

Miranda Warnings

Before interrogating a person who is in custody “or otherwise deprived of his freedom of action in any significant way,” the police must expressly advise the person that:

- (1) he or she has a right to remain silent;
- (2) any statement may be used as evidence against him or her;
- (3) he or she is entitled “to consult with a lawyer and to have the lawyer with him during interrogation;”
- (4) an attorney will be appointed to represent him or her if he or she cannot afford to retain one; and
- (5) he or she may exercise any of these rights at any point during the interrogation.

Miranda v. Arizona, 384 U.S. 436 (1966). A statement made in police custody, in response to questions, is inadmissible unless the record clearly shows that the entire series of warnings was provided and that the defendant knowingly and intelligently waived these rights.