

Monday, July 28, 2008

No means no, and "I want a lawyer" means I want a lawyer.

Â Bill of Rights.Â (From the public domain.)Â Â Praised be theÂ majority of en bancÂ Virginia Court of Appeals judges who voted to put teeth into Miranda, by saying that the police generally (after looking at the overall circumstances) must stop trying to interview a suspect once the suspect communicates the suspect's wish for a lawyer. In this instance, the Defendant's statement "I think I should get a lawyer" was sufficient to prevent police from continuing efforts to get the defendant to communicate. The case is Ferguson v. Com. __ Va. App. _ (July 22, 2008). Jon Katz.

Posted by Jon Katz in Criminal Defense at 00:00