



# Interview & Interrogation Case Law

Course Outline

Blue to Gold Law Enforcement Training  
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# GOA

## learners

In-service training for certified law enforcement, including patrol, investigations, specialty units, and administration

## length of instruction

8 Hours

Interview and interrogation law is needlessly complicated, and one misstep can cause a confession to be suppressed. Attend this training and learn everything you need to know and be confident in obtaining a confession that will uphold in court.

## **Course Introduction – 10 minutes**

- 1) Instructor introduction.
- 2) Explain the course objective.
  - a) How to effective interview an individual versus interrogating.
  - b) How to interview an individual effectively and legally.
  - c) When to cite Miranda.
  - d) Waivers and confessions.
  - e) Adult versus juvenile Miranda.
- 3) How are we going to accomplish this?
  - a. Review and understand how the Fifth Amendment applies.
  - b. Review past case studies and how the interview/interrogation played a part in the outcome.
  - c. Role play during the course.
  - d. Exercises during the course.
- 4) Go over the three disclaimers:
  - a) Laws and agency standard operating procedures may be more restrictive. Blue to Gold teaches the federal standard unless otherwise stated. Therefore, students must know their state and local requirements in addition to the federal standard.
  - b) If students have any doubts about their actions, ask a supervisor or legal advisor.
  - c) The course is not legal advice, but legal education. Therefore, nothing we teach should be interpreted as legal advice. Check with your agency's legal advisor for legal advice.

In summary, the goal is for you to leave here today confident that you can effectively and legally interview/interrogate an individual/suspect.

## **Module One: Fundamentals– 40 minutes**

- 1) The Fifth Amendment
- 2) Confessions versus Admissions
- 3) Interviews versus Interrogations
- 4) State Analogs

## **Module Two: When Miranda is Required– 120 minutes**

- 1) Why Miranda?
- 2) Coercive Influences

- 3) Confessions are Good
- 4) The Three C's (Custody, Questioning, Cop)

**Module Three: Admonishment– 70 minutes**

- 1) Admonishments - Miranda Language
- 2) Miranda Re-advertisements
- 3) Adult Miranda
- 4) Juvenile Miranda
- 5) Non-English Speakers
- 6) Suspect Under the Influence

**Module Four: Waiver– 75 minutes**

- 1) Waiver
- 2) Knowing
- 3) Voluntary
- 4) Waivers
- 5) Invocation
- 6) Functional Equivalent

**Module Five: Reinitiating Miranda– 30 minutes**

- 1) Suspect Reinitiates
- 2) Invoking Right to Silence
- 3) Invoking Right to Counsel

**Module Six: Exceptions – 70 minutes**

- 1) Public Safety Exceptions
- 2) The Rescue Doctrine
- 3) Barricaded Suspects
- 4) Booking Questions
- 5) Foregone Conclusion

**Module Seven: Misc. Rules– 60 minutes**

- 1) Fruit of the Poisonous Tree
- 2) Coerced Statements
- 3) Miranda Violation

**Takeaways - 5 minutes**

**\*\*\*End of Class\*\*\***