

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 21-0583

IN THE MATTER OF:

N.T.,

A Youth.

BRIEF OF APPELLANT

On Appeal from the Montana Eighteenth Judicial District Court,
Gallatin County, the Honorable Peter B. Ohman, Presiding

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STATEMENT OF THE ISSUE

Confessions to criminal conduct must be voluntarily given. Officer Kyle Hodges drove his patrol car to a Bozeman neighborhood at night looking for spray painters, turned on his overhead lights, and demanded 17-year-old N.T. to stop. While another police officer interrogated N.T.'s friends nearby, and without telling N.T. he had the right to speak to his parents first, Hodges asked N.T. if he was spray painting. Was N.T.'s confession involuntary?

STATEMENT OF THE CASE

Police officer Kyle Hodges interrogated 17-year-old N.T. about spray painting. (Doc. 1 at 3; Doc. 17 at 4.) N.T.'s answers to Hodges's questions and a follow-up search of his backpack for spray paint cans resulted in a youth court petition to declare N.T. a delinquent youth based on felony criminal mischief by common scheme. (Docs. 1, 3.)

N.T. moved to suppress his interrogation and backpack search on two legal grounds: 1.) a custodial interrogation without proper advisement of rights; and 2.) N.T.'s confession was not voluntarily given under a totality of the circumstances. (See Doc. 16 at 9-10, 12-13.) The State conceded Officer Hodges did not advise N.T. of his right to have a

parent or guardian present before questioning. (Doc. 17 at 1.) The State argued, however, that N.T. was not in custody for the first 4 1/2 minutes of his interaction with Hodges. (Doc. 25 at 7; 6/17/21 Tr. [hereinafter “Tr.”] at 4-5, 37; 6/17/21 State Ex. 1 [hereinafter “Video”] at 0:30-5:00.) The State said it conceded custody when Hodges moved his police vehicle out of the street “because there’s nothing else that was discovered from that point on.” (Tr. 37.)

The youth court agreed with the State and only suppressed the evidence generated after Officer Hodges moved his vehicle off the street. (Doc. 30 at 7-8.) The youth court’s order analyzed the law concerning custodial interrogation; however, the youth court made only passing mentions to N.T.’s other legal argument about voluntariness under the totality of the circumstances. (See Doc. 30, attached as App. A.)

Following a jury trial where the State used N.T.’s unsuppressed statements to prove their case, the youth court adjudicated N.T. as a delinquent youth and imposed \$23,050 in restitution and 20 hours of

community service.¹ (8/12/21 Tr. 164-169; Doc. 73 at 2.) N.T. filed a timely appeal. (Docs. 73, 75.)

STATEMENT OF THE FACTS

At around 11:00 p.m. on September 15, 2020, someone called the police to report spray painting taking place at or near 110 East Olive Street. (Tr. 7, 11.) Officers Brett Logan and Hodges responded to the call; each drove their own police cars. (Tr. 7-8, 11.) Hodges had one year of police officer experience at the time. (8/12/21 Tr. 160.) Hodges could not recall if he had any training from the law enforcement academy on working with juveniles. (Tr. 25-26.)

The Bozeman Police Department had noted numerous reports of graffiti on random buildings throughout the city. (Tr. 6-7, 10.) A lot of graffiti on the buildings had drawings of male genitals and the moniker “Penis Man.” (Tr. 7, 10.) Officer Hodges had reviewed multiple bulletins filed by other officers over the past few weeks seeking help to find a culprit. (8/12/21 Tr. 171.) Hodges talked with other officers

¹ While both the State and defense counsel advised the youth court to impose probation up to the age of 21, neither the written disposition order nor the oral pronouncement of sentence imposed probation. (Doc. 73; 9/28/21 Tr. 4-5, 9-13.)

about how they all wanted to find the spray painter. (8/12/21 Tr. 171-172.)

Officer Logan saw three people standing together in the area at an intersection and initially passed them, but then turned his police vehicle around. (Tr. 7-8.) By the time he drove back, two people were walking in one direction and one was walking in another direction. (Tr. 8.) They were all still on the same block and only meters apart. (Video 0:25-0:40; Tr. 17.) Logan stopped the group of two, high schoolers O.Q. and K.R., because they “were in close proximity to the scene of the call.” (Tr. 8; 8/12/21 Tr. 129-130, 148.)

