



February 3, 2026

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

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

#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

(ALBANY, NY) – Over 200 youth, parents, juvenile justice advocates, elected officials, and public defender organizations held an advocacy day and press conference today in Albany calling on the Governor and Legislature to include the \$50 million Youth Justice Innovation Fund ([S.643/A.8491](#)) in this year's budget and to enact two additional pieces of critical legislation to help young New Yorkers - the #Right2RemainSilent: Children's Early Access to Counsel bill ([S.878B/A.2620B](#)) and the Youth Justice and Opportunities Act ([S.4330/A.5293](#)) - which would provide a developmentally appropriate response to young New Yorkers entangled in the criminal legal system.

The Youth Justice Innovation Fund, sponsored by New York State Senator Cordell Cleare and Assembly Member Andrew Hevesi would direct \$50 million to community-based organizations to provide a continuum of services from prevention and early intervention to alternatives to detention, placement and incarceration for youth aged 12 through 25.

The Innovation Fund builds on successful statewide 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.

In the eight years since Raise the Age was enacted, only a third of the \$1.71 billion appropriated for statewide Raise the Age youth justice work has been spent. Of that, less than 20% has been used to support community-based alternatives to incarceration and detention (ATIs and ATDs), diversion, and reentry programs that research shows have equal or better outcomes than confinement, and at a far lower cost.

The Youth Justice Innovation Fund would ensure that State tax dollars are directed to the most effective services and programs for young people who may come into contact with law enforcement. The Innovation Fund would direct \$50 million of the \$250 million already allocated annually for Raise the Age to community-based organizations to provide a continuum of services for youth aged 12 through 25.

The **#Right2RemainSilent: Children's Early Access to Counsel** legislation, sponsored by New York State Senator Jamaal Bailey and Assembly Member Andrew Hevesi, would ensure that all young New Yorkers consult with a lawyer before they can waive their right to remain silent and be interrogated by police.

Specifically, this legislation modifies the Family Court Act and Criminal Procedure Law to ensure that a child under age 18 may be interrogated by law enforcement only after the young person has consulted with counsel, thereby ensuring any waiver of *Miranda* rights 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.

Adolescent brain science has established what everyone knows – that young people lack the capacity to fully understand *Miranda* warnings and appreciate the long-term consequences of their decisions.

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 exculpating DNA evidence. In the decades since then, New York State has failed to curb deceptive interrogation tactics used by the police.

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 Latine youth who are too often the targets of police interrogation, have the benefit of an attorney to explain their *Miranda* rights and help them understand the consequences of waiving those rights.

Every year, tens of thousands of young people ages 18-25 are arrested in New York, nearly all of them Black and Latine. Today on Rikers Island, there are over 1,000 young people 25 and under. 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 Walker, would expand access to 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 or 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 18 - 25;
- Allow some people who were convicted before they turned 26 to petition for resentencing.

“By electing not to propose changes to Raise the Age in her budget, the Governor acknowledged what the data have long shown: treating children as children makes our communities safer,” said **The Coalition to Protect Raise The Age: Build Futures, Invest In Youth**. “Now Albany must build on that commitment by passing the Youth Justice Innovation Fund, the #Right2RemainSilent: Children’s Early Access to Counsel bill, and the Youth Justice and Opportunities Act — critical, commonsense reforms that invest in proven community-based solutions, protect young people’s constitutional rights, and expand developmentally appropriate alternatives to incarceration. These bills ensure that our youth justice system reflects science, fairness, and public safety, and that state dollars finally reach the communities doing this work every day.”

“Young New Yorkers have been facing the intricacies of the criminal legal system alone for far too long with little knowledge of the impact it can have for their futures,” said **The #Right2RemainSilent: Children’s Early Access to Counsel** coalition. “Current youth justice laws in New York state reflect harmful and outdated rhetoric, disproportionately impacting youth of color and children from low-income families. These laws have ignored decades of research that demonstrate that children’s brain development directly impacts their ability to navigate the justice system in a knowing and voluntary way. The Children’s Early Access to Counsel bill would ensure that all children in New York State receive equal justice, regardless of socioeconomic status, and are able to speak to a lawyer and understand their Miranda rights before deciding whether to waive them. This bill would level the playing field and give meaningful effect to existing constitutional protections.”

“The research is clear: Alternatives to incarceration are more effective than incarceration, including for older youth and emerging adults whose brains are still maturing,” said the **Youth Justice & Opportunities Coalition**. “The legislature must pass the Youth Justice & Opportunities Act to ensure that young people up to age 25 have access to alternatives to incarceration that are age-appropriate, evidence-backed, and community-based, and they can pursue education, employment, and housing without the burden of an adult criminal record.”

