

SUPREME COURT OF NEW MEXICO

State v. DeAngelo M.

8 N.M. Ct. App. 759 (2015) · No. S-1-SC-34995 · Decided October 15, 2015

SUMMARY

The New Mexico Supreme Court considers whether statements made by a thirteen-year-old child during custodial interrogation were admissible under Section 32A-2-14(F) of the New Mexico Delinquency Act. The court holds that the State must rebut the statutory presumption of inadmissibility by clear and convincing evidence that the child was adequately warned and knowingly, intelligently, and voluntarily waived each constitutional and statutory right. The court concludes that the interrogation record did not establish the required comprehension and waiver, and directs that the statements be suppressed.

CASE DETAILS

COURT	Supreme Court of New Mexico
WRITING FOR THE COURT	Edward L. Chávez; Barbara J. Vigil; Petra Jimenez Maes; Richard C. Bosson; Charles W. Daniels
JURISDICTION	New Mexico
DECIDED	October 15, 2015
DOCKET	S-1-SC-34995
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	The State petitioned for certiorari review of the Court of Appeals' reversal of a district court order denying a juvenile's motion to suppress statements made during a custodial interrogation.
STANDARD OF REVIEW	Statutory interpretation is reviewed de novo. The court reviewed the suppression ruling under the statutory clear-and-convincing-evidence standard governing rebuttal of the presumption of inadmissibility.
PRECEDENTIAL VALUE	Published New Mexico Supreme Court opinion; precedential.
PARTIES	State of New Mexico v. DeAngelo M.

TOPICS

- miranda rights
- suppression of evidence
- criminal procedure
- fifth amendment
- statutory interpretation

PRACTICE AREAS

juvenile criminal procedure

constitutional criminal procedure

evidence

QUESTIONS PRESENTED

1. What burden of proof must the State satisfy to rebut the presumption that statements made by a thirteen- or fourteen-year-old child to a person in a position of authority are inadmissible under NMSA 1978, Section 32A-2-14(F)?
2. What evidence must the State present to establish that the child knowingly, intelligently, and voluntarily waived each constitutional and statutory right?
3. Whether expert testimony is essential to rebut the statutory presumption.
4. Whether the evidence in this case rebutted the presumption of inadmissibility.

HOLDINGS

1. The State must rebut the presumption of inadmissibility by clear and convincing evidence.
2. The State must prove by clear and convincing evidence that, when the thirteen- or fourteen-year-old made the statement to a person in a position of authority, the child was warned of the constitutional and statutory rights and knowingly, intelligently, and voluntarily waived each right. The evidence must show that the child had the maturity to understand each right and the force of will to assert those rights.
3. Expert testimony may assist the fact-finder, but it is not essential to rebut the presumption.
4. The State failed to rebut the presumption of inadmissibility by clear and convincing evidence, so DeAngelo's statements must be suppressed.

KEY QUOTATIONS

“We hold that Section 32A-2-14(F) requires the State to prove by clear and convincing evidence that at the time a thirteen- or fourteen-year-old child makes a statement, confession, or admission to a person in a position of authority, the child (1) was warned of his constitutional and statutory rights, and (2) knowingly, intelligently, and voluntarily waived each right.” (¶ 3)

“Ultimately, a district court judge should suppress any statement made by a thirteen- or fourteen-year-old child unless the judge finds that the child clearly and convincingly demonstrated his or her maturity to understand his or her constitutional and statutory rights and possessed the force of will to assert those rights.” (¶ 19)

“For the foregoing reasons, we affirm the Court of Appeals on different grounds and reverse the district court’s denial of Child’s motion to suppress.” (¶ 31)

FACTUAL BACKGROUND

DeAngelo M. was thirteen years and eight days old when three law-enforcement officers interrogated him about a burglary connected to a murder. Officers gave confusing explanations of his Miranda and statutory rights, and DeAngelo initially indicated that he did not really understand them. Although he signed a waiver form and made

inculpatory statements, he later said that he did not want to talk anymore, after which officers resumed questioning. The recorded interrogation did not clearly demonstrate that he understood and appreciated each right or possessed the maturity and force of will to invoke them.

PROCEDURAL HISTORY

DeAngelo M. moved to suppress inculpatory statements made when he was thirteen years old. The district court denied the motion, finding that he knowingly, voluntarily, and intelligently waived his rights. The Court of Appeals reversed and remanded for a new trial, holding that the State had not rebutted the statutory presumption of inadmissibility by clear and convincing evidence and through appropriate evidence. The New Mexico Supreme Court affirmed the Court of Appeals on different grounds, reversed the district court's denial of suppression, and remanded for further proceedings.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Suppress DeAngelo's statements and conduct further proceedings consistent with the opinion.

CASES CITED

- State v. Martinez, 1999-NMSC-018, ¶ 14, 127 N.M. 207, 979 P.2d 718
- Miranda v. Arizona, 384 U.S. 436, 444, 473-79 (1966)
- State v. Javier M., 2001-NMSC-030, ¶ 24, 131 N.M. 1, 33 P.3d 1
- State v. Adam J., 2003-NMCA-080, ¶¶ 3, 8, 20, 133 N.M. 815, 70 P.3d 805
- State ex rel. Children, Youth & Families Dep't v. Djamila B. (In re Mahdjid B.), 2015-NMSC-003, ¶¶ 12, 25, 342 P.3d 698
- N.M. Indus. Energy Consumers v. N.M. Pub. Regulation Comm'n, 2007-NMSC-053, ¶ 20, 142 N.M. 533, 168 P.3d 105
- State v. Office of the Pub. Def. ex rel. Muqqddin, 2012-NMSC-029, ¶ 13, 285 P.3d 622
- State v. Jonathan M., 1990-NMSC-046, ¶ 8, 109 N.M. 789, 791 P.2d 64
- State v. Jade G., 2007-NMSC-010, ¶ 16, 141 N.M. 284, 154 P.3d 659
- State v. Valdez (In re Valdez), 1975-NMSC-050, ¶ 12, 88 N.M. 338, 540 P.2d 818
- Woodby v. Immigration Serv., 385 U.S. 276, 284 (1966)
- Addington v. Texas, 441 U.S. 418, 423 (1979)
- In re Winship, 397 U.S. 358, 370 (1970) (Harlan, J., concurring)
- State v. Spriggs-Gore, 2003-NMCA-046, ¶¶ 14-15, 133 N.M. 479, 64 P.3d 506
- State v. King, 2013-NMSC-014, ¶ 8, 300 P.3d 732