Meanwhile, Hodges halted the other person who had separated from the group, N.T., by turning on his police lights. (Tr. 8, 11-12, 17; Video 0:30-0:32.) N.T. has a mild learning disability and received accommodation for that disability in school. (Doc. 16 at 1.) N.T. had never been on probation, nor received any prior tickets. (Doc. 16 at 1.)

Hodges parked his car in the middle of the street and stepped out to stop N.T. (Tr. 18.) N.T. saw the police officer and immediately stopped. (Tr. 17-18.) Hodges suspected N.T. was involved in the reported vandalism from the dispatch call. (Tr. 11.)

Logan and Hodges had exited their police vehicles at almost the same time. (Video 0:25-0:32.) N.T. could see Officer Logan speaking to O.Q. and K.R. while Logan held up a flashlight. (Video 0:25-0:40.) Both police officers were wearing uniforms. (Video 0:25-0:40; Tr. 18.) Hodges carried an assortment of gear, including his gun. (Tr. 18-19.)

Hodges said, "Stop for [one] second, Bozeman police." (Tr. 18.) This was a command to stop; N.T. was not free to leave. (Tr. 18.) Had N.T. tried to leave, Hodges may have cited N.T. for an obstruction charge. (Tr. 18.) Hodges questioned N.T. in the street as the police lights continued to flash. (Video 0:30-0:37.) Hodges was investigating N.T. for involvement in spray painting. (Tr. 20.)

Officer Hodges started questioning; and N.T. immediately replied:

Hodges: Stop for one second, Bozeman police. How's it going, man?

N.T.: Good.

Hodges: What are you guys up to? Are you with these guys?

N.T.: Yeah.

Hodges: What are you guys up to?

N.T.: Just hanging around.

Hodges: Oh yeah? Where do you guys live at?

N.T.: Down by Costco.

Hodges: Ok. How old are you guys?

N.T.: I'm 17.

Hodges: Oh, ok. So you guys are walking around or-- where you coming from?

N.T.: Down by Costco. What do you mean?

Hodges: Like what are you guys up to tonight?

N.T.: Hanging out, [inaudible] walking around.

Hodges: Ok. We got a report of people who like spray painting buildings or whatever, you know anything about that?

N.T.: No, I didn't see anything.

Hodges: You didn't?

N.T.: No.

Hodges: Ok, so where are you guys coming from right now? Walking around it doesn't really make sense to be walking around so late at night.

N.T.: I suppose. Uh, down that way.

Hodges: So what were you doing down there?

N.T.: Might have been spray painting.

(Video 0:32-1:32.)

Officer Hodges told N.T. to take off his backpack and put it on the

ground. (Video 1:40-1:43.) N.T. was still not free to leave. (Tr. 22-23.) After getting some identifying information, Hodges asked N.T. if he had spray paint cans in his backpack, and N.T. said he did. (Video 2:38-2:41.) Hodges asked N.T. to open the backpack so he could see the cans, and N.T. complied. (Video 2:41-2:48; Tr. 23.)

Hodges then continued asking N.T. questions about what he spray painted and where. (Video 2:48-3:05.) N.T. admitted to a couple of locations and that he spray-painted “Penis Man.” (Video 3:05-3:33.) Hodges asked N.T. to open his backpack again, and then patted him down for weapons. (Video 3:58-4:30.) Hodges said, “You’re not under arrest right now,” and then asked N.T. to turn around, put his hands behind him, and interlace his fingers. (Video 4:10-4:18.) Hodges asked N.T. to search his backpack again to look for spray paint, but then said to hold on until he pulled his car off the street. (Video 4:34-4:55.) Hodges moved his police vehicle. (Video 5:00-5:20.)

At some point after moving the vehicle Officer Hodges had taken control of the backpack as well as a fanny pack. (Video 5:20-5:45.) Hodges asked N.T. if he wouldn’t mind searching through this, then went through the fanny pack and backpack while asking questions.

(Video 5:45-6:20.) Hodges then said, “Hey, just so you know man, just because I’m investigating something involving you, you’re not free to go, just so you know, ok?” (Video 6:25-6:32.)

Officer Hodges then opened the backpack and asked N.T. more questions:

Hodges: How many houses did you guys hit tonight?

N.T.: Just that one. We didn’t even-

Hodges: Just one. Ok. And you wrote Penis Man, is that what you said?

N.T.: Yeah.

