



Training Key® #643

New Developments in *Miranda* Law

In the year 2010, the U.S. Supreme Court handed down three cases related to the questioning of suspects and the rights of such suspects under the rules announced in *Miranda v. Arizona*¹ and subsequent related cases. An understanding of the decisions in these cases is essential to all law enforcement officers. This *Training Key*® will discuss these new cases and serve as an update to prior IACP *Training Keys*® on this subject.

Background

In order to understand the new cases referred to above, officers must be familiar with the preexisting rules governing the questioning of suspects as announced over the years by the U.S. Supreme Court. Although the Court decisions creating these rules will generally be familiar to all law enforcement officers, a brief review of prior case law will be helpful.

Miranda v. Arizona. Under the rule announced by the Court in the 1966 case of *Miranda v. Arizona*,² before conducting a custodial interrogation of any person, a police officer must first inform that person that

The person has a right to remain silent.

Anything that the person says may be used against the suspect in a court of law.

The person has the right to consult with an attorney and to have an attorney present during questioning.

*If the person cannot afford an attorney, one will be appointed to represent him or her.*³

As these warnings suggest, under *Miranda* a suspect has two basic rights—the right to remain silent and the right to counsel. These *Miranda* rights may be waived by the suspect, but for the waiver to be effective it must be valid. Under the rules set forth for such waivers, to be valid the waiver must not only be voluntary, but must also be both “knowing and intelligent.”⁴ Thus, police must not only advise a suspect of his rights, but must also obtain a voluntary, knowing, and intelligent waiver of those rights before proceeding.⁵

The suspect may assert either or both of the *Miranda* rights at any time, including during the course of police questioning—even though a valid waiver has been given.

Edwards v. Arizona. In the 1981 case of *Edwards v. Arizona*,⁶ the Court ruled that once a suspect asserts the *Miranda* right to counsel, that suspect “is not subject to further interrogation by the authorities until counsel has been made available to him.”⁷ This precludes officers from even attempting further questioning prior to the provision of counsel for the suspect, unless the resumption of contact between the officers and the suspect was initiated by the suspect.⁸

Subsequent Cases. The decisions in *Miranda* and *Edwards* were followed by a long series of additional decisions by the U.S. Supreme Court and lower courts interpreting and applying the rules set forth by those cases. For example, one of the ambiguities created by the *Edwards* decision was addressed by the Court in *Minnick v. Mississippi*,⁹ which held that when counsel has been requested, questioning must cease and police may not re-initiate interrogation without counsel present, regardless of whether or not the accused has actually consulted with an attorney in the interim.¹⁰

New Developments

Although nearly half a century has passed since the original *Miranda* decision, year after year new questions continue to arise regarding the meaning and scope of *Miranda*, *Edwards*, and related cases. The following are three of the issues that continue to create problems for law enforcement and the courts:

When warning a suspect of his or her rights, what language must or may the police use to satisfy the *Miranda* requirements?

What words or actions of the suspect constitute invocation by the suspect of the *Miranda* rights, thereby requiring a termination of questioning?

Once the suspect has invoked his or her *Miranda* rights, under what (if any) circumstances can the suspect again be questioned by police without violating *Edwards v. Arizona*?

In 2010, the Supreme Court decided three cases directly addressing these troubling issues.

Florida v. Powell. The courts have long held that the precise language of the warnings set forth in *Miranda* need not be followed, as long as the suspect has been informed of the substance of his or her rights and understands them.¹¹ However, defendants continue to seek suppression of confessions on the grounds that the warnings given by the police were not sufficient to satisfy the *Miranda* rule. One such case is *Florida v. Powell*,¹² decided by the Court in February, 2010.

In *Florida v. Powell*, Tampa law enforcement officers arrested Powell in connection with a robbery and transported him to police headquarters. Before asking Powell any questions, the officers read him the standard Tampa Police Department Consent and Release Form. The form states:

“You have the right to remain silent. If you give up the right to remain silent, anything you say can be used against you in court. You have the right to talk to a lawyer before answering any of our questions. If you cannot afford to hire a lawyer, one will be appointed for you without cost and before any questioning. You have the right to use any of these rights at any time you want during this interview.”¹³

Acknowledging that he had been informed of his rights, that he understood them, and that he was “willing to talk” to the officers, Powell signed the waiver form and thereafter made inculpatory statements. However, Powell moved to suppress these statements, contending that the *Miranda* warnings given to him by the Tampa police were deficient because that “did not adequately convey his right to the presence of an attorney during questioning.”¹⁴ The Florida court declined to suppress the statements, and Powell was convicted on a firearms charge.

