

# Child Interrogation Protection Act (CIPA)



## Youth are uniquely vulnerable in interrogations

- **78%** of 11-to 13-year-olds, **63%** of 14-to 15-year-olds, and **35%** of 16-to 17-year-olds do not understand why their **Miranda** rights matter.\*
- One study found youth were **3x** more likely to **falsely confess** than adults.\*\*
- **36%** of those exonerated for crimes they were convicted of while children, and **86%** of those exonerated for crimes allegedly committed before they turned 14, **had falsely confessed**, compared to only **10%** of those exonerated for crimes they were convicted of as adults.\*\*\*

## Does not harm investigations:

CIPA allows law enforcement to:

- conduct witness interviews,
- speak to community members, &
- interrogate children who have been properly informed of their rights and choose to waive them.

## CIPA Hotline Helps!

MOPD hotline attorneys are experts trained to:

- Explain the law in age-appropriate terms.
- Answer legal questions.
- Help children understand the process.

## CIPA requires law enforcement to allow a child to speak to an attorney before a *custodial interrogation*.

Custodial Interrogation only occurs when:

- the child is being detained by the police;
- the child is being directly questioned by the police;
- the child is being questioned in connection with a criminal investigation.

\*Viljoen, J.L., Zapf, P.A., and Roesch, R. (2006), Adjudicative competence and comprehension of Miranda Rights in adolescent defendants: A comparison of legal standards, Behavioral Sciences and the Law, 25(1), 1-19, [https://www.researchgate.net/publication/6518371\\_Adjudicative\\_competence\\_and\\_comprehension\\_of\\_Miranda\\_Rights\\_in\\_adolescent\\_defendants\\_A\\_comparison\\_of\\_legal\\_standards](https://www.researchgate.net/publication/6518371_Adjudicative_competence_and_comprehension_of_Miranda_Rights_in_adolescent_defendants_A_comparison_of_legal_standards).

\*\* Source: Northwestern School of Law, Center on Wrongful Convictions of Youth, <https://www.law.northwestern.edu/legalclinic/wrongfulconvictionsyouth/understandproblem/#:~:text=One%20leading%20study%20of%20125,to%20falsely%20confess%20as%20adults.>

\*\*\*National Registry of Exonerations (2020), Age and Mental Status of Exonerated Defendants Who Confessed, <https://www.law.umich.edu/special/exoneration/Documents/Age%20and%20Mental%20Status%20of%20Exonerated%20Defendants%20Who%20Falsely%20Confess%20Table.pdf>.

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