Hodges: Gotcha. How many other houses have you done?

N.T.: Like 2 or 3 or so.

Hodges: Ok. And when did you do those? Actually, hold on, I’m just gonna, before we get too far into it, I’m just going to read you something real quick, ok?

N.T.: Alright.

Hodges: You said you’re 17?

N.T.: Yes.

(Video 6:50-7:18.)

Officer Hodges then read N.T. his rights. (Video 7:22-8:02.)

Hodges used an outdated card when trying to read N.T. his rights and

did not tell N.T. he could speak to his parents first before continuing questioning. (Tr. 14, 31.) Hodges asked N.T. if he had any questions, and N.T. replied, “Will I need a lawyer?” (Video 8:02-8:06.) The dialogue continued:

Hodges: So, I mean, that will be up to you, you have that right, ok? Just because I’m asking you some questions and you’re not free to go, I got to read this to you as preconditions for Miranda, ok? Do you have any questions about your rights?

N.T.: No.

Hodges: You want to speak with me now?

N.T.: I’d rather not speak with you, I’m sorry.²

Hodges: What’s that? Right, but just because, so we reached the conditions for Miranda, so I have to read that to you.

N.T.: Ok.

Hodges: Ok. So do you want to talk with me right now? Can you talk to me right now?

N.T.: Sure?

(Video 8:07-8:43.)

Hodges: Ok. Alright. So let me just make sure I’m understanding you- are these yours? Cool- So tonight, where were you at?

² Trial counsel for N.T. heard this line as “Were we not speaking? I’m sorry.” (Doc. 16 at 4.)

N.T.: We parked down near a gas station, and then we went over to that apartment building, and then walked over here.

Hodges: And you were spray painting Penis Man, is that what I heard?

N.T.: Yeah, random buildings.

Hodges: Ok, anything other than Penis Man?

N.T.: I wrote [inaudible] and then I wrote call for a good time [inaudible]

Hodges: Ah, call the police department for a good time. Alright, so and then, have you, you guys have done houses before this, right?

N.T.: Yeah.

Hodges: And where were those at?

(Video 8:43-9:35.)

N.T. then talked about other places he had spray painted, admitting to doing so three different times. (Video 9:35-10:05.) Officer Hodges took the spray paint cans out of the backpack and asked N.T. which colors he used to draw Penis Man. (Video 10:48-11:09.) Hodges told N.T. he was not going to jail tonight, but if he had been an adult he would probably be going to jail. (Video 14:55-15:05.) Hodges seized the spray paint cans and left N.T. to go on an unrelated car chase, ending

the encounter between them. (Tr. 26.)

STANDARD OF REVIEW

This Court reviews a youth court's denial of a motion to suppress evidence by determining whether the youth court's findings of fact are clearly erroneous and whether those findings were correctly applied as a matter of law. *State v. McKee*, 2006 MT 5, ¶ 17, 330 Mont. 249, 127 P.3d 445.

SUMMARY OF THE ARGUMENT

A 17-year-old child with a learning disability and no prior police involvement was faced with a frightening situation: A police officer, wearing his full uniform and carrying a gun, turned on flashing police lights and stopped N.T. in the middle of the street at 11:00 at night. This was N.T.'s first-ever encounter with law enforcement. The officer, on a mission to find a vandal, immediately peppered the child with questions until he received the confirmation he was looking for. At no point did the officer tell N.T. he could talk to his parents before answering questions. At no point was N.T. free to leave.

Under a totality of the circumstances, N.T.'s interrogation produced an involuntary confession. Officer Hodges was not merely

engaging in general fact-finding or just asking questions. He suspected N.T. of committing vandalism from the jump, and he interrogated N.T. for the purpose of gathering incriminating statements to charge N.T. with criminal mischief, as well as connect him to other incidents of spray-painting in different parts of the Bozeman area. Fully aware N.T. was a child as well as a suspect in criminal activity, Officer Hodges should have given N.T. an opportunity to understand his rights to remain silent, to have the assistance of counsel, and to have his parents notified before starting an interrogation. Hodges failed to secure an effective waiver. Considering all the circumstances, Hodges coerced an involuntary confession and violated N.T.'s constitutional and statutory rights. The confession must be suppressed and N.T.'s conviction reversed.

ARGUMENT

Officer Hodges interrogated N.T., a 17-year-old stopped late at night and not free to leave, about criminal activity without notifying him of important constitutional and statutory rights. He obtained an involuntary confession as a result.

