J. D. B. v. North Carolina, 131 S. Ct. 2394 (Copy citation)

Supreme Court of the United States
March 23, 2011, Argued; June 16, 2011, Decided
No. 09-11121

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J. D. B., Petitioner v. NORTH CAROLINA

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Prior History: ON WRIT OF CERTIORARI TO THE SUPREME COURT OF NORTH CAROLINA.
In re J.D.B., 363 N.C. 664, 686 S.E.2d 135, 2009 N.C. LEXIS 1288 (2009)

Disposition: 363 N. C. 664, 686 S. E. 2d 135, reversed and remanded.

Core Terms

custody, interrogate, adult, juvenile, confession, custodial interrogation, personal characteristics, reasonable person, clarity, warn, police officer, police questioning, prophylactic, internal quotation marks, arrest, susceptible, the, psychological, coercive, rigid, reasonable-person, involuntary, interview, terminate, suppress, youth, intelligence, safeguards, plurality, would

Case Summary

Procedural Posture

Two juvenile petitions were filed against petitioner student, alleging breaking and entering and larceny. The state trial court denied the student's motion to suppress his statements, and adjudicated him delinquent. The North Carolina Supreme Court upheld the decision. Certiorari was granted to determine whether the Miranda custody analysis includes consideration of a juvenile suspect's age.

Overview

A uniformed police officer removed the 13-year-old, seventh-grade student from his classroom and escorted him to a closed-door conference room, where he was questioned by police for at least half an hour regarding home break-ins. Prior to the commencement of questioning, the student was not given Miranda warnings. The student confessed. In denying the student's motion to suppress, the state courts found that he was not in custody when he confessed, declining to extend the test for custody to include consideration of the age of an individual subjected to questioning by police. The Supreme Court determined that remand was warranted because a child's age properly informed the Miranda custody analysis since, inter alia, (1) a reasonable child subjected to police questioning will sometimes feel pressured to submit when a reasonable adult would feel free to go, and courts can account for that reality without doing any damage to the objective nature of the custody analysis, and (2) a child's age differed from other personal characteristics that, even when known to police, have no objectively discernible relationship to a reasonable person's understanding of his freedom of action.

Outcome

The Court reversed the judgment of the North Carolina Supreme Court and remanded for a determination whether the student was in custody under the proper analysis. 5-4 Decision; 1 Dissent.

Decision

Where 13-year-old student confessed to crime during questioning by police at school without receiving Miranda warnings prior to questioning, child's age held to properly inform Miranda custody analysis.

Summary

Procedural posture: Two juvenile petitions were filed against petitioner student, alleging breaking and entering and larceny. The state trial court denied the student's motion to suppress his statements, and adjudicated him delinquent. The North Carolina Supreme Court upheld the decision. Certiorari was granted to determine whether the Miranda custody analysis includes consideration of a juvenile suspect's age.

Overview: A uniformed police officer removed the 13-year-old, seventh-grade student from his classroom and escorted him to a closed-door conference room, where he was questioned by police for at least half an hour regarding home break-ins. Prior to the commencement of questioning, the student was not given Miranda warnings. The student confessed. In denying the student's motion to suppress, the state courts found that he was not in custody when he confessed, declining to extend the test for custody to include consideration of the age of an individual subjected to questioning by police. The Supreme Court determined that remand was warranted because a child's age properly informed the Miranda custody analysis since, inter alia, (1) a reasonable child subjected to police questioning will sometimes feel pressured to submit when a reasonable adult would feel free to go, and courts can account for that reality without doing any damage to the objective nature of the custody analysis, and (2) a child's age differed from other personal characteristics that, even when known to police, have no objectively discernible relationship to a reasonable person's understanding of his freedom of action.

Outcome: The Court reversed the judgment of the North Carolina Supreme Court and remanded for a determination whether the student was in custody under the proper analysis. 5-4 Decision; 1 Dissent.

Headnotes

WITNESSES §88.5 > MIRANDA RIGHTS -- CUSTODY -- CHILD'S AGE

LEdHN[1] [1]

A child's age properly informs the Miranda custody analysis. (Sotomayor, J., joined by Kennedy, Ginsburg, Breyer, and Kagan, JJ.)

EVIDENCE §683 WITNESSES §88.5 > POLICE INTERROGATION -- CUSTODY -- STATEMENTS

LEdHN[2] [2]

Any police interview of an individual suspected of a crime has coercive aspects to it. Only those interrogations that occur while a suspect is in police custody, however, heighten the risk that statements obtained are not the product of the suspect's free choice. (Sotomayor, J., joined by Kennedy, Ginsburg, Breyer, and Kagan, JJ.)

WITNESSES §88.5 > CUSTODIAL POLICE INTERROGATION

LEdHN[3] [3]

By its very nature, custodial police interrogation entails "inherently compelling pressures." (Sotomayor, J., joined by Kennedy, Ginsburg, Breyer, and Kagan, JJ.)

EVIDENCE §683 WITNESSES §88.5 WITNESSES §94.5 > MIRANDA RIGHTS -- WAIVER -- STATEMENTS

LEdHN[4] [4]

Recognizing that the inherently coercive nature of custodial interrogation blurs the line between voluntary and involuntary statements, the Supreme Court in Miranda adopted a set of prophylactic measures designed to safeguard the constitutional guarantee against self-incrimination. Prior to questioning, a suspect must be warned that he has a right to remain silent, that any statement he does make may be used as evidence against him, and that he has a right to the presence of an attorney, either retained or appointed. The four warnings Miranda requires are invariable, but the Supreme Court has not dictated the words in which the essential information must be conveyed. And, if a suspect makes a statement during custodial interrogation, the burden is on the Government to show, as a "prerequisite" to the statement's admissibility as evidence in the Government's case in chief, that the defendant "voluntarily, knowingly and intelligently" waived his rights. (Sotomayor, J., joined by Kennedy, Ginsburg, Breyer, and Kagan, JJ.)

WITNESSES §88.5 > MIRANDA RIGHTS -- CUSTODY REQUIREMENT

LEdHN[5] [5]

In the Miranda context, because the measures protect the individual against the coercive nature of custodial interrogation, they are required only where there has been such a restriction on a person's freedom as to render him "in custody." (Sotomayor, J., joined by Kennedy, Ginsburg, Breyer, and Kagan, JJ.)

WITNESSES §88.5 > CUSTODY DETERMINATION -- OBJECTIVE TEST

LEdHN[6] [6]

Whether a suspect is "in custody" is an objective inquiry. Two discrete inquiries are essential to the determination: first, what were the circumstances surrounding the interrogation; and second, given those circumstances, would a reasonable person have felt he or she was at liberty to terminate the interrogation and leave. Once the scene is set and the players' lines and actions are reconstructed, the court must apply an objective test to resolve the ultimate inquiry: was there a formal arrest or restraint on freedom of movement of the degree associated with formal arrest. (Sotomayor, J., joined by Kennedy, Ginsburg, Breyer, and Kagan, JJ.)

