# 2004 Supplement on **Arrests, Waiver of Rights, Search and Seizure and Confessions**











# Speaker Information

Tim Menikos is sitting as the Associate Judge of the 323rd District Court, in Fort Worth, where he has served for the last twelve years. Prior to that he was a defense attorney who practiced in the same court representing juveniles and children or parents in CPS cases. He is currently Board Certified in Juvenile Law by the Board of Legal Specialization and serves on the Council for the Juvenile Section of the State Bar of Texas.

Sharon N. Pruitt, a 1989 graduate of South Texas College of Law and a 1985 graduate of the University of Texas. She has previously prosecuted for both Harris and Smith County, and most recently for the Gregg County District Attorney's Office. Sharon is currently in private practice and serves as a council member for the State Bar Juvenile Law Section. She is a member of the State Bar of Texas, Gregg and Smith County Bar Associations, the Texas District and County Attorney's Association, and the Texas Corrections Association. She and her husband of twelve years have two children, Rowan Elizabeth and Derek Kyle.

## **Contact Information**

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4<sup>th</sup> Annual Nuts and Bolts of Juvenile Renaissance Hotel • Austin, Texas July 22 - 23, 2004

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This supplement is designed to be used in conjunction with Judge Garza 2003 paper. The recent cases that are relevant to these topics are discussed below and arranged according to Judge Garza Table of Contents.

### II. Arrest

- A. Validity of Arrest
- B. Custody Defined
- C. Taking a Child into Custody
- D. Police Release and Detention Decisions

Unnecessary Delay Necessary Delay

Notice to Parents: see page 9 of Judge Garza \$ 2003 paper

Hampton v. State, \_\_\_\_S.W. 3d \_\_\_\_, No. 08-00-00045-CR, 2003 WL 21197061, 2003 Tex. App. Lexis (Tex.App.- El Paso May 22, 2003) Texas Juvenile Law (5<sup>th</sup> Ed. 2000)

Leon Hampton, Jr. who at the time of his arrest was a juvenile, appeals his murder conviction. Upon first consideration of this appeal, the El Paso court reversed, holding that in failing to notify his parent that Hampton was being questioned on suspicion of murder, the police had violated TEX. FAM. CODE ANN. • 52.02 (b)(1), and therefore his videotaped statement should have been excluded. *Hampton v. State*, 36 S.W.3d 921, 924 (Tex. App.--El Paso 2001).

The Court of Criminal Appeals reversed on that issue and remanded for a *Brady* violation review. In addition, on the • 52.02 issue, the El Paso Court found that by failing to notify the office or official designated by the juvenile court, the police had violated TEX. FAM. CODE ANN. • 52.02(b)(2). *Hampton*, 36 S.W.3d at 924. Yet, that ground for reversal was not challenged by the State nor addressed by the Court of Criminal Appeals.

Although, the court clearly and repeatedly declares the statement inadmissible, it ultimately affirmed the trial courts ruling without any reference to a causal connection or harm analysis.

Juvenile Processing Office: see page 11 of Judge Garza\$ 2003 paper

*In re U.G.*, \_\_ S. W. 3d \_\_, No. 13-02-444-CV, 2004 WL 352693, 2004 Tex. App. Lexis \_\_ (Tex. App. - Corpus Christi-Edinburg 02/26/04) Texas Juvenile Law (5<sup>th</sup> Ed. 2000)

The 139th District Court of Hidalgo County, Texas, convicted a juvenile, of delinquent conduct by committing murder and imposed a commitment in the Texas Youth Commission with a possible transfer to the Institutional Division of the Texas Department of Criminal Justice for a term of thirty years.

FACTS: In the early morning hours of December 8, 2001, the victim was stabbed to death following an altercation in the city of Alamo. After a brief investigation, appellant, appellant's mother and another adult male were all initially arrested and charged in the crime. The Alamo police department has a specially designated area where juvenile suspects are taken in order to be kept separate from adult suspects; however, according to one of the police officers involved, appellant was never taken to that area. Instead, when he was not before the magistrate judge or the investigating officer, appellant was kept in the general waiting area of the station where adult suspects are detained. No reason or excuse for this deviation from procedure was offered at trial by the police officers or magistrate judge. Appellant did not testify in his jury trial. However, statements made to the police by both appellant and his mother immediately following the homicide were used against appellant over his objections.

