

Just Shut up and Save yourself from yourself!

PLEASE TAKE NOTE OF THIS ADVICE. A wide variety of people are arrested every day and the majority of the individuals make the same mistakes which make their situation even worse. Many of these reactions are understandable, however some defy logic and reason. Nobody plans on being arrested, but you may be arrested for simply being in **the wrong place at the wrong time!** How often have we seen, heard or been in a situation. Please share this wealth of advice with your colleagues, friends and family because it will come in handy for many of you. The basic rule is to simply listen to the officer/agent and do as your told, "Put Your Hands Behind Your Back" and follow the following Rules that happen to be protected by the United States Constitution.

1. Don't Talk.

Do not say a word to the officer. Remain silent. Shut up! I cannot stress to you the importance of this rule. Do not talk! Do not attempt to convince the officer of your innocence. You will lose and if he has you in those silver bracelets it's too late for convincing. Everyone is innocent, no one should be arrested and no one should be in jail and that is all the officer hears all day every day. He / she does not care generally whether you are innocent or guilty and there is nothing that he / she can do (or will do for your benefit) at this point. Most times, when people speak to officers, they say something that makes their situation far worse. Keep your mouth shut, there will be plenty of time to talk to and with your lawyer! Also, keep off those jail phones, they are listening and forwarding the information straight to the police and prosecutor!

2. Don't Run.

I said above to listen to the officer and follow his / her instructions. Do not be scared and do not let the liquid courage aka alcohol convince you that you can outrun the twelve officers and helicopter that will track you down. Also, police become highly suspicious that someone running, has a weapon and may be quick to draw their weapon. Additionally when they do run you down expect much stronger force used to subdue a fleeing suspect. Running and resisting to the police is one the most dangerous thing to be doing to a person who has a "license to kill!"

3. Never Resist Arrest.

Perhaps the most important thing ***not*** to do is touch the police officer at all! Again, sober up quick, and follow what the officer says. Many people attempt to bump the officer or swat an officers hands away. This often falls under the assault/resisting/obstruction statutes in many states and now a minor misdemeanor arrest or a temporary detention becomes a FELONY. Thus a reckless driving charge leads to a year or more in state prison. Additionally, touching the officer in any way can lead to a batton in the mouth, a taser to the midsection or even worse an “accidental” discharge of his or her weapon.

4. Don't Believe the Police.

It is perfectly legal for the police to lie to get you to make an admission.!!! The police frequently separate two friends and tell one the other one ratted him / her out. Because of the lie, the other friend now rats the first friend out. Police and detectives also state that "it will be easier" to talk now...LIES!!! DON'T BELIEVE THIS BS! It will only be easier for the police to attempt prove their case! Also, they mislead you by saying “This is your opportunity to tell your side of the story to help yourself!” **Not true!** Or they will tell you maybe they can help you out with prosecutor or put in a good word for you. ***Nope-NOT his job-*** it's your lawyers Job!

Some officers will tell you “If you cooperate with me and I will not ask for a high bond!” Well the prosecutor may ask for a high bond! Cooperating DOES NOT entail opening your mouth! It entails being ***cooperative*** in ***not*** resisting, talking trash and obeying his/her orders as they are processing you. Again it does not entail you having to confess, conversate and or confirm any details which they tell you don't matter in your case!

5. No Searching.

Do not allow or give permission the police to search anywhere! If the police officer asks, they do not have the right to search and must have your consent. If you are asked make sure you proclaim to any witnesses that "You (the police) do not have consent to search." State no more! Go back into quite mode! If they perform the search anyway, that evidence may be thrown out later. Also, if you consent to a search, the officers may find something that you had no idea you had placed somewhere, i.e.: marijuana left by a friend. Happens all the time. To be on the safe say **No!** to the "request" for your consent to search anything!

6. Don't Look At Places Where You Don't Want Police to Search.

Police are trained to watch you and react to you. One will be cuffing & securing you another will be observing you. They know that you are nervous and scared and many people look to the areas that they don't want the police to search. Do not react to the search and do not answer any questions. LOOK DOWN AND KEEP YOUR MOUTH SHUT!!!

