the *Miranda* rule differed from the *Mapp v. Ohio*[351] exclusionary rule denied enforcement in *habeas* proceedings in *Stone*, the Court explained, because the primary purpose of *Mapp* was to deter future Fourth Amendment violations, a purpose that the Court claimed would only be marginally advanced by allowing collateral review.[352] A further consideration was that eliminating review of *Miranda* claims would not significantly reduce federal *habeas* review of state convictions, because most *Miranda* claims could be recast in terms of due process denials resulting from admission of involuntary confessions.[353]

In any event, the Court has established several lines of decisions interpreting key aspects of *Miranda*.

First, *Miranda* warnings must be given prior to "questioning initiated by law enforcement officers after a person has been taken *into custody* or otherwise deprived of his freedom of action in any significant way."[354] The cases have distilled "custody or other significant deprivation of action" into a two-part assessment under which restricting a person's movement is a necessary but not sufficient element. Not all inhibitions of "free movement" trigger *Miranda*. Whether a person is "in custody" during questioning depends on the coercive pressure posed. The Court applies an objective, context-specific test of how intimidated a reasonable person in the suspect's shoes would feel to freely exercise his right against self-incrimination. A police officer's subjective and undisclosed view that a person being interrogated is a criminal suspect is not relevant for *Miranda* purposes, nor is the subjective view of the person being questioned.[355] The only refinement to this one-size-fits-all reasonable person test is consideration of age if the detainee is a juvenile.[356]

An ordinary traffic stop does not to amount to *Miranda* "custody."[357] Nor do all interrogations of prison inmates about previous outside conduct, even if the inmate is isolated from the general prison

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[351] 367 U.S. 643 (1961).

[352] 507 U.S. at 686–93.

[353] 507 U.S. at 693.

[354] Miranda v. Arizona, 384 U.S. 436, 444 (1966) (emphasis added).

[355] Stansbury v. California, 511 U.S. 318 (1994).

[356] J.D.B. v. North Carolina, 564 U.S. ___, No. 09–11121, slip op. (2011) (case remanded to evaluate whether a 13-year-old student questioned by a uniformed police officer and school administrators on school grounds was in custody).

[357] Berkemer v. McCarty, 468 U.S. 420, 440 (1984) (roadside questioning of motorist stopped for traffic violation not custodial interrogation until "freedom of action is curtailed to a 'degree associated with formal arrest'"). Thus, "custody" for self-incrimination purposes under the Fifth Amendment does not necessarily cover all detentions that are "seizures" under the Fourth Amendment. Id.