

Miranda v. Arizona

384 U.S. 436

(Citation)

86 S. Ct. 1602

16 L. Ed. 2d 694

1966

Facts: On March 13, 1963, Ernesto Miranda was arrested at his home for the kidnaping and rape of an 18 year old woman. He was taken to a Phoenix, Arizona police station and was questioned by 2 officers. Two hours later, they obtained a written confession signed by Miranda. The confession contained a paragraph which stated that it was made voluntarily, without threats or promises of immunity, and "with full knowledge of my legal rights, understanding any statement I make may be used against me".... He was never advised that he had the right to remain silent and had a right to have a lawyer present. His confession was used at trial to convict him, and he was sentenced to 20-30 years in prison. He appealed on the grounds that he was not informed of his constitutional rights. The Arizona Supreme Court held that his constitutional rights were not violated, and upheld his conviction. Miranda then filed his appeal with the United States Supreme Court. His case was consolidated with three other cases involving similar issues by the Supreme Court.

Issue: Was Miranda's constitutional rights violated by the Arizona police department in that he should have been informed about his right to remain silent and to have counsel present during questioning?

Decision: (Written by Chief Justice Earl Warren) Yes, the United States Supreme Court held that Miranda's constitutional rights were violated, therefore his confession was inadmissible as evidence, and his conviction was overturned.

Reason: For any statement made by a defendant, to be admissible, the defendant must be informed of certain constitutional rights prior to police interrogation. If the accused waives his or her rights to remain silent and to have counsel, present, the government must demonstrate that the waiver was made knowingly, voluntarily, and intelligently. In addition, the defendant must also be informed that if he/she cannot afford counsel (indigent), they will be appointed an attorney. "The warning of a right to counsel would be hollow if not couched in terms that would convey to the indigent, the person most often subjected to interrogation, the knowledge that he too has a right to have counsel present"...

A. When a law enforcement officer takes a person into police custody, or otherwise deprives them of their freedom of action in any significant way, that person shall be issued the following Miranda Warning before any questioning takes place.

1. You have the right to remain silent.
2. Anything you say can and will be used against you in a court of law.
3. You have the right to talk to a lawyer and have him present with you while you are being questioned.
4. If you cannot afford to hire a lawyer, one will be appointed to represent you before any questioning, if you wish.
5. You can decide at any time to exercise these rights and not answer any questions or make any statements.

B. The following questions should be asked after the specific warning and an affirmative reply is secured to each question in order to secure a waiver.

1. Do you understand each of these rights I have explained to you?
2. Having these rights in mind, do you wish to talk to us now?