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

Children's Early Access to Counsel Bill 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, Record Sealing for Young Adults

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

(NEW YORK, NY) — Youth, parents, youth justice advocates, elected officials, and public defender organizations gathered today in Harlem in celebration of [Youth Justice Action Month](#) to share their vision of youth justice and community safety, as well as to call for the passage of critical legislation – the [#Right2RemainSilent: Children's Early Access to Counsel bill](#), [Youth Justice and Opportunities Act \(YJ&O\)](#), and [Youth Justice Innovation Fund](#) – which would provide a developmentally appropriate response to young New Yorkers entangled in the criminal legal system.

Photos of the event (credit: Afrikanspot): <https://tinyurl.com/4x5cxtzn>

The speak out included arts and crafts, job and resume-building 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 TKTK.

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 would require 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 exculpatory DNA evidence. In 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 from low-income communities 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 aged 25 and under at Rikers Island today. Starting on their 18th birthday, 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 or 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 18 - 25;
- allow young people with a criminal record to petition the court to be retroactively "re-sentenced."

The **Youth Justice Innovation Fund**, sponsored by New York State Senator Cordell Cleare and Assembly Member Gabriella Romero 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 invested almost \$90 million in communities since 2022 to combat gun violence through public health strategies, including credible messenger and violence interruption programs.

In the years since Raise the Age was enacted, only a third of the \$1.71 billion appropriated for statewide Raise the Age youth justice work through FY2025 was spent. Of that, less than 20% was 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.

State Senator Cordell Cleare stated: “There is no greater investment we can make as a government, and as a people, than in our youth. That is why I proudly sponsor the Youth Justice Innovation Fund because our future depends upon the level of resources, empowerment, faith and positivity that we pour into our children today--every one of them is precious.”

“I am proud to be the lead Assembly Sponsor of the Youth Justice Innovation Fund to allocate \$50 million directly towards programs that support young people who have been involved with the criminal legal system,” said **Assemblymember Gabriella A. Romero (D, WFP–Albany, Guilderland, New Scotland)**. “Every young person, regardless of their background or circumstances, deserves access to meaningful opportunities, supportive resources, and a fair chance to succeed. We need the Youth Justice Innovation Fund, the Youth & Justice Opportunities Act, and Right2Remain Silent - New York’s youth deserve it. It is our job to protect our young people, ensure fair treatment, and support them through the entire justice process. By investing in our young people and the organizations that serve them, we can build a system that prioritizes equity, opportunity, and fairness for every young person.”

“We shouldn’t expect a scared 15-year-old in an interrogation room to understand rights that many adults struggle to grasp,” said **Assemblymember Andrew Hevesi, Chair of the New York State Assembly Committee on Children and Families**. “Requiring that a child speak with a lawyer before waiving their right to remain silent is a commonsense safeguard that protects young people, protects the integrity of our justice system, and helps prevent the kind of false confessions that have upended lives in New York. I am grateful to my colleague Senator Bailey and to our fierce advocates at The Legal Aid Society for continuing to fight alongside me for this legislation.”

“Investing \$50 million in community-based organizations through the Youth Justice Innovation Fund is an investment in the potential, dignity, and future of New York’s young people,” said **Assemblyman Jordan J.G. Wright**. “By expanding mentorship, prevention, and alternatives to incarceration, we can help young people build pathways toward success. True public safety begins when we strengthen families, resource our communities, and meet young people with opportunity rather than punishment. I proudly support this critical investment to ensure every young person has the support they need to thrive.”

“Passing the Youth Justice & Opportunities Act would allow eligible young people to benefit from services designed for adolescents and young adults that have been shown to reduce rearrests,” said **Assemblywoman Latrice Walker**. “I sponsor this bill in the Assembly because I believe that mistakes made in one’s youth should not close the doors of opportunity for life. I believe that young people who make mistakes deserve more than condemnation and punishment. I am committed to this bill, which would deliver wraparound services that strengthen families and communities.”

“Our system of laws must be based on rehabilitation instead of retribution. Creating more pathways for young people to rebuild their lives after a conviction is common sense. This legislation would create more opportunities for justice, fairness and compassion for youth and young adults, and ensure those who get caught up in the criminal legal system are able to learn from their mistakes. I look forward to advancing it in the coming session,” said **State Senator Zellnor Myrie**.

