

Requiring Videotaped Interrogations Has Broad Support

From law enforcement:

- “We don’t object to any recordation of interviews or interrogations which would result in a clearer picture of what the defendant or the witness told the police officer. After all, it is our firm belief that in an extraordinarily overwhelming number of cases, the information being reported out of those cases is accurate and correct, and we believe that a recording would help us to prove that.”
- Jim Pasco, Executive Director, Fraternal Order of Police (NPR *Tavis Smiley* Show, Jan. 17, 2003.)
- “Police and prosecutors have little to fear from a requirement to videotape all interrogations. Recording not only protects the innocent, it helps convict the guilty and sustain the public's faith in our criminal justice system.”
– Amy Klobuchar, Hennepin County, MN, County Attorney (Klobuchar, “Eye on Interrogations: How Videotaping Serves the Cause of Justice,” *Washington Post* op-ed, June 10, 2002.)
- “[The tapes] usually corroborate and bolster the police version [of an interrogation and confession.]”
– Kankakee County, IL, State Attorney Edward Smith (Eric Zorn, “A Surprise Vote for Videotaping Interrogations,” *Chicago Tribune*, Apr. 19, 2001.)
- “[I]f it’s done right, there is no more powerful evidence then a videotaped confession there for the defense and the public to see.”
– Capt. Barney Forsythe, Director of Montgomery County, MD, Police Department Major Crimes Division. (April Witt, “Md. Weighs Taping Police Interviews; Videos Dispel Questions on Tactics,” *Washington Post*, Feb. 12, 2002.)
- “Unfortunately, people have come to believe the worst of the police. It is incumbent on those of us who are interested in bringing back faith in the system to do things that show the integrity of what police and prosecutors do to build a case. We should welcome the opportunity to show the system and show that it is fair. At the end of the day, I am confident that because the vast majority of these guys are doing it the right way, the tapes will bear them out.”
– John McCarthy, Montgomery County, MD, Deputy State’s Attorney (April Witt, “Md. Weighs Taping Police Interviews; Videos Dispel Questions on Tactics,” *Washington Post*, Feb. 12, 2002.)
- “I’m in favor of [taping custodial interrogations], there’s no question it would be better for us.”
– Detective Frank Ilarraza, Broward County, FL (Wanda J. DeMarzo and Daniel de Vise, “Prosecutor: Hard to retry Behan case,” *Miami Herald*, October 3, 2002.)
- “For some time, I’ve been telling law enforcement agencies that I believe that the entire interview with a defendant be videotaped or, at the very least, tape-recorded from beginning to end.”
– Broward County State Attorney Michael Satz, Broward County, FL (Wanda J. DeMarzo and Daniel de Vise, “Experts: Tape police interrogations,” *Miami Herald*, December 24, 2002.)

- "We do not disagree with the videotaping bill. We think its time has come. If there is police misconduct, we need to have evidence of it and we need to get rid of bad cops. We need to protect good cops, and we think videotaping is going to be a good tool."
-Greg Sullivan, Executive Director, Illinois Sheriffs' Association (Christi Parsons and Kate McCann, "Governor says he will sign measure requiring record in homicide interrogations," *Chicago Tribune*, May 9, 2003.)
- "Videotape minimizes the likelihood of a suspect's recantation or allegations of police impropriety. Some police have been reluctant to videotape interrogations and confessions. I believe that is a mistake."
- William J. Bratton, Former Police Commissioner of New York City and Boston (Bratton, "A law enforcement view of confessions," <http://courttyv-web1.courttyv.com/archive/movie/crowe/law.html>, October 2000.)
- "If it's a criminal case, they turn it on as soon as they pick up the suspect, before reading him his Miranda rights....Tape recorders are there to protect the officer as well as the suspect. They protect the integrity of the case."
-Sgt. Steve Elkins, Anchorage, AK, Police Department (Steve Mills and Michael Higgins, "Cops urged to tape their interrogations; City videotapes only confessions," *Chicago Tribune*, January 6, 2002.)
- "You have to evolve. We realized that people were calling into scrutiny the questions of confessions. If you're not doing anything wrong, why aren't you videotaping the process? We started looking at it and the question really started to rise, why not?"
-Broward County Sheriff Ken Jenne (Michael McGuire, "Taped police interrogations gain momentum in Florida," *Special to the Chicago Tribune*, March 8, 2003.)

From judges:

- "I would describe [videotaping] as a big improvement. We're spending a lot less on pre-trial motions. It just narrows the issues."
- Kankakee County, IL, Judge Clark Erickson ("No More Excuses. Go to the Tape.," *Chicago Tribune*, editorial, Apr. 21, 2002.)
- "A \$200 video recorder and a \$2 cassette would have saved all this time and money and the questions of whether this confession is valid would not be in this courtroom."
- U.S. District Judge Donald Graham, Florida (Wanda J. DeMarzo and Daniel de Vise, "Prosecutor: Hard to retry Behan case," *Miami Herald*, October 3, 2002.)

From the media:

- "Illinois' criminal justice system is flawed. The 13 men who have been wrongly sentenced to die since 1977 stand as stark evidence of that. It is time to substantially improve that system, and videotaping interrogations and confessions will be an important step toward that."
- Chicago Tribune ("No more excuses. Go to the tape," *Chicago Tribune*, April 21, 2002.)
- "It is not all that uncommon for people to admit under intense interrogation that they committed crimes of which they were innocent. Their lawyers say the teenagers were questioned by police for up

to 28 hours, and charge that the confessions were coerced. Had the entire questioning been videotaped, as Alaska and Minnesota require but New York does not, the quest for truth might be easier.”

