

**COVER MEMORANDUM FOR LATE MARCH MEETING OF ELECTRONIC
RECORDATION DRAFTING COMMITTEE**

TO: Committee on Uniform Electronic Recordation of Custodial Interrogations

FROM: Andrew E. Taslitz, Reporter

DATE: March 11, 2009

RE: *Draft Statute and Comments*

Attached is the draft Act and a “pre-draft” of the comments. The draft Act contains many brackets, some indicating that jurisdictions should have a choice but most offering different options for this Committee’s consideration. The comments are nowhere near ready for prime time, but I am distributing them so that you will at least have some explanation of my reasoning in drafting each provision. The first five pages of the comments consist mostly of placeholders reminding me to insert an executive summary of each provision but not yet reciting that summary. Preceding the placeholders is a “prefatory note” that really just summarizes the point of the legislation. The relevant reading for you at this stage thus begins at page 6 of the comments.

The comments reproduce in double-spaced form each provision of the draft Act. After each provision, comments appear in single-spaced form. Some of the comments are slight re-workings of material you have already read in my original memorandum to this Committee. But there is also ample new material. If your time is limited, I would say that the most important new comments are those concerning the following sections and topics: Section 4D3 (on state public disclosure laws), section 5 (on remedies), section 9 (on regulations and general orders). But I would encourage you to read the entire document. Although it is in a very early stage of preparation, I welcome any comments on substance, form, organization, or style. Such early feedback will in fact save me time in finalizing the document once we have a statute ready to go for a first reading.

Thanks for your attention, and I look forward to seeing you in Chicago! Taz