

2613

Sponsor(s): Representatives Lambert, Lovick, Cox, Campbell, Schindler, Carrell, Boldt, Esser, Mulliken and Delvin

Brief Description: Establishing the Miranda warning as a factor of voluntariness.

**HB 2613 - DIGEST**

Declares that, in determining whether or not any statement, admission, or confession of a defendant was voluntarily made, the presence or absence of any Miranda warning is not conclusive on the issue of voluntariness but is one of several factors to be considered in determining the voluntariness of the defendant's statement, admission, or confession.

Declares that, only if a court determines that any statement, admission, or confession of a defendant was, in fact, objectively and wrongfully coerced and was, therefore, not sufficiently voluntary, may the court exclude such statement, admission, or confession and any evidence that directly flows from the statement, admission, or confession, that cannot be independently established.