

Audio Recording 101

Idaho is a “one-party consent state”. Unlike other states where both parties must consent, in Idaho, only one party to a conversation must know that an audio recording is being made. This allows a person to secretly audio record their own conversations. A recording of an event where discrimination occurred can make all the difference in deciding a case by having an indisputable record of what happened.

Tips for Recording:

- One must be a part of the conversation; it is illegal to record the conversations of others or even audio record within your own home if you are not a part of the conversation without providing notice.
- Always, state the date, time, and the person you are speaking to. If possible, at the beginning of the recording if not possible then toward the end of the recording.
- One can use any device they prefer for this.
 - In some situations, if the device also records video it may only be allowed to use the audio portion in court unless the person should have known they were being video recorded.
 - If you find yourself on-the-spot- and must make an unplanned recording you can use your phone’s video feature but point it away from the other person or people or cover the lens.

Good reasons for using an audio recorder:

- The file will take up less memory than video.
- You do not have to deal with any red tape regarding the video being an unapproved use of an image that might keep your recording out of court.

To make a recording:

- Select a good recording device or app and buy it or download it to your phone.
- Ones that are designed to record both sides of a phone call or have an earpiece for that purpose are best.
- Ensure you can easily download or email the audio file.

Consider how you will use it:

- On the phone with an earpiece. If using an earpiece, make sure you hold the device next to the earpiece
- Using the phone speaker feature.
- In person with it in a pocket, in your hand or perched on the top of a purse/bag.
 - If you choose a pocket, be sure you have as few layers as possible between the recorder and the person you are talking to. The material of the clothing should be soft and quiet to avoid the swishing sounds some fabrics make.
- Some folks like to pretend they just sent a text and then hold the phone in their hand during the conversation.
- Others like to set it to record while still in the car and then set it on the top of a purse or open pocket of a backpack.
- Whatever you choose practice with it, so you are confident and record usable audio and be sure to test each method first to ensure you get clear audio.