

## SUMMARY STATEMENT

*State v. John Doe (2016-39)*

Docket No. 44479

A Boise Police Department (BPD) detective initially questioned John Doe, a fourteen year old, in a lewd and lascivious conduct investigation without administering *Miranda*<sup>1</sup> warnings. In the course of that interview, Doe made incriminating statements. After the determination was made that the crime occurred outside of the Boise City limits, an Ada County Sheriff's Office detective was made aware of Doe's statements. In a subsequent interview, the Ada County Sheriff's detective advised Doe of his *Miranda* rights. Thereafter, Doe admitted the sexual conduct previously disclosed to the BPD detective had occurred. Doe was charged with lewd and lascivious conduct with a minor. Doe moved to suppress the statements he made during both of the interviews with the detectives. The magistrate entered an order granting Doe's motion to suppress. The district court affirmed. The State appealed and argued that the district court incorrectly concluded that Doe's statements in the interview with the Ada County Sheriff's detective were inadmissible as "fruit of the poisonous tree" of the initial interview. This Court affirmed the district court and held that the second interview exploited the information obtained in the first interview, and that the record demonstrated that adequate steps were not taken to purge the taint.

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<sup>1</sup> See *Miranda v. Arizona*, 384 U.S. 436 (1966).