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案件介绍：

Miranda v. Arizona (1966) was a landmark Supreme Court decision that established a code of conduct for police during interrogations of criminal suspects. Miranda ruled that the police must inform arrested persons of their constitutional rights to remain silent, to have an attorney present, and to have an attorney appointed if they cannot afford one. The case was based on the appeal of Ernesto Miranda, who was convicted of rape and kidnapping based on his confession that was obtained without informing him of his rights. [The Supreme Court overturned his conviction, finding that his Fifth Amendment right against self-incrimination was violated](https://www.uscourts.gov/educational-resources/educational-activities/facts-and-case-summary-miranda-v-arizona).

当事人：

原告：Arizona 被告：Miranda

争议背景：

Case Overview:

1.The case involved the defendant, Ernesto Miranda, who was charged with kidnapping and rape.

2.During police questioning, Miranda confessed to the crimes and signed a written statement without being informed of his right to remain silent or to have an attorney present.

3.His confession was later used against him in court.

4.The Supreme Court ruled that if law enforcement fails to inform a suspect of their rights (including the right to remain silent and the right to an attorney) while in custody, any subsequent statements made by the suspect cannot be used as evidence in court.

双方诉讼请求和理由：

被告

Claim: Miranda was arrested at his home and taken to a police station, where he was interrogated for two hours without being informed of his rights. Reason: His signed, written confession was used against him at trial. The Supreme Court of Arizona held that Miranda’s constitutional rights were not violated.

判决：

Miranda v. Arizona is a landmark United States Supreme Court case decided on June 13, 1966. In this case, the Court held that if police do not inform individuals they arrest about certain constitutional rights, including their Fifth Amendment right against self-incrimination, then their confessions may not be used as evidence at trial.

The United States Supreme Court overturned the ruling of the Arizona Supreme Court in the Miranda case, with a vote of 5-4 in favor of Miranda, and sent the case back to Arizona for retrial.

法律推理：

Deductive reasoning General principles Specific circumstances

The rights stipulated in the Fifth Amendment to the Constitution Rights of detained suspects in cases.

The right to counter self-incrimination applies not only to trials, but also to cases where suspects are detained by the police.

法律依据：

Fifth Amendment: According to the Fifth Amendment, any statements made by a suspect during custody can only be used as evidence in a criminal trial if the suspect was informed of their right to remain silent and their right to consult with an attorney before questioning. Additionally, these rights must be voluntarily and knowingly waived by the suspect.

Sixth Amendment: The Sixth Amendment guarantees several rights for defendants in criminal trials, including the right to know the specific charges against them, the right to a speedy, public, and fair trial, and the right to communicate with an attorney.

程序问题：

Notice of Rights: The court clarified that suspects must be informed of their right to remain silent and their right to consult with an attorney before custodial interrogations begin. This notice ensures that suspects are aware of their rights during questioning.

Voluntary Waiver: The court emphasized that any statements made by a suspect during custody can only be used as evidence if the suspect voluntarily and knowingly waived these rights. If a suspect chooses to waive these rights, their statements may be admissible in a criminal trial.

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（1）Fact：

1.Ernesto Miranda was convicted of rape.

2.Alvin Moore appealed the case to the Arizona Supreme Court, claiming that Miranda's confession was not entirely voluntary.

3.The Arizona Supreme Court upheld the verdict that his rights had not been violated because he did not specifically request counsel.

4.Appealed to the United States Supreme Court.

（2）Issue：

Whether police are required to inform suspects of their rights before they are arrested and interrogated, these rights include the right to remain silent and the right to legal aid.

（3）Reason and conclusion

The police interrogation of the defendant violated the Fifth Amendment. The court held that before the trial was informed, the accused must be informed that he had the right to remain silent. Anything he says can be used against him in court. The accused must be informed of his right to counsel. After giving these warnings, the defendant may waive these rights. Therefore, any statements made by a suspect are considered invalid unless the suspect is fully aware of their rights and voluntarily chooses to waive them, in accordance with the Self-Incrimination Clause of the Fifth Amendment and the Right to Counsel Clause of the Sixth Amendment of the United States Constitution.

（4）Relevant rules of law

The relevant legal articles are from the Fifth and the Sixth Amendment Act.

The Fifth Amendment was ratified in 1791 as part of the United States Constitution. One of the most famous clauses is that "no one shall be compelled to testify against himself in any criminal case," which is known as the "right to remain silent." The protection is meant to prevent the government from abusing its power to compel suspects to give evidence that could be used against them. The Right to Counsel clause of the Sixth Amendment of the United States provides that defendants have the right to counsel in all criminal proceedings. If the defendant cannot afford an attorney, a public defender will be appointed.

Miranda v. Arizona was a landmark court case in the United States, where the Supreme Court ruled in 1966 that detained criminal suspects, prior to police questioning, must be informed of their constitutional right to an attorney and against self-incrimination.

