

SUPREME COURT OF MISSISSIPPI

Lisa Jo Chamberlin v. State of Mississippi

989 So. 2d 320 (Miss. 2008) · No. No. 2006-DP-01489-SCT · Decided July 17, 2008

SUMMARY

The Supreme Court of Mississippi reviewed Lisa Jo Chamberlin’s convictions and death sentences for two capital murders committed during a robbery. The court addressed whether statements obtained during multiple custodial interrogations violated Chamberlin’s Miranda rights to counsel and to remain silent, as well as the admissibility of evidence recovered from a landfill. The excerpt reflects the court’s analysis of the interrogation sequence and related constitutional safeguards.

CASE DETAILS

COURT	Supreme Court of Mississippi
WRITING FOR THE COURT	Lamar, Justice, for the Court; Smith, C.J.; Waller, P.J.; Easley, J.; Carlson, J.; Graves, J.; Dickinson, J.; Randolph, J.; Diaz, P.J.
JURISDICTION	Mississippi
DECIDED	July 17, 2008
DOCKET	No. 2006-DP-01489-SCT
DISPOSITION	affirmed
PROCEDURAL POSTURE	Chamberlin appealed her convictions for two counts of capital murder and the resulting death sentences after the Circuit Court of Forrest County denied her post-trial motions.
STANDARD OF REVIEW	The court applied heightened and intensive review in a death-penalty case, resolving doubts in favor of the accused. Voluntariness and admissibility findings regarding confessions were reviewed as factual findings and would not be reversed absent manifest error or a decision contrary to the overwhelming weight of the evidence. Suppression of evidence was reviewed for abuse of discretion. Batson rulings were reviewed for clear error or being against the overwhelming weight of the evidence. Admission of photographs and jury-instruction decisions were reviewed for abuse of discretion. Proportionality review was conducted under Mississippi Code section 99-19-105(3).
PRECEDENTIAL VALUE	Published Mississippi Supreme Court en banc decision; precedential.
PARTIES	Lisa Jo Chamberlin v. State of Mississippi

TOPICS

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether Chamberlin's statements from the second through fifth custodial interrogations were obtained in violation of her Fifth Amendment right to remain silent or right to counsel under Miranda and Edwards.
2. Whether evidence recovered from the Russell County landfill was inadmissible as fruit of a Miranda violation.
3. Whether the trial court erred in denying Chamberlin's Batson challenge to the State's peremptory strikes.
4. Whether the trial court abused its discretion by admitting gruesome photographs of the victims.
5. Whether the trial court erred in refusing proposed mercy and sympathy sentencing instructions.
6. Whether the trial court erred in denying or failing to authorize payment of travel expenses for mitigation witnesses.
7. Whether the death sentences were imposed arbitrarily, were supported by the evidence, or were excessive or disproportionate.

HOLDINGS

1. The trial court properly admitted Chamberlin's statements. Her initial reference to an attorney was ambiguous, her later statement that she would talk resolved the ambiguity, and her statement that she did not want to answer questions invoked only the right to silence. The later interrogations complied with Miranda and Edwards because sufficient time elapsed, new warnings and waivers were provided, questioning was properly limited, and Chamberlin initiated the fifth interview.
2. The landfill evidence was properly admitted because the court found no Fifth Amendment self-incrimination violation and therefore the fruit-of-the-poisonous-tree doctrine did not apply.
3. The trial court did not clearly err in denying Chamberlin's Batson challenge because the State provided race-neutral reasons for its strikes and Chamberlin failed to rebut those reasons or establish discriminatory intent.
4. The trial court did not abuse its discretion by admitting the photographs because each had probative value and served a meaningful evidentiary purpose, including depicting the crime scene, injuries, cause of death, or clarifying expert testimony.
5. Chamberlin was not entitled to proposed instructions D-3 and D-10 because Mississippi law does not require a mercy or sympathy instruction and does not permit an instruction allowing a jury to disregard the aggravating-and-mitigating-circumstances weighing process based on mercy.

6. The issue concerning payment of travel expenses for mitigation witnesses was procedurally barred because Chamberlin failed to obtain a ruling on her pretrial motion. The court further concluded that the claim lacked merit because she did not provide sufficient information establishing the necessity of the requested expenses.
7. The death sentences were not imposed under passion, prejudice, or another arbitrary factor; the evidence supported the statutory aggravating circumstances; and the sentences were neither excessive nor disproportionate compared with similar cases.

KEY QUOTATIONS

“Invocation of the Miranda right to counsel requires, at a minimum, some statement that can reasonably be construed to be an expression of a desire for the assistance of an attorney.” (989 So. 2d at 332)

“No passage in “the Miranda opinion can sensibly be read to create a per se proscription of indefinite duration upon any further questioning by any police officer on any subject, once the person in custody has indicated a desire to remain silent.”” (989 So. 2d at 334)

“So long as a photograph has probative value and its introduction serves a meaningful evidentiary purpose, it may still be admissible despite being gruesome, grisly, unpleasant, or even inflammatory.” (989 So. 2d at 340)

FACTUAL BACKGROUND

Chamberlin and Roger Gillett were arrested in Kansas after officers discovered methamphetamine and drug paraphernalia at a residence where they were staying. Officers then discovered the dismembered bodies of Vernon Hullett and Linda Heintzelman in a freezer at Gillett's farm. After receiving Miranda warnings, Chamberlin participated in several interviews, ultimately describing her and Gillett's involvement in the robbery, murders, dismemberment, transport of the bodies, and disposal of evidence at a landfill. The State introduced her statements, evidence recovered from the landfill, photographs of the victims, and other evidence at trial.

PROCEDURAL HISTORY

Chamberlin and Roger Gillett were jointly indicted for two capital murders, but the trial court granted Chamberlin's motion for severance. The trial court denied her motions to suppress statements and landfill evidence, and the jury convicted her on both counts and imposed death sentences. The trial court denied post-trial motions, stayed execution pending appeal, and Chamberlin timely appealed to the Mississippi Supreme Court.

DISPOSITION

affirmed

CASES CITED

- *Miranda v. Arizona*, 384 U.S. 436 (1966)
- *Edwards v. Arizona*, 451 U.S. 477 (1981)

- Davis v. United States, 512 U.S. 452 (1994)
- Michigan v. Mosley, 423 U.S. 96 (1975)
- Neal v. State, 451 So. 2d 743 (Miss. 1984)
- Batson v. Kentucky, 476 U.S. 79 (1986)
- Hernandez v. New York, 500 U.S. 352 (1991)
- Purkett v. Elem, 514 U.S. 765 (1995)
- Dampier v. State, 973 So. 2d 221 (Miss. 2008)
- Sudduth v. State, 562 So. 2d 67 (Miss. 1990)
- Kansas v. Marsh, 548 U.S. 163 (2006)
- Jordan v. State, 728 So. 2d 1088 (Miss. 1998)
- Saffle v. Parks, 494 U.S. 484 (1990)
- Johnson v. State, 477 So. 2d 196 (Miss. 1985)

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