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## **ACLU OF RI POSITION: SUPPORT**

### **TESTIMONY ON 25-S 736, AN ACT RELATING TO DELINQUENT AND DEPENDENT CHILDREN – PROCEEDINGS IN FAMILY COURT March 11, 2025**

The ACLU of Rhode Island supports this legislation, which neatly aligns with another bill being heard today, S 148,<sup>1</sup> by similarly providing more robust due process protections for juveniles being interrogated by law enforcement, and prohibiting police from employing threats, physical harm, deprivation, deception, coercion, or psychologically manipulative interrogation tactics during the custodial interrogation of a minor. Especially because state law does not currently require the presence of a parent, guardian, or trusted adult when juveniles are interrogated by police outside of the school setting, this legislation ensures that juveniles are not subject to law enforcement tactics which are intentionally confusing or which prompt them to confess to offenses that they have not committed.

Juveniles generally are less able to understand the full spectrum of their legal rights, and they are “uniquely vulnerable to giving false confessions,” with “numerous psychological studies establish[ing] that police interrogation techniques are especially impactful on juveniles.” Additionally, “several psychological studies on youth indicate that use of fake incriminating evidence during interrogation is likely to induce false confessions.”<sup>2</sup> These examples illustrate why ensuring that juveniles have explicit and significant due process protections codified into law are so important, and why the stakes are so high when juveniles do come into contact with the criminal justice system, especially when they do not have a trusted adult present to guide them through the process.

This legislation is good juvenile justice policy, good policy to promote due process, and good policy to guarantee that Rhode Island law reflects contemporary understandings of juvenile psychology and the involvement of minors in the criminal justice system. For these reasons, we urge support of this bill along with passage of S-148, which generally prohibits the interrogation of a minor without the presence of a parent, guardian, or attorney.

Thank you for your consideration.

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<sup>1</sup> S-148, sponsored by Sen. Kallman, would generally bar police interrogations of juveniles without the presence of a parent, guardian or attorney.

<sup>2</sup> <https://lawandinequality.org/2022/05/31/more-than-miranda-exploring-preventive-solutions-to-juvenile-false-confessions/>