



ACLU of Oregon Urges a Yes Vote on HB 3242

The American Civil Liberties Union of Oregon¹ supports HB 3242, which would require peace officers to electronically record custodial interviews conducted by a peace officer in a law enforcement facility with youth during investigations of person felonies.²

The rights of the accused are a cornerstone of a fair judicial system. As the Supreme Court has noted,³ these rights are especially important when young people who lack an adult's capacity to understand the consequences of their actions. HB 3242 will help protect the rights of youth when interacting with the criminal justice system.

Recording interviews will benefit law enforcement and increase public trust and public safety. The existence of an objective and reviewable record will protect officers against false accusations. A clear record of what occurred during interviews will also provide much-needed transparency in the system, which will increase public trust in law enforcement. An increase in public trust leads to an increase in public safety.

Recording interviews will increase the efficiency of law enforcement. It will allow officers to focus on the interview at hand, rather than performing the additional task of taking handwritten and incomplete notes.

Recording interviews will provide courts with more accurate and reliable records of youth interviews. For example, it will clarify questions around Miranda and voluntariness and it will decrease wrongful convictions by providing an "objective, comprehensive, and reviewable record...to challenge misleading or false testimony."⁴ Courts in eight states have implemented rules that encourage law enforcement officers to record custodial interrogations. Oregon should follow their lead.

For all these reasons, we urge you to vote yes on HB 3242.

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¹ The American Civil Liberties Union of Oregon (ACLU of Oregon) is a nonprofit, nonpartisan organization dedicated to the preservation and enhancement of civil liberties and civil rights, with more than 37,000 members in the State of Oregon.

² The ACLU of Oregon supports recording all custodial interviews with youth, but supports this bill as a step in that direction.

³ *J. D. B. v. North Carolina*, 564 U.S. 261 (2011).

⁴ *In re Jerrell*, 699 N.W.2d 110, 123 (Wis. 2005).

From the desk of Rep. Chris Gorsek: