



## Legislation Text

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Int. No. 2002

By Council Members Kallos and Chin

A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to report on how often it engages in surreptitious DNA collection.

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 14-185 to read as follows:

§ 14-185 Reporting on surreptitious DNA collection.

a. Definitions. For purposes of this section, the following terms have the following meanings:

Sample object. The term “sample object” means an object that was within the custody and control of the department prior to the suspect’s depositing of genetic material.

Surreptitious DNA collection. The term “surreptitious DNA collection” means the collection of genetic material from a sample object by the department from a suspect, without such suspect’s knowledge or consent.

Suspect. The term “suspect” means an individual not charged with or convicted of a crime being investigated by the department.

a. No later than January 31, 2021 and no later than each January 31 thereafter, the department shall report to the council and the mayor regarding surreptitious DNA collection during the previous calendar year. Such report shall include, but not be limited to:

1. The total number of DNA samples collected through surreptitious DNA collection in total and disaggregated by:

(a) Race;

(b) Gender;

(c) Age, in the following categories: 20 and under, 21 to 24, 25 to 34, 35 to 65, and over 65; and

(d) The nature of the crimes investigated.

2. The total number of DNA samples collected through surreptitious DNA collection:

(a) Where there were no charges pending at the time of collection; and

(b) Where there was no DNA evidence in the case.

b. The first report required pursuant to subdivision a of this section shall include the total number of DNA samples collected by the department through surreptitious DNA collection in the previous five calendar years, in total and disaggregated by:

1. Calendar year;

2. Race;

3. Gender;

4. Age, in the following categories: 20 and under, 21 to 24, 25 to 34, 35 to 65, and over 65; and

5. The nature of the crimes investigated.

§ 2. This local law takes effect immediately.

HKA  
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