

## Administration of Justice

### *Rights of the Accused*

## Supreme Court Case

### *Miranda v Arizona (1966)*

In 1963, Ernesto Miranda was arrested in Phoenix, Arizona for armed robbery of a bank worker. He already had a record for armed robbery, and juvenile record including attempted rape, assault, and burglary. While in police custody he was questioned for several hours, did not request an attorney and signed a written confession to the robbery, and to kidnapping and raping a slightly retarded 18-year-old woman 11 days before the robbery. After the conviction, his lawyers appealed, on the grounds that Miranda did not know he was protected from self-incrimination.

The case, **Miranda vs. Arizona**, made it all the way to the Supreme Court, where the conviction was overturned. In a landmark ruling issued in 1966, the court established that the accused have the right to remain silent and that prosecutors may not use statements made by defendants while in police custody unless the police have advised them of their rights, commonly called the **Miranda Rights**. The case was later re-tried, Miranda was convicted on the basis of other evidence, and served 11 years. He was paroled in 1972, and died in 1976 at the age of 34, after being stabbed in a bar fight. A suspect was arrested but chose to exercise his right to remain silent, and was released.

It is important to note that police are not legally required to read you your rights when you are arrested. However, it is probably in their best interest to do so, because then you can't claim that you didn't know your rights, and try and get confessions and such declared inadmissible as evidence and thrown out of court. Even if the confession is declared inadmissible, sometimes it can be used to impair the defendant's credibility, and sometimes evidence found from information in the confession can still be used. Police are allowed to ask you questions to establish your identity (name, address, date of birth, social security number) without reading you your rights first.

### *The Fifth Amendment*

**[U.S. Constitution] - No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor 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; nor shall private property be taken for public use without just compensation.**

## Administration of Justice

# ***Supreme Court Case Study Miranda vs. Arizona*** ***14 Points Possible***

NAME: \_\_\_\_\_ Period: \_\_\_\_\_ Row: \_\_\_\_\_

1. What is the name of the case? \_\_\_\_\_

### **What are the facts of the case?**

2. What crimes did Ernesto Miranda confess to upon his arrest?

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3. Why did Miranda's lawyers appeal the case after his conviction?

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4. This Supreme Court ruling established what became known as Miranda Rights. What does that mean?

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5. The case was retried later with a different outcome. What was the outcome and why?

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6. What happened to Miranda in 1976 and what did the suspect that was arrested exercise?

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### **What is the constitutional or legal issue?**

7. What action on the part of the police caused the controversy presented in the case?

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8. What part of the Constitution is involved in the case against Miranda? Fully explain what is in issue.

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9. Why is it important for law enforcement officials to advise people they arrest of their Miranda Rights?

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10. What were the arguments for the petitioner (the defendant)?

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11. What was the Supreme Court's decision?

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12. What was the Supreme Court's reasoning in making this decision?

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13. How do you feel about the decision?

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14. What will be the impact of the decision on the courts and the police in the years to come?

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