

DEPARTMENT OF HUMAN SERVICES POLICY AND PROCEDURES		
Reference: 05-04	Effective Date: March 22, 1995 Revision Date: December 27, 2004	Page 1 of 2
SUBJECT: TAPING POLICY		

Upon acceptance and promulgation of this policy the following actions are allowed:

1. Department of Human Services (DHS) employees may tape interviews with other individuals (state employees or non-state employees) for the purpose of recording investigative interviews.
 - a. Permission to tape record an interview must be agreed to in advance by both/all parties. Notice that the conversation is being tape-recorded must itself be recorded at the beginning of the taped interview. The date of the interview, place of the interview, and the identification of the persons present must also be recorded at the beginning.
 - b. Any interruption of the tape recording should be explained on the tape before the recorder is turned off and again when the taping is resumed. The time of each should also be indicated.
 - c. The "Appendix A Recorded Statement Format" should be used as a guide in conducting a tape-recorded interview.
 - d. With the exception of recordings of child abuse or neglect investigative interviews conducted pursuant to Section 62A-4a-409, following the completion of the interview, the tape must be secured in a locked cabinet and chain of custody (documented control) maintained until all judicial or administrative processes have been completed. If the tape is transcribed, the tape may be reused immediately, otherwise it will be maintained in accordance with Departmental retention schedules per GRAMA.
 - e. Recordings of child abuse investigative interviews conducted in accordance with Section 62A-4a-414 shall become a part of the case record and be stored and disposed of in accordance with Department retention schedules.

2. DHS employees may tape meetings with individuals (state and non-state employees) for the purpose of recording proceedings (minutes) of the meeting. This will include the contract presentations at bidders conferences.
 - a. All persons at the meeting being recorded must be informed that the meeting is being recorded and that the purpose is to maintain a record of the proceedings.
 - b. The microphone(s) used must be openly and prominently displayed.
 - c. Following transcription of the record the tape will be stored or erased according to Departmental retention schedules.

3. The Office of Administrative Hearings may tape record all hearings. The taped procedures, distribution and disposition of the tapes will be governed by the Administrative Procedures Act and/or applicable Federal requirements.

Grievance Proceeding hearings, including demotions and/or terminations, may be taped with the knowledge of all persons present. These tapes are only for use by the hearing official and the Executive Director of the Department as notes to the proceeding and may be destroyed after the grievance decision is reached.

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4. In accordance with Utah Code Section 62A-4a-202.3(7), after receipt of a child into protective custody and prior to the adjudication hearing, all investigative interviews with the child that are initiated by the Division of Child and Family Services (DCFS) shall be audio or video taped and the child shall be allowed to have a support person of the child's choice present. That support person may not be an alleged perpetrator. These tapes will become a part of the case record and will be stored and disposed of in accordance with Department retention schedules.

5. Students performing a professional field practicum with the Department will be allowed to tape interviews with clients for the purpose of receiving supervision and judging the students professional competence. The client must have knowledge of and give their permission for the taping. Student tapes will be erased following the supervisors review.

Robin Arnold-Williams

DATE: 12-27-04

Robin Arnold-Williams, Executive Director
Department of Human Services

DEPARTMENT OF HUMAN SERVICES
RECORDED STATEMENT FORMAT

TEST RECORDER
BEGIN RECORDING:

“This is _____ of the Office of _____.
The time is _____. The date is _____. This statement is being recorded at
_____. The following are present: _____.”

- Q - Do you understand that this statement is being recorded?
- Q - Is this with your consent?
- Q - Would you give me your full name and spell it please?
- Q - Would you give me your address, home and work phone number please?

“You are making this statement voluntarily. You have the right to stop questioning and/or recording at any time during the making of this statement. Do you understand this and that you are making this statement freely and voluntarily?”

QUESTIONS AT THE END OF THE STATEMENT

- Q - Do you have anything else you would like to add to this statement?
- Q - Have any threats or promises been made to you since we started this interview?
- Q - At any time during this statement have you asked that the taping be stopped?

“This tape recorded statement is ending at _____ on _____.”
(Time) (Date)