The Court found that the police officers involved in the handling of appellant did not strictly follow the procedures of • 52.02. The juvenile was clearly in custody when he was removed from his grandmother's home in handcuffs, transporting him to the police station in a police car, and reading him his rights. Once in custody, appellant was not taken to a juvenile processing office or any of the places listed as an alternative in • 52.02. He was taken to a police station that had a designated office for juveniles, but he was kept instead in the area used for adult suspects. Because the police officers failed to comply with the requirements of • 52.02, the statement that was obtained from appellant by the investigating officer that night violated his rights as a juvenile under the Family code and was inadmissible at trial.

However, the Court held that the error was harmless, as the State had still otherwise met its burden of proof, and the error did not contribute to defendant's conviction or punishment since it was not a confession merely a statement relating a plausible scenario in which another person, an adult man who was never found by the police, was implicated.

### III. WAIVER OF RIGHTS \* 51.09

### A. Consent

- 1. Generally
- 2. Consent by Children
- 3. Consent to a Search: see page 20 of Judge Garza \$ 2003 paper

*In the Matter of L.C.,* unpublished, No. 03-02-00070, 2003 WL 21242582, 2003 Tex. App. Lexis \_\_\_ (Tex. App. - Austin May 30, 2003)

This is an appeal from a judgment of delinquency. Appellant was fifteen years old and was found to have engaged in the delinquent conduct of possessing cocaine in an amount less than one ounce. Appellant filed a motion to suppress evidence alleging an illegal search and seizure. After the court denied his motion, appellant pleaded true to the allegation against him. He was placed on probation for nine months in the custody of his mother.

FACTS: At approximately noon on September 13, 2001, police officer Richard Egal, Jr. was patrolling in Austin. He notice what he thought was a school-aged boy walking along the sidewalk during school hours. Appellant was in the company of an adult male who appeared to be in his thirties, which the officer thought was unusual. Officer stopped his vehicle and approached the two on foot. Officer testified that appellant's demeanor was that he appeared to be a bit disoriented as he had to ask simple questions; name, date of birth, how old are you, repeatedly. The adult suspect actually got upset and said, 'Come on, man, Just tell him when you were born.'" Appellant then said that he was fifteen and had dropped out of school. Officer testified that he suspected that appellant was subject to a juvenile curfew.

Q: I asked both for consent to search them...

A: I don't honestly remember his exact wording. His response was something like, okay or all right. He held his arms up to his side, like, go ahead.

Q: And so did you proceed to search the juvenile after he gave you consent?

A: Yes. . . . I searched his pockets.

Q: Did you find anything in his pockets?

A: Yes, I did. . . . Right front pant pocket. . . . A small plastic bag containing a yellowish-white powdery substance.

Officer further testified that he felt that the appellant had attempted to distract him and avoid answering the question. He did not advise appellant that he was free to refuse consent to a search.

The Court held that voluntary consent to a search is a valid exception to a warrantless search, even for a juvenile. The Court used the totality of circumstances analysis to review the facts and specifically considered factors such as the circumstances leading up to the search; the reaction of the accused to pressure; the youth, education, and intelligence of the accused; the length of the detention; the repetitiveness of the questioning; and any use of physical punishment. In the end the court believed the appellants words and gestures were consistent with voluntary consent.

#### IV. JUVENILE CONFESSIONS

A. Generally

### B. CUSTODIAL INTERROGATION

1. CUSTODY see page 35 of Judge Garza \$ 2003 paper

*Martinez v. State*, \_\_ S.W. 3d \_\_, No. 04-02-00329-CR, 2003 WL 22134614, 2003 Tex. App. Lexis (Tex. App. - San Antonio-September 17, 2003) Texas Juvenile Law (5<sup>th</sup> Ed. 2000)

The 289th Judicial District Court, Bexar County, Texas, convicted the 15-year old certified defendant of capital murder and an automatic life sentence was imposed due to his age. Defendant appealed.