“Every year these bills are not passed, more and more young New Yorkers are removed from their communities and funneled into a complex, costly, and overburdened criminal legal system,” said **Dawne Mitchell, Chief Attorney of The Legal Aid Society’s Juvenile Rights Practice**. “This legislation will help to reduce the number of vulnerable young people who are incarcerated in the kinds of conditions that make it nearly impossible for

them to access the counseling, schooling, and medical treatment needed to help advance their futures. True public safety is not achieved through locking people up, but rather by investing in the tools that allow all young New Yorkers to thrive. We call on the New York State Senate and Assembly to pass these critical pieces of legislation without delay this legislative session.”

“Young people are more than the circumstances that bring them into the legal system,” said **Orayne Williams, Director of the Adolescent Defense Project & Social Worker at The Bronx Defenders**. “They are still growing, learning, and imagining their futures, and our response to them should reflect that. As public defenders and advocates for young people, we have a responsibility to ensure that young people have access to the support and opportunities they need to thrive. Youth Justice Action Month is a reminder that investing in young people, rather than relying on punishment, is essential to building safer and stronger communities.”

“We cannot keep asking young people to build better futures while creating systems that actively stand in their way,” said **Hernán Carvente-Martínez, Executive Director of Alianza for Opportunity**. “I know firsthand how quickly the justice system can change the trajectory of a young person's life, but I also know what becomes possible when we invest in their potential rather than define them by their worst moments. At Alianza for Opportunity, we believe that dignity, healing, and opportunity should not be privileges reserved for some young people. They should be the foundation of how we respond to all young people. Protecting their rights, expanding alternatives to incarceration, and putting resources directly into communities are not separate issues. They are all part of building a more just and meaningful approach to public safety. Our young people deserve more than second chances. They deserve systems that never give up on them in the first place.”

“Building a better future for New York families means investing in the stability of our youth, and for too long, legislation that would give young people the support and opportunities they need has been stalled,” said **Tehra Coles, Executive Director and CEO of the Center for Family Representation**. “These bills would empower our youth, strengthen programs that give them the space they need to grow, and allow our families the audacity to believe that second chances are not just provided to those wealthy enough to benefit from the grace of those in power.”

“Our young people deserve a justice system that recognizes their potential, protects their rights, and invests in their futures,” said **Angel Gray, Program & Policy Director at Westchester Children’s Association**. “Too often, we respond to young people with punishment when what they need is support, guidance, and opportunity. The Youth Justice Innovation Fund, alongside the Children’s Early Access to Counsel bill and the Youth Justice and Opportunities Act, represents a critical step toward a more equitable and developmentally appropriate justice system. If we are serious about building safer communities, we must invest in the young people who are part of them.”

“As young people emerge into adulthood, they deserve the opportunity to learn, grow, and live. But the criminal legal system can disrupt a young person’s life for long after their court case is over, with devastating impacts on their education, employment, and housing,” said **Jackie Gosdigian, supervising policy counsel of Brooklyn Defender Services’ Criminal Defense Practice**. “This Youth Justice Action Month, we are proud to join youth across New York to urge the state legislature to pass this slate of legislation, which invests in young people’s futures, rather than traps them in a cycle of punishment.”

Reverend Wendy Calderón-Payne, Executive Director, Urban Youth Alliance (BronxConnect) said, “This month we bring awareness to the need for youth justice. That means the reimagining of what is possible, what is right and what is needed for youth living in impoverished communities. The two bills that are being highlighted today are the start to a more just NYS. #Right2RemainSilent: Children’s Early Access to Counsel bill ensures that young people are given a fair chance during interrogations. Research shows that adolescents and young adults are still developing until the age of 25 and our justice system currently fails to represent that reality. Expanding critical protections is necessary to begin to implement real change for our most vulnerable population.

It's time to pass the #Right2RemainSilent: Children's Early Access to Counsel bill and the Youth Justice and Opportunities Act."

"If the Children's Early Access to Counsel bill had been law when I was in police custody, I would have understood my rights," said **exoneree Jeffrey Deskovic, founder of the Deskovic Foundation**. "The police would not have been able to pressure me into making a false confession. I would not have spent 16 years in prison – from age 17 to 32 – prior to being exonerated by DNA evidence."

