

SB 395 is going to be voted on soon by the Senate. It needs your support!!! Here's what you can do:

Be a part of passing this bill!

Here are three sets of five different support letters for AB 1308.

Three people need to hear from you! Please pick three letters:

- 1. One for your Assembly Member**
- 2. One for your Senator, and**
- 3. One for Governor Brown.**

You can print them and

- ⇒ Choose the ones you like best and sign it;
- ⇒ Give them to friends and family members to sign;
- ⇒ Print bunch of sets and bring them to your church or other group to get people to sign in support.

Suggestion: Don't leave it to others to send their letters in. Collect them and send them in yourself!

Two options for sending by fax or email

1. Human Rights Watch will send the letter for you: Send us your letter, and we'll get it to your Assembly Member, Senator and Governor Brown. You can send it to Human Rights Watch via fax (310-477-4622) or by email (send to rostamm@hrw.org with the subject line: "AB 1308 support letters.")

OR

2. You can fax the letter to your Assembly Member yourself: You can find out who your Assembly Member is by using this website: <http://findyourrep.legislature.ca.gov/> Click on the link with your Assembly Member's name and you will be redirected to their website where you can find their fax number.

**1. PICK ONE OF THE FOLLOWING LETTERS FOR
YOUR SENATOR**

The Honorable
California State Senator
State Capitol
Sacramento, CA 95814

RE: Support for SB 395 – Miranda Rights and Youth

Dear Senator:

I strongly support SB 395. If it becomes law, youth under the age of 18 will get to consult an attorney before waiving their *Miranda* rights. It is a fair bill that recognizes that young people are different from adults.

Currently in California, children – no matter how young – can waive their *Miranda* rights. But it is critical to ensure youth understand their rights. Widely accepted cognitive science research has shown that the capacity of youth to grasp legal rights is less than that of an adult. SB 395 will require youth under 18 to consult with counsel prior to waiving their rights. This will preserve constitutional rights and protect the integrity of our criminal justice system.

California’s laws on youth waiving their rights have not changed in nearly half a century. Society’s understanding of the capacities of youth has dramatically changed during those 50 years. It is time for California to do what many other states have already done: We should bring our law in line with modern science. By ensuring youth understand their rights, we can ensure the outcome of interrogations are just and lawful, and create greater trust, accountability, and due process for all.

I respectfully ask that you please vote for SB 395.

Sincerely,

Signed

Printed Name

Address

Email

cc: Human Rights Watch (fax: 310-477-4622)

The Honorable
California State Senator
State Capitol
Sacramento, CA 95814

Via facsimile

RE: Senate Bill 395 Miranda Rights for Youth – SUPPORT

Dear Senator:

I am writing to express my support for Senate Bill 395, which will make sure that kids under age 18 understand their rights. If passed into law, a lawyer would explain “Miranda” rights to youth who are in custody and about to be interrogated by the police. The bill is based on the simple idea that rights have no meaning if someone does not understand them.

Miranda rights are important, reflecting some of this country’s most essential constitutional ideals. Our founders believed the right against self-incrimination and the right to an attorney were not just protections for individuals, but were also important protections against oppressive government.

We now know that adolescents cannot quickly understand complex legal issues in the same way that adults can. Research has shown that youth are more likely than adults to give up their rights without understanding them. Youth are also more likely to succumb to the normal pressures of interrogation, and have a much higher rate of falsely confessing than adults do.

Senate Bill 395 does only one thing: it makes sure that youth understand their rights before waiving them. I ask you to please vote yes on this bill. Thank you.

Very truly yours,

Signed

Printed Name

Address

Email

cc: Human Rights Watch, Fax: (310) 477-4622

The Honorable
California State Senator
State Capitol
Sacramento, CA 95814

VIA FAX

Support for SB 395

Dear Senator:

Please support SB 395, a bill that ensures constitutional rights have real meaning for our youth. Widely accepted research concludes that young people have less capacity to exercise mature judgment and are more likely than adults to disregard the long-term consequences of their behavior. Moreover, courts have noted that young people are more vulnerable than adults to interrogation and have a limited understanding of the criminal justice system. These problems are amplified for youth who are very young, or who have developmental disabilities, cognitive delays, or mental health challenges. A recent study of exonerations found that 42% of juveniles had falsely confessed as compared to just 13% of adults.

