

**WINONA POLICE DEPARTMENT**

**NUMBER: 103-07 PAGES: 1**

**EFFECTIVE DATE: July 27, 2004**

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**SUBJECT: MANDATORY TAPE RECORDING**

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**1.0 PURPOSE:**

The Minnesota Supreme Court has ruled that all custodial interrogations with suspects must be tape recorded. The ruling includes juvenile and adult suspects no matter what type of crime is involved. In a place of detention, recording is required and should start when the person is in custody. Officers are not required to carry tape recorders when a crime is in progress. Suspects placed in a squad car will be considered as in custody.

In custody, for the purpose of this directive, will mean when a suspect is in a place of detention or in a squad car.

Recording units will be available for squad cars and will be used for interviews conducted with the suspect in the squad car. At the LEC, a Recording/Interview Room will be fully equipped and used for interviews of suspects. Interviews/interrogations can be done without the knowledge of the suspect.

**2.0 PROCEDURE:**

**2.1** The recording will start immediately. We cannot wait until the Miranda Warning is given. All conversation will be recorded.

**2.2** Written reports will indicate at what point the recorder was turned on and the time given.

**2.3** All tapes will be considered as Evidence and will be property tagged according to Department policy.

**2.4** A copy of the tape must be provided to the suspect as soon as possible and a receipt obtained for the copy.