

IN THE CIRCUIT COURT FOR PINELLAS COUNTY, FLORIDA  
CRIMINAL DIVISION

CASE NO.: 21-01099-CF, 21-01513-CF  
SECTION: M  
JUDGE: PHILLIP FEDERICO

STATE OF FLORIDA,

vs.

CORNELIUS WHITFIELD (PID: 1566510).

**MOTION TO SUPPRESS DEFENDANT'S STATEMENTS**

THE Defendant, Mr. Cornelius Whitfield, by and through undersigned counsel and pursuant to Florida Rule of Criminal Procedure 3.190(h), moves this court to suppress as evidence at the time of trial in the above-styled cause all statements made by the Defendant to the police or other agents of the State of Florida.

The statements to be suppressed are:

- Mr. Whitfield's statements to St. Petersburg Police Department (SPPD) Detectives Amelia Amanuah-Mensah and Jason Harris.

The following grounds are asserted in support of this motion:

- a. The statements were obtained from Mr. Whitfield in violation of his right to counsel and his privilege against self-incrimination, guaranteed by the Fifth and Sixth Amendments and the Due Process Clause of the Fourteenth Amendment to the United States Constitution, as interpreted by the United States Supreme Court in *Miranda v. Arizona*, 384 U.S. 436 (1966).
- b. These statements of Mr. Whitfield were not freely and voluntarily made but rather were obtained in violation of the Defendant's rights guaranteed by the Due Process Clause of the Fourteenth Amendment to the United States Constitution and by Article I, Section 9, of the Florida Constitution (1968).

The following items are submitted to the court to assist in making a ruling on this motion:

1. Complete Video of Cornelius Whitfield at the SPPD Interview Room
2. Rights Waiver Form re: Cornelius Whitfield
3. Depositions of Det. Amelia Amanuah-Mensah

### **Statement of Facts**

1. Cornelius Whitfield was detained and arrested on the afternoon of February 16, 2021, by SPPD SWAT personnel and his custody was almost immediately transferred to a patrol officer's vehicle for transport to the SPPD headquarters for interrogation. At the time that police came into contact with him, Mr. Whitfield was shirtless, wearing only black pants and shoes.
2. The entirety of Mr. Whitfield's presentation and interaction with officers and detectives with SPPD is marked by odd, behavior.
3. Those officers involved in Mr. Whitfield's detention described his appearance and demeanor as strange, not conforming with emotions that would be consistent with what had occurred in his home. Det. Bill Burton stated that Mr. Whitfield's demeanor was preternaturally calm. *See* Deposition of Brian Burton, p. 17, ll. 24-25. Det. Joseph Heer, remarked that Mr. Whitfield smiled up at officers when he was ordered to the ground. *See* Deposition of Joseph Heer, p. 12, ll. 1-6 & 13-18.
4. Neither Det. Amanuah-Mensah, nor Det. Harris were involved in the initial detention, custodial transfer or transportation of Mr. Whitfield.
5. Once Mr. Whitfield arrived at the police station, he was placed in an interview room at the Department in a room outfitted with video and audio recording, and his presence in the room over the next many hours was documented via video and audio. He is directed to a chair, and upon sitting immediately looks around with a bizarre expression on his face. Approximately an hour passes before Detectives Amanuah-Mensah and Harris enter the interrogation room. During that time, Mr. Whitfield engages in some odd behaviours:
  - a. At 00:54:50, Mr. Whitfield raises his head and looks around wide-eyed, as though shocked at where he finds himself.
  - b. At 00:59:32, Mr. Whitfield looks around him, with a sort of surprised look on himself and then shakes his head rapidly towards the corner of the room.
6. Dets. Amanuah-Mensah and Harris enter the interrogation room at 01:01:40 on the video. In the first couple minutes of the investigators' encounter with Mr. Whitfield, Det. Amanuah-Mensah says that she wants to hear Mr. Whitfield's side of the story as to "what brought us together today." This is while Mr. Whitfield remains in his ziptie confines –

