

Miranda Warning Scenarios Worksheet

Scenario 1

The defendant was questioned at work by the police with others present while an audio recording was made. The defendant was told that she was suspected of a crime. No Miranda warning was given. The defendant admitted her involvement in the crime. The defendant was asked to go to the police station to make a written statement and was then allowed to go home. Was the defendant in custody at the time of the oral statement to the police?

Scenario 2

The defendant and his wife were involved in a car accident. The officer arrived shortly after the accident to investigate. The officer asked both the defendant and his wife who was driving and both say it was the wife. Later the scene investigation revealed that the wife's injuries are consistent with her sitting in the passenger seat during the accident. The officer confronted the defendant with this information and the defendant then admitted that he was the driver. The officer smelled alcohol on the defendant. The officer administered field sobriety tests. The defendant failed the tests, was placed under arrest, and read the Miranda warning. Was the defendant in custody when he admitted to being the driver?

Scenario 3

The officer observed the defendant driving erratically. The officer turned on the emergency lights, but the defendant failed to yield to the officer. The officer turned on the siren and the defendant still failed to yield. The defendant finally stopped. The defendant failed to get out of the car when she was instructed by the officer. The officer pulled the defendant out of the car, put her on the ground and handcuffed her. The officer stood the defendant up, smelled alcohol, and noticed that her eyes were bloodshot and watery. The defendant swayed, staggered, and was argumentative and combative. Seven minutes after the stop another officer arrived and asked the defendant if she had been drinking. The defendant admitted to drinking. No Miranda warning was given. Was the defendant in custody?

Scenario 4

The defendant was incarcerated on Offense A. The defendant was told by guards that an officer was coming to talk to him. The defendant voluntarily went to the interview. The defendant was not restrained. The defendant gave a statement admitting to Offense B. The interview room was well lit and had two windows with a view to the prison administration offices. The door to the interview room was unlocked. Was the Miranda warning required?

Scenario 5

At 9 A.M. the defendant voluntarily went to the police station to give a written statement about a murder in which the defendant's son was a suspect. The defendant left at 11 A.M., but returned to the police department at 1 P.M. wanting to change her statement because it contained a false alibi. The detective interrogated the defendant until 6 P.M., and the defendant made inconsistent statements. No Miranda warning was given. At 7 P.M. the defendant agreed to a polygraph test. She was told that she was not a suspect but was given the Miranda warning. At 11 P.M. the polygraph test was over (deception was indicated) and the interrogation resumed.

The defendant asked to speak to her husband multiple times, but the request was ignored. The defendant complained of exhaustion, headache, and chest pains. The defendant was checked by a medic and determined to be fine. The defendant was given drinks and cigarettes, and was offered food but declined. The defendant was allowed bathroom breaks but was accompanied by officers.

At 1 A.M. the defendant admitted to being present at the crime scene but denied involvement in the crime. At 1:30 A.M. the detectives asked the defendant if she was aware that she was not going home that night. The defendant said she had known that for a while. The defendant was taken to another room where she made a written statement. After writing the statement she was given the Miranda warning three times. She then signed the statement at 3:55 A.M. Was the defendant in custody?

Scenario 6

The defendant was pulled over on a valid traffic stop. The odor of alcohol was detected on him. A field sobriety test was administered. The defendant failed the field sobriety test. The defendant was arrested and taken to the police department. No Miranda warning was given. At the police department the defendant was asked by the officer to take a breath test. The defendant refused. Was the defendant's refusal to take a breath test admissible against him at a trial?