The ramifications for both individuals and society of soliciting unreliable evidence and false confessions are far-reaching. In 2013 the American Academy of Child and Adolescent Psychiatry issued a policy statement, *Interviewing and Interrogating Juvenile Suspects*, recommending that juveniles should have an attorney present during all questioning by police or other law enforcement agencies. The Academy's recommendation goes beyond what is proposed by SB 395, which would only require a consultation with counsel prior to any waiver.

This important bill would safeguard the rights of youth under the U.S. and California Constitutions. Law, science, and common experience all conclude that, as compared to adults, youth have less capacity to understand their rights and are significantly more vulnerable to giving false statements in response to routine interrogation. SB 395 would require youth under 18 to consult with counsel prior to waiving their rights. This will preserve youth's constitutional rights, protect the integrity of our criminal justice system, and bring California's law in line with scientific research about adolescents.

I ask you to please protect the constitutional rights of youth and support this bill.

Sincerely,

Signed

Address

Printed Name

Email

cc: Human Rights Watch Fax: 310.477.4622

The Honorable
California State Senator
State Capitol
Sacramento, CA 95814

RE: SB 395

Fax

Dear Senator:

I strongly support SB 395, which would help people under the age of 18 understand their rights before giving them up. I respectfully urge you to support this bill.

In California, youth as young as 10 years old can be interrogated by police, and they often give up their Miranda rights when it was perfectly clear that they do not understand what those rights meant. The facts of these cases are shocking. However, older teens, too, have limited ability to quickly understand their rights, especially in a stress-laden situation such as being in police custody. Teens tend to be focused on immediate rewards and outcomes (such as, "if I tell you what you want to hear, can I go home?"). Schools and parents teach children to be respectful, and require obedience to authority. This makes it difficult to understand that you have a right as a 16- or 17-year-old to say "no" to a police officer.

California law permits police officers to:

- Remove a child from school without parental knowledge or permission;
- Interrogate him or her for hours without notifying a parent;
- Refuse to contact a parent during interrogation, even if a child repeatedly asks for his or her mother or father;
- Lie to a child during interrogation, for example saying that there is evidence against the child even if there is not; and
- Use psychologically coercive methods.

This bill would not interfere with the various techniques or tools used by police. It would not take away the youth's ability to decide to waive his or her rights. It would not even create a remedy of suppression if a confession was obtained without following this law. It is a bill narrowly focused on the heart of the issue: Does the young person understand his/her rights?

I believe this is exactly the kind of law California needs. I respectfully ask for your support.

Thank you,

Signed

Printed Name

Address

City, State, Zip

Cc: Human Rights Watch (fax: 310-477-4622)

The Honorable
California State Senator
State Capitol
Sacramento, CA 95814

Via facsimile

RE: **SUPPORT FOR SENATE BILL 395**
PROTECTING THE CONSTITUTIONAL RIGHTS OF YOUTH

Dear Senator:

I support passage of Senate Bill 395. I ask you for a yes vote on this bill.

Senate Bill 395 will require youth under 18 to consult with counsel prior to waiving their rights. This will preserve youth's constitutional rights and protect the integrity of our criminal justice system.

Most people I know can't believe this isn't already the law.

Youth under age 18 should not make a life-altering decision alone. When a child faces interrogation and the decision whether to give up rights, they should have an adult who knows the law, can explain what it means, and is not, as police officers are, tasked with the goal of solving a crime. California's children should not be alone in a situation where they face a very difficult decision and do not understand the consequences.

Anyone who thinks about a child they love being in a situation of custodial interrogation would think this bill is a good idea. Science supports this bill. Common experience supports this bill. Basic compassion supports this bill. I respectfully ask that you, too, support SB 395.

With respect,

Signed

Printed Name

Address

Email

cc: Human Rights Watch, Fax: 310-477-4622

**2. PICK ONE OF THE FOLLOWING LETTERS FOR
YOUR ASSEMBLY MEMBER**

The Honorable
California State Assembly Member
State Capitol
Sacramento, CA 95814

RE: Support for SB 395 – Miranda Rights and Youth

Dear Assembly Member:

I strongly support SB 395. If it becomes law, youth under the age of 18 will get to consult an attorney before waiving their *Miranda* rights. It is a fair bill that recognizes that young people are different from adults.

