

# NOTHING ABOUT US WITHOUT

**POLICY AGENDA 2026**



**THE BRONX  
DEFENDERS**



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# **THE BRONX DEFENDERS**

The Bronx Defenders was founded on a simple premise – that our job is to reimagine what a public defender office can, and should do, for the people we represent.

Since opening our doors in 1997, we have grown into an office serving nearly 20,000 Bronx residents each year. Our nationally recognized Holistic Defense model provides Bronx residents with an interdisciplinary team of lawyers, social workers, and advocates that deliver zealous courtroom defense while addressing the underlying drivers and enmeshed penalties of legal system involvement. Every day, we confront and challenge the oppressive legal systems that criminalize poverty, separate families, and systematically target Black, Latine, immigrant, and low-income New Yorkers.

As public defenders, we know that the systems we fight are deeply rooted in racism, surveillance, and control. That's why our work extends beyond the courtroom. We engage in community organizing, legislative advocacy, and proactive litigation, working with the people we represent to fight for structural change.

# POLICY DRIVEN BY LIVED EXPERIENCE

Communities are too often treated as subjects of policy analysis, instead of co-authors of the solutions that impact their futures. There is a deep disconnect between academic or political conversations about public safety and what safety actually looks and feels like for Bronx residents - especially young Black and Latine people navigating overlapping systems of policing, housing, immigration, ACS, and employment.

In 2026, The Bronx Defender's policy agenda is driven by lived experience and will focus on:

- 1. Uplifting Youth, Creating Opportunity, Protecting Legal Rights**
- 2. Protection and Dignity for All New Yorkers**
- 3. Preventing Family Separation**





# UPLIFTING YOUTH, CREATING OPPORTUNITY, PROTECTING LEGAL RIGHTS

Young people are the backbone of our society. They deserve systems that will invest in their potential, protect their wellbeing, and treat them with dignity. A just future demands due process and an end to racist systems that criminalize and surveil youth.



## PROTECTING RAISE THE AGE

Raise the Age legislation was passed in 2017, fundamentally changing how New York treats 16- and 17-year-olds when they are arrested. Before this law, New York was one of the last states in the country to automatically prosecute all 16- and 17-year-olds in adult criminal court regardless of their offense. Raise the Age increased the age of criminal responsibility to 18, ending the automatic prosecution of youth in adult criminal court.

Raise the Age works, but the promise is unfinished. Millions of dollars meant for youth programs have gone unspent, and there are ongoing efforts to roll back these protections. We know criminalizing young people does not improve public safety - investing in them does. New York has an obligation to invest in young people and the community programs that support them.



**YOUTH JUSTICE & OPPORTUNITIES ACT**  
**A5293 - WALKER / S4330 - MYRIE**

In New York, tens of thousands of young adults aged 18 - 25 are convicted each year, often facing lifelong consequences at a critical stage of development. Criminal convictions create lasting barriers to education, employment, and housing, destabilizing families and communities without improving public safety.

The Youth Justice and Opportunities Act creates a new Young Adult (YA) category extending age-appropriate protections up to age 25. This bill expands access to youthful offender treatment, grants judges greater discretion to use alternatives to incarceration, and allows some individuals to seek resentencing and record sealing. YJO recognizes that accountability should not mean lifelong punishment and that investment in young people strengthens communities.



**#RIGHT2REMAINSILENT ACT**  
**A2620 - HEVESI / S878 - BAILEY**

Millions of children under the age of 18 have face-to-face contact with police in any given year. According to the American Bar Association, 90 percent of young people waive their Miranda rights prior to police interrogation, often without fully understanding the consequences. Research by the Prison Policy Initiative shows that youth are more than three times as likely as adults to falsely confess during a police interrogation, highlighting the imbalance of power between young people and law enforcement.

The #Right2RemainSilent Act ensures youth under 18 are provided with a lawyer before police interrogation, prohibits the waiving of that right, and prevents statements obtained in violation of these protections from being used in court. This bill strengthens due process and protects young people, especially Black and Latine youth who are disproportionately targeted by coercive interrogations and wrongful convictions.



## **SOLUTIONS NOT SUSPENSIONS** **A118 - SOLAGES/S134 - JACKSON**

Across the Bronx and New York State, Black and Latine students and students with disabilities are systematically pushed out of classrooms and into the school-to-prison pipeline. Exclusionary discipline disrupts learning, harms students' sense of belonging, and limits long-term educational and economic opportunities without improving school safety.