they are finally removed a few minutes later. Both Det. Amanuah-Mensah and Det. Harris refer multiple times to needing to go over “the form,” before they talk about everything that “brought them together.” It is not until 01:07:25, that Det. Harris references Mr. Whitfield’s rights – in the same sentence as referring to “the form.” Det. Amanuah-Mensah then begins to ask Mr. Whitfield preliminary questions, beginning with the spelling of his name. Mr. Whitfield’s reaction to that question is to laugh. 01:07:38. When asked about his age, after giving his birthdate, Mr. Whitfield responds that he’s: “like thirty-one,” and then laughs.

7. Det. Amanuah-Mensah reads *Miranda* warnings to Mr. Whitfield. During this reading, which takes place over a quick matter of minutes, Det. Amanuah-Mensah manages to diminish the importance of Mr. Whitfield’s constitutional rights. Initially, Det. Amanuah-Mensah tells Mr. Whitfield that she has to ask him some “silly questions.” At 01:09:00. This completely belies the seriousness of the query as the questions the detective then ask pertains to Mr. Whitfield’s potential coherency, understanding and processing:
  - a. When asked if he had taken any prescription drugs, Mr. Whitfield responded: “probably so, I smoke so many drugs. I smoke, I drink, I do all of that.”
  - b. Det. Harris interjects and asks if he’s on any medication, and Mr. Whitfield responds: “Naw, not right now.” Rather than asking the next logical question, which would query whether he should be taking medication, Det. Amanuah-Mensah simply asks her next question, which is: “are you under the influence of alcohol right now.”
  - c. He then responded that he “smoked some weed earlier” when asked if he had taken any illegal drugs. And that he’s not aware of having imbibed any other drugs.
  - d. It is worth noting that throughout this exchange, Mr. Whitfield has been rubbing his palms on each other.
  - e. Det. Amanuah-Mensah then went on to ask questions about Mr. Whitfield’s schooling and aptitude for reading and writing. When asked about the last grade that he completed, Mr. Whitfield responds that he completed a GED, however when asked if he can read, he tells her, “a little bit.” At 01:10:04. When asks if he can write, Mr. Whitfield shrugs, and sort of nods, and then says: “yeah, I can read. I can write.” The detective then asks him, “Can you hear? I told you that some of these were silly.” At 01:10:25.

- f. She then goes into the actual *Miranda* warnings, which are read one after the other in less than two minutes.
- g. To the question: “do you understand that you have the right to have an attorney present while you are being questioned?” Mr. Whitfield responds by smiling, laughing, shaking and nodding his head, and saying: “yeah, naw, yes, mmm-hmmm,” all the while rubbing his hands on his thighs. At 01:11:15.
- h. And to the question, “Do you understand that you can decide at any time to exercise these rights and not answer any questions or make any statements?” Mr. Whitfield is initially non-responsive, smiling and saying something like: “A should’ve been real f-ing \_\_\_\_.” Only to then say: “I understand, I understand.” At 01:11:44.
- i. When Det. Amanuah-Mensah asks her final question, whether Mr. Whitfield will agree to speak with her and Det. Harris so that they can get his “side of the story,” she also asks him if “that makes sense,” to which Mr. Whitfield smiles and responds: “I mean, you know, things do make sense, but some things do not make sense. At least to me.” 01:12:40.
- j. There is then an odd exchange:

Mr. Whitfield: “What happens if we’re done?”

Det. Amanuah-Mensah: “Then, that’s it, we’re done, and no one hears Cornelius’s side.” Mr. Whitfield: “So then I’m free to go?”

Det. Amanuah-Mensah: “No, you’re not free to go.”

Mr. Whitfield: “I ain’t did anything.”

Det. Harris: “Well, you’re not free to go. She’s right. That’s why we would like to know your side of this. You’re saying that you haven’t done anything, and we have some questions that we’d like to ask.”