"This Youth Justice Action Month, we stand side by side with young people calling for change and urge policymakers to ensure every young person can grow up with dignity, hope, and joy. Passing the Right2RemainSilent: Children's Early Action to Counsel bill, the Youth Justice and Opportunities Act, and the Youth Justice Innovation Fund would protect young people's rights, expand their opportunities, and strengthen the safety and well-being of our communities. Young people are leading the way, and it is our responsibility to listen and act," said **Chantal Hinds, Senior Policy Manager, Children's Defense Fund-New York**.

Nickesha Francis, Policy and Advocacy Manager, Good Shepherd Services, said, "The Youth Justice and Opportunity Act is a crucial step in protecting the future of young people ages 19 to 25. Our youth have rights too! Our young people are not just the future, but they are the present. What is done now will decide their trajectory for the future. New York must act now and make these changes to ensure our emerging adults are not held back by the barriers of criminal conviction, but that they can move forward with every opportunity to succeed and thrive. Likewise, it is not enough to say we love and care about children and youth. It is our moral duty to ensure that young people all over NY State receive all the prevention support and services that is essential for them to succeed and thrive. This can absolutely be done with the **Youth Justice innovation Fund** and designating funds to Community Based Organizations that have consistently and successfully assessed and provided services for youth at risk due to lack of viable and appropriate resources. The state must equally invest in prevention to keep children and youth out of the system."

Messiah Ramkissoon, Executive Director of Youth Justice Network, said: "Every day, we meet with young people who live the harsh reality of living in an unjust and unfair society. None of us should be defined by the worst moments in our lives. But, for too many young people, their futures are jeopardized by an unequitable system. Today's Speak Out showcased the talents, passion, and courage of our young leaders who took a stand for what is right. Now, we urge lawmakers to join them and do right by their communities by pushing for progressive legislation—like #Right2RemainSilent, The Youth Justice and Opportunities Act, and The Youth Justice Innovation Fund—to protect all young people, regardless of their background."

"We are so proud to stand with young people from around the City at this YJAM speak out," said **Kate Rubin, Director of Policy at Youth Represent**. "They are telling us loud and clear what they need: investments, resources, and real opportunities to grow and thrive. It's our job to listen, and to act. That means giving every child a lawyer before a police interrogation, giving young adults the chance to move forward without a criminal record holding them back, and putting dollars directly into the community-based programs that we know keep young people and their neighborhoods safe. Albany has the power to deliver on all three by passing the Children's Early Access to Counsel bill, the Youth Justice and Opportunities Act, and the Youth Justice Innovation Fund. Young people have done their part by speaking up. Now it's time for our leaders to listen."

"Our young clients deserve support, opportunities, and investment" said **Piyali Basak, Managing Director of Neighborhood Defender Service of Harlem**. "They have waited too long for the legislature to pass these crucial bills. As we celebrate Youth Justice Action Month, we call on the Senate and Assembly to pass the Youth Justice & Opportunities Act, the Youth Justice Innovation Fund, and the Right 2 Remain Silent bill, and commit to investing in our young people, their families, and their communities."

"New York must provide Black and brown young people the resources and services that allow them to thrive with a future full of opportunity. For the sake of Kalief Browder, the Exonerated Five, and the countless young people

who have been traumatized and ensnared in our state's criminal legal system, we must invest in the true solutions to public safety," said **David Moss, policy counsel at the New York Civil Liberties Union**. "These bills will advance racial justice and make our communities more equitable by promoting alternatives to incarceration, investing in preventive programming, and protecting due process. Our lawmakers in Albany must pass these bills in the upcoming legislative session."

"Youth deserve care, protection, and support, especially in avoiding and navigating the criminal legal system. We have been advocating for far too long for legislation and investment that would provide this for young people: the Youth Justice and Opportunity Act, the Right to Remain Silent, and the Youth Justice Innovation Fund. Committing to these bills and investments now will build a more just system and a community-based continuum of care of prevention and reentry support. CCC is proud to stand with youth, advocates, and coalition partners to call for a justice system rooted in opportunity and equity," said **Raysa S. Rodriguez, Executive Director at the Citizens' Committee for Children of New York**.

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