

Use of threats, physical harm, or deception in custodial interrogations  
S.6 Comparison

	Senate	House
Threats or physical harm	<p>For under age 22, prohibited and presumption that involuntary/inadmissible</p> <p>Presumption may be overcome by clear and convincing evidence that statement was 1) voluntary and not induced by LEO's or government agent's use of threats, physical harm and 2) any actions of a LEO or government agent did not undermine the reliability of the person's admission, confession, or statement and did not create a substantial risk that the person might falsely incriminate themselves</p>	<p>Prohibited for everyone</p> <p>Declared involuntary/inadmissible</p>
Deception used against person under 18	<p>Prohibited and presumption that involuntary/inadmissible</p> <p>Presumption may be overcome by clear and convincing evidence that statement was 1) voluntary and not induced by LEO's or government agent's use of deception and 2) any actions of a LEO or government agent did not undermine the reliability of the person's admission, confession, or statement and did not create a substantial risk that the person might falsely incriminate themselves</p>	<p>Prohibited</p> <p>Declared involuntary/inadmissible</p>

<p>Deception used against 18-21</p>	<p>Prohibited and presumption that involuntary/inadmissible</p> <p>Presumption may be overcome by clear and convincing evidence that statement was 1) voluntary and not induced by LEO's or government agent's use of deception, and 2) any actions of a LEO or government agent did not undermine the reliability of the person's admission, confession, or statement and did not create a substantial risk that the person might falsely incriminate themselves</p>	<p>Presumption that involuntary/inadmissible</p> <p>Presumption may be overcome by clear and convincing evidence that statement was 1) voluntary and not induced by LEO's or government agent's use of deception, and 2) any actions of a LEO or government agent did not undermine the reliability of the person's admission, confession, or statement and did not create a substantial risk that the person might falsely incriminate themselves</p>