

10 THINGS YOU NEED TO KNOW IF ARRESTED IN ILLINOIS

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PIOLETTI & PIOLETTI

Bloomington, Illinois Criminal Defense Attorneys

Being arrested is a frightening experience. Try to remain calm until you can call



our office. It is normal to be anxious about what is happening to you. You probably do not know what to expect as you are booked and processed; however, this is a very critical time during your criminal case. Everything you do or say (or do not do or say) can have a significant impact on the outcome of your criminal case.

The criminal defense attorneys of Pioletti & Pioletti are here to help you with every aspect of your criminal case. Below are several important things that you need to know if you are arrested in Illinois.

- 1. Do not resist arrest.** Even if you disagree with the arrest, do not resist. You will likely be placed in handcuffs and transported to the law enforcement center. Resisting arrest may result in being injured if the officer must physically restrain you. It will also result in another criminal charge for resisting arrest. You can challenge the arrest in court but arrest will make that far more difficult.
- 2. Illinois does not allow private bail bondsmen.** Unlike many states, Illinois does not have private bail bondsmen. When you are arrested for a felony, you have the right to a bond hearing.

This hearing is typically 24 to 48 hours after your arrest. Some misdemeanors have pre-set bond amounts that may be paid at the police station. You may be ordered to pay the entire bond amount or 10% of the bond amount. If you satisfy the requirements of the bond, you will receive your money back less a 10% court fee. In some cases, the judge may release you on an individual or personal recognizance bond, which means that your signature is all that is required to be released. In other cases, the judge may deny bond. In those cases, you must remain in jail until your next hearing.

3. **Your Arraignment.** An arraignment is a hearing where the judge will read the criminal charges against you and give you the opportunity to plead guilty or not guilty. If you plead guilty, the next phase is the sentencing. If you plead not guilty, your case will be proceed toward trial.
4. **Grounds for an arrest.** In order to arrest you, a law enforcement office in Illinois must have an arrest warrant unless he has reasonable grounds to believe that a warrant for arrest has been issued, you attempted to commit a crime or committed a crime in the officer's presence or the officer has reasonable grounds to believe you are the person who committed a crime in question.
5. **Right to know the charges against you.** When you are arrested, you have the right to know the charge against you. The police should inform you at the time of your arrest what offense you are being charged with that resulted in your arrest.

6. Miranda Rights. Police can question you before your arrest without reading you your Miranda rights; however, once you have been arrested, the police must read you your Miranda Rights before they ask you any questions. You have the right to remain silent, anything you say can be used against you in a court of law, you have the right to have an attorney, if you cannot afford an attorney the court will appoint one for you and you have the right to have an attorney present during any interrogations.

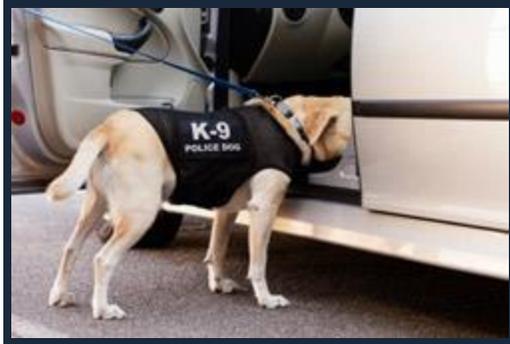


7. You have the right to remain silent. Law enforcement officers and court personnel cannot force you to answer questions or sign documents against your will. You have the right to remain silent and you should until you have spoken with a criminal defense attorney. You should be respectful of law enforcement officers while clearly stating, “I will not answer any questions without a lawyer present.” Anything you say can be used against you in a court of law – do not risk making matters worse by incriminating yourself.

8. You must clearly request a lawyer. You cannot say, “Maybe I should have a lawyer present” or “I think I may need a lawyer, don’t you.” You must be very clear when you state, “I want a criminal defense attorney present before I answer any questions.” It is never wise to “tell your story” before you speak

with an attorney. Most people think that they can clear matters up by telling their side of the story or that they must cooperate with the police by answering questions. Wait until your attorney arrives and tell him or her your story.

9. Do not consent to a search. When you are arrested, the



police can search your person and the immediate surroundings; however, if they request permission to search an area, do not consent. Exercise your right

to say no to a search but if the police do perform a search after you say no, do not obstruct them and notify your attorney as soon as possible.

10. Police can listen to your phone calls and conversations with family and friends. After you are arrested, the police can and do listen to your conversations with family and friends so be careful what you say. Anything you say to your family or friends may be used against you in court. The police cannot listen to the conversations you have with your attorney.

You have the right to have a criminal defense attorney with you while you answer questions. You must answer questions about your identification; however, refrain from discussing anything further until you have contact our office. Do not argue, do not try to explain and never lie to the police. As soon as possible, inform the police that you want to contact our office and that you will not answer any questions until your attorney is present.

Contact Our Office for a Consultation with an Experienced Illinois Criminal Defense Attorney

Serving Our Clients with Sound Guidance and Unparalleled Dedication

Pioletti & Pioletti represents individuals who need an experienced criminal defense attorney. Serving clients throughout McLean, Woodford, Tazewell and Peoria counties by providing compassionate, competent legal services. We offer free consultations. You can contact our office by calling **309-938-4838**.

When you need the assistance of an experienced criminal defense lawyer in Central Illinois, call the compassionate and skilled attorneys of Pioletti & Pioletti. We are dedicated to giving our clients exceptional service and support throughout the criminal judicial process.

About Pioletti & Pioletti



Serving Our Clients with Sound Guidance and Unparalleled Dedication

Pioletti & Pioletti is a full service law firm that represents individuals and businesses in a variety of areas of law including criminal defense, family law, bankruptcy, and estate planning.

Pioletti & Pioletti has a long history in central Illinois. Our firm was founded in 1938 with a focus on estate planning, real estate, and business services. Today we are a versatile firm providing a group of services including criminal defense, family law, bankruptcy, and civil litigation representation.

Our focus is on providing outstanding legal representation with unmatched personal service. We are available through email, 24 hours a day, 7 days a week.

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