

April 1, 2025

**RE: In Support of H5298- An Act Relating To Delinquent And Dependent Children --  
Proceedings In Family Court**

Chairman Craven, Vice Chairs McEntee and Knight, and members of the House Judiciary Committee,

Thank you for the opportunity to write on behalf of H5298 - An Act Relating to Delinquent and Dependent Children – Proceedings In Family Court. This bill would prohibit questioning a juvenile suspected of delinquent or criminal behavior unless a parent, legal guardian, or the Department of Children, Youth, and Families (DCYF) is present. An attorney can also be present, or the juvenile must have waived the need for their presence.

The Rhode Island Coalition for Children and Families (RICCF) is comprised of forty-four member organizations who provide and/or advocate for services and resources to support and strengthen families; to address policy and practice for behavioral and physical health, special education, juvenile justice, family, and sexual violence, and to support and care for foster youth. We strive to build and maintain a strong and effective human services workforce.

The core provision of H5298 is a critical step towards safeguarding the rights of juveniles. This bill acknowledges the vulnerable position these young individuals may find themselves in when facing legal proceedings. This requirement for parental, guardian, or DCYF presence during questioning provides a crucial layer of support and protection for juveniles. It ensures that their rights are respected, their interests are properly represented, and that they are not subjected to potentially intimidating or confusing legal processes without adequate support. Additionally, the bill's recognition of the need for an attorney's presence, or the option for a juvenile to waive this requirement, further emphasizes a commitment to fairness and due process.

Studies have shown that juveniles are particularly vulnerable to coercion during police interrogations. Having a parent or caregiver present acts as a safeguard against undue pressure or manipulation by authorities, reducing the likelihood of coerced confessions or false statements.<sup>i</sup>

Juvenile justice systems are often designed with the goal of rehabilitation rather than punishment. Involving parents and caregivers in the questioning process allows for a more holistic approach, where parents can work with authorities to address underlying issues, provide necessary support, and facilitate the juvenile's rehabilitation.

Children are particularly susceptible to the pressures that come with being in an interrogation setting. Research indicates that the prefrontal cortex, the part of the brain responsible for

judgment and decision-making is not fully developed until the mid-twenties.<sup>ii</sup> This means that when faced with an interrogation, young individuals are less likely to fully comprehend the consequences of admitting to something that they did not do and may whatever they believe is necessary to escape the interrogation environment and, ideally, return home. Additionally, children are especially vulnerable to external influences, often having been taught to comply with authority figures. This tendency to comply can lead them to be easily swayed by the expectations of police officers or other authority figures during questioning. Furthermore, even in cases where interrogations do not result in false confessions, they can still cause or worsen trauma, which can have enduring effects on the mental well-being of young individuals.<sup>2</sup>

We urge your support of H5298 in recognition of its importance in providing essential protection and ensuring a fair and just legal system for all juveniles in our state. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, reading "Tanja Kubas-Meyer". The signature is fluid and cursive, with the first name "Tanja" being more prominent.

Tanja Kubas-Meyer  
Executive Director

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<sup>i</sup> Waxson, SP, Innocent Juvenile Confessions, Retrieved March, 2023 from <https://scholarlycommons.law.northwestern.edu/cgi/viewcontent.cgi?article=7660&context=jclc>

<sup>ii</sup> Del Toro, J. et al. (2019), The criminogenic and psychological effects of police stops on adolescent black and Latino boys, PNAS, 116 (17), 8261-8268, <https://www.pnas.org/content/116/17/8261>; Jackson, D.B. et al. (2020), Police stops and sleep behaviors among at-risk youth, Sleep Health, 6(4), 435-441, <https://pubmed.ncbi.nlm.nih.gov/32305306/>; Jackson, D.B. et al. (2019), Police Stops Among At-Risk Youth: Repercussions for Mental Health, J Adolesc Health, 65(5), 627-632, <https://pubmed.ncbi.nlm.nih.gov/31495640/>; Landers, A.J. et al. (2011), Police contacts and stress among African American college students, Am J Orthopsychiatry, 81(1), 72-81, <https://pubmed.ncbi.nlm.nih.gov/21219277/>. In addition, interrogations can cause children to feel frightened and helpless, which can lead to trauma responses. See The National Child Traumatic Stress Network, About Child Trauma, <https://www.nctsn.org/what-is-child-trauma/about-child-trauma>.