Following appeals through the Florida courts, the U.S. Supreme Court upheld the conviction, ruling that the warnings given by the Tampa police were sufficient to satisfy *Miranda*. Writing for the Court, Justice Ginsberg stated:

The four warnings Miranda requires are invariable, but this Court has not dictated the words in which the essential information must be conveyed. ... In determining whether police officers adequately conveyed the four warnings ... reviewing courts are not required to examine the words employed “as if construing a will or defining the terms of an easement. The inquiry is simply whether the warnings reasonably ‘conve[y] to [a suspect] his rights as required by Miranda.’”¹⁵

Justice Ginsberg further noted that the Tampa officers informed Powell that he had the right to talk to a lawyer before answering any of their questions and the right to use any of his rights at any time that he wanted to during the interview.

The first statement communicated that Powell could consult with a lawyer before answering any particular question, and the second statement confirmed that he

could exercise that right while the interrogation was underway. In combination, the two warnings reasonably conveyed Powell’s right to have an attorney present, not only at the outset of interrogation, but at all times.¹⁶

Thus the *Powell* conviction was upheld.

Although the version of the *Miranda* warnings used in the *Powell* case was accepted as sufficient by the U.S. Supreme Court, law enforcement officers should not take the case to mean that variations from the standard *Miranda* warnings are encouraged by the Court. On the contrary, the *Powell* opinion expressly states:

[I]t is “desirable police practice” and “in law enforcement’s own interest” to state warnings with maximum clarity.... “By using a conventional and precise formulation of the warnings, police can significantly reduce the risk that a court will later suppress the suspect’s statement on the ground that the advice was inadequate.”¹⁷

Officers should therefore always use an approved formulation of the *Miranda* warnings and not vary from that formulation.

Berghuis v. Thompkins. Since the *Miranda* decision, many cases have addressed the issue of what words or actions of the suspect constitute invocation of his or her *Miranda* rights, thereby requiring a termination of questioning. Although a clear, direct statement by the suspect asserting his or her *Miranda* rights may be forthcoming in many instances, often statements by suspects under questioning are ambiguous enough to create a doubt as to whether *Miranda* has indeed been invoked. In other instances, the suspect may make no statement at all regarding his or her *Miranda* rights. In that event, a court must determine if those rights have or have not been invoked, as illustrated by *Berghuis v. Thompkins*,¹⁸ decided on June 1, 2010.

Thompkins was questioned by two Michigan police officers regarding a fatal shooting outside a mall in Southfield, Michigan. After advising Thompkins of his *Miranda* rights, the officers

began an interrogation. At no point during the interrogation did Thompkins say that he wanted to remain silent, that he did not want to talk with the police, or that he wanted an attorney. ... Thompkins was “[l]argely” silent during the interrogation, which lasted about three hours. He did give a few limited verbal responses, however, such as “yeah” “no,” or “I don’t know.” And on occasion he communicated by nodding his head. . . .

About 2 hours and 45 minutes into the interrogation [one of the officers] asked Thompkins, ... “Do you pray to God to forgive you for shooting that boy down?” Thompkins answered “Yes” and looked away. Thompkins refused to make a written confession, and the interrogation was ended about 15 minutes later.¹⁹

Thompkins later moved to suppress the statements made during the interrogation, arguing that he had invoked his Fifth Amendment right to remain silent, requiring the police to end the interrogation at once. The motion to suppress was denied,

and Thompkins was convicted of several offenses and sentenced to life imprisonment without parole.

Upon appeal, the Court rejected Thompkins' claim that he had invoked his right to remain silent.

Invocation of the right to counsel vs. invocation of the right to remain silent. The *Thompkins* Court noted that the Court has previously held that an invocation of the right to counsel must be "unambiguous."

In the context of invoking the Miranda right to counsel, the Court in Davis v. United States, 512 U.S. 452, 459 (1994), held that a suspect must do so "unambiguously." If an accused makes a statement concerning the right to counsel "that is ambiguous or equivocal" or makes no statement, the police are not required to end the interrogation, or ask questions to clarify whether the accused wants to invoke his or her Miranda rights.