Mr. Whitfield: “My family, you know, whatever, what could’ve led to that, could’ve been things that I’ve done in the past or things that I’ve done in prison. I don’t know. So, I can’t really say what happened, how it happened, when it happened. I don’t know what happened, all I can say is that shit ain’t what it is or whatever...” 01:14:17.
- k. Mr. Whitfield never affirmatively answers the detectives that he understands all his rights and that he agrees to waive them in order to speak with them.

8. Mr. Whitfield speaks with the detectives for hours; his behavior is odd, and he makes bizarre statements, at one point saying: “I don’t want to sound crazy, but I’ve been going through all kinds of stuff and hearing this and that, and I can’t say what’s happening right now. I done got involved with these people and these people and these people, and I can’t say what’s going on at this very moment. And I can’t know what’s going on and it’s out of my control. I don’t know man.” At 01:24:02. Throughout this statement, Mr. Whitfield’s eyes are wide, and his gesticulating.
9. This is not the only episode of bizarre and confused speech. Throughout the time that Mr. Whitfield is with the detectives, he says strange things, exhibits paranoid and delusional thinking, engages in bizarre expressions and movements.
10. Mr. Whitfield proceeds to speak with the detectives, during which time he answered questions and made numerous inculpatory statements regarding the events of February 1, and February 16, 2021, for which he was subsequently formally indicted under Case Nos. 21-01099-CF and 21-01513-CF respectively.
11. Because the interrogating detectives downplayed the importance of the *Miranda* Rights to the point that Mr. Whitfield’s waiver cannot be said to have been made in a knowing and intelligent manner, this motion to suppress the defendant’s statements should be granted.

### **Memorandum of Law**

Before Mr. Whitfield’s statements to Detectives AM and Harris can be put before a jury, the State must demonstrate that Mr. Whitfield knowingly, voluntarily, and intelligently waived his constitutional rights to counsel and his privilege against self-incrimination. The Sixth Amendment has set forth rights which provide protection to accused in all criminal prosecutions. U.S. Cons. Amend. VI. The U.S. Supreme Court requires law enforcement officers to give a suspect an appropriate warning of their right to remain silent prior to questions that might implicate inculpatory responses. *Miranda v. Arizona*, 384 U.S. 436 (1966). However, if a suspect voluntarily, intelligently, and knowingly waives their rights, the police may proceed with an interrogation. *Ramirez v. State*, 739 So.2d 568, 575 (Fla. 1999). Consequently, the State has a heavy burden in which they must show that the defendant was clearly informed of his *Miranda* rights, especially his right to remain silent, and that he knowingly and voluntarily waived those

rights. *Taylor v. State*, 640 So.2d 1127 (Fla. 1st DCA, 1994); *Tague v. Louisiana*, 444 U.S. 469 (1980) (holding that a heavy burden rests on the government to demonstrate that the defendant knowingly and intelligently waived his privilege against self-incrimination and his right to counsel and that the Supreme Court has always set high standards of proof for the waiver of Constitutional rights and they are re-asserted as applied to in-custody interrogations). Moreover, the Due Process clause of the Fourteenth Amendment applies Sixth Amendment protections to the states, specifically in this context prohibiting the use of an involuntary confession. *Brooks v. Florida*, 389 U.S. 413, 415 (1967); *Chambers v. Florida*, 309 U.S. 227, 238 (1940). Amongst the totality of circumstances considered by the trial court in the analysis as to whether a waiver was lawful is whether the statement is the product of the accused's "free and rational" choice. *Greenwald v. Wisconsin*, 390 U.S. 519 (1968). This is concomitant with a review of all the surrounding evidence to determine if the alleged waiver was made with full awareness of the nature and the consequences of the rights given up. *Brookins v. State*, 704 So.2d 576, 577 (Fla. 1st DCA 1997). The inquiry is fact-intensive, considering factors such as the defendant's age, education, intelligence, experience, language proficiency, **mental health and intoxication**, the clarity of the warnings, and the conditions of interrogation. See *Moran v. Burbine*, 475 U.S. 412 (1986)(emphasis added).

