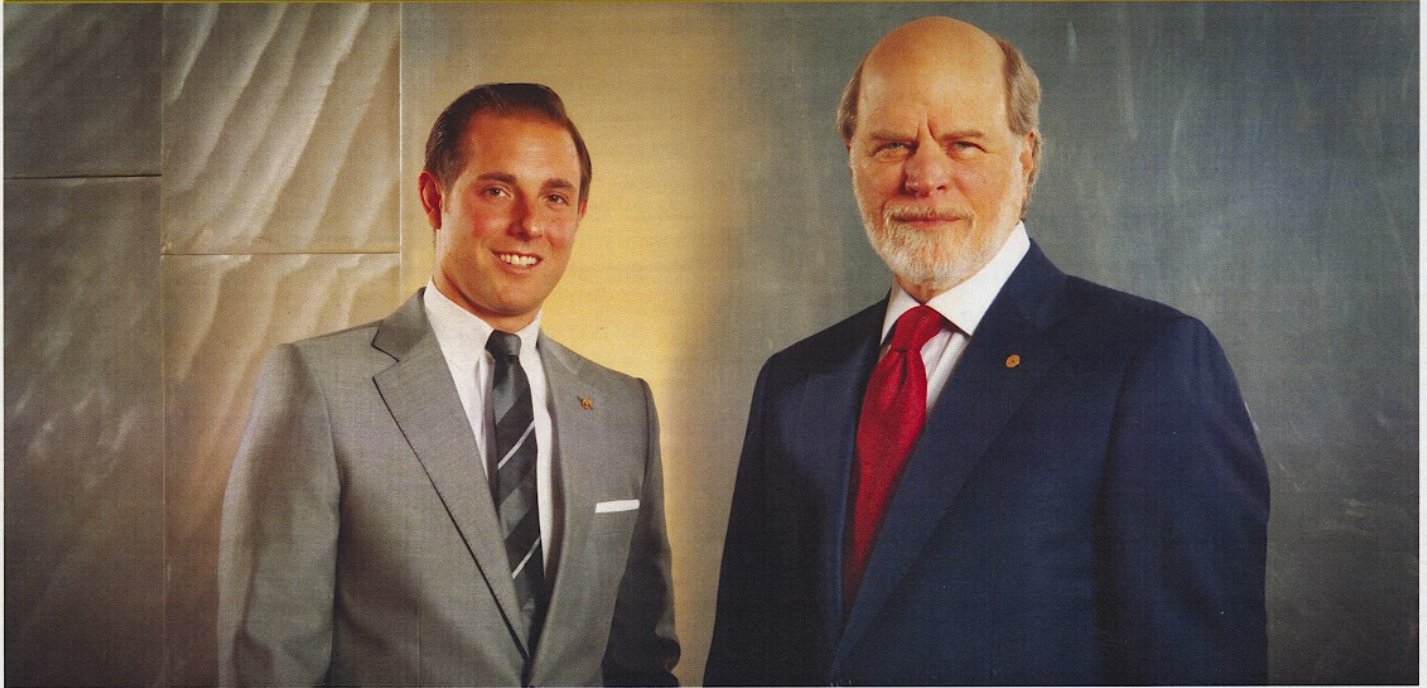


JEFFREY S. WEINER, P.A.

CRIMINAL DEFENSE ATTORNEYS



CRIMINAL DEFENSE: STATE, FEDERAL AND INTERNATIONAL ~ and ~

Representation of professionals and licensees before The Florida Bar, the Florida Board of Bar Examiners and other state and federal administrative agencies

For more than 35 years, Jeffrey S. Weiner has been a staunch advocate for the preservation of our constitutional rights before, during and after an arrest. A nationally Board Certified Criminal Trial Lawyer by the National Board of Trial Advocacy, Mr. Weiner has represented clients throughout the United States and internationally. Mr. Weiner has argued appeals before the United States Supreme Court, the Florida Supreme Court, and numerous Florida and Federal courts of appeal. In addition, Mr. Weiner also represents United States citizens and foreign nationals in international criminal law matters, and members of various professions before regulatory agencies. Mr. Weiner's distinguished legal career includes terms as president of the National Association of Criminal Defense Lawyers (NACDL), president of the Florida Criminal Defense Attorneys Association, chair of the Dade County Bar Criminal Courts Committee and chair of the Academy of Florida Trial Lawyers' Criminal Law Section. He is a Fellow of the American Board of Criminal Lawyers. He is named in Florida Trend's "Legal Elite", which singles out less than 2% of the nearly 63,000 Florida Bar members practicing in Florida, in the 2010 Best Lawyers in America®, 2010 South Florida Legal Guide's "Top Lawyers" and enjoys an AV-rating by Martindale-Hubbell. A frequent lecturer and author of articles pertaining to criminal law and constitutional procedure topics, Mr. Weiner received the Robert C. Heeney Award, NACDL's highest honor, awarded annually "to the one criminal defense attorney who best exemplifies the goals and values of the Association, and the legal profession."

Mr. Weiner and his associate, Jude M. Faccidomo, work together on all of their cases. Mr. Faccidomo is an experienced and respected criminal defense attorney. He is a member of the National Association of Criminal Defense Lawyers, the Florida Association of Criminal Defense Lawyers and serves on the Board of Directors of FACDL, Miami Chapter.

JEFFREY S. WEINER, P.A.

WE DEFEND THE BILL OF RIGHTS - ONE CASE AT A TIME,® SINCE 1974.

