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HOUSE RESOLUTION

WHEREAS, Police interrogation raises challenging legal questions because of the important but competing interests these practices implicate; and

WHEREAS, Confessions by guilty suspects aid the police in solving crimes and promoting public safety; but the desire to secure a confession can invite abusive police practices, and these practices can undermine valued individual rights, and even prompt innocent persons to confess; and

WHEREAS, The Fifth Amendment to the United States Constitution made applicable to the states by the Fourteenth Amendment provides that (n)o person shall be compelled in any criminal case to be a witness against himself (or herself); and

WHEREAS, June 13, 2016 marks the 50th anniversary of the landmark United States Supreme Court decision of *Miranda v. Arizona*, 384 U.S. 436 (1966); and

WHEREAS, The decision holds that when an individual is taken into custody or otherwise deprived of his or her freedom by the authorities in any significant way and is subjected to questioning, he or she must be warned prior to any questioning that he or she has the right to remain silent, that anything he

1 or she says can be used against him or her in a court of law,
2 that he or she has the right to the presence of an attorney
3 during police questioning, and that if he or she cannot afford
4 an attorney one will be appointed for him or her prior to any
5 questioning if he or she so desires and that he or she must be
6 given the opportunity to exercise these rights throughout the
7 interrogation; after the warnings have been given, and the
8 opportunity afforded him or her, the individual may knowingly
9 and intelligently waive these rights and agree to answer
10 questions or make a statement; but unless and until the
11 warnings and waiver are demonstrated by the prosecution at
12 trial, no evidence obtained as a result of interrogation can be
13 used against him or her; and

14 WHEREAS, Despite some limitations placed on the
15 applicability of the Miranda decision by the United States
16 Supreme Court over the past 50 years, the ruling remains a
17 significant constitutional decision in our system of criminal
18 justice; and

19 WHEREAS, The Miranda ruling checks the power of police to
20 coerce their way to a confession from the suspect; and

21 WHEREAS, The Miranda ruling reinforces the fundamental
22 principle that all individuals retain critical rights when in
23 police custody, and that police must work within these rights

1 when interrogating a suspect; and

2 WHEREAS, This principle reinforces our nation's commitment
3 to the rule of law, even when the State is pursuing interests
4 as important as criminal justice and public safety; therefore,
5 be it

6 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE
7 NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we
8 celebrate the landmark 1966 United States Supreme Court
9 decision of *Miranda v. Arizona*.