7. Do Not Talk Trash to the Police.

I don't care if you have been wrongly arrested and the true culprit is standing in front of you. Don't talk trash! Police hear all day that "My dad is the Governor's Assistant's Intern" or "My uncle aunt is a lawyer, judge or millionaire and I will have your badge for this!" Police have a lot of discretion in the upcoming charges brought. Police can add charges, change a misdemeanor to a felony, or even talk to the prosecutor that is ultimately prosecuting you. Again, opening your mouth in this circumstance can be devastating to your case and freedom from the start! Do do it! Remain silent and start to think of what lawyer you are going to call to get you out of the mess you are in or start the damage control process if necessary. Let your **lawyer** talk his or her ethically and professionally permissible **trash** in bond bail hearings, cross examination, plea negotiations or closing argument!

8. If Police Come to Your Home, Do not Let Them In and Do Not Step Outside Your Home!

If the police are confident you have committed a felony, they are coming in anyway, because they *generally* don't need an arrest warrant. Make it clear to the police by stating: "No you may not come in", or "I am comfortable talking right here", or "You need a search warrant to enter my home." If they return, your attorney can arrange for you to turn yourself in should that be necessary and you will in most cases not spend much time in jail between the hearings.

9. Outside Your Home Arrested, Do Not Accept Offer to Go In Your Home for Anything.

The officer may say to you, how about you go inside and change, freshen up, talk to your wife, husband, get a jacket, or any other reason. The police will graciously escort you in and then tear your home apart searching through it. Also, do not let them secure your car. Your car is fine. Remember they are lying to you. They don't give a damn if you are really cold or if you need to talk to your wife or husband. They want a reason to not to have to get that judge up in the middle of the night to sign the search warrant. You make their job easy. Don't fall for it!

10. Don't say a word.

It's incredible how many people feel that they can convince the officer, the booking officer or a detective (if your case reaches that stature) that they are not guilty. YOUR CASE IS NOT DECIDED BY THESE PEOPLE and if you got cuffed they don't care-as they then say "Tell it to the Judge!" They have no affect on your records. Wait to speak to your lawyer! The courts give *enormous* weight to "confessions" during this stage. Heck even when you don't say anything they may make something up! A suspect is almost NEVER released immediately after being arrested. Other than the "No" you give to the police when they want to search your car, purse, luggage, man bag, locker or home...keep your mouth shut and use your words only to ask for a lawyer!

Follow these ten simply rules religiously and many of your rights will remain intact. I don't care how nervous, scared or drunk you are, sober up, silence your fears, swallow your pride and ego! Get it together! THESE RULES ARE VERY IMPORTANT, and will help you tremendously in the short and long run.

Quick Test Question

An altercation occurs with your “live in” girlfriend. When the police arrive they find you in your car, a few houses down the street. Your girlfriend points you out and the officers then arrest you for assault. During the arrest, they let you know that they do not intend to question you. They just need your name and address and want to search the trunk and glove compartment for machete she claims you assaulted her with. And as long as you tell them it's ok too look, and they find nothing they will let you go because they don't believe her. What do you do?

Answer

Keep your mouth shut and advise you want to speak to your legal counsel. Remember Rule 1 is to keep your mouth shut, so you don't say anything (other to ask for counsel and not giving consent to search the vehicle for the purported machete). Your name is all you may need to give unless of course you have ID with another name on it... obstruction of an officer's duty (for having a fake ID) may be another change you could face!. If you give your address, that may indicate that you and your girlfriend live together, when actually you don't which may convert your alleged crime from a misdemeanor to a felony if the kilo of marijuana (she says is yours) is found in the home that she has given consent for them to search (for the machete). See how things can get messy when you open our mouth! An officer will always attempt to get you to make an admission, when they need it, especially when they have no evidence, other than your statement! **KEEP YOUR MOUTH SHUT!**