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Youth, Parents, Advocates, Elected Officials Gather in Support of Critical Legislation to Serve Young New Yorkers

#Right2RemainSilent Legislation Would Ensure that Young New Yorkers Consult with a Lawyer Prior to a Police Interrogation

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

The Youth Justice Innovation Fund Would Bring Unspent Dollars into Communities to Serve Young People, Bolster Neighborhood Safety

(NEW YORK, NY) – Youth, parents, youth justice advocates, elected officials, and public defender organizations gathered yesterday in the Bronx to share their vision of youth justice and community safety, and call for passage of critical legislation – the [#Right2RemainSilent Act](#), the [Youth Justice and Opportunities Act](#), and the [Youth Justice Innovation Fund](#) – which would provide a developmentally appropriate response to young New Yorkers entangled in the criminal legal system. Attorneys also called attention to the deplorable [conditions](#) at juvenile detention centers.

Photos of the event (credit Isseu Diouf Campbell at Afrikanspot LLC): <https://tinyurl.com/y6a8kyff>

The celebration of Youth Justice Action Month began with a rally at Horizon Juvenile Center secure detention facility, followed by a march to St. Mary's Park for a community event that included arts, resources and an open mic where youth leaders spoke about the importance of passing these bills, as well as what youth justice and public safety mean to them. There were also remarks from advocates and elected officials including New York State Assemblymember and Chair of the Committee on Children & Families Andrew Hevesi.

The **#Right2RemainSilent: 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 they can waive their Miranda rights and be 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.

Young people lack the capacity to fully understand the Miranda warnings and appreciate the long term consequences of their decisions, and as a result falsely confess at higher rates than adults. Yet despite the well known wrongful convictions of the Exonerated Five and others, young people in New York 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 20's.

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 and Assembly Member Latrice M. Walker, 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;
- 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 young people with a criminal record to petition the court to be retroactively "re-sentenced."

The **Youth Justice Innovation Fund**, sponsored by Senator Cordell Cleare and Assembly Member Andrew Hevesi 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.

The Innovation Fund would be administered by New York State Division of Criminal Justice Services, making \$50 million available to community-based organizations most trusted and best-equipped to serve adolescents and young adults through a grant-making program to support young people who are at-risk for or who come into contact with law enforcement.

“Our justice system must protect young people’s rights and make sure they’re treated fairly at every stage. Further, it can’t trap them in a cycle of punishment that will harm them for the rest of their lives. Right2RemainSilent and the Youth Justice Innovation Fund will work together to ensure that no child is interrogated without first being able to speak to an attorney — a basic safeguard that should already be standard — and by investing directly into programs that offer real, positive impacts through alternatives to incarceration and preventing justice involvement in the first place. I’m extremely proud to carry these bills with my Senate colleagues Jamaal Bailey and Cordell Cleare, and equally grateful to our partners Zellnor Myrie, Latrice Walker, Legal Aid for all of their work, and to the incredible advocate and individual partners who understand the priority to get these done,” said **New York State Assemblymember and Chair of the Committee on Children & Families Andrew Hevesi**.

Senator Cordell Cleare, Prime Sponsor of the Youth Justice Innovation Fund, stated, “In order to heal the generational trauma of the past and transform our system into one that is compassionate, understanding and empowering, we must make direct investments in our community and our youth. The Youth Justice Innovation Fund is only a down payment on the promise of Raise the Age and the time to act is now!”

“Far too often, young people across New York are coerced into waiving their right to remain silent without fully understanding the potentially lifelong impacts of that decision,” said **Dawne Mitchell, Chief Attorney of The Legal Aid Society’s Juvenile Rights Practice**. “Moreover, young New Yorkers who are saddled with an adult conviction face perpetual punishment for years or decades to come, being barred from certain school, job, and housing opportunities as a result of their entanglement in the criminal legal system. This session, Albany lawmakers must prioritize passage of the #Right2RemainSilent: Children’s Early Access to Counsel bill and the Youth Justice and Opportunities Act to ensure equal, age-appropriate access to justice for all young people in New York.”

“We need to stop police officers from criminalizing our youth,” said **Melissa Taylor, New Hour LI**.

