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Int. No. 840

By the Public Advocate (Mr. Williams) and Council Members Stevens, Louis and Restler

A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to report on custodial interrogations of minors

Be it enacted by the Council as follows:

Section 1. Title 14 of the administrative code of the city of New York is amended by adding a new section 14-193 to read as follows:

§ 14-193 Report on the custodial interrogation of minors. a. Definition. For the purposes of this section, the term "minor" means a person under the age of 18 years old.

b. No later than January 30, 2023, and no later than 30 days after the end of each quarter thereafter, the commissioner shall submit to the speaker of the council, the mayor and the public advocate and post on the department's website a report containing the total number of attempted custodial interrogations of minors for the previous quarter, disaggregated by:

1. The race of the minor;

2. The age of the minor;

3. The gender of the minor;

4. The precinct of the arresting officer;

5. The borough where the arrest occurred;

6. Whether a parent or legal guardian was notified of the arrest prior to the attempted interrogation;

7. Whether the minor spoke to an attorney prior to the attempted interrogation;

8. Whether the minor was notified of the following:

(a) The minor's right to remain silent;

(b) That the statements made by the minor may be used in a court of law;

(c) The minor’s right to have an attorney present at an interrogation; and

(d) The minor’s right to have an attorney provided for the minor without charge if the minor is unable to afford counsel; and

9. Whether the minor affirmatively waived each right listed in subparagraphs (a) through (d) of paragraph 8.

c. Reports required pursuant to this section shall not contain personally identifiable information. If a category contains between one and five minors, or contains an amount that would allow another category that contains between one and five minors to be deduced, the number shall be replaced with a symbol. A category that contains zero shall be reported as zero, unless such reporting would violate any applicable provision of federal, state or local law relating to the privacy of minors.

§ 2. This local law takes effect immediately.

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