



## Legislation Text

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Int. No. 1701

By Council Member Lancman

A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to obtain parental consent prior to a minor serving in an identification procedure.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 14 of the administrative code of the city of New York is amended by adding a new section 14-168 to read as follows:

§ 14-168. Use of minors in an identification procedure.

a. Definitions. As used in this section, the following terms have the following meanings:

Consent form. The term “consent form” means a written document that includes the following:

1. a description of the lineup procedure;
2. the time, date, and location of the lineup;
3. the name of the supervising officer;
4. if the minor’s image or likeness will be used in any other identification procedure; and
5. a space for the signature of the minor’s parent or legal guardian to provide consent to the procedure.

Lineup. The term “lineup” means a department arranged identification procedure in which a criminal suspect is placed in a line with non-suspect participants for the purpose of identification by a witness.

3. Minor. The term “minor” means any person under the age of 18.

4. Non-suspect participant. The term “non-suspect participant” means a person who is not a suspect for the crime being investigated but is participating in a lineup as a filler.

b. Use of minors in an identification procedure. The department shall obtain a consent form prior to the

participation of a minor as a non-suspect participant in a lineup. Such consent form shall be signed and dated by such minor's parent or legal guardian.

§ 2. This local law takes effect immediately.

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