

Miranda Rights for Juveniles: *Yarborough v. Alvarado*

Directions

1. Read the synopsis of facts for *Yarborough v. Alvarado*.
 2. Complete the legal arguments for each side using the graphic organizer.
 3. Review the possible opinions as a class. Select the opinion you find most persuasive and articulate reasons why.
 4. Read the about the decision in *Yarborough v. Alvarado* and discuss which arguments appeared most persuasive to the Court.
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Synopsis of facts

Michael Alvarado was convicted of second-degree murder and robbery for his alleged role in a 1995 killing. Alvarado, who was not the triggerman, was convicted in large part because of incriminating statements he made during a two hour interview with a police detective. At the time of the interview, Alvarado was a 17-year-old high school student with no prior arrest record. The detective had contacted Alvarado's mother, who agreed to bring him to the police station for questioning. When Alvarado arrived with his parents, the detective denied the parents' request to remain with their son during the interview. While they waited in the lobby, Alvarado was questioned alone for two hours. He was not placed under arrest and was allowed to leave after the questioning ended. At no time was Alvarado advised that he had a right to remain silent, a right to consult an attorney prior to answering, or a right to leave the police station at any time. Alvarado alleges he was deprived of his Fifth and Sixth Amendment rights in violation of *Miranda v. Arizona*.

Following his criminal conviction, Alvarado brought a petition in federal district court against Yarborough, the warden of the prison where he was being held. The district court denied Alvarado's petition. However, the Ninth Circuit Court of Appeals reversed, holding that Alvarado was "in custody" when he was interrogated by police and, therefore, should have been read his *Miranda* warnings. The Ninth Circuit insisted that federal criminal law treated children differently and this principle should apply to *Miranda* custody determinations.

Graphic Organizer

Use the graphic organizer on the following page to list arguments for each side of the following legal issue: **In determining "custody" for purposes of *Miranda*, should a court apply a different standard for juveniles?**

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Arguments for Yarborough	Arguments for Alvarado

Possible Opinions

Opinion A

The Supreme Court established the legal principle that juvenile defendants are, in general, more susceptible to police coercion than adults; as such, due process demands that a defendant's juvenile status be taken into consideration when determining the proper procedural safeguards that attach to a custodial interrogation. During the last half century, the Court has consistently reaffirmed this principle. If a juvenile is more susceptible to police coercion during a custodial interrogation, then the same juvenile is also more susceptible to the impression that he is, in fact, in custody in the first instance.

But the lower court failed to address how Alvarado's juvenile status, including the involvement of his parents at the behest of police, affected the "in custody" determination. Relevant Supreme Court

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precedents lead us to conclude that Alvarado's youth and inexperience with the police are simply too important to be ignored. *Miranda* warnings should have been given before the interrogation took place. The Court of Appeals was correct in reversing the trial court's conclusion that *Miranda* warnings were not required.

Opinion B

The Court adopted *Miranda* to provide an additional degree of protection for the constitutional rights to counsel and against self-incrimination. It does this by prohibiting evidence of any confession given during a custodial interrogation from being heard at trial unless the defendant was made aware of his rights in advance. *Miranda* notices are only required when the defendant is in custody, and the goal of the protection is adequately served by an objective test for custody that focuses only on the restrictive circumstances of the interview, rather than on the suspect's perceptions of them.

This Court has often noted that one of the principal advantages of *Miranda* is that it provides police and courts with clear guidance about how custodial questioning must be conducted for statements obtained to be admissible. Because of the considerable advantage afforded by the clear guidance *Miranda* provides, this Court has stated that the "simplicity and clarity of the holding of *Miranda*" are not to be compromised "absent a compelling justification."

The facts of this case make clear that respondent was not in custody at the time of his interview. There is no indication that he was present at the interview involuntarily, and he was not handcuffed, arrested, or told he was not free to leave. [Alvarado] was interviewed by a single officer, and agreed at trial that the encounter was a "friendly conversation" and was not confrontational. Taken as a whole, the objective circumstances indicate that [Alvarado] was not subjected to the functional equivalent of a formal arrest. The Ninth Circuit misapplied the law in considering Alvarado's age as part of the broader custody determination. Such consideration of age was beyond the clear weight of Supreme Court precedent, therefore the Ninth Circuit was wrong to upset the state court's ruling. Alvarado's conviction on the basis of his testimony is reinstated.

Yarborough v. Alvarado: Decision

Majority

Justice Kennedy delivered the majority opinion in a 5-4 decision that reversed the Ninth Circuit. The majority found that the state criminal court that convicted Alvarado had reached a reasonable conclusion that the minor was not in custody for *Miranda* purposes when he was interviewed. The Court cited a number of factors that indicated that Alvarado was not in custody at the time he was questioned, including the fact that he went to the station voluntarily, was never told he could not leave, was not threatened by authorities, was told the interview would be brief, and was allowed to return home afterwards. According to the Court, *Miranda* can be distinguished from other cases that require special consideration of age for juvenile offenders.

The majority also stressed the importance of a clear rule for police to apply. Allowing different standards for juveniles would make it more difficult for police to determine when *Miranda* warnings are necessary.

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Concurrence

Though she joined the majority, Justice O'Connor wrote a separate, single paragraph to emphasize her sense that in other cases the age of the defendant could be relevant to the custody determination. She suggested that the failure to consider age could justify reversal in other circumstances. The fact that Alvarado was 17 years old made a difference to her.

Dissent

Justice Breyer wrote a forceful dissent in which he criticized the majority's characterization of the facts. Justice Breyer framed the issue in the following way:

What reasonable person, brought to a police station by his parents at police request, put in a small interrogation room, questioned for a solid two hours, and confronted with claims that there is strong evidence that he participated in a serious crime, could have thought to himself, "Well, anytime I want to leave I can just get up and walk out?" The dissent said that the involvement of Alvarado's parents suggested that his participation was not voluntary and that a two-hour meeting gave the appearance of custody. The dissent also considered the many ways in which the court system treats juveniles differently, emphasizing that confinement determinations for juveniles should also be treated differently.