

1932

Sponsor(s): Representatives Lantz, Delvin, Dunshee, Mielke, Chase, Moeller and O'Brien

Brief Description: Requiring recording of custodial interrogations.

**HB 1932 - DIGEST**

Declares that, except as otherwise provided in this act, a statement made by a defendant during a custodial interrogation is inadmissible as evidence against the defendant in a criminal proceeding unless: (1) An electronic recording of the entire custodial interrogation was created;

(2) While the electronic recording was being made and prior to making the statement, the defendant was advised of all rights of the defendant as required by state and federal law and the defendant knowingly, intelligently, and voluntarily waived those rights;

(3) At the time the electronic recording was created, the recording device being used was capable of creating an accurate recording and the person operating the recording device was qualified to operate the recording device;

(4) The electronic recording is not altered;

(5) All voices on the electronic recording that are material to the custodial interrogation are identified; and

(6) The defendant was provided with a complete and accurate copy of the electronic recording not later than twenty days before the date of the criminal proceeding.