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

***Youth, Parents, Advocates, Elected Officials Hold Lobby Day, Press Conference  
Calling on Albany to Enact Critical Legislation to Serve Young New Yorkers***

***#Right2RemainSilent: Children's Early Access to Counsel Legislation Would  
Ensure that Young New Yorkers Have Access to an Attorney Prior to a Police  
Interrogation***

***The Youth Justice and Opportunities Act Would Expand Alternatives to  
Incarceration and Record Sealing for Young Adults***

***The Youth Justice Innovation Fund Would Provide \$50M to Community Based  
Organizations, Promoting Youth Development and Increasing Public Safety***

(ALBANY, NY) – Youth, parents, juvenile justice advocates, elected officials, and public defender organizations held an advocacy day and press conference today in Albany calling for passage of three pieces of critical legislation - the #Right2RemainSilent/Children's Early Access to Counsel Act ([S.878A/A.2620](#)), the Youth Justice and Opportunities Act ([S.4330](#)) - which would provide a developmentally appropriate response to young New Yorkers entangled in the criminal legal system, and the Youth Justice Innovation Fund ([A.767/S.643](#)) which directs \$50 million in allocated Raise the Age funds in the New York State budget to community-based organizations providing a continuum of services from prevention, early intervention, to alternatives to detention, placement and incarceration for youth aged 12 through 25.

The **#R2RS: Children’s Early Access to Counsel legislation**, sponsored by New York State Senator Jamaal Bailey and Assembly Member Andrew Hevesi, would ensure all young New Yorkers consult with counsel before waiving their Miranda rights and being subjected to a custodial police interrogation.

Specifically, this 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 talked to 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 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.

This bill would ensure that all children under 18, including the predominantly Black and Latine youth who are too often the targets of police interrogation, have the benefit of an attorney protecting their right to remain silent.

Every year, tens of thousands of young people ages 18-25 are arrested in New York, nearly all of them Black and Latine. There are over 1,000 young people 25 and under held on Rikers Island today. Starting on their 18th birthdays, young people are charged as adults and face adult sentencing and criminal records, even though a growing consensus in the field of adolescent brain development shows us that young people are still developing and maturing well into their 20s.

The barriers created by adult convictions and sentencing make it harder for young people to finish school, get good jobs, and find stable housing. The **Youth Justice and Opportunities Act (YJ&O)**, sponsored by New York State Senator Zellnor Myrie, would expand alternatives to incarceration and immediate record sealing for young people age 25 and younger, creating opportunities for release and successful reentry.

YJ&O would build on New York’s decades-old youthful offender (YO) law, which provides an opportunity for youth under 19 to receive age appropriate sentences, including diversion and alternatives to incarceration, and have their cases sealed so that they can pursue education, employment, housing, and other opportunities. YJ&O would create a new “Young Adult” status to protect New Yorkers ages 19-25, consistent with the scientific consensus that a young person’s decision making capabilities continue to develop into their mid-20s.

It would also:

- create opportunities for judges to sentence young people to treatment and other programs instead of incarceration;
- expand judicial discretion to grant YO, including the option to grant YO more than once for felonies;
- expand the categories of cases where YO status is mandatory rather than discretionary;
- allow judges to waive fees and surcharges for all young people ages 19 through 25;

- Allow some people who were convicted before they turned 26 to petition for resentencing.

The **Youth Justice Innovation Fund**, sponsored by Senator Cordell Cleare and Assemblymember Michaelle Solages, would direct \$50 million to community-based organizations to provide a continuum of services from prevention, early intervention, to alternatives to detention, placement and incarceration for youth aged 12 through 25. The Innovation Fund builds on successful state-wide efforts like Project RISE, which has brought over \$30 million to communities to combat gun violence through public health strategies, including credible messenger and violence interruption programs. A [recent report from the statewide Alternatives to Incarceration coalition](#) shows that there is currently a significant gap in these kinds of programs. The fund would help to build up these critical community resources that bolster neighborhood safety and support positive youth development.

