

In The  
**Supreme Court of the United States**

—◆—  
STATE OF KANSAS,

*Petitioner,*

v.

DONNIE RAY VENTRIS,

*Respondent.*

—◆—  
**On Writ Of Certiorari To The  
Kansas Supreme Court**

—◆—  
**BRIEF OF AMICI CURIAE STATES OF  
NEW MEXICO, ALABAMA, ARIZONA, COLORADO,  
DELAWARE, FLORIDA, HAWAII, IDAHO, ILLINOIS,  
INDIANA, KENTUCKY, MARYLAND, MICHIGAN,  
MONTANA, NEW HAMPSHIRE, NEW JERSEY,  
NORTH DAKOTA, OKLAHOMA, PENNSYLVANIA,  
SOUTH CAROLINA, SOUTH DAKOTA,  
TENNESSEE, TEXAS, UTAH, AND VIRGINIA  
ON BEHALF OF PETITIONER**

—◆—  
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**QUESTION PRESENTED**

Whether a criminal defendant's "voluntary statement obtained in the absence of a knowing and voluntary waiver of the [Sixth Amendment] right to counsel," *Michigan v. Harvey*, 494 U.S. 344, 354 (1990), is admissible for impeachment purposes – a question the Court expressly left open in *Harvey*, and which has resulted in a deep and enduring split of authority in the Circuits and state courts of last resort?

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