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NOTE: Where it is feasible, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States* v. *Detroit Timber & Lumber Co.*, 200 U. S. 321, 337.

SUPREME COURT OF THE UNITED STATES

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DICKERSON *v.* UNITED STATES

CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

No. 99–5525. Argued April 19, 2000– Decided June 26, 2000

In the wake of *Miranda* v. *Arizona*, 384 U. S. 436, in which the Court held that certain warnings must be given before a suspect's statement made during custodial interrogation could be admitted in evidence, *id.*, at 479, Congress enacted 18 U. S. C. §3501, which in essence makes the admissibility of such statements turn solely on whether they were made voluntarily. Petitioner, under indictment for bank robbery and related federal crimes, moved to suppress a statement he had made to the Federal Bureau of Investigation, on the ground he had not received "*Miranda* warnings" before being interrogated. The District Court granted his motion, and the Government took an interlocutory appeal. In reversing, the Fourth Circuit acknowledged that petitioner had not received *Miranda* warnings, but held that §3501 was satisfied because his statement was voluntary. It concluded that *Miranda* was not a constitutional holding, and that, therefore, Congress could by statute have the final say on the admissibility question.

Held: Miranda and its progeny in this Court govern the admissibility of statements made during custodial interrogation in both state and federal courts. Pp. 2–14.

(a) *Miranda*, being a constitutional decision of this Court, may not be in effect overruled by an Act of Congress. Given §3501's express designation of voluntariness as the touchstone of admissibility, its omission of any warning requirement, and its instruction for trial courts to consider the totality of the circumstances surrounding the giving of the confession, this Court agrees with the Fourth Circuit that Congress intended §3501 to overrule *Miranda*. The law is clear as to whether Congress has constitutional authority to do so. This Court has supervisory authority over the federal courts to prescribe

binding rules of evidence and procedure. *Carlisle* v. *United States*, 517 U. S. 416, 426. While Congress has ultimate authority to modify or set aside any such rules that are not constitutionally required, *e.g.*, *Palermo* v. *United States*, 360 U. S. 343, 345–348, it may not supersede this Court's decisions interpreting and applying the Constitution, see, *e.g.*, *City of Boerne* v. *Flores*, 521 U. S. 507, 517–521. That *Miranda* announced a constitutional rule is demonstrated, first and foremost, by the fact that both *Miranda* and two of its companion cases applied its rule to proceedings in state courts, and that the Court has consistently done so ever since. See, *e.g.*, *Stansbury* v. *California*, 511 U. S. 318 *(per curiam)*. The Court does not hold supervisory power over the state courts, *e.g.*, *Smith* v. *Phillips*, 455 U. S. 209, 221, as to which its authority is limited to enforcing the commands of the Constitution, *e.g.*, *Mu'Min* v. *Virginia*, 500 U. S. 415, 422. The conclusion that *Miranda* is constitutionally based is also supported by the fact that that case is replete with statements indicating that the majority thought it was announcing a constitutional rule, see, *e.g.*, 384 U. S., at 445. Although *Miranda* invited legislative action to protect the constitutional right against coerced self-incrimination, it stated that any legislative alternative must be "at least as effective in appraising accused persons of their right of silence and in assuring a continuous opportunity to exercise it." *Id.*, at 467.

A contrary conclusion is not required by the fact that the Court has subsequently made exceptions from the *Miranda* rule, see, *e.g.*, *New York* v. *Quarles*, 467 U. S. 649. No constitutional rule is immutable, and the sort of refinements made by such cases are merely a normal part of constitutional law. *Oregon* v. *Elstad*, 470 U. S. 298, 306– in which the Court, in refusing to apply the traditional "fruits" doctrine developed in Fourth Amendment cases, stated that Miranda's exclusionary rule serves the Fifth Amendment and sweeps more broadly than that Amendment itself– does not prove that *Miranda* is a nonconstitutional decision, but simply recognizes the fact that unreasonable searches under the Fourth Amendment are different from unwarned interrogation under the Fifth. Finally, although the Court agrees with the court-appointed *amicus curiae* that there are more remedies available for abusive police conduct than there were when *Miranda* was decided– *e.g.*, a suit under *Bivens* v. *Six Unknown Named Agents*, 403 U. S. 388– it does not agree that such additional measures supplement §3501's protections sufficiently to create an adequate substitute for the *Miranda* warnings. *Miranda* requires procedures that will warn a suspect in custody of his right to remain silent and assure him that the exercise of that right will be honored, see, *e.g.*, 384 U. S., at 467, while §3501 explicitly eschews a requirement of preinterrogation warnings in favor of an approach that looks

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to the administration of such warnings as only one factor in determining the voluntariness of a suspect's confession. Section 3501, therefore, cannot be sustained if *Miranda* is to remain the law. Pp. 2–12.

(b) This Court declines to overrule *Miranda*. Whether or not this Court would agree with *Miranda*'s reasoning and its rule in the first instance, *stare decisis* weighs heavily against overruling it now. Even in constitutional cases, *stare decisis* carries such persuasive force that the Court has always required a departure from precedent to be supported by some special justification. *E.g.*, *United States* v. *International Business Machines Corp*, 517 U. S. 843, 856. There is no such justification here. *Miranda* has become embedded in routine police practice to the point where the warnings have become part of our national culture. See *Mitchell* v. *United States*, 526 U. S. 314, 331–332. While the Court has overruled its precedents when subsequent cases have undermined their doctrinal underpinnings, that has not happened to *Miranda*. If anything, subsequent cases have reduced *Miranda*'s impact on legitimate law enforcement while reaffirming the decision's core ruling. The rule's disadvantage is that it may result in a guilty defendant going free. But experience suggests that §3501's totality-of-the-circumstances test is more difficult than *Miranda* for officers to conform to, and for courts to apply consistently. See, *e.g.*, *Haynes* v. *Washington*, 373 U. S. 503, 515. The requirement that *Miranda* warnings be given does not dispense with the voluntariness inquiry, but cases in which a defendant can make a colorable argument that a self-incriminating statement was compelled despite officers' adherence to *Miranda* are rare. Pp. 12–14.

166 F. 3d 667, reversed.

REHNQUIST, C. J., delivered the opinion of the Court, in which STEVENS, O'CONNOR, KENNEDY, SOUTER, GINSBURG, and BREYER, JJ., joined. SCALIA, J., filed a dissenting opinion, in which THOMAS, J., joined.