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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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YARBOROUGH, WARDEN *v.* ALVARADO

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

No. 02–1684. Argued March 1, 2004—Decided June 1, 2004

Respondent Alvarado helped Paul Soto try to steal a truck, leading to the death of the truck's owner. Alvarado was called in for an interview with Los Angeles detective Comstock. Alvarado was 17 years old at the time, and his parents brought him to the station and waited in the lobby during the interview. Comstock took Alvarado to a small room where only the two of them were present. The interview lasted about two hours, and Alvarado was not given a warning under *Miranda* v. *Arizona*, 334 U. S. 436. Although he at first denied being present at the shooting, Alvarado slowly began to change his story, finally admitting that he had helped Soto try to steal the victim's truck and to hide the gun after the murder. Comstock twice asked Alvarado if he needed a break and, when the interview was over, returned him to his parents, who drove him home. After California charged Alvarado with murder and attempted robbery, the trial court denied his motion to suppress his interview statements on *Miranda* grounds. In affirming Alvarado's conviction, the District Court of Appeal (hereinafter state court) ruled that a *Miranda* warning was not required because Alvarado had not been in custody during the interview under the test articulated in *Thompson* v. *Keohane,* 516 U. S. 99, 112, which requires a court to consider the circumstances surrounding the interrogation and then determine whether a reasonable person would have felt at liberty to leave. The Federal District Court agreed with the state court on habeas review, but the Ninth Circuit reversed, holding that the state court erred in failing to account for Alvarado's youth and inexperience when evaluating whether a reasonable person in his position would have felt free to leave the interview. Noting that this Court has considered a suspect's juvenile status in other criminal law contexts, see, *e.g., Haley* v.

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Ohio, 332 U. S. 596, 599, the Court of Appeals held that the state court's error warranted habeas relief under the Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA) because it "resulted in a decision that . . . involved an unreasonable application of . . . clearly established Federal law, as determined by [this] Court," 28 U. S. C. §2254(d)(1).

Held: The state court considered the proper factors and reached a reasonable conclusion that Alvarado was not in custody for *Miranda* purposes during his police interview. Pp. 7–15.

(a) AEDPA requires federal courts to consider whether the state-court decision involved an unreasonable application of clearly established law. Clearly established law "refers to the holdings, as opposed to the dicta, of this Court's decisions as of the time of the relevant state-court decision." *Williams* v. *Taylor,* 529 U. S. 362, 412. The *Miranda* custody test is an objective test. Two discrete inquiries are essential: (1) the circumstances surrounding the interrogation, and (2) given those circumstances, whether a reasonable person would have felt free to terminate the interrogation and leave. "Once 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 a formal arrest." *Thompson,* 516 U. S., at 112. Pp. 7–9.

(b) The state-court adjudication did not involve an unreasonable application of clearly established law when it concluded that Alvarado was not in custody. The meaning of "unreasonable" can depend in part on the specificity of the relevant legal rule. If a rule is specific, the range of reasonable judgment may be narrow. Applications of the rule may be plainly correct or incorrect. Other rules are more general, and their meaning must emerge in application over time. The more general the rule, the more leeway courts have in reaching outcomes in case by case determinations. Cf. *Wright* v. *West,* 505 U. S. 277, 308–309. Fair-minded jurists could disagree over whether Alvarado was in custody. The custody test is general, and the state court's application of this Court's law fits within the matrix of the Court's prior decisions. Certain facts weigh against a finding that Alvarado was in custody. The police did not transport him to the station or require him to appear at a particular time, cf. *Oregon* v. *Mathiason,* 429 U. S. 492, 495; they did not threaten him or suggest he would be placed under arrest, *ibid.;* his parents remained in the lobby during the interview, suggesting that the interview would be brief, see *Berkemer* v. *McCarty*, 468 U. S. 420, 441–442; Comstock appealed to Alvarado's interest in telling the truth and being helpful to a police officer, cf. *Mathiason,* 429 U. S., at 495; Comstock twice asked Alvarado if he wanted to take a break; and, at the end of

the interview, Alvarado went home, *ibid*. Other facts point in the opposite direction. Comstock interviewed Alvarado at the police station; the interview lasted 4 times longer than the 30-minute interview in *Mathiason;* Comstock did not tell Alvarado that he was free to leave; he was brought to the station by his legal guardians rather than arriving on his own accord; and his parents allegedly asked to be present at the interview but were rebuffed. Given these differing indications, the state court's application of this Court's custody standard was reasonable. Indeed, a number of the facts echo those in *Mathiason,* a *per curiam* summary reversal in which we found it clear that the suspect was not in custody. Pp. 9–12.

(c) The state court's failure to consider Alvarado's age and inexperience does not provide a proper basis for finding that the state court's decision was an unreasonable application of clearly established law. The Court's opinions applying the *Miranda* custody test have not mentioned the suspect's age, much less mandated its consideration. The only indications in those opinions relevant to a suspect's experience with law enforcement have rejected reliance on such factors. See, *e.g., Berkemer, supra*, at 442, n. 35, 430–432. It was therefore improper for the Court of Appeals to grant relief on the basis of the state court's failure to consider them. There is an important conceptual difference between the *Miranda* test and the line of cases from other contexts considering age and experience. The *Miranda* custody inquiry is an objective test, see *Thompson, supra*, at 112, that furthers "the clarity of [Miranda's] rule," *Berkemer,* 468 U. S., at 430, ensuring that the police need not "gues[s] as to [the circumstances] at issue before deciding how they may interrogate the suspect," *id*., at 431. This objective inquiry could reasonably be viewed as different from doctrinal tests that depend on the actual mindset of a particular suspect, where the Court does consider a suspect's age and experience. In concluding that such factors should also apply to the *Miranda* custody inquiry, the Ninth Circuit ignored the argument that that inquiry states an objective rule designed to give clear guidance to the police, while consideration of a suspect's individual characteristics—including his age—could be viewed as creating a subjective inquiry, cf. *Mathiason, supra*, at 495–496. Reliance on Alvarado's prior history with law enforcement was improper not only under §2254(d)(1)'s deferential standard, but also as a *de novo* matter. In most cases, the police will not know a suspect's interrogation history. See *Berkemer, supra*, at 430–431. Even if they do, the relationship between a suspect's experiences and the likelihood a reasonable person with that experience would feel free to leave often will be speculative. Officers should not be asked to consider these contingent psychological factors when deciding when suspects should

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be advised of *Miranda* rights. See *Berkemer, supra,* at 431–432. Pp. 12–15.

316 F. 3d 841, reversed.

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