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

***Law Enforcement, Former Judges and a Coalition of 100+ Organizations Across
NYS Call on Albany to Enact Legislation to Ensure that Young New Yorkers
Have Counsel Prior to a Police Interrogation***

(NEW YORK, NY) - The Legal Aid Society; Yusef Salaam, a member of the Exonerated Five; Los Angeles County District Attorney George Gascón; nine retired former New York State Judges; and a [coalition](#) of more than 100 youth development, academic, faith-based and advocacy organizations across New York State [called](#) on Albany to pass and sign into law [S.2800/A.5891](#), legislation that would protect young New Yorkers' constitutional [right to remain silent](#) by providing them counsel before a police interrogation.

“As someone who lost years of my life as a result of outrageous treatment by the police as an adolescent, including a coerced confession, I know how essential this bill is. It’s particularly devastating that, decades later, these egregious practices are still allowed. This critical law is long overdue, and Albany must enact it this session,” said **Yusef Salaam, a member of the Exonerated Five.**

Los Angeles County District Attorney George Gascón, in a [letter](#) to Senate Majority Leader Stewart-Cousins and Assembly Speaker Carl Heastie, wrote that “...this bill offers New York an opportunity to address racial disproportionality and set a national standard in implementing needed protections for youth in interactions with law enforcement.”

Sidney Gribetz, a Former New York State Family Court Judge, submitted a memo of support for S.2800/A.5891, writing, “An unfortunate reality of our current society is that a major portion of juvenile arrests come from under-served communities of our City, mired in poverty and poor education. In this regard the children and parents affected by police encounters are even more unsophisticated and at a disadvantage to navigate the system, thus placing them more at risk.”

Lee Elkins, a Former New York State Family Court Judge, in a letter to lawmakers, wrote, “The mandatory presence of counsel serves to counter the inherently coercive atmosphere of the police interrogation, provides a check on the impulsivity of the juvenile, and helps to ensure that another miscarriage of justice such as occurred in the Central Park 5 case will not be repeated.”

“This legislation would provide long overdue protections for our vulnerable Black and Latinx clients. Young people are not able to fully comprehend their right to remain silent or the consequences of waiving that right. They also are much more likely to falsely confess than adults. By requiring youth to consult with counsel before they can waive their Miranda rights, this bill would ensure that those without the means to hire a private attorney are not disadvantaged. The Legal Aid Society calls on Albany lawmakers to pass this legislation at once,” said **Dawne Mitchell, Attorney-in-Charge of the Juvenile Rights Practice at The Legal Aid Society.**

Background on S.2800/A.5891

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 must consult with counsel before they can waive their constitutional right to remain silent, thereby ensuring any waiver of rights under Miranda is genuinely knowing, voluntary, and intelligent.

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 decisions, 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.

Video of a New York City Police Department officer violating a young New Yorker’s Miranda rights during a police interrogation: <https://www.youtube.com/watch?v=oARbSQaw0uA>.

In addition to Legal Aid, some of the organizations who signed on in support of this legislation include Bronx Connect, The Innocence Project, New York Civil Liberties Union, Make The Road New York, The Interfaith Center of New York, Children's Defense Fund-New York, The Fortune Society and many others.

Statements/Letters of Support

[Hon. Emily Olshansky](#)

[Hon. Lee Elkins](#)

[Hon. Ann Elizabeth O’Shea](#)

[Hon. Barbara Salinitro](#)

[Hon. Daniel Turbow](#)

[Hon. Sidney Gribetz](#)

[Hon. Monica Drinane](#)

[Hon. Bryanne Hamill](#)

[Hon. Paula Hepner](#)

[Additional letters/memos of support](#)

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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 145 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