The Court has not yet stated whether an invocation of the right to remain silent [emphasis added] can be ambiguous or equivocal, but there is no principled reason to adopt different standards for determining when an accused has invoked the Miranda right to remain silent and the Miranda right to counsel...²⁰

Invocation of the right to remain silent must be unambiguous. Based upon the foregoing reasoning, the *Thompkins* Court ruled that assertion of the right to remain silent, like the assertion of the right to counsel, must be unambiguous.

There is good reason to require an accused who wants to invoke his or her right to remain silent to do so unambiguously. If an ambiguous act, omission, or statement could require police to end the interrogation, police would be required to make difficult decisions about an accused's unclear intent and face the consequence of suppression "if they guess wrong." Suppression of a voluntary confession in these circumstance would place a significant burden on society's interest in prosecuting criminal activity...

Thompkins did not say that he wanted to remain silent or that he did not want to talk with the police. Had he made either of these simple, unambiguous statements, he would have invoked his "right to cut off questioning." Here he did neither, so he did not invoke his right to remain silent.²¹

Waiver of rights. The remaining question considered by the *Thompkins* Court was whether, by his silence, Thompkins not only did not invoke his right to remain silent—so the officers did not have to terminate the questioning, but also waived his right to remain silent—so his statements were admissible. The Court concluded that Thompkins had indeed waived his right to remain silent.

The course of decisions since Miranda ... demonstrates that waivers can be established even absent formal or express statements of waiver...

...[C]ourts can infer a waiver of Miranda rights "from the actions and words of the person interrogated."²²

The Court noted that this principle would be "inconsistent" with a rule that required a waiver at the outset of questioning. Thus the Court rejected Thompkins' contention that police were not allowed to question him unless they had obtained a waiver first.

An assertion of the *Miranda* right to remain silent, to be effective, must be unambiguous, and a failure to assert the right unambiguously may constitute a waiver of those rights. It is not necessary that an express or written waiver be obtained before questioning. As the *Thompkins* court said:

[A] suspect who has received and understood the Miranda warnings, and has not invoked his Miranda rights, waives the right to remain silent by making an uncoerced statement to police. ... The police ... were not required to obtain a waiver of Thompkins's right to remain silent before interrogating him.²³

Notwithstanding these pronouncements, it is strongly recommended that officers obtain written waivers from a suspect using approved waiver forms whenever it is possible to do so.

Maryland v. Shatzer. The third of the three *Miranda*-related issues discussed above was addressed by the Court in the case of *Maryland v. Shatzer*,²⁴ decided February 24, 2010. This case may prove to be the most significant development in *Miranda* law in many years, for in it the Court announced a new bright-line rule governing subsequent questioning of a person who has previously asserted his or her right to an attorney under *Edwards*.

As noted above, when a suspect has asserted his or her right to counsel, under *Edwards v. Arizona*²⁵ questioning must cease immediately, and no further questioning is allowed until counsel has been made available to the suspect. Thereafter, police may not resume questioning without counsel present.²⁶ Any further questioning after an assertion of the right to counsel is presumed to be coerced.²⁷ The prohibition against further questioning applies even when the subsequent interrogation pertains to a different crime or is conducted by a different law enforcement agency.²⁸

There are two notable exceptions to the *Edwards* rule, however. First, questioning may be resumed if the suspect "himself initiates further communication, exchanges, or conversations with the police."²⁹ Secondly, as noted in the opinion in *Maryland v. Shatzer*, a number of lower courts have held that the *Edwards* rule does not apply once there has been a "break in custody" and the suspect has been released from police custody and returned to his "normal life."³⁰ However, heretofore this "break in custody" exception had appeared in the Supreme Court cases only in passing. Prior to *Shatzer* it had never been directly addressed by the Supreme Court.³¹ In *Shatzer*, however, the Court not only addressed the "break in custody" exception to *Edwards*, but also considered what constitutes a "break in custody" and how long this "break" must be before the *Edwards* rule ceases to apply.

