

# APPELMAN LAW FIRM, LLC

CRIMINAL DEFENSE

**Arrested or Under Investigation?**  
Our Criminal Defense  
Attorneys Are Available Now:  
(952) 224-2277



## What to do if arrested?

Being arrested is a terrifying thing. Here is some information on what to do if arrested for a crime in Minnesota.

### **Keep Your Mouth Shut**

If told you are being arrested or detained, do not argue or resist in any way. When asked any question that calls for an answer beyond “name, rank, and serial number” politely tell the officer, **“I do not wish to answer any questions unless I have an attorney present.”** You have the right to remain silent. Use it.

Do not be intimidated by responses such as **“why do you need an attorney if you didn’t do anything?”**

Do not be fooled by claims that they just want to get your side of the story. You may admit a crime without even knowing it. The police may lie to you or give you incorrect legal advice in order to make you think you are explaining your innocence when you are actually making a confession. You have the right to remain silent. Use it.

If offered a phone call, state only that you have been arrested and need bail or help contacting a lawyer. Explain that you can’t discuss anything else on the phone because the police may be listening. If you are visited in jail by anyone other than an attorney, do not discuss the circumstances of the arrest. In jail, all non-attorney visits, phone calls and mail are recorded and monitored. They are often used as evidence. You have the right to remain silent. Use it.

## **Police Custody**

If you are temporarily held in a police vehicle or a room with other detained persons, **do not talk to those people about the circumstances of the arrest.** In fact, don't talk to them at all. Such conversations are often secretly recorded and used as evidence. The other people can also testify to whatever you say. They may make up lies about what you said in order to get a better deal for themselves.

The police have a 48 hour period (not including weekends) before you appear in court during which they can question you. **Make every effort to contact a lawyer before you appear in court**—that is the time you need one most.

If you are questioned while in custody, understand that you cannot help yourself by answering police questions. State politely, **"I do not wish to answer questions without a lawyer present."** You have the right to remain silent. Use it.

The detective may falsely claim he just wants to help you, and will put in a good word with the DA if you are "truthful" or agree to cooperate. He won't. He is only there to get you to say things that will convict you. You have the right to remain silent. Use it.

## **Call a Minnesota Defense Attorney**

Again, do not think that you can make friends with the detective and talk him out of charging you.

Police know how to exploit such beliefs, and build an airtight case in the process. Do not be lured into small talk, especially during a ride downtown. Even seemingly harmless chit-chat can be interpreted as incriminating. Once you start talking about the ball game or the weather, it's also very easy for the police to change the subject.

Many people are arrested who are never charged because the DA finds insufficient evidence. This rarely happens if the police have obtained a statement.

You have the right to remain silent. Use it.