

### **Question: What should I do if I find out I've been accused?**

Immediately contact an attorney who specializes in the type of case that you have been accused of. Especially if it's a case of sexual abuse. Make sure that your attorney and investigator have a plan of action. Some attorneys do very little and recommend a plea bargain. Your attorney can help you pre-arrange bail so that you can avoid spending any length of time in jail if arrested. People accused of sexual abuse are targets for beating, do not tell any other inmate what you are charged with. Make something up, say you're in for your third drunk driving or something. Under no circumstances should you talk about your case with anyone, police, detectives, clergy, doctors, therapists, friends, social workers, state agencies, a spouse or parents until you have retained an attorney and talked to him.

Your statements to your doctor, clergy and therapist are not privileged. If you're contacted by law enforcement assure them that you have nothing to hide and are willing to talk to them, but only in the presence of your attorney. The urge to explain what really happened is the urge you must control. The police rely on that urge to get as much information from you as possible in order to prosecute you. They legally can lie to you, trick you, play games with you, anything to get a conviction. Do not rely upon the police. When you're being accused they are not your friend. Do not rely upon the police investigation to uncover the facts. Your only hope of proving your innocence is having a defense investigator discover and protect important defense evidence before it is lost.

If called by the accuser or a family member of the accuser, hang up immediately. The call may be taped by the police and any statement you make can be used against you to build a case for the prosecution. Use a regular phone when speaking to your attorney and/or investigator. Portable phones and mobile phones can be monitored.

Be prepared for a search. They can search your car, your house, even your work place. The police must commonly look for pictures of children, books, magazines with sexual material, sex toys, sex manuals and encyclopedias, diaries, correspondence, pornography web sites and address books. Address books and correspondence are used to contact anyone you know, including your employer. They may also look for any private notes of your case that are not clearly marked --written across the top -- attorney client work product. If you want to write to an attorney make sure you write attorney client work product on it. Should your house be searched you have no right to interfere. Call your attorney during the search and do not engage in any conversation with the police.