Currently in California, children – no matter how young – can waive their *Miranda* rights. But it is critical to ensure youth understand their rights. Widely accepted cognitive science research has shown that the capacity of youth to grasp legal rights is less than that of an adult. SB 395 will require youth under 18 to consult with counsel prior to waiving their rights. This will preserve constitutional rights and protect the integrity of our criminal justice system.

California's laws on youth waiving their rights have not changed in nearly half a century. Society's understanding of the capacities of youth has dramatically changed during those 50 years. It is time for California to do what many other states have already done: We should bring our law in line with modern science. By ensuring youth understand their rights, we can ensure the outcome of interrogations are just and lawful, and create greater trust, accountability, and due process for all.

I respectfully ask that you please vote for SB 395.

Sincerely,

Signed

Printed Name

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California State Assembly Member
State Capitol
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Miranda rights are important, reflecting some of this country’s most essential constitutional ideals. Our founders believed the right against self-incrimination and the right to an attorney were not just protections for individuals, but were also important protections against oppressive government.

We now know that adolescents cannot quickly understand complex legal issues in the same way that adults can. Research has shown that youth are more likely than adults to give up their rights without understanding them. Youth are also more likely to succumb to the normal pressures of interrogation, and have a much higher rate of falsely confessing than adults do.

Senate Bill 395 does only one thing: it makes sure that youth understand their rights before waiving them. I ask you to please vote yes on this bill. Thank you.

Very truly yours,

Signed

Printed Name

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Email

cc: Human Rights Watch, Fax: (310) 477-4622

The Honorable
California State Assembly Member
State Capitol
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VIA FAX

Support for SB 395

Dear Assembly Member:

Please support SB 395, a bill that ensures constitutional rights have real meaning for our youth. Widely accepted research concludes that young people have less capacity to exercise mature judgment and are more likely than adults to disregard the long-term consequences of their behavior. Moreover, courts have noted that young people are more vulnerable than adults to interrogation and have a limited understanding of the criminal justice system. These problems are amplified for youth who are very young, or who have developmental disabilities, cognitive delays, or mental health challenges. A recent study of exonerations found that 42% of juveniles had falsely confessed as compared to just 13% of adults.

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I ask you to please protect the constitutional rights of youth and support this bill.

Sincerely,

Signed

Address

Printed Name

cc: Human Rights Watch Fax: 310.477.4622

Email

The Honorable
California State Assembly Member
State Capitol
Sacramento, CA 95814

RE: SB 395

Fax

Dear Assembly Member:

I strongly support SB 395, which would help people under the age of 18 understand their rights before giving them up. I respectfully urge you to support this bill.

In California, youth as young as 10 years old can be interrogated by police, and they often give up their Miranda rights when it was perfectly clear that they do not understand what those rights meant. The facts of these cases are shocking. However, older teens, too, have limited ability to quickly understand their rights, especially in a stress-laden situation such as being in police custody. Teens tend to be focused on immediate rewards and outcomes (such as, "if I tell you what you want to hear, can I go home?"). Schools and parents teach children to be respectful, and require obedience to authority. This makes it difficult to understand that you have a right as a 16- or 17-year-old to say "no" to a police officer.

California law permits police officers to:

- Remove a child from school without parental knowledge or permission;
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I believe this is exactly the kind of law California needs. I respectfully ask for your support.

Thank you,

Signed

Printed Name

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City, State, Zip

Cc: Human Rights Watch (fax: 310-477-4622)

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Via facsimile

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PROTECTING THE CONSTITUTIONAL RIGHTS OF YOUTH

Dear Assembly Member:

I support passage of Senate Bill 395. I ask you for a yes vote on this bill.

Senate Bill 395 will require youth under 18 to consult with counsel prior to waiving their rights. This will preserve youth's constitutional rights and protect the integrity of our criminal justice system.

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Youth under age 18 should not make a life-altering decision alone. When a child faces interrogation and the decision whether to give up rights, they should have an adult who knows the law, can explain what it means, and is not, as police officers are, tasked with the goal of solving a crime. California's children should not be alone in a situation where they face a very difficult decision and do not understand the consequences.

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With respect,

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Printed Name

Address

cc: Human Rights Watch, Fax: 310-477-4622

**3. PICK ONE OF THE FOLLOWING LETTERS FOR
THE GOVERNOR**

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

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I respectfully ask that you sign this important bill into law.

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Via email

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VIA EMAIL

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Printed Name

Address

City, State, Zip

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Governor of California
State Capitol
Sacramento, CA 95814

Via email

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