– New York Times (“Justice in the Central Park Jogger Case,” *New York Times*, October 16, 2002.)

- “Recording what happens as cops grill a suspect is not only a protection against the bad acts of rogue officers, but also a guard against false allegations of police misconduct by criminal suspects. / To ensure both of these good outcomes, New York's police department -- and others across the nation that don't do so -- should videotape all interrogations.”
– DeWayne Wickham, USA Today columnist (Wickham, “Film all police interrogations,” *USA Today*, September 24, 2002.)
- “Police shouldn't regard a video camera as an enemy that snitches on them, but as a beneficial tool of law enforcement. The camera and microphones are neutral observers that can't be accused of bias, lies, racial profiling or civil rights violations.”
– South Florida Sun-Sentinel (“Put Interviews on Tape,” *South-Florida Sun Sentinel*, February 14, 2003.)
- “While video acts to protect the rights of defendants, it also helps protect police and the prosecution from charges like coercion that sometimes sway jurors to decide against an otherwise solid case.”
– Clarence Page, syndicated columnist (Page, “Jogger case revelation: Tape interrogations too,” *Newsday*, October 1, 2002.)

From academics:

- “Taping interrogations and preventing false confessions are issues about truth and justice. They should be embraced by all who participate in or benefit from our criminal justice system.”
– Professor Steven A. Drizin, Northwestern University Law School (Drizin, “Taping confessions makes just sense,” *Milwaukee Journal Sentinel*, May 11, 2002.)
- “It is not because a peace officer is more dishonest than the rest of us that we should demand an objective recording of the critical custodial events. Rather, it is because we are entitled to assume that the police are no less human—and equally inclined to reconstruct and interpret past events in a favorable light—that we should not permit them to be the judges of their own cause.”
– Professor Yale Kamisar, Michigan University and University of San Diego Law School (Kamisar, “Interrogating Suspects: Limit Police Secrecy,” *Special to the National Law Journal*, June 9, 2003.)
- “It is long past time for Connecticut to require recordings of interrogations. The technology to do this is readily available, cheap and easy to use. Justice, fairness and the public's perception of our system of criminal justice require no less.”
– Professor Mark Dubois, University of Connecticut Law School, and Rachel Lieberfarb, student (Dubois and Lieberfarb, “Record all police interrogations,” *The Hartford Advocate*, April 16, 2003.)

From public officials:

- “We need to lift the veil of secrecy from this interrogation process. We need to start the videotape. We need to start recording at the moment of the interrogation, not at the moment of the confession.”
-Assemblyman Adam Clayton Powell IV (D-Harlem), New York State Assembly (NPR *Tavis Smiley* Show, January 17, 2003.)
- “[The proposed ordinance to require videotaping interrogations of murder suspects] is designed to protect not only suspects, but also police officers who have been accused of using improper techniques to extract confessions.”
-Alderman Edward M. Burke (14th), Chicago City Council and former Chicago police officer (Michael Sneed, “Ordinance would require cops to videotape interrogations,” *Chicago Sun-Times*, February 5, 2003.)
- “There is absolutely no reason in this era of modern technology not to take full advantage of such a simple and basic device as a video recorder that can so perfectly and unambiguously preserve evidence for later use in the courtroom.”
- Alderman Isaac S. Carothers (29th), Chicago City Council (“Chicago City Council eyes mandatory videotaping of all murder interrogations,” Press Release from the Chicago City Council Committee on Finance, February 5, 2003.)
- “There is no substitute for an opportunity to see with one's own eyes and hear with one's own ears what takes place in an interrogation.”
- Connecticut State Senator Andrew Roraback (R-Goshen) (Michelle Tuccitto, “Proposed laws would make cops record interrogations,” *New Haven Register*, April 6, 2003.)

From defense attorneys:

- “Custodial interrogations are a legitimate law-enforcement tool used by the police to elicit what is certainly one of the most powerful pieces of evidence in a criminal case: a confession. Legislation requiring that such confessions be electronically recorded in their entirety as a predicate to admissibility at trial serves not only to improve their credibility and reliability, but also to protect those who may, for whatever reason, be in danger of giving a false confession.”
- John J. Hardiman and Michael A. DiLauro, Rhode Island Public Defender’s Office (Hardiman and DiLauro, “Videotape them; R.I. should fight false confessions,” *The Providence Journal*, November 17, 2002.)
- “What you're seeking to avoid is the danger of false confessions, or the false reporting of confessions. Taping minimizes that danger.”
-Norman Reimer, President-Elect of the New York County Lawyers' Association (Andrew Smith, “Interrogating under video’s watchful eye,” *Newsday*, April 30, 2003.)
- “[Legislation to require interrogations to be taped] will enhance the reliability of statements and the admissibility of confessions given to police as a result of interrogations. I don't know why law enforcement is against this — unless they don't want their interrogation tactics exposed. If everything is on the up and up, why be against it?”
- Thomas Ullmann, public defender in Superior Court in New Haven, CT (Michelle Tuccitto, “Proposed laws would make cops record interrogations,” *New Haven Register*, April 6, 2003.)