

On page 2, line 4, of the Introduced bill, after "interrogation" insert " at a place of detention"

On page 2, line 6, of the Introduced bill, after "entirety" insert ", by audio means at a minimum,"

On page 2, line 7, of the Introduced bill, after "felony." delete " A custodial interrogation at a jail, police station, sheriff's station, holding cell, or custodial or detention facility must be recorded by audio and video means. A custodial interrogation at any other place of detention must be recorded by audio means at a minimum."

On page 2, line 11, of the Introduced bill, delete "(b) If a law enforcement officer conducts a custodial interrogation to which subdivision (a) applies without electronically recording it in its entirety, the officer shall prepare a written report explaining the reason for not complying with this section and summarizing the custodial interrogation process and the individual's statements.

(c) A law enforcement officer shall prepare the report required by subdivision (b) as soon as practicable after completing the interrogation.

(d) As soon as practicable, a law enforcement officer conducting a custodial interrogation outside a place of detention shall prepare a written report explaining the decision to interrogate outside a place of detention and summarizing the custodial interrogation process and the individual's statements made outside a place of detention.

(e)" and insert "(b)"

On page 3, line 2, of the Introduced bill, after "circumstances." delete " The law enforcement officer conducting the interrogation shall record electronically an explanation of the exigent circumstances before conducting the interrogation, if feasible, or as soon as practicable after the interrogation is completed."

On page 3, line 28, of the Introduced bill, after "23A:" delete "(a) "

On page 4, line 1, of the Introduced bill, after "feasible." delete "(b) If both audio and video recording of a custodial interrogation are required by section 3 of this Act, recording may be by audio alone if a technical problem in the video recording equipment prevents video recording, despite reasonable maintenance of the equipment, and timely repair or replacement is not feasible.

(c) If both audio and video recording of a custodial interrogation are required by section 3 of this Act, recording may be by video alone if a technical problem in the audio recording equipment prevents audio recording, despite reasonable maintenance of the equipment, and timely repair or replacement is not feasible."

On page 4, line 20, of the Introduced bill, delete "shall " and insert "may "

On page 4, line 27, of the Introduced bill, after "jury." delete "Section 12. That a NEW SECTION be added to title 23A:

"

On page 4, line 28, of the Introduced bill, after "23A:" delete "Each law enforcement agency in this state shall establish and enforce procedures to ensure that the electronic recording of all or part of a custodial interrogation is identified, accessible, and preserved throughout the length of any resulting sentence, including any period of probation or parole extending through final discharge."

On page 5, line 3, of the Introduced bill, after "discharge." delete "Section 13. That a NEW SECTION be added to title 23A:

"

On page 5, line 4, of the Introduced bill, after "23A:" delete "(a) Each law enforcement agency that is a governmental entity of this state shall adopt and enforce policies and procedures to implement this chapter through rules promulgated in accordance with chapter 1-26.

(b) The policies and procedures adopted under subdivision (a) of this section must address the following topics:

(1) How an electronic recording of a custodial interrogation must be made;

(2) The collection and review of electronic recordings, or the absence thereof, by supervisors in each law enforcement agency;

(3) The assignment of supervisory responsibilities and a chain of command to promote internal accountability;

(4) A process for explaining non-compliance with procedures and imposing administrative sanctions for a failure to comply that is not justified;

(5) A supervisory system expressly imposing on individuals in specific positions a duty to ensure adequate staffing, education, training, and material resources to implement this chapter; and

(6) A process for preserving the chain of custody of an electronic recording.

(c) The policies and procedures adopted under subsection (b)(1) for a video recording must contain standards for the angle, focus, and field of vision of a recording device that reasonably promotes accurate recording of a custodial interrogation at a place of detention and reliable assessment of its accuracy and completeness."

On page 5, line 27, of the Introduced bill, delete " under section 13 of this Act to ensure compliance with" and insert " by"