18