RELEVANT FACTS: On the morning of October 24, 2000, Martinez and Paul Vara committed a murder during the course of a store robbery. Several days later, Martinez voluntarily agreed to accompany plain clothes officers to the police station. The officers informed Martinez that he could drive himself or be transported to the station. Martinez's mother agreed that her son could give a statement, and she accompanied her son to the police station in an unmarked car. Detective advised Martinez that no matter what he said, he would not be arrested that day. Both Martinez and his mother testified that they were advised that they would be brought home after the interview. Martinez was specifically advised that he was not being arrested before he left home, and he was never handcuffed. Martinez was taken to an interview room with one Detective and his mother was taken to another room.

Martinez was advised that Vara had provided a statement. Martinez then agreed to tell the detective what he knew. Martinez cooperated with the detective and, after giving his statement, said that he felt relieved. Martinez read over his statement and made handwritten corrections. He complied with the Detectives request to read the first paragraph out loud to prove that he could read. After signing the statement, he left the interview room, joined his mother, and explained to her what he had done. Martinez agreed to let the detectives take a photograph of him, and then he and his mother were taken home. Subsequently, the surviving clerk identified Martinez as the shooter who came to his store on almost a daily basis. A warrant issued and Martinez was arrested the next day.

The parties agreed that Martinez was not formally arrested or handcuffed at the time he gave his statement and that he voluntarily went to the police station.

Martinez claims that the written statement was not voluntarily given and its admission violates • 51.095 of the Texas Family Code because he was not taken before a magistrate and never received a warning that he could remain silent, have an attorney present, receive appointed counsel, or terminate the interview at any time.

However, the ■ 51.095 magistrate admonishments are only required in custodial interrogations. Thus, the court used the reasonable juvenile standard (see page 37 of Judge Garza\$ 2003 paper) to determine whether Martinez was in custody at the time of his statement thereby invoking the need for a magistrate to admonish the juvenile before a written or recorded statement may be admissible. A child is in custody if, under the objective circumstances, a reasonable child of the same age would believe his freedom of movement was restrained to the degree associated with a formal arrest. See *Jeffley v. State*, 38 S.W.3d 847, 855 (Tex. App.--Houston [14th Dist.] 2001, pet refd); *In re E.P.C.*, 2003 Tex. App. LEXIS 2739, No. 04-02-00086-CV, 2003 WL 1611415, (Tex. App.--San Antonio March 31, 2003, pet. denied)(mem.op.).

The Court believed a reasonable child of the same age would have had the ability to terminate the interrogation and leave, thus Martinez was not in custody when he gave his statement. Voluntariness was examined next and determined not to be an issue.

*Yarborough v. Alvarado*, \_\_ U.S.\_\_, \_\_S. Ct. \_\_\_, No. 02-1684, 2004 WL 1190042 (June 1, 2004) Tex. Juvenile Law (5<sup>th</sup> Ed. 2000)

A 17 **2**-year old (juvenile in Ca.) was questioned at a police station, at police request, concerning a robbery and murder and the juvenile eventually admitted participating in the offenses. The state court found that an advisement of rights was not required since the juvenile was not in custody at the time of the questioning. An Appellate Court later ruled that the state court failed to consider the juvenile age and inexperience in examining the custodial issue as required by the U.S. Supreme Court. The U.S.

Supreme Court held that a reasonable juvenile standard had *not* been previously mandated and reversed the appellate court.

FACTS: Respondent Alvarado helped Paul Soto try to steal a truck, leading to the death of the truck's owner. A detective called Alvarados and requested that he come in for questioning re: a robeery and a murder. His parents brought him to the station and waited in the lobby during the interview. The detective took Alvarado to a small room where only the two of them were present. The interview lasted about two hours, and Alvarado was not given a *Miranda* warning. Although he at first denied being present at the shooting, Alvarado slowly began to change his story, finally admitting that he had helped Soto try to steal the victim's truck and to hide the gun after the murder. The detective twice asked Alvarado if he needed a break and, when the interview was over (2 hours later), returned him to his parents, who drove him home.

