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### **When the Police Want to Ask You Some Questions or Invade Your Privacy**

#### **You don't have to talk.**

- Ask if you are free to leave. If they say yes, you should leave.
- If you don't want to make a statement, say so. Say you want to talk to an attorney.
- Don't ask if you *should* talk to an attorney, don't say you *might* want to talk to an attorney. Make your request firm and clear. "I don't want to make any statement or answer any questions. I want to talk to an attorney."
- Ask if the interview is being recorded. Ask if they are recording right now. If you agree to talk, insist that every second of the interrogation be recorded, including the part where they inform you of your rights. Don't let them get you to waive your rights off-camera.

#### **It's not an interview, it's an *interrogation*.**

- Don't agree to talk just because you're afraid they'll think you're guilty. You're being questioned because they already think you did something illegal.
- They might say they want to talk to you because they just want to "rule you out as a suspect," and they might say this is the last chance to tell your side of the story. Assume neither is true.
- Everything about the interrogation is designed to have a psychological effect on you: the arrangement of furniture, the size of the room, the colors on the walls, the sitting distance between you and the interrogator, the order of questions – everything. It's not a fair confrontation.
- The interrogation will usually begin with small talk, meant to build trust. Beware of small talk.
- The police are allowed to trick you and lie to you. They can tell you they have fingerprints, DNA, and eyewitnesses when it's not true.

#### **You don't have to consent to searches or a polygraph examination.**

- With limited exceptions for emergencies, you don't have to agree to let investigators search your home, car, computer, clothes, or any other property if they don't have a warrant or other official search authorization. You don't have to consent to any search before consulting with an attorney, even if the police say they'll get a warrant if you don't consent.
- You don't have to submit to a polygraph examination either. A polygraph given by the police is an interrogation tool. They can lie about the results to pressure you to say something that makes you look guilty. Don't ever expect to "pass" a polygraph given to you by the police.

THERE IS NO SUBSTITUTE FOR KNOWING HOW TO INVOKE YOUR RIGHTS IF YOU ARE THE SUBJECT OF A CRIMINAL INVESTIGATION OF ANY KIND. IF YOU KNOW OF SOMEONE WHO COULD BENEFIT FROM THIS GUIDE, PLEASE FEEL FREE TO PASS THIS ALONG.