These are the facts as stated in the *Shatzer* opinion, written by Justice Scalia:

In August 2003, a social worker assigned to the Child Advocacy Center in the Criminal Investigation Division of the Hagerstown Police Department referred to the department allegations that respondent Michael Shatzer, Sr., had sexually abused his 3-year-old son. At that time, Shatzer was incarcerated at the Maryland

Correctional Institution-Hagerstown, serving a sentence for an unrelated child-sexual-abuse offense. Detective Shane Blankenship was assigned to the investigation and interviewed Shatzer at the correctional institution on August 7, 2003. ... Shatzer declined to speak without an attorney. Accordingly, Blankenship ended the interview, and Shatzer was released back into the general prison population. ...

Two years and six months later, the same social worker referred more specific allegations to the department about the same incident involving Shatzer. Detective Paul Hoover, from the same division, was assigned to the investigation. He and the social worker interviewed the victim, then eight years old, who described the incident in more detail. With this new information in hand, on March 2, 2006, they went to the Roxbury Correctional Institute, to which Shatzer had since been transferred, and interviewed Shatzer Hoover then read Shatzer his Miranda rights and obtained a written waiver on a standard department form. ...

...At no point during the interrogation did Shatzer request to speak with an attorney or refer to his prior refusal to answer questions without one.

Five days later, on March 7, 2006, Hoover and another detective met with Shatzer at the correctional facility to administer [a] polygraph examination. After reading Shatzer his Miranda rights and obtaining a written waiver, the other detective administered the test and concluded that Shatzer had failed. When the detectives then questioned Shatzer, he became upset, started to cry, and incriminated himself by saying, “ I didn’t force him. I didn’t force him.” After making this inculpatory statement, Shatzer requested an attorney, and Hoover promptly ended the interrogation.

... Shatzer moved to suppress his March 2006 statements pursuant to Edwards. ... The trial court held a suppression hearing and later denied Shatzer’s motion. The Edwards protections did not apply, it reasoned, because Shatzer had experienced a break in custody for Miranda purposes between the 2003 and 2006 interrogations. ... [T]he trial court found Shatzer guilty of sexual child abuse of his son.³²

The *Shatzer* Court found as follows:

1. The Court recognized the “break in custody” exception to the *Edwards* rule, an exception long applied in lower courts but not previously directly addressed by the Supreme Court.
2. The Court stated that for the “break in custody” exception to apply, the break must be “of sufficient duration to dissipate” the first interrogation’s presumed coercive effects. The Court determined that the return of Shatzer to the general prison population after the first interrogation constituted a “break in custody” for *Edwards* purposes, since it was a release from the custodial atmosphere of his interrogation by the police. As the Court observed, because he was already in prison serving a

sentence for another offense, release to the general prison population following his interrogation was, for him, a return to his “accustomed surroundings and daily routine.”³³

3. The Court held that the two and a half-year interval between the first and second interrogations was a sufficient “break in custody”³⁴ to cause the exception to *Edwards* to apply.

Thus, the Court found that Shatzer’s inculpatory statements made during the second interrogation were not made in violation of *Edwards* and were admissible against him.

The new “14-day” rule. As noted above, the *Shatzer* opinion found that the return of Shatzer to the general prison population constituted a “break in custody,” and that the two-year interval between the first and second interrogations was of sufficient duration to terminate the *Edwards* prohibition against further interrogation. However, the Court went beyond the facts and issues of the *Shatzer* case to consider how long the “break in custody” must be in other cases to remove the prohibition against further interrogation mandated by the *Edwards* rule. Justice Scalia said:

We think it appropriate to specify a period of time to avoid the consequence that continuation of the Edwards presumption “will not reach the correct result most of the time.” It seems to us that period is 14 days. That provides plenty of time for the suspect to get reacclimated to his normal life, to consult with friends and counsel, and to shake off any residual coercive effects of his prior custody.

... Confessions obtained after a 2-week break in custody and a waiver of Miranda rights are most unlikely to be compelled, and hence are unreasonably excluded.³⁵

The *Shatzer* case incorporates a number of principles, but the two most significant may be the following:

- a. The “break in custody” exception to the *Edwards* prohibition against further interrogation once the right to counsel is asserted has now been “officially” recognized by the U.S. Supreme Court.
- b. However, the Court has set forth a new “bright-line” rule regarding how long the break in custody must last before the *Edwards* prohibition ceases to apply. This rule specifies that the break must be of a duration of at least 14 days.

