



Audit and Review Section  
Professional Standards and Accountability Bureau

# Custodial Interrogations and Interviews Audit October 2021

(FOB and ISB)

Report # Custodial Interrogations & Interviews 2021-(Jun-Aug)  
Nov 24, 2021

## **Audit Team**

This audit was managed and conducted by the Audit and Review Unit individuals listed below:

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Auditor Chelsea Albritton

Auditor Mekensie Maxwell

Auditor Lanitra Lacey

Auditor Jessica Jones

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## Executive Summary

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The Audit and Review Unit (ARU) of the Professional Standards and Accountability Bureau (PSAB) completed a Custodial Interrogations and Interviews Audit in September 2021. Custodial Interrogations and Interviews Audits are conducted to ensure that New Orleans Police Department (NOPD) officers conduct custodial interrogations in accordance with the subjects' rights secured or protected by the Constitution and laws of the United States, including the rights to counsel and against self-incrimination. NOPD agrees to ensure that custodial interrogations are conducted professionally and effectively, in order to elicit accurate and reliable information. This process is regulated by Chapter 42.11 of the New Orleans Police Department's Operations Manual, along with sections of Chapter 1.9.1, 55.4 and 55.5.1.

This audit, conducted in September 2021, was completed using the latest Custodial Interrogations and Interviews Audit Protocol. The audit addresses the following Consent Decree (CD) questions: Log Entries, Video/Audio Documentation; Detective Notes; Miranda Rights; and LEP rights as documented in Consent Decree paragraphs 163, 164, 166, 167 and 168.

Scores of 95% or higher are considered substantial compliance. Supervisors should address any noted deficiencies with specific training through In-service Training classes or Daily Training Bulletins (DTBs). This training should be reinforced by close and effective supervision in addition to Supervisor Feedback Logs entries.

The overall score of the Custodial Interrogations Audit is as follows: 99%  
The overall score of the Custodial Interview Log check is: 95%

More detailed results are embedded in the Scorecard Table and Conclusion sections.

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## Introduction

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The Audit and Review Unit of the Professional Standards and Accountability Bureau conducted a Custodial Interrogations Audit in September of 2021.

### Purpose

Custodial Interrogations Audits are completed to ensure custodial interrogations are conducted effectively and in accordance with the rights secured or protected by the Constitution and laws of the United States. These requirements are regulated by the following policies of the New Orleans Police Department's Operations Manual:

Chapter 42.11 Custodial Interrogations

Chapter 1.9.1 – Miranda Rights

Chapter 55.4 – Limited English Proficiency

Chapter 55.5.1 – Communication with Persons Who are Deaf or Hard of Hearing

In addition, Consent Decree paragraphs 163, 164, 166, 167 and 168 should be understood and referenced as needed.

This list is inclusive of all pertinent areas with regard to the audit.

### Objectives

This audit is designed to ensure that all custodial interrogations conducted by NOPD officers are done so in accordance with the U.S. Constitution, DOJ Consent Decree and NOPD policies. All Custodial Interrogations conducted by NOPD officers must be documented in the Custodial Interrogation log either electronically or in a written log. During the audit, while reviewing the log, auditors need to ensure that it was accurately completed. The audit qualitatively assesses custodial interrogations to ensure compliance and each audit consists of a random sample of all Custodial Interrogations conducted by officers/detectives in the duty location since the prior PSAB audit.

Generally, each auditor is responsible for verifying and documenting that the NOPD conducted a proper custodial interrogation through:

1. Inspection of the Custodial Interrogations log to determine compliance with stated requirements.
2. Documentation must exist in each case file as evidence of compliance with the following:
  - All log entries properly identified as Interrogations or Interviews
  - All custodial interrogations that took place in a police facility were audio/video recorded. The custodial interrogation log requires an entry as to where the recording was made
  - All interrogations that involved suspected homicides or sexual assaults, were audio/video recorded
  - There is a video/audio recording of the statement as listed in the log

