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LAW ENFORCEMENT OFFICER TRAINING CASE OF THE MONTH

By Don Hays

Month of May – 2025

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People v. Emilio Chavez, 2025 IL App (1st) 221601, March 25, 2025.

THE CASE: The Police suspected that Chavez shot his drug supplier to death during an attempt to rob him. Chavez, who was 17 at the time of the murder, was 18 at the time he was interrogated. **Question #1:** Which form of Miranda warnings was Chavez by statute entitled to receive? (Adult or Juvenile). **Question #2:** What happens if he is given the wrong form of Miranda warnings? **Question #3:** Did the tactics used by the Officers in interrogating Chavez render his statements involuntary and unreliable?

FACTS: Seventeen-year-old defendant Emilio Chavez arranged to buy cannabis from Joshua Rayborn. The would-be transaction turned violent, and by Chavez's own admission, he fatally shot Rayborn and walked away with about \$2,000 worth of Rayborn's cannabis. Chavez was arrested and interrogated exactly one month after the shooting. That was the day after his eighteenth birthday. Prior to his interrogation, the police advised Chavez of his Miranda rights. In so doing, because Chavez was 18 years old and, consequently, no longer a juvenile, the police used the adult form of the Miranda warnings rather than the "simplified" juvenile version of the warnings. [It apparently never dawned on the Officers that the Juvenile Version of the Miranda warnings might be required.]. During his interrogation, Chavez made various incriminating statements. Thereafter, a jury rejected Chavez's claim that Rayborn tried to rob him, rather than the other way around, and convicted him of first degree murder, on a theory of felony murder predicated on armed robbery.

ARGUMENT: Chavez argued on appeal that his custodial statements should have been suppressed, because the police failed to read him the simplified (Juvenile) version of the Miranda warnings the legislature has required for "minors." Specifically, Chavez argued that the trial court erred in denying his motion to suppress his custodial statements because, under the facts of this case, he was statutorily entitled to receive the "simplified" version of the warnings. Further, Chavez argued that his statements were involuntary given because the police engaged in deceptive practices. Specifically, according to Chavez, they used the deceptive tactics of "minimization" and "maximization" on a youthful suspect.

ISSUE #1: Was Chavez entitled to the simplified version of the Miranda warnings provided in state law for juvenile offenders? (Yes).

FINDINGS: The appellate court declared that it was required to first decide, as a threshold matter, whether Chavez was entitled to the simplified version of Miranda warnings provided in state law for juvenile offenders. The Court then noted that it was undisputed that the officers did not provide defendant with these simplified Miranda warnings. According to the Court, the warnings must be given to any "minor, who at the time of the commission of the offense was under 18 years of age, *** while the minor is subject to custodial interrogation by a law enforcement officer." 725 ILCS 5/103-2.1(a-5) There was no debate the "minor" must have been under age 18 at the time he committed the alleged offense; the statutes say that quite clearly. But what about the minor's age at the time of the custodial interrogation? By using the word "minor," did the General Assembly mean an individual under the age of 18 at the time of the custodial interrogation or under the age of 21? The People argued under 18; Chavez argued under 21. Further, the Court noted that this issue matters here because while Chavez was interrogated about a crime that occurred when he was under 18, his custodial interrogation began the day after he turned 18. So the statutory age cutoff makes all the difference in whether defendant was entitled to these simplified warnings.

The Court concluded that the Juvenile Court Act unambiguously defines a "minor" as an individual under the age of 21 for purposes of the simplified Miranda warnings. Chavez, who was 18 at the time of the custodial interrogation, was entitled to the simplified Miranda warnings for juvenile suspects. Further, the Court noted that at the time of his interrogation, Chavez was still entitled to be treated as a "minor." This was because at that time he had not yet been charged with first-degree murder (an offense for which he would have been treated as an adult), and no petition had yet been filed to seek to transfer his case from the jurisdiction of the juvenile court to the adult court. The Court declared that when officers interrogate a minor in custody, they are in no position to know with certainty what will come of that interview. They certainly cannot know what crimes the State's Attorney will charge, much less whether they will be crimes subject to an automatic or even discretionary transfer.

ISSUE #2: Should Chavez's statements have been suppressed because the Police failed to provide him with the correct version of Miranda? (No).

FINDINGS: The Court held that the simplified-*Miranda* provision of the Juvenile Court Act applied to defendant's custodial interrogation, as he had not been charged with a crime qualifying him for automatic transfer at that time. It likewise held that, as defendant was under age 21 at the time of that interrogation, the officers were required to provide him those simplified warnings. Because officers did not provide defendant with the required simplified *Miranda* warnings, defendant's custodial statement is "presumed to be inadmissible." 725 ILCS 5/103-2.1(a-5). This presumption of inadmissibility "may be overcome by a preponderance of the evidence that the statement was voluntarily given and is reliable, based on the totality of the circumstances." Id. § 103-2.1(f).

