

OREGON

State v. Davis

350 Or. 440 · Decided June 30, 2011

SUMMARY

The Oregon Supreme Court considered whether police violated the defendant's rights against self-incrimination and to counsel under Article I, sections 12 and 11, of the Oregon Constitution by eliciting incriminating statements through monitored communications with the victim. The court held that Article I, section 12, bars police questioning only when a suspect is in custody or otherwise subject to compelling circumstances, and that Article I, section 11, applies only after criminal proceedings have begun, at the earliest upon arrest. The court reversed and remanded.

CASE DETAILS

JURISDICTION	Oregon
DECIDED	June 30, 2011

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