

SUPREME JUDICIAL COURT OF MAINE

State of Maine v. Timothy M. Hunt

2016 ME 172 (2016) · No. Cum-15-493 · Decided November 29, 2016

SUMMARY

The Maine Supreme Judicial Court held that Timothy M. Hunt’s confession should have been suppressed because the police made improper promises or inducements concerning the Maine sex offender registry and the potential consequences of confession. The court clarified that voluntariness is a legal determination reviewed de novo, while underlying historical facts receive deferential review. It vacated Hunt’s convictions and remanded for a new trial.

CASE DETAILS

COURT	Supreme Judicial Court of Maine
WRITING FOR THE COURT	Gorman, J.; Saufley, C.J.; Alexander, J.; Mead, J.; Jabar, J.; Hjelm, J.; Humphrey, J.
JURISDICTION	Maine
DECIDED	November 29, 2016
DOCKET	Cum-15-493
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Hunt appealed from a judgment of conviction entered after a jury trial, challenging the denial of his motion to suppress incriminating statements made during a police interview.
STANDARD OF REVIEW	The court reviews historical factual findings for clear error and the ultimate voluntariness determination de novo. Because the facts and recording were undisputed and Hunt challenged only the application of law to those facts, the court reviewed that application de novo.
PRECEDENTIAL VALUE	published and precedential
PARTIES	Timothy M. Hunt v. State of Maine

TOPICS

suppression of evidence

criminal procedure

due process

fifth amendment

evidence

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Hunt's incriminating statements were involuntary under the Due Process Clause because police officers used misleading assurances and improper inducements concerning sex-offender registration.
2. What standard of review governs the voluntariness determination and how courts should analyze the causal effect of police conduct on a defendant's decision to confess.
3. Whether the erroneous admission of Hunt's confession required vacatur of the convictions and a new trial.

HOLDINGS

1. Historical facts underlying a voluntariness determination are reviewed deferentially, but the psychological fact and ultimate legal determination of whether a confession was voluntary are questions of law reviewed de novo.
2. A confession is involuntary when, under the totality of the circumstances, it results from coercive police conduct, is not the product of the defendant's free choice, or its admission would be fundamentally unfair because it offends a fundamental value of social policy or constitutional law.
3. False promises of leniency that induce a confession are improper and weigh significantly in the totality-of-the-circumstances voluntariness analysis. A promise is false when the government agent cannot deliver the offered benefit or lacks authority to provide it; leniency includes a representation that prosecution or sentencing will be better if the defendant confesses.
4. Hunt's incriminating statements were involuntary as a matter of law because the officers' misleading assurances concerning sex-offender registration, considered together with Hunt's cognitive limitations and apparent reliance on the assurances, rendered the confession fundamentally unfair under the totality of the circumstances.

KEY QUOTATIONS

"A confession is voluntary if it results from the free choice of a rational mind, if it is not a product of coercive police conduct, and if under all of the circumstances its admission would be fundamentally fair." (¶ 21)

"We clarify today that although the determination of the historical facts underlying a question of voluntariness must be made by the trial court, and will be reviewed deferentially, the "psychological fact" of the voluntariness of a confession is a determination of law and is subject to de novo review." (¶ 34)

"Although no single factor renders Hunt's confession involuntary, the totality of the circumstances—in particular, the officers' misleading statements in light of Hunt's cognitive disability and his apparent reliance on their representations—rendered Hunt's incriminating statements involuntary as a matter of law." (¶ 43)

FACTUAL BACKGROUND

Hunt voluntarily went to a Scarborough police station for an interview concerning allegations of sexual contact with an eight-year-old victim. Although officers advised him of his Miranda rights and told him he could leave,

they repeatedly minimized the conduct and assured him that he should not worry about being placed on the sex-offender registry or "the list." Hunt had below-average cognitive abilities, with psychological testing reflecting composite IQ scores of 75 and 81, and after the officers' assurances he made incriminating statements. The suppression court admitted the statements, but the Maine Supreme Judicial Court concluded that the officers' misleading assurances, Hunt's cognitive limitations, and his apparent reliance on the assurances rendered the confession involuntary.

PROCEDURAL HISTORY

A Cumberland County grand jury indicted Hunt on six counts of gross sexual assault and six counts of unlawful sexual contact. The suppression court denied Hunt's motion to suppress his police-interview statements, and the statements were admitted at trial. A jury convicted Hunt on all twelve counts, and the trial court imposed concurrent prison sentences and supervised release. The Maine Supreme Judicial Court vacated the convictions because the confession should have been suppressed and remanded for a new trial.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The judgment of conviction was vacated, and the case was remanded to the trial court for a new trial and further proceedings consistent with the opinion.

CASES CITED

- State v. Bryant, 2014 ME 94, ¶ 15, 97 A.3d 595
- State v. Dodge, 2011 ME 47, ¶¶ 10, 13-21, 17 A.3d 128
- State v. Kittredge, 2014 ME 90, ¶¶ 24, 27-28, 97 A.3d 106
- State v. Collins, 297 A.2d 620, 627 (Me. 1972)
- State v. Mikulewicz, 462 A.2d 497, 500-01 (Me. 1983)
- State v. McConkie, 2000 ME 158, ¶¶ 4, 9-10 & n.3, 755 A.2d 1075
- State v. George, 2012 ME 64, ¶ 21, 52 A.3d 903
- State v. Tardiff, 374 A.2d 598, 600-01 (Me. 1977)
- State v. Wiley, 2013 ME 30, ¶¶ 21, 25, 30-31, 61 A.3d 750
- State v. Coombs, 1998 ME 1, ¶¶ 7-11, 704 A.2d 387
- State v. Gould, 2012 ME 60, ¶¶ 11-13, 43 A.2d 952
- State v. Lavoie, 2010 ME 76, ¶ 21, 1 A.3d 408
- State v. Nadeau, 2010 ME 71, ¶ 57, 1 A.3d 445
- State v. Dion, 2007 ME 87, ¶ 34, 928 A.2d 746
- State v. Theriault, 425 A.2d 986, 990 (Me. 1981)
- State v. Wood, 662 A.2d 908, 911 (Me. 1995)

- United States v. Preston, 751 F.3d 1008, 1010-28 (9th Cir. 2014) (en banc)
- State v. Swanigan, 106 P.3d 39, 42, 45-54 (Kan. 2005)
- State v. Hoppe, 661 N.W.2d 407, 414-15 (Wis. 2003)
- People v. Hill, 426 P.2d 908, 916 (Cal. 1967)
- Lego v. Twomey, 404 U.S. 477, 482-89 (1972)
- Miller v. Fenton, 474 U.S. 104, 110, 115-17 (1985)
- Arizona v. Fulminante, 499 U.S. 279, 287 n.3, 306-13 (1991)
- Spano v. New York, 360 U.S. 315, 315, 320-21 (1959)
- State v. Ayers, 433 A.2d 356, 362 (Me. 1981)
- State v. Ashe, 425 A.2d 191, 194 n.4 (Me. 1981)