

By: Representative Harness

To: Judiciary B

HOUSE BILL NO. 347

1 AN ACT TO REQUIRE ALL STATE AND LOCAL LAW ENFORCEMENT TO
 2 ELECTRONICALLY RECORD CUSTODIAL INTERROGATIONS OF ANY PERSON
 3 SUSPECTED OF A CRIME OF VIOLENCE; TO PROVIDE THAT THE RECORDING
 4 SHALL BE CONTINUOUS AND UNINTERRUPTED; TO PROVIDE THAT ANY SIGNAGE
 5 OF A WRITTEN STATEMENT BY A DEFENDANT SHALL BE RECORDED; TO
 6 REQUIRE EACH LAW ENFORCEMENT AGENCY TO SAFELY STORE AND RETAIN THE
 7 RECORDINGS FOR NO LESS THAN 30 YEARS; AND FOR RELATED PURPOSES.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

9 **SECTION 1.** (1) The following words shall have the meanings
 10 described as follows:

11 (a) "Custodial interrogation" means questioning of a
 12 person to whom warnings given pursuant to *Miranda v. Arizona*, 384
 13 U.S. 436 (1966), are required to be given;

14 (b) "Electronic recording" means audio or audiovisual
 15 recording; provided, an audiovisual recording shall be used when
 16 feasible; and

17 (c) "Place of detention" means a fixed location under
 18 the control of a law enforcement agency of this state where
 19 individuals are questioned about alleged crimes.



20 (2) All local and state law enforcement agencies shall
21 electronically record all custodial interrogations for persons
22 suspected of committing a crime of violence as defined by Section
23 97-3-2. The electronic recording shall capture the complete
24 custodial interrogation. The recording shall be continuous and
25 uninterrupted. If the defendant chooses to make or sign a written
26 statement during the course of the custodial interrogation
27 concerning, the making and signing of the statement shall also be
28 electronically recorded as part of the complete recording.

29 (3) Each law enforcement agency shall safely store and
30 retain all recordings no less than thirty (30) years after the
31 date from which the interrogation was recorded.

32 **SECTION 2.** This act shall take effect and be in force from
33 and after July 1, 2023.