WITNESSES §88.5 > CUSTODY DETERMINATION -- TOTALITY OF CIRCUMSTANCES

LEdHN[7] [7]

Rather than demarcate a limited set of relevant circumstances, the Supreme Court has required police officers and courts to examine all of the circumstances surrounding the interrogation, including any circumstance that would have affected how a reasonable person in the suspect's position would perceive his or her freedom to leave. On the other hand, the subjective views harbored by either the interrogating officers or the person being questioned are irrelevant. The test, in other words, involves no consideration of the "actual mindset" of the particular suspect subjected to police questioning. (Sotomayor, J., joined by Kennedy, Ginsburg, Breyer, and Kagan, JJ.)

WITNESSES §88.5 > MIRANDA RIGHTS -- CUSTODY DETERMINATION -- OBJECTIVE TEST

LEdHN[8] [8]

The benefit of the objective custody analysis is that it is designed to give clear guidance to the police. Police must make in-the-moment judgments as to when to administer Miranda warnings. By limiting analysis to the objective circumstances of the interrogation, and asking how a reasonable person in the suspect's position would understand his freedom to terminate questioning and leave, the objective test avoids burdening police with the task of anticipating the idiosyncrasies of every individual suspect and divining how those particular traits affect each person's subjective state of mind. Officers are not required to "make guesses" as to circumstances "unknowable" to them at the time. Officers are under no duty to consider contingent psychological factors when deciding when suspects should be advised of their Miranda rights. (Sotomayor, J., joined by Kennedy, Ginsburg, Breyer, and Kagan, JJ.)

WITNESSES §88.5 > CUSTODY DETERMINATION -- CHILD'S AGE

LEdHN[9] [9]

In some circumstances, a child's age would have affected how a reasonable person in the suspect's position would perceive his or her freedom to leave. That is, a reasonable child subjected to police questioning will sometimes feel pressured to submit when a reasonable adult would feel free to go. Courts can account for that reality without doing any damage to the objective nature of the custody analysis. (Sotomayor, J., joined by Kennedy, Ginsburg, Breyer, and Kagan, JJ.)

MINORS §1 > CHILD'S AGE

LEdHN[10] [10]

A child's age is far more than a chronological fact. It is a fact that generates commonsense conclusions about behavior and perception. Such conclusions apply broadly to children as a class. (Sotomayor, J., joined by Kennedy, Ginsburg, Breyer, and Kagan, JJ.)

WITNESSES §88.5 > POLICE INTERROGATION -- JUVENILE SUBJECT

LEdHN[11] [11]

No matter how sophisticated, a juvenile subject of police interrogation cannot be compared to an adult subject. (Sotomayor, J., joined by Kennedy, Ginsburg, Breyer, and Kagan, JJ.)

MINORS §1 > "REASONABLE PERSON" STANDARD -- CHILDREN

LEdHN[12] [12]

Even where a "reasonable person" standard otherwise applies, the common law has reflected the reality that children are not adults. (Sotomayor, J., joined by Kennedy, Ginsburg, Breyer, and Kagan, JJ.)

WITNESSES §88.5 > MIRANDA RIGHTS -- CUSTODY DETERMINATION -- CHILD'S AGE

LEdHN[13] [13]

The Supreme Court's history is replete with laws and judicial recognition that children cannot be viewed simply as miniature adults. In the Miranda context, the Court sees no justification for

taking a different course here. So long as the child's age was known to the officer at the time of the interview, or would have been objectively apparent to any reasonable officer, including age as part of the custody analysis requires officers neither to consider circumstances "unknowable" to them, nor to anticipate the frailties or idiosyncrasies of the particular suspect whom they question. The same "wide basis of community experience" that makes it possible, as an objective matter, to determine what is to be expected of children in other contexts likewise makes it possible to know what to expect of children subjected to police questioning. (Sotomayor, J., joined by Kennedy, Ginsburg, Breyer, and Kagan, JJ.)

WITNESSES §88.5 > CUSTODY DETERMINATION -- OBJECTIVE TEST -- CHILD'S AGE

LEdHN[14] [14]

A child's age differs from other personal characteristics that, even when known to police, have no objectively discernible relationship to a reasonable person's understanding of his freedom of action. Alvarado, holds, for instance, that a suspect's prior interrogation history with law enforcement has no role to play in the custody analysis because such experience could just as easily lead a reasonable person to feel free to walk away as to feel compelled to stay in place. Because the effect in any given case would be contingent on the psychology of the individual suspect, such experience cannot be considered without compromising the objective nature of the custody analysis. A child's age, however, is different. Precisely because childhood yields objective conclusions like those the Supreme Court has drawn itself--among others, that children are most susceptible to influence and "outside pressures"--considering age in the custody analysis in no way involves a determination of how youth subjectively affects the mindset of any particular child. (Sotomayor, J., joined by Kennedy, Ginsburg, Breyer, and Kagan, JJ.)

WITNESSES §88.5 > MIRANDA RIGHTS -- QUESTIONING AT SCHOOL

LEdHN[15] [15]

In the Miranda context, the effect of the schoolhouse setting cannot be disentangled from the identity of the person questioned. (Sotomayor, J., joined by Kennedy, Ginsburg, Breyer, and Kagan, JJ.)

WITNESSES §88.5 > MIRANDA RIGHTS -- CUSTODY -- CHILD'S AGE

LEdHN[16] [16]

The Supreme Court has observed that accounting for a juvenile's age in the Miranda custody analysis could be viewed as creating a subjective inquiry. The Supreme Court said nothing, however, of whether such a view would be correct under the law. (Sotomayor, J., joined by Kennedy, Ginsburg, Breyer, and Kagan, JJ.)

WITNESSES §88.5 > CUSTODY DETERMINATION -- OBJECTIVE TEST -- CHILD'S AGE

LEdHN[17] [17]

So long as the child's age was known to the officer at the time of police questioning, or would have been objectively apparent to a reasonable officer, its inclusion in the custody analysis is consistent with the objective nature of that test. This is not to say that a child's age will be a determinative, or even a significant, factor in every case. It is, however, a reality that courts cannot simply ignore. (Sotomayor, J., joined by Kennedy, Ginsburg, Breyer, and Kagan, JJ.)

WITNESSES §88.5 > MIRANDA RIGHTS -- CUSTODY DETERMINATION -- CHILD'S AGE

LEdHN[18] [18]

Regarding the holding that a child's age properly informs the Miranda custody analysis, this approach does not undermine the basic principle that an interrogating officer's unarticulated, internal thoughts are never--in and of themselves--objective circumstances of an interrogation. Unlike a child's youth, an officer's purely internal thoughts have no conceivable effect on how a reasonable person in the suspect's position would understand his freedom of action. Rather than "overturn" that settled principle, the limitation that a child's age may inform the custody analysis only when known or knowable simply reflects the Supreme Court's unwillingness to require officers to "make guesses" as to circumstances "unknowable? to them in deciding when to give Miranda warnings. (Sotomayor, J., joined by Kennedy, Ginsburg, Breyer, and Kagan, JJ.)

