



WHAT RIGHTS SHOULD AN ACCUSED PERSON HAVE?

MIRANDA VS. ARIZONA (1966)

got miranda rights?

BACKGROUND:

Police officers try to obtain confessions from suspects. Yet, the Fifth Amendment protects people from self-incrimination—stating facts that will result in their being accused of a crime. The Sixth Amendment gives them the right to an attorney. How these two guaranteed rights come into play when a person is being questioned by police?

The Facts	The Issue	The Decision
<ul style="list-style-type: none">• Ernesto Miranda, under questioning by police, confessed that he had kidnapped and assaulted a woman.• Miranda was convicted in state court of the crimes in part because of the confession.	<ul style="list-style-type: none">• Miranda claimed the confession should not be used because police had not warned him of his right to avoid self-incrimination or to have a lawyer present.	The Court ruled 5-4 that the conviction should be thrown out because police had violated Miranda's rights when it obtained the confession.

WHY IT MATTERS

The majority based its reasoning on "The necessity for procedures which assure" the protection of the Fifth Amendment rights. It spelled out those procedures:

"Prior to any questioning, the person must be warned that he has a right to remain silent, that any statement he does make may be used as evidence against him, and that he has a right to the presence of an attorney."

That statement is familiar to many Americans from hearing it on television crime dramas. The majority also ruled that people who request a lawyer must be provided with one, even if they are too poor to pay for one themselves.

Icivics Miranda V Arizona

Michael Burgan

A red circular graphic with a gradient, appearing as a semi-circle or a partial circle, located to the right of the name Michael Burgan.

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Miranda V. Arizona Gail Blasser Riley, 1994 Must a person accused of a crime be advised of his or her right to an attorney before police questioning This was the key question Ernesto Miranda brought to the United States Supreme Court

Miranda V. Arizona, 1966 , **Miranda V. Arizona** Liz Sonneborn, 2004 Discusses the case which ruled that suspects must be informed of their rights including the right to remain silent and the right to counsel before they are questioned by the police and examines the results and repercussions of the case Miranda V. Arizona and the Rights of the Accused Carol Kelly-Gangi, 2006 Looks at arguments for and against the Miranda warnings how the Supreme Court made its historic decision and the impact this has had on the rights of suspects **Miranda V. Arizona** Philip C. Nuzzo, 1974 **Miranda V. Arizona** Liz Sonneborn, 2004 Explains how the Miranda Act came to be part of American history

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