The Court began by noting that in determining whether a waiver of a suspect's *Miranda* rights was voluntary, knowing, and intelligent, it would consider such factors as the suspect's age, background, and intelligence; the conduct and statements of the interrogating officers; and the general conditions and length of the detention and interrogation. In this case, Chavez argued that his statements were involuntarily given due to his young age and the fact that he was sleep deprived during his interrogation. In response, the appellate court noted that the circumstances of Chavez's interrogation were largely undisputed. He was arrested at night, while leaving his girlfriend's house, and brought to an interview room at the station at roughly 11:45 p.m. The detectives allowed him to use the restroom and offered him a drink, which he declined. The interrogation commenced shortly after midnight and lasted just over 90 minutes. During that relatively brief time, as custodial interrogations go, defendant was again offered water, food, cigarettes, and use of the restroom. The detectives did not display any weapons, and there was no evidence of physical or mental abuse.

Further, the Court noted that although the detectives did not administer the juvenile *Miranda* warnings, they did read defendant his "adult rights." And for what it's worth, they went beyond the standard warnings, adding a clarification of an important point that many suspects likely do not fully understand: "If you chose to talk and then you want to stop talking later on you have that right, okay. You can just say, you know what? I don't wanna talk anymore." Defendant acknowledged that he understood this and every other aspect of the *Miranda* warnings. The day after his interrogation, when the detectives returned to the room with a state's attorney, defendant invoked his *Miranda* rights and declined to make any further statements without counsel present. After considering the circumstances surrounding Chavez's interrogation, the Court concluded that the factors weighing in his favor, his youth and the fact that the Officers read him the wrong *Miranda* warnings alone did not warrant suppression, as the overall circumstances tended to show, on balance, "an uncoerced choice and the requisite level of comprehension" required for a valid *Miranda* waiver and a voluntary confession.

ISSUE #3: Did the interrogation tactics used by the Officers render Chavez's statements involuntary and unreliable? **(No).**

FINDINGS: Concerning this argument, the Court noted that Chavez first argued that the detectives deployed "maximization," a category of "deceptive" tactics in which the police "exaggerate the strength of the evidence" and "emphasize the futility of denials." These particular tactics were intertwined here. According to Chavez, the detectives' overarching goal was to impress upon him that they would only "accept" one of two accounts of the shooting: it was either a robbery that went sideways or an intentional murder. But either way, it was futile for defendant to insist that he shot Rayborn in self-defense. And to cajole him into confessing to one (or both) of the preordained offenses, the detectives made "misleading comments about the nature of the evidence." Second, Chavez complained that the detectives pervasively used "minimization," a category of tactics "designed to elicit confessions by offering excuses or justifications, suggesting a less odious motivation, or shifting blame to a victim or accomplice."

After analyzing the methods the Officers used to interrogate Chavez, the Court concluded that Chavez failed to show that the "maximization" and "minimization" tactics used by the Officers were the kind of tactics that were unduly likely to induce a false confession, rendering the confession unreliable. *However*, the Court cautioned that during their interrogation, the Officers came very close to promising leniency to Chavez in exchange for his statements. According to the Court, "The detectives came about as close as they could without actually extending a false promise of a specific benefit." The Court intimated that had the detectives crossed that line, it would have been inclined to conclude that the conduct of the detectives rendered Chavez's statements involuntary and unreliable.

CONCLUSION: The appellate court declared that because the People carried their burden of proving that Chavez gave his incriminating statement voluntarily, knowingly, and intelligently, and because the People proved that the statement was reliable, the confession was properly admitted, notwithstanding the police's failure to read Chavez his simplified *Miranda* warnings.

QUIZ QUESTIONS FOR THE MONTH OF MAY – 2025

People v. Emilio Chavez, 2025 IL App (1st) 221601, March 25, 2025.

1. In Illinois, adults and juveniles are treated exactly the same when they are informed of their Miranda rights.
 - a. True.
 - b. False.

2. Does the Illinois Juvenile Court Act define a “minor” as any person under 18 years of age?
 - a. Yes.
 - b. No.

3. In order to be able to use a juvenile’s statements in court, do the People have the burden of proving that those statements were voluntarily, knowingly and intelligently made and that the statements were reliable?
 - a. Yes.
 - b. No.

4. According to the Court in this month’s case, an individual who was 18 years of age when they are suspected of having committed a criminal offense will be entitled to receive the “simplified” (Juvenile) version of the Miranda warnings.
 - a. True.
 - b. False.

QUIZ ANSWERS AND DISCUSSION FOR THE MONTH OF MAY – 2025

People v. Emilio Chavez, 2025 IL App (1st) 221601, March 25, 2025.

1. In Illinois, adults and juveniles are treated exactly the same when they are informed of their Miranda rights.

b. False. The Illinois Legislature has created a simplified version of the Miranda warnings for Juvenile suspects.
2. Does the Illinois Juvenile Court Act define a “minor” as any person under 18 years of age?

b. No. It defines a “minor” as anyone under the age of 21 years. A “juvenile” is defined as any person under 18 years of age.
3. In order to be able to use a juvenile’s statements in court, do the People have the burden of proving that those statements were voluntarily, knowingly and intelligently made and that the statements were reliable?

a. Yes. This is the finding of the Court in this month’s case.
4. According to the Court in this month’s case, an individual who was 18 years of age when they are suspected of having committed a criminal offense will be entitled to receive the “simplified” (Juvenile) version of the Miranda warnings.

b. False. The Court held that a person under 21 years of age, when interrogated, must be given the simplified version of Miranda only if that person was under 18 years of age when the offense in question occurred.