The Fifth and Fourteenth Amendments to the United States Constitution and Article II, sections 17 and 25 of the Montana

Constitution provide for due process of law and that no one shall be compelled to testify against themselves in a criminal case. While a voluntary confession is admissible against a defendant, an involuntary confession is not. *State v. Eskew*, 2017 MT 36, ¶ 14, 386 Mont. 324, 390 P.3d 129. No person can be convicted based on an involuntary confession. *Eskew*, ¶ 14. This has been the law for over 125 years. *Eskew*, ¶ 15.

Children have the same fundamental rights as adults unless specifically precluded by laws which enhance their protection. Mont. Const. art. II, § 15. In this context, children have more rights, as Montana requires parental notification when a child is being taken into custody for questioning and to advise children of their rights. Mont. Code Ann. § 41-5-331(1). A child who is 16 years or older may make an effective waiver of those rights; however, any waiver must also be voluntary. Mont. Code Ann. § 41-5-331; *In re Z.M.*, 2007 MT 122, ¶ 39, 337 Mont. 278, 160 P.3d 490.

A. As a youth, N.T.’s age, maturity, education, and inexperience with the criminal justice system made him more susceptible to coercive interrogation and an involuntary confession.

Children “often lack the experience, perspective, and judgment to recognize and avoid choices that could be detrimental to them . . . they are more vulnerable or susceptible [to] outside pressures than adults.” *J.D.B. v. North Carolina*, 564 U.S. 261, 272 (2011). Children and adults are treated differently under the law because of the inherent distinction between their intellect, maturity, and therefore culpability. *See State v. Keefe*, 2021 MT 8, ¶ 13, 403 Mont. 1, 478 P.3d 830.

“[D]evelopments in psychology and brain science continue to show fundamental differences between juvenile and adult minds.” *Graham v. Florida*, 560 U.S. 48, 68 (2009). A child’s thinking “tends to either ignore or discount future outcomes and implications, and disregard long-term consequences of important decisions,” resulting in a diminished ability to understand their rights and a waiver of those rights. Laurence Steinberg, et al., *Age Difference in Future Orientation and Delay Discounting*, 80 CHILD DEV. 28, 28-44 (2009).

In the context of police questioning, the U.S. Supreme Court has explained:

In some circumstances, a child's age would have affected how a reasonable person in the suspect's position would perceive his or her freedom to leave. That is, a reasonable child subjected to police questioning will sometimes feel pressured to submit when a reasonable adult would feel free to go. We think it clear that courts can account for that reality without doing any damage to the objective nature of the custody analysis.

J.D.B., 564 U.S. at 271-272 (internal citations omitted).

N.T. was a 17-year-old high school student with a mild learning disability and received accommodation for that disability at school, likely with an Individualized Education Plan (IEP). (Doc. 16 at 1; Doc. 71 at 1.) N.T. had never been involved with the justice system before. (Doc. 16 at 1; Doc. 71 at 2.)

Officer Hodges, by contrast, was an adult authority in a police uniform carrying a duty weapon. (Tr. 18-19.) He drove a marked police vehicle and turned on his flashing lights to stop N.T. (Tr. 11, 17-18; Video 0:30-0:32.) N.T. found himself in the middle of the street after 11:00 at night being confronted by a police officer. (Tr. 11, 18; Video 00:15-00:30.) Hodges confirmed N.T. was a child within seconds of the stop. (Video 0:37-1:00.) As Hodges talked to N.T., Officer Logan talked to N.T.'s high school friends, visible just meters away. (Video 0:25-0:40; Tr. 17.)

Hodges testified that N.T. was not free to leave from the stop's outset. (Tr. 18.) N.T. was a child and had never experienced a stop with the police before. The encounter occurred very late at night with Hodges immediately asking questions. Furthermore, the friends N.T. was with were also being questioned nearby. Such a stop was psychologically coercive to N.T.

