

***MN v. Maime Hernandez Mills (1997)***

**Nature:** Weigh evidence related to competency; Waiver of Miranda rights and voluntary nature of subsequent statements; Admissibility of mental health history; and Admission of evidence

**Facts:** On 2/6/1995, Minneapolis police responded to a call reporting a house burglary and murder. Police arrived and found the appellant, Maime Hernandez Mills, and her son, Nathan Wayne Lattu at the home with a closet opened and dresser drawers pulled out in a downstairs bedroom. Ms. Mill's husband was found dead from a single shotgun wound on the side of the head. Lattu drew attention to a typed letter next to the dead body stating, "this is for our bud that you sent to jail mother fucker rest in peace." Then Lattu adamantly showed the officers a letter from the VA Hospital indicating he was at the hospital from 1:15 pm to 2:00pm to pick up his ID card. Ms. Mills and her son were brought in for questioning several times, but not as suspects. After reviewing substantial physical evidence, investigators concluded the burglary likely was staged. It was noted the behavior of Ms. Mills and her son was inconsistent with that expected of someone who found a loved one murdered. This time they interviewed and apprised them of their Miranda rights. When confronted with physical evidence, Lattu admitted that they had written the note, faked the burglary, and that Ms. Mills had shot and killed the victim with his shotgun during his sleep. Ms. Mills was confronted with this information but empathically denied her involvement. Ms. Mills acknowledged the victim owned a "big gun" and displayed the action required to use the gun. During the interview, Ms. Mills shared one of her personalities" had previously attempted to poison the victim. Prior to trial, the defense counsel requested that Ms. Mills undergo an evaluation of competency, as she was difficult to work with, experienced mood swings, and was often disruptive and uncooperative. Dr. Nelson evaluated and diagnosed her with Personality Disorder, NOS with Borderline and Histrionic features. He opined Ms. Mills was competent because she had sufficient factual and rational knowledge of the legal process and the charges against her, but lacked sufficient ability to consult with counsel. Trial judge also appointed a court psychiatrist to evaluate Ms. Mills and determined she had a "great dramatic quality," but was amiable, able to organize her thoughts, and could speak logically about the charges presented against her. The psychiatrist opined the appellant could be disruptive due to her belief it was her right to express herself rather than having a mental disease or defect. Both evaluators determined she was competent to stand trial. Subsequently, Ms. Mills was denied her request to refer to her mental health history at trial. She was convicted of aiding

and abetting murder in the first degree and sentenced to life in prison. She then appealed to the Minnesota Supreme Court.

**Issues:** 1) Did the trial err in concluding that Ms. Mills was competent to stand trial? 2) Did the court err in determining appellant's waiver of Miranda rights was voluntary, and subsequent statements were free of coercive action. 3) Did the court commit evidentiary errors by allowing specific evidence regarding appellant's prior attempt to poison the victim but excluding other evidence (i.e. mental health history, videotaped interview).

**Holdings/Rationale:** 1) NO- both experts were consistently agreed she was able to understand the nature of the proceedings. She demonstrated sufficient ability to consult with counsel. While she suffers from a personality disorder NOS that made her to be a challenging client, she displayed a good relationship with one of her representatives and was able to make key decisions, and didn't engage in any disruptive or inappropriate behavior during testimony. 2) NO- Voluntariness of Miranda waiver is predicated largely on coercive police action. She was correctly read her Miranda rights after being identified as a suspect during the questioning session. While the police utilized a "sympathetic" style in questioning, it was not viewed as coercive by the court. 3) NO-the court acknowledged past criminal behavior cannot be admitted to establish a defendant's character; it was used in this case as it demonstrated the "strained relationship" between appellant and victim and further established motive and intent. Records regarding mental health history were excluded, because she was not seeking to use a mental health defense; and this information could potentially confuse the jury. Further, Minnesota does not recognize diminished capacity. The court also correctly excluded the videotaped interrogation of appellant regarding her psychiatric history as hearsay. Admission of an entire conversation is only necessary where statements might be taken out of context, and full inclusions might give the court and jury a correct understanding of the facts.