The announcement of this “14-day rule” presents some difficult questions for law enforcement. It appears from the *Shatzer* decision that a person who has been released from custody on one charge, but who has been apprehended on a different charge during the 14-day “break” period mandated by *Shatzer*, may not be questioned by police regarding the new charge until the 14-day period following the prior release has passed. And, under the principles of *Edwards*, this is true even if the second interrogation is conducted by a different law enforcement agency, and even if the second law enforcement agency is totally unaware of the prior interrogation, the prior assertion of the right to counsel, or the date upon which the 14-day break period began.³⁶

Summary

The three cases discussed in this *Training Key* have established, respectively

1. Variations in the wording of *Miranda* warnings given by police do not necessarily render the warnings invalid, provided that the basic protections guaranteed by *Miranda* have been afforded (*Florida v. Powell*). However, this latitude in language should not be relied upon routinely. Wherever possible, officers should give standardized warnings based upon approved departmental forms.
2. To be effective, an assertion of the *Miranda* rights must be unambiguous, and police are not required to obtain an express or written waiver before questioning (*Berghuis v. Thompkins*). Nevertheless, whenever possible, an express waiver of *Miranda* rights, preferably in writing, should be obtained before questioning begins.
3. The *Edwards* prohibition against further questioning once a suspect has asserted his or her right to counsel does not apply if there has been a break in custody of sufficient length between the first interrogation and subsequent questioning. However, this break in custody must be of a duration of at least 14 days before the exception applies (*Maryland v. Shatzer*). This new “bright line rule” announced by the Supreme Court in *Shatzer* leaves many questions unanswered, questions that must be resolved by the courts in subsequent cases. Meanwhile, the 14-day rule appears to prevent police from questioning a suspect about a new offense prior to the expiration of 14 days from the time of the suspect’s release from custody in connection with a prior offense, and, under *Edwards*, this applies even to law enforcement officers and agencies other than those who conducted the first interrogation.

Developments in each of these areas, particularly in cases involving an invocation by a suspect of the right to counsel during any interrogation, should be monitored closely by all law enforcement agencies.

Acknowledgement

This *Training Key*® was prepared by Charles E. Friend, an attorney and law enforcement consultant based in Williamsburg, Virginia.

Endnotes

- ¹ *Miranda v. Arizona*, 384 U.S. 436 (1966).
- ² *Id.*
- ³ See *Miranda*, 384 U.S. at 444.
- ⁴ *Miranda*, 384 U.S. at 492.
- ⁵ For a detailed discussion of waivers, see IACP *Training Key* #410, Interrogations and Confessions after *Minnick*.
- ⁶ *Edwards v. Arizona*, 451 U.S. 477 (1981).
- ⁷ *Edwards*, 451 U.S. at 484–485 (1981).
- ⁸ *Edwards*, 451 U.S. at 485 (1981).
- ⁹ *Minnick v. Mississippi*, 498 U.S. 146 (1990).
- ¹⁰ For further discussion these and other points, see IACP *Training Key* #410, Interrogations and Confessions after *Minnick*.
- ¹¹ See, e.g., *California v. Prysock*, 453 U.S. 355 (1981).
- ¹² *Florida v. Powell*, 130 S. Ct. 1195 (2010).
- ¹³ *Powell*, 130 S. Ct. at 1200.
- ¹⁴ *Id.*
- ¹⁵ *Powell*, 130 S. Ct. at 1200, quoting *Duckworth v. Eagan*, 492 U.S. 195, 203 (1989) and *California v. Prysock*, 453 U.S. at 361.
- ¹⁶ *Powell*, 130 S. Ct. at 1205.
- ¹⁷ *Powell*, 130 S. Ct. at 1205, quoting from the “amicus curiae” brief filed in the *Powell* case by the United States government. The *Powell* opinion further noted that “The standard warnings used by the Federal Bureau of Investigation are exemplary. They provide in relevant part: ‘You

have the right to talk to a lawyer for advice before we ask you any questions. You have the right to have a lawyer with you during questioning.’ ... This advice is admirably informative, but we decline to declare its precise formulation necessary to meet *Miranda*’s requirements. Different words were used in the advice Powell received, but they communicated the same essential message.” *Id.*

