

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Judiciary to which was referred Senate Bill No. 297
3 entitled “An act relating to the recording of custodial interrogations in
4 homicide and sexual assault cases” respectfully reports that it has considered
5 the same and recommends that the House propose to the Senate that the bill be
6 amended as follows:

7 First: In Sec. 1, in 13 V.S.A. § 5581(a)(2), before the word “capacity” by
8 inserting current and in 13 V.S.A. § 5581(b)(2), by striking out
9 “simultaneously record” and inserting in lieu thereof record simultaneously

10 Second: By striking out Sec. 2 in its entirety and inserting in lieu thereof a
11 new Sec. 2 to read:

12 Sec. 2. LAW ENFORCEMENT ADVISORY BOARD

13 (a) The Law Enforcement Advisory Board (LEAB) shall develop a plan for
14 the implementation of Sec. 1 of this act, 13 V.S.A. § 5581 (electronic recording
15 of a custodial interrogation).

16 (b) The LEAB, in consultation with practitioners and experts in recording
17 interrogations, including the Innocence Project, shall:

18 (1) assess the scope and location of the current inventory of recording
19 equipment in Vermont;

20 (2) develop recommendations, including funding options, regarding how
21 to equip adequately law enforcement with the recording devices necessary to

1 carry out Sec. 1 of this act, 13 V.S.A. § 5581 (electronic recording of a
2 custodial interrogation); and

3 (3) develop recommendations for expansion of recordings to questioning
4 by a law enforcement officer that is reasonably likely to elicit an incriminating
5 response from the subject regarding any felony offense.

6 (c) On or before October 1, 2014, the LEAB shall submit a written report to
7 the Senate and House Committees on Judiciary with its recommendations for
8 the implementation of Sec. 1 of this act, 13 V.S.A. § 5581 (electronic recording
9 of a custodial interrogation).

10 Third: In Sec. 3, by striking out “July 1, 2015” and inserting in lieu thereof
11 October 1, 2015.

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14 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE