DISCLAIMER: This content is solely designed to be a templated resource for agencies. The information and material contained herein is not a replacement for any policy and procedure documents or other legal requirements that govern the agency practices in your jurisdiction.

1. **MISSION:**

Full agency and employee compliance with all FOIA, CJIS, HIPPA, national mandates, and best practices for audio video interview evidence recordings conducted by the \_\_\_\_\_\_\_\_\_\_\_\_\_\_ Police Department.

1. **PURPOSE:**

The \_\_\_\_\_\_\_\_\_\_\_\_\_\_ Police Department’s standard operating procedure for interview room facilities and interview policies shall direct our agency’s full compliance with federal rules and regulations to ensure accurate and compliant recording of audio video interview evidence.

The purpose and goal of any \_\_\_\_\_\_\_\_\_\_\_\_\_\_ Police Department interview is to gather information and evidence that will identify offenders and lead to their arrest and successful criminal prosecution.

1. **DEFINITIONS:**
   1. **Evidence** – The relevant material which shall be admitted into the records of a legal proceeding to help prove or disprove facts of a criminal investigation or offence, including the voluntary admission or declaration (either orally or in writing) by one to acknowledge their act in committing or participating in a felony or misdemeanor.
   2. **Interrogation** – The conversation and direct questioning of a potential suspect about a particular crime or incident**.**
   3. **Interview** – The conversation between an officer and any person who may have knowledge of events or circumstances surrounding a particular investigation into a crime or incident.
   4. **Offender** – The perpetrator of the crime.
   5. **Suspect** – The person who officers believe may have committed a crime.
   6. **Victim** – Identifiable person who has been harmed individual and directly by the criminal suspect or perpetrator.
   7. **Witness** – Identifiable person who saw or heard the crime take place or may otherwise be able to provide important information about the incident and/or defendant.
2. **POLICY:**

Terms “interview” and “interrogation” are often interchangeable for the \_\_\_\_\_\_\_\_\_\_\_\_\_\_ Police Department, as both techniques may be used during police contact with persons of interest.

* 1. Items that can be used as or manipulated into weapons or implements of escape will not be kept in the interview rooms.
  2. Persons interviewed will be provided access to water, restrooms and other needs that may arise.
  3. Fire evacuation will follow the safest route of exits to ensure the safety of the officer and the interviewee.
  4. When questioning an eyewitness, officers shall avoid the use of leading questions and should refrain from providing the witness with information that could affect the witness’s memory.
  5. Officers shall not coerce or obtain involuntary confessions from individuals suspected of criminal activity.
  6. Pursuant the Miranda Rights and Sixth Amendment to the United States Constitution, no member of the \_\_\_\_\_\_\_\_\_\_\_\_\_\_ Police Department shall prevent the right and request for legal counsel at reasonable times for a suspect being held in police custody.

1. **PROCEDURE:**

Whether the interview room is used for criminal suspects, juvenile offenders, or witnesses and victims, the \_\_\_\_\_\_\_\_\_\_\_\_\_\_ Police Department audio video interview evidence recording procedure shall remain in compliance with all FOIA, CJIS, HIPPA, and national mandates.

* 1. The recording of audio video interview evidence will be started prior to the interview.
  2. When a single officer is conducting an interview, other officers may either monitor the interview by closed circuit television or be in close proximity to provide emergency assistance, if necessary.
  3. Interview room audio video recording equipment will be arranged in such a ways that the person’s full body is in view throughout the interview in order to track the subject’s wellbeing and deliver the most accurate and detailed audio video interview evidence possible to the court.