- ¹⁸ *Berghuis v. Thompkins*, 130 S. Ct. 2250 (2010).
- ¹⁹ *Berghuis*, 130 S. Ct. at 2256–2257.
- ²⁰ *Berghuis*, 130 S. Ct. at 2260 (emphasis added).
- ²¹ *Id.* (quoting *Davis* 461 U.S. at 459–461; *Michigan v. Mosley*, 423 U.S. 96, 103 (1975); and *Miranda*, 384 U.S. at 474).
- ²² *Berghuis*, 130 S. Ct. at 2261, 2263 (quoting *North Carolina v. Butler*, 441 U.S. 369, 373 (1979)).
- ²³ *Id.* at 2264.
- ²⁴ *Maryland v. Shatzer*, .
- ²⁵ *Edwards*, 451 U.S. 477.
- ²⁶ *Id.* This has been reiterated in subsequent cases. See, e.g., *Arizona v. Roberson*, 486 U.S. 675 (1988).
- ²⁷ See *Edwards*, 451 U.S. 477; *Roberson*, 486 U.S. 675; and *Minnick*, 498 U.S. 146.
- ²⁸ *Shatzer*, 130 S. Ct. 1213 n. 5 (citing *Roberson*, 486 U.S. 675 and *Minnick*, 498 U.S. 146).
- ²⁹ *Edwards*, 451 U.S. at 485.
- ³⁰ *Shatzer*, No. 08-280, ___ U.S. ___ (2010).
- ³¹ *Maryland v. Shatzer*, No. 08-280, ___ U.S. ___ (2010), citing dicta in *McNeil v. Wisconsin*, 501 U.S. 171 at 177 (1991) (*Edwards* applies “assuming there has been no break in custody”).
- ³² *Shatzer*, 130 S. Ct. at 1217–1218.
- ³³ *Shatzer*, 130 S. Ct. at 1216.
- ³⁴ *Shatzer*, 130 S. Ct. at 1222.
- ³⁵ *Shatzer*, 130 S. Ct. at 1223.
- ³⁶ A detailed discussion of *Maryland v. Shatzer* and the implications of the 14-day rule can be found in Kenneth A. Meyers, “Fifth Amendment Protection and Break in Custody,” *FBI Law Enforcement Bulletin* (May 2010): 26–32, http://www.fbi.gov/publications/leb/2010/may2010/miranda_feature.htm

questions

The following questions are based on material in this *Training Key*®. Select the one best answer for each question.

1. Which of the following statements is false?
 - (a) *The language set forth in the Miranda decision must be followed exactly if it is to be deemed sufficient to satisfy the Miranda rule.*
 - (b) *Invocation of one's right to counsel must be unambiguous.*
 - (c) *If a suspect remains silent when given his or her Miranda rights, officers need not stop an interrogation.*
 - (d) *A suspect who has received and understood the Miranda warnings, and has not invoked those rights, waives the right to remain silent by making an uncoerced statement to police.*
2. Which of the following statements is false?
 - (a) *Whenever possible, an express waiver of Miranda rights should be obtained prior to questioning.*
 - (b) *To be valid, a waiver of Miranda rights must be in writing.*
 - (c) *A suspect who remains silent when given his Miranda rights, invokes both his right to remain silent and his right to counsel.*
 - (d) *Both (b) and (c) are false.*
3. Which of the following statements is true? If a suspect invokes his or her right to counsel, he or she can be questioned without counsel present if
 - (a) *The questioning pertains to a different crime.*
 - (b) *He or she has been released from custody and returned to normal life for five days.*
 - (c) *He or she has been released from custody and returned to normal life for at least 14 days.*
 - (d) *The questioning is conducted by another jurisdiction.*

answers

1. (a) The exact language used in the *Miranda* decision need not be used exactly. However, the right to counsel and the right to remain silent must be clearly explained to suspects prior to questioning.
2. (d) A *Miranda* waiver does not have to be in writing, but a written waiver is preferable. A suspect's silence does not constitute an unambiguous invocation of *Miranda* rights.
3. (c) The ruling in *Maryland v. Shatzer* states that a 14-day "break in custody" is necessary before an individual who has invoked his or her *Miranda* right to counsel may be interrogated again. This rule applies even if the questioning is conducted by a different jurisdiction or in reference to another crime.

have you read.....?

"Arrests," *Training Key*® #550, International Association of Chiefs of Police, Alexandria, VA

This document provides specifics on arrest procedures and should be read in cooperation with new *Miranda* procedures discussed in the *Training Key*®.

