

Answer Key

Answer Key: Were They in Custody?	<i>J.D.B. v. North Carolina</i>	<i>People v. Brandon</i>
Language Used to Summon the Individual	Escorted by police from class to school conference room	Escorted by mall security to mall business office
Confrontation with Evidence of Guilt	Yes – shown a digital camera	Yes – had tie in his pocket
Physical Surroundings/Location	Closed-door school conference room with two police officers and two school administrators	Mall business office with window on the reception area where others were seen, including his sister using her cell phone
Duration	About 45 minutes	15 minutes +
Degree of Pressure Applied (physical or otherwise)	When summoned by school authorities, students do not feel free to leave until released, but was allowed to leave at end of school day	Was told that if he didn't cooperate, he and his sister might go to jail, Threat that he would be held in detention pending trial
Other Factors		Questioned in a public space, not isolated, and could see his sister talking on her cell phone
Totality of the Circumstances: In Custody or Not?	Question of custody has been remanded to the N.C. state courts to answer	You decide