



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 individual.

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

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

Background

In 1963, Ernesto Miranda was accused of committing two horrible crimes, leading to him being arrested and questioned by the police. At the time, there was no legal requirement to tell people accused of crimes that they have certain rights protected by the Constitution, 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 the most important evidence used to convict and sentence 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 a lawyer being there. Eventually, the case went to the U.S. Supreme Court where a 5–4 decision was made in Mr. 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" at some point during their arrest.

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 [Modified]

In these cases, it's important to note that there wasn't obvious physical force or tricks to make people talk to the police. However, the officers didn't make sure the people being questioned had all their rights protected from the very beginning. This might not involve pushing or scaring someone, but it still hurts people's dignity. Right now, the way police question people without letting them talk to anyone else goes against one of the most important rules in our country—that people don't have to say things during an arrest or interrogation that could get them in trouble.

If we don't use the right ways to make sure someone isn't forced to talk to the police, then what they tell the police might not truly be their choice. The main idea behind this rule is that the government, whether state or federal, has to treat its citizens with respect and fairness.

To make sure people can really use their right to stay silent, they need to know their rights very clearly, and when they decide to stay silent, that decision should be respected [by the government] completely.

The rules we're talking about today are about how to protect someone's right to not say things that could get them in trouble when they're first questioned by the police and they can't leave. We're not trying to stop the police from doing their job of investigating crimes. When the police have a good reason to think someone did something wrong, they can still ask around and gather evidence, including talking to people who aren't held by the police. Just asking basic questions to find out what happened is still okay—in fact, citizens helping police when possible is a good thing.

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?

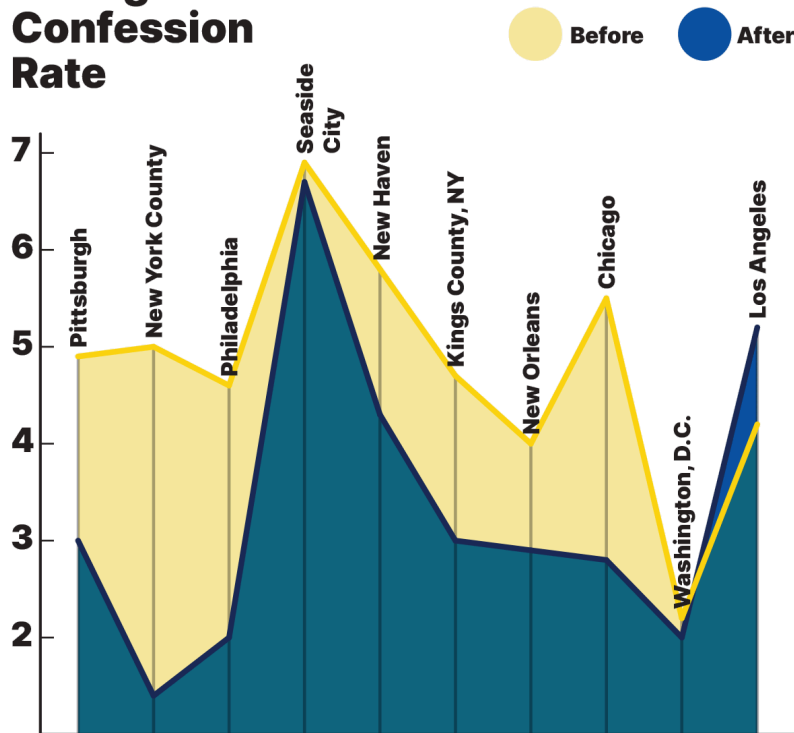
Data Source:
MirandaWarning.org

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.