

**Correctional Officers BILL OF RIGHTS (Condensed)**

Government Code References Section 3300 and Following:

When you are under investigation and subjected to interrogation regarding potential punitive action. YOU HAVE THE RIGHT:

1. To know the nature of the investigation prior to interrogation.
2. To know the names of all persons present during questioning.
3. To know who will be in charge of the questioning.
4. To a representative. Information you give your representative is confidential. Administration may not make the representative give up such information.
5. To refuse polygraph exam. Administration may not note, in any way, your refusal.
6. To attend to your physical needs during session.
7. To record your interrogation with your recorder.
8. To copies of any reports, unless strictly confidential.
9. To "Miranda" rights if criminal charges are imminent.
10. To review anything negative before it is placed in your personnel file.

Administration must:

1. Hold interrogation at a reasonable hour, while you are on duty or pay you for time spent while off-duty.
2. Refrain from using more than 2 interrogators at one time.
3. Refrain from use of offensive or abusive language or threats.
4. Refrain from an unreasonably long interrogation.
5. Refrain from bribery to elicit desired answers.
6. Refrain from giving your address or photograph without your consent.
7. Refrain from a "punitive" job change as a result of your exercising your rights.
8. Refrain from questioning regarding your financial affairs.
9. Refrain from searching your locker until you've been notified in advance, or has obtained a search warrant or your consent, or you are present.
10. Provide you access to any tape recording made during the session.

You Must:

1. Within 30 days, if desired, submit rebuttal to anything negative placed in your personnel file.
2. Cooperate with criminal investigations.
3. Answer all questions which relate directly to the investigations

**Miranda Warning**

1. You have the right to remain silent.
2. Anything you say can and will be used against you in a court of law.
3. You have the right to talk to a lawyer and have him present with you while you are being questioned.
4. If you cannot afford to hire a lawyer, one will be appointed to represent you before any questioning, if you wish.
5. You can decide at any time to exercise these rights and not answer any questions or make any statements.

**Waiver**

(After the warning and in order to secure a waiver, the following questions should be asked and an affirmative reply secured to each question.)

1. Do you understand each of these rights I have explained to you?
2. Having these rights in mind, do you wish to talk to us now?

**Declaracion De Advertencia**

1. Ud. Tiene el derecho de quedarse callado.
2. Cualquier cosa que diga puede emplearse y se empleara en contra de Ud. En el juzgado.
3. Ud. Tiene el derecho de hablar con un abogado y de pedirle que este presente mientras lo interrogan a Ud.
4. Si Ud. No puede pagar a un abogado, se nombrara uno para representario antes de que lo interroguen, si lo desea Ud.
5. Ud. Puede decidir preguntas ni hacer ningunas declaraciones.

**Renunciacion**

1. Entiende Ud. Cada uno de estos derechos que le he explicado?
2. Teniendo en cuenta estos derechos, quiere Ud. Hablar con nosotros ahora?