- The duty location does have a designated interview room(s) equipped with functioning audio and video recording technology that allows for recording and maintenance of all phases of Interrogations
- The recording does not reflect any threat or use of physical violence on the individual or the individuals' family
- The custodial interrogation recording was recorded in its entirety
- The custodial interrogation recording was not preceded by a "pre-interview"
- The recording equipment was not turned off during any part of the interview
- If the recording was turned off, it was the suspect's decision that he/she did not want the interrogation recorded
- If the recording was turned off and it was the suspect's decision that the interrogation was not to be recorded, the suspect's request was recorded and documented in the case report
- There was not a video/audio equipment failure during the recording of an interrogation
- If there was a video/audio equipment failure during the recording of an interrogation, it is noted in the case file
- If there was a video/audio equipment failure during the recording of an interrogation, it is noted in the EPR
- If there was a video/audio equipment failure during the recording of an interrogation, it is noted in a memo to the appropriate Deputy Chief
- If the interrogation was not able to be video and audio recorded because of equipment failure or malfunction, the detectives recorded the interrogation by means of a digital or cassette recorder, body worn camera, or another recording device
- The case file contains all of the officers' notes taken during interviews and interrogations
- The interview was conducted in the accused person's primary language
- If an interpreter was a police department employee, the case file reflects that the interpreter identified himself/herself as an officer or employee of the Department
- The interpreter is authorized by the Department to interpret
- The interpreter is trained in using interpretation protocols
- The log entry is complete; correct item number, location of interrogation, name of subject being interrogated, name of officer conducting the interrogation.

## **Background**

Custodial Interrogations Audits have been conducted since May of 2016 in various formats. This was the first comprehensive Custodial Interrogations Audit utilizing the enhanced protocol. The resulting audit is a more detailed, and deeper diving review of the most fundamental actions taken by police conducting interrogations and interviews.

## Methodology

Auditors qualitatively assessed each incident using the Custodial Interrogation and Interview form listed below to ensure each interrogation and interview is compliant with legal requirements and NOPD policy. Auditors analyzed reports, field interview Cards, L3 interview room video and/or body-worn cameras, to ensure officers conducted a legal, constitutional interrogation or interview; that officers documented such encounters, and that documentation was complete and accurate. The Custodial Interrogation and Interview Audit form (Appendix A) was used to document the audit criteria.

Auditors read the guidance in the audit forms as required. Changes to audit forms are clearly communicated to auditors by the audit supervisor. Auditors re-read policies when guidance in audit forms recommends they do so or when the policy requirements are not clear enough to the auditor to allow him/her to confidently score an audit criterion.

When audit results require comments, auditors thoroughly explain the evidence they observed that led to their determination of the result for the audit criteria in question. Drawing on their knowledge of NOPD policies, auditors note any policy violations they observe that are not specifically addressed in the Custodial Interrogations and Interviews Audit tools in the “Auditor Comments” section of the form.

All documents and related incidents that are in the sample and are not audited must be deselected. All deselections are recorded in the Deselection Log. A review of the Deselection Log shows there were 13 items deselected for this audit. Of the 13 items deselected, 7 were conducted by outside agencies, 2 were test videos, and 4 were where no interrogation/interview occurred.

Sample ID	Deselection Reason
F-35838-21	Interrogation completed by a Phoenix Arizona Detective. Subject is Jake Hamilton.
F-35838-21	Interrogation was handled by Detective Mike from Phoenix, Arizona - Phoenix PD. Subject is Tacquincion Watson.
I-00000-21	Interrogation conducted by Mandeville PD. No NOPD involvement. L3 ID 1995526
F-00000-21	Interrogation conducted by ATF. No NOPD involvement. L3 ID 1987559
E-01597-21	Interrogation conducted by Louisiana State Police. No NOPD involvement.
H-36168-21	No Interrogation or Interview occurred. Subject merely placed in room until booking completed.
I-00000-21	This incident was handled by U.S. Marshals. The L3 video footage is located under system ID #1995850, however an interrogation did not take place. The handcuffed subject was escorted in and out of the interview room, without any questioning.
I-00000-21	The interrogation was conducted by the US Marshalls and not NOPD. Therefore, the item is not being audited.
G-27710-21	*** There was no Interrogation or Interview Conducted on the 2 subjects detained at Homicide**** Subjects weren't questioned at all in any of the 8 Videos recorded in L3. Per the EPR, it appears the subjects were being detained while officers obtained search warrants and arrest paperwork for being in possession of narcotics.
H-36168-21	Suspect not interrogated 7Oct2021/LL
C-31920-21	No interview took place
A-00000-21	Test Video only
F-14774-21	This was a test video

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## Initiating and Conducting the Custodial Interrogations and Interviews Audit

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By applying the audit forms as a guide, the auditors qualitatively assessed the Custodial Interrogation and Interview data to determine whether officers/detectives substantively met the requirements of policy.

