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

***Statewide #Right2RemainSilent Coalition Applauds Introduction of City Council Resolution Calling on Albany Lawmakers to Pass Legislation to Ensure that Young New Yorkers Have Access to an Attorney Prior to a Police Interrogation***

(NEW YORK, NY) – #Right2RemainSilent, a coalition of more than 100 organizations across New York State, expressed fervent support for the introduction today of a resolution by the New York City Council calling on Albany lawmakers to pass [#Right2RemainSilent legislation \(S1099/A1963\)](#) to codify young New Yorkers’ right to counsel before a custodial police interrogation. The resolution is sponsored by Council Member Tiffany Cabán.

This bill would modify the Family Court Act and Criminal Procedure Law to ensure that any child under age 18 consult with a lawyer before they may be subjected to custodial interrogation by law enforcement, thereby ensuring any waiver of rights under Miranda is genuinely knowing, voluntary, and intelligent. It also requires the police to notify a parent before transporting the child to the precinct when taking a child into custody.

It is well established that youth falsely confess at higher rates than adults. Indeed, more than 30 years ago, the Exonerated Five were interrogated as youth and coerced into false confessions. That same year in Westchester County, Jeffrey Deskovic was also interrogated without counsel at age 16, resulting in a coerced false confession and wrongful conviction, despite exculpatory DNA evidence. The millions of dollars spent on these wrongful convictions do not compensate for the injustice and lost years of these individuals.

Youth lack the capacity to fully understand Miranda warnings and truly appreciate the long term consequences of their decisions. That is why any family that can afford an attorney would hire one before their child was interrogated. This bill would even the playing field and ensure that all children under 18, 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>.

The #Right2RemainSilent Coalition thanks Senator Bailey and Assembly Member Joyner for introducing this important bill in the New York State Legislature.

“In the three decades since the injustice of the Central Park 5 occurred – little has changed in our criminal justice system,” said **Assemblywoman Latoya Joyner (D-Bronx, 77th AD)**. “Our criminal justice system remains open to a repeat of the same horrible events that took place decades ago and the scales of justice continue to lean toward injustice – particularly when it comes to young men of color. That is why I have introduced the Right to Remain Silent Act which requires that a youth consult with an attorney prior to being interrogated by law enforcement. This legislation recognizes that our criminal justice system can no longer be built upon the exploitation of youth

in pursuit of outcomes that are unjust and ultimately punish the innocent for crimes they did not commit. And it does so by making sure that young people aren't forced to waive their Miranda rights without fully understanding just what that means. I appreciate the support being shown by New York City Councilmembers and welcome them as we join together in the fight for justice."

**Exoneree Jeffrey Deskovic, Esq.**, said "Kids 17 and younger cannot understand their Fifth Amendment Rights without having them explained by a lawyer. Waiving one's rights without understanding them can and does lead to false confessions and wrongful convictions, as happened to me."

"The #Right2RemainSilent Act would provide long overdue protections for our vulnerable Black and Latinx clients. Young people are not able to comprehend the Miranda warnings, or the consequences of waiving their right to remain silent. Due to their developmental stage, they also make false confessions at much higher rates than adults. By requiring consultation with counsel before a child under 18 can be interrogated, the bill would ensure that a child's right to remain silent is protected and that those without the means to hire a private attorney will not be disadvantaged. The Legal Aid Society thanks Council Member Tiffany Cabán for introducing this resolution, and Senator Jamaal Bailey and Assembly Member Latoya Joyner for sponsoring the #Right2RemainSilent Act to protect children during interrogations. We urge Albany to enact this reform immediately," said **Dawne Mitchell, chief attorney of the Juvenile Rights Practice at The Legal Aid Society.**

"The #Right2RemainSilent legislation is an essential step toward youth justice in New York, especially children of color. We thank Council Member Tiffany Cabán for introducing this resolution supporting the bill, and we appreciate Senator Jamaal Bailey and Assembly Member Latoya Joyner for their leadership in this campaign to protect all children during police interrogation," said **Julia L. Davis, director of youth justice & child welfare, Children's Defense Fund-New York.**

"I want to applaud the City Councilmember Member Tiffany Cabán for recognizing the importance of protecting our youth with this resolution," said **Reverend Wendy Calderon-Payne, executive director of BronxConnect.** Studies have proven that brain development continues until the age of 25, which impedes a child's ability to understand the implications of waiving their rights. Passage of the Youth Interrogation Bill is the only responsible option. We already know that over 90% of children 18 and under waive their right to remain silent, and that 35% falsely confess in contrast to only 10% of adults. Legal counsel should not just be an option for children who are unable to comprehend what rights are. BronxConnect thanks Senator Jamaal Bailey and Assembly Member Latoya Joyner for sponsoring the #Right2RemainSilent bill to protect children during interrogations."

