

SUPREME COURT OF FLORIDA

Ramirez v. State

739 So. 2d 568 (Fla. 1999) · No. No. 89,377 · Decided July 8, 1999

SUMMARY

The Supreme Court of Florida reversed Nathan Joe Ramirez's first-degree murder conviction and death sentence and remanded for a new trial. The court held that Ramirez's confession was obtained after custodial interrogation without timely Miranda warnings and that his subsequent waiver was invalid under the totality of the circumstances, particularly because he was a juvenile and the warnings were minimized. The court also addressed the improper admission of details from a non-testifying codefendant's confession implicating Ramirez.

CASE DETAILS

COURT	Supreme Court of Florida
WRITING FOR THE COURT	Per Curiam; Shaw, J.; Pariente, J.; Kogan, Senior Justice; Anstead, J.; Wells, J.; Harding, C.J.; Overton, Senior Justice
JURISDICTION	Florida
DECIDED	July 8, 1999
DOCKET	No. 89,377
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Direct appeal from a judgment of conviction and death sentence for first-degree murder.
STANDARD OF REVIEW	The custody determination is a mixed question of law and fact, with custody assessed from the perspective of a reasonable person in the suspect's position. The validity of a Miranda waiver is determined under the totality of the circumstances; the State bears the burden of proving waiver by a preponderance of the evidence. The ultimate issue of voluntariness is a legal question.
PRECEDENTIAL VALUE	Published opinion; binding Florida Supreme Court precedent, subject to later modification or overruling.
PARTIES	Nathan Joe Ramirez v. State of Florida

TOPICS

miranda rights

suppression of evidence

sixth amendment

hearsay

sentencing

PRACTICE AREAS

criminal procedure

constitutional criminal procedure

evidence

capital sentencing

QUESTIONS PRESENTED

1. Whether Ramirez was in custody when police interrogated him at the station and therefore was entitled to Miranda warnings before questioning.
2. Whether statements made after belated Miranda warnings were admissible when the warnings were minimized, the police relied on prior unwarned admissions, Ramirez was a juvenile, his parents were not contacted, and the written waiver was obtained only after the confession.
3. Whether the State could introduce details of a non-testifying codefendant's confession under the opening-the-door or rule-of-completeness doctrines.
4. Whether admission of the codefendant's confession details violated the hearsay rule and the Sixth Amendment Confrontation Clause.
5. Whether the trial court improperly weighed Ramirez's age and lack of significant prior criminal history as mitigating circumstances in the capital sentencing order.

HOLDINGS

1. Ramirez was in custody when interrogated at the police station because a reasonable person, particularly a juvenile in his circumstances, would have believed that his freedom of action was curtailed to a degree associated with formal arrest.
2. Statements elicited before the Miranda warnings were administered should have been suppressed.
3. The post-Miranda oral waiver was invalid, and Ramirez's subsequent confession should have been suppressed.
4. The State's limited questioning could establish that Grimshaw's confession contradicted Ramirez's account, but it did not open the door to details of Grimshaw's confession.
5. Admission of the details of Grimshaw's non-testifying confession during the penalty phase was independently impermissible and violated Ramirez's constitutional rights.
6. The trial court abused its discretion by giving little weight to Ramirez's age and by finding that his prior juvenile arrest militated against significant weight for the mitigating circumstance of no significant history of prior criminal activity.

KEY QUOTATIONS

“Short of being handcuffed and being told that he was under arrest, we cannot perceive of circumstances that would be more indicative of a custodial interrogation than the circumstances of the interrogation in this case.” (574)

“Based on the totality of these circumstances, we find that the oral waiver was invalid as a matter of law.”
(578)

“This inquiry opened the door only to allow the State to explain that Grimshaw's confession contradicted these assertions. It did not open the door to the questions on redirect regarding the details of what Grimshaw stated when Grimshaw was unavailable for cross-examination.” (581)

“Accordingly, we reverse and remand for a new trial consistent with this opinion.” (583)

FACTUAL BACKGROUND

Seventeen-year-old Nathan Ramirez was implicated in the murder of Mildred Boroski by codefendant Jonathan Grimshaw and through a police-recorded telephone call in which Ramirez acknowledged possessing items taken from the victim. Police obtained the items from Ramirez, transported him to the sheriff's station, and interrogated him in a small room without first giving Miranda warnings or meaningfully notifying his parents. Ramirez made incriminating statements before the warnings were administered, and detectives then obtained an oral waiver and later a written waiver after he had fully confessed. At trial, the State also introduced details of Grimshaw's confession even though Grimshaw did not testify and Ramirez had no opportunity to cross-examine him.

PROCEDURAL HISTORY

Ramirez was convicted of first-degree murder and sentenced to death after the trial court denied his motions to suppress his confession and admitted details of his non-testifying codefendant's confession during both the guilt and penalty phases. The Supreme Court of Florida reversed the conviction and sentence and remanded for a new trial.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Reverse the conviction and death sentence and remand for a new trial consistent with the opinion. The confession must be suppressed, and the details of the non-testifying codefendant's confession may not be admitted in the guilt or penalty phase. The court also directed that any further sentencing account properly for Ramirez's age and lack of significant prior criminal history.

CASES CITED

- Miranda v. Arizona, 384 U.S. 436 (1966)
- Traylor v. State, 596 So. 2d 957 (Fla. 1992)
- Arbelaez v. State, 626 So. 2d 169 (Fla. 1993)
- Roman v. State, 475 So. 2d 1228 (Fla. 1985)
- Davis v. State, 698 So. 2d 1182 (Fla. 1997)

- State v. Countryman, 572 N.W.2d 553 (Iowa 1997)
- Oregon v. Elstad, 470 U.S. 298 (1985)
- Moran v. Burbine, 475 U.S. 412 (1986)
- Fare v. Michael C., 442 U.S. 707 (1979)
- Colorado v. Connelly, 479 U.S. 157 (1986)
- Sliney v. State, 699 So. 2d 662 (Fla. 1997)
- Lee v. Illinois, 476 U.S. 530 (1986)
- Bruton v. United States, 391 U.S. 123 (1968)
- Franqui v. State, 699 So. 2d 1312 (Fla. 1997)
- Tompkins v. State, 502 So. 2d 415 (Fla. 1986)
- Pacheco v. State, 698 So. 2d 593 (Fla. 2d DCA 1997)
- Gardner v. State, 480 So. 2d 91 (Fla. 1985)
- Walton v. State, 481 So. 2d 1197 (Fla. 1985)
- Ellis v. State, 622 So. 2d 991 (Fla. 1993)
- Jennings v. State, 718 So. 2d 144 (Fla. 1998)
- Stein v. State, 632 So. 2d 1361 (Fla. 1994)
- State v. DiGuilio, 491 So. 2d 1129 (Fla. 1986)

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