While the case was a significant win for individual rights, it introduced certain ambiguities, particularly in its application and interpretation. Here are some:

（5）Ambiguity：

1) It is unclear when the Miranda rights are required to be read. Must they be read prior to any questioning, or only before a formal arrest or interrogation?

2) Another ambiguous area is the "public safety exception," which allows police officers to question a suspect before reading them their Miranda rights, if there's an immediate threat to public safety. The extent and application of this rule is not clearly defined.

3) The extent to which police may use evidence obtained without a Miranda warning is also ambiguous. Courts have differed on their interpretation of the rules established by the case.

4) There's also ambiguity around what constitutes a "voluntary" waiver of Miranda rights. The suspect must knowingly and voluntarily waive these rights, but the line between voluntary and coerced can be blurred.

5) Lastly, even after a defendant has invoked their Miranda rights, law enforcement officers can re-initiate questioning after a break in time, a concept that introduces further ambiguity into the Miranda rule.

These ambiguities are often interpreted differently by different courts, leading to complex debates in legal circles.

The Miranda v. Arizona case established essential ethical norms within the U.S. criminal justice system. These include:

（6）Ethical norms：

1) The Right to Silence: This principle, which is now universally recognized, respects the dignity and autonomy of individuals, protecting them from potential coercion or manipulation during police interrogation.

2) The Right to Counsel: Detained suspects have the right to consult with an attorney before and during interrogations. This ensures equal representation and fair treatment within the justice system.

3) Informed Consent: Police must inform suspects of their rights in a clear, comprehensible manner before they can validly waive them. This ethical norm prevents manipulation or coercion by ensuring suspects understand their rights and the consequences of waiving them.

4) Voluntariness: For any confession or admission to be valid, it must be made voluntarily. This norm adheres to the principles of fair play and justice, preventing coerced or involuntary confessions from being used in court.

In sum, the ethical norms arising from the Miranda v. Arizona case fundamentally meet the principles of respect for persons, beneficence and justice that underpin ethical practice. These principles protect individual freedoms, balance power dynamics between law enforcement and citizens, and contribute to the overall fairness of the judicial system.

Miranda v. Arizona serves as a legal benchmark and its principles have been applied in numerous subsequent cases. Here are a few legal analogies, where the concepts of this landmark case have been drawn upon:

（7）Legal analogies

1) In the 1968 case of Mathis v. United States, the court held that the Miranda warnings are obligatory not just in a police precinct, but also when a person is in jail for an unrelated offense, further solidifying the ruling's broad application.

2) The case of Berghuis v. Thompkins in 2010 concerned the requirement for a defendant to invoke the right to remain silent. The Supreme Court held that unless the defendant explicitly invokes these rights, any subsequent voluntary statements can be used in court.

3) In Michigan v. Mosley (1975), the court acknowledged that a person's Miranda right to stop questioning can be upheld, while still allowing police to restart questioning after a significant passage of time and a fresh set of warnings. It assisted in defining the rules for re-engagement after rights have been invoked.

4) The case of Maryland v. Shatzer in 2010 clarified the issue of re-interrogation after the defendants had already invoked their Miranda rights. The court established the "14-day rule," holding that police can reinitiate interrogation 14 days after the initial arrest and release, once again highlighting the application of Miranda rules in varying scenarios.

Through these analogies, it's clear that Miranda v. Arizona continues to be used as a legal landmark and a guiding principle in understanding and interpreting issues on self-incrimination and right to counsel.

While the Miranda v. Arizona case was instrumental in protecting individual rights during police interrogations, there are still gaps or missing areas of information, particularly regarding its practical application and execution. Here are some:

（8）missing information

1) The exact time at which Miranda warnings need to be issued is not clearly defined. Do they need to be given at the moment of arrest, or before any form of question related to the crime takes place?

2) There is a lack of clear guidelines on what happens when the police fail to properly administer Miranda rights. The general consequence is that the statements obtained in such situations cannot be used in court, but real-world applications vary.

3) The effectiveness of the Miranda rights is questioned. Some argue that suspects, particularly those unaware of their rights or unable to understand them, can still be manipulated into waiving their rights.

4) The public safety exception, allowing for un-Mirandized questioning when public safety is at risk, is vaguely defined and leads to confusion on when it can be justifiably invoked.

5) A suspect can invoke their Miranda rights and refuse to talk without a lawyer present, but confusion exists over rules pertaining to re-questioning after a significant amount of time has lapsed.

6) There's also no clear age limit or guidelines outlined in the case considering juveniles, which leaves room for potential misinterpretation when dealing with minor suspects.

7) Although the Miranda v. Arizona ruling was meant to curtail forceful police interrogations, it did not fully address the issue of police using psychological pressure tactics on suspects.

8) The case does not specify whether non-English speakers or those with cognitive impairments are to be given special considerations when being read their Miranda rights.

参考：

<https://www.uscourts.gov/educational-resources/educational-activities/facts-and-case-summary-miranda-v-arizona>

<https://www.oyez.org/cases/1965/759>

<https://guides.loc.gov/latinx-civil-rights/miranda-v-arizona>

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