

Extra Credit #3

There was a fire at the Embassy hotel. Seven hours elapsed before police apprised defendant of his *Miranda* warnings. The defendant voluntarily accompanied the police officers to the State Police barracks where he was interviewed. Defendant was not under arrest, or handcuffed. The first 1½ hours of the interview Police asked the defendant about his background and his complaints as a tenant at the Embassy. Frequent cigarette breaks were taken, as well as interruptions in order that defendant could utilize the restroom. At some point the defendant told the investigators that the fire "was an accident" and that "no one was supposed to die". Then the defendant was given his *Miranda* warnings, which he promptly acknowledged and waived. Based on those facts, should the Defendant's statements be admissible against him at trial? Argue based on what we discussed about interrogations.