WITNESSES §88.5 > CUSTODY DETERMINATION -- PERSONAL CHARACTERISTICS

LEdHN[19] [19]

At least some undeniably personal characteristics--for instance, whether the individual being questioned is blind--are circumstances relevant to the custody analysis. (Sotomayor, J., joined by Kennedy, Ginsburg, Breyer, and Kagan, JJ.)

WITNESSES §88.5 > MIRANDA RIGHTS -- CUSTODY DETERMINATION -- REASONABLE PERSON

LEdHN[20] [20]

The whole point of the custody analysis is to determine whether, given the circumstances, a reasonable person would have felt he or she was at liberty to terminate the interrogation and

leave. Because the Miranda custody inquiry turns on the mindset of a reasonable person in the suspect's position, it cannot be the case that a circumstance is subjective simply because it has an "internal" or "psychological" impact on perception. Were that so, there would be no objective circumstances to consider at all. (Sotomayor, J., joined by Kennedy, Ginsburg, Breyer, and Kagan, JJ.)

WITNESSES §88.5 > MIRANDA RIGHTS -- CUSTODY DETERMINATION

LEdHN[21] [21]

Not once has the Supreme Court excluded from the custody analysis a circumstance that the Court determined was relevant and objective, simply to make the fault line between custodial and noncustodial "brighter." Indeed, were the guiding concern clarity and nothing else, the custody test would presumably ask only whether the suspect had been placed under formal arrest. But the Court has rejected that "more easily administered line," recognizing that it would simply enable the police to circumvent the constraints on custodial interrogations established by Miranda. (Sotomayor, J., joined by Kennedy, Ginsburg, Breyer, and Kagan, JJ.)

WITNESSES §88.5 > MIRANDA RIGHTS -- CUSTODY DETERMINATION -- CHILD'S AGE

LEdHN[22] [22]

Miranda does not answer the question whether a child's age is an objective circumstance relevant to the custody analysis. Miranda simply holds that warnings must be given once a suspect is in custody, without pausing to inquire in individual cases whether the defendant was aware of his rights without a warning being given. That conclusion says nothing about whether age properly informs whether a child is in custody in the first place. Assessments of the knowledge the defendant possessed, based on information as to age, education, intelligence, or prior contact with authorities, can never be more than speculation; a warning is a clearcut fact. (Sotomayor, J., joined by Kennedy, Ginsburg, Breyer, and Kagan, JJ.)

EVIDENCE §683 WITNESSES §88.5 > MIRANDA RIGHTS -- VOLUNTARINESS TEST -- CHILD'S AGE

LEdHN[23] [23]

The due process voluntariness test permits consideration of a child's age, and it erects its own barrier to admission of a defendant's inculpatory statements at trial. Courts should be instructed to take particular care to ensure that young children's incriminating statements were not obtained involuntarily. But Miranda's procedural safeguards exist precisely because the voluntariness test is an inadequate barrier when custodial interrogation is at stake. Unless adequate protective devices are employed to dispel the compulsion inherent in custodial surroundings, no statement obtained from the defendant can truly be the product of his free choice. Reliance on the traditional totality-of-the-circumstances test raises a risk of overlooking an involuntary custodial confession. To hold that a child's age is never relevant to whether a suspect has been taken into custody--and thus to ignore the very real differences between children and adults--would be to deny children the full scope of the procedural safeguards that Miranda guarantees to adults. (Sotomayor, J., joined by Kennedy, Ginsburg, Breyer, and Kagan, JJ.)

Syllabus

[2396] Police stopped and questioned petitioner J. D. B., a 13-year-old, seventh-grade student, upon seeing him near the site of two home break-ins. Five days later, after a digital camera matching one of the stolen items was found at J. D. B.'s school and seen in his possession, Investigator DiCostanzo went to the school. A uniformed police officer on detail to the school took J. D. B. from his classroom to a closed-door conference room, where police and school administrators questioned him for at least 30 minutes. Before beginning, they did not give him *Miranda* warnings or the opportunity to call his grandmother, his legal guardian, nor tell him he was free to leave the room. He first denied his involvement, but later confessed after officials urged him to tell the truth and told him about the prospect of juvenile detention. DiCostanzo only then told him that he could refuse to answer questions and was free to leave. Asked whether he understood, J. D. B. nodded and provided further detail, including the location of the stolen items. He also wrote a statement, at DiCostanzo's request. When the school day ended, he was permitted to leave to catch the bus home. Two juvenile petitions were filed against J. D. B., charging him with breaking and entering and with larceny. His public defender moved to suppress his statements and the evidence derived therefrom, arguing that J. D. B. had been interrogated in a custodial setting without being afforded *Miranda* warnings and that his statements were involuntary. The trial court denied the motion. J. D. B. entered a transcript of admission to the charges, but renewed his objection to the denial of his motion to suppress. The court adjudicated him delinquent, and the North Carolina Court of Appeals and State Supreme Court affirmed. The latter court declined to find J. D. B.'s age relevant to the determination whether he was in police custody.

Held:

A child's age properly informs *Miranda*'s custody analysis. Pp. ___ - ___, 180 L. Ed. 2d, at 321-329.

(a) Custodial police interrogation entails "inherently compelling pressures," *Miranda v. Arizona*, 384 U.S. 436, 467, 86 S. Ct. 1602, 16 L. Ed. 2d 694, that "can induce **[2397]** a frighteningly high percentage of people to confess to crimes they never committed," *Corley v. United States*, 556 U.S. 303, 321, 129 S. Ct. 1558, 173 L. Ed. 2d 443, 458. Recent studies suggest that risk is all the more acute when the subject of custodial interrogation is a juvenile. Whether a suspect is "in custody" for *Miranda* purposes is an objective determination involving two discrete inquires: "first,

what were the circumstances surrounding the interrogation; and second, given those circumstances, would a reasonable person have felt he or she was at liberty to terminate the interrogation and leave." *Thompson* v. *Keohane*, 516 U.S. 99, 112, 116 S. Ct. 457, 133 L. Ed. 2d 383 (footnote omitted). The police and courts must "examine all of the circumstances surrounding the interrogation," *Stansbury* v. *California*, 511 U.S. 318, 322, 114 S. Ct. 1526, 128 L. Ed. 2d 293, including those that "would have affected how a reasonable person" in the suspect's position "would perceive his or her freedom to leave," *id.*, at 325, 114 S. Ct. 1526, 128 L. Ed. 2d 293. However, the test involves no consideration of the particular suspect's "actual mindset." *Yarborough* v. *Alvarado*, 541 U.S. 652, 667, 124 S. Ct. 2140, 158 L. Ed. 2d 938. By limiting analysis to objective circumstances, the test avoids burdening police with the task of anticipating each suspect's idiosyncrasies and divining how those particular traits affect that suspect's subjective state of mind. *Berkemer* v. *McCarty*, 468 U.S. 420, 430-431, 104 S. Ct. 3138, 82 L. Ed. 2d 317. Pp. ___ - ___, 180 L. Ed. 2d, at 321-323.

