



## MIRANDA v. ARIZONA (1966)

**ORIGINS OF THE CASE** In 1963, Ernesto Miranda was arrested at his home in Phoenix, Arizona, on charges of kidnapping and rape. After two hours of questioning by police, he signed a confession and was later convicted, largely based on the confession. Miranda appealed. He claimed that his confession was invalid because it was coerced and because the police never advised him of his right to an attorney or his right to avoid self-incrimination.

**THE RULING** The Court overturned Miranda's conviction, holding that the police must inform criminal suspects of their legal rights at the time of arrest and may not interrogate suspects who invoke their rights.

### LEGAL REASONING

Chief Justice Earl Warren wrote the majority opinion in *Miranda v. Arizona*. He based his argument on the Fifth Amendment, which guarantees that an accused person cannot be forced "to be a witness against himself" or herself. Warren stressed that when suspects are interrogated in police custody, the situation is "inherently intimidating." Such a situation, he argued, undermines any evidence it produces because "no statement obtained from the defendant [while in custody] can truly be the product of his free choice."

For this reason, the Court majority found that Miranda's confession could not be used as evidence. In the opinion, Chief Justice Warren responded to the argument that police officials might find this requirement difficult to meet.

**"Not only does the use of the third degree [harassment or torture used to obtain a confession] involve a flagrant violation of law by the officers of the law, but it involves also the dangers of false confessions, and it tends to make police and prosecutors less zealous in the search for objective evidence."**



▲ Ernesto Miranda (at right) converses with attorney John J. Flynn in February 1967.

### LEGAL SOURCES

#### U.S. CONSTITUTION

##### U.S. CONSTITUTION, FIFTH AMENDMENT (1791)

"No person . . . shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law."

#### RELATED CASES

##### MAPP v. OHIO (1961)

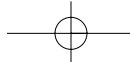
The Court ruled that prosecutors may not use evidence obtained in illegal searches (exclusionary rule).

##### GIDEON v. WAINWRIGHT (1963)

The Court said that a defendant accused of a felony has the right to an attorney, which the government must supply if the defendant cannot afford one.

##### ESCOBEDO v. ILLINOIS (1964)

The Court held that a suspect has the right to an attorney when being questioned by police.



## WHY IT MATTERED

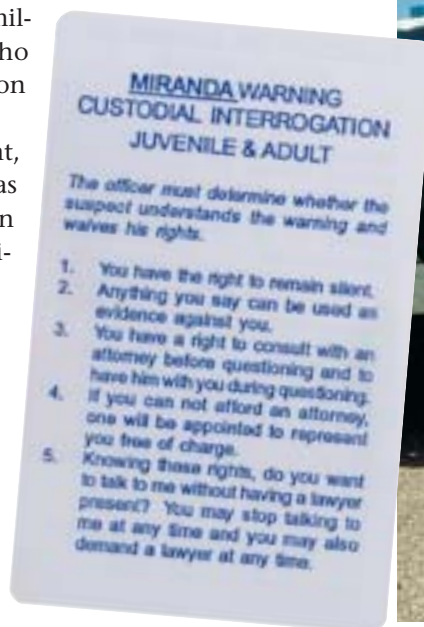
*Miranda* was one of four key criminal justice cases decided by the Warren Court (see Related Cases). In each case, the decision reflected the chief justice's strong belief that all persons deserve to be treated with respect by their government. In *Miranda*, the Court directed police to inform every suspect of his or her rights at the time of arrest and even gave the police detailed instructions about what to say.

The rights of accused people need to be protected in order to ensure that innocent people are not punished. These protections also ensure that federal, state, or local authorities will not harass people for political reasons—as often happened to civil rights activists in the South in the 1950s and 1960s, for example.

Critics of the Warren Court claimed that *Miranda* would lead to more crime because it would become more difficult to convict criminals. Police departments, however, adapted to the decision. They placed the list of suspects' rights mentioned in *Miranda* on cards for police officers to read to suspects. The statement of these rights became known as the Miranda warning and quickly became familiar to anyone who watched a police show on television.

As for the defendant, Ernesto Miranda, he was retried and convicted on the basis of other evidence.

(right) This card is carried by police officers in order to read suspects their rights. (far right) An officer reads a suspect his rights.



## HISTORICAL IMPACT

The *Miranda* decision was highly controversial. Critics complained that the opinion would protect the rights of criminals at the expense of public safety.

Since *Miranda*, the Court has continued to try to strike a balance between public safety and the rights of the accused. Several cases in the 1970s and 1980s softened the *Miranda* ruling and gave law enforcement officers more power to gather evidence without informing suspects of their rights. Even so, conservatives still hoped to overturn the *Miranda* decision.

In 2000, however, the Supreme Court affirmed *Miranda* by a 7-to-2 majority in *Dickerson v. United States*. Writing for the majority, Chief Justice William Rehnquist argued, "There is no such justification here for overruling *Miranda*. *Miranda* has become embedded in routine police practice to the point where warnings have become part of our national culture."



## THINKING CRITICALLY

### CONNECT TO HISTORY

- Drawing Conclusions** Critics charged that *Miranda* incorrectly used the Fifth Amendment. The right to avoid self-incrimination, they said, should only apply to trials, not to police questioning. Do you agree or disagree? Why?



SEE SKILLBUILDER HANDBOOK, PAGE R18.

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Visit the links for Historic Decisions of the Supreme Court to research laws and other court decisions related to *Mapp* and *Miranda*. Then, prepare a debate on whether courts should or should not set a guilty person free if the government broke the law in establishing that person's guilt.