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*****FOR IMMEDIATE RELEASE*****

***As NYS Legislature Reconvenes Post-Budget, Legal Aid and BronxConnect Urge
Lawmakers to Enact Critical Legislation to Protect Young New Yorkers' Rights
During Police Interrogations***

***#Right2RemainSilent Legislation Will Curb Same Deceptive Police Tactics That
Ensnared Exonerated Five More Than 30 Years Ago***

(NEW YORK, NY) – As the New York State Legislature reconvenes post-budget, **The Legal Aid Society and BronxConnect** called on Albany lawmakers to enact critical legislation (S.2800/A.5891) that would codify young New Yorkers' right to counsel before a police interrogation.

The legislation, sponsored by Senator Jamaal Bailey and Assembly Member Latoya Joyner, modifies the Family Court Act and Criminal Procedure Law to ensure that a child under age 18 may only be interrogated by law enforcement after the young person has consulted with counsel, thereby ensuring any waiver of rights under Miranda is genuinely knowing, voluntary, and intelligent.

The statute already authorizes interrogations only when "necessary." The bill clarifies that a custodial interrogation of a child may be deemed necessary only when there is an imminent risk of harm to the child or others. Ever since the Exonerated Five were interrogated as youth and coerced into false confessions more than 30 years ago, New York State has failed to curb deceptive interrogation tactics used by the police.

Instead, young people, who lack the capacity to fully understand Miranda warnings and fully appreciate the long term consequences of their decision to waive this Constitutional right, continue to be subjected to coercive interrogations by law enforcement.

This bill would ensure that all youth, including the predominantly Black and Latinx youth who are too often the targets of police interrogation, have the benefit of an attorney protecting their right to remain silent, even when they lack the resources to hire private counsel.

Last month, Legal Aid and BronxConnect, along with [dozens](#) of other organizations from across New York State, [launched](#) the #Right2RemainSilent campaign in support of this legislation.

As part of the campaign, Legal Aid released a [video](#) of a New York City Police Department (NYPD) officer using coercive and deceptive tactics to induce a young New Yorker to waive his Miranda rights during a police interrogation.

The Legal Aid Society and BronxConnect said, “Now with the budget finalized, lawmakers must prioritize this critical legislation which provides long overdue protections for the young people our organizations collectively serve - New Yorkers predominantly from Black and Latinx communities who lack the resources to hire private counsel before being interrogated.

Due to their developmental stage, youth are not able to fully comprehend Miranda warnings, or the consequences of waiving their right to remain silent. They also make false confessions at much higher rates than adults. By requiring consultation with counsel before a youth can be interrogated, this bill would ensure that a child’s right to remain silent is protected.

This is common sense legislation that will defend against deceptive police interrogation tactics and wrongful convictions. We call on state lawmakers to enact this bill at once.”

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The Legal Aid Society exists for one simple yet powerful reason: to ensure that New Yorkers are not denied their right to equal justice because of poverty. For over 140 years, we have protected, defended, and advocated for those who have struggled in silence for far too long. Every day, in every borough, The Legal Aid Society changes the lives of our clients and helps improve our communities. www.legalaidnyc.org