“I am proud to sponsor the Youth Justice & Opportunities Act because it acknowledges the well-established science that adolescent brain development continues into the mid-twenties,” said **YJ&O lead Sponsor Senator Zellnor Myrie**. “By expanding access to alternatives to incarceration for individuals up to age 25, this legislation offers young people the opportunity to learn from their mistakes while also ensuring accountability. This approach not only aligns with our understanding of human development but also strengthens our communities by allowing young adults to contribute positively to their communities without the burden of a criminal record. This movement is being led by young people who have been directly impacted by the justice system and are advocating for policies that reflect their lived experiences. Their leadership and determination have been instrumental in shaping this legislation, ensuring that it provides real opportunities for justice and growth.”

“These bills are about building a truly just justice system — one that confronts ongoing injustices that have upended countless lives and cause incalculable harm, while prioritizing prevention, rehabilitation, and support over crippling and punitive measures,” said **Assemblyman Andrew Hevesi**. “I’m honored to carry the Right to Remain Silent bill as part of this package, which will protect young people from being coerced into false confessions, and ensure they do not unknowingly waive their constitutional rights. It’s a privilege to stand alongside my colleagues — Senator Bailey, Senator Myrie, Senator Cleare, and Assemblymember Solages — and we are all incredibly fortunate to follow the lead of Legal Aid, who have been fighting for this both on the frontlines and in the legislature.”

“Young people throughout New York State routinely waive their constitutional right to remain silent without understanding the consequences, and are subjected to excessively harsh penalties at the hands of a criminal legal system that consistently prioritizes punishment over rehabilitation,” said **Dawne Mitchell, Chief Attorney of The Legal Aid Society’s Juvenile Rights Practice**. “The #Right2RemainSilent: Children’s Early Access to Counsel Act will ensure that all young New Yorkers, not just those who can afford a private attorney, will consult with an attorney prior to police interrogation. The Youth Justice and Opportunities Act will allow more youth and young adults access to alternatives to incarceration and critical record-sealing relief. The Youth Justice Innovation Fund will support community-based programs that meet our young people’s needs and provide them with opportunities to grow and learn while reducing recidivism at a fraction of the cost of locking children in cages. We implore Albany lawmakers to prioritize these bills this session.”

“New York State has a moral obligation to protect young people from the lifelong consequences of coercive police interrogations and unjust criminalization. The #Right2RemainSilent Act is a crucial step in ensuring that Black, Latine, and marginalized youth—who are disproportionately targeted—have the legal protections they deserve. Additionally, the Youth Justice and Opportunities Act and the Youth Justice Innovation Fund provide essential pathways for young people to access support, education, and opportunity rather than incarceration. At LoudForChange, we know that true public safety comes from investing in our youth, not criminalizing them. We urge Albany to pass these critical bills to protect and empower the next generation,” said **leadership from LoudForChange**.

“Safety is not achieved by sending youth and young adults into prisons. Safety is instead achieved through investment in communities. The Youth Justice and Opportunities Act and the Right to Remain Silent bills are critical next steps in achieving youth justice in New York State. These bills collectively will expand protections for young people through the age of 25 and ensure that children under the age of 18 speak to a lawyer prior to police interrogation. Too often, Black and Latiné youth are targeted by over-policing and criminalization, and these bills will begin to address the legacy of harm and strengthen protections for young people. CCC is excited to stand with our partner coalitions, youth, advocates, and bill champions to call for a youth justice system that focuses on investments in care, communities, and preventive services. We as New Yorkers owe it to our youth to pass this bill and move closer to racial and class justice,” said **Caitlyn Passaretti, Senior Policy and Advocacy Associate, Citizens’ Committee for Children of New York**.

“In pursuit of equity and youth empowerment, we join in championing a brighter future for our children. Far too many young people unknowingly waive their constitutional right to remain silent and are consequently subjected to penalties. The #Right2RemainSilent: Children’s Early Access to Counsel Act sets a standard of fairness by ensuring all young people, especially Black and Brown youth from over-surveilled communities, have access to legal counsel before facing police questioning. In turn, youth with prior convictions face significant barriers when attempting to access resources such as education, employment, and housing. The Youth Justice and Opportunities Act paves a path forward for these individuals by increasing support systems and sealing qualifying records through age 25. Granting youth and families these legal and programmatic safeguards is a commitment to a New York where justice knows no limitation of age, race, or economic status and the opportunity for restoration is always within reach,” said **Gabriella Nanna, Program and Policy Associate, Westchester Children’s Association**.