In the instant case, the detectives briefly read Mr. Whitfield his *Miranda* rights – in less than three minutes. A time which was prefaced with diminishment of the predicate questions and a speeding through his actual constitutional rights. There was no explanation for what any of his rights may mean practically, there was no offer for Mr. Whitfield to read directly from the form, there was no invitation for Mr. Whitfield to ask any questions regarding the things that he was told. Further, there was also a false assertion that unless Mr. Whitfield spoke with the detectives that no one would ever hear his "side of the story," which unlawfully minimizes the role of Mr. Whitfield's attorney and critically undermines his right to remain silent with these law enforcement agents. Quite obviously the purpose of the interrogation was to build additional evidence of Mr. Whitfield's guilt for the homicides, not to provide Mr. Whitfield with an outlet by which his version of events might be showcased.

It is clear from Mr. Whitfield actions, behaviours and patterns of speech that he was unable to comprehend the severity of the consequences of the rights that he was about to abandon, and the detectives made no attempts to ascertain that he truly understood his rights,

including, critically, his rights to remain silent and to have counsel present for an interrogation. *See Franklin v. State*, 876 So.2d 607 (Fla. 4th DCA 2004).

**1. Mr. Whitfield Was in the Authorities' Custody at the Time That He Was Interrogated**

The right not to be compelled to be a witness against oneself in a criminal matter is enshrined in both the United States and Florida Constitutions. U.S. Const. Amend. V; Art. I, §9, Fla. Const. *Miranda* has provided that these constitutional guarantees are “fully applicable during a period of custodial interrogation.” *Miranda v. Arizona*, 384 U.S. at 460-61. The determination as to whether a reasonable person in the defendant’s position would consider himself “in custody” is a four-part test: “1) the manner in which police summon the suspect for questioning; 2) the purpose, place, and manner of the interrogation; 3) the extent to which the suspect is confronted with evidence of his or her guilt; 4) whether the suspect is informed that he or she is free to leave the place of questioning.” *Ramirez v. State*, 739 So.2d at 574.

Here, it is an unassailable truth that Mr. Whitfield was in custody at the time of the interrogation: he had been arrested hours earlier and detained by the Alachua County Sheriff deputies first in a marked patrol vehicle before being transported to the ACSO headquarters where he was left in an interrogation room for hours until St. Petersburg Police Department detectives arrived to speak with him. He was told that he was under arrest for the narcotics that were in his vehicle, and he was not informed that he was free to leave the interview room, and certainly he was not actually free to leave that room. There should be no doubt that Mr. Whitfield was in custody at the time of his interrogation by Detectives Kenney and Intravichit.

**2. Mr. Whitfield’s Waiver of his *Miranda* Rights Was Perhaps Voluntary, But Was Not Made Knowingly and Intelligently**

Where the State seeks to introduce a defendant’s statement that was made during a custodial interrogation, it is incumbent upon the prosecution to meet the ‘heavy burden’ of showing that the confession was made voluntarily, and that the defendant’s *Miranda* rights were waived in a knowing and intelligent manner. *Traylor v. State*, 596 So.2d 957 (Fla. 1992). Suffice to say that the validity of a *Miranda* waiver is essentially two separate inquiries: 1) the waiver must have been voluntary in that it was “the product of free and deliberate choice rather than intimidation, coercion or deception;” and, 2) that the suspect must have waived his rights “with a full awareness of both the nature of the right being abandoned and the consequences of the

decision to abandon it.” *Ramirez v. State*, 739 So.2d at 575 citing *Moran*, 475 U.S. at 421. The State must establish that warnings were effectively communicated and understood, and that any waiver was clear and unequivocal. *See Traylor v. State*, 596 So. 2d 957, 966–71 (Fla. 1992).

