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

Zachary Carter, Former NYC Corporation Counsel, U.S. Attorney for NY's Eastern District, NYS Criminal Court Judge and Current LAS Board Chair Calls on Albany to Enact Legislation to Ensure That Young New Yorkers Have Access to Counsel Prior to a Police Interrogation

(NEW YORK, NY) - Zachary Carter, former New York City Corporation Counsel, United States Attorney for the Eastern District of New Yorker under President Bill Clinton, former New York State Criminal Court Judge and current Chair of the Board of Directors at The Legal Aid Society, in a recent [letter](#), called on Governor Hochul, Senate Majority Leader Stewart-Cousins and Speaker Heastie to enact [S.2800/A.5891](#), legislation to ensure that young New Yorkers have [access to counsel prior](#) to 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 tragic wrongful convictions of the [Exonerated Five](#) demonstrated the vulnerability of youth to police interrogation techniques that may be coercive or suggestive. But New York State has failed to enact laws to protect youth facing interrogation by police without access to counsel. Instead, young people, who lack the capacity to fully understand the practical consequences of waiving their *Miranda* rights, often submit to interrogation under circumstances that have produced false confessions.

Earlier this month, a coalition of law enforcement, [nine former New York State Family Court judges](#) and over 100 organizations from across New York State [called](#) on Albany lawmakers to enact A.5891-C/S.2800C.

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>.

The letter states:

Without appropriately enhanced protections, interrogations of children can have serious negative consequences including coerced, false and unreliable statements and confessions and consequent wrongful convictions, resulting in diminished public confidence in the legal system, and an erosion of public safety.

Requiring consultation with an attorney before the right to remain silent can be waived by children under 18 ensures that any such waiver will meet the constitutional standard of being knowing, intelligent and voluntary. I therefore urge the Legislature to pass A.5891-C/S.2800-C.

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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