

Chicago Tribune

Quinn signs bill expanding recording of police interrogations



Gov. Pat Quinn fields tough questions from reporters about his effectiveness after his veto of concealed carry legislation was overridden by lawmakers in Springfield. (Michael Tercha, Chicago Tribune / July 8, 2013)

By [Dan Hinkel](#) Chicago Tribune reporter

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Illinois police will have to record more interrogations of criminal suspects under legislation Gov. Pat Quinn signed Monday that aims to prevent false confessions and wrongful convictions.

The law expands on legislation passed in 2003 mandating the recording of homicide interrogations. The new requirements will take effect in phases over the next three years, and by June 2016, police will have to record interrogations of people suspected in any of eight violent felonies, including aggravated criminal sexual assault, aggravated battery with a gun and armed robbery.

Rep. Scott Drury, D-Highwood, had originally proposed earlier this year that police record interrogations in all felonies, a measure some law enforcement authorities, including the Cook County state's attorney's office, opposed.

Advocates of recording and prosecutors praised the narrower measure's passage, saying it would shield police from bogus allegations of coercion while protecting suspects from overly aggressive interrogation methods that have produced false confessions.

"I think (the law) will go a long way toward preventing wrongful convictions," said Thomas Sullivan, a Chicago attorney and recording proponent who helped draft the legislation.

Under the new law, courts will presume inadmissible any statement a suspect in one of the specified felonies makes unless the interrogation is either audio- or video-recorded. The first incremental expansion of felonies that must be recorded will happen next June.

Sen. Kwame Raoul, D-Chicago, led the effort in the Senate to expand recording. He could not be reached for comment.

Cook County State's Attorney Anita Alvarez voiced concern about the financial and logistical implications of the law for large agencies such as the Chicago Police Department. But she said she supported the measure, calling a recorded interrogation "an awesome piece of evidence."

Chicago police spokesman Adam Collins said Mayor Rahm Emanuel and Superintendent Garry McCarthy support expanding recording. But Collins expressed uncertainty about the resources needed to implement a law that comes with no funding attached.

"(Chicago police officials) would hope that the supporters of this important legislation will work with us to secure any needed resources to ensure the expansion is a success," he wrote in an email.

A decade ago, Illinois was the first state to pass a law requiring recorded homicide interrogations, a fix enacted as the state dealt with faulty death penalty cases. Other states soon enacted more sweeping rules, and Illinois' new law will make it the 17th state that — along with the District of Columbia — requires the recording of interrogations for crimes other than homicide, Sullivan said.

Illinois has carved out an unwanted reputation as a leader in wrongful convictions, with the bulk coming from Cook County and surrounding areas. Drury, a former federal prosecutor, represents part of Lake County, where four defendants have been exonerated by DNA since 2010. Three of those suspects confessed after long, aggressive interrogations that were not recorded.

Lake County State's Attorney Mike Nerheim, who took over the office after those cases fell apart, said he supports the new law, though he said he would support an even broader bill that would call for the recording of all interrogations.

"I hope that's where we're headed. I think (that's) where we should go," he said.

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