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Help Your Lawyer Help You:

WHAT TO DO WHILE BEING ARRESTED



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Even if you've done nothing wrong, seeing the familiar flashing blue lights or the sound of a siren can make anyone's blood run cold. If law enforcement believes you're guilty of any wrongdoing, unfortunately, there isn't a simple formula to follow that will lead to a case thrown out after an arrest. However, you can take steps to improve your chances of a positive outcome before and after a trial. It's important to remember that you have rights regardless of what any law enforcement officer says, and one of the most important things you can do to protect your rights is by understanding when they benefit you most.

It's important to note that not every case will have a systematic and organized arrest procedure. There are some situations where an arrest will be made after an extensive investigation (like in the case of murder) or immediately after law enforcement assumes they have the right to make an arrest (like a DWI). The following are examples of what to do in the event that you're stopped by police, but the same advice can be true for other police interactions as well.

Remain Calm

Telling someone to remain calm during a police interaction is easier said than done. It's common knowledge that any police interaction can lead to violence and potentially the loss of life. Getting defensive or being argumentative can make the situation worse and hurt your case in the end. It doesn't matter if you've been stopped while driving or if you're on foot, any time a police officer approaches you, make no sudden movements and keep your hands in sight at all times. There is a time and a place to argue, and that's in the courtroom.

Don't Talk to the Police

One of, if not the most, important things to remember when being arrested is to not talk to the police. The police are not on your side, and anything you say can be twisted and turned into an inconsistency. The number one cause of convictions are bad lawyers, but they can only do so much if you talk. You have the right to remain silent and to have an attorney present during any questioning. Exercise that right. You can be polite, ask for water, ask for accommodations, but the thing you should be asking for more than anything else is a lawyer.



Don't Consent to a Search

If the police ask for your consent to search you, your property, or your vehicle, you should refuse. The police may still conduct a search if they have a warrant or probable cause, but consenting to a search could harm your case. Even if you think there is nothing illegal in your possession, you never know if someone else has left something incriminating behind. For example, if someone came to your house or apartment to perform a service, they may have dropped an illegal substance or other potentially incriminating items that will leave you on the hook for their actions. The same thing applies when you're carrying someone else's bag or backpack, or driving in a car with friends. You don't want to be held responsible for the actions of someone else. It's also much harder to prove that the items or substances did not belong to you in the first place.

Contact an Attorney

If you have been arrested, calling an attorney is your first priority. In fact, you have the right to an attorney regardless of your financial circumstances. Even if you're unable to afford one immediately, you will be provided with one, at the very least. The sooner you get in contact with an attorney or a family member who can contact one for you, the better. A lawyer that's able to meet you as soon as you're in police custody will be able to immediately put your defense into action. They will advocate for your rights and if necessary, negotiate for reasonable bail terms or your release. An experienced criminal defense attorney can protect your rights and help you navigate the legal system. Look for an attorney who has experience handling cases similar to yours and who is aggressive in defending their clients.

Don't Discuss Your Case

Depending on the circumstances of your arrest, it's possible that you will have the opportunity to communicate with the people around you. Do not discuss your case or the events of the arrest with anyone until you've spoken with your attorney. The information you share with your attorney is privileged and confidential, so being honest with your attorney will ultimately help your case.



However, anything you say to anyone else, especially in a public setting is at risk of being used against you. For example, if you make a phone call to a family member, do not talk about your case or retell events no matter how worried your loved ones might be. It's better to ask that they be patient and wait for a safe time to discuss the events leading up to your detainment than to have what you thought were private conversations used against you. Keep your case confidential, and let your attorney do the talking.

Be Prepared for Trial

If you're able to post bail, it's essential to attend all court hearings and appearances to help with your trial. Failure to appear in court can derail your entire defense and land you back in jail. If there is anything about the terms of your bail or release that are unfamiliar or confusing, follow any instructions your attorney gives you. Your case may depend on you staying organized and effectively collaborating with your legal counsel, so it's important to show up and participate effectively.

Remember that being arrested does not mean you are guilty, and it's not an indication of who you are as a person. Your life is worth more than any accusations brought against you, and everyone has a right to a fair trial. At the firm of Ryan Brown P.L.L.C., every client is treated as an equal with the respect and dignity everyone deserves, regardless of the charges brought against them. Our team will work hard to make sure that you are given a fair and impartial trial with the best possible outcome. Help us help you by remaining calm, using your right to remain silent, and following all advice to the best of your ability. For a free consultation, contact our office at (806) 372-5711 today.



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