

Avoid these Mistakes when being Charged with a Crime!

1. [Waiting to Hire a Lawyer.](#)

People who have been charged with a crime may wait to hire a lawyer until after they have been formally charged with a crime. However, you should find an attorney as soon as possible even if you haven't been charged yet. You can take the time to interview a couple of criminal defense attorneys and find the right one for your case, but be sure to have representation as soon as you can. Having a lawyer on your side ensures your rights are protected throughout your entire case.

2. [Talking to the Police Without an Attorney Present](#)

If you have ever watched a television police drama, you know that law enforcement officers are trained to interrogate a suspect to elicit as much information as possible before the right to counsel is invoked. Yet many people are reluctant to contact an attorney right away. Some people think they can talk their way out of an arrest. Others assume that asking for a lawyer will only make them seem more guilty. The truth is, if the police have already taken you into custody, they already think you are guilty. I have seen too many clients hurt by talking to police without a lawyer present.

3. [Consenting to a Search](#)

Generally, police need either a warrant or your consent to search your home or vehicle. If police ask for your consent, it means they need it. Consenting to a police search prior to speaking with your criminal defense lawyer may result in further charges against you.

4. [Speaking to Other People—Other than your Attorney—About Your Case](#)

We all have a natural desire to want to talk to someone about a stressful situation. But talking about a pending criminal case to anyone except your defense lawyer is generally a bad idea. This is especially true if you are being held in jail pending a bail hearing or trial. Jail phone calls are recorded. In Ohio, prosecutors can listen to all conversations inmates make between third parties and are allowed to use those conversations against you at trial. Further, never talk to your fellow inmates in jail about your case. Again, it is perfectly understandable that you want to commiserate with someone about a stressful situation. But many prison inmates know they can bargain for leniency or a reduced charge if they can provide information (“rat out”) about fellow inmate.

5. Submitting to Tests without Express Permission or a Court Order.

The police may ask you to submit to a blood, or DNA test when they first detain you. You do not need to agree. Unless your lawyer says it's okay, or you are presented with a court order, do not submit to the test. If the police are asking you to take a test while you are being questioned, but they do not have a warrant, they cannot force you to take the test.

6. Trying To Talk To The Complaining Witness or Alleged Victim

One mistake people often make is reaching out to the victim or witness to apologize or to explain themselves. Or even worse, they threaten or harass the other person before trial. Any of these behaviors are big mistakes. If you try to apologize for an offense, that apology can be used as an admission of guilt and the prosecutor will try to use it against you at trial.

7. Not Taking Your Charge Seriously

Even low-level misdemeanors and traffic tickets can effect your current and future employment, government benefits, housing benefits, and military status/eligibility. It is best to speak with an attorney before you admit guilt to any charge even traffic tickets.

8. Hiring the Wrong Lawyer

If you have never hired a criminal defense attorney before, you might assume that all lawyers are the same. Some clients may simply hire an attorney they already know even if they do not specialize in criminal defense matters. But law is a highly specialized profession. For example, if an attorney practices criminal defense, personal injury, divorce/domestic law, and bankruptcy law, they are dedicating a significant portion of their time and practice to other areas of the law. Criminal cases are serious and the law changes every day. You should hire someone who knows the nuances of criminal law and has dedicated their entire career and practice to criminal defense.

9. Trying to Manage Your Own Criminal Case or Lying to your Attorney

Once you hire a highly skilled criminal defense lawyer, you need to let that person do their job. If you are the type of person who needs to be in control of every situation, this may be difficult. But trying to manage—or micromanage—your own criminal defense is generally counterproductive. Furthermore, to construct a solid defense for you, your lawyer must have the full and accurate account of your arrest. If you lie or purposely leave out details, your case may suffer down the road.

Need help with your case? Please feel free to contact us for a complimentary strategy session.



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