



CALL OR EMAIL YOUR SENATOR TODAY!

Pass Senate Bill 340

Advancing Youth Justice in Indiana

*This multi-issue **youth justice bill** promotes commonsense policies designed to confront systemic racism, treat children in an age- and developmentally-appropriate manner, and protect children from dangerous and overly punitive practices.*

ABOUT SB 340:

SB 340 is now in the Senate Corrections and Criminal Law Committee, and a hearing has not been set. The committee is chaired by Senator Mike Young. Call or email Senator Young's legislative assistant, Madalynn Conner (317/232-9517, Madalynn.Conner@iga.in.gov) to speak to the senator today. Tell him that protecting children through this bill is important to you, and ask him to hear the bill. Also send emails to committee members seeking their support for a hearing.

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Prohibition of the Use of Deceptive Tactics on Youth in Custodial Interrogations:

Prohibits the use of statement elicited from children during a custodial interrogation if the law enforcement officer or school resource officer "knowingly" lies to the child about evidence of the act, or the potential consequences. Currently, to elicit confessions, law enforcement officers may lie to suspects they are questioning in custody, including children. Permissible deceptive tactics include lying about the evidence and giving false impressions of leniency if the child admits. Because children's brains are still developing, their decision-making and future planning abilities are limited. This makes them vulnerable to falling prey to the manipulation of these deceptions and falsely confessing to acts they did not commit. Around the nation, states are taking action to prohibit these psychologically coercive interrogation tactics and safeguard against false confessions. By prohibiting law enforcement from lying to children they are questioning, Indiana would protect children from falsely incriminating themselves and improve the integrity and reliability of the justice system.

Right of Children in Detention Facilities to Have Access to Family:

Provides for weekly in person visits unless extraordinary circumstances prevent, and for a minimum of two (2) free phone calls of at least ten (10) minutes each week. Among the traumas experienced by children held in detention facilities is separation from their families, often for weeks or even months at a time. They struggle to access their families and loved ones, sometimes by virtue of their inability to afford the cost of phone calls or other means of communication. Contact and communication with their parents, guardians, and other loved ones is critical for their wellbeing and

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development. Moreover, children's success in the community relies in part on the strength of their family and community relationships, making family engagement for detained youth all the more essential.

Protecting the Identities of Children in Juvenile Court:

3 Limits public access to acts that would be murder or a felony, and requires the use of initials on documents that may be released to the public, both for the child facing delinquency allegations and victims. The National Juvenile Justice Network and the Juvenile Law Center both recommend that the records of juvenile proceedings remain confidential, and to the extent that public access is allowed, those records should be redacted to protect the identities of the children involved. The focus and reason for a juvenile delinquency system is to rehabilitate children in a way that limits the negative impacts of State involvement. Most children involved in delinquent behavior will age out of that conduct, and there is no need to provide lasting public documents that identify the child.

Requiring the State to Prove that the Coercive Intervention of the Court is Necessary for Low-Level Offenses:

4 Requires allegation and proof that the child needs care, treatment, or rehabilitation that the child is not receiving and likely not to receive without the coercive intervention of the court for misdemeanor delinquent offenses (except for firearm misdemeanors). The requirement for proof of these additional elements is already a part of juvenile status offenses. Similar to status offenses, low-level delinquent conduct can often be addressed by parental or school response to the delinquent behavior. The juvenile court and participants which refer cases to the juvenile court (probation officers and prosecutors) should have legislative guidance that unnecessary justice system involvement should be avoided.

SB 340 also includes provisions that would **ABOLISH JUVENILE LIFE WITHOUT PAROLE, CREATE A SENTENCE MODICATION PROCEDURE FOR CRIMES COMMITTED BY PERSONS LESS THAN 18 YEARS OF AGE** and **REQUIRE A HEARING FOR ALL CHILDREN BEFORE THEY CAN BE PROSECUTED IN ADULT CRIMINAL COURT**. Click [here](#) for more information on these initiatives.

To Read SB 340, Click [Here](#)

For Contact Information for Members on the
Senate Corrections and Criminal Law Committee Click [Here](#)

For More Tools to Advocate for Youth Justice Issues in the
2022 Indiana General Assembly Session, Click [Here](#)