



LEGAL UPDATE

OFFICERS PERFORMING COMMUNITY CARETAKING FUNCTION WERE NOT REQUIRED TO GIVE MIRANDA WARNINGS

Commonwealth v. Armstrong, 492 Mass. 341 (2023).

FACTS

On January 12, 2017, officers in Mount Laurel, New Jersey were dispatched to a motel on a report of a “trespassing-suspicious persons complaint.” Upon arrival, a motel employee told officers that a man who was not a guest at the hotel had been going in and out of the building for most of the night. The employee was concerned because of the man’s appearance and demeanor and asked officers to check on him to make sure he was OK.

Officers went to the bathroom located in the lobby and knocked on the door. The defendant came out of the bathroom and walked out of the hotel over to the parking lot where the defendant had parked his father’s truck. The officers followed him and engaged him in conversation. The defendant was reluctant to give officers his name but told them he had run out of gas and had lost his wallet and money. He also told them he was on his way to the Department of the Interior in Washington where he worked for free.

The defendant was argumentative at times and his emotions fluctuated as officers spoke to him. Officers thought he might be lost or a missing or wanted person. At one point the defendant was instructed to sit down near the truck because he was “becoming agitated and irrational.” They reported that the defendant “didn’t make much sense.”

For specific guidance on the application of this case or any law, please consult your supervisor or your department’s legal advisor.

The officers ran the license plate of the truck. It came back registered to the defendant's father in Massachusetts. The father's body had been discovered in his home the previous day with a garbage bag over his head secured around his neck tightly with a belt. The defendant's cell phone and wallet were also found in his father's home.

When the New Jersey officers ran the query on the truck they also learned that there was an arrest warrant for "Glenn Armstrong." The defendant responded to "Glenn" and was placed under arrest. The entire interaction with the officers lasted 20 minutes.

The defendant was indicted. He filed a motion to suppress the evidence from the interaction with the New Jersey police. The defendant argued that he was the subject of custodial interrogation and was not provided with Miranda warnings prior to making statements. The motion was denied. The defendant appealed.

DISCUSSION

Officers have responsibilities to the communities they serve beyond just dealing with criminal behavior. Community caretaking functions are legitimate police responsibilities that are "totally divorced from the detection, investigation, or acquisition of evidence related to the violation of a criminal statute." *Quoting Cady v. Dombrowski*, 413 U.S. 433, 441 (1973).

"Under the community caretaking function, an officer may, when the need arises, stop individuals and inquire about their well-being, even if there are no grounds to suspect that criminal activity is afoot." *Quoting Commonwealth v. Knowles*, 451 Mass.91, 94-95 (2008).

The New Jersey officers in this case had an objectively reasonable belief that the safety of the defendant or the public was jeopardized. The actions they took were reasonably related to their community caretaking function and did not transform the encounter into a criminal investigation.

"The officers' noncoercive inquiries centered on the well-being of the defendant, who appeared to be stranded, away from his home, without a cell phone, a wallet, or gasoline for the truck, and ill-dressed for the winter day. Moreover, the defendant refused to identify himself and also exhibited behaviors indicating that he was disoriented or potentially experiencing a mental health crisis."

It was reasonable in these circumstances for the officers to temporarily detain the defendant and to try to identify him to confirm that he was not missing or wanted.

"Because the officer's conduct did not ripen into a custodial investigation of criminal activity, the officers were not required to give Miranda warnings to the defendant."

The motion was properly denied.

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