“We urge lawmakers to pass the Youth Justice and Opportunities Act to end the harmful cycle of criminalizing young Black and Latinx people based on where they live and who they know. For too long, racist enforcement practices and mass surveillance of young New Yorkers have torn apart communities, pushing young people into the criminal legal system instead of providing real opportunities for safety and success,” said **advocates from the G.A.N.G.S coalition**. “This legislation is a crucial step in divesting from bias-based policing and surveillance and moving toward investing in harm reduction, community-based programs, and true justice for our youth.”

The **Congregation Beth Elohim Dismantling Racism Team** said: “We urge the legislature to pass #Right2RemainSilent: Children’s Early Access to Counsel Act this session. Our Torah emphasizes the duty to protect the vulnerable and the value of justice for all. Children, and particularly Black and Latine children disproportionately interrogated by police, need counsel present to reduce the risks of unknowing, involuntary waivers of their rights and false confessions. This bill ensures that access to counsel does not depend on family wealth.”

“The Ali Forney Center strongly urges the passage of the Right to Remain Silent Act and the Youth Justice & Opportunities Act to protect and empower LGBTQ+ youth, particularly those impacted by the criminal legal system. These bills are critical to ensuring that young people—especially Black and Brown queer and trans youth—are not coerced into self-incrimination and have access to meaningful opportunities for rehabilitation rather than incarceration. Without these protections, LGBTQ+ youth will continue to face disproportionate criminalization, barriers to stable housing, and long-term harm to their futures. New York has a responsibility to safeguard the rights, dignity, and potential of all young people. The time to act is now,” said **Galloway, Advocacy Manager, Ali Forney Center.**

“Reforms are desperately needed to ensure that New York’s criminal justice system treats children in a developmentally appropriate way and ensures that youth are able to meaningfully exercise their constitutional rights. The Early Access to Counsel legislation is critical to preventing the miscarriage of justice that occurs when young people are interrogated without an attorney by their side: youth are two to three times more likely to falsely confess than adults and a majority will sign a false confession without raising any concerns. The Youth Justice Opportunities Act is needed to implement measures that have been proven to reduce justice involvement and help young people contribute positively to our communities,” said **Justin Choi, Director Youth Justice Project, Lawyers For Children.**

“Over-policing and over-surveillance have exacerbated the dire need for policies that protect our youth. NYS youth deserve safety and equity,” said **Dr. Marsha Jean-Charles, the Director of Organizing at The Brotherhood Sister Sol.** “We can keep NYS youth safe with bills like the Right to Remain Silent Act *and* the Youth Justice and Opportunities Act. Furthermore, we can also create and sustain more equitable communities by creating a fund to provide a continuum of services from prevention, early intervention, to alternatives to detention, placement and incarceration for youth aged 12 through 25. The time to do this has long passed; we must act now!”

“New York has a choice: we can continue allowing young people to be shut out of opportunity, criminalized, and sent to jails and prisons, or we can take bold action to protect their rights and invest in real public safety. The #Right2RemainSilent Act is a long-overdue safeguard to ensure no child is left alone in an interrogation room, pressured into decisions that can alter the course of their life before they even understand their rights. The science is clear—young people are still developing well into their 20s, yet we treat them as if they are beyond redemption. The Youth Justice and Opportunities Act rejects this outdated approach, expanding alternatives to incarceration and record sealing so young people aren’t defined forever by a single moment in their youth,” said **Jason Rodriguez, Policy Associate at Legal Action Center.** “But justice isn’t just about what we prevent—it’s about what we build. The Youth Justice Innovation Fund does exactly that, directing critical resources into communities so young people have access to support, not just punishment. Real public safety comes from prevention, intervention, and opportunity—not from cycling young people through a system that sets them up for failure. Albany must act now to pass these reforms and create a justice system that prioritizes fairness, dignity, and lasting community safety.”