B. Custodial interrogation is only one factor of many when inquiring into voluntariness.

The essential inquiry into voluntariness for confessions is “whether the suspect’s will was overborne by the circumstances surrounding the giving of the confession.” *State v. Morrissey*, 2009 MT 201, ¶ 26, 351 Mont. 144, 214 P.3d 708. Determining voluntariness is a factual issue that requires consideration of the totality of the circumstances. *Eskew*, ¶ 16. “Voluntariness depends on the facts of each case, with no fact being dispositive.” *State v. Hermes*, 273 Mont. 446, 449, 904 P.2d 587, 589 (1995). Several factors are relevant to this inquiry, including:

[T]he defendant's age, maturity, education, physical condition, and mental health; the defendant's demeanor, coherence, articulateness, and capacity to make full use of his or her faculties; the defendant's background and experience, including any prior experience with the criminal justice system and police interrogation; the length, mood,

location, and continuity of the questioning; the use of threats, violence, or physical punishment (such as the deprivation of food or sleep); the exertion of improper influence, psychological coercion, deception, or implied or express promises; and whether the police advised the defendant of his or her rights to remain silent and to have counsel present during custodial interrogation.

Morrissey, ¶ 47, citing *Schneckloth v. Bustamonte*, 412 U.S. 218, 226 (1973); see also, *Eskew*, ¶ 17.

In the seminal decision of *Miranda v. Arizona*, 384 U.S. 436 (1966), the U.S. Supreme Court held that specific warnings were needed to counteract the compulsion inherent in custodial surroundings, thereby permitting a full opportunity to exercise the constitutional right to remain silent. *Morrissey*, ¶ 28. A person in custodial interrogation must be given *Miranda* warnings prior to questioning, otherwise, the confession is presumed involuntary and therefore inadmissible.

Morrissey, ¶¶ 28-30. Interrogation includes any words or actions that police should know are reasonably likely to elicit an incriminating response from the suspect. *State v. Bailey*, 2021 MT 157, ¶ 32, 404 Mont. 384, 489 P.3d 889.

Further, police officers are not permitted to purposely employ a “question first, warn later” technique whereby they interrogate the

suspect until they confess, then provide a *Miranda* warning and re-question them. *State v. Labbe*, 2012 MT 76, ¶ 15, 364 Mont. 415, 276 P.3d 848, *citing Missouri v. Seibert*, 542 U.S. 600, 604-605 (2004).

While much of the Fifth Amendment litigation today addresses whether someone is in “custody” or subject to an “interrogation” for *Miranda* purposes, the courts have never abandoned the totality of the circumstances test for voluntariness and continue to exclude confessions the police obtained involuntarily. *Morrissey*, ¶ 26; *Eskew*, ¶ 17. Psychological pressure on defendants in a coercive setting remain relevant factors to determining voluntariness. *Eskew*, ¶ 17. The applicability or inapplicability of *Miranda* in any given situation is not a license to coerce a confession. *Eskew*, ¶ 17.

The last but not only factor for voluntariness is “whether the police advised the defendant of his or her rights to remain silent and to have counsel present during custodial interrogation.” *Morrissey*, ¶ 47. The State has conceded that Hodges interrogated N.T. (Doc. 17 at 4.) A person is in custody for Fifth Amendment and *Miranda* purposes when either formally arrested by police or when police restrict a person’s freedom of action in a manner or degree similar to a formal arrest. *City*

of *Missoula v. Kroschel*, 2018 MT 142, ¶ 24, 391 Mont. 457, 419 P.3d

1208. This determination also depends on the totality of the

circumstances and considers the following factors:

[W]hether the person affirmatively consented or requested to speak with police; the time and place of the detention and questioning; the degree of force, restraint, or threat of force used to detain or question the person; whether police moved the person to another area for questioning; whether police informed the person that he or she was not under arrest, free to leave, or free to otherwise terminate the questioning; the extent to which the police presence, manner, or posture was threatening or otherwise coercive under the circumstances; the duration of questioning; and the extent to which police confronted the person with evidence of guilt.

Kroschel, ¶ 24.

As trial counsel argued below, N.T. maintains on appeal he was subjected to a custodial interrogation; however, this Court can still find N.T.'s admissions were not voluntary without deciding whether N.T.'s interrogation was "custodial." The multiple factors that determine whether a person was in custody is just one of the factors for determining voluntariness of a confession. See *Morrissey*, ¶ 47; *Eskew*, ¶¶ 16-18; *Kroschel*, ¶ 24; *Hermes*, 273 Mont. at 449-450, 904 P.2d at 589.

Under a totality of the circumstances analysis, giving due consideration to all the factors described above, N.T. provided an involuntary confession to Officer Hodges in violation of his constitutional and statutory rights.

