
The Rights of The Accused nan Supersede The Rights of The Victim

I believe the rights of the accused can supersede the rights of the victim. This is proven through court case Miranda v. Arizona. In this case, Miranda was arrested at his home and taken in custody to a police station where the complaining witness identified him. Two police officers then interrogated him for two hours, which resulted in a signed, written confession. At trial, the oral and written confessions were presented to the jury. Miranda was found guilty of kidnapping and rape and was sentenced to 20-30 years imprisonment on each count. On appeal, the Supreme Court of Arizona held that Miranda's constitutional rights were not violated in obtaining the confession.

It all started when a man forcibly grabbed an 18-year-old girl as she was walking home from her bus stop after working late at a movie house in Phoenix, Arizona. The attacker dragged her into his car, tied her hands behind her back and forced her to lie down in the back seat. After driving for 20 minutes, the man stopped outside of the city and raped her. He demanded she give him her money and told her to lie down again in the back seat. He then drove her back into the city, dropping her off blocks from her house. Miranda was then questioned for two hours without a lawyer. At one point, the detectives brought the victim into the room. Once they showed her, he had finally confessed. Miranda eventually offered details of the crimes that closely matched the victim's account. He agreed to formalize his confession in a written statement, which he wrote out under the words, "this confession was made with full knowledge of my legal rights, understanding any statement I make may be used against me." His confession was used as sole evidence when he was tried and convicted for the crimes by an Arizona court. Miranda's lawyer, however, stated that Miranda was not afforded all the safeguards to his rights provided by the Constitution and the laws and rules of the court. The Arizona Supreme Court ruled that Miranda's confession was legitimate and that he had been aware of his rights.

Afterwards, an attorney named Robert Corcoran pointed out the meaning of the sixth amendment, which guarantees the rights of criminal defendants including the right to a lawyer. Not only was that but the Fifth Amendment at play into his trial also which protects the defendants from being compelled to become witnesses against themselves. Therefore, his lawyers argued that even though Miranda had written his confession under a statement saying that he was fully aware of his legal rights, they had not been made explicitly clear to him. They argued his confession should not be deemed admissible.

In the end, the decision was made in a 5-4 ruling claiming that Miranda's confession could not

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be used as evidence in a criminal trial. The Court further held that “without proper safeguards the process of in-custody interrogation of persons suspected or accused of crime contains inherently compelling pressures which work to undermine the individual’s will to resist and to compel him to speak where he would otherwise do so freely.” Therefore, a defendant “must be warned prior to any questioning that he has the right to remain silent, that anything he says can be used against him in a court of law, that he has the right to the presence of an attorney, and that if he cannot afford an attorney one will be appointed for him prior to any questioning if he so desires.” Through this case, you can see the rights of the accused even superseded the rights of the victim.

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