

# STATE OF NEW YORK

10624

## IN ASSEMBLY

June 10, 2020

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Carroll) --  
read once and referred to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to requiring  
arrests be recorded or else such arrest is void and the defendant is  
discharged

The People of the State of New York, represented in Senate and Assem-  
bly, do enact as follows:

1 Section 1. Section 120.80 of the criminal procedure law is amended by  
2 adding a new subdivision 6 to read as follows:

3 6. A warrant for arrest shall not be executed without the execution of  
4 such warrant being recorded by a functioning and unobstructed body  
5 camera or other video recording device. If the execution of the warrant  
6 is not recorded on video by the police officers executing the warrant,  
7 the arrest shall be deemed void and the defendant shall be discharged.

8 § 2. Section 140.15 of the criminal procedure law is amended by adding  
9 a new subdivision 5 to read as follows:

10 5. The arresting police officer shall record such arrest using a func-  
11 tioning and unobstructed body camera or other video recording device. If  
12 such arrest was not recorded on video by the police officers making such  
13 arrest, such arrest shall be deemed void and the defendant shall be  
14 discharged.

15 § 3. Section 140.27 of the criminal procedure law is amended by adding  
16 a new subdivision 6 to read as follows:

17 6. The arresting peace officer shall record such arrest using a func-  
18 tioning and unobstructed body camera or other video recording device. If  
19 such arrest was not recorded on video by the peace officers making such  
20 arrest, such arrest shall be deemed void and the defendant shall be  
21 discharged.

22 § 4. This act shall take effect on the thirtieth day after it shall  
23 have become a law.

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

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