

**CONFIDENTIAL**  
**LEGISLATIVE BILL REVIEW FORM: 2014**

**Bill Number:** S.184                      **Name of Bill:** Recording of Custodial Interrogations in Homicides and Sexual Assaults

**Agency/Dept:** Vermont State Police                      **Author of Bill Review:** Lt. Brian Miller

**Date of Bill Review:** 05/29/2014                      **Status of Bill: (check one):**

☐ Upon Introduction                      ☐ As passed by 1<sup>st</sup> body                      ☒ As passed by both bodies

**Recommended Position:**

☒ Support                      ☐ Oppose                      ☐ Remain Neutral                      ☐ Support with modifications identified in # 8 below

**Analysis of Bill**

- 1. Summary of bill and issue it addresses.** *Describe what the bill is intended to accomplish and why.*  
To require the recording of custodial interrogations in cases of homicide and sexual assault and to establish a task force for making recommendations on how to equip law enforcement for the purpose of compliance with the new recording requirement
- 2. Is there a need for this bill?** *Please explain why or why not.*  
There is not a need for the bill, but a task force to try and produce uniformity and guidelines are prudent.
- 3. What are likely to be the fiscal and programmatic implications of this bill for this Department?**  
Equipping all personnel with recording equipment will involve expenditure of funds. Access to this equipment by personnel will be challenging at times. The exceptions listed will make lessen the impact of programmatic limitations.
- 4. What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it?**  
The Departments involved in the Justice system will have to have the technology to accept and play the audio and video files. This will be a financial concern.
- 5. What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it?** *(for example, public, municipalities, organizations, business, regulated entities, etc)*  
As stated funds will be needed to equip statewide law enforcement with equipment. These funds will come from local and state tax payers.
- 6. Other Stakeholders:**

**6.1 Who else is likely to support the proposal and why?**

Both the defense and prosecution will be in support. Cases will be more complete which can work in either the defense or prosecutions favor. In the case of the prosecution it may result in more cases being resolved sooner and save money.

**6.2 Who else is likely to oppose the proposal and why?**

There may be some resistance by smaller departments as they change the way they conduct

investigations.

**7. Rationale for recommendation:** *Justify recommendation stated above.*

The creation of a Board to implement this law will cover most concerns that the law is burdensome on police. The law addresses incidents when cases cannot be recorded. It also addresses which cases are required to be recorded.

**8. Specific modifications that would be needed to recommend support of this bill:** *Not meant to rewrite bill, but rather, an opportunity to identify simple modifications that would change recommended position.*

None



Secretary/Commissioner has reviewed this document

Date: 5/30/14

*Please return this bill review as a Microsoft Word or PDF document to [laura.gray@state.vt.us](mailto:laura.gray@state.vt.us)*