

Case Study: *Miranda v. Arizona*



The Miranda decision stated that suspects must be informed of their rights when arrested.

*“You have a right to remain silent.
Anything you say can and will be used
against you in a court of law.
You have a right to consult with a law-
yer and to have a lawyer present during
any questioning.*

*If you cannot afford a lawyer, one will
be obtained for you if you so desire.”*

—The Miranda Warning

On March 2, 1963, a young Phoenix, Arizona woman was kidnapped and raped. Two weeks later, police picked up Ernesto Miranda for questioning. At the police station, the victim identified Miranda in a lineup.

For the next two hours, police questioned Miranda in a separate room. Eventually, they convinced him to write down and sign a confession. At the top of the paper was a typed statement saying he understood his rights.

At Miranda’s trial, the confession was used as evidence against him. He was convicted and sentenced to prison. The police and court, it seemed, had done a good job. Miranda’s court-appointed lawyer was not convinced, however. At no point, he charged, had Miranda been told his Constitutional rights.

The Arizona Supreme Court heard the appeal in 1964. The state court said Miranda knew his rights. Miranda’s lawyer appealed the case to the United States Supreme Court.

In 1966 the high court overturned Miranda’s conviction by a vote of five to four. Chief Justice Earl Warren wrote the opinion for the majority of justices. Although there was no evidence the police used force to obtain the confession, Miranda had unknowingly testified against himself by signing the confession. This, Warren said, is forbidden by the Fifth Amendment. The Court further agreed that Miranda was not given a chance to consult with a lawyer before or during the questioning. This is guaranteed by the Sixth Amendment. Unless a suspect is clearly told about his or her rights, none of the answers can be used in a trial.

Many felt the Miranda decision favored criminals over the police. However, the major change since the decision is that police are required to tell suspects of their rights. This protects the suspects’ rights, and fewer cases are thrown out of court because of police mistakes in dealing with suspects.

REVIEW

1. Explain the circumstances that led to Miranda’s conviction.
2. Why is the right to have a lawyer present during questioning important?
3. In your opinion, is the Miranda Warning good or bad? Why?