“These three bills are vital to ensuring that young people in our state have the rights to which they are entitled and the opportunities they need to be best positioned to become thriving and successful adults,” said **Susan C. Bryant, Executive Director, New York State Defenders Association**. “The #Right2RemainSilentAct will give children who are facing police interrogation access to attorneys who can explain their Miranda rights and the consequences of waiving those rights in understandable and age-appropriate language, making these constitutional rights meaningful to all, not just those who have the resources to hire a lawyer. The Youth Justice & Opportunities Act will help align the criminal legal system’s approach to and treatment of young people ages 19 to 25 with the research on brain development and the decision-making capacity of that age group, through expanded alternatives to incarceration, record sealing, and treatment and other services. While the state has made funds available as part of the Raise the Age reforms, that money has been difficult to access, particularly for community-based service providers. The Youth Justice Innovation Fund will help streamline distribution of funds so that programs and services more quickly get to the young people and families, who need it.”

“New York can show that it believes in the potential of young people, rather than continuing with a cycle of endless punishment, by passing the Right to Remain Silent Act, the Youth Justice & Opportunities Act and the Youth Justice Innovation Fund,” said **Nadia Chait, Senior Director of Policy & Advocacy at CASES**. “Young people need services and support in their community, not time in jails and prisons. Programs like Reframing Opportunity, Alternatives & Resilience, our alternative to incarceration for young people, provide true public safety by helping young people grow into responsible community members engaged in education and employment.”

“Families Together in New York State is proud to have been a leading organization in the battle to Raise the Age. Unfortunately, since its enactment in 2017, the promise of that law has yet to be fulfilled. Only a fraction of the yearly promised allocation of \$250,000,000 has reached the community-based organizations who provide the wrap-around services always considered to be vital undergirding of the reform. Together with the Early Access to Counsel bill and the Youth Justice & Opportunities Act, the Youth Justice Innovation Fund would be a down payment on the promise to our youth and their communities. As such, we urge Albany lawmakers to advance all three initiatives in the course of the 2025 legislative session,” said **Paige Pierce, CEO, Families Together in New York State**.

“The #Right2RemainSilent: Children’s Early Access to Counsel legislation is a fundamental safeguard that can mean the difference between justice and injustice. Too many young people waive their Miranda Rights without understanding the consequences—90% of them, in fact. They’re often coerced or pressured, leading to false confessions. Cases like the Exonerated 5 show the devastating impact of this on young lives. We must protect youth from making decisions they don’t fully comprehend. Ensuring that young people know and can exercise their right to remain silent is essential to preserving their dignity, innocence, and future,” said **Jose A. Perez, MPS, Children’s Defense Fund-New York’s Program Strategist**.

“In New York State, incarcerating a single young person for a year costs up to \$893,000. Many would balk at spending this much on a single child's well-being, yet we accept such astronomical costs as par for the course in condemning youth to the violence of the criminal legal system, sacrificing their physical, emotional, and spiritual health with no real gain for public safety. Safety comes from well-resourced communities where people have the financial, programmatic and interpersonal support to thrive. Not prisons. What we are advocating for with the Youth Justice and Opportunities Act is the divestment from failed systems of punishment and investment in proven supports that foster prosocial development and well-being for youth. It's past time for New York must prioritize a future where youth and communities thrive over a criminal legal system that robs them of their futures and resources,” said **Jindu Obiofuma, Senior Policy Associate at Children's Defense Fund-New York.**

“As public defenders, we see the devastating impact when young people are subjected to police interrogations without legal counsel. Too often, youth—especially those from marginalized communities—are unaware of their rights or coerced into decisions that have lifelong consequences. The Right2RemainSilent: Children's Early Access to Counsel legislation is not just about protecting a constitutional right; it's about ensuring that every young person has the chance to be heard and defended, preventing the irreversible harm that can follow when they face the criminal legal system alone,” said **Michal Gross, Supervising Attorney of the Youth Law Team at Neighborhood Defender Service of Harlem.** “The Youth Justice and Opportunities Act acknowledges that a young person's future shouldn't be defined by youthful mistakes, but rather by the opportunities we provide them to learn, grow, and contribute to their communities. The criminal legal system was designed to disproportionately target Black and Brown people in communities like Harlem, saddling young people with criminal records and limiting their ability to give back to their community. It is time for New York to invest in young people's potential, not their punishment, and this legislation is a critical step toward breaking the cycle of systemic harm that has long targeted Black and Brown youth.”

