

FALSE CONFESSIONS:

HOW SPEAKING TO POLICE CAN RUIN YOUR LIFE!



Why were you speaking with the Police in the first place? You rarely (I mean winning the lottery rare) will convince an officer of your innocence. If you ask any criminal defense attorney worth their salt, the first things they say are “DON’T TALK TO POLICE” & DON’T CONSENT TO A SEARCH.” Yet the majority of people they contact eventually make statements and grant permission to conduct a search.

At some level, every officer has training to engage and solicit information from you. They are trained to extract that one statement that can be twisted, turned and spun to hammer one more nail in your guilty coffin. In Georgia, the state has even offered a class to officers called – Verbal Judo! This class is specifically designed to play on human nature to obtain statements from you.

PLAYING THEIR GAME

In the 1980’s movie WARGAMES, the Super Computer comes to the conclusion that the only way to win the tactical nuclear war was not to play the game. Criminal Defense is a wargame. In most cases, the only way to win and walk away free is to not play the game. Unfortunately, many of my clients

have neither seen the movie nor understood how quickly their life can change by playing nice and speaking with the officer.

As a simple example: In a DUI case, the police report contains a checkbox for the officer to note if a person was cooperative. The officer considers you cooperative if you answer their questions.

My client may be polite, cause no problems and go through the process with no issues. But, the simple fact that he elected to invoke his right to counsel and not answer any questions makes him uncooperative in the officer’s mind.

When I unwind the officers though process and why his opinion is that my client was uncooperative, the jury is normally looking at the officer a little differently. My job is to show the jury the unreasonableness of the investigation and the bias of the officer’s findings. Imagine... invoking your right to counsel equals being uncooperative!

So, you are damned as uncooperative if you don’t play their game, and most often screwed if you do!

The officers will make you feel comfortable, they will obtain your background information, family history, talk about the local sports team. Once they have you talking, they will tell you something like:

“We need your help to understand some things...” “We were told or found out these facts, we know you were there, can you fill in the pieces for us...”

They will flat out ask you of you have and explanations for how the crime was or could be committed. They may suggest that they can help obtain a more lenient sentence, or telling them the information will help the family understand. It is human nature to help others. They are asking you for your help and you have to fight the urge to give them any information. The bottom line is that opening your mouth can lead to any number of bad results including drug searches, arrests, DUI cases being prosecuted because of statements you made and jail or prison time!

WHY INNOCENT PEOPLE MAY CONFESS

A false confession may arise due to one’s intoxication, ignorance of the law, the threat of a harsh sentence, or by completely misunderstanding the situation.

Generally speaking, one will confess if they believe they can obtain a benefit. The benefit may be their belief they will be removed from the stressful situation they are in (get out of jail, get to keep their property, their kids won’t be taken by the state etc...) It take allot of cajones to stand your ground, invoke your right to remain silent and continue not to answer their questions. You will never convince them of your innocence.

Before speaking with the police, schedule your FREE consultation with an attorney at the George McCranie Law Firm. If you or anyone you know has been charged with a Felony or Misdemeanor in Georgia, please give us a call at (912) 383-7581, email us at GeorgeMcCranie@McCranielawfirm.com or visit www.mccranielawfirm.com.

I have successfully defended thousands of felony and misdemeanor cases and when you are the target of an investigation, please don’t hesitate to call.

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