(b) In some circumstances, a child's age "would have affected how a reasonable person" in the suspect's position "would perceive his or her freedom to leave." *Stansbury*, 511 U.S., at 325, 114 S. Ct. 1526, 128 L. Ed. 2d 293. Courts can account for that reality without doing any damage to the objective nature of the custody analysis. A child's age is far "more than a chronological fact." *Eddings* v. *Oklahoma*, 455 U.S. 104, 115, 102 S. Ct. 869, 71 L. Ed. 2d 1. It is a fact that "generates commonsense conclusions about behavior and perception," *Alvarado*, 541 U.S., at 674, 124 S. Ct. 2140, 158 L. Ed. 2d 938, that apply broadly to children as a class. Children "generally are less mature and responsible than adults," *Eddings*, 455 U.S., at 115, 102 S. Ct. 869, 71 L. Ed. 2d 1; they "often lack the experience, perspective, and judgment to recognize and avoid choices that could be detrimental to them," *Bellotti* v. *Baird*, 443 U.S. 622, 635, 99 S. Ct. 3035, 61 L. Ed. 2d 797; and they "are more vulnerable or susceptible to . . . outside pressures" than adults, *Roper* v. *Simmons*, 543 U.S. 551, 569, 125 S. Ct. 1183, 161 L. Ed. 2d 1. In the specific context of police interrogation, events that "would leave a man cold and unimpressed can overawe and overwhelm a" teen. *Haley* v. *Ohio*, 332 U.S. 596, 599, 68 S. Ct. 302, 92 L. Ed. 224. The law has historically reflected the same assumption that children characteristically lack the capacity to exercise mature judgment and possess only an incomplete ability to understand the world around them. Legal disqualifications on children as a class--*e.g.*, limitations on their ability to marry without parental consent--exhibit the settled understanding that the differentiating characteristics of youth are universal.

Given a history "replete with laws and judicial recognition" that children cannot be viewed simply as miniature adults, *Eddings*, 455 U.S., at 115-116, 102 S. Ct. 869, 71 L. Ed. 2d 1, there is no justification for taking a different course here. So long as the child's age was known to the officer at the time of the interview, or would have been objectively apparent to a reasonable officer, including age as part of the custody analysis requires officers neither to consider circumstances "unknowable" to them, *Berkemer*, 468 U.S., at 430, 104 S. Ct. 3138, 82 L. Ed. 2d 317, nor to " ' "anticipat[e] the frailties or idiosyncrasies? **[2398]** of the particular suspect being questioned." ' " *Alvarado*, 541 U.S., at 662, 124 S. Ct. 2140, 158 L. Ed. 2d 938. Precisely because childhood yields objective conclusions, considering age in the custody analysis does not involve a determination of how youth affects a particular child's subjective state of mind. In fact, were the court precluded from taking J. D. B.'s youth into account, it would be forced to evaluate the circumstances here through the eyes of a reasonable adult, when some objective circumstances surrounding an interrogation at school are specific to children. These conclusions are not undermined by the Court's observation in *Alvarado* that accounting for a juvenile's age in the *Miranda* custody analysis "could be viewed as creating a subjective inquiry," 541 U.S., at 668, 124 S. Ct. 2140, 158 L. Ed. 2d 938. The Court said nothing about whether such a view would be correct under the law or whether it simply merited deference under the Antiterrorism and Effective Death Penalty Act of 1996, 110 Stat. 1214. So long as the child's age was known to the officer, or would have been objectively apparent to a reasonable officer, including age in the custody analysis is consistent with the *Miranda* test's objective nature. This does not mean that a child's age will be a determinative, or even a significant, factor in every case, but it is a reality that courts cannot ignore. Pp. ___ - ___, 180 L. Ed. 2d, at 323-327.

(c) Additional arguments that the State and its *amici* offer for excluding age from the custody inquiry are unpersuasive. Pp. ___ - ___, 180 L. Ed. 2d, at 327-329.

(d) On remand, the state courts are to address the question whether J. D. B. was in custody when he was interrogated, taking account of all of the relevant circumstances of the interrogation, including J. D. B.'s age at the time. P. ___, 180 L. Ed. 2d, at 329.

363 N. C. 664, 686 S. E. 2d 135, reversed and remanded.

Counsel: Barbara S. Blackman argued the cause for petitioner.

Roy Cooper argued the cause for respondent.

Eric J. Feigin argued the cause for the United States, as amicus curiae, by special leave of court.

Judges: Sotomayor, J., delivered the opinion of the Court, in which Kennedy, Ginsburg, Breyer, and Kagan, JJ., joined. Alito, J., filed a dissenting opinion, in which Roberts, C. J., and Scalia and Thomas, JJ., joined.

Opinion by: SOTOMAYOR

Opinion

Justice **Sotomayor** delivered the opinion of the Court.

This case presents the question whether the age of a child subjected to police questioning is relevant to the custody analysis of *Miranda* v. *Arizona*, 384 U.S. 436, 86 S. Ct. 1602, 16 L. Ed. 2d 694 (1966). It is beyond dispute that children will often feel bound to submit to police questioning when an adult in the same circumstances **[2399]** would feel free to leave. Seeing no reason for police officers or courts to blind themselves to that commonsense reality, we hold that ***HN1*** ***LEdHN[1]*** [1] a child's age properly informs the *Miranda* custody analysis.

I

A

Petitioner J. D. B. was a 13-year-old, seventh-grade student attending class at Smith Middle School in Chapel Hill, North Carolina when he was removed from his classroom by a uniformed police officer, escorted to a closed-door conference room, and questioned by police for at least half an hour.

This was the second time that police questioned J. D. B. in the span of a week. Five days earlier, two home break-ins occurred, and various items were stolen. Police stopped and questioned J. D. B. after he was seen behind a residence in the neighborhood where the crimes occurred. That same day, police also spoke to J. D. B.'s grandmother--his legal guardian--as well as his aunt.

Police later learned that a digital camera matching the description of one of the stolen items had been found at J. D. B.'s middle school and seen in J. D. B.'s possession. Investigator DiCostanzo, the juvenile investigator with the local police force who had been assigned to the case, went to the school to question J. D. B. Upon arrival, DiCostanzo informed the uniformed police officer on detail to the school (a so-called school resource officer), the assistant principal, and an administrative intern that he was there to question J. D. B. about the break-ins. Although DiCostanzo asked the school administrators to verify J. D. B.'s date of birth, address, and parent contact information from school records, neither the police officers nor the school administrators contacted J. D. B.'s grandmother.

The uniformed officer interrupted J. D. B.'s afternoon social studies class, removed J. D. B. from the classroom, and escorted him to a school conference room.[1] There, J. D. B. was met by DiCostanzo, the assistant principal, and the administrative intern. The door to the conference room was closed. With the two police officers and the two administrators present, J. D. B. was questioned for the next 30 to 45 minutes. Prior to the commencement of questioning, J. D. B. was given neither *Miranda* warnings nor the opportunity to speak to his grandmother. Nor was he informed that he was free to leave the room.

