

Well That's a Fur-st

By Reg P. Wydeven

November 12, 2017

When my sister and I were little, we used to love to watch Disney movies. I remember watching 'The Shaggy Dog,' starring Fred MacMurray as the father of young Wilbur "Wilby" Daniels. On a school field trip, Wilby accidentally discovers the cursed Borgia ring.

After reading its inscription, "In canis corpore transmuto," which means, "Into a dog's body I change," Wilby transforms into a sheepdog. At the end of the movie, Wilby breaks the curse by performing a heroic act of selflessness.

The movie spawned a sequel, 'The Shaggy D.A.' Set almost 20 years later, the film shows Wilby as a grown man who returns to his hometown with his wife and son. After his house is broken into twice, Wilby blames the D.A., who he believes is crooked and connected to the mob. After deciding to run against him, Wilby learns the Borgia ring has been stolen from the local museum. The incantation is read once more, turning Wilby into a sheepdog during the most inopportune times, such as during campaign speeches.

So while a dog practicing law makes for an entertaining Disney film, the premise is pure fiction, which has recently been confirmed by the Louisiana Supreme Court.

In October of 2015, Warren Demesme, then 22, was being questioned by the New Orleans police after two young girls claimed he had sexually assaulted them. It was the second time he'd been brought in to be interrogated. After repeatedly denying any wrongdoing, Demesme said to the detectives, "This is how I feel, if y'all think I did it, I know that I didn't do it, so why don't you just give me a lawyer dog 'cause this is not what's up."

Because there's no such thing as a "lawyer dog," the police felt Demesme's request for an attorney was "ambiguous and equivocal." Therefore, they kept questioning him. Demesme eventually made admissions to the crime and was charged with aggravated rape and indecent behavior with a juvenile. He is being held in the Orleans Parish jail awaiting trial.

Demesme was ultimately assigned a public defender, Derwyn D. Bunton. Bunton filed a motion to suppress Demesme's statement, arguing that the police are legally bound to stop questioning anyone who asks for a lawyer. He explained that when Demesme asked the detective for a lawyer, he called him 'dawg,' similar to calling him dude or fella.

Assistant D.A. Kyle Daly claimed Demesme's request was ambiguous and was "dependent on the subjective beliefs of the officers." He added, "A reasonable officer under the circumstances would have understood, as [the detectives] did, that the defendant only might be invoking his right to counsel."

The issue then went before the Louisiana Supreme Court, which was provided with a brief from the Orleans Parish District Attorney's office that contained Demesme's statement. It had no comma after 'lawyer' and used 'dog,' not 'dawg.'

The Louisiana Supreme Court then ruled 8 to 1 that the term "lawyer dog" was too ambiguous. Justice Scott Chrichton explained in his opinion that "the defendant's ambiguous and equivocal reference to a 'lawyer dog' does not constitute an invocation of counsel that warrants termination of the interview."

I'm willing to bet that if Demesme called one of the detectives 'pig,' they would not have believed he was referring to a porcine police officer.

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