**WORKSHEET: ANSWER KEY**

**When is Someone in Police Custody and Entitled to a *Miranda* Warning?**

Answer key for the worksheet on Courts of Appeals decisions in *U.S. v. Kim; U.S. v. Luna-Encinas; U.S. v. Romaszko; and U.S. v. Thompson.*

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| ***Answer Key*** | *United States v.*  *Kim* | *United States v. Luna-Encinas* | *United States v.*  *Romaszko* | *United States v.*  *Thompson* |
| Language Used to Summon the Individual | Voluntarily went to store, Separated from husband at door told to “shut up” | Serious tone of voice  in context of search, Guns drawn | Supervisor required attendance,  Meeting was during work hours at work | Police identified themselves, Asked and were invited, Conversational approach |
| Confrontation with Evidence of Guilt | Not known | Yes | Not known | Showed sketch that matched him |
| Physical Surroundings/Location | In her own store, Separated from husband, Surrounded by officers | Outside his own home | Office of station manager | Seated in his living room |
| Duration | 1+ to 3 hours | 20 minutes | Not known | Several hours |
| Degree of Pressure Applied (physical or otherwise) | Isolated from husband and son,  Told not to speak Korean,  She was seated, officers standing | Police in backyard with guns,  Told to pull up shirts,  Told to sit and stay,  Told not to talk to each other | At least 5 times asked to leave or tried to stand, Told “No, you’re not going anywhere.” | No apparent pressure |
| Other Factors | Language barrier | Spanish- speaking officer on scene | Anticipated job loss if didn’t cooperate | Felt free to go jogging the next day |
| Considering the Totality of the Circumstances:  In Custody or Not? | In custody | Not in custody | In custody | Not in custody |