Questioning began with small talk--discussion of sports and J. D. B.'s family life. DiCostanzo asked, and J. D. B. agreed, to discuss the events of the prior weekend. Denying any wrongdoing, J. D. B. explained that he had been in the neighborhood where the crimes occurred because he was seeking work mowing lawns. DiCostanzo pressed J. D. B. for additional detail about his efforts to obtain work; asked J. D. B. to explain a prior incident, when one of the victims returned home to find J. D. B. behind her house; and confronted J. D. B. with the stolen camera. The assistant principal urged J. D. B. to "do the right thing," warning J. D. B. that "the truth always comes out in the end." App. 99a, 112a.

Eventually, J. D. B. asked whether he would "still be in trouble" if he returned the "stuff." *Ibid.* In response, DiCostanzo explained that return of the stolen items would be helpful, but "this thing is going **[2400]** to court" regardless. *Id.*, at 112a; *ibid.* ("[W]hat's done is done[;] now you need to help yourself by making it right"); see also *id.*, at 99a. DiCostanzo then warned that he may need to seek a secure custody order if he believed that J. D. B. would continue to break into other homes. When J. D. B. asked what a secure custody order was, DiCostanzo explained that "it's where you get sent to juvenile detention before court." *Id.*, at 112a.

After learning of the prospect of juvenile detention, J. D. B. confessed that he and a friend were responsible for the break-ins. DiCostanzo only then informed J. D. B. that he could refuse to answer the investigator's questions and that he was free to leave.[2] Asked whether he understood, J. D. B. nodded and provided further detail, including information about the location of the stolen items. Eventually J. D. B. wrote a statement, at DiCostanzo's request. When the bell rang indicating the end of the schoolday, J. D. B. was allowed to leave to catch the bus home.

B

Two juvenile petitions were filed against J. D. B., each alleging one count of breaking and entering and one count of larceny. J. D. B.'s public defender moved to suppress his statements and the evidence derived therefrom, arguing that suppression was necessary because J. D. B. had been "interrogated by police in a custodial setting without being afforded *Miranda* warning[s],? App. 89a, and because his statements were involuntary under the totality of the circumstances test, *id.*, at 142a; see *Schneckloth* v. *Bustamonte*, 412 U.S. 218, 226, 93 S. Ct. 2041, 36 L. Ed. 2d 854 (1973) (due process precludes admission of a confession where ?a defendant's will was overborne" by the circumstances of the interrogation). After a suppression hearing at which DiCostanzo and J. D. B. testified, the trial court denied the motion, deciding that J. D. B. was not in custody at the time of the schoolhouse interrogation and that his statements were voluntary. As a result, J. D. B. entered a transcript of admission to all four counts, renewing his objection to the denial of his motion to suppress, and the court adjudicated J. D. B. delinquent.

A divided panel of the North Carolina Court of Appeals affirmed. *In re J. D. B.*, 196 N. C. App. 234, 674 S. E. 2d 795 (2009). The North Carolina Supreme Court held, over two dissents, that J. D. B. was not in custody when he confessed, "declin[ing] to extend the test for custody to include consideration of the age . . . of an individual subjected to questioning by police." *In re J. D. B.*, 363 N. C. 664, 672, 686 S. E. 2d 135, 140 (2009).[3]

[2401] We granted certiorari to determine whether the *Miranda* custody analysis includes consideration of a juvenile suspect's age. 562 U.S. ___, 131 S. Ct. 502, 178 L. Ed. 2d 368 (2010).

II

A

HN2 ***LEdHN[2]*** [2] Any police interview of an individual suspected of a crime has "coercive aspects to it." *Oregon* v. *Mathiason*, 429 U.S. 492, 495, 97 S. Ct. 711, 50 L. Ed. 2d 714 (1977) *(per curiam)*. Only those interrogations that occur while a suspect is in police custody, however, "heighte[n] the risk" that statements obtained are not the product of the suspect's free choice. *Dickerson* v. *United States*, 530 U.S. 428, 435, 120 S. Ct. 2326, 147 L. Ed. 2d 405 (2000).

HN3 ***LEdHN[3]*** [3] By its very nature, custodial police interrogation entails "inherently compelling pressures." *Miranda*, 384 U.S., at 467, 86 S. Ct. 1602, 16 L. Ed. 2d 694. Even for an adult, the physical and psychological isolation of custodial interrogation can "undermine the individual's will to resist and . . . compel him to speak where he would not otherwise do so freely." *Ibid.* Indeed, the pressure of custodial interrogation is so immense that it "can induce a frighteningly high percentage of people to confess to crimes they never committed." *Corley v. United States*, 556 U.S. 303, 321, 129 S. Ct. 1558, 173 L. Ed. 2d 443, 458 (2009) (citing Drizin & Leo, The Problem of False Confessions in the Post-DNA World, 82 N. C. L. Rev. 891, 906-907 (2004)); see also *Miranda*, 384 U.S., at 455, n. 23, 86 S. Ct. 1602, 16 L. Ed. 2d 694. That risk is all the more troubling--and recent studies suggest, all the more acute--when the subject of custodial interrogation is a juvenile. See Brief for Center on Wrongful Convictions of Youth et al. as *Amici Curiae* 21-22 (collecting empirical studies that "illustrate the heightened risk of false confessions from youth").

HN4 ***LEdHN[4]*** [4] Recognizing that the inherently coercive nature of custodial interrogation "blurs the line between voluntary and involuntary statements," *Dickerson*, 530 U.S., at 435, 120 S. Ct. 2326, 147 L. Ed. 2d 405, this Court in *Miranda* adopted a set of prophylactic measures designed to safeguard the constitutional guarantee against self-incrimination. Prior to questioning, a suspect "must be warned that he has a right to remain silent, that any statement he does make may be used as evidence against him, and that he has a right to the presence of an attorney, either retained or appointed." 384 U.S., at 444, 86 S. Ct. 1602, 16 L. Ed. 2d 694; see also *Florida v. Powell*, 559 U.S. , , 130 S. Ct. 1195, 175 L. Ed. 2d 1009, 1018 (2010) ("The four warnings *Miranda* requires are invariable, but this Court has not dictated the words in which the essential information must be conveyed"). And, if a suspect makes a statement during custodial interrogation, the burden is on the Government to show, as a "prerequisit[e]" to the statement's admissibility as evidence in the Government's case in chief, that the defendant "voluntarily, knowingly and intelligently" waived his rights.[4] *Miranda*, 384 U.S., at 444, 475-476, 86 S. Ct. 1602, 16 L. Ed. 2d 694; *Dickerson*, 530 U.S., at 443-444, 120 S. Ct. 2326, 147 L. Ed. 2d 405.

[2402] ***HN5*** ***LEdHN[5]*** [5] Because these measures protect the individual against the coercive nature of custodial interrogation, they are required " 'only where there has been such a restriction on a person's freedom as to render him "in custody." ' " *Stansbury v. California*, 511 U.S. 318, 322, 114 S. Ct. 1526, 128 L. Ed. 2d 293 (1994) *(per curiam)* (quoting *Oregon v. Mathiason*, 429 U.S. 492, 495, 97 S. Ct. 711, 50 L. Ed. 2d 714 (1977) *(per curiam)*). As we have repeatedly emphasized, ***HN6*** ***LEdHN[6]*** [6] whether a suspect is "in custody" is an objective inquiry.