1. Two weeks prior to the audit, districts/units were notified of the audit to ensure the duty location had prepared for the audit and that all documentation was available for review.
2. Two auditors were assigned to each district/unit to be audited utilizing the double-blind process.
3. The auditors utilized the digital audit form to input the results of the audit.
4. The auditors inspected any necessary related documents provided by the district/unit as evidence of compliance or reviewed online data.
5. When the documentation was unavailable at the time of the audit, the district/unit was given until the end of the audit period to provide the documentation.
6. Once the auditors entered their audit results, compliance scores were determined for the requirements listed above. This final report documents whether the compliance rate for each requirement met the threshold for substantial compliance (95%).

## Reviews – Compliance Scores Table

Audit results data in Excel spreadsheet, raw data based on individual questions on the Custodial Interrogations and Interviews Audit Forms.

### Custodial Interviews and Interrogations Scorecard By District

Review Period: Jun - Aug, 2021

ARU percentages for Consent Decree requirements for Custodial Interrogations Checklist Audit.

Check-List Questions	1	2	3	4	5	6	7	8	SOD	Homicide	Sex Crimes	Child Abuse	Overall Score
1 All custodial interrogations that took place in a police facility were audio/video recorded	-	80%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	98%
2 All interrogations that involved suspected homicides or sexual assaults, were audio/video recorded	-	-	100%	-	100%	-	100%	-	-	100%	100%	100%	100%
3 There is a video/audio recording of the statement as listed in the log	-	80%	80%	100%	100%	100%	100%	100%	100%	100%	100%	100%	97%
4 The duty location does have a designated interview room(s) equipped with functioning audio and video recording technology that allows for recording and maintenance of all phases of Interrogations	-	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
5 The recording does not reflect any threat or use of physical violence on the individual or the individuals' family	-	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
6 The custodial interrogation recording was recorded in its entirety	-	80%	100%	100%	100%	80%	100%	100%	100%	100%	100%	100%	97%
7 The custodial interrogation recording was not preceded by a "pre-interview"	-	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
8 The recording equipment was not turned off during any part of the interview	-	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
9 If the recording was turned off, it was the suspect's decision that he/she did not want the interrogation recorded	-	-	-	-	-	-	-	-	-	-	-	-	-
10 If the recording was turned off and it was the suspect's decision that the interrogation was not to be recorded, the suspect's request was recorded and documented in the case report	-	-	-	-	-	-	-	-	-	-	-	-	-
11 There was not a video/audio equipment failure during the recording of an interrogation	-	-	-	-	-	-	-	-	-	-	-	-	-
12 If there was a video/audio equipment failure during the recording of an interrogation, it is noted in the case file	-	-	-	-	-	-	-	-	-	-	-	-	-
13 If there was a video/audio equipment failure during the recording of an interrogation, it is noted in the EPR	-	-	-	-	-	-	-	-	-	-	-	-	-
14 If there was a video/audio equipment failure during the recording of an interrogation, it is noted in a memo to the appropriate Deputy Chief	-	-	-	-	-	-	-	-	-	-	-	-	-
15 If the interrogation was not able to be video and audio recorded because of equipment failure or malfunction, the detectives recorded the interrogation by means of a digital or cassette recorder, body worn camera, or another recording device	-	-	-	-	-	-	-	-	-	-	-	-	-
16A The case file contains all of the officers' notes taken during interviews and interrogations	-	-	-	-	-	-	-	-	-	-	-	-	-
16B The case file contains all of the officers' notes taken during this interview/interrogation, if seen in A/V taking notes	-	100%	100%	100%	100%	-	100%	100%	100%	100%	100%	100%	100%
17A The interview was conducted in the accused person's primary language	-	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
17B Miranda was given in person's primary language	-	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
18 If an interpreter was a police department employee, the case file reflects that the interpreter identified himself/herself as an officer or employee of the Department	-	-	-	-	-	-	-	-	-	-	-	-	-
19 The interpreter is authorized by the Department to interpret	-	-	-	-	-	-	-	-	-	-	-	-	-
20 The interpreter is trained in using interpretation protocols	-	-	-	-	-	-	-	-	-	-	-	-	-
21 The log entry is complete if the following are included in the log: Correct Item Number Location of Interrogation Name of Subject being Interrogated Name of Officer Conducting the Interrogation	-	80%	100%	100%	100%	100%	100%	100%	100%	100%	67%	100%	97%
<b>Total Interrogations Score</b>	-	<b>91%</b>	<b>98%</b>	<b>100%</b>	<b>100%</b>	<b>98%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>97%</b>	<b>100%</b>	<b>99%</b>
<b>Total Interviews</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>83%</b>	<b>100%</b>	<b>100%</b>	<b>80%</b>	<b>-</b>	<b>90%</b>	<b>100%</b>	<b>100%</b>	<b>95%</b>

