

ARRESTED IN TEXAS?

WHAT TO DO IN THE FIRST 72 HOURS

Brazos County Guide for students, parents, and families dealing with a recent arrest in the Bryan-College Station area.

This guide provides general legal information about the criminal process in Texas. It is not legal advice and does not create an attorney-client relationship. If you or a family member has just experienced an arrest, this guide will help you understand the immediate steps ahead and avoid common mistakes in the critical first days.

Updated for 2026

FIRST – TAKE A BREATH

An arrest feels overwhelming, especially if it has never happened before. Your heart may be racing, and you may feel confused or frightened. These feelings are normal.

You do not need to solve the entire case today. The only goal right now is to avoid preventable mistakes.

Legally, an arrest is not a conviction. It means an officer believed there was probable cause to make an arrest. The prosecutor has not yet finished reviewing the case, and the evidence has not been tested in court. Many cases change significantly after the evidence is reviewed, and some are dismissed.

Right now the most important thing is avoiding mistakes in the first few days. This guide will walk you through what to expect and what to do next.

THE BIGGEST MISTAKE AFTER RELEASE

DO NOT GIVE STATEMENTS

You are not required to explain yourself to investigators after arrest.

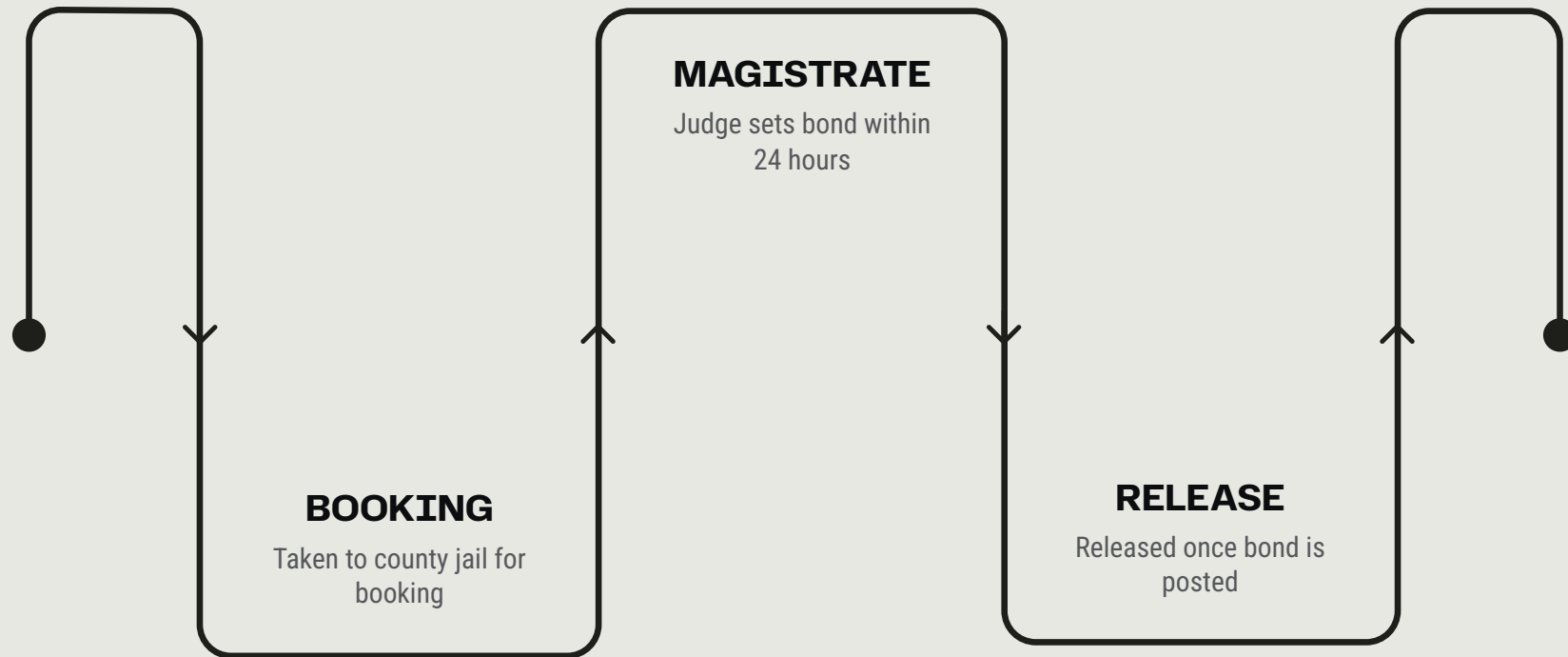
Many people believe they can "clear things up" by explaining the situation to police. After an arrest, officers or investigators may call and say they just want to hear your side of the story.

Many people are contacted after release because officers are still gathering evidence. The investigation is often still ongoing even though the arrest has already occurred.

Anything you say becomes evidence, even if you are telling the truth. Details you think are harmless can later be used in a way you did not expect. You cannot talk your way out of a criminal case after an arrest. But you can unintentionally talk your way into one.

Do not call the officer or investigator to discuss the incident after release.

WHAT HAPPENS IMMEDIATELY AFTER ARREST



Most people are released the same day or the following day after bond is set.

In Brazos County, a person is typically taken to the county jail and booked. Within about 24 hours, a magistrate judge sets bond and explains basic conditions of release. Once bond is posted and processing is complete, the person is released.

This does not end the case. It is simply the beginning of the court process. Understanding what comes next will help you navigate the weeks and months ahead with confidence.

BOND CONDITIONS – FREEDOM WITH RULES

Many people believe posting bond means the situation is over. In reality, bond comes with conditions that must be followed exactly. Bond conditions usually begin immediately upon release – not at the first court date. Violating a bond condition can result in jail even without a new charge.

NO ALCOHOL OR DRUG USE

Complete abstinence is often required, even if the charge is unrelated to substances.

RANDOM TESTING

You may be required to submit to drug or alcohol testing on short notice.

IGNITION INTERLOCK DEVICES

For DWI cases, a breathalyzer device may be required in your vehicle.

TRAVEL RESTRICTIONS

You may need permission to leave the county or state.

NO-CONTACT ORDERS

You may be prohibited from contacting certain individuals.

Read bond paperwork carefully and follow every instruction exactly. Keep copies of all documents in a safe place.

THE DRIVER'S LICENSE ISSUE

TIME-SENSITIVE

- 📄 **Critical Deadline:** You typically have only 15 days from arrest to request a hearing regarding license suspension. Missing this deadline can result in automatic suspension.

After certain arrests – especially DWI – there are actually two separate cases: the criminal case in court and a driver's license suspension case through the Department of Public Safety.

Many people do not realize this until it is too late. The license suspension process operates on a different timeline than the criminal case, and you must act quickly to protect your driving privileges.

CRIMINAL CASE

Handled in court over months

LICENSE CASE

Separate administrative process with short deadline

CRITICAL STEPS IN THE FIRST 72 HOURS

WHAT TO DO IMMEDIATELY

- Write down everything you remember while it is fresh
- Save the clothing