

# Miranda warnings

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Police officers give the Miranda warnings right after arresting criminal suspects. The warnings contain certain privilege to protect individual from self incrimination. Officers usually tell suspects the following statements: “ You have the right to remain silent. Anything you say can and will be used against you in a court of law. You have the right to talk to a lawyer and have him present with you during questioning. If you cannot afford a lawyer, one will be appointed to represent you, if you wish”. The purpose of Miranda is to stabilize the suspect’s psychological condition and make him reasonable when dealing with police.

Usually police are required to give Miranda warnings to a suspect who is the focus of an investigation where he will be taken into custody and interrogated. Custody is a formal arrest that places a suspect in an intimidating environment and his freedom is restricted. The location where the suspect is questioned is an important factor for Miranda warnings since not all places are hostile or coercive. Some events that justify custody include questioning suspects at the police station (brought in handcuffed), in a police vehicle (locked up in the back seat with a screen), at the crime scene (when an officer is about to make an arrest), or even at his home (awakened in the wee hours of the morning or handcuffed).

Furthermore, a home can be deemed custodial if police aggressively barged in to get or question the suspect. When subjected to interrogation, a suspect is given the Miranda warning since the nature of questioning is persuasive to obtain a confession or admission. There are two types of interrogations covered by Miranda: questions that can elicit an incriminating response like “ Why did you kill him?” and direct questioning such as asking a suspect to

write down what happened. As a general rule, however, if the suspect invokes his Miranda rights, all questioning must stop. Overall, Miranda warnings are required every time there is custodial interrogation.

#### Reference

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