



General Assembly

January Session, 2007

Raised Bill No. 7364

LCO No. 5301

05301_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING ELECTRONIC RECORDING OF INTERROGATIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 54-1c of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2007*):

3 (a) Any admission, confession or statement, written or oral,
4 obtained from an accused person who has not been presented to the
5 first session of the court, or on the day specified for arraignment under
6 the provisions of section 54-1g, or who has not been informed of such
7 person's rights as provided by section 54-1b or 54-64b, shall be
8 inadmissible.

9 (b) (1) Any custodial interrogation of a person under investigation
10 for or accused of committing a capital felony or class A or B felony, or
11 a juvenile under investigation for or accused of committing a criminal
12 offense, at a police station, courthouse, correctional facility, community
13 correctional center or detention facility, including any oral admission,
14 confession or statement obtained from such person or juvenile during
15 such custodial interrogation, shall, when feasible, be electronically

16 recorded in its entirety by use of an electronic or digital audio or
17 audiovisual device which may include microcassette recording,
18 videotape or other audio or visual recording technology.

19 (2) (A) If such custodial interrogation is not electronically recorded
20 in its entirety and the case is tried to a jury, the defendant shall be
21 entitled, upon request, to a jury instruction that shall advise the jury
22 that it may consider the fact that the interrogation was not
23 electronically recorded in its entirety in determining the reliability of
24 the oral admission, confession or statement and the weight to be given
25 to it.

26 (B) If such custodial interrogation is not electronically recorded in
27 its entirety and the case is tried to a court, the court may consider the
28 fact that the interrogation was not electronically recorded in its entirety
29 in determining the reliability of the oral admission, confession or
30 statement and the weight to be given to it.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2007	54-1c

Statement of Purpose:

To require, when feasible, the electronic recording in its entirety of any custodial interrogation of a person under investigation for or accused of a capital felony or a class A or B felony or a juvenile under investigation for or accused of a criminal offense.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]