

# Supreme Court rules against prolonged interrogations

**By David G. Savage** LOS ANGELES TIMES Tuesday, April 07, 2009

WASHINGTON — The Supreme Court refused Monday to permit prolonged, secret questioning of crime suspects, ruling that even voluntary confessions may not be used in a federal court if the defendant was held more than six hours before confessing.

Justice David H. Souter pointed to the surprising number of people who have confessed to a crime but been shown to be not guilty through DNA evidence.

Police questioning "isolates and pressures the individual," he said, "and there is mounting empirical evidence that these pressures can induce a frighteningly high percentage of people to confess to crimes they never committed."

The 5-4 decision upheld a federal rule dating to the 1940s that says crime suspects should be brought before a magistrate as soon as possible.

The Constitution requires crime suspects to be given a "probable cause" hearing within 48 hours of their arrest, the court said in 1991.

Monday's decision set aside the confession of a Philadelphia-area bank robber who was held and questioned by the FBI for two days before he was brought before a magistrate. Johnnie Corley, the accused bank robber, had signed a written confession.

In sending the case back to Philadelphia, Souter said the confession may not be used unless agents can show Corley agreed to speak within six hours of his arrest.

The six-hour rule applies only in federal prosecutions.

In state and local cases, police must follow the 1966 Miranda ruling which requires police to tell suspects they have a right to consult a lawyer and right to remain silent.

Joining Souter's opinion in Corley v. United States were Justices John Paul Stevens, Anthony M. Kennedy, Ruth Bader Ginsburg and Stephen G. Breyer.