



DISTRICT ATTORNEY'S OFFICE

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ARLEN SPECTER
DISTRICT ATTORNEY

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SUPPLEMENTAL GUIDELINES
ON
CONFESSIONS AND ADMISSIONS

On May 3, 1968, the Supreme Court of Pennsylvania in Commonwealth v. Taper, commented on waiver of the right to counsel. While existing warnings and questions may be adequate depending on the facts of a particular case, it is recommended that, as a precautionary measure, this additional warning should be given and these additional questions should be asked and answered.

ADDITIONAL WARNING

An attorney can inform you more fully of the nature of the charges, the statutory offenses included within those charges, the range of allowable punishments if you are found guilty of those charges, possible defenses to the charges and circumstances in mitigation of those charges and all other facts essential to a broad understanding of the whole matter.

ADDITIONAL QUESTIONS BEFORE
INTERROGATING SUSPECTS

Do you understand that a lawyer can more fully tell you about what you are charged with doing and what statutory and other crimes can be charged against you?

Do you understand that a lawyer can more fully tell you about what defenses you may have to the charges, the possible punishments for those charges, and what facts or circumstances might lessen your guilt or punishment?

Do you understand that a lawyer can more fully provide other facts and answer any other questions to give you a broad understanding of the whole matter?

ARLEN SPECTER
District Attorney

QUESTIONS TO BE ANSWERED BY ACCUSED

1. Do you understand that you have a right to keep quiet, and do not have to say anything at all?
2. Do you understand that anything you say can and will be used against you?
3. Do you want to remain silent?
4. Do you understand that you have a right to talk with a lawyer before we ask you any questions?
5. Do you understand that if you can not afford to hire a lawyer, and you want one, we will not ask you any questions until a lawyer is appointed for you?
6. Do you want either to talk with a lawyer at this time, or to have a lawyer with you while we ask you questions?
7. Are you willing to answer questions of your own free will, without force or fear, and without any threats or promises having been made to you?

PHILADELPHIA POLICE DEPARTMENT

STANDARD POLICE INTERROGATION CARD

WARNINGS TO BE GIVEN ACCUSED

We have a duty to explain to you and to warn you that you have the following legal rights:

- A. You have a right to remain silent and do not have to say anything at all.
- B. Anything you say can and will be used against you in Court.
- C. You have a right to talk to a lawyer of your own choice before we ask you any questions, and also to have a lawyer here with you while we ask questions.
- D. If you cannot afford to hire a lawyer, and you want one, we will see that you have a lawyer provided to you, before we ask you any questions.
- E. If you are willing to give us a statement, you have a right to stop any time you wish.

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