> "Two discrete inquiries are essential to the determination: first, what were the circumstances surrounding the interrogation; and second, given those circumstances, would a reasonable person have felt he or she was at liberty to terminate the interrogation and leave. Once the scene is set and the players' lines and actions are reconstructed, the court must apply an objective test to resolve the ultimate inquiry: was there a formal arrest or restraint on freedom of movement of the degree associated with formal arrest." *Thompson v. Keohane*, 516 U.S. 99, 112, 116 S. Ct. 457, 133 L. Ed. 2d 383 (1995) (internal quotation marks, alteration, and footnote omitted).

See also *Yarborough v. Alvarado*, 541 U.S. 652, 662-663, 124 S. Ct. 2140, 158 L. Ed. 2d 938 (2004); *Stansbury*, 511 U.S., at 323, 114 S. Ct. 1526, 128 L. Ed. 2d 293; *Berkemer v. McCarty*, 468 U.S. 420, 442, and n. 35, 104 S. Ct. 3138, 82 L. Ed. 2d 317 (1984). ***HN7*** ***LEdHN[7]*** [7] Rather than demarcate a limited set of relevant circumstances, we have required police officers and courts to "examine all of the circumstances surrounding the interrogation," *Stansbury*, 511 U.S., at 322, 114 S. Ct. 1526, 128 L. Ed. 2d 293, including any circumstance that "would have affected how a reasonable person" in the suspect's position "would perceive his or her freedom to leave," *id.*, at 325, 114 S. Ct. 1526, 128 L. Ed. 2d 293. On the other hand, the "subjective views harbored by either the interrogating officers or the person being questioned" are irrelevant. *Id.*, at 323, 114 S. Ct. 1526, 128 L. Ed. 2d 293. The test, in other words, involves no consideration of the "actual mindset" of the particular suspect subjected to police questioning. *Alvarado*, 541 U.S., at 667, 124 S. Ct. 2140, 158 L. Ed. 2d 938; see also *California v. Beheler*, 463 U.S. 1121, 1125, n. 3, 103 S. Ct. 3517, 77 L. Ed. 2d 1275 (1983) *(per curiam)*.

HN8 ***LEdHN[8]*** [8] The benefit of the objective custody analysis is that it is "designed to give clear guidance to the police.? *Alvarado*, 541 U.S., at 668, 124 S. Ct. 2140, 158 L. Ed. 2d 938. But see *Berkemer*, 468 U.S., at 441, 104 S. Ct. 3138, 82 L. Ed. 2d 317 (recognizing the "occasiona[l] . . . difficulty" that police and courts nonetheless have in "deciding exactly when a suspect has been taken into custody"). Police must make in-the-moment judgments as to when to administer *Miranda* warnings. By limiting analysis to the objective circumstances of the interrogation, and asking how a reasonable person in the suspect's position would understand his freedom to terminate questioning and leave, the objective test avoids burdening police with the task of anticipating the idiosyncrasies of every individual suspect and divining how those particular traits affect each person's subjective state of mind. See *id.*, at 430-431, 104 S. Ct. 3138, 82 L. Ed. 2d 317 (officers are not required to "make guesses" as to circumstances "unknowable" to them at the time); *Alvarado*, 541 U.S., at 668, 124 S. Ct. 2140, 158 L. Ed. 2d 938 (officers are under no duty "to consider . . . contingent psychological factors when deciding when suspects should be advised of their *Miranda* rights").

B

The State and its *amici* contend that a child's age has no place in the custody analysis, no matter how young the child subjected to police questioning. We cannot agree. ***HN9*** ***LEdHN[9]*** [9] In some circumstances, a **[2403]** child's age "would have affected how a reasonable person" in the suspect's position "would perceive his or her freedom to leave." *Stansbury*, 511 U.S., at 325, 114 S. Ct. 1526, 128 L. Ed. 2d 293. That is, a reasonable child subjected to police questioning will sometimes feel pressured to submit when a reasonable adult would feel free to go. We think it clear that courts can account for that reality without doing any damage to the objective nature of the custody analysis.

HN10 ***LEdHN[10]*** [10] A child's age is far "more than a chronological fact." *Eddings v. Oklahoma*, 455 U.S. 104, 115, 102 S. Ct. 869, 71 L. Ed. 2d 1 (1982); accord, *Gall v. United*

States, 552 U.S. 38, 58, 128 S. Ct. 586, 169 L. Ed. 2d 445 (2007); Roper v. Simmons, 543 U.S. 551, 569, 125 S. Ct. 1183, 161 L. Ed. 2d 1 (2005); Johnson v. Texas, 509 U.S. 350, 367, 113 S. Ct. 2658, 125 L. Ed. 2d 290 (1993). It is a fact that "generates commonsense conclusions about behavior and perception." Alvarado, 541 U.S., at 674, 124 S. Ct. 2140, 158 L. Ed. 2d 938 (Breyer, J., dissenting). Such conclusions apply broadly to children as a class. And, they are self-evident to anyone who was a child once himself, including any police officer or judge.

Time and again, this Court has drawn these commonsense conclusions for itself. We have observed that children "generally are less mature and responsible than adults," Eddings, 455 U.S., at 115-116, 102 S. Ct. 869, 71 L. Ed. 2d 1; that they "often lack the experience, perspective, and judgment to recognize and avoid choices that could be detrimental to them," Bellotti v. Baird, 443 U.S. 622, 635, 99 S. Ct. 3035, 61 L. Ed. 2d 797 (1979) (plurality opinion); that they "are more vulnerable or susceptible to . . . outside pressures" than adults, Roper, 543 U.S., at 569, 125 S. Ct. 1183, 161 L. Ed. 2d 1; and so on. See Graham v. Florida, 560 U.S. ___, ___, 130 S. Ct. 2011, 176 L. Ed. 2d 825 (2010) (finding no reason to "reconsider" these observations about the common "nature of juveniles"). Addressing the specific context of police interrogation, we have observed that events that "would leave a man cold and unimpressed can overawe and overwhelm a lad in his early teens." Haley v. Ohio, 332 U.S. 596, 599, 68 S. Ct. 302, 92 L. Ed. 224 (1948) (plurality opinion); see also Gallegos v. Colorado, 370 U.S. 49, 54, 82 S. Ct. 1209, 8 L. Ed. 2d 325 (1962) (***HN11*** ***LEdHN[11]*** [11] "[N]o matter how sophisticated," a juvenile subject of police interrogation "cannot be compared" to an adult subject). Describing no one child in particular, these observations restate what "any parent knows"--indeed, what any person knows--about children generally. Roper, 543 U.S., at 569, 125 S. Ct. 1183, 161 L. Ed. 2d 1.[5]

