

Session 115 - (2003-2004)

S 1177 General Bill, By Thomas and Hutto

Summary: Criminal cases, procedures for custodial interrogations

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 17-13-170 SO AS TO PROVIDE A PROCEDURE FOR CUSTODIAL INTERROGATIONS IN CRIMINAL CASES, TO DEFINE THE TERMS "WRITTEN STATEMENT", "CUSTODIAL INTERROGATION", "FELONY", AND "PLACE OF DETENTION", TO PROVIDE THAT CUSTODIAL INTERROGATIONS MUST BE VIDEO AND AUDIO TAPE, TO PROVIDE THAT THE PERSON INTERROGATED MUST BE GIVEN CERTAIN WARNINGS BEFORE GIVING A STATEMENT, TO MANDATE THE PRESERVATION OF ALL RECORDINGS UNTIL FINAL ADJUDICATION, TO PROVIDE FOR INTERPRETATION OF THE WARNINGS TO THE DEAF, TO PROVIDE THAT SPONTANEOUS UTTERANCES MUST BE RECORDED BY THE LAW ENFORCEMENT OFFICER TO WHOM THE UTTERANCE WAS MADE, AND TO PROVIDE THAT A STATEMENT NOT RECORDED AS REQUIRED IS INADMISSIBLE IN A CRIMINAL TRIAL.

04/20/04 Senate Introduced and read first time SJ-6

04/20/04 Senate Referred to Committee on Judiciary SJ-6