

What Rights Do You Have When Arrested?

If you have ever watched a police movie or tv show, you probably have seen a scene when someone gets arrested and the cops say something like “you have the right to remain silent”. The suspect is being “mirandized”, which is when the enforcement authority reads the Miranda rights to the individual being arrested—and understanding these rights is fundamental to anyone being arrested or interrogated. Here’s what you need to know about them:

The History of Miranda Rights

Miranda rights are named after the [US Supreme Court case *Miranda v. Arizona* \(1966\)](#). After being arrested and interrogated, Ernesto Miranda confessed to his crimes and was found guilty. However, the US Supreme Court invalidated his confession because he said he didn’t know his Constitutional rights which are protected under the Fifth Amendment.

Understanding Your Miranda Rights

The police must read you your Miranda rights if you're under arrest or being interrogated while in custody. Although the wording can vary a bit depending on the state, this is what a [typical Miranda warning](#) looks like:

"You have the right to remain silent. Anything you say can and will be used against you in a court of law. You have the right to an attorney. If you cannot afford an attorney, one will be provided for you. Do you understand the rights I have just read to you? With these rights in mind, do you wish to speak to me?"

Misconceptions About the Miranda Rights

Contrary to popular belief, the police don't need to read your Miranda rights when they're questioning you without taking you into custody. This means that if the police ask you a few questions and later they decide to use your answer against you, the evidence is valid even if you weren't given the Miranda warning.

If you're driving and you get pulled over by a police officer, they might ask you a few questions. Again: If you're not in custody—anything that you do or say can be used to build a case against you regardless if your Miranda rights were read or not.

We hope this blog helps you understand your Miranda rights to protect you from self-incrimination and wrongful conviction. The attorneys at BUSINESS XYZ can provide the criminal defense you need and expertly handle your legal matters. Contact us through our website or give us a call at (555) 555-5555.

REFERENCES (do not publish)

<https://criminal.findlaw.com/criminal-procedure/chronology-the-arrest-process.html>

<http://www.mirandawarning.org/whatareyourmirandarights.html>

<https://davidaylor.com/need-know-miranda-rights-arrested/>

<http://mentalfloss.com/article/86769/10-facts-about-miranda-warning-you-have-right-know>