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*****MEDIA ADVISORY*****

#Right2RemainSilent Coalition to Hold Advocacy Day Today in Albany Urging Lawmakers to Pass Critical Statewide Bill to Ensure that Young New Yorkers Speak with an Attorney Prior to a Police Interrogation

(NEW YORK, NY) - **The #Right2RemainSilent Coalition** will hold an advocacy day at the New York State Capitol in Albany today, February 13, to urge lawmakers to pass the #Right2RemainSilent Act ([S.1099/A.8923](#)), legislation to ensure that all young New Yorkers have consultation with a lawyer before they can waive their right to remain silent and be interrogated by police. The bill previously passed the Assembly and is now co-sponsored by more than half of the Senate.

WHAT: #Right2RemainSilent Advocacy Day to urge lawmakers to pass S.1099 (Bailey)/ A.8923 (Hevesi) and end police interrogation of young people without consultation with a lawyer.

WHO: #Right2RemainSilent Coalition including The Legal Aid Society, Bronx Connect, The Gathering for Justice, Children's Defense Fund-New York, New York State Defenders Association, Westchester Children's Association, The Bronx Defenders, Good Call Arrest Support Hotline, the Deskovic Foundation, and allies from across New York State.

WHERE: New York State Capitol, Albany NY

WHEN: Today, February 13 at 11:00 AM

Background:

The #Right2RemainSilent legislation modifies the Family Court Act and Criminal Procedure Law to ensure that a child under 18 may be interrogated by law enforcement only after the young person has consulted with a lawyer, thereby ensuring any waiver of their constitutional right to remain silent 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.

The legislation has [robust support](#) across New York State. [Former New York City Department of Probation Commissioner Ana M. Bermudez](#), [former Deputy Commissioner for Juvenile Operations at the New York City Department of Probation Gineen Gray](#) and [former New York State Supreme Court Judge Michael A. Corriero](#) all recently provided letters of support for #Right2RemainSilent, joining former New York City Administration for Children's Services Commissioner Ronald E. Richter and 18 other current and former Family Court and Criminal Court judges.

The #Right2RemainSilent Coalition includes Attorney for the Child providers and other defenders, policy advocates, researchers, former law enforcement and court personnel, as well as youth-led and youth-serving organizations. The Coalition issued a [letter](#) in December signed by 85 organizations throughout New York calling on the Legislature to pass #Right2RemainSilent. In addition, the New York City Council passed a [resolution](#) in

December calling upon the State Legislature and the Governor to enact this critical measure, and Westchester County called for enactment in its bipartisan 2023 [Joint State Legislative Package](#).

The legislation is sponsored by Senator Jamaal Bailey and Assembly Member Andrew Hevesi, and it has 32 sponsors in the Senate – over 50% of its 63 members – and 48 sponsors in the Assembly.

The Exonerated Five were interrogated as youth and coerced into false confessions in New York City more than 30 years ago. 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. In the decades since then, 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 appreciate the long term consequences of their decisions, continue to be subjected to coercive interrogations by law enforcement.

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>.

This bill would 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 whenever they are subject to police interrogation, protecting their right to remain silent.

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