

PROVISO SUBCOMMITTEE AMENDMENT

Amendment: **CJ2**

Representative Pitts proposes the following amendment:

**Study Committee on Electronic Recording of Custodial Interrogations/  
SECTION 117 General Provisions**

New

**117.SCCI (GP: Study Committee on Electronic Recording of Custodial Interrogations)**

From the funds appropriated to and/or authorized for the Judicial Department, Court Administration Program, they shall establish a study committee to study statewide implementation of electronic recording of custodial interrogations in their entirety. The committee shall review current written policies, practices and equipment in place at state and local law enforcement agencies for electronically recording custodial interrogations; guidelines for a state model policy on electronically recording custodial interrogations in their entirety, including definition of the term custodial interrogations, the crime categories for which custodial interrogations shall be recorded, exigent circumstances that would exempt an officer from recording an interrogation in its entirety; recommendations for how law enforcement agencies can obtain or access audiovisual or audio –only equipment to record custodial interrogations, anticipating the differences in resources available to large and small agencies; and remedies that the court may consider if a custodial interrogation is not recorded.

The study committee shall be comprised of the following:

- (1) Two members of the Senate appointed by the President Pro Tempore of the Senate
- (2) Two members of the House of Representatives appointed by the Speaker of the House
- (3) A representative appointed by the Attorney General
- (4) Chief of the South Carolina Law Enforcement Division
- (5) A representative of the South Carolina Sheriffs' Association
- (6) A representative from the South Carolina Commission on Prosecution Coordination
- (7) A representative of the South Carolina Association for Justice
- (8) A representative of the South Carolina Association of Criminal Defense Lawyers and;
- (9) A representative of the Commission on Indigent Defense

Staff support shall be provided by Court Administration. The Committee shall submit a written report of its finding and recommendations to the House of Representatives, the Senate and the Governor's Office no later than March 1, 2018.