C. Hodges investigated N.T. to obtain an incriminating statement in a controlled, dark setting where he was not free to leave. Hodges coerced an involuntary confession from N.T.

The youth court stated Officer Hodges asked questions “in a friendly manner.” (Doc. 30 at 7.) The youth court relied on *Kroschel* to hold that Officer Hodges was making a “temporary investigative stop” to engage in “brief duration, limited scope of permissible questioning, public or non-secluded setting, and expectation of imminent release.” See *Kroschel*, ¶ 25.

The facts speak differently. Hodges, a rookie police officer, was looking to get one of his first big breaks in a case that had eluded multiple officers before him. (Tr. 6-7, 10; 8/12/21 Tr. 160, 171-172.) Hodges drove to the scene looking for vandalism suspects. (Tr. 7-8, 11.) N.T. was not free to leave from the outset, and he could have received

additional charges if he tried. (Tr. 18.) Hodges was investigating N.T. for involvement in spray painting. (Tr. 20.)

Hodges did not ask N.T. if he wished to speak with him first; he instead began asking N.T. questions immediately. Hodges interrogated N.T. on a dark street after 11:00 p.m. as he saw his friends being questioned nearby. Hodges told N.T. he was not free to leave. Hodges never advised N.T. he had the right to talk to his parents first before answering questions. This was N.T.'s first encounter with the police of any kind.

The State conceded the confession was coercive by the time N.T. was read his rights to remain silent and to obtain an attorney. Officer Hodges still continued to press N.T. for more incriminating statements even after N.T. asked for a lawyer and said he no longer wanted to talk. The State now seeks admissibility of N.T.'s initial comments in a reversal of the typical "question first, warn later" setup while sweeping the improper *Miranda* advisement under the rug.

In *McKee*, this Court stated, "if a person has no free right to leave, then the interrogation is custodial." *McKee*, ¶ 28. The Court said six factors determined whether a custodial interrogation had occurred: (1)

place of interrogation; (2) time of the interrogation; (3) persons present during the interrogation; (4) whether *Miranda* warnings were gratuitously given; (5) the length and mood of the interrogation; and (6) whether or not the suspect was arrested following the interrogation. *McKee*, ¶ 28.

Hodges may have stopped N.T. on the street, but this was not a simple public encounter. It was 11:00 at night. His high school friends were separated from him, being interrogated by a different police officer on the same block where N.T. was finding himself interrogated. N.T. had never been in this situation before, and he was afraid. Despite immediately determining N.T.'s age, Officer Hodges provided no *Miranda* warning and did not tell N.T. he could talk to his parents. Hodges jumped on N.T.'s vulnerability and youth by denying N.T. an opportunity to voluntarily waive those rights before asking questions that were likely to, and did, elicit incriminating responses. N.T. was not arrested, but Officer Hodges explicitly told N.T. he would have gone to jail if he had been an adult. All these facts contributed to involuntariness under a totality of the circumstances.

The youth court erred when it addressed the question of custodial interrogation but only briefly touched on N.T.'s voluntariness argument. Had the youth court correctly applied the voluntariness test and addressed the totality of the circumstances, the Court may not be hearing this appeal today. Under the totality of the circumstances, N.T. provided an involuntary confession, and all his statements must now be suppressed.

CONCLUSION

N.T. respectfully requests this Court reverse the conviction and remand to the youth court with instructions to enter an order suppressing the challenged evidence and reversing N.T.'s conviction.

Respectfully submitted this 22nd day of May 2023.

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CERTIFICATE OF COMPLIANCE

Pursuant to Rule 11 of the Montana Rules of Appellate Procedure, I certify that this primary brief is printed with a proportionately spaced Century Schoolbook text typeface of 14 points; is double-spaced except for footnotes and for quoted and indented material; and the word count calculated by Microsoft Word for Windows is 4,323, excluding Table of Contents, Table of Authorities, Certificate of Service, Certificate of Compliance, and Appendices.

/s/ James Reavis
JAMES REAVIS

APPENDIX

Findings of Fact, Conclusions of Law and Order	App. A
Dispositional Order	App. B
Oral Pronouncement of Youth Disposition	App. C

CERTIFICATE OF SERVICE

I, James Richard Reavis, hereby certify that I have served true and accurate copies of the foregoing Brief - Appellant's Opening to the following on 05-22-2023:

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