“If our State is serious about protecting the constitutional rights of children, providing proven community-based resources and support for children and emerging adults, and enhancing public safety, it must prioritize the passage of these three bills,” said **Susan C. Bryant, Executive Director of the New York State Defenders Association**. “The #Right2RemainSilentAct: Children’s Early Access to Counsel, the Youth Justice & Opportunities Act, and the Youth Justice Innovation Fund are critical to ensuring that all 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.”

“Our children deserve protection, not punishment. When we center love and justice, we remind this state that true safety is not born from policing, it’s born from care, accountability, and opportunity. These bills move us closer to a system that sees the brilliance and potential in every young person,” said **Carmen Perez-Jordan, President and CEO of The Gathering for Justice**.

“When we meaningfully invest in youth, communities are safe. The Youth Justice and Opportunities Act and the Right to Remain Silent bills are essential legislative solutions toward building a justice system that protects, rather than punishes, young people through age 25. The data is clear: youth crime is down, and punitive approaches have failed. Investing in community-based supports and ensuring that children under 18 speak with a lawyer before police interrogation are strategies backed by what science tells us about adolescent brain development. CCC is proud to stand with youth, advocates, and coalition partners to call for a justice system rooted in care, opportunity, and equity,” said **Raysa S. Rodriguez, Executive Director of the Citizens’ Committee for Children of New York**.

“These pieces of legislation are a critical step toward breaking the cycle of systemic harm that has long targeted Black and Brown youth,” said **Piyali Basak, Managing Director of the Neighborhood Defender Service of Harlem**. “They ensure that every young person has the chance to be heard and defended and the opportunity to

learn, grow and contribute to their communities. It is time for New York to invest in young people's potential, not their punishment."

"Youth's anger and rage is rarely interpreted as their response to fear, trauma, or betrayed hopes. The gritty fact is most policy makers, who are deciding the legal fate of juveniles, in New York State, are not just failing to provide rehabilitative treatment --- by placing majority Black + Brown youth inside cells: they are, however, demonstrating that these youth are disposable," said **E. Paris Whitfield (systems-impacted since 2002) Prisoners Brain Trust**.

"Regardless of what generation they derive from, Juveniles are just that: Juveniles. We have fought to change laws for the youth today, who receive shorter sentences for their crimes but how should the laws be interpreted for the many adults caged serving 'LIFE' sentences for crimes that derive from 20 years ago as a youth. I believe rudimentary brain development as an adolescent is important, but I would love to see it retroactively important to all youth, not just some!" said **Mark Acevedo (12A0018) Eastern NY Corr. Fac. Prisoners Brain Trust**.

"We stand with young people in New York City and across the State during Youth Justice Action Month, calling for legislative action. It is time to pass the Right2RemainSilent: Children's Early Action to Counsel bill, the Youth Justice and Opportunities Act, and the Youth Justice Innovation Fund – essential commitments to our young people and to community safety. Today's Speak-Out is a call to action for all of us. The time to invest in young people is now," said **Julia Davis, Director of Youth Justice & Child Welfare, Children's Defense Fund-New York**.

"Young people are our future, and all of our young people deserve the chance to learn from their mistakes instead of suffering the trauma of lengthy terms of incarceration and the lifetime stigma of adult convictions - neither of which makes us safer. That is why we urge our elected officials to pass the Youth Justice and Opportunities Act in the coming legislative session," said **Reggie Chatman, Director of Policy of The Fortune Society's David Rothenberg Center for Public Policy**. "We also know that well-resourced supports and services can help young people remain safely in their communities and fulfill their true potential as assets. The Youth Justice Innovation Fund would unlock funding for community-based organizations across the state to provide these kinds of individually-tailored, developmentally-appropriate services. Fortune proudly stands with the young people calling for youth justice, and we look forward to New York fulfilling its potential to be a leader in the field by passing of these two bills, along with the #Right2RemainSilent: Children's Early Access to Counsel bill."

Reverend Wendy Calderón-Payne, Executive Director of Urban Youth Alliance (BronxConnect), said, "This month, we bring awareness to youth justice and to the urgent need to safeguard the rights of young people. Protecting youth is crucial for their future and development and for the safety and growth of our state. Our system disproportionately targets under-privileged youth through punitive practices, reducing their potential and harming communities. These practices fail to reflect ample research showing that young people are still developing until at least age 25. The time is now to enact stronger protections for youth during police interrogations while advancing broader changes via the Youth Justice and Opportunities Act and the #Right2RemainSilent: Early Access to Counsel bill."