"Ensuring that youth under the age of 18 cannot waive their right to remain silent without consulting with an attorney first will prevent young people from falling victim to the criminal legal system and the lifelong implications that could pose. No youth should be interrogated or coerced into a false confession, that's why we urge Albany to enact this reform immediately," said **Lauren Galloway, advocacy coordinator for Coalition for Homeless Youth.** "We would like to thank Council Member Tiffany Cabán for introducing this resolution, and Senator Jamaal Bailey and Assembly Member Latoya Joyner for championing the #Right2RemainSilent bill."

"The Gathering for Justice is grateful to Council Member Tiffany Cabán for supporting the #Right2RemainSilent legislation by introducing this resolution, and applaud Senator Jamaal Bailey and Assembly Member Latoya Joyner for sponsoring this critical piece of legislation. As an organization focused on ending child incarceration and eliminating the racial inequities that permeate the justice system, we know police often target Black and Brown youth. We must therefore ensure all young people have the ability to consult with counsel before being interrogated by police. We implore the New York State Legislature to pass, and the governor to enact, this long overdue reform to protect our children's rights," said **Carmen Perez-Jordan, president and CEO of The Gathering for Justice.**

“This bill upholds the fundamental principle that all individuals, regardless of age, have the right to remain silent and the right to counsel during police interrogations,” said **Alex Griffith, director of court partnerships of exalt**. “As a youth development organization committed to empowering and supporting youth who have been involved in the criminal justice system, we endorse Senator Bailey, Assembly Member Joyner and Council Member Caban’s efforts to pass this bill. Every young person should have the right to remain silent and not be subjected to any form of coercion or forced to incriminate themselves. This bill will not only safeguard the constitutional rights of youth with legal challenges but also contribute to a just and fair justice system.”

“As racial inequities and the unequal power dynamics between law enforcement and our youth continue to disproportionately impact youth of color, Westchester Children’s Association thanks Councilwoman Tiffany Cabán for introducing this resolution and supports Senator Jamaal Bailey and Assemblywoman Latoya Joyner for their leadership in the #Right2RemainSilent campaign. This legislation aids in protecting our most vulnerable youth from having their prosperous futures short circuited as a result of not understanding the consequences of waiving their Miranda rights. Far too often, aggressive interrogation methods, age-appropriate shortsightedness, and vulnerability to pressure from law enforcement have led to false confessions and wrongful convictions. It’s time for change, and we must put an end to these serious injustices,” said **Angel Gray, program and policy manager, Westchester Children’s Association**.

“No young person should ever face interrogation without a lawyer,” said **Kate Rubin, director of policy at Youth Represent**. “The #Right2RemainSilent bill is critical youth justice legislation, and we thank Council Member Caban for introducing this resolution in support of it, and Assembly Member Joyner and Senator Bailey for sponsoring the bill and leading the effort to enact it.”

“False confessions are a leading cause of wrongful conviction and young people are particularly vulnerable, particularly given the tactics employed by law enforcement, including deception. The Innocence Project applauds Tiffany Cabán for introducing this resolution to ensure young people have a right to counsel during interrogations and looks forward to the passage of a statewide bill sponsored by Senator Jamaal Bailey. A failure to pass this legislation promises more false confessions and wrongful convictions of children,” said **Rebecca Brown, director of policy, Innocence Project**.

“Coercive and deceptive police interrogation techniques result in false confession. This is particularly true for young people and children of color, who are cognitively more susceptible to pressure, and they often do not know their rights,” said **Jared Trujillo, senior policy counsel at the New York Civil Liberties Union**. “Three decades after the Central Park 5 spent their youth in cages due to coercive police interrogations, it is past time for New York to pass this critical reform to increase accountability of law enforcement officers and minimize false confessions from children.”

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