Our various statements to this effect are far from unique. The law has historically reflected the same assumption that children characteristically lack the capacity to exercise mature judgment and possess only an incomplete ability to understand the world around them. See, *e.g.*, 1 W. Blackstone, Commentaries on the Laws of England *464-*465 (hereinafter Blackstone) (explaining that limits on children's legal capacity under the common law "secure them from hurting themselves by their own improvident acts"). Like this Court's own generalizations, the legal disqualifications placed on children as a class--*e.g.*, limitations on their ability to alienate property, enter a binding contract enforceable against them, and marry without parental consent--exhibit the settled **[2404]** understanding that the differentiating characteristics of youth are universal.[6]

Indeed, ***HN12*** ***LEdHN[12]*** [12] even where a "reasonable person" standard otherwise applies, the common law has reflected the reality that children are not adults. In negligence suits, for instance, where liability turns on what an objectively reasonable person would do in the circumstances, "[a]ll American jurisdictions accept the idea that a person's childhood is a relevant circumstance" to be considered. Restatement (Third) of Torts § 10, Comment *b*, p. 117 (2005); see also *id.*, Reporters' Note, pp. 121-122 (collecting cases); Restatement (Second) of Torts § 283A, Comment *b*, p. 15 (1963-1964) ("[T]here is a wide basis of community experience upon which it is possible, as a practical matter, to determine what is to be expected of [children]").

As this discussion establishes, ***HN13*** ***LEdHN[13]*** [13] "[o]ur history is replete with laws and judicial recognition" that children cannot be viewed simply as miniature adults. Eddings, 455 U.S., at 115-116, 102 S. Ct. 869, 71 L. Ed. 2d 1. We see no justification for taking a different course here. So long as the child's age was known to the officer at the time of the interview, or would have been objectively apparent to any reasonable officer, including age as part of the custody analysis requires officers neither to consider circumstances "unknowable" to them, Berkemer, 468 U.S., at 430, 104 S. Ct. 3138, 82 L. Ed. 2d 317, nor to ?anticipat[e] the frailties or idiosyncrasies" of the particular suspect whom they question, Alvarado, 541 U.S., at 662, 124 S. Ct. 2140, 158 L. Ed. 2d 938 (internal quotation marks omitted). The same "wide basis of community experience" that makes it possible, as an objective matter, "to determine what is to be expected" of children in other contexts, Restatement (Second) of Torts § 283A, at 15; see *supra*, at ___, 180 L. Ed. 2d, at 324, and n. 6, likewise makes it possible to know what to expect of children subjected to police questioning.

HN14 ***LEdHN[14]*** [14] In other words, a child's age differs from other personal characteristics that, even when known to police, have no objectively discernible relationship to a reasonable person's understanding of his freedom of action. *Alvarado*, holds, for instance, that a suspect's prior interrogation history with law enforcement has no role to play in the custody analysis because such experience could just as easily lead a reasonable person to feel free to walk away as to feel compelled to stay in place. 541 U.S., at 668, 124 S. Ct. 2140, 158 L. Ed. 2d 938. Because the effect in any given case would be "contingent [on the] psycholog[y]" of the individual suspect, the Court explained, such experience cannot be considered without compromising the objective nature of the custody analysis. *Ibid.* A child's age, however, is different. Precisely because childhood yields objective conclusions like those we **[2405]** have drawn ourselves--among others, that children are "most susceptible to influence," Eddings, 455 U.S., at 115, 102 S. Ct. 869, 71 L. Ed. 2d 1, and "outside pressures," Roper, 543 U.S., at 569, 125 S. Ct. 1183, 161 L. Ed. 2d 1 --considering age in the custody analysis in no way involves a determination of how youth "subjectively affect[s] the mindset" of any particular child, Brief for Respondent 14.[7]

In fact, in many cases involving juvenile suspects, the custody analysis would be nonsensical absent some consideration of the suspect's age. This case is a prime example. Were the court precluded from taking J. D. B.'s youth into account, it would be forced to evaluate the circumstances present here through the eyes of a reasonable person of average years. In other words, how would a reasonable adult understand his situation, after being removed from a seventh-grade social studies class by a uniformed school resource officer; being encouraged by his assistant principal to "do the right thing"; and being warned by a police investigator of the prospect of juvenile detention and separation from his guardian and primary caretaker? To describe such an inquiry is to demonstrate its absurdity. Neither officers nor courts can reasonably evaluate the effect of objective circumstances that, by their nature, are specific to children without accounting for the age of the child subjected to those circumstances.

Indeed, although the dissent suggests that concerns "regarding the application of the *Miranda* custody rule to minors can be accommodated by considering the unique circumstances present when minors are questioned in school," *post*, at ___, 180 L. Ed. 2d, at 339 (opinion of Alito, J.), ***HN15*** ***LEdHN[15]*** [15] the effect of the schoolhouse setting cannot be disentangled from the identity of the person questioned. A student--whose presence at school is compulsory and whose

disobedience at school is cause for disciplinary action--is in a far different position than, say, a parent volunteer on school grounds to chaperone an event, or an adult from the community on school grounds to attend a basketball game. Without asking whether the person "questioned in school" is a "minor," *ibid.*, the coercive effect of the schoolhouse setting is unknowable.

Our prior decision in *Alvarado* in no way undermines these conclusions. In that case, we held that a state-court decision that failed to mention a 17-year-old's age as part of the *Miranda* custody analysis was not objectively unreasonable under the deferential standard of review set forth by the Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA), 110 Stat. 1214. Like the North Carolina Supreme Court here, see 363 N. C., at 672, 686 S. E. 2d, at 140, ***HN16*** ***LEdHN[16]*** [16] we observed that accounting for a juvenile's age in the *Miranda* custody analysis "could be viewed as creating a subjective inquiry," 541 U.S., at 668, 124 S. Ct. 2140, 158 L. Ed. 2d 938. We said nothing, however, of whether such a view would be correct under the law. Cf. *Renico v. Lett*, 559 U.S. ___, ___, n. 3, 130 S. Ct. 1855, 176 L. Ed. 2d 678 (2010) ("[W]hether the [state court] was right or wrong is not the pertinent question under AEDPA"). To the contrary, Justice O'Connor's concurring opinion explained that a suspect's age may indeed "be relevant to the 'custody' inquiry." *Alvarado*, 541 U.S., at 669, 124 S. Ct. 2140, 158 L. Ed. 2d 938.

[2406] Reviewing the question *de novo* today, we hold that ***HN17*** ***LEdHN[17]*** [17] so long as the child's age was known to the officer at the time of police questioning, or would have been objectively apparent to a reasonable officer, its inclusion in the custody analysis is consistent with the objective nature of that test.[8] This is not to say that a child's age will be a determinative, or even a significant, factor in every case. Cf. *ibid.* (O'Connor, J., concurring) (explaining that a state-court decision omitting any mention of the defendant's age was not unreasonable under AEDPA's deferential standard of review where the defendant "was almost 18 years old at the time of his interview"); *post*, at ___, 180 L. Ed. 2d, at 339 (suggesting that "teenagers nearing the age of majority" are likely to react to an interrogation as would a "typical 18-year-old in similar circumstances"). It is, however, a reality that courts cannot simply ignore.

