What Makes a Statement Involuntary During an Interrogation?

Description

Our case comes to us today from the Eighth Circuit. The themes surrounding this case include involuntary statements and the plain view doctrine. First, what makes a statement involuntary during an interrogation? **According to *United States v. Vega,* â??A statement is involuntary when it was extracted by threats, violence, or express or implied promises sufficient to overbear the defendantâ??s will and critically impair his capacity for self-determination.â?•** Basically, as you know, you cannot pressure or threaten someone in order to talk. Secondly, we will hear about the plain view doctrine. The Fourth Amendment permits an officer to seize an object without a warrant under the plain-view doctrine if:

1. the officer did not violate the Fourth Amendment in arriving at the place from which the evidence could be plainly viewed;
2. the objectâ??s incriminating character is immediately apparent; and
3. the officer has a lawful right of access to the object itself.

Our defendant today does not try to argue all three of these exceptions, only the first one. Letâ??s see what happened.

FACTS

On September 22, 2018, police officers responded to a 911 call about gunshots at an apartment complex. The officers followed a fresh blood trail and found a loaded Desert Eagle .50-caliber semi-automatic pistol with blood on it and the hammer cocked back in the firing position. The officers learned that a man had been shot in his face and right foot and had been taken to the hospital.

An officer went to the emergency room at the hospital and entered the manâ??s room. The manâ??s bloody clothes were on the floor, and at the officerâ??s request, a nurse took the identification from the clothes. The identification indicated the manâ??s name was Marcus Mattox. The officer took the clothes, and the next day, an officer went to the hospital and executed a warrant for a DNA swab from Mattox and asked him some questions for a few minutes. Mattox admitted that he was at the scene of the crime and stated that he did not know who shot him. He declined to answer more questions.

The police compared Mattoxâ??s DNA sample to gun swabs that tested positive for blood. The swabs matched Mattoxâ??s DNA sample. The police also obtained video surveillance footage of the shooting. The video showed Mattox exit the apartment building, approach a male and a female at the back of an SUV in the parking lot, appear to draw a firearm, and take a shooting stance. After Mattox drew his gun, the male appeared to shoot at Mattox.

The government charged Mattox with possession of a firearm by a convicted felon. Mattox filed a motion to suppress the evidence seized from his hospital room and the statements he made to the officer while hospitalized. The district court denied the motion. Upon conviction, Mattox appealed.

In this case, Mattox did not dispute that the second and third conditions of the plain view exception were met; instead, Mattoxâ??s sole argument was that the officer violated his Fourth Amendment rights by entering his hospital room which allowed the officer to see his clothes on the floor. Mattox argued that he had a reasonable expectation of privacy in his hospital room, like overnight guests in homes and hotel rooms.

EIGHTH CIRCUIT COURT OPINION

The Eighth Circuit Court of Appeals did not agree with Mattoxâ??s line of thinking. First, the court recognized that overnight guests in homes and hotel rooms have a reasonable expectation of privacy because hosting overnight guests in homes â??is a longstanding social custom that serves functions recognized as valuable by society.â?• However, the court noted that being admitted to the hospital for a gunshot wound does not serve the same valuable societal function.

The court also recognized that police in Minnesota are expected to show up to hospitals to investigate a gunshot-wound victim like Mattox because Minnesota law requires hospitals to report gunshot wounds to the police. The officer who interviewed Mattox testified that he had gone to the hospital in the past to interview victims of gunshot wounds. In addition, the court noted that the from the Fourth Circuit Court of Appeals in *United States v. Davis,* it is recognized that a police officer â??lawfully fulfilling his duty to investigate a reported shooting . . . lawfully entered the emergency room of a hospital to interview the victim of the shooting.â?•

The court also pointed out that unlike in a hotel room and residential guest rooms, in a hospital room people are constantly coming and going from the room to provide medical services. Although there is a significant privacy interest in medical care, the court commented that this interest is diminished in Minnesota for patients with gunshot wounds because the law requires the reporting of gunshot wounds. As a result, the court held that Mattox did not have an objectively reasonable expectation of privacy in his hospital room; therefore, the officer did not violate his Fourth Amendment rights by entering the room and seizing his clothes.

Mattox further argued that his statements to the officer were involuntary because he was in the hospital recovering from gunshot wounds, he had taken pain medication, the police executed a warrant to obtain a DNA sample, and he was not read *Miranda* rights.

A statement made outside of a custodial interrogation may be suppressed if it is not made voluntarily. A statement is involuntary when the circumstances surrounding the statement are sufficient to overbear a suspectâ??s will. In this case, the court held that the totality of the circumstances showed that the officer did not overbear Mattoxâ??s will; therefore, his statements to the officer were voluntary.

First, the interview lasted only a few minutes and *Miranda* warnings were not required because Mattox was not in custody. Second, being on pain medication does not automatically establish that a personâ??s will has been overborne if there is evidence that the patient answered â??reasonablyâ?• and understood what was occurring. Here, the officer testified that **â??Mattox answered questions in an appropriate context and manner; Mattox spoke in a normal cadence and pace; Mattox did not slur his words; and that [the officer] was able to totally understand Mattoxâ??s answers.â?• In addition, the court added that Mattox refused to answer some of the officerâ??s questions, which suggested that the pain medication did not impair his ability to resist â??police pressure.â?•** Finally, the court found there was no evidence to suggest that the officer employed

strong-arm tactics, deception, or made threats or promises while talking to Mattox.

TAKEAWAYS

So, what do we take away from this? Obviously if you are investigating a shooting, you need to follow up on whatever lead you have. In Minnesota police are expected to show up to hospitals to investigate a gunshot-wound victim like Mattox because Minnesota law requires hospitals to report gunshot wounds to the police; be sure to check what the rule of thumb is in your state so that you are aware of your duties and rights when investigating a hospital patient. It is also important to note that when you are interrogating someone who is on medication, they need to be reasonably answering your questions for their admissions to be valid.

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