#### General Comments

ARU audited the sample list case files for the defined period, for completeness and accuracy as required by the Consent Decree.

For an explanation of the procedures and scoring system for this review, see the associated "Protocol" document.

For a list of relevant policies, contact ARU as needed.

For the audit results for each case file, see the accompanying RawData spreadsheets.

Scores below 95% are highlighted in red.



# Custodial Interviews and Interrogations Table

Review Period: Jun-Aug 2021

ARU percentages for Consent Decree requirements for Custodial Interrogations Checklist Audit.

Check-List Questions	Score	Y	N	U	NA	Consent	NOPD Policy
						Decree	Chapters
1 All custodial interrogations that took place in a police facility were audio/video recorded	98%	60	1	-	3	164	Ch 42.11 p5-p7
2 All interrogations that involved suspected homicides or sexual assaults, were audio/video recorded	100%	19	-	-	45	164	Ch 42.11 p5-p7
3 There is a video/audio recording of the statement as listed in the log	97%	59	2	-	3	164	Ch 42.11 p5-p7
4 The duty location does have a designated interview room(s) equipped with functioning audio and video recording technology that allows for recording and maintenance of all phases of Interrogations	100%	62	-	-	2	167	Ch 42.11 p8
5 The recording does not reflect any threat or use of physical violence on the individual or the individuals' family	100%	60	-	-	4	163	Ch 42.11 p2, p4
6 The custodial interrogation recording was recorded in its entirety	97%	58	2	-	4	164	Ch 42.11 p6-p7
7 The custodial interrogation recording was not preceded by a "pre-interview"	100%	60	-	-	4	164	Ch 42.11 p5, p9
8 The recording equipment was not turned off during any part of the interview	100%	60	-	-	4	164	Ch 42.11 p10
9 If the recording was turned off, it was the suspect's decision that he/she did not want the interrogation recorded	-	-	-	-	64	164	Ch 42.11 p10
10 If the recording was turned off and it was the suspect's decision that the interrogation was not to be recorded, the suspect's request was recorded and documented in the case report	-	-	-	-	64	164	Ch 42.11 p10
11 There was not a video/audio equipment failure during the recording of an interrogation	-	59	-	-	5	164	Ch 42.11 p28
12 If there was a video/audio equipment failure during the recording of an interrogation, it is noted in the case file	-	-	-	-	64	164	Ch 42.11 p29
13 If there was a video/audio equipment failure during the recording of an interrogation, it is noted in the EPR	-	-	-	-	64	164	Ch 42.11 p29
14 If there was a video/audio equipment failure during the recording of an interrogation, it is noted in a memo to the appropriate Deputy Chief	-	-	-	-	64	164	Ch 42.11 p29
15 If the interrogation was not able to be video and audio recorded because of equipment failure or malfunction, the detectives recorded the interrogation by means of a digital or cassette recorder, body worn camera, or another recording device	-	-	-	-	64	164	Ch 42.11 p28
16A The case file contains all of the officers' notes taken during interviews and interrogations	-	26	36	-	-	166	Ch 42.11 p21
16B The case file contains all of the officers' notes taken during this interview/interrogation, if seen in A/V taking notes	100%	26	-	-	38	166	Ch 42.11 p21
17A The interview was conducted in the accused person's primary language	100%	60	-	-	4	168	Ch 42.11 p21, p24, Ch 55.4
17B Miranda was given in person's primary language	100%	60	-	-	4	168	Ch 42.11 p4, p26 Ch 1.9.1, Ch 55.4
18 If an interpreter was a police department employee, the case file reflects that the interpreter identified himself/herself as an officer or employee of the Department	-	-	-	-	64	168	Ch 42.11 p25, Ch 55.4
19 The interpreter is authorized by the Department to interpret	-	-	-	-	64	168	Ch 42.11 p24, Ch 55.4
20 The interpreter is trained in using interpretation protocols	-	-	-	-	64	168	Ch 42.11 p24, Ch 55.4
21 The log entry is complete if the following are included in the log: Correct Item Number Location of Interrogation Name of Subject being Interrogated Name of Officer Conducting the Interrogation	97%	61	2	-	1	168	Ch 42.11 p20, p22
<b>Total</b>	<b>99%</b>	<b>645</b>	<b>7</b>	<b>-</b>	<b>692</b>		
<b>1 Interviews Logged Correctly as Interviews and not Interrogations</b>	<b>95%</b>	<b>52</b>	<b>3</b>	<b>-</b>	<b>-</b>		

