





Class 25: Miranda Exceptions And Deconstitutionaliza-

Exceptions

Quarles

Facts

Report of rape with detailed description of offender
 She reported he had enter nearby supermarket, carrying a gun
 Officer entered supermarket; D saw and ran to back of store; officer caught up and ordered D to stop and put hands over head
 Frisk; noticed empty shoulder holster; cuffed.
 Asked him where the gun was.
 "The gun is over there."
 Recovered gun
 Mirandized; waived; more interrogation

Held

Reasoning

Problems

Note 3

Note 5

- A
- B
- C
- D
- E
- F

Elstad

Didn't assign it, but rule is important

Fifth Amendment violations are different than Fourth Amendment violations

Violation of Miranda, unaccompanied by coercion, does not necessarily lead to suppression of "fruits"

No warnings followed by statement

Statement suppressed

Followed by later Warnings followed by signed confession

Later confession need not be suppressed
 Warnings cured the condition that rendered earlier statement inadmissible

Rejects argument that once the "cat is out of the bag," later confession is involuntary

"A subsequent administration of Miranda warnings to a suspect who has given a voluntary but unwarned statement ordinarily should suffice to remove the conditions that precluded admission of the earlier statement"

"We must conclude that, absent deliberately coercive or improper tactics in obtaining the initial statement, the mere fact that a suspect has made an unwarranted admission does not warrant a presumption of compulsion."