“The unfortunate truth is that marginalized young people are unfairly targeted for harassment and arrest. This practice perpetuates the cycle of poverty and victimization. To have a young person's legal protection based solely on their zip code, physical appearance and/or racial or ethnic identity should not be a tolerated practice. The #Right2RemainSilent Act provides automatic legal counsel for youth facing police interrogation. The Youth Justice and Opportunities Act allows flexibility for youth facing low level charges. Both provide protection in a system that unfairly targets vulnerable youth and leads to disproportionate criminalization. Passing these two bills must be a priority to reduce youth incarceration and provide options for a communities that have none,” said **Reverend Wendy Calderón-Payne, Executive Director, Urban Youth Alliance (BronxConnect).**

“At the Youth Shelter Program of Westchester, we see firsthand the impact of unjust policies that criminalize young people instead of providing them with the support and resources they need. These bills are about more than just legal protections—they are about ensuring that every young person has a fair chance to grow, heal, and contribute to their communities. For too long, our youth—particularly Black and Brown youth—have been denied that chance. The #Right2RemainSilent Act, the Youth Justice & Opportunities Act, and the Youth Justice Innovation Fund are necessary steps toward justice, equity, and a future where our young people are defined by their potential, not their mistakes,” said **Joanne Dunn, Executive Director-Youth Shelter Program of Westchester.**

“As public defenders, we see how the criminal legal system can disrupt young people’s lives, from the trauma of incarceration to harsh barriers to jobs, housing, and education that last long after a court case has concluded,” said **Jackie Goddigan, Supervising Policy Counsel of Brooklyn Defender Services’ Criminal Defense Practice**. “As young people emerge into adulthood, they deserve an opportunity to learn, grow and live. New York lawmakers must invest in young people’s futures and prioritize the Youth Justice and Opportunities Act, the Right 2 Remain Silent bill and the Youth Justice Innovation Fund this legislative session.”

“The criminal legal system has long failed to recognize the humanity of young people, subjecting them to harsh interrogations, lifelong criminal records, and barriers to opportunity. The Prisoners Brain Trust stands in full support of the Right to Remain Silent Act, the Youth Justice and Opportunities Act, and the Youth Justice Innovation Fund because these reforms will ensure that young New Yorkers—especially Black and Latine youth, who are disproportionately targeted—are given the protections, resources, and second chances they deserve. We must end the cycle of criminalization and invest in true justice: education, community support, and alternatives to incarceration. The time for change is now,” said **Alisha Kohn, Co-Founder, Prisoners Brain Trust**.

“We have a moral obligation to invest in all of our young people,” said **Lily Shapiro, Policy Counsel, The Fortune Society’s David Rothenberg Center for Public Policy**. “As program providers and advocates, we always talk about how community-based programs are proven to enhance collective public safety and how such programs make better fiscal sense than incarceration and detention. That is true, but we must not lose sight of the fact that we are talking about children and young adults – who are disproportionately Black and brown – and that we, as adults, have a moral obligation to offer them care, guidance, and support. We have an obligation to offer guidance and support in the police interrogation room; by not forever stigmatizing them with criminal convictions; and through well-resourced community-based programs that can help them get out and stay out of the criminal legal system, or better yet never enter it at all. We urge our elected officials to pass the #Right to Remain Silent and Youth Justice and Opportunities Act, as well as the Youth Justice Innovation Fund. Let us look back on 2025 as the year when New York finally stood up for all of our youth.”

