

Miranda v arizona



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The case of Miranda v. Arizona dealt with the question, “ Does the police practice of interrogating individuals without notifying them of their right to counsel and their protection against self-incrimination violate the Fifth Amendment? ” This case started in 1963, when Ernesto Miranda was arrested in Phoenix, Arizona for robbing \$8 from a bank worker, and was charged with armed robbery. He already had a record for armed robbery, and a juvenile record including attempted rape, assault, and burglary.

While Miranda was in police custody, he signed a written confession to the robbery, and also to kidnapping and raping an 18-year-old woman 11 days before the robbery. After being convicted, Miranda’s lawyer appealed; on the basis that the defendant did not know he was protected from self-incrimination and therefore did not have to confess to his crimes. The first court ruling where Miranda was found guilty to armed robbery was thrown out after his case was and brought up to the Supreme Court.

In a 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 informed them of their rights, which are now called Miranda Rights. Ernesto Miranda was not informed of his rights while in custody, therefore any confessions he made could not be used against him in court.

At the Supreme Court level, the conviction was overthrown because he was not informed of his right against self incrimination and his right to remain silent. The case was later re-tried without using his confessions in the trial. Miranda was convicted on the basis of other evidence, and served 11 years

for armed robbery. Although Miranda confessed to rape and kidnapping, he could not be prosecuted for it because there was not enough evidence to show he was the offender in those crimes once his confession was thrown out.

Chief justice, Earl Warren established the Miranda Rights after this case. These rights give the suspect the right to remain silent, warning him or her that that anything said can be used against them in a court of law, that he or she has the right to an attorney, and that one can be appointed if it is not affordable prior to any questioning if he or she so desires. I agree with the Supreme Court's decision to throw out Ernesto Miranda's confession and to make law enforcement read suspects their rights before interrogating them.

The reason for doing this is to prevent people from self incrimination which is what Ernesto Miranda was not protected against. He felt that he had to confess everything to the police and was not aware that the right to remain silent or the right to a lawyer during the interrogation process was even an option to him. This case has changed the way police procedure goes because although it makes the interrogation process more difficult and lengthy for law enforcement, it also ensures the people taken into custody do not have their rights violated.

This case ensured the rights of citizens and educates them of what their options are when being interrogated. Many people think the case of Miranda v. Arizona has given less power to the police in a negative way, but in my opinion, when an officer follows these rules and reads suspects their rights before interrogating them, it gives the officer more power. When a suspect

confesses to a crime after knowing his or her rights, that means the officer has successfully completed his or her job and can now lawfully arrest that person and they will have more grounds in court.