

SUPREME COURT OF OREGON

State v. Monaco

375 Or. 1 (2026) · No. S071665 · Decided March 12, 2026

SUMMARY

The Oregon Supreme Court affirmed convictions for two counts of felony murder arising from a fatal apartment fire. The court held that the defendant’s statements during a police interrogation were voluntary under the totality of the circumstances and were admissible. It also held that Oregon’s felony-murder statute, ORS 163.115(1)(b), as interpreted in *State v. Blair*, did not violate the Due Process Clause of the Fourteenth Amendment.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Supreme Court of Oregon                                                                                                                                                                                                                                                                                                                                                                                                            |
| WRITING FOR THE COURT | Bushong, J.; DeHoog, J.                                                                                                                                                                                                                                                                                                                                                                                                            |
| JURISDICTION          | Supreme Court of Oregon                                                                                                                                                                                                                                                                                                                                                                                                            |
| DECIDED               | March 12, 2026                                                                                                                                                                                                                                                                                                                                                                                                                     |
| DOCKET                | S071665                                                                                                                                                                                                                                                                                                                                                                                                                            |
| DISPOSITION           | affirmed                                                                                                                                                                                                                                                                                                                                                                                                                           |
| PROCEDURAL POSTURE    | On review from the Oregon Court of Appeals, defendant challenged the denial of his motion to suppress custodial statements and the denial of his demurrer challenging the constitutionality of Oregon's felony-murder statute.                                                                                                                                                                                                     |
| STANDARD OF REVIEW    | The court reviewed the denial of the motion to suppress and the denial of the demurrer for errors of law. Voluntariness of a confession is a question of law; factual findings are binding when supported by constitutionally adequate evidence, and unstated findings are presumed consistent with the trial court's ultimate conclusion. The state bears the burden of proving voluntariness by a preponderance of the evidence. |
| PRECEDENTIAL VALUE    | Published, precedential Oregon Supreme Court opinion                                                                                                                                                                                                                                                                                                                                                                               |
| PARTIES               | Ryan Thomas Monaco v. State of Oregon                                                                                                                                                                                                                                                                                                                                                                                              |

TOPICS

suppression of evidence

criminal procedure

due process

constitutional law

statutory interpretation

## PRACTICE AREAS

criminal procedure

constitutional criminal law

criminal evidence

felony murder

statutory interpretation

## QUESTIONS PRESENTED

1. Whether Monaco's custodial statements were involuntary under ORS 136.425, Article I, section 12, of the Oregon Constitution, or the Fifth and Fourteenth Amendments, because police interrogation tactics overbore his will or implied leniency.
2. Whether ORS 163.115(1)(b), as interpreted in *State v. Blair*, violates the Due Process Clause by conclusively presuming a culpable mental state regarding causation of death or by creating an unconstitutional strict-liability felony-murder offense.

## HOLDINGS

1. The trial court did not err in denying suppression because, under the totality of the circumstances, Monaco's free will was not overborne and his statements were voluntary under Oregon law and the federal Constitution.
2. ORS 163.115(1)(b), as interpreted in *State v. Blair*, does not violate due process by creating a burden-shifting or conclusive presumption, and treating felony murder as strict liability in part does not itself establish a due-process violation.

## KEY QUOTATIONS

*"We hold that the trial court did not err in concluding, under the totality of the circumstances, that defendant's statements were voluntary."* (15)

*"The culpable mental state required for felony murder under ORS 163.115(1)(b) is not conclusively presumed. The state still must prove, beyond a reasonable doubt, the culpable mental state required for defendant's commission of the underlying offense, in this case, first-degree arson."* (24)

*"Treating ORS 163.115(1)(b) as imposing strict liability in part does not establish a due process violation in this case."* (30)

## FACTUAL BACKGROUND

Ryan Thomas Monaco had a volatile relationship with TM, his estranged girlfriend, and entered her apartment after an argument. He threatened to douse her couch with gasoline and set it on fire, later started a fire in the apartment, and left while TM's two roommates were inside; both roommates died. Three days later, police arrested Monaco, advised him of his Miranda rights, and interrogated him for approximately four hours after he had spent the preceding night in jail. During the interrogation, detectives used evidence-maximization and minimization tactics, and Monaco made statements admitting that he had poured gasoline on the couch while continuing to deny that he intentionally started the fire.

## PROCEDURAL HISTORY

Defendant was charged and convicted in Multnomah County Circuit Court of numerous crimes arising from an apartment fire, including felony murder. The circuit court denied his motion to suppress statements made during a police interrogation and denied his demurrer to the felony-murder counts. The Oregon Court of Appeals affirmed, and the Oregon Supreme Court allowed review and affirmed both the Court of Appeals decision and the circuit court judgment.

## DISPOSITION

affirmed

## CASES CITED

- State v. Jackson, 364 Or. 1, 430 P.3d 1067 (2018)
- State v. Blair, 348 Or. 72, 228 P.3d 564 (2010)
- State v. Ehly, 317 Or. 66, 854 P.2d 421 (1993)
- State v. Powell, 352 Or. 210, 282 P.3d 845 (2012)
- State v. Roble-Baker, 340 Or. 631, 136 P.3d 22 (2006)
- State v. Linn, 179 Or. 499, 173 P.2d 305 (1946)
- State v. Fanus, 336 Or. 63, 79 P.3d 847 (2003)
- Lego v. Twomey, 404 U.S. 477, 92 S. Ct. 619, 30 L. Ed. 2d 618 (1972)
- Haynes v. Washington, 373 U.S. 503, 83 S. Ct. 1336, 10 L. Ed. 2d 513 (1963)
- Sandstrom v. Montana, 442 U.S. 510, 99 S. Ct. 2450, 61 L. Ed. 2d 39 (1979)
- State v. Patterson, 311 Kan. 59, 455 P.3d 792 (2020)
- State v. Burkhardt, 325 Mont. 27, 103 P.3d 1037 (2004)
- State v. Wanrow, 91 Wash. 2d 301, 588 P.2d 1320 (1978)
- People of Territory of Guam v. Root, 524 F.2d 195 (9th Cir. 1975)
- Rehaif v. United States, 588 U.S. 225, 139 S. Ct. 2191, 204 L. Ed. 2d 594 (2019)
- United States v. United States Gypsum Co., 438 U.S. 422, 98 S. Ct. 2864, 57 L. Ed. 2d 854 (1978)
- Morissette v. United States, 342 U.S. 246, 72 S. Ct. 240, 96 L. Ed. 288 (1952)
- Patterson v. New York, 432 U.S. 197, 97 S. Ct. 2319, 53 L. Ed. 2d 281 (1977)
- State v. Rainey, 298 Or. 459, 693 P.2d 635 (1985)
- State v. Buttrey, 293 Or. 575, 651 P.2d 1055 (1982)
- Powell v. Texas, 392 U.S. 514, 88 S. Ct. 2145, 20 L. Ed. 2d 1254 (1968)
- State v. Cook, 340 Or. 530, 135 P.3d 260 (2006)
- State v. Davis, 336 Or. 19, 77 P.3d 1111 (2003)
- State v. Ortega, 112 N.M. 554, 817 P.2d 1196 (1991)