Prior to the introduction of such statements, the State must prove the validity of the defendant’s waiver by a preponderance of the evidence. *Balthazar v. State*, 539 So.2d 661, 661 (Fla. 1989), *Colorado v. Connelly*, 479 U.S. 157, 167 (1986). “Only if the ‘totality of the circumstance surrounding the interrogation’ reveal both an uncoerced choice and the requisite level of comprehension may a court properly conclude that the *Miranda* rights have been waived.” *Moran*, 475 U.S. at 421. Relevant factors that Florida courts have used to assess the “totality of circumstances” in determining the validity of a *Miranda* waiver are: 1) the manner in which the *Miranda* warnings were administered; 2) the suspect’s age, experience, background and intelligence; 3) the location of the interview; and, 4) whether the authorities secured a written *Miranda* waiver prior to the commencement of questioning; *Miranda*, 384 U.S. at 476; *Ramirez*, 739 So.2d at 576.

The voluntariness of all statements must be evaluated based on the totality of circumstances surrounding the statements. *Schneckloth v. Bustamante*, 412 U.S. 218, 226 (1973). Thus, the question is whether Mr. Whitfield “waived his rights knowingly and intelligently, i.e., with a full awareness of both the nature of the rights being abandoned and the consequences of the decision to abandon them.” *See Benitez v. State*, 952 So.2d 1275, 1280 (Fla. 2nd DCA 2007), Northcutt, J. concurring.

**a. Mr. Whitfield exhibited obvious signs of either intoxication or mental illness that clearly impacted his capacity to comprehend the *Miranda* warnings**

A defendant’s personal characteristics are to be considered in assessing whether he fully comprehended the magnitude of the rights with which he is imbued and may waive by electing to speak with law enforcement. *See Traylor*, 596 So. 2d at 966-71; *Ramirez*, 739 So. 2d at 575–76. This includes whether that defendant has a mental health condition that may impair cognition and the ability to process complex legal warnings. This is because the courts are concerned with the totality of circumstances that may undermine comprehension, which would include whether a defendant was intoxicated or sleep deprived. The Florida Supreme Court has stated that “any waiver must be ‘the product of free and deliberate choice rather than intimidation, coercion, or deception ... and must have been made with a full awareness of both the nature of the right being



abandoned and the consequences of the decision to abandon it.’ *Ross v. State*, 45 So.3d 403, 432 (Fla. 2010), quoting *Ramirez*, 739 So.2d at 575 (quoting *Moran*, 475 U.S. at 421). The trial court is to give substantial weight to such factors when evaluating the knowing and intelligent nature of a waiver. See *Traylor*, 596 So. 2d at 966-71; *Ramirez*, 739 So. 2d at 575-76

Here, Mr. Whitfield’s behavior clearly betrayed the existence of a mental illness; one that imbued him with paranoia, persecution and delusion. This is demonstrated by his statements to law enforcement that he suspected that the government was behind the assault on his family, frequent reiterations that he was not sure about the appearance of things, that he believed that people and the television were mocking him and that something was influencing his thoughts. Moreover, at the outset, Mr. Whitfield indicated that he was not under the influence of medication “at the moment,” implicating that he was supposed to be taking medication pursuant to a diagnosis. And further, when queried as to what he might have in his system, Mr. Whitfield volunteered that he had smoked marijuana that day.

In short, his behavior and engagement had been strange, and Mr. Whitfield’s true comprehension of his rights and the consequences of waiving them should have been queried further by detectives before continuing with their interrogation.