The Court emphasized in its opinion that the *Miranda* custody inquiry is an objective test; any opinions applying the *Miranda* custody test have not mentioned the suspect's age, much less mandated its consideration. The Appellate Court in requiring that the state court consider age and inexperience of the juvenile in determining the custody issue of *Miranda* could be viewed as creating a subjective inquiry. The four- Judge dissent clearly indicates that the minority believes in the reasonable juvenile standard (that Texas courts have approved).

## C. Written Confessions: see page 38 of Judge Garza\$ 2003 paper

*Jeffery v. State*, Unpublished, No. 06-03-00126-CR, 2004 WL 116331, 2004 Tex. App. Lexis \_\_\_\_, (Tex. App.-Texarkana May 20, 2004) Texas Juvenile Law (5<sup>th</sup> Ed. 2000)

Certified to stand trial as an adult, a 16-year-old defendant was found guilty by a jury of capital murder and was automatically assessed punishment at life imprisonment. Defendant appealed, arguing in relevant part, error in the admission of her statement

FACTS: On August 14, 2002, sixteen-year-old Barbara Elaine Jeffery entered a Gladewater convenience store, emptied the cash register, confiscated the store's surveillance tape, and shot the clerk, Wendy McDonald, four times. As McDonald lay dying from her wounds, she was able to describe Jeffery to the first law enforcement officer on the scene and to recount what had happened during the course of the robbery. By the time officers caught up with Jeffery the next day and found her cowering under a bed in a relative's home, Jeffery had robbed two other stores, wounding one clerk and killing another.

Although Jeffery admits that a magistrate did provide the warnings laid out in • 51.095 and otherwise complied with the statute, she contends the magistrate never tested her understanding of the warnings and could not, therefore, have determined that she knowingly, intelligently, and voluntarily waived her rights. Jeffery also complains that she was allegedly taken to the area of the Camp County Sheriff's Department used for booking adults *before* she was taken to the designated juvenile processing office located in the same building and for that reason her statement is inadmissible.

The record reflects--and the trial court explicitly found--that Jeffery was transported directly to the Camp County juvenile processing office within twenty minutes of her arrest and, fifteen minutes later, met alone with a magistrate who advised Jeffery of her rights under • 51.095(a)(1)(A). When asked if she understood the warnings and whether she wanted to waive her rights and voluntarily give a statement, Jeffery answered affirmatively. The magistrate thereafter allowed law enforcement officials to enter the office to question Jeffery, resulting in her dictating a three-page, single-spaced statement, confessing her involvement in robbing the store and shooting McDonald.

The unsigned statement was turned over to the magistrate who, once again alone with Jeffery, read the statement aloud, asked Jeffery to verify the correctness of the information, and asked whether she wanted to sign the statement. Jeffery again answered affirmatively and, in the magistrate's presence, signed the statement at the bottom of each page, adopting it as her own. Jeffery argued at the suppression hearing, and continued arguing on appeal, that she may have told the magistrate she understood the • 51.095 admonishments at the time of their meeting, but she did so only to "get it over with." Jeffery explained that she simply did not understand some of the terms used in the warnings or how they applied to her situation and that, had the magistrate tested her understanding, the need for further explanation would have been apparent. To the contrary, however, the magistrate testified that this was not the first time she had advised Jeffery of her rights and that Jeffery not only did not ask any questions, but also indicated she understood the admonishments and wished to waive her rights anyway. The magistrate also testified that, while she did

not question Jeffery as to the meaning of specific warnings, she did explain in greater detail those points she thought Jeffery might not have understood.

Although Jeffery further contends the State violated •• 52.02 and 52.025 by allegedly taking her to the area of the Camp County Sheriff's Department used for booking adults *before* she was taken to the designated juvenile processing office, this complaint was not raised in the suppression hearing and appears for the first time on appeal. Further, Jeffery's own trial testimony indicates just the opposite. She testified she was taken to the jailer and booked only *after* she had met with the magistrate, talked with the investigators, and signed her statement.

Although no error was found, the Court commented that if error had occurred it would have been harmless error as the defendant took the stand and judicially confessed to all elements of capital murder and several extraneous offenses as well.

