



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

December 31, 2025

Hon. Michael McSweeney
City Clerk and Clerk of the Council
141 Worth Street
New York, NY 10013

Re: Disapproval of Introductory No. 125-A

Dear Mr. McSweeney:

Pursuant to Section 37 of the New York City Charter, I hereby disapprove Introductory No. 125-A, which would amend the Administrative Code of the City of New York to prohibit the NYPD “from collecting DNA from a minor without consent from a parent, legal guardian or attorney.”

This bill does not contain a carve-out for even the most serious and violent crimes, and there will be situations in which the bill, as written, will prevent the NYPD from solving those crimes. In particular, when a juvenile is reasonably suspected of committing a Class A felony or a Class B violent felony—for example, murder or rape—the Chief of Detectives should be allowed to authorize an otherwise lawful collection of that juvenile's DNA in an effort to solve the crime and achieve justice for the victim.

I cannot, in good conscience, allow a bill that would make it harder for the NYPD to solve violent crimes, including murders or rapes.

Accordingly, I hereby disapprove Introductory No. 125-A.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Adams".

Eric Adams
Mayor

Cc: Hon. Adrienne Adams, Speaker

Proposed Int. No. 125-A

By Council Members Ayala, Restler, Won, Hanif, Hudson, Cabán, Stevens, Louis, De La Rosa, Salaam, Gutiérrez and Fariás (by request of the Queens Borough President)

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the police department from collecting DNA from a minor without consent from a parent, legal guardian or attorney

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 14-199.1 to read as follows:

§ 14-199.1 Consent required to collect the DNA of a minor. A. Definitions. For purposes of this section, the following terms have the following meanings:

DNA sample. The term “DNA sample” means any amount of blood, saliva, hair or other bodily material from which deoxyribonucleic acid can be extracted.

Minor. The term “minor” means a natural person under the age of 18.

Law enforcement officer. The term “law enforcement officer” means (i) a peace officer or police officer as defined in the criminal procedure law who is employed by the city of New York, or (ii) a special patrolman appointed by the police commissioner pursuant to section 14-106 of the administrative code.

b. No member of the department or other law enforcement officer shall collect a DNA sample from a minor in connection with an investigation of an alleged criminal offense without first obtaining the written consent of such minor’s parent, legal guardian or attorney, except such consent shall not be required where the DNA sample is collected from a minor who is alleged to be the victim of such criminal offense.

c. No member of the department or other law enforcement officer shall collect a DNA sample that is located on an item that a minor received while in the custody of, or in the course of

1 an interaction with, a law enforcement officer or in a facility used for the questioning of such minor
2 in connection with an alleged criminal offense.

3 d. No member of the department or other law enforcement officer shall collect a DNA
4 sample from a minor in connection with an investigation of an alleged criminal offense without
5 first obtaining the written consent of an attorney representing the minor, subject to the exceptions
6 set forth in subdivision b, in the following circumstances:

7 1. When the minor's parent or legal guardian is also the parent or legal guardian of an
8 alleged victim of the alleged criminal offense under investigation;

9 2. When the minor's parent or legal guardian is reasonably suspected of having committed
10 such alleged criminal offense; or

11 3. Where the interest of the minor's parent or legal guardian, as demonstrated by the parent
12 or legal guardian in the presence of a law enforcement officer, is contrary to the minor's legal
13 interest.

14 e. Nothing in subdivisions b, c or d of this section shall be construed to prohibit the
15 collection of a DNA sample from a minor pursuant to a search warrant, other court order or
16 provision of law that authorizes such collection.

17 § 2. This local law takes effect 90 days after it becomes law.

I hereby certify that the above bill was passed by the Council of the City of
New York on Thursday, December 18, 2025 receiving the following votes:

Affirmative.....42
Negative.....6
Abstentions.....0

Session 13
JDK/JW
LS #2189
12/10/25 9:08pm

Michael M. McSweeney, City Clerk, Clerk of the Council.

DISAPPROVED

ON THE 31st DAY OF Dec 2025
MAYOR