The Solutions not Suspension Act shifts school discipline away from exclusion and toward practices that keep students in the classroom and connected to learning. This bill promotes restorative justice, limits excessive suspensions, ensures students continue receiving instruction while suspended, and prioritizes support, accountability, and student success over punishment.



**SECOND LOOK ACT**  
**A1283 - WALKER / S158 - SALAZAR**

New York's sentencing laws often deny people any meaningful chance to show growth or rehabilitation even after decades behind bars.

The Second Look Act creates a pathway for review by allowing people to apply for resentencing after 10 years or half of their sentence and gives judges the ability to reconsider excessive sentences. It prioritizes resentencing for people over 55 and those under the age of 25 at the time of the offense. This bill promotes fairness, reduces over-incarceration, and offers hope to incarcerated people and their families while addressing racial inequities in New York's sentencing system.



**MARVIN MAYFIELD ACT**  
**A1297 - MEEKS / S1209 - MYRIE**

New Yorkers who are arrested often face an impossible choice: accept a guilty plea or exercise a right to trial, risking prolonged pretrial incarceration in places like Rikers Island and the threat of a much longer sentence. As a result, 98% of convictions come from guilty pleas, many coerced by mandatory minimum sentencing laws that prosecutors use to pressure people into pleading guilty.

The Marvin Mayfield Act eliminates mandatory minimums under two- and three-strike laws, restores judicial discretion, and creates a presumption against incarceration - shifting the system away from excessive punishment and toward fairness and accountability.



## EARNED TIME ACT

### A1085 - KELLES /S342 - COONEY

Since the 1990s, New York has cut back programs that help incarcerated people rehabilitate and earn time off their sentences, despite clear research that longer sentences increase, rather than reduce, reoffending. Earned time promotes rehabilitation, supports successful reentry, and strengthens families and communities. Yet New York continues to prioritize prolonged incarceration over public safety, lagging behind many states that allow people to earn sentence reductions.

The Earned Time Act would strengthen and expand “good time” and “merit time” laws that allow individuals who are incarcerated to earn time off their sentences through positive behavior and meaningful participation in education, vocational training, substance use treatment, or community work. This bill would incentivize personal transformation in prison and reunite families in communities that have been disproportionately harmed by mass incarceration.



**TREATMENT COURT EXPANSION ACT**  
**A4869 - FORREST / S4547 - RAMOS**

New York relies too heavily on jails and prisons to respond to mental health and substance use needs, turning incarceration into a substitute for care.

The Treatment Court Expansion Act would expand access to treatment courts in every county, connecting people to community-based care instead of jail. Treating mental health and substance use as public health issues rather than criminal ones reduces harm, saves public dollars, and strengthens community safety.



**PROMOTING PRE-TRIAL STABILITY ACT (PROMPT)  
A6455 - SEPTIMO / S6271 - RAMOS**

Every day, New Yorkers are removed from their homes or separated from their families due to temporary orders of protection (TOPs) often within hours of arrest. Judges typically rely on unverified law enforcement reports, making life altering decisions without giving both parties a meaningful opportunity to be heard.

This practice disproportionately harms vulnerable New Yorkers who are forced from their homes or barred from seeing their children without due process. In 2021, The Bronx Defenders represented Shamika Crawford and won a ruling requiring courts to hold hearings, now known as Crawford hearings, before issuing TOPs. However, the decision has not been applied consistently statewide. The PromPT Act would codify this requirement, uphold due process rights, and prevent unnecessary family separation.



**ABOLISH THE GANG DATABASE**  
**NYC COUNCIL INT. 798**

The NYPD's gang database subjects Black and Latine New Yorkers to secretive, racialized surveillance without due process. People are added based on vague criteria like social media activity or where they live, and 99% of those listed are Black or Latine, according to the Department of Investigations. Int. 798 would abolish the database, protect civil rights, and affirm that public safety comes from community investment, not surveillance.





# PROTECTION AND DIGNITY FOR ALL NEW YORKERS

Protecting the dignity of New Yorkers requires rejecting ICE’s racist and inhumane detention practices and ensuring that our local systems do not participate in or facilitate this harm.

In January 2026, Governor Hochul announced a bill to end 287g and IGSA agreements until 2029 in New York State. This temporary measure does not do enough to combat the harm of New York’s collusion with ICE for enforcement and detention purposes. Instead, the State must pass the New York for All and Dignity not Detention Acts.