“As a post-conviction public defender organization, the **Center for Appellate Litigation (CAL)** has a unique perspective on the deep capacity of young people to change and learn from their mistakes. In operation since 1997, CAL has seen too many of its own young clients grow, change, and mature in prison, approach release with hopes and dreams to become contributing citizens and providers for their families, only to face incredible struggle and defeat when they re-enter society with a criminal record that limits their possibilities for contribution. We urge lawmakers to pass the Youth Justice and Opportunities Act to give young people, including emergent adults aged 18-25, the chance to become the mature adults that brain science, social science, and common sense tell us they can become, outside prison walls and without the burdens of a criminal punishment and conviction.”

“Instead of addressing the systemic conditions that impact youth and their behavioral outcomes, our leaders choose to criminalize and demonize our youth, especially Black and Latinx youth. Despite the beliefs of the NYPD and the Mayor, young people need more of our compassion and support – not less. The criminalization of our youth only perpetuates cycles of violence and poverty,” said **Aaliyah Guillory-Nickens, Campaign Organizer at Youth Represent**. “New York has the opportunity to become a leading state in the fight for youth justice and against the scapegoating and criminalization of children. Significant pieces of legislation that can guide New York to this are the Youth Justice & Opportunities Act, the Youth Justice Innovation Fund and Right2RemainSilent: Children's Early Access to Counsel.”



“Safe Horizon, the nation’s largest nonprofit victim assistance organization, strongly supports the #Right2RemainSilent: Children’s Early Access to Counsel Act,” said **Jimmy Meagher, Senior Policy Director, Safe Horizon**. “Research demonstrates that the young people most likely to come into contact with law enforcement are those with the most limited capacity to understand their rights. We fear that these children are also the very ones most likely to make a false confession and say whatever they think will most immediately relieve them from the stress and pressure they are exposed to when being interrogated. We also know that the children most likely to come into contact with law enforcement and the juvenile legal system are African-American and Latinx children from over-surveilled schools and communities, resulting in a disproportionate number of Black and Latinx children interrogated by police without an attorney to help them decide whether to waive Miranda rights. We call on the New York State Legislature to pass this critical piece of legislation to ensure that children’s Miranda rights are protected and minimize the risk of harm arising from false confessions.”

“As public defenders we know that young Black and Latinx members of our community are disparately surveilled, policed, and prosecuted. When young people are taken into police custody, they often do not appreciate the potential consequences of waiving their right to remain silent and the heightened risk for children to falsely confess. The #R2RS: Children’s Early Access to Counsel Act is not calling for novel law reform, its passage will merely safeguard children’s Constitutional rights,” said **Katja Bignall-Daly, Manager of Juvenile Justice Policy at Queens Defenders**. “Young people benefit from diversion and alternatives to incarceration, rather than punitive carceral sentences. The Youth Justice & Opportunities Act focuses on community reinvestment through the urgent expansion of access to programs along with record sealing for court-involved youth until the age of 25. We urge the Legislature to pass these important youth justice Bills in the 2025 session.”

“After the death of George Floyd, several New York elected officials spoke out about the horrors and inequities of the criminal legal system. However, those calls to action ring hollow if New York does not pass meaningful protections for young people ensnared in the penal system. The Youth Justice and Opportunities Act will give courts alternatives to branding young people with the scarlet mark of a lifelong criminal conviction, while the #Right2RemainSilent Act will provide a critical safeguard against the coerced confessions of young people. The legislature must pass these bills without delay,” said **Jared Trujillo, Law & Policy Counsel at Equality New York**.

“The Right2RemainSilent: Children’s Early Access to Counsel legislation is an important step in ensuring that our youth have access to early legal counsel before interrogation. At Good Call, we run a 24/7 hotline for individuals and loved ones to connect with legal counsel in case of arrest. We receive calls, by parents, who are looking for their kids, after interaction with law enforcement because law enforcement is not required to notify parents and guardians. This bill not only would ensure youth understand what their rights are, but bring a peace of mind to the families and all involved,” said **Kim Belizaire, Executive Director of Good Call**.

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