**General Comments**

ARU audited the sample list case files for the defined period, for completeness and accuracy as required by the Consent Decree.

For an explanation of the procedures and scoring system for this review, see the associated "Protocol" document.

For a list of relevant policies, contact ARU as needed.

For the audit results for each case file, see the accompanying RawData spreadsheets.

Scores below 95% are highlighted in red.

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## Conclusion

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The results of this audit are verified through a Custodial Interrogations and Interviews Review. This process has now concluded, and the districts/units will have an opportunity to review all the audit results and scorecards. If they identify any discrepancies or have any concerns, an Audit Re-Evaluation Request Form can be submitted to PSAB documenting their concerns.

Custodial Interrogations and Interviews - as noted above, requires that officers/detectives conduct these in compliance within all U.S. laws, consent decree agreements and department policies to ensure the trust and safety of individuals in the community, and provide counseling, redirection, and support to officers.

The compliance percentage for requirements in the Custodial Interrogations and Interviews audit are as follows for the reviews of up to 5 samples or 15% whichever is greater, per district/unit:

1. **Overall Custodial Interrogation sample, which consisted of 66 interrogations, is determined to be substantially compliant at 99%.** The following questions are identified as opportunities for improvement:
  - a. **Q3: “There is a video/audio recording of the statement as listed in the log”** score (97%) was moderately impacted by two districts non-compliance scores, which impacted the overall score, but does signify a need for modest corrective action. 2nd District: F-26802-21- same issue as above, 3rd District: (F-14436-21 - Log entry doesn't match L3 video entry, No BWC).
  - b. **Q6: “Entire Interrogation Recorded”** score (97%) was moderately impacted by two district non-compliance scores, which impacted the overall score slightly (97%) but does not signify a need for corrective action. Both the 6th and 2nd Districts had video which prematurely ended prior to subject leaving the room. In the 6th District (G-32058-21), both BWC and L3 video shows the interrogation has concluded, and an officer is then seen entering the room to remove the subject, but the video is turned off prior to exiting. In the 2nd District (F-26802-21, which had multiple subjects), no video could be found of an interrogation of one subject (James Bryer) even though it is mentioned in the reports.
  - c. **Q21: “The log entry is complete”** score (97%) was moderately impacted by two districts non-compliance scores, which impacted the overall score, but does signify a need for modest corrective action. 2nd District: F-26802-21- same issue as above, Sex Crimes Unit: G-28277-21 - Log entry doesn't match L3 video entry interrogation date.
2. **Overall Custodial Interview Log Check sample, which consisted of 57 randomly selected interviews, is determined to be substantially compliant at 95%.**

Recommendations - There were no serious deficiencies identified by this audit.

