

Miranda Lives

By: Monte Hester; 2011

Doody v. Arizona, No. 06-17161, United States Court of Appeals, Ninth Circuit filed May 4, 2011.

At the state trial court level in Arizona, the defendant, who was charged with the murder of several monks in a mosque via execution style killing, asked the court to determine that his confession should be suppressed because of Miranda violations. He claimed that the Miranda warnings given were inadequate and that his confession was involuntary. The Ninth Circuit agreed with those claims.

The decision of the Ninth Circuit stands. The US Supreme Court finally refused to grant certiorari of this decision after earlier granting certiorari, remanding the case back to the Circuit Court for further consideration in light of Florida v. Powell, 130 S. Ct. 1195 (2010). The Circuit Court affirmed its prior decision after considering the facts and circumstances in light of Powell.

The case is a valuable tool in understanding the considerations of the Supreme Court in its development of the Miranda warnings.

In this case the Miranda warnings were given in a disjointed fashion during which there were interruptions that downplayed the significance of those warnings, resulting in an obvious effort to manipulate the defendant into confessing without an opportunity to fully appreciate the warnings given. The result per the Circuit Court was a lack of voluntariness in giving the confession because the warnings given were inadequate.

The conduct engaged in to obtain the confession was egregious. A tag team of detectives interrogated this 17 year old for some 13 hours from 9:25 p.m. to 10:00 a.m., finally extracting a confession. The record of the interrogation was preserved and material portions are found within the Circuit Court's reported opinion. These demonstrate the oppressive, coercive environment that overcame this young defendant.

The opinion is a great resource for understanding the reasoning and importance of Miranda and the necessity of seriously considering whether a confession is truly voluntary. The Court carefully analyzed the defendant's age and the pressures that he was subjected to in reaching its final decision.

This case is worthy of carrying a copy with you in your briefcase.

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