

3183

2015-2016 Regular Sessions

I N A S S E M B L Y

January 22, 2015

Introduced by M. of A. PEOPLES-STOKES -- Multi-Sponsored by -- M. of A.
GOTTFRIED -- read once and referred to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to requiring
evidence of identification by photographic videotape

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
2 section 60.27 to read as follows:
3 S 60.27 RULES OF EVIDENCE; IDENTIFICATION BY MEANS OF A PHOTOGRAPHIC
4 ARRAY; VIDEOTAPE TO BE REQUIRED.
5 NOTWITHSTANDING ANY OTHER LAW, RULE OR REGULATION TO THE CONTRARY, IN
6 ANY CIRCUMSTANCE WHERE EVIDENCE OF AN IDENTIFICATION OF A DEFENDANT BY
7 PHOTOGRAPHIC ARRAY WOULD BE OTHERWISE ADMISSIBLE IN EVIDENCE, SUCH IDEN-
8 TIFICATION SHALL NOT BE ADMISSIBLE IN EVIDENCE UNLESS PROOF OF THE
9 PROCEDURES USED IN THE IDENTIFICATION IS INTRODUCED BY VIDEOTAPE
10 EVIDENCE OF SUCH PROCEDURES.
11 S 2. This act shall take effect on the ninetieth day after it shall
12 have become a law and shall apply to any criminal action commenced after
13 such date.

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

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