

Week 7 individual work

Law



Section/# Miranda Rights Naturally, the most famous court case involving the use of Miranda is that of *Miranda v. Arizona* 1966. As such, the case involves the Supreme Court ruling 5-4 that it would be necessary for Law Enforcement/Prosecution to inform the individual both before during and after their arrest with regards to their Miranda rights. Moreover, it was deemed by the court incumbent upon the criminal justice system shareholders to ensure that each of these steps were followed otherwise the entire case, no matter how rigid, could be jettisoned due to the lack of formalities associated with the methods employed (Wrightsman, 2010). This of course had a profound effect on the way in which the individual jurisdictions sought to apprehend and try suspected individuals. Rather than merely seeking to resolve a case based solely upon the merits of the legal culture that had hitherto been engendered, it was not the responsibility of the prosecuting entity to institute an entirely new level of checks and balances within the system in order to ensure that the rights and privileges of the accused are met at all times and throughout each and every stage of the process (Kamisar, 2012). What the case further required was that any and all cases that had been brought before the courts prior to the ruling had the right to appeal based upon the fact that the accused did not have the opportunity to appeal their verdict based upon the new case law that *Miranda v. Arizona* necessarily entailed.

References

Kamisar, Y. (2012). THE RISE, DECLINE, AND FALL (?) OF MIRANDA.

Washington Law Review, 87(4), 965-1040.

Wrightsman, L. (2010). The Miranda ruling : its past, present, and future.

Oxford New York, N. Y: Oxford University Press.

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