Two Datan Center, Suite 1910
9130 South Dadeland Boulevard, Miami, FL 33156-7858
Ph. 305.670.9919 • Fax 305.670.9299 • lawfirm@jeffweiner.com • www.jeffweiner.com

The hiring of a lawyer is an important decision that should not be based solely upon advertisements.
Before you decide, ask us to send you free information about our qualifications and experience.



What to Do if You Are Being Investigated, or Facing Arrest on Criminal Charges - State or Federal

*By Jeffrey S. Weiner, Esq.**
Jeffrey S. Weiner, P.A., Attorneys at Law
Two Datan Center, Suite 1910, Miami, FL 305 670-9919
See our website at www.jeffweiner.com
email: lawfirm@jeffweiner.com

When facing arrest on criminal charges, the best advice is: 1) be polite and courteous to the law enforcement officers and/or agents who contact you; and 2) *say and write nothing about the allegations*. Do not physically resist or argue with the police. Give them your name, address and other identifying information, and insist on talking with your lawyer as soon as possible. Do not discuss the case. Do not try to convince the investigating or arresting law enforcement officers of your innocence. In all probability, the arrest will take place regardless of what you say.

Anything you say (or what the police will say you said) will be written in a report and forwarded to the prosecutor for possible use against you. Anything you say will be viewed in the light most unfavorable to you, regardless of your truthfulness or sincerity. So, it's best to say nothing.

Remember that in many instances, the law enforcement officials who arrest you have no knowledge of your case. They are merely arresting you pursuant to an arrest warrant or based on information given to them by other law enforcement officers or agents. So, as difficult as it will be, assume that the arrest will take place, and conduct yourself accordingly, as suggested above.

Each year thousands of people are arrested by state and federal authorities. Many of those people are innocent. The way to prove your innocence is by retaining an effective and experienced criminal defense lawyer. Your efforts to help yourself will almost always fail, be harmful and may well undermine the efforts of your criminal defense attorney acting on your behalf.

If you are being investigated, you may hear about it for the first time from friends, neighbors, co-workers, or by receipt of a grand jury subpoena. Police or agents may talk with people who know you, in order to get evidence that they will use against you. Keep in mind that people who you believe are friendly to you may be forced to be witnesses. Therefore, anything you may have told them or say to them can be used as evidence against you.

Criminal law is a very specialized field of law, involving aspects of constitutional law, substantive criminal law and procedure, and evidence.

Professional Legal Forum

It is essential that you retain the services of a respected, competent and experienced criminal defense attorney who is equipped to handle your case properly. Be certain that your criminal defense lawyer is experienced in the court where your case is. (For example, many lawyers don't handle cases in federal court.)

When you believe that you are being investigated, do not discuss the case with anyone other than your criminal defense attorney: don't discuss the matter with neighbors, co-workers, family members or the person who serves you the subpoena. Bring subpoenas and other relevant evidence and documents to your criminal defense attorney.

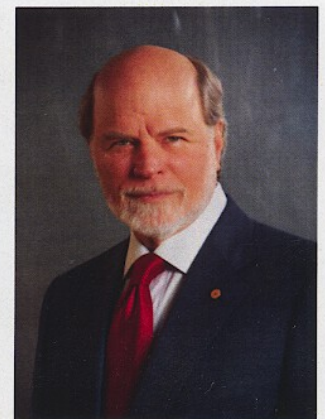
No one is immune from arrest. It doesn't matter what your economic, education or social status is. It doesn't matter to law enforcement making the arrest if you are innocent. Everyone is potentially subject to being arrested and charged with committing a criminal offense. It is for that reason that you should take the time to meet with a first-rate criminal defense attorney if you are concerned so that you can have the attorney's name and phone number ready should there ever be a problem. If the lawyer knows you, he or she is better able to respond quickly and effectively. For example, your attorney can help you arrange for bail so that you can be released from custody as quickly as possible after an arrest, and take other measures to protect your rights. (Sometimes a court appearance is necessary before a bond is set or reduced.)

The only reliable advice you should seek in circumstances relating to an arrest, "bonding out" or posting bail, and your case, is from your criminal defense attorney; *not* from police officers, jail officials, federal agents, bondsmen or fellow prisoners. The only confidential and *privileged communications* you have regarding your case is with your criminal defense attorney. So, when you talk with your criminal defense lawyer, tell the truth and the whole truth. Being under investigation, or being arrested, is a devastating experience for anyone. An arrest affects your life and your future in so many ways. Being arrested can affect your health, your family, your reputation, your job, your relationships, your peace of mind and your freedom. Stress can be a terrible thing. The best way to manage stress in a situation involving an investigation or an arrest is to have a great criminal defense lawyer whom you trust and believe in.

I hope you will never need to utilize the advice that has been provided in this brief article. If you do, I urge you follow my advice.

You have constitutional rights – be smart and take advantage of them. You should never be embarrassed to do so; nor should you feel that by not speaking with police, that you will "look" guilty. If a law enforcement agent has decided to make an arrest you will not talk your way out of it.

Police and other law enforcement officials, as well as prosecutors and judges, respect people smart enough to politely assert their rights to remain silent, who decline to consent to a search and who insist on contacting counsel as soon as possible.



* *Jeff Weiner is a former president of National Association of Criminal Defense Lawyers and of the Florida Criminal Defense Attorneys Association. He is a Fellow of the American Board of Criminal Lawyers and is a Board Certified Criminal Trial Advocate certified by the National Board of Trial Advocacy. Mr. Weiner has been a practicing criminal defense attorney since 1974. He has argued trials and appeals throughout the country including, before the United States and Florida Supreme Courts.*