

Introduced by

Senator Sickler

1 A BILL for an Act to provide for a legislative management study regarding the recording of
2 custodial interrogations.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. LEGISLATIVE MANAGEMENT STUDY - RECORDING OF CUSTODIAL**
5 **INTERROGATIONS.**

6 1. During the 2023-24 interim, the legislative management shall study, with the
7 assistance of the North Dakota commission on uniform state laws, the recording
8 practices of local and state law enforcement during custodial interrogations to
9 determine the feasibility and desirability for uniform implementation of recording
10 practices. The study must include the number of law enforcement agencies currently
11 recording custodial interrogations and the following information:

12 a. Any policies regarding how the recording of interrogations is conducted;

13 b. The storage and retention practices associated with recording interrogations;

14 c. The types of equipment used to record interrogations;

15 d. The types of locations at which interrogations are recorded;

16 e. The types of criminal investigations in which interrogations are recorded and the
17 frequency those interrogations are recorded;

18 f. The current disclosure of recorded interrogations in criminal discovery;

19 g. Best practices and current requirements for the recording of interrogations,
20 including adoption of the Uniform Electronic Recordation of Custodial
21 Interrogations Act;

22 h. The financial costs associated with the recording of custodial interrogations and
23 implementation of uniform practices; and

Sixty-eighth
Legislative Assembly

- 1 i. Any barriers to uniform implementation of the recording of custodial
- 2 interrogations.
- 3 2. The legislative management may seek the assistance of the North Dakota commission
- 4 on uniform state laws in the development of recommended policies and procedures.
- 5 3. The legislative management shall report its findings and recommendations, together
- 6 with any legislation necessary to implement the recommendations, to the sixty-ninth
- 7 legislative assembly.