

Court to examine Miranda

WASHINGTON (AP) - "You have the right to remain silent" will be a common utterance around the Supreme Court this fall.

Justices will hear appeals in three cases involving the court's 37-year-old mandate that police officers warn suspects of their rights before beginning interrogations.

The eventual rulings will tell police how far they can go to get answers from suspected criminals, and let courts know when they must bar confessions or evidence from a trial.

Officers hoping to enhance their chances of getting a suspect to divulge key information sometimes put off reading "Miranda warnings." After they get a confession, or answers that will lead to a weapon or other evidence, officers then run through the warnings that have been made famous by TV cop shows.

The Supreme Court will decide if it's smart detective work or deceitful trickery to delay the warning.

Critics say people may not realize that information divulged before they are read their rights cannot be used at trial and they then repeat incriminating statements later in formal interviews.

Yale Kamisar, a Miranda expert who teaches law at the University of Michigan and the University of San Diego, said police officers are being trained to get around Miranda and the court should stop it.

"This is really making a joke out of the whole thing. Even the Supreme Court justices who are not terribly enthusiastic about Miranda have to realize you either keep Miranda on the books or you don't," he said.

Law enforcement is paying attention to the cases.

"They want to make the arrest, but they want to make it stick too," said Bill Johnson, executive director of the National Association of Police Organizations. "They don't want to be embarrassed by the prosecutor, or the judge."

Interrogations are restricted under the court's 1966 ruling in *Miranda v. Arizona*, which requires officers to warn the people they arrest and question of their rights to remain silent and see a lawyer.

The court reaffirmed *Miranda* in 2000, but then gave police a victory this summer with a ruling that officers cannot be sued for violating the standard as long as the confession is not used in a prosecution.

The issue of interrogations is also getting

some legislative attention. Last month, Illinois became the first state with a law requiring police to tape interrogations and confessions of murder suspects, intended to ensure those in custody are not tortured or coerced.

The upcoming Supreme Court cases give people a glimpse of what interrogations can be like:

Officers armed with an arrest warrant say they just want to chat with a suspected drug dealer before taking him to jail. Officers who arrest a murder suspect at 3 a.m. leave her alone in the interrogation room to "give her a little time to think about the situation." A man suspected of calling and hanging up on his ex-girlfriend breaks down in tears when confronted by a policewoman, then leads officers to a gun he has illegally.

In two of the cases, from Nebraska and Missouri, questionings were started before the suspects were read their rights. In the third case, from Colorado, the suspect interrupted the *Miranda* warning and told the officer he already knew his rights.

The Supreme Court will decide if the two-step interrogation process is improper when done deliberately by officers to try to get a confession. A 1985 court ruling dealt with the same subject, but the double questioning was not deliberate. Both people questioned twice were convicted.

The court will also consider if evidence obtained from people not read their rights can be used against them.

Even with *Miranda* warnings, an estimated 80 percent of suspects still talk to police, Kamisar said.

"When you read someone their rights, it goes in one ear and out the other," Johnson said. "The words have lost their meaning because they've become so common."

Susan Klein, a University of Texas professor, said there's a good chance the court will side with the government in all three cases. The Fifth Amendment right against self-incrimination is not a cherished right in this age of terror fighting, she said.

"It's not something the justices would bend over backward to protect," Klein said. "This is a good time to chip away at *Miranda*."

But Eugene Milhizer, a former Army judge advocate and professor at Ave Maria School of Law in Michigan, expects narrow rulings from the court. "I don't sense that the court wants to do something revolutionary with *Miranda*," he said.



Sentinel-Voice photo by Ramon Savoy

ZAKES' ALIVE

High society came out in force for the Mokae Resource Scholarship Foundation's fifth annual benefit Aug. 16 at the Treasure Island hotel-casino. The foundation is a support system for teenagers leaving the foster care system. It provides mentoring, social and life skills development and job preparedness training to help them transition into independence. Pictured from left to right: Dianne Pollard, Ruby Wilson, Xernona Clayton and Cheryl Brown. The foundation is named after noted actor Zakes Mokae.

Civil rights photos showing in D.C.

By Valencia Mohammad
Special to Sentinel-Voice

WASHINGTON (NNPA)—Two men quizzed unsuspecting people as they walked up to the window.

"Who's that? I bet you don't know who that is," one man said. "Why, it's Andrew Young. Look at Dick Gregory. Boy, these pictures go way back," said the other.

They were referring to photos that went on display last week at Washington's downtown central library, named for Dr. Martin Luther King Jr. The exhibit, "Countdown to Eternity," features 78 Black-and-white photos of Dr. Martin Luther King Jr. and the Civil Rights Movement. It includes some photos never publicly displayed.

Benedict J. Fernandez, an internationally acclaimed photographer, features Dr. King throughout the year before his assassination, as well as other prominent leaders and citizens who participated in the Civil Rights Movement.

"I feel honored that the exhibit is being displayed in the window of the library instead of being stored in a box. It allows people to have easy access to see it," said Fernandez. "I have been very fortunate to photograph Dr. King as a human being having the same hang-ups as regular people."

Said Russell Adams, professor and chairman of

Howard University's Department of Afro-American Studies, "The new collection of civil rights pictures constitutes a welcomed addition to our understanding of the human side of the Civil Rights Era. The photos are especially significant in that they enlarge the visual content in which our struggle occurred. Without the visual images, old and new, in all probability a different sort of perception of what we were up against and what these people in the photos were trying to do [would exist]."

Library officials said the exhibit is being well received.

"People are able to see the richness and significance of the photographs," said Monica Lofton, director of marketing and communications for the D.C. Public Li-

brary.

Said Molly Raphael, director of the library, "These historical snapshots of Dr. King are a wonderful enhancement to the educational resources at the library about this great American hero. They present an inside look at the life and times of a man we are paying special homage to this year for his impact on the people of this city and the message he delivered on the steps of the Lincoln Memorial."

Library officials decided to host the exhibit in support of plans by the Southern Christian Leadership Conference to commemorate the 40th anniversary of the March last Saturday.

Valencia Mohammad writes for *The Afro American Newspapers*.

Health

(Continued from Page 2)
American Cultural Center and the Kawaida Institute of Pan-African Studies in Los Angeles.

The second keynote speaker, Hood, is immediate past president of the National Medical Association. He is the current Medical Director and CEO of the CareView Medical Group in San Diego. Hood is the co-founder, medical director and president of the Multicultural Independent Primary Care Physicians Group Inc.

In 2000, Hood was selected by San Diego Magazine as one of "50 People to

Watch." He received the Public Health Champions Award for Extraordinary Achievement Protecting the Health of the People of San Diego County in 2002. Hood has authored several books and articles on health disparities, educating the public and bringing awareness regarding what is at stake for the health of African-Americans.

The conference will also host a panel from the healthcare delivery community to address policy and/or approaches to treatment needed to eliminate disparities. For further information, contact Dr. Larry Gamell at (702) 257-5558 or e-mail

gamell@unce.unr.edu.

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