

SUMMARY STATEMENT

State v. Kent

Docket No. 47163

The State appeals from the district court's order granting James Kent's motion to suppress statements Kent made during a non-custodial interrogation. The Idaho Supreme Court reversed the district court's order.

During an interrogation by a law enforcement officer at Kent's home, Kent initially denied ownership of drug paraphernalia found in the home after a probation search unrelated to Kent. The officer began to read Kent his rights afforded by *Miranda v. Arizona*, 384 U.S. 436 (1966), even though Kent was not in custody. Kent interrupted the officer's recitation and stated that he would not answer any questions. The officer nevertheless completed the *Miranda* warnings, and asked Kent if he would be willing to talk to him. Kent agreed and made incriminating statements. The State subsequently charged Kent with possession of methamphetamine, marijuana, and drug paraphernalia. Kent filed a motion to suppress, arguing that his statements were unlawfully obtained because he had unequivocally invoked his right to remain silent. The district court granted Kent's motion and suppressed his statements.

On appeal, the State argued that the district court erroneously expanded *Miranda* to exclude Kent's non-custodial statements, contending that *Miranda* only applies during custodial interrogations, even when the rights have been read unnecessarily. The Idaho Supreme Court reversed the district court's order suppressing Kent's statements, first holding that Kent had a right to remain silent regardless of whether he was in custody. Second, the Court held that the officer was not required to stop questioning Kent after he invoked his right to remain silent. Third, the Court held that *Miranda* rights, when read unnecessarily, are only a factor to be considered in determining whether subsequent statements have been made voluntarily. Finally, the Court agreed with the district court's conclusion that Kent's statements to the officer were voluntary. Therefore, the Idaho Supreme Court reversed the district court's order suppressing Kent's statements and remanded the case for further proceedings.

This summary constitutes no part of the opinion of the Court, but has been prepared by court staff for the convenience of the public.