State Senator Cordell Cleare, Prime Sponsor of the Youth Justice Innovation Fund stated, “In order to allow our youth and the programs we have designed to empower them to thrive, they must be fully supported in every way: fiscally, financially and programmatically. We must act immediately to double down on the promise of Raise the Age and to pass the Youth Justice Innovation Fund to fully implement the promise of RTA in the first place.”

“The Youth Justice & Opportunities Act is grounded in clear scientific evidence that young people continue to mature well into their twenties,” said **YJ&O lead sponsor Senator Zellnor Myrie**. “This bill expands meaningful alternatives to incarceration for individuals up to age 25, holding young people accountable while recognizing their capacity for growth and change. By reducing the long-term consequences of early mistakes, we can strengthen our communities and create pathways for young adults to contribute positively without being defined by a criminal record. This effort is powered by the leadership of young people who have experienced the justice system firsthand and are pushing for policies shaped by their lived realities.”

“Far too many of us are too quick to discard young people who find themselves entangled in the criminal legal system,” said **YJ&O lead sponsor Assembly Member Latrice Walker**. “Some of these young people are tossed aside as if their lives no longer have value because of one mistake. I believe in growth and redemption. I believe in alternatives to incarceration that provide opportunities for a pathway forward, instead of filling up jails and prisons with Black and brown bodies. I sponsor the Youth Justice & Opportunities Act because young people matter.”

“We need the Youth Justice & Opportunities Act to ensure that young people can get support and services, not prison and punishment,” said **Assemblymember Catalina Cruz**. “We must follow the science about brain development and follow the evidence about what works to keep young people, and the rest of us, safe – and that is not locking them up for adult-sized prison terms. We also need the Youth Justice Innovation Fund to support

the kinds of community-based services that we know truly work. I am proud to stand with our youth, advocates, and stakeholders and call for this investment in our collective future."

"When we invest in community-based solutions, early access to counsel, and developmentally appropriate responses, we keep young people out of harm's way and put them on a path to opportunity instead of incarceration," said **Assemblymember Demond Meeks**. "The Youth Justice Innovation Fund, the Right to Remain Silent for children, and the Youth Justice and Opportunities Act are about fairness, safety, and using our resources where they actually work. These proposals reflect what the science, the data, and our communities have been telling us for years : young people deserve protection, support, and a real chance to succeed."

"New York must lead the way on youth justice," said **Senator Julia Salazar, Chair of the Senate Committee on Crime Victims, Crime & Correction**. "This means passing the Youth Justice Innovation Fund and investing in the resources and opportunities that young people need to thrive and that communities need to be safe. It also means ensuring that our laws follow the science. We must pass the #Right2RemainSilent: Children's Early Access to Counsel bill to protect the Constitutional rights of every young person under 18, and the Youth Justice & Opportunities Act to ensure age-appropriate sentences and alternatives to incarceration for older youth."

"I'm proud to stand with advocates, community leaders, and my colleagues in the Legislature in support of Raise the Age and the critical youth justice bills before us today," said **Assemblymember Gabriella A. Romero (D, WF – Albany, Guilderland, New Scotland)**. "Legislation like the Youth Justice & Opportunities Act and the Children's Early Access to Counsel bill reflect a commitment to evidence-based solutions that protect young people, strengthen due process, and ensure that our youth have appropriate resources when facing the criminal justice system. In addition to passing bills, we must also be investing in proven community-based programs which is why I stand with the coalition in fighting for \$50 million for the Youth Justice Innovation Fund in this year's budget. By prioritizing prevention, diversion, and age-appropriate support over incarceration, we can keep young people out of the adult system, reduce recidivism, and build safer, stronger communities across New York State."

"Our justice system must protect young people's rights and make sure they're treated fairly at every stage. The Youth Justice Innovation Fund is geared toward exactly that — making sure justice-involved young people are supported, not pushed further into the system. Alongside Right2RemainSilent, this package will provide real alternatives to incarceration, offer the support young people need to thrive, and ensure their legal rights remain fully intact throughout the process. The answer is not punishment — it's investment. I'm proud and grateful to continue working with our partners and advocates — including Legal Aid and the Fortune Society — to keep youth justice a top priority this session," said **Assemblymember Andrew Hevesi, Chair, Committee on Children & Families**.

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