**b. The *Miranda* warnings were minimized and downplayed in their administration to Mr. Whitfield**

The Florida Supreme Court has made clear under both *Traylor* and *Ramirez* that the government must demonstrate that a defendant possessed a meaningful comprehension of both the rights that afforded to them, and what is at stake by their relinquishment. *Traylor*, 596 So. 2d at 964-66 (Fla. 1992). “The requirement of giving *Miranda* warnings before custodial interrogation is a prophylactic rule intended to ensure that the uninformed or uneducated in our society know they are guaranteed the rights encompassed in the warnings.” *Ramirez*, 739 So.2d at 576, citing *Davis v. State*, 698 So.2d 1182, 1189 (Fla. 1997). Where authorities administer the warnings in such a way that minimizes or downplays their significance, the purpose of *Miranda* is undermined. *Ross v. State*, 45 So.3d 403, 428 (Fla. 2010), citing *Ramirez*, 739 So.2d at 576.

In *Ramirez*, the police failed to administer *Miranda* warnings until after the defendant had made significant admissions of guilt. Moreover, just prior to administering the warnings, one of the interrogating detectives minimized their significance by suggesting that he did not expect Ramirez to invoke his rights. The Florida Supreme Court found that officer’s suggestion tantamount to suggesting that the *Miranda* rights have no significance.

Likewise, the Florida Supreme Court in *Ross* found that four circumstances contributed to the detective's minimization and downplaying of the *Miranda* warnings: "(1) prior to providing Ross with his *Miranda* rights, Detective Waldron minimized the significance of the rights by asserting they were only a matter of procedure; (2) prior to the warnings, the detective lulled Ross into a false sense of security by asserting that he was not arresting him at that time; (3) when Ross indicated a hesitancy in talking, the detective did not stop the interrogation immediately; and (4) rather than informing Ross that his prior incriminating statements could not be used against him, Ross was reminded about his earlier admissions, implying that exercising the right to remain silent would be futile." *Ross*, 45 So.3d at 428. In particular, the Court wrote that by referring to the *Miranda* warnings as a matter of procedure, this indicated to Ross that the reading of the rights was a mere bureaucratic formality, which improperly deemphasized the significance of the warnings. *Id.* at 429.

In the instant case, Mr. Whitfield had *Miranda* read to him swiftly by Det. Amanuah-Mensah who diminished the importance of the predicate demographic and background questions and thereby of the specific rights that Mr. Whitfield had and that she hoped he would waive. There was no stopping to ascertain if Mr. Whitfield was following along with what he was being told, no handing over of the form itself for him to read, no recap of the warnings, simply no ascertaining that Mr. Whitfield did in fact understand what his Constitutional Rights consist of and that he is now agreeing to give those rights up to continue speaking with the detective. There is no evidence that protections of Mr. Whitfield's rights were appropriately taken in this case. There is nothing but an inference that the Constitutional warnings were read in an abbreviated manner without a critical and clear rendering that Mr. Whitfield understood each one of the individual rights that he was giving up.


This court is to look at the totality of the circumstances in determining whether Mr. Whitfield's purported waiver of his *Miranda* rights was done in a voluntary, knowing, and intelligent manner. A review of the above indicate that the manner and conditions of his interrogation coupled with Mr. Whitfield's own obvious mental and emotional deficiencies render the waiver invalid in that he neither fully appreciated the nature of the rights that he was abandoning nor the consequences of the decision to so abandon those rights.

WHEREFORE, the defendant, Mr. Cornelius Whitfield, hereby requests that this honourable court GRANT his Motion to Suppress Statements and to enter an Order to that effect.

NOTICE OF HEARING

YOU ARE NOTIFIED that the above will be heard before the Honorable Phillip Federico, County Justice Center, 14250 49th Street North, Clearwater, Fl 33762, on \_\_\_\_\_, 2025, at **8.30am**.

I do certify that a copy hereof has been furnished by email/physical delivery to Thomas Koskinas, Theodora Taktikos-Danzig and Anthony Bradlow, Assistant State Attorneys at the Office of the State Attorney, County Justice Center, Clearwater, Florida, on December 16, 2025.

  
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