

Miranda v. Arizona (1966)

Argued: February 28–March 2, 1966

Decided: June 13, 1966

Background and Facts

The Fifth and Sixth Amendments to the Constitution deal with the rights of people accused of crime.

The Fifth Amendment says that “No person...shall be compelled in any criminal case to be a witness against himself...” This is called **freedom from compulsory self-incrimination**. This means that no one should be forced to give evidence against themselves in a criminal case. The Sixth Amendment says in part, “In all criminal prosecutions, the accused shall enjoy the right to ... have the assistance of counsel for his defense.” This is called the **right to counsel**, or the right to have access to a lawyer. But how are these words interpreted?

In 1963, a victim identified Ernesto Miranda in a police lineup as the man who attacked her. Miranda was arrested and charged with rape and kidnapping. Miranda had an eighth-grade education. While he was in **custody**, the police interrogated him for two hours. The police did not tell him of his right against **self-incrimination** or his right to a lawyer. During the interrogation, Miranda confessed in writing to the charges. He did not ask for a lawyer and did not have one during questioning. In his written statement, there was a section stating that the confession was made voluntarily. Most importantly, it stated that his confession was made “with full knowledge of my legal rights.” This confession was used as evidence during the trial. Miranda was sentenced to 20–30 years in prison.

Miranda **appealed** his case to the Arizona Supreme Court. He argued that he was not told his Fifth and Sixth Amendment rights. The state agreed that the police did not tell Miranda his rights. However, since he had been convicted of a crime before, the court believed he already knew his rights. The Arizona Supreme Court **upheld** his conviction. Miranda asked the Supreme Court of the United States to hear his case. The Court agreed to do so.

Issue

Does the Constitution require police to give a suspect in custody warnings about the right to be free of self-incrimination and the right to have the assistance of a lawyer before they are questioned?

Arguments for Miranda (petitioner)

- Miranda had only an eighth-grade education at the time of his arrest. This made him vulnerable to police force and persuasion. He needed to be told his rights to make sure that any statements including a confession were made voluntarily and not forced by police.
- Even though Miranda was not threatened by the police, his right against self-incrimination was still not protected. The right against self-incrimination is only meaningful if the police clearly state that the suspect has the right to remain silent.
- In *Escobedo v. Illinois*, the Court decided that a statement cannot be used at trial if the police did not tell the suspect they had a right to have a lawyer present. The lower courts should have ruled that Miranda's confession was not allowed in court.

Arguments for Arizona (respondent)

- Miranda had been convicted of a crime before. He already knew of his right to remain silent and his right to a lawyer. Looking at all the circumstances, his confession should have been considered voluntary and not coerced.
- Miranda's confession was made of his own free will. He signed a statement that said he made it voluntarily. He knew that the statement could be used against him at trial.
- The decision in *Escobedo* does not apply to this case. Here, Miranda did not ask for a lawyer. Because he did not try to use his rights, the police did not actually deny him of his rights to seek a lawyer.
- The Constitution does not require the state to explain Fifth and Sixth Amendment rights to Miranda, at least not in federal and state cases. States have the right to create their own rules for their own criminal justice systems.

Decision

In a 5-4 decision, the Supreme Court ruled that the Fifth Amendment requires police officers to warn individuals that they have certain rights. This includes the right to remain silent and the right to have an attorney present during questioning.

Chief Justice Warren wrote for the majority of the Court. He wrote that any statement made by suspects while in custody could only be used in court if the police first told the suspect of their rights. The Court named a few important warnings that the police must give a suspect before starting questioning. They would come to be known as **Miranda warnings**. These warnings included: **1)** the right to remain silent, **2)** that any statement may be used against them at trial, **3)** that they have the right to have a lawyer present during questioning, **4)** and that a lawyer can be appointed if they cannot afford one. Chief Justice Warren also stated that a person may choose to

ignore these warnings. However, that choice must be made voluntarily, knowingly, and intelligently. Also, if the person asks for a lawyer, the questioning must stop until a lawyer is present.

The Court decided that the warnings must be given when a suspect is in police “custody.” This means that warnings must be read before questioning if the suspects are formally “under arrest” or in any setting where they have limited freedom. The decision does not apply to police questioning of witnesses or even suspects who are not being held in custody.

Impact of the Case

Giving *Miranda* warnings is now a common law enforcement practice. However, there is still controversy around this case. Some critics of the *Miranda* decision feel that the required warnings violate state rights. This is because states have historically had the power to operate their criminal justice systems. Critics argue that the Court found rights in the Constitution that were not written or intended by the Framers. They believe it unfairly restricts the use of evidence or confessions that are voluntary. They think it may cause a guilty person to be found innocent. There are also still questions about when *Miranda* warnings must be given. Since the decision in *Miranda v. Arizona*, there have been several cases that have defined when and under what circumstances these rights begin in the interrogation process.

Glossary

- **Bill of Rights:** the first 10 amendments to the Constitution.
- **Coerce:** to persuade someone to do something by force or threat.
- **Custody:** when a suspect is deprived of their freedom of movement; not free to go.
- **Dissent:** express a difference in opinion.
- **Federal government:** the level of government that controls the United States as a whole rather than just a single state.
- **Freedom from compulsory self-incrimination:** the right of an accused person in a crime to not be forced to give evidence against themselves.
- **Miranda warnings:** warnings that law enforcement officers are required to give to suspects of a crime. These include the right to counsel, the right to remain silent, and the warning that anything they say may be used against them in court.
- **Precedent:** a court decision on a legal question that guides future cases with similar questions.
- **Prosecution:** the act of bringing charges against someone in court. This also refers to the group who is bringing the charges.

- **Right to counsel:** the right of a criminal defendant to have a lawyer help in their defense, even if they cannot afford a lawyer.
- **Self-incrimination:** saying or doing something that shows oneself might be guilty of a crime.
- **Uphold:** confirm or support.

Additional information about *Miranda v. Arizona*, including background at three reading levels, opinion quotes and summaries, teaching activities, and additional resources, can be found at <https://www.landmarkcases.org/>.