

In December of 2001 in Commonwealth v. Hoyt, the Massachusetts SJC determined that once you are asked for Miranda Rights it can be considered unequivocal and much of what took place was the Defendant had after being read his Miranda Rights saying that he wanted an attorney, but then said he could not afford one. Then the Defendant would speak to them because he did not have an attorney and the police then told him that he could look for an attorney and the Defendant said I guess I will just talk to you now. There were some comments back and forth where the Defendant did end up speaking to the police officers and making some statements that were used against him and ended up being excluded because he had made the request not to speak until he had an attorney present; even though he appeared to then equivocate on his Miranda Rights.