**NEW YORK FOR ALL**

**A3506 - REYES / S2235 - GOUNARDES**

All New Yorkers, regardless of immigration status, deserve to live openly, care for their families, and access services without fear. Yet cooperation between local law enforcement and ICE has fueled intimidation, family separation, and instability, especially in the Bronx, where more than a third of residents were born outside the United States.

Critically, in addition to ending 287g, also known as contracts that deputize local law enforcement to act as ICE agents in the field, The New York for All Act would broadly prohibit state and local agencies from cooperating with ICE or using public resources for deportation and family separation. Unlike the Governor’s proposal, this bill comprehensively and permanently protects immigrant communities, strengthens public safety, and ensures New York does not aid harmful federal immigration enforcement.



**DIGNITY NOT DETENTION**  
**A4181 - REYES / S316 - SALAZAR**

Despite New York’s commitment to welcoming immigrants, the state continues to allow ICE to detain people in local jails. On any given night, hundreds of New Yorkers are held in ICE detention, torn from their families and subjected to harmful conditions solely because of their immigration status.

The Dignity Not Detention Act would permanently end IGSA agreements (New York’s local jail contracts with ICE for detention purposes) and prohibit private entities from entering into contracts with ICE for detention in New York State.



## THE NEW YORK CITY TRUST ACT NYC COUNCIL INT. 214

New York City law limits when the New York Police Department and NYC Department of Correction can cooperate with U.S. Immigration and Customs Enforcement. Despite these protections, loopholes and violations persist - leading to wrongful detention, deportation, and family separation.

The New York City Trust Act creates a clear enforcement mechanism so immigrant New Yorkers harmed by detainer law violations can seek justice. This bill ensures city agencies are held accountable, and that New York's laws truly protect the freedom and dignity of all New Yorkers.



**ACCESS TO REPRESENTATION ACT**  
**A270 - CRUZ / S141 - HOYLMAN - SIGAL**

In criminal proceedings, individuals who cannot afford a lawyer are provided with one. In immigration proceedings, however, no such right exists. Many immigrant New Yorkers lack access to affordable legal services, and nonprofit organizations cannot guarantee representation statewide. Legal counsel makes a critical difference: detained individuals with a lawyer are ten times more likely to win their case than those without one. Representation by a lawyer can prevent family separation and protect people from detention in dangerous and inhumane conditions.

The Access to Representation Act would establish a right to counsel in immigration court, meaning that all New Yorkers at risk of deportation will be given an attorney, regardless of their ability to pay. Access to representation will ensure that everyone has a fair day in court.



# PREVENTING FAMILY SEPARATION

Family separation is not a solution to poverty or unmet needs. True family safety comes from support, stability and dignity - not from systems that surveil, criminalize, and disproportionately target Black, Latine, and low-income parenthood. Families deserve to be supported, unified, and aware of their rights to stop the generational harm created by family policing system involvement.



**MATERNAL HEALTH, DIGNITY AND CONSENT ACT**  
**A860 - ROSENTHAL / S845 - SALAZAR**

Pregnant and newly parenting New Yorkers are being drug tested without their knowledge or consent and reported to the family policing system, even when there is no evidence of harm. These practices tear families apart, contradict New York law, and create fear that keeps people from accessing critical prenatal and postpartum care.

The Maternal Health, Dignity, and Consent Act requires informed consent for drug and alcohol testing, prohibits denying care if someone refuses testing, and ensures patients are informed of their rights. By centering dignity and consent, this bill protects families, promotes trauma-informed care, and keeps parents and newborns safely together.



**FAMILY MIRANDA ACT**  
**A1234 - WALKER / S551 - BRISPORT**

Parents have rights during family policing investigations - but too often, those rights are unknown or ignored. Black, Latine, and low-income families are disproportionately surveilled and separated, with Black children making up just 15% of New York’s child population but nearly 40% of children in foster care.

The Family Miranda Rights Act requires ACS to clearly inform parents and caretakers, both orally and in writing, of their rights at the start of an investigation, including the right to an attorney and the right to refuse entry.





# Policy at The Bronx Defenders

Our Policy Team works in deep partnership with our legal practices and community organizers to advance laws and policies grounded in the lived realities, resilience, and priorities of Bronx communities. We are committed not only to defending people once they enter the legal system, but to transforming the conditions that pull people into it in the first place.

We challenge laws, and the narratives behind them, that criminalize poverty, identity, and immigration status, and we work to dismantle systems that perpetuate harm and inequality. Our values are clear: true justice and safety are defined by community, equity, and dignity.

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