

**RCW 10.122.060 Exception for individual's refusal to be recorded electronically.** (1) A custodial interrogation to which RCW 10.122.030 otherwise applies need not be recorded electronically if the individual to be interrogated indicates that the individual will not participate in the interrogation if it is recorded electronically. If feasible, the agreement to participate without recording must be recorded electronically.

(2) If, during a custodial interrogation to which RCW 10.122.030 otherwise applies, the individual being interrogated indicates that the individual will not participate in further interrogation unless electronic recording ceases, the remainder of the custodial interrogation need not be recorded electronically. If feasible, the individual's agreement to participate without further recording must be recorded electronically.

(3) A law enforcement officer, with intent to avoid the requirement of electronic recording in RCW 10.122.030, may not encourage an individual to request that a recording not be made.  
[2021 c 329 s 6.]