

7 Reasons Not to Speak with Police



A detective wants to ask you questions

You'll Be Arrested, No Matter What You Say

You won't talk your way out of getting arrested.

Tell the truth. Tell a lie. Say a little, or a lot. Innocent, guilty, or somewhere in between.

It doesn't matter. The detective will arrest you no matter what you say.

Say Nothing, Except to Demand a Lawyer

Even if your statement isn't recorded on video or audio, your words can be used against you. Don't speak. Don't write. Don't shake your head "yes" or "no". Don't use body language of any kind.

You have the constitutional right to remain silent. Use it. Always! No exceptions. Never speak with police.

The one and only exception: tell the police you need a lawyer.

In New York, asking for a lawyer requires the police to stop questioning you.

If the police ask you 1,000 questions, then answer "I need a lawyer" 1,000 times.

Say nothing to police, except to demand a lawyer.

7 Reasons Not to Speak with Police:

1. *You might truthfully confess.*

If you committed a crime, speaking to police could result in you confessing to it.

This is the last thing in the world you should do. A confession is very powerful evidence that can be used to convict you.

Don't confess to the police. Say nothing, except to demand a lawyer.

2. *You might admit one or more facts that tend to prove you guilty.*

You might admit being present when the incident occurred.

You might admit that you know your accuser.

You might admit that you had consensual sex.

You might admit that you stabbed your accuser in self-defense.

Each of these admissions is a nail in your coffin. Consider, instead, allowing the police to build their case without any help from you.

Don't admit anything to the police. Say nothing, except to demand a lawyer.

3. *You might lie.*

Even if you're innocent, you know of at least one fact that makes you look guilty. The temptation to lie about such facts is great.

However, lying to the police is a very bad idea.

If you tell one lie that can be disproved, the prosecutor will have a basis to persuade the jury at your trial that your lie proves "consciousness of guilt". In other words: a) you lied to hide the truth; and b) only guilty people do that. This would be an unfortunate turn of events, especially if you're innocent.

Don't lie to the police. Say nothing, except to demand a lawyer.

4. *The police might misunderstand you.*

You don't have a constitutional right to be interrogated by an unbiased detective with perfect listening skills.

And let's be frank, you don't always express yourself with unerring precision.

If something gets lost in translation (it will), you and only you will pay the price.

Don't give the police an opportunity to misunderstand you. Say nothing, except to demand a lawyer.

5. *The police won't remember everything you say.*

Even with the best intentions, the detective won't remember everything you say.

The detective didn't record any of his conversations with you. He didn't even take notes while you were speaking. He didn't begin writing down what you said until several hours after he finished speaking with you.

Unfortunately, the detective will claim to remember parts of the conversation that are consistent with your guilt, while forgetting parts that are consistent with your innocence. That's because his goal in speaking with you is to prove that you're guilty, not to determine the truth.

Don't rely on the accuracy of your interrogator's memory. Say nothing, except to demand a lawyer.

6. *The police might lie about what you say.*

Solving crimes is hard work, and the NYPD has many crimes to solve.

For the detective who interrogates you, perhaps the temptation to "solve" the case – by inventing evidence from words you never spoke – will be irresistible.

The detective might falsely claim you made incriminating statements that in fact you never made. This happens a lot more than you would imagine. Really. No matter how much you imagine it might happen, it happens more.

Don't give police the opportunity to lie about what you said. Say nothing, except to demand a lawyer.

7. *You might confess to a crime you didn't commit.*

Detectives are trained to use time-tested techniques designed to produce confessions.

These techniques include a) lying, b) making false promises, c) using physical force, d) depriving you of sleep, e) not letting you use the bathroom, f) exploiting your fear of jail, g) threatening to have ACS take your children.

These techniques are so effective that they often cause innocent people to confess to crimes they didn't commit – just to get the interrogation to stop.

Don't be manipulated into making a false confession. Say nothing, except to demand a lawyer.