

~~UNRECORDED STATEMENT INTO EVIDENCE, THE STATE SHALL FILE, WITHOUT REQUEST UNDER THE MARYLAND RULES, A NOTICE OF INTENT TO RELY ON THE UNRECORDED STATEMENT AS PART OF THE STATE'S REQUIRED DISCOVERY.~~

~~(2) A NOTICE FILED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL CONTAIN:~~

~~(I) THE SPECIFIC EXCEPTION ON WHICH THE STATE INTENDS TO RELY;~~

~~(II) THE SPECIFIC PLACE AND TIME AT WHICH THE DEFENDANT MADE THE STATEMENT; AND~~

~~(III) THE NAMES AND ADDRESSES OF THE WITNESSES ON WHOM THE STATE INTENDS TO RELY TO ESTABLISH THE EXCEPTION.~~

~~(F) IF A DEFENDANT ELECTS TO MAKE OR SIGN A WRITTEN STATEMENT DURING THE COURSE OF A CUSTODIAL INTERROGATION, THE MAKING AND SIGNING OF THE WRITING SHALL BE RECORDED IN ACCORDANCE WITH THIS SECTION UNLESS AN EXCEPTION SET FORTH IN SUBSECTION (D) OF THIS SECTION APPLIES.~~

~~(G) IF, AFTER A HEARING ON THE ISSUE, THE COURT DETERMINES THAT A STATEMENT WAS MADE BUT WAS NOT RECORDED IN VIOLATION OF THIS SECTION, AND NO EXCEPTION TO THE RECORDING REQUIREMENT APPLIES, THE COURT SHALL FIND THAT THE STATEMENT IS INADMISSIBLE.~~

2-402.

IT IS THE PUBLIC POLICY OF THE STATE THAT:

(1) A LAW ENFORCEMENT UNIT THAT REGULARLY UTILIZES ONE OR MORE INTERROGATION ROOMS CAPABLE OF CREATING AUDIOVISUAL RECORDINGS OF CUSTODIAL INTERROGATIONS SHALL MAKE REASONABLE EFFORTS TO CREATE AN AUDIOVISUAL RECORDING OF A CUSTODIAL INTERROGATION OF A CRIMINAL SUSPECT IN CONNECTION WITH A CASE INVOLVING MURDER, RAPE, SEXUAL OFFENSE IN THE FIRST DEGREE, OR SEXUAL OFFENSE IN THE SECOND DEGREE, WHENEVER POSSIBLE; AND

(2) A LAW ENFORCEMENT UNIT THAT DOES NOT REGULARLY UTILIZE ONE OR MORE INTERROGATION ROOMS CAPABLE OF CREATING AUDIOVISUAL RECORDINGS OF CUSTODIAL INTERROGATIONS SHALL MAKE REASONABLE EFFORTS TO CREATE AN AUDIO RECORDING OF A CUSTODIAL