"As an impacted person in my youth, I can personally say that the youth today deserve more than just punishment and judgement. If you listen to them, they will tell you that they need community centers and more after-school programs, not stop and frisk laws! New York City needs to invest in the youth because they are our future! Pass the Youth Justice and Opportunities Act NOW!" said **Edwin Santana, Community Organizer at Freedom Agenda**.

"When we lock our young people up and throw away the key, when we fabricate stories that blame youth for rising crime, and when we strip funding from the very programs that keep them safe, we are declaring war on our own children," said **Jose A. Perez, MPS, Program Strategist at the Children's Defense Fund – New York**. "With more young people facing homelessness, mental health crises, and systemic neglect—especially

LGBTQIA youth—it's clear that punishment has replaced compassion. I refuse to stand by while this continues. We need the Youth Justice & Opportunities Act and the Right to Remain Silent Bill passed now. These laws will help ensure our leaders protect—not persecute—our most vulnerable youth. The NYPD, the mayor's office, and City leadership must stop advancing policies that harm young people. It's time for real leadership and real justice.”

“**The G.A.N.G.S. Coalition** stands in solidarity with youth justice advocates across the state to end these harmful practices and to advance real protections — from passing Intro 798 to abolish the gang database, to enacting the Youth Justice and Opportunities Act and the #Right2RemainSilent: Early Access to Counsel bill. Together, these reforms represent our shared commitment to dignity, true equality, and opportunity for every young person in New York.”

“I was 18 when I was sent to prison — not because I was beyond saving, but because the system couldn't see past punishment. I've seen what happens when opportunity is replaced with punishment: communities don't get safer; they break down. It is when we resource communities - with housing, access to transportation, food, and quality schooling - that they are safest. At the Legal Action Center, we strongly support the Youth Justice and Opportunities Act, the Right to Remain Silent Act, and the Youth Justice Innovation Fund because real public safety comes from care, accountability, and investment — not cages. These bills are steps toward justice — one that believes in young people's potential and invests in the future we all share,” said **Jason Rodriguez, Policy Research Associate at The Legal Action Center.**

When we invest in our youth through social programs and policies, we invest in the future of every community across our state. 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 at the Westchester Children's Association.**

“Young people are particularly vulnerable during interactions with law enforcement,” said **Stan Germán, Executive Director of New York County Defender Services.** “The story of the Exonerated Five serves as a stark historical caution about the dangers of interrogating youth without counsel. The Right2RemainSilent Act ensures that no child faces interrogation alone, while the Youth Justice and Opportunities Act and the Youth Justice Innovation Fund reflect what research has long shown: punitive approaches do not work. Because adolescent brains are still developing, youth respond far more effectively to rehabilitation than punishment. When we prioritize support over incarceration, we protect our youth while strengthening our communities.”

“You stop feeling safe. You start thinking survival is more important than dreams,” said **Eddie Vaughn, Youth Committee member at Youth Represent.**

Youth Represent Youth Committee member Angelique Williams said, “We are here so our voices reach the steps of Albany and the people sitting behind these walls.”

“As public defenders, we see how the criminal legal system disrupts young people's lives, as they face insurmountable barriers to jobs, housing, and education that last long after a court case has concluded,” said **Jackie Gosdigian, supervising policy counsel of Brooklyn Defender Services' Criminal Defense Practice.** “This Youth Justice Action Month, New York must invest in young people's futures and put an end to the cycle of blame and punishment. We urge the legislature to enact the Youth Justice and Opportunities Act next session so that young people can emerge into adulthood with an opportunity to learn, grow and live.”

“The Right to Remain Silent bill is about protecting the constitutional rights of our youth and ensuring that neither they nor their families are ever left in the dark,” said **Christine Rivera, Adolescent Staff Attorney & Policy Counsel at the Bronx Defenders**. “At The Bronx Defenders, we see firsthand how young people are three times more likely than adults to falsely confess under police interrogation. As a city, we have already seen the devastating impact of false confessions in cases like the Exonerated Five. We have a moral responsibility to make sure history does not repeat itself. We must prioritize investment in the futures of young people over their incarceration and coercion.”

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