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What Should I Do If I Am Arrested?

By Jody Ehrhardt

While no one ever plans on being arrested, it is a good idea to know what you should and shouldn't do in case it ever happens. By understanding what is expected of you and what circumstance can make your situation worse, you will be better able to handle the distress and fear that comes with being arrested.

First of all, there are certain things that you should do if you ever find yourself in this scary situation. Do attempt to stay calm and try to only speak to the police officer in a respectful, polite manner and tone of voice. By staying calm you will be better able to assess the situation for what it really is and better able to recall all of the details of your arrest later for your attorney. By being polite and respectful you will cut down on the chances that the arresting officers will become angry or aggressive, which could lead to your being injured or harmed.

Do give the basic information that the officers are asking for without being surly or rude. This information includes your name, address, and telephone number, the name of an immediate family member and their phone number and the name of the place of your employment. Not only do the police officers need this information to file the forms of your arrest, they will also need it when setting your bail.

Do exercise your right to remain silent. You are not required by law to answer any questions that could incriminate you and you do not have to speak to the police, district attorney or anyone unless you are in the presence of your lawyer. If the police continue to ask you questions or harass you for answers, you should simply keep repeating the phrase, "I wish to speak to my attorney".

Do exercise your right to make one phone call. This call should probably go to your lawyer but in a case where you do not have a lawyer, you should call a close family member and instruct them to obtain legal counsel for you as soon as possible.

Do attempt to get the names and badge numbers of the police officers that arrest you. You have a right to this information but for various reasons, some officers may attempt not to disclose this information to you.

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There are also a number of things that you should not do if you ever find yourself under arrest.

Do not resist arrest. Even if you believe that the charges held against you are false, insisting on your innocence at this point will not help you or stop the arrest. Wait until you are taken to the police station and allowed to call an attorney. Once your attorney arrives, speak through him or her to defend your innocence.

Do not act in an aggressive manner or yell out threats about filing harassment complaints. Aggressive behavior will only cause the police officers to try to restrain you and your bad behavior could be held against you later when you are trying to fight the charges in court.

Do not complain when the police officers handcuff, search, fingerprint or photograph you. All of these processes are a normal result of being arrested. Go through the process with as much cooperation

with possible.

While being arrested will never be a pleasant experience, the way you act and the things you choose to do and not do while going through the process can go a long way toward easing the pain, inconvenience and humiliation of the experience.

Jody Ehrhardt write for

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How To Avoid Being Arrested

By MalaMaal.com

What Should I Do If I Am Arrested?

How To Avoid Being Arrested

Try to avoid violating the law. Stop and think before you act. If you're in doubt about the legality of an act; ask. Ignorance of the law is no excuse, **BUT USE IT ANYWAY!** Try to stay away from suspicious places and circumstances. Watch the company you keep. You can easily be arrested if you're with someone who commits a crime. It all depends on the crime and the circumstances. We're not talking about your guilt or innocence, or right from wrong. We're talking about how not to get arrested in the first place, thereby avoiding fees to attorneys, bail bond agents, loss of time on your job, or even loss of your job.

DRIVING

Don't drink and drive! know what driving offenses in your state or community can get you arrested. Reckless driving or second convictions of other violations could get you arrested. Avoid drunk driving or anything else that can get your vehicle impounded. Police officers may legally "inventory" and make a list of all property in the vehicle. You can be charged with any contraband found.

WEAPONS

Know the laws of your state concerning weapons. Register weapons if it is required in your city or state. Know what the laws are concerning the carrying of weapons on your person or in your vehicle. Know what constitutes a weapon in your state. Brass knuckles, nunchakus, Kung-Fu stars, chains, clubs or anything adapted to be used as a club, and long knives may be illegal to carry. Firearms or other weapons laying about inside your vehicle, or your friend's vehicle, can get you arrested in many jurisdictions. It may not matter if it's not your weapon. If it's within your reach you may be subject to arrest. A weapons offense may be a misdemeanor in one part of town and a felony a block away! Carrying weapons where alcoholic beverages are sold or served, on school grounds, or other locations may constitute a more serious charge.

DRUGS

Keep your prescription drugs in the proper, labeled container. Do not dump all your different prescription drugs in one container. If you give a police officer a chance to notice such a package, you're asking for a very long delay in your schedule while things are checked out. Next to traffic accidents, drugs in vehicles get more passengers in trouble than just about anything. Example: It's midnight and you are riding as a passenger your friend's car. He is stopped by the police for speeding. He reaches into the center console where he keeps his license. The officer shines his flashlight on the console to see what your friend is reaching for, since this is not a normal location for a driver's license. The officer see's a baggy of what turns out to be an illegal drug next to the console. Your friend forgot it was there, and you never saw it. It's closer to you than it is to your friend. Your good friend says "that's not mine, officer". Where does that leave you? The outcome of this case is not the subject of this report. The purpose of this report is to prevent this scenario from occurring. Know your friends! Check out vehicles that you borrow.

WARRANTS

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If you receive a ticket or are arrested and found guilty, pay all fines and associated costs on time. If this is not possible, ask for an extension. A warrant will be issued for your arrest if you do not take care of traffic tickets on time, or in the case of convictions, if you don't pay assessed fines. If you're arrested and use the services of a bonding company or an attorney, follow their instructions while you are waiting for your case to be disposed of. You may be required to report weekly, prohibited from leaving town, etc. during this time period. If you violate these rules, the attorney or bonding company can cancel your bond and a warrant for your re-arrest will be issued. Arrests on warrants can come at the most embarrassing times, such as at work, school, on a date, etc. And on top of all that, the bonding company or attorney isn't going to give your money back and you'll have to go through the whole ordeal again. Once you are charged with an infraction or a crime, follow through with it in the proper manner. Never ignore these things. They won't ever go away and they'll always get worse.

DRINKING

The police don't like dealing with sloppy, boisterous drunks any more than most people do. If you get yourself in this condition in a public place you're asking for trouble. If you get drunk in public, DON'T get involved in a disturbance. The drunk tank is the universal solution to disturbances involving drunks. If you're the type that gets drunk and rowdy, take a designated driver/caretaker along with you. Someone who will promise the police that they'll take you home and lock you up for the night. This doesn't always work, but it's worth a try.

RESISTING ARREST

Don't ever push, shove, or hit a police officer! The police don't feel they should be hit for doing their job any more than the store clerk, doctor, or fireman. This will always get you a ride downtown. Remember; help arrives quickly to these events. If you have a problem with an officer, pursue it through the proper channels. Police administrators don't want a problem officer around any more than you do. Don't resist arrest. Demand to know why you're being arrested if you haven't been told or don't understand. Resisting doesn't help your case whether you're innocent or guilty of the original charge. You'll only be adding another charge which means more money out of your pocket and into the bondsman's.

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