

HB 846 -- QUESTIONING BY LAW ENFORCEMENT

SPONSOR: Anderson

This bill specifies that a statement made by a juvenile or a person under arrest during a custodial interrogation, or a law enforcement officer who is the subject of an investigation during questioning, will be presumed to be involuntary if the court determines that the questioning law enforcement officer intentionally uses false information to elicit the statement. The presumption may be overcome by clear and convincing evidence that the statement made by the juvenile, the person under arrest, or the law enforcement officer who is the subject of an investigation was made voluntarily and not made in response to the false information.

This bill is the same as HB 2632 (2022).