While no categories in this audit were below the substantial compliance threshold of 95%, there are opportunities to improve in the following areas:

The “¶164: Entire Interrogation Recorded” score was driven by two district non-compliance scores, which impacted the overall score slightly (97%) but does not signify a need for corrective action. Both the 6<sup>th</sup> and 2<sup>nd</sup> Districts had video which prematurely ended prior to subject leaving the room. In the 6<sup>th</sup> District (G-32058-21), both BWC and L3 video shows the interrogation has concluded, and an officer is then seen entering the room to remove the subject, but the video is turned off prior to exiting. In the 2<sup>nd</sup> District (F-26802-21 which had multiple subjects), No video could be found of an interrogation of one subject (James Bryer) even though it is mentioned in the reports.

The “¶164: There is a video/audio recording of the statement as listed in the log” score was driven by two districts non-compliance scores, which impacted the overall score modestly (97%) but does signify a need for modest corrective action. 2<sup>nd</sup> District: F-26802-21- same issue as above, 3<sup>rd</sup> District: (F-14436-21 - Log entry doesn't match L3 video entry, No BWC)

The “¶168: The log entry is complete” score was driven by two districts non-compliance scores, which impacted the overall score modestly (97%) but does signify a need for modest corrective action. 2<sup>nd</sup> District: F-26802-21- same issue as above, Sex Crimes Unit: G-28277-21 - Log entry doesn't match L3 video entry interrogation date.

1. This report will serve as notification of district/unit performance during this audit.
2. Work with Policy Standards Section to develop DTB's to address the training issues identified in this report.

Timothy A. Lindsey

**Law Enforcement Innovation Manager**

**Auditing and Review Unit**

**Professional Standards and Accountability Bureau**

## Appendix A – Custodial Interrogations and Interviews Audit Forms

Custodial Interrogations Audit Forms:



# Custodial Interrogations



ID Info 1-7 8-15 16-20 Review

Created By

Tim Lindsey  
Betty Johnson  
Chelsea Albritton  
Mekensie Maxwell  
Lanitra Lacey

Log Entry Type

Interview  
Interrogation

Is the Log Entry Type Correct? (Does the entry in logbooks match L3 Video)?

Yes  
No  
NA  
Unknown

Item Number

Interrogation DateTime

Interrogation Location

Reporting Year

2020  
2021  
2022  
2023  
2024

Reporting Month

Jan  
Feb  
Mar  
Apr  
May  
Jun  
Jul  
Aug  
Sep  
Oct  
Nov  
Dec

Unit

1  
2  
3  
4  
5  
6  
7  
8  
ISB  
MSB  
Other  
SOD  
\*  
Homicide  
Sex Crimes  
Child Abuse  
SVS

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# Custodial Interrogations



ID Info 1-7 8-15 16-20 Review

1 If interrogation was conducted in a police facility, it was audio/video recorded

Interrogation Conducted in Police Facility Was Recorded

[REDACTED]
Yes
No
NA

2 If interrogation involved suspected homicides or sexual assaults, it was audio/video recorded

Interrogation Involving Homicide or Sexual Assault Was Recorded

[REDACTED]
Yes
No
NA

3 There is a audio/video recording of the statement as listed in the log

Recording Exists As Listed in Log

CD 163

[REDACTED]
Yes
No
NA

interview room equipped with functioning audio and video recording technology that allowed for the recording and maintenance of all phases of this Interrogation: CD 167

Yes  
No  
NA

5 This audio/video recording did NOT reflect any threat or use of physical violence on the individual or the individuals' family

No Threats of Violence

Yes  
No  
NA

6 This custodial interrogation was recorded in its entirety

Entire Interrogation A/V Recorded

Yes  
No  
NA

7 This custodial interrogation recording was NOT preceded by a "pre-interview"

No Pre-Interview Before Interrogation

Yes  
No  
NA

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[Submit Record](#)

