Should the defendant have received *Miranda* warnings before the police interrogation began?

1. Alvarado is a 17 year old high school student. A police detective contacted his mother who agreed to bring him to the police station for questioning about a recent crime. When Alvarado arrived with his parents, the detective denied the parents' request to remain with their son during the interview. While the parents waited in the lobby, Alvarado was questioned by police. He was not advised of his *Miranda* rights. During the two hour session, the detective twice asked Alvarado if he wanted to take a break. Alvarado admitted to his role in a murder and robbery that police were investigating. At the end of the interview Alvarado went home. His confession was offered as evidence against him at trial.

2. After receiving the description of an alleged assailant, a police officer entered a supermarket, and spotted Quarles, a man fitting the description. The officer ordered Quarles to stop. Quarles complied and was then frisked by the officer. Upon detecting an empty shoulder holster, the officer asked Quarles where his gun was. Quarles responded. The officer then formally arrested Quarles and read him his *Miranda* rights. Both the gun and Quarles initial response were offered as evidence against him at trial.

3. After a vehicle equipped with a faulty bomb was left in a major metropolitan area and reported to authorities, police pieced together incriminating evidence including the vehicle's identification number and telephone records. All evidence pointed toward one suspect, Shahzad, an American citizen. Police eventually located Shahzad on an international flight ready to depart and took him into custody. Shahzad was interrogated about the failed bombing and its connection to terrorist plots and he admitted responsibility and provided other intelligence to officials. Then, after being transported to another location, Shahzad was read his *Miranda* rights. He waived his rights, however, and continued talking to the police. All of the incriminating information Shahzad revealed to police will be used against him at trial.

4. McCarty, a motorist, was stopped by a highway patrol officer after McCarty's vehicle was seen weaving in and out of its lane on the highway. The officer then asked McCarty to exit his vehicle. McCarty had difficulty standing and was given a roadside sobriety test. After failing the test, the officer asked McCarty if he had consumed any intoxicants. McCarty responded he had two beers and smoked marijuana shortly before driving. McCarty was then arrested and taken to a county jail, where McCarty was given a blood alcohol test and police questioning resumed. At no point was McCarty read his *Miranda* rights. McCarty's pre- and post-arrest statements were admitted as evidence against him at trial.

Miranda Checklist

Should the suspect have been read their *Miranda* warnings?