

Families Together in New York State

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Memo in Support Of S2800C/A5891C

This legislation would require that all youth under 18 be provided an attorney before they can waive their right to remain silent.

Families Together in New York State strongly supports the passage of the Youth Interrogation Bill S2800C/A5891C.

Families Together in New York State is a family-run organization that represents families of children and youth with social, emotional, behavioral and cross-systems challenges. Our goal is to ensure that ALL children and youth have the support they need in order to succeed. We are part of the #Right2RemainSilent coalition with over 100 organizations signing on in support of this bill. We urge you to vote in favor of this bill before the Senate Finance Committee and advance it to a floor vote.

It is well-supported by neurological and social science about the adolescent brain that youth do not adequately understand or appreciate the significance of their 5th amendment rights, particularly under pressure from law enforcement. Studies have additionally shown, consistent with the experience of the Exonerated 5, that youth are more likely to falsely confess than adults. This bill would prohibit the introduction of any statement taken through interrogation by law enforcement unless the child had consulted with an attorney either by phone, video conferencing, or in person. We consider this an issue of fairness and racial justice, as this bill would provide to all what youth from privileged typically receive-- an attorney to protect their rights before they get to court.

In addition to the over 100 organizations who have signed on in support of the #Right2RemainSilent coalition, this legislation has the support of the NYC Bar Association, Safe Horizon (the nation's largest non-profit victims' assistance organization), DA George Gascon from LA (both CA and WA require consultation with an attorney before custodial interrogation of youth under 18), and many more. Further, Fair and Just Prosecutions, a national organization of prosecutors, issued a memo which explains why, without proper protections, interrogations of children can have serious negative consequences including coerced and false confessions, wrongful convictions, trauma to youth, inadmissible evidence obtained through improper interrogations, diminished public confidence in the legal system, and an erosion of public safety.

We urge you to support this important piece of legislation.

Sincerely,



Paige Pierce, CEO

Families Together in New York State.

EMPOWERING FAMILIES.
COORDINATING SYSTEMS.