



Miranda v. Arizona

Annotation Station

For the primary source evidence, use these guided reading practices.

○ Circle words you don't know, and take a moment to find the definition.

Highlight in **YELLOW** phrases that confuse you. Use context clues to figure out their meaning.

Highlight in **RED** examples of the dangers or restrictions faced by the individuals.

Highlight in **GREEN** examples of rights and freedoms enjoyed by the individuals.

☆ Star the items that make you wonder and wish to explore further.

Background

In 1963, Ernesto Miranda was accused of committing two heinous crimes, leading to his arrest and interrogation by the police. At the time, there was no legal requirement to notify people accused of crimes of their constitutional rights, such as the right to remain silent and the right to an attorney. Because of this, Mr. Miranda was not advised of these rights during his two-hour interrogation in which he ended up admitting to the crimes. This confession was integral in convicting and sentencing Mr. Miranda to a maximum of 55 years in prison.

Mr. Miranda's lawyer appealed the case to the Arizona Supreme Court arguing that his client's constitutional rights were violated because his confession occurred without the presence of a lawyer. Eventually, the case made its way to the U.S. Supreme Court where a 5–4 decision was made in Miranda's favor. The majority opinion ruled that in order to protect people's Fifth and Sixth Amendment rights, they should be told their "Miranda rights" during arraignment.

Evidence 1

The Fifth Amendment to the U.S. Constitution

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 . . .

The Fifth Amendment protects persons accused of a crime from unfair treatment in court.

Source: *The U.S. Constitution*



Evidence 2

Supreme Court Majority Opinion

To be sure, the records [in these cases] do not evince overt physical coercion or patent psychological ploys. The fact remains that in none of these cases did the officers undertake to afford appropriate safeguards at the outset of the interrogation to insure that the statements were truly the product of free choice. . . . [T]his is not physical intimidation, but it is equally destructive of human dignity. The current practice of incommunicado interrogation is at odds with one of our Nation's most cherished principles—that the individual may not be compelled to incriminate himself. Unless adequate protective devices are employed to dispel the compulsion inherent in custodial surroundings, no statement obtained from the defendant can truly be the product of his free choice. . . .

[T]he constitutional foundation underlying the privilege is the respect a government—state or federal—must accord to the dignity and integrity of its citizens. . . .

[T]o permit a full opportunity to exercise the privilege against self-incrimination, the accused must be adequately and effectively apprised of his rights and the exercise of those rights must be fully honored. . . .

The principles announced today deal with the protection that must be given to the privilege against self-incrimination when the individual is first subjected to police interrogation while in custody at the station or otherwise deprived of his freedom of action in any significant way. . . . Our decision is not intended to hamper the traditional function of police officers in investigating crime. When an individual is in custody on probable cause, the police may, of course, seek out evidence in the field to be used at trial against him. Such investigation may include inquiry of persons not under restraint. General on-the-scene questioning as to facts surrounding a crime or other general questioning of citizens in the fact-finding process is not affected by our holding. It is an act of responsible citizenship for individuals to give whatever information they may have to aid in law enforcement. . . .

The majority opinion for the 1966 court case, *Miranda v. Arizona*, was written by Chief Justice Earl Warren.

Source:

[Miranda v. Arizona, 384 U.S. 436 \(1966\)](#)



Evidence 3

“Prior to any questioning, the person must be warned that he has a right to remain silent, that any statement he does make may be used as evidence against him, and that he has a right to the presence of an attorney, either retained or appointed.”

–Chief Justice Earl Warren



The Miranda Warning

- 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 an attorney.
- 4 If you cannot afford an attorney, one will be provided for you.
- 5 Do you understand the rights I have just read to you? With these rights in mind, do you wish to speak to me?

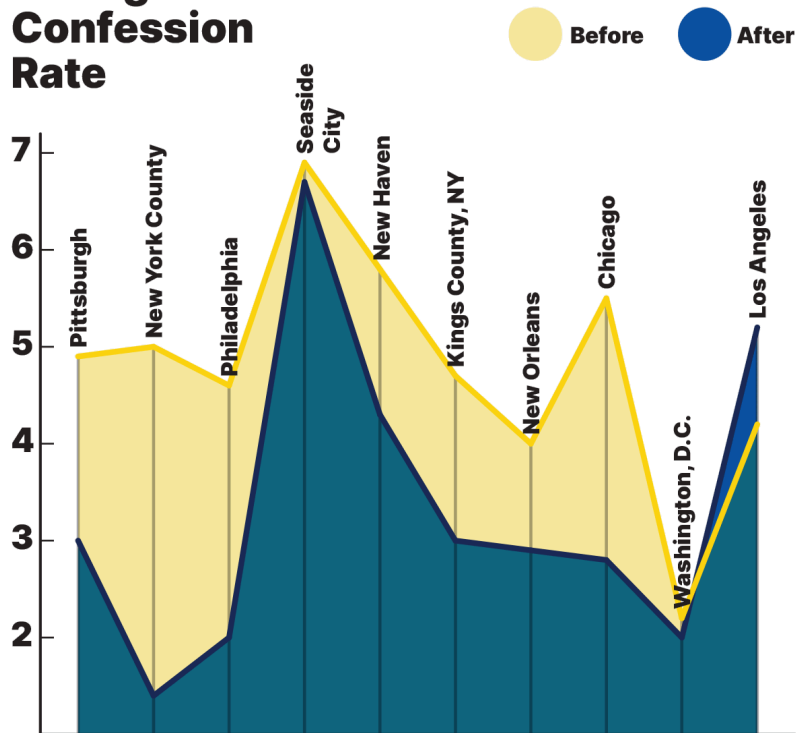
Data Source:
MirandaWarning.org

Text Source:
1966: Miranda v. Arizona



Evidence 4

Changes in Confession Rate



This chart provides a summary of confession rates in cities across the United States before and after the *Miranda v. Arizona* Supreme Court decision.

Data Source:

[Miranda's Social Costs: An Empirical Reassessment](#)

Questions

Check for understanding:

Background: What was the main constitutional question for this case?

Evidence 1: What rights does the Fifth Amendment protect?

Evidence 2: What was the majority opinion in the case? What evidence does Chief Justice Earl Warren use to support the majority opinion?

Evidence 3: What does the word “warn” insinuate? What rights are included in the Miranda warning?

Evidence 4: What general conclusion can be taken from the chart?

Group discussion:

1. Did the Fifth Amendment change after the *Miranda v. Arizona* decision?
2. Is the current language in the Fifth Amendment sufficient enough to protect our rights?
3. Explain your reasoning using the evidence provided.