

Brief a case

Business



Brief a Case When Miranda was arrested for kidnap and rape allegations, he was interrogated by the police in the of Arizona without having been made aware of his rights as Fifth Amendment of the U. S constitution requires. Although Miranda gave a confession voluntarily and signed that he had not been threatened into making the confession, he had not been notified that he had a right to have a lawyer present at the time of the interrogation as well as to remain silent (Clarkson et al. 209). This is why the dispute was between Miranda and the State of Arizona. Background information on Miranda indicates that he had a history of mental instability, which may have contributed to the crimes that he committed. He was a Phoenix resident. Miranda was sentenced to serve between 20 to 30 years in prison. However, he appealed to the Supreme Court of Arizona stating that the police had acquired his confession through unconstitutional means. This court ruled against him and upheld his conviction. However, the U. S Supreme Court decided to review Miranda's case three years after his original conviction as he decided to appeal for the second time. The legal question that the U. S Supreme Court had to ponder about was whether a suspect ought to be made aware of their rights prior to any form of interrogation. To answer this question, the Supreme Court had to analyze the American judicial system and provide new restraints that the society must follow when prosecuting individuals of any crime. The Supreme Court determined that if an individual is to be subjected towards any form of interrogation, they must first be made aware of their rights such as the right to an attorney that can be provided by the state if the suspect is indigent and even to remain silent (Clarkson et al. 210). Remaining silent was an option that the suspect could take but it had to come with an explanation that anything that the suspect

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would say could be used against them during a court hearing. This implies that if the suspect decides to withhold certain information and then produce it during the session, it could strengthen the case against them.

The right to be provided an attorney during the interrogation was to ensure that the interrogation is undertaken on constitutional grounds. This was to ensure that the constitution is as fair as possible since the individual remains innocent until proven otherwise. This implies that the suspect not only has privileges such as remaining silent due to the protection of the constitution but also a consequence that could come if new information was brought up by the suspect during a court hearing. The Supreme Court was attempting to ensure that the constitution is as fair as possible to a suspect through legal presentation and limited legal privileges. Following this ruling, police in U. S are required to make the suspect aware of their legal rights so that they can make informed decisions. The court also made the ruling basing the argument on the idea that most interrogations are not physical but psychological.

Works Cited

Clarkson, Kenneth W., Miller, Roger L. and Cross, Frank B. Business Law: Text and Cases. Stamford: Cengage Learning, 2015. Print.