

Table 11-4 Exceptions to *Miranda*: Some Examples

Case	Facts	Ruling
<i>Harris v. New York</i> (1971)	An arrested drug suspect made incriminating statements without the benefit of <i>Miranda</i> warnings. At trial he gave an alibi at odds with his earlier statements. To impeach his credibility, the prosecutor introduced the suspect's initial statements.	Statements made without <i>Miranda</i> warnings may be used for the narrow purpose of counteracting perjury.
<i>New York v. Quarles</i> (1984)	A rape suspect was apprehended after a chase through a supermarket. Police discovered an empty holster and asked, "Where's the gun?" The suspect revealed where he dropped it. Police then read the suspect his <i>Miranda</i> warnings.	When there is a danger to public safety, police may ask questions to remove that danger prior to reading <i>Miranda</i> warnings. Answers to such questions may be used as evidence.
<i>Illinois v. Perkins</i> (1990)	An undercover police agent obtained incriminating statements from a prison inmate without first providing <i>Miranda</i> warnings.	<i>Miranda</i> warnings are not required when a suspect is unaware he or she is speaking to a law enforcement official and gives a voluntary statement.
<i>New York v. Harris</i> (1990)	Police unlawfully entered the home of a murder suspect without a warrant and without permission. They arrested the suspect and took him to the police station. He was read his <i>Miranda</i> warnings and subsequently signed a written confession.	The fact that police enter a home illegally to make an arrest does not taint a subsequent confession at the police station that takes place after <i>Miranda</i> warnings are given.
<i>Davis v. United States</i> (1994)	In the middle of an interrogation session, a murder suspect, who had received proper <i>Miranda</i> warnings, commented, "Maybe I should talk to a lawyer." The questioning continued for about another hour, at which time the suspect said, "I think I want a lawyer before I say anything else." At that point the investigators terminated the interview.	<i>Miranda</i> does not require police to stop questioning when the suspect makes an ambiguous reference to an attorney.
<i>United States v. Patane</i> (2004)	An arrested suspect, who did not receive full <i>Miranda</i> warnings, was questioned at his home by police officers about a possible firearms violation. The suspect voluntarily admitted to having the pistol in question and gave the officers permission to retrieve it from his bedroom.	The failure to give full <i>Miranda</i> warnings does not require suppression of physical evidence obtained from information voluntarily supplied by the suspect in custody.
<i>Montejo v. Louisiana</i> (2009)	Although he remained silent and did not request a lawyer, an indigent charged with murder was automatically assigned counsel. After the appointment, but before the suspect ever consulted with his attorney, the suspect was read his <i>Miranda</i> warnings, cooperated in a police-initiated interrogation, and confessed.	Police are prevented from initiating custodial interrogations only after the suspect affirmatively asserts the right to counsel.