

### Juvenile Interrogation Scenarios – Group 3

1. Do these facts constitute custody?

An officer observed a 17-year-old sitting on a sidewalk. Because he appeared to be school age, the officer asked him his name and what he was doing. The juvenile appeared nervous, continuously putting his hands in his pockets. The officer patted him down and obtained the juvenile's consent to look in his backpack. The officer found loose coins, a plastic bag with loose coins and jewelry, and an old class ring. The officer drove him to the police department and called his mom. His mom arrived and took him home.

Another day, two plain-clothed detectives in an unmarked vehicle came to the juvenile's home because he had been identified as a possible suspect in several breaking or entering cases. The juvenile had friends visiting and the detectives asked him to ride in their car with them to speak with him. They told him he was free to leave the vehicle at any time. The detectives did not touch the juvenile. He rode in the front seat and the detectives drove about 2 miles from his home. When the vehicle was stopped, the detectives showed the juvenile reports of the break-ins. They told him that if he cooperated, they would not arrest him that day, but would turn the paperwork into the DA. The juvenile then gave a statement admitting to committing the break-ins.

2. Do these facts constitute interrogation?

A 16-year-old was taken into custody at his home, where his mom was present. He was handcuffed at home and transported to the Sheriff's Department. Mom drove to the station in her own car and was waiting in her own car when he was taken into station, still in handcuffs. The juvenile knew she was present when he was taken into the building.

Mom was placed in an interview room next to the interview room where the juvenile was. There was an officer with mom and another with the juvenile. The officer read the juvenile his Miranda rights and the juvenile signed the rights form. The juvenile did not sign the waiver statement below his acknowledgement of the rights on the form. Instead, he insisted that the officer write beside his signature on the form that he wanted his mom present and he asked for his mom to be present. The officer with him called the officer with mom and told him that the juvenile wanted mom present. Mom refused to go into the interview.

The officer with the juvenile told him that his mom refused to be present and that he could still continue if he chose to. The juvenile then gave a written statement without his mom present. The supplier that was named in this statement did not match the supplier whom the officers believed was involved. The officers told him that if the information in the statement did not match their information then he would "sit there all night." The officer destroyed the first statement and the juvenile wrote a second statement naming the supplier the officers believed to be involved.

3. Do these facts constitute a valid waiver of rights?

A 17-year-old was interrogated about a robbery and murder at a mini mart while he was in jail on other charges. Two detectives brought him to an interview room on the Criminal Investigations Division at the jail. They explained they were there to investigate a murder and robbery at the mini mart, read him the Greensboro Police Dept Statement of Rights for Juveniles up to age 18, and reviewed the waiver of rights for juveniles form.

The juvenile acknowledged he understood his rights as they had been read to him and signed the statement of rights form. He then asked to speak with his mom. The interview ended and the detectives left the interview room. The juvenile's request for his mom was indicated on the waiver form.

After ten minutes trying to figure out how to reach mom, the detectives returned to the interview room and asked how they could get in touch with her. No other questions were asked. The juvenile explained that mom didn't have a phone and they would need to get in touch with a few people to reach her. He then asked when the detective was going to talk to him about the robbery and murder. The detective explained that he could not talk to him about that because he had requested his mom. The juvenile said that he misunderstood, he only wanted his mom in relation to the charges for which he was in jail, and that he specifically did not want mom there when he talked to them about the robbery and the man getting killed.

The detective asked if he was sure and the juvenile said he was. The detective gave him a few minutes to think about it. When the detectives returned after a few minutes, the juvenile continued to say that he wanted to talk with them without his mom. The detective read a second rights form and waiver of rights form to the juvenile who then signed both forms. The juvenile then gave a statement implicating himself in the robbery and murder at the mini mart.