

Basic Training Module Specifications

<u>Functional Area:</u>	I. Investigation
<u>Subject Area:</u>	C. Criminal Procedure
<u>Module Title:</u>	1. LAWS OF ADMISSIONS AND CONFESSIONS
<u>Hours:</u>	Not less than 4 hours

Notes to Instructor:

Must be taught by an attorney admitted to the Michigan Bar.

Module Objectives:

- I.C.1.1. Collect Admissions and Confessions as Evidence, in Accordance with Federal and State Laws Regarding Admissions and Confessions.
- a. Demonstrates a working knowledge of concepts and terms relevant to admission and confessions including:
 - (1) confession;
 - (2) admission;
 - (3) "inherently coercive environment;"
 - (4) custody;
 - (5) interrogation (Brewer v. Williams, 430 U.S. 387, 97 S.Ct. 1232 (1977); Rhode Island v. Innis, 446 U.S. 291 (1980)); and
 - (6) the "delay in arraignment" rule (People v. Hamilton, 359 Mich. 410 (1960); People v. Mallory, 421 Mich. 229 (1984);
 - (7) privileged communications.
 - b. Demonstrates a working knowledge of issues relevant to obtaining legal admissions and confessions for courtroom evidence including:
 - (1) "voluntariness" as an issue to be decided based upon the totality of the circumstances;
 - (2) the implementation of constitutional aspects of confessions as found in Brown v. Mississippi, 297 U.S. 278 (1936) and Miranda v. Arizona, 384 U.S. 436 (1966);
 - (3) Fifth and Sixth Amendment considerations relevant to confessions; (People v. Crusoe, 433 Mich. 666; 449 NW2d 641 (1989); Mich v. Mosley, 423 U.S. 96 (1975); Michigan v. Jackson, 475 U.S. 625 (1986); Arizona v. Edwards, 108 S.Ct. 2093 (1988)).
 - (4) Rules to determine when Miranda warnings need be given (People v. Hill, 429 Mich. 382; 415 NW2d 193 (1987)), (Stansbury v. California, 510 U.S. 943 (1993)).
 - (5) the "fruit of the poisonous tree" doctrine and its implications for confessions;

I.C.1.1. Collect Admissions and Confessions as Evidence, in Accordance with Federal and State Laws Regarding Admissions and Confessions (continued).

- (6) the exclusionary rule and its implication for confessions;
- (7) Inevitable Discovery Rule (Nix v. Williams, 467 U.S. 431 (1984)); and
- (8) Public Safety Exception (New York v. Quarles, 467 U.S. 649 (1984)).

Module History

Revised	4/12
Reviewed	9/21