



February 19, 2016

Senator Patricia Van Pelt  
218A Capitol Building  
Springfield, IL 62706

Re: Senate Bill 2370

Dear Senator Van Pelt:

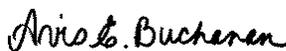
The National Legal Aid & Defender Association (NLADA) leads a broad network of advocates, organizations, community members, and legal professionals focused on promoting excellence in legal services or those who cannot afford counsel. The American Council of Chief Defenders (ACCD), a part of NLADA, is a national community of public defense leaders dedicated to securing a fair justice system and ensuring high quality legal representation for people facing loss of life or liberty.

The NLADA and ACCD strongly support Senate Bill (SB) 2370, which provides a right to advice of counsel to children during police interrogations and prohibits the use of any statements taken during such interrogations without counsel. SB 2370 would serve as a strong protection for vulnerable children and substantially advance children's rights.

As we mark the 50<sup>th</sup> anniversary of the U.S. Supreme Court's decision in *Miranda v. Arizona* – which applies to children as well as to adults – we acknowledge the growing body of law and research that documents the difficulty many children have in fully understanding and exercising on their own their right to remain silent, their right to have an attorney while being questioned, and their right to have an attorney appointed if they cannot afford one. Children also are called upon to make other important decisions, such as whether to cooperate with the government, that can have significant implications for their lives. These are decisions that even adults can find to be difficult to make. The right to advice of counsel for children at police interrogations must therefore be automatic. With an attorney present to protect their interests at this critical stage of juvenile delinquency or adult criminal proceedings, children can look forward to fairer outcomes.

SB 2370 is consistent with the guarantee of due process, and will protect the rights of children and significantly improve the administration of justice.

Respectfully submitted,

  
Avis Buchanan  
Chair, Executive Committee  
American Council of Chief Defenders

  
Jo-Ann Wallace  
President & CEO  
National Legal Aid & Defender Association