



The involvement of the police in recording the hotel conversation is a red herring. Unless Auman knew about that involvement, or was somehow coerced during the conversation, this has absolutely nothing to do with reliability or admissibility. Mantra-like finger pointing does little to show why police involvement affected the statement or its reliability. Governmental involvement may make one look at the circumstances with a watchful eye, but unless that eye sees something, police involvement in and of itself is no reason to label anything unreliable. Indeed, the recording limits the prospects of inaccurate recollections that come when authorities are not involved.

The final suggestion, Auman's purported narcotic use, was found to be a factual non-starter, and we cannot reconsider findings of fact. Consequently, finding no reason to question the reliability of Auman's statements, I would affirm the sentence.

Madame Newman joins this dissenting opinion.