

1377

2011-2012 Regular Sessions

I N S E N A T E

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Introduced by Sens. PERKINS, DUANE, HASSELL-THOMPSON, KRUEGER, PARKER,
SMITH -- read twice and ordered printed, and when printed to be
committed to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to videotaping
interrogations

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. The criminal procedure law is amended by adding a new arti-
2 cle 66 to read as follows:

3 ARTICLE 66

4 VIDEOTAPING INTERROGATIONS

5 SECTION 66.10. VIDEOTAPING INTERROGATIONS.

6 S 66.10 VIDEOTAPING INTERROGATIONS.

7 1. ALL INTERROGATIONS OF SUSPECTS, IN POLICE CUSTODY, SHALL BE
8 RECORDED, IN THEIR ENTIRETY, ON VIDEOTAPE OF REASONABLE CLARITY AND
9 AUDIBILITY. THEREAFTER, THE VIDEOTAPES SHALL BE SEALED, WHEREUPON SUCH
10 VIDEOTAPES SHALL BE UNSEALED AND MADE AVAILABLE ONLY WHERE THEY ARE
11 REQUIRED FOR PRODUCTION FOR TRIAL, EVIDENTIARY PURPOSES, OR WHERE THE
12 INDIVIDUAL WHO IS THE SUBJECT OF THE VIDEOTAPE, OR HIS OR HER REPRESENTATIVE,
13 REQUESTS SUCH TAPE. ALL SEALED VIDEOTAPES REPRESENTING INTERRO-
14 GATIONS SHALL BE PRESERVED FOR AT LEAST TEN YEARS IN SUCH A MANNER AS TO
15 MAINTAIN THE CLARITY AND AUDIBILITY OF THE VIDEOTAPE.

16 2. THE INTRODUCTION INTO EVIDENCE OF THE CONFESSION OF A SUSPECT, MADE
17 TO A LAW ENFORCEMENT OFFICER DURING THE INTERROGATION PROCESS AND DOCU-
18 MENTED ON VIDEOTAPE, SHALL BE ACCOMPANIED BY THE CORROBORATING VIDE-
19 OTAPE.

20 S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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