III

The State and its *amici* offer numerous reasons that courts must blind themselves to a juvenile defendant's age. None is persuasive.

To start, the State contends that a child's age must be excluded from the custody inquiry because age is a personal characteristic specific to the suspect himself rather than an "external" circumstance of the interrogation. Brief for Respondent 21; see also *id.*, at 18-19 (distinguishing "personal characteristics" from "objective facts related to the interrogation itself" such as the location and duration of the interrogation). Despite the supposed significance of this distinction, however, at oral argument counsel for the State suggested without hesitation that ***HN19*** ***LEdHN[19]*** [19] at least some undeniably personal characteristics--for instance, whether the individual being questioned is blind--are circumstances relevant to the custody analysis. See Tr. of Oral Arg. 41. Thus, the State's quarrel cannot be that age is a personal characteristic, without more.[9]

The State further argues that age is irrelevant to the custody analysis because it "go[es] to how a suspect may internalize and perceive the circumstances of an interrogation." Brief for Respondent 12; see also Brief for United States as *Amicus Curiae* 21 (hereinafter U. S. Brief) (arguing that a child's age has no place in the custody analysis because it goes to whether a suspect is "particularly susceptible" to the external circumstances of the interrogation (some internal quotation marks omitted)). But the same can be said of every objective circumstance that the **[2407]** State agrees is relevant to the custody analysis: Each circumstance goes to how a reasonable person would "internalize and perceive" every other. See, *e.g.*, *Stansbury*, 511 U.S., at 325, 114 S. Ct. 1526, 128 L. Ed. 2d 293. Indeed, this is the very reason that we ask whether the objective circumstances "add up to custody," *Keohane*, 516 U.S., at 113, 116 S. Ct. 457, 133 L. Ed. 2d 383, instead of evaluating the circumstances one by one.

In the same vein, the State and its *amici* protest that the "effect of . . . age on [the] perception of custody is internal," Brief for Respondent 20, or "psychological," U. S. Brief 21. ***HN20*** ***LEdHN[20]*** [20] But the whole point of the custody analysis is to determine whether, given the circumstances, "a reasonable person [would] have felt he or she was . . . at liberty to terminate the interrogation and leave." *Keohane*, 516 U.S., at 112, 116 S. Ct. 457, 133 L. Ed. 2d 383. Because the *Miranda* custody inquiry turns on the mindset of a reasonable person in the suspect's position, it cannot be the case that a circumstance is subjective simply because it has an "internal" or "psychological" impact on perception. Were that so, there would be no objective circumstances to consider at all.

Relying on our statements that the objective custody test is "designed to give clear guidance to the police," *Alvarado*, 541 U.S., at 668, 124 S. Ct. 2140, 158 L. Ed. 2d 938, the State next argues that a child's age must be excluded from the analysis in order to preserve clarity. Similarly, the dissent insists that the clarity of the custody analysis will be destroyed unless a "one-size-fits-all reasonable-person test" applies. *Post*, at ___, 180 L. Ed. 2d, at 337. In reality, however, ignoring a juvenile defendant's age will often make the inquiry more artificial, see *supra*, at ___--___, 180 L. Ed. 2d, at 325-326, and thus only add confusion. And in any event, a child's age, when known or apparent, is hardly an obscure factor to assess. Though the State and the dissent worry about gradations among children of different ages, that concern cannot justify ignoring a child's age altogether. Just as police officers are competent to account for other objective circumstances that are a matter of degree such as the length of questioning or the number of officers present, so too are they competent to evaluate the effect of relative age. Indeed, they are competent to do so even though an interrogation room lacks the "reflective atmosphere of a [jury] deliberation room," *post*, at ___, 180 L. Ed. 2d, at 338. The same is true of judges, including those whose childhoods have long since passed, see *post*, at ___, 180 L. Ed. 2d, at 338. In short, officers and judges need no imaginative powers, knowledge of developmental psychology, training in cognitive science, or expertise in social and cultural anthropology to account for a child's age. They simply need the common sense to know that a 7-year-old is not a 13-year-old and neither is an adult.

There is, however, an even more fundamental flaw with the State's plea for clarity and the dissent's singular focus on simplifying the analysis: ***HN21*** ***LEdHN[21]*** [21] Not once have we excluded from the custody analysis a circumstance that we determined was relevant and objective, simply to make the fault line between custodial and noncustodial "brighter." Indeed, were the guiding concern clarity and nothing else, the custody test would presumably ask only

whether the suspect had been placed under formal arrest. *Berkemer*, 468 U.S., at 441, 104 S. Ct. 3138, 82 L. Ed. 2d 317; see *ibid.* (acknowledging the "occasiona[l] . . . difficulty" police officers confront in determining when a suspect has been taken into custody). But we have rejected that "more easily administered line," recognizing that it would simply "enable the police to circumvent the constraints on custodial interrogations established by *Miranda*." *Ibid.*; see also *ibid.*, n. 33.[10]

[2408] Finally, the State and the dissent suggest that excluding age from the custody analysis comes at no cost to juveniles' constitutional rights because the due process voluntariness test independently accounts for a child's youth. To be sure, ***HN23*** ***LEdHN[23]*** [23] that test permits consideration of a child's age, and it erects its own barrier to admission of a defendant's inculpatory statements at trial. See *Gallegos*, 370 U.S., at 53-55, 82 S. Ct. 1209, 8 L. Ed. 2d 325; *Haley*, 332 U.S., at 599-601, 68 S. Ct. 302, 92 L. Ed. 234; see also *post*, at - , 180 L. Ed. 2d, at 340 ("[C]ourts should be instructed to take particular care to ensure that [young children's] incriminating statements were not obtained involuntarily"). But *Miranda*'s procedural safeguards exist precisely because the voluntariness test is an inadequate barrier when custodial interrogation is at stake. See 384 U.S., at 458, 86 S. Ct. 1602, 16 L. Ed. 2d 694 ("Unless adequate protective devices are employed to dispel the compulsion inherent in custodial surroundings, no statement obtained from the defendant can truly be the product of his free choice"); *Dickerson*, 530 U.S., at 442, 120 S. Ct. 2326, 147 L. Ed. 2d 405 ("[R]eliance on the traditional totality-of-the-circumstances test raise[s] a risk of overlooking an involuntary custodial confession"); see also *supra*, at - , 180 L. Ed. 2d, at 321-322. To hold, as the State requests, that a child's age is never relevant to whether a suspect has been taken into custody--and thus to ignore the very real differences between children and adults--would be to deny children the full scope of the procedural safeguards that *Miranda* guarantees to adults.

* * *

The question remains whether J. D. B. was in custody when police interrogated him. We remand for the state courts to address that question, this time taking account of all of the relevant circumstances of the interrogation, including J. D. B.'s age at the time. The judgment of the North Carolina Supreme Court is reversed, and the case is remanded for proceedings not inconsistent with this opinion.

It is so ordered.