



**Five Words That  
Changed America:  
*Miranda v. Arizona*  
and The Right to  
Remain Silent**



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**Amos N. Guiora  
Louisa M. A. Heiny**



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*To Erik, Sabrina, and Linnea.*  
*Yes, again.*  
L.M.A.H.

*To Hagit, Tamar, Amitai, and Yoav.*  
A.N.G.



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# Introduction

*Miranda v. Arizona* ranks as one of the best-known United States Supreme Court decisions of all time. Most Americans can recite at least a portion of the *Miranda* warning, largely due to its regular appearances in television shows and movies. Further, the important legal issues raised by the case have been exhaustively studied and discussed by legal academics for the past fifty years.

However, *Miranda v. Arizona* is far more than the words police recite to suspects today, and far more than a legal analysis of the case itself. It is a series of deeply personal and remarkable stories. *Miranda v. Arizona* is a story of devastating crimes, young victims, novice police officers, a serial sex offender, purse snatchings, robberies, strategic moves, brilliant lawyering, bravery, brutality, misogyny, murder, and poor choices. Some of those whose stories we tell simply did their jobs, surprised to this day that anyone is still interested in the case. Others were acutely aware that their actions could change law enforcement as they knew it.

Our goal was to produce a meticulously researched book that was interesting and accessible—not just to the legal reader, but to all readers. By telling these stories, we hope to give life and meaning to the five words that changed America.



# Reconstructing History

American writer Elbert Hubbard wrote, “Every truth has its counterpart which contradicts it.” In trying to reconstruct a fifty-five-year-old crime, we found that every truth has many counterparts which contradict it.

When we began this book, we assumed the narratives in previously published works were true. When we began interviewing witnesses and reviewing thousands of pages of archival documents, we quickly found it wasn’t that simple. Published authors contradicted each other, facts in published articles didn’t have a basis in the police reports or trial testimony, oral histories contradicted police reports, witness statements were inconsistently translated, testimony from a witness at one trial contradicted the same witness’s testimony at another. Memories slipped and shifted. Two people told us different versions of the same event.

In the end, we did not include a fact in the book unless we could corroborate it with either an interview or the primary archival materials, regardless of how many times it had appeared in print elsewhere. Every quote is contained in a primary source. We attempted, sometimes unsuccessfully, to contact every living person involved in the case. Where there was a conflict between a later interview and the primary archival materials, we followed the primary materials. We theorized a witness’s memory was probably better in 1963 than in 2018.

We were also conscious of the power of a name. Many authors have invented pseudonyms for Ernesto Miranda’s victims. We quickly found, however, that the victims’ real names were already widely in print, as were their relatives’ names. Inventing yet more pseudonyms seemed pointless and artificial, so we have used their real names at the time the events occurred but omitted later name changes.

In Part I, we sometimes refer to the victims and the suspect by their first names but refer to the police officers by their last names. This reflects the age of the victims, the power dynamic that existed between police and citizens, and the way in which police reports were written at the time. Additionally, the police officers and attorneys involved in the case continue to refer to the victims by their first names in interviews. In later chapters we refer to the victims, defendant, and police officers by their last names unless quoting from a primary source.

Ernesto Miranda was known as “Ernest” or “Ernie” until 1965 when his appellate attorneys dubbed him “Ernesto” Miranda. The change likely represents both the then-accepted convention of anglicizing Hispanic names and

his attorneys' decision to emphasize Miranda's status as a member of a marginalized minority group. Those who knew Miranda continue to refer to him as "Ernie." This dichotomy appears in the book.

Ultimately, we've tried to be respectful of the experiences of all the people involved in *Miranda v. Arizona*, while faithfully telling the truth as we found it in the records. We hope we have succeeded.