



Senator Matt Bartle – Serving Jackson County

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Suspect Interrogations to Be Recorded in Missouri

Recently the Legislature passed and the governor signed a bill that will completely change the way custodial interrogations are handled in police stations across the state. Under this new statute, law enforcement will be required to record the entire interrogation of anyone suspected of committing certain crimes, including murder, rape, kidnapping and other serious offenses. This simple change will help ensure that guilty criminals will receive the appropriate punishment and innocent people will be exonerated.

I sponsored this language at the request of Missouri prosecutors. The proposal was a cooperative effort between the law enforcement and prosecutorial communities. These groups of people came together, looked at the issue and proposed a solution that will work.

When making a decision, it is reasonable for the jurors or judge to want to see all of the evidence available. By making a recording of an entire interrogation available to jurors, they will have a better understanding of the case and a wider range of evidence from which to draw.

One Kansas City-area prosecutor knows first-hand how important recorded interrogations are to juries. This prosecutor, who helped draft the language included in the bill, wasn't able to get the conviction he wanted in a murder case because the jury was skeptical after the police didn't record the entire interrogation of the suspect. Though the jury found the suspect guilty, they only agreed to a second-degree conviction as opposed to the first-degree conviction the prosecutor was after. With a recorded interrogation, the man, who stabbed and cut his victim 54 times before dumping the body in a creek, could have received a tougher sentence.

By their nature, interrogations must be intense if they are going to work. However, this level of intensity can lead innocent people to confess under the stress of the moment (some individuals have been known to confess because they expect a confession will lead to their release). While it seems unfathomable that someone would confess to a crime they didn't commit, it *can happen*. This leads to a miscarriage of justice on two fronts. An innocent person could be convicted while the true perpetrator escapes prosecution and may go on to commit other serious crimes. Recording interrogations in their entirety will help remedy these problems.

For heinous crimes I favor stringent punishments. Making sure we're convicting the right suspect is an important part of the administration of justice, and the recording of interrogations is an important component of that effort. I have long worked with prosecutors and law enforcement to keep our criminal and civil statutes up to date, and I was happy to help pass this legislation that has now been signed by the governor.

If you have any comments or questions about this week's column or any other matter involving state government, please do not hesitate to contact me. You can reach my office by e-mail at matt_bartle@senate.mo.gov or by phone at (888) 711-9278. My web address is <http://www.senate.mo.gov/bartle>.

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Contact Information

Capitol Office
State Capitol Building
Room 319
Jefferson City, MO 65101

Website:
<http://www.senate.mo.gov/bartle>

Phone Number:
888.711.9278 (toll-free)
573.751.1464

Fax:
573.751.8442