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## **NYCLA Supports Videotaping of Police Interrogations**

**NEW YORK, April 15, 2003** The New York County Lawyers' Association (NYCLA) has issued a report urging that the practice of videotaping custodial interrogations be mandated in New York State.

The practice is already on the increase in the United States and throughout the world. Sought by those alarmed by the repeated revelations of innocent defendants who were convicted largely due to false confessions; law enforcement officials generally support the practice.

"While it seems highly unlikely that an innocent person who has not been coerced would confess to a crime," said Eugene Nathanson, Co-Chair of NYCLA's Civil Rights Committee, "numerous false confessions have been documented. . . (and) certain interrogation techniques, designed to elicit a true confession from a suspect who starts out denying culpability, can have the effect of inducing a false confession."

In New York, a substantial number of confessions are recorded on videotape; however, interrogations are not. In current practice, detectives interview subjects and if a major crime is admitted, an Assistant District Attorney will record the confession on videotape.

The practice of recording interviews has been required by judicial opinion in Alaska since 1985 and in Minnesota since 1994. It has been adopted voluntarily by many police departments. There are a number of recent legislative proposals in the U.S., including: in the New York City Council and New York State Legislature, as well as Louisiana, Nebraska, Tennessee, the District of Columbia, Illinois, Maryland, Connecticut, Oregon, Washington and Missouri. It should be noted that only the New York and District of Columbia bills require videotaping; all others only require some form of electronic recording.

"NYCLA believes that this is a very timely report. The technology is readily available. While there is a cost, the benefits to due process and increased confidence in the outcome of prosecution far outweigh the economic considerations," said NYCLA President Michael Miller.

According to Nathanson, “Police departments and prosecutors’ offices that record custodial interrogations have almost universally found a positive impact on investigations and prosecutions.”

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The New York County Lawyers’ Association was founded 95 years ago as the first major bar association in the country that admitted members without regard to race, ethnicity, religion or gender. Since its inception, NYCLA has pioneered some of the most far-reaching and tangible reforms in American jurisprudence and has continuously played an active role in legal developments and public policy.