

Watson v. State

The appellant was arrested and interrogated in four sessions over the course of a day. At the outset, the appellant was provided *Miranda* warnings. Appellant did not invoke his right to refuse to speak, but sat silently during the first two interviews. During the third and fourth interview, appellant made statements which resulted in prosecution. Following conviction, he appealed, arguing that his refusal to talk indicated that he was invoking his constitutional rights, and that therefore the subsequent interrogation sessions were improper. The Court of Criminal Appeals reversed a lower court ruling that the right to remain silent must be specifically invoked, and held that the appellant's continuing refusal to speak with investigators was an indication that the appellant was invoking the right of silence. The Court stated that *Miranda* required only that a person "indicate in any manner" their unwillingness to talk, and that police testimony revealed that they understood the effect of the suspect's silence. The Court went on to hold that the invocation of silence was not waived when appellant made subsequent statements, since this was only a result of "being worn down" by continued impermissible police questioning in violation of the principle of *Miranda*. Finally, finding that the admission of the statements at trial was not harmless error, the Court remanded the case.