Enter Status



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# Custodial Interrogations



ID Info 1-7 8-15 16-20 Review

8 The recording equipment was NOT turned off during any part of this interview

A/V Recording Not Turned Off During Interview

[Redacted]

Yes  
No  
NA

9 If the recording was turned off, it was the suspect's decision that he/she did not want the interrogation recorded

If Recording Halted, It was Suspect's Decision

[Redacted]

Yes  
No  
NA

10 If the recording was turned off and it was the suspect's decision that the interrogation was not to be recorded, the suspect's request was recorded and documented in the case report

If Recording Halted, Suspect's Decision Recorded and Documented

[Redacted]

Yes  
No  
NA

11 There was not a video/audio equipment failure during the recording of this interrogation

No A/V Equipment Failure During Recording

Yes  
No  
NA

12 If there was a video/audio equipment failure during the recording of this interrogation, it is noted in the case file

If A/V Equipment Failure, Documented in Case File

Yes  
No  
NA

13 If there was a video/audio equipment failure during the recording of an interrogation, it is noted in the EPR

If A/V Equipment Failure, Documented in EPR

Yes  
No  
NA

14 If there was a video/audio equipment failure during the recording of an interrogation, it is noted in a memo to the appropriate Deputy Chief

If A/V Equipment Failure, Memo sent to Deputy Chief

Yes  
No  
NA

15 If the interrogation was not able to be video and audio recorded because of equipment failure or malfunction, the detectives recorded this interrogation by means of a digital or cassette recorder, body worn camera, or another recording device

If A/V Equip Failure, BWC, Digital Recorder, Other Device Used

Yes  
No  
NA

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# Custodial Interrogations



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**16A** Audio/video recording appears to show that detective(s) took notes for this interrogation

Detective Took Notes

[Redacted]

Yes  
No

**16B** The case file contains all of the officers' notes taken during this interview/interrogation, if seen in A/V taking notes

Notes in Case File

Notes do not include the miranda card/form

[Redacted]

Yes  
No  
NA

Auditor must request notes from DIU if not in the digital case file on shared drive

**17A** The interview was conducted in the accused person's primary language

Interview Conducted in Primary Language of Accused

[Redacted]

Yes  
No  
NA

<p><b>17B</b> Miranda was given in person's primary language</p>	<p>Miranda in Primary Language</p> <div style="background-color: black; height: 15px; width: 100%;"></div> <p>Yes No NA</p>
<p><b>18</b> If an interpreter was used, and was a police department employee, the case file or audio/video reflects that the interpreter identified himself/herself as an officer or employee of the Department during this interrogation</p>	<p>Interpreter Identified Himself As Police Employee As Required</p> <div style="background-color: black; height: 15px; width: 100%;"></div> <p>Yes No NA</p>
<p><b>19</b> The interpreter is authorized by the Department to interpret, if used</p>	<p>Interpreter is Authorized via NOPDAI, if Used</p> <div style="background-color: black; height: 15px; width: 100%;"></div> <p>Yes No NA</p>
<p><b>20</b> The interpreter is trained in using interpretation protocols, If used</p>	<p>Interpreter Is Qualified in Interrogation Techniques, If Used</p> <div style="background-color: black; height: 15px; width: 100%;"></div> <p>Yes No NA</p>
<p><b>21</b> The log entry is complete if the following are included in the log:  Correct Item Number Location of Interrogation Name of Subject being Interrogated Name of Officer Conducting the Interrogation</p>	<p>Log Entry Complete</p> <div style="background-color: black; height: 15px; width: 100%;"></div> <p>Yes No NA</p>

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## **Appendix B – Report Distribution**

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Superintendent Shaun D. Ferguson

Chief Deputy Superintendent John Thomas – Filed Operations Bureau

Deputy Superintendent Otha Sandifer – Professional Standards and Accountability Bureau

Deputy Superintendent Arlinda Westbrook- Public Integrity Bureau

Deputy Superintendent Christopher Goodly- Management Services Bureau

City Attorney Sunni LeBeouf – City Attorney’s Office

Assistant City Attorney Isaka Williams – Superintendent's Office