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A Section Page 1A

San Antonio cops plan to tape grillings

Decision on felony interrogations is a dramatic departure from current policy.

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In a dramatic departure from its long-standing policy, the San Antonio Police Department announced Friday that it's taking the initial steps to begin recording felony suspects' interrogations.

Police Chief Albert Ortiz said his department is in the process of securing a federal grant that would pay for cameras and interrogation rooms to record statements by most suspects.

Although the details haven't been hammered out, Ortiz said the Police Department would consider videotaping and audiotaping all suspects in slayings and other felonies.

A police spokesman said the department plans to consult with other departments and local prosecutors when developing a new recording policy.

A portion of the \$612,000 grant, awarded every other year, will be used to construct at least two interrogation rooms equipped with audio and video capabilities and to train personnel, police said.

When the policy is set, San Antonio will join other cities such as Houston, Austin, Philadelphia and Miami that have begun recording as a standard interrogation procedure.

Most of those departments did so amid allegations of interrogation misconduct that sometimes led to the convictions of innocent people. The governor of Illinois recently signed a bill into law that requires all homicide interrogations to be taped.

Locally, prosecutors and defense attorneys applauded the announcement.

"We are glad," Bexar County First Assistant District Attorney Michael Bernard said. "This has never been a credibility issue with the Police Department. It's not something they were doing wrong. But as time goes on, it becomes harder and harder to explain to juries why there isn't a recording."

As recently as last month, high-ranking police officials vowed they wouldn't join other large-city police departments throughout the country in recording interrogations, citing high costs and a successful rate of convictions without them.

On Friday, Ortiz conceded change was partly prompted by recent reports in the San Antonio Express-News that have pointed out how the department's methods of obtaining confessions continue to be questioned in courts.

"This is a step in protecting our credibility with the community, and addressing any perceptions out there that we are doing something wrong," he said. "We decided to deal with this up front instead of letting it fester."

The proposed policy change also comes just a day after two defendants tried to have their written

statements, penned by detectives questioning them, thrown out.

One of the defendants is on trial on a murder charge; the other is accused of shooting at a rookie SAPD officer.

Both claimed in different courtrooms that they repeatedly asked for an attorney, and that detectives coerced them into making their statements. Separate judges ruled against the defendants and admitted the statements in both cases.

Earlier this year, however, defense attorney Pat Hancock effectively exposed how his client was questioned for nearly three hours, and yet police produced only a 29-line statement that never mentioned the defendant's remorse or tears. Hancock's work prompted prosecutors to lower the man's charge from murder to manslaughter.

Hancock, who for years has decried police policy, said the change is good for justice.

"I think it is a policy that will benefit everyone," he said. "It will benefit a jury with a better factual understanding of what happened. It will benefit the prosecution in their cases, and obviously it provides the defendants with some choices and protection."

Ortiz said that although recording interrogations may put an end to some legal arguments, he predicts defense attorneys will find new reasons to criticize detective work.

Defense attorney Bill Davidson, whose representing a man who insists he was drunk when he said he killed his best friend, agreed that the recordings will shut the door to some defense arguments and open others.

However, he added, the important issue is protecting the fundamental rights of everyone interrogated by police.

"It's a step in the right direction that needed to be done a long time ago," he said.

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