



News Roundup

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It isn't often that a criminal law decision by the United States Supreme Court is an above-the-fold front page story in the *News and Observer*, but that's the situation today. The case in question is [J.D.B. v. North Carolina](#), and while I plan to blog about it in detail on Monday, the short version is this: courts should consider the age of a suspect when determining whether the suspect is in custody for *Miranda* purposes. Assistant Appellate Defender Barbara Blackman argued the case for the juvenile petitioner, and Attorney General Roy Cooper argued for the state.

There's been more news this week than I can cram into a post of reasonable length, but some of the top stories are as follows:

1. The Supreme Court also decided *Davis v. United States*. The Court's syllabus summarizes the holding: "Searches conducted in objectively reasonable reliance on binding appellate precedent are not subject to the exclusionary rule." More on this case next week. As noted [here](#), the Court also granted certiorari in *Setser v. United States*, a case which will determine whether a federal district court may impose a sentence to run consecutively with a not-yet-imposed state sentence. The Justices won't take that case up until after the summer recess. If you're interested in the Justices travel schedules and paid speaking engagements, the Wall Street Journal Law Blog has details [here](#), but to sum up, the conservative Justices go to Italy while the liberals to go Aspen.
2. Elsewhere in Washington, Congress is busy with a few things other than the Anthony Wiener situation. Some readers may be interested in the recently-introduced GPS Act, described [here](#), full text [here](#), which would generally forbid law enforcement from engaging in warrantless GPS tracking.
3. While Congress may tighten the screws on law enforcement, the FBI is proposing to give itself more leeway in an upcoming revision of its internal operations manual. I didn't know that the Bureau had such detailed regulations. If you're interested in learning the difference between an "assessment" and a "preliminary investigation," the *New York Times* has the story [here](#).
4. Turning now to Raleigh, I can't possibly do justice to all the activity at the General Assembly in what has been a frantic week. The budget, including an 8% cut to the court system, passed over Governor Perdue's veto. The court system will lose 302 jobs, over 100 of which are currently filled. The *News and Observer* [notes](#) that layoff notices have been sent. A bill that would effectively repeal the Racial Justice Act has [stalled in the Senate](#) after passing the House. A bill that will substantially change the sentencing and probation laws, [H 642](#), the Justice Reinvestment Act, has passed both chambers and reportedly will be signed by the Governor. I hope to persuade Jamie Markham to unpack that legislation on this blog soon. And there's lots more: changes to the gun laws, the implied consent laws, and others. We'll try to cover the most important legislation in detail over the next week or so.
5. If all of this law talk makes you want to go to law school, going to Elon has just become a bit more attractive. The *Business Journal* notes [here](#) that it is now fully accredited by the ABA.
6. Finally, a public service reminder. If a Chinese take-out place goofs up your order, it isn't an emergency and you shouldn't call 911. Police in Savannah have been so informing residents as a result of [this incident](#).