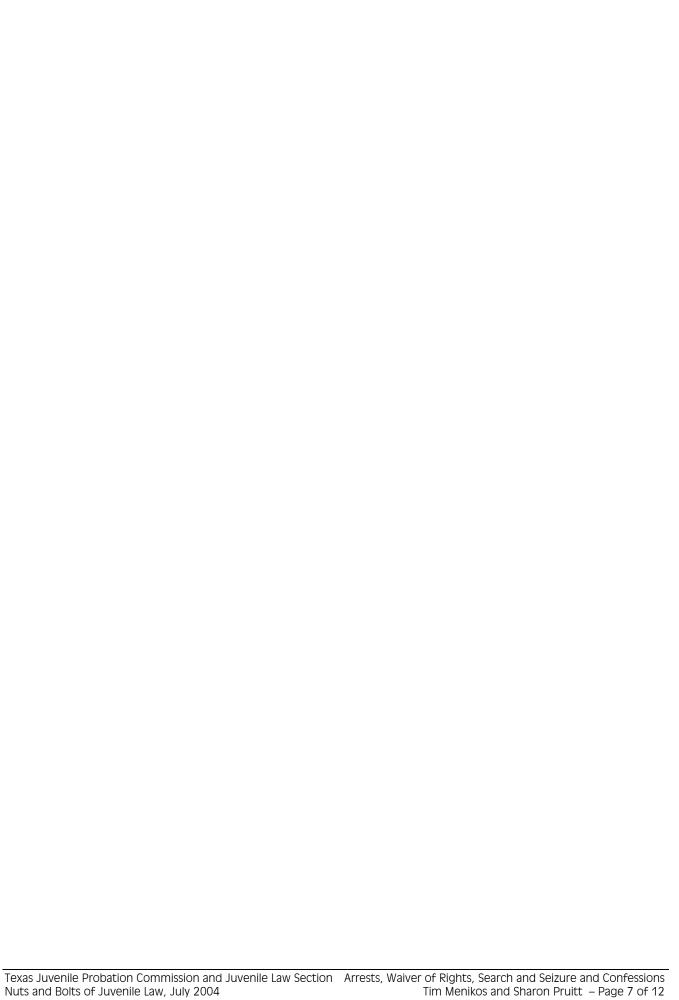
# "YOUR CITY" POLICE DEPARTMENT OR "YOUR" COUNTY SHERIFF'S DEPARTMENT JUVENILE CUSTODIAL CONFESSION CHECKLIST

TO BE ADMISSIBLE IN COURT, A CUSTODIAL STATEMENT MADE BY A JUVENILE MUST MEET THE FOLLOWING REQUIREMENTS:

[]	1.	The child must be lawfully in custody. • 52.01. <i>See In the Matter of V.M.D.</i> , 974 S.W. 2d 332 (Tex. App San Antonio- 1998), reasonable person std; <i>In the Matter of L.M.</i> , 993 S.W. 2d 276 (Tex. AppAustin, 1999), reasonable juvenile std
[]	2.	A juvenile taken into custody must be transported to the "YOUR" County Juvenile Detention Center (without unnecessary delay and) without taking him or her elsewhere EXCEPT A DESIGNATED JUVENILE PROCESSING OFFICE. •• 52.02 and 52.025. See Comer v. State, 776 S.W. 2d 191 (Tex. Crim. App 1989) and John Baptist Vie Le v. State, 993 S. W. 2d 650 (Tex. Crim. App 1999).
[]	3.	An officer may go to the Juvenile Processing Office to accomplish the following purposes and ONLY the following purposes:
		<ul> <li>To return the child to a parent, guardian, custodian of the child, or other responsible adult upon that persons promises to bring the child before the court when requested to do so, or</li> <li>To complete the essential forms and records required by the juvenile court or the Texas Family Code, or</li> </ul>
		<ol> <li>To photograph and fingerprint the child, if otherwise authorized by the Texas Family Code and the Orders of the juvenile court, or</li> <li>To give the Miranda warnings as required by the Texas Family Code and the Administrative Orders of the juvenile court, or</li> <li>To take a written statement as required by • 51.095 of the Texas Family Code.</li> </ol>
[]	4.	Without UNNECESSARY DELAY take the child to juvenile processing office. <i>See Roquemore v. State</i> , 60 S. W. 3d 862 , (Tex. Crim. App 2001)
[]	5.	The child's parents, guardian or custodian must be <b>promptly</b> notified by the arresting officer/agency of arrest & a statement of the reason for said arrest. • 52.02(b). <i>See Gonzales v. State</i> , 67 S.W. 3d 910 (Tex. Crim. App 2002) and <i>Pham v. State</i> , 72 S.W. 3d 346 (Tex. Crim. App 2002)
[]	6.	A child may not be left unattended in the juvenile processing office and is <b>entitled</b> to be accompanied by a parent, guardian, attorney or other custodian. • 52.025(c). <i>See In the Matter of C.R.</i> , 995 S.W. 2d 778 (Tex. App Austin 1999, pet. denied) and • 61.103.
[]	7.	The child may not be kept longer that six (6) hours in the juvenile processing office. • 52.025 (d). The "YOUR" COUNTY JUVENILE BOARD has approved the below listed designated areas in "YOUR" County:
		0, 0, 0, 0
		IF TAKING A STATEMENT OUT OF COUNTY, BE SURE THAT YOU KNOW THE POLICY SET OUT BY THAT JUVENILE COURT OR JUVENILE BOARD AS TO WHERE THE PROPER PLACE IS IN THAT COUNTY TO TAKE A WRITTEN STATEMENT.
[]	8.	<b>Before</b> law enforcement talks to the child & reduces a statement to writing, a magistrate must give the child 51.095 Juvenile Warnings (Part I of the attached packet). <i>See In the Matter of Diaz</i> , Tex. App- San Antonio-2001. The magistrate shall independently (unless a bailiff/officer is necessary for safety and even then, NO GUN) advise the child of his/her Miranda Warnings. <b>If</b> , the magistrate is convinced that the child understands the rights and wants to give up those rights, then the magistrate will <i>so certify</i> by completing Part I. • 51.095(a)(1)(D).
		Now, the magistrate leaves the office $\&$ law enforcement enters (never leaving the child alone) to interview child and take a statement.
[]	9.	The statement must be made in writing (Part II of the attached packet), but <b>DO NOT</b> HAVE THE JUVENILE SIGN THE STATEMENT.
[]	10.	After the statement has been made in writing, the magistrate must certify in writing (Part III of the attached packet) that he/she is convinced that the juvenile understands the nature and contents of the statement and signs it voluntarily. • 51.095(a)(1)(B)(ii). The statement is signed in the presence of the

stated). • 51.095(a)(1)(B)(I)

magistrate with no law enforcement or prosecuting attorney present (except for safety as previously



# MAGISTRATE ■ JUVENILE WARNING

# STATE OF TEXAS

COUNTY OF "YO	U	U	K'
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On the official acting a	the day of, 20, at o <b>s</b> lock AM/PM., before r g as and in the capacity of a Magistrate, personally appeared, in "YOUR" County, Texas. The following rights and v the child:	ne, the undersigned, a child, at varnings were read and
explained to th	the child:	varriings were read and
You ar MISDEMEAN	are charged with the offense of which is aDEGREEANOR. Please initial each of the below listed rights to indicate that you understar	E FELONY OR A CLASS nd each right.
1.	You may remain silent and not make any statement at all and any statement in evidence against you.	you make may be used
2.	You have the right to have an attorney present prior to and during any quest enforcement or prosecuting attorneys.	cioning by law
3.	If you are unable to employ an attorney, you have the right to have an attorn you prior to and during any questioning by law enforcement or prosecuting a	
4.	You have the right to terminate the interview at any time.	
read and explain regarding these	, have listened carefully to and understand each of the abordance to me by the magistrate. I have asked the magistrate any and all questions ese rights. At this time, I,, fully understand a pime, and I voluntarily wish to waive them.	that I may have
Answer:	(YES or NO)	
	Signature of Juvenile Date Signed: Time Signed:	
	MAGISTRATE⊜ CERTIFICATE	
On this foregoing statu County, Texas.	this day before me, personally appeared, age, a juvenile atutory rights were read and explained to said juvenile, at "specify which designate as.	. I certify that the <u>ed jpo</u> " in " <u>YOUR</u> "
	Signature of Magistrate Date Signed: Time Signed: Name of Magistrate (Printed) The Court of "YOUR" County, Texas	
	(page	1 of pages.)

## Part II

# WRITTEN STATEMENT OF A JUVENILE - IN CUSTODY

## STATE OF TEXAS

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My name is education. I am in the my rights by	_ and I am years of age _ grade and I do read, write ar , a Magistrate in the CIT\	. I live at nd understand the English langu of <u>"YOUR"</u> County, Texas It is no	I have years of lage. I have been warned of ow o≠lock
M., on the day of _	,20		
	ING INDUCED BY ANY COMPULSION	TO ME AND DO HEREBY FREELY, I DN, THREATS, PROMISES OR PERS	
Signature of Juvenile		Signature of Magistrate	
Date Signed:		Name of Magistrate (Printed)	
		The Court of graduation of the Court of graduation of the graduation of	Л
			(Page _ of pages)

# WRITTEN STATEMENT OF A JUVENILE - IN CUSTODY CONTINUED

Signature of Juvenile Date Signed:	Signature of Magistrate  Name of Magistrate (Printed)  The Court  "YOUR"County, Texas.	c of
		(Page _ of pages)

# **CERTIFICATE OF MAGISTRATE AFTER WRITTEN STATEMENT**

## STATE OF TEXAS

COUNTY	0F	"YOUR"
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Magistra	I, HEREBY CERTIFY ate, did on the	AND VERIFY that I	, Judge ,20, at	o <b>s</b> lock	, acting as and in .M., administer the juve	the capacity nile warnings	of a
required							
	Age:	Date of Birth:		le.			
who ap	peared before me i	in the City of		, "YOU	R" County, Texas.		
other co	ment officer or pro	osecuting attorney accordance with th	, except as requi e law, TO WIT: OF	red to ensure FICER/BAILIFF	amed juvenile, independ the personal safety of t " <u>JOHN DOE"</u> WAS IN ATT	the magistrate	e or
1.	claims to be	years of age	;				
2.	can / cannot read	the	_ language, and	has demonsti	rated to me that he / sh	e can / canno	t do so
3.	claims to be a citiz	zen of					
4.	has completed the	e grade in sc	chool, and is now SCHOOL.	enrolled in th	ne grade at		
5.	was not coerced, agent of the State	·	mised anything b	y law enforce	ment officers, prosecut	ors, or any ot	her
6.	is not under the ir	nfluence of drugs,	alcohol, intoxicat	ting beverage	s or inhalants;		
7.	has not been phys	sically or emotiona	lly abused by law	enforcement	officers, or anyone else	<b>∍</b> ;	
8.	has no other phys him / her;	ical or medical cor	nditions that migh	nt impair his /	her ability to understan	d the rights r	ead to
9.	understands the r may be noted as f		rnings given here	ein and has no	questions about the wa	arnings, excep	ot as
10.	understands that FELONY OR CLASS	the offense charge MISDEMEANO	ed is R.		and that this offen	ise is a D	EGREE
11.		the statement say aid offense, and th		t the stateme	ent is his / her version of	the facts	
12.					ee will without any impr rs or any other person;		nents
13	has not been den	rived of food drin	k or sleen				

The juvenile named herein was brought before me on this date by law enforcement officer employed by the The juvenile also appeared before me accompanied by the following person(s):
1. Parent, Guardian, or Custodian
2. Attorney:
3. Other (EXPLAIN):
The following are additional observations that I have made during the course of interviewing the said juvenile, if any:
Signature of Magistrate Date Signed: Name of Magistrate (Printed) The Court of "YOUR"County, Texas.  (Page of pages)

I, FURTHER CERTIFY AND VERIFY that based upon the foregon convinced that the said juvenile has knowingly, intelligently and volto and during the making of the statement which is attached heret further fully convinced that the said juvenile understands the nature statement was voluntarily signed by the said juvenile in my present of lockM.	oluntarily waived the attached statutory ri to and made a part hereof for all purpos are and contents of the statement, and ti	ights prior es. I am hat the said
	Signature of Magistrate Date Signed: Name of Magistrate (Printed) The Court of "YOUR"County, Texas.	
	(Page <u>      of                              </u>	ages)