Police agencies vary in confession taping policies

A criminal confession is always compelling, but police

agencies differ on whether it's always a Memorex moment. During a recent preliminary exam for a man charged in the Livonia Logan's Roadhouse

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tape:
The double homicide
occurred in the early hours of
July 8.
Livonia and Westland police
do not tape statements. Other
agencies like Farmington Hills,
Redford and Garden City either
videotape or voice record statements, but only in selected

cases.
Livonia police officials
declined to comment on the
issue, noting the double murder case involving Ellis
Robinson, who has been
charged in the Logan's murders, is ongoing.
The pros and cons of recording interviews or interrogations
are many.
Minnesota and Alaska state
laws require all police agencies
tape interviews while such
recordings are a standard practice in Great Britain.
Proponents say the use of
video, especially in today's
high-tech era, hits home with
juries and clears up any perception that defendants may have
been occreed. ses. Livonia police officials

Subtletles captured

Also by taping, many nuances such as the subject's demeanor or manner of speech can be captured, which cannot be reflected in a written state-

be reflected in a written state-ment.

On the other side, police investigators cite the possibility of the suspect playing to the video camera or the recording equipment failing at a critical time.

In Farmington Hills, police may record or videotape state-ments, but does not tape them all. There is no written depart-ment policy on recording state-ments.

'It itsix depends on the case

ments.
"It just depends on the case and the circumstances of each case," Nebus said.
In the Westland police detec-

tive bureau, the reason not to

tive bureau, the reason not to record is simple.
"If you tape some and not the others, you have defense attorneys and other types asking "Why didn't you tape this one? You taped the one four weeks

Northville, MI 48167

ago. You didn't tape this one for a reason," said Lt. Marc Stobbe, head of the detective bureau. "They try to tear the case apart. We don't tape any of them."

To avert later claims of coercion, suspects who give written statements read and initial sev-

statements read and initial several sentences that they were not under duress at the time of the interview, Stobbe said.

The suspect in the Logan's double homicide signed a similar document while giving his confession.

Selective taping
Like Farmington Hills,
Redford and Garden City's
police departments do tape
interviews in selective cases,
more likely those involving serious felonies.

ous felonies.

The Redford Police
Department has had the capability to videotape interviews since moving into its headquarters 10 years ago.
/Investigators will videotape interviews when they feel necessary, a Redford police official said.

"It provides you with a medium to present to the jury so they can see that there was no

they can see that there was no trickery and everything was done correctly, said John Buck, Redford police deputy chief.

In Garden City, a detective in the recent double homicide audio taped an entrie interview with the suspect, Steven Maier, who confessed to a Michigan State Police trooper and later to the Garden City investigator.

That's rare, Garden City Lt. Michael Lindman said. An investigator will usually talk to the suspect first before switching on a tape recorder in order to clarify pertinent details.

Rapport disrupted

Lindman and other police
officials agreed that some suspects may clam up when the
"record" button is pushed - or
feel that their trust has been violated.

violated.
"You can talk about all kinds of things that have nothing to do with the crime," Lindman

said. "Sometimes you want to build a rapport with them. "You don't want all that kind of stuff on tape." Hills Assistant Chief Nebus

agreed.
"There are many times that There are many times that people, if you put a tape perconder in front of them, they won't talk to you, 'Nebus said.

A former Wayne County prosecuting attorney sees merist to both sides,

Michael Reynolds, who now works in private practice,

Michael Reynolds, who now works in private practice, recalled a solid written state-ment was enough to win con-victions in felony cases when he was in the prosecutor's office from 1988-94. Still, Reynolds doesn't think it's a bad idea to record a sus-pect's statement whenever pos-sible.

For one, the electronic ror one, the electronic recording equipment is more affordable. "People are more used to seeing things on TV today," Reynolds said. In the future, the state attor-

today; Reynolds said.

In the future, the state attorney might step in to make videotaping statements mandatory, if only to maintain consistency, Reynolds said.

A videotaped confession is not foolproof, suggest some in the legal profession.

An Ohlo University psychology professor did a study that found the camera angle can skew a juror's perception.

If the camera lens is focused only on the confessor, there was a heightened sense of guilt, the professor reported.

The same held true if the camera was only pointed at the interrogator, who was more likely to be perceived as pressuring the subject into confessing.

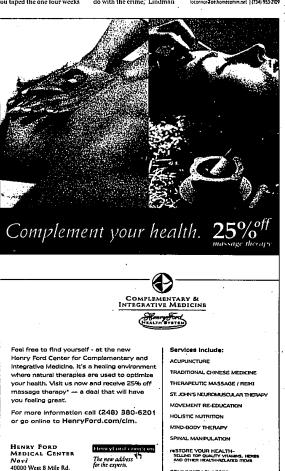
The professor suggested his findings pointed to a need for a national standard for videotaping police interviews.

Virtually anythine you do

ing police interviews.
"Virtually anything you do
can be subject for criticism,"
Reynolds said.

Staff writer Heather Needham con-tributed to this story.





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