

6. **BEFORE WE GO ANY FURTHER I WANT TO EXPLAIN THESE RIGHTS TO YOU:** (Check as read.)

- You have the right to remain silent.
- Anything you say can and will be used against you in a court of law.
- You have the right to talk to a lawyer before questioning and to have a lawyer present with you during questioning.
- If you cannot afford to hire a lawyer, one will be appointed to represent you at public expense, before any questioning, if you wish. In Vermont, that is called a public defender.
- If you decide to answer questions, you may stop the questioning at any time.
- Do you understand each of these rights I have explained to you? Reply: Yes No _____
- Do you want to talk to me now? Reply: Yes No _____

If answer is "NO," OFFICER SHOULD STOP, and say the following:

"There will be no questions. I will now go to the subject of evidentiary testing." (OFFICER SHOULD GO IMMEDIATELY TO No. 8 "IMPLIED CONSENT" on page 3).

If answer is "YES," OFFICER SHOULD READ THE WAIVER to defendant and ask if she/he wishes to sign, as follows:

WAIVER

I have been advised that I have the right to remain silent, to be represented by a lawyer, to talk with one prior to questioning and to have one present during questioning. Knowing my rights, I agree to waive them and talk to you now. No threats or promises have been made to me.

Date/Time (Specify timepiece used)

Operator's Signature (or time of taping)

Comments: