

U.S. Public Rejects Interrogation of Minors without Parental Knowledge – Even When Domestic Abuse Is Suspected

Voters are not willing to make an exception to Fourth Amendment requirements for warrants and court orders even if the case involves suspected parental abuse of their children. According to a national telephone poll of registered voters by Fairleigh Dickinson University's PublicMind™, nearly three in five voters (58%) say "authorities must inform the parents before they interrogate a child, unless there is a court order or an immediate danger." Half that number (29%) say an interrogation can be conducted without the parents' knowledge or any court action, if the questioning is about possible abuse at home. The U.S. Supreme Court's decision on the matter was announced today.

The case *Camreta v. Greene* (aka. *Alford v. Greene*), arose from an incident in Oregon where a 9-year-old girl was questioned for up to two hours by a deputy sheriff and a social worker who wanted to determine whether she was being sexually abused at home. They did not have a court order and they did not inform the parents.

No differences can be found in party affiliations or even between liberals and conservatives, but other distinct differences emerge among subgroups in the national telephone survey. For example, men are significantly more likely than women to say the parents have to be informed or a warrant obtained than women (65%-23% compared to 50%-35%). Put differently, women are more likely than men to say such questioning can proceed without parental knowledge or court orders.

At the same time, nonwhite citizens are significantly more likely than white citizens to insist on the parents being informed or proper warrants obtained (67%-23% compared to 54%-32%). "Most nonwhite citizens tend to be much more suspicious of the good intentions of authority figures, especially police, than white citizens," said [Bruce Peabody](#), professor of political science at FDU and editor of the book [*The Politics of Judicial Independence*](#).

"However," said Peabody, "the court ducked key issues by ruling that the case is moot." The justices avoided ruling on whether the girl's rights were violated, noting the girl, who was nine at the time of the interrogation, is turning 18, and the father was tried in court but not convicted.

"They did not actually say whether they agree with the lower court's ruling that that the interrogation was unreasonable," said Peabody. "They simply vacated the lower court's decision that it did violate her rights."

"The Fourth Amendment is one of the most heavily litigated of all constitutional provisions related to criminal procedure," Peabody added. "It is all but certain that the legal issues underlying the case will come before the court again."

The university-based research center conducted a national poll focusing on four prominent cases considered by the highest court this year: *Brown v. Entertainment Merchants*, *Brown v. Plata*, *Arizona Christian School Tuition Organization v. Winn*, and *Camreta v. Greene*. The [Fairleigh Dickinson University](#) poll of 800 registered voters nationwide was conducted by telephone using both landlines and cell phones from March 21, 2011, through March 28, 2011, and has a margin of error of +/-3.5 percentage points.

Methodology, Questions, and Tables

The most recent survey by Fairleigh Dickinson University's PublicMind was conducted by telephone from Mar. 21, 2011, through Mar. 28, 2011, using a randomly selected national sample of 800 registered voters. The margin of error for a sample of 800 randomly selected respondents is +/- 3.5 percentage points. The margin of error for subgroups is larger and varies by the size of that subgroup. Survey results are also subject to non-sampling error. This kind of error, which cannot be measured, arises from a number of factors including, but not limited to, non-response (eligible individuals refusing to be interviewed), question wording, the order in which questions are asked, and variations among interviewers. PublicMind interviews are conducted by Opinion America of Cedar Knolls, NJ, with professionally trained interviewers using a CATI (Computer Assisted Telephone Interviewing) system. Random selection is achieved by computerized random-digit dialing. This technique gives every person with a land-line phone number (including those with unlisted numbers) an equal chance of being selected. Landline households are supplemented with a separate, randomly selected sample of cell-phone-only-households, interviewed in the same time frame. The total combined sample is mathematically weighted to match known demographics of age, race and gender.

This case is about a girl who was interrogated at school for two hours by state authorities without her parents' knowledge. Have you heard about this case?

	All
Yes	18%
No	82%

Some people argue that... ROTATE. Others argue that...ROTATE. Which comes closer to your view?
 ...she had to be interrogated without her parents' knowledge because the questioning was about possible abuse at home.
 ...authorities must inform the parents before they interrogate a child, unless there is a court order or an immediate danger.

Rotate order	All	Party ID			gender		ideology			race	
		D	I	R	men	wom	lib	mod	con	white	Non-white
interrogate	29%	29	30	29	23	35	25	34	27	32	23
inform parents	58%	60	56	58	65	50	59	56	60	54	67
unsure	13%	11	14	13	12	15	16	10	14	13	10

Question Wording and Order

Questions US1 through USP3E preceded this series and were released on March 30. Four questions were asked in this series.

Now let me ask you about some cases that the US Supreme Court is considering...

ROTATE ORDER OF CASES

[Schwarzenegger v. Entertainment Merchants]

SC1a. Recently, some states have passed laws that forbid the sale of violent video games to children under 18. How much have you heard or read about this issue...READ?

- a lot
- some
- just a little
- or nothing.
- [DK=nothing]

SC1b. Some people say... ROTATE. Others say...ROTATE Which comes closer to your view?

... states do not have the right to decide that some video games are too violent for people under 18, any more than they have the right to decide what literature or fairy tales are too violent for people under 18, and that these decisions must be left to parents.

...states have a right to regulate the sale of violent video games in order to protect people under 18, the same way they regulate the sale of cigarettes, alcohol, or pornography to protect people under 18.

DO NOT READ
Left to parents
Regulate
DK

[Schwarzenegger v. Plata]

SC2. This case involves a question of overcrowded prisons in one state...

Some people argue that... ROTATE. Others argue that...ROTATE. Which comes closer to your view?

...the prisons are so over-crowded, and the health conditions so poor, that some prisoners have to be let go.

... even though conditions are bad, the court cannot order criminals to be released.

DO NOT READ
Release
Can't release
DK

[Arizona Christian School Tuition Organization v. Winn]

SC3A. This court case involves a state that allows a discount on taxes for parents who send their children to private schools, including schools with religious affiliations.

Have you heard about this case?

Yes
No
DK

SC3b. Some people argue that... ROTATE. Others argue that...ROTATE. Which comes closer to your view?

...so many parents send their kids to schools with a religious affiliation that the state is supporting religious schools.

...the state is not supporting religious schools, it is simply supporting the parents' right to choose schools...

DO NOT READ
It is supporting religious schools
It is supporting parents' right to choose.
DK

[Alford v. Greene]

SC4. This case is about a girl who was interrogated at school for two hours by state authorities without her parents' knowledge.

Have you heard about this case?

Yes
No
DK

Some people argue that... ROTATE. Others argue that...ROTATE. Which comes closer to your view?

...she had to be interrogated without her parents' knowledge because the questioning was about possible abuse at home.

...authorities must inform the parents before they interrogate a child, unless there is a court order or an immediate danger.

Interrogate
Inform parents
DK

Sample Characteristics

Gender

Male	50
Female	50

Party ID

Democrat	31
Ind. Lean Dem.	12
Independent	15
Ind. Lean Rep.	14
Republican	23
Other/ref.	4

Age

18-29	12
30-44	25
45-59	30
60+	30
ref.	2

In addition to being American, would you say you are...?

White	68
Black	13
Hispanic or Latino	9
Asian	4
Other/ref.	5

Census regions

Northeast	21
North central	24
South	34
West	20

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