

Miranda v. arizona



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Miranda vs. Arizona In 1963, Ernesto Arturo Miranda was arrested in connection with the kidnapping and rape of an eighteen-year-old woman. After being questioned relentlessly by police officers, though with no counsel present, Miranda signed a voluntary confession form stating that he was guilty. While at trial, his lawyer pointed out that Miranda had not been read his rights; therefore, the confession was not signed voluntarily and should not be used as evidence. The attorney's objection was overruled and Miranda was imprisoned for his crimes. In 1966, Miranda appealed to the Supreme Court, who ruled in his favor, claiming that Miranda's confession could not be used as the police had failed to inform Miranda of his right to an attorney. Though Miranda had not been read his rights, it is believed that his conviction should have remained against him. The enforcement of the reading of a person's rights was not done until after the case against Miranda. Miranda may have been denied his rights at the time, but this allowed it to be made known that police officers were clearly not doing their job. It brought to light that there needed to be enforcement when reading the rights to criminals to avoid similar situations in the future. As such, Miranda's case should have been upheld, given the fact that there had been circumstantial evidence and his confession, albeit obtained inappropriately, to still convict him (Allen, 2007). The rights are important to the criminal, but there is still the fact that there was enough evidence present to continue the case. Furthermore, Miranda had already admitted his guilt to the crimes that he was being convicted of. If his rights had been read to him when they should have been, and Miranda had exercised his right to an attorney before confessing anything to the police, the case would have gone on in a normal fashion. This suggests that, due to the amount of evidence against Miranda,

including several eyewitnesses, the defendant would still have been found guilty of his crimes. There was enough to convict Miranda that a breach in the reading of his rights should not have played a role in the trial and sentencing (Rogers, 2008). If the case had been retried, and Miranda was told and understood his rights, the new case would have turned out the same result. It was because of this simple mistake that a dangerous criminal was allowed to roam freely on the streets, despite the fact that there was enough evidence, as well as his own botched confession, to have Miranda imprisoned. Finally, the court system should have ensured that the rights of the convicted were being upheld before proceeding to trial (Shuman & Blackwood, 2010). It should not have been up to Miranda to acknowledge that his rights were being withheld from him. As the case showed, it was his attorney that pointed out that his rights had not been read to him, which had been done during the trial. Had this been determined before the trial, the proper steps could have been taken to make sure that Miranda was aware of what he was doing. He could have fought to withdraw his confession while using the argument that his rights had not been read to him prior to him signing the form, and then proceed as normal with the trial. It is the duty of police officers everywhere to make sure that criminals understand the rights that they have as criminals. However, it is also the duty of civilians and would-be criminals to acknowledge the consequences of their actions.

Though the police officers should have done their job in informing Miranda of his rights, Miranda should have also understood that punishment awaits criminals. The Supreme Court should have not ruled in favor of Miranda, but should have used the case to show that justice prevails regardless of who is making the mistake, the criminal or the police officer. References Allen, R.

(2007). The misguided defenses of Miranda vs. Arizona. *Ohio State Journal of Criminal Law*, 5(205), 205-214. Ronald Allen conducted extensive research to understand the basis for the ruling in the favor of Miranda after his primary conviction had not been overturned. He concluded that Miranda's case had been a prime example of the carelessness of police officers, but should not have altered the turn-out of the case itself. Rogers, R. (2008). A little knowledge is a dangerous thing. *American Psychologist*, 63(8), 776-787. Richard Rogers focused on how many people waive their rights before being fully informed of them because they are aware of the basics through media. Through extensive research, Rogers discovered that many cases were attempted to be overturned due to this lack of understanding of the rights, but the motions were denied because there was enough evidence in the case to convict. In conclusion, Rogers feels that Miranda should have also been convicted under similar circumstances. Shuman, D., & Blackwood, H. (2010). Everyone knows their Miranda rights: Implicit assumptions and countervailing evidence. *Psychology, Public Policy, and Law*, 16(2), 300-318. Shuman and Blackwood posed a study to reveal how misleading media representation is of Miranda Rights. Using two groups of criminals (one group being recently convicted and the other group not as recent), Shuman and Blackwood showed that very few criminals enter trial with a full understanding of their rights, thus needing to be read them prior to the trial. This has caused for many retrials, prompting Shuman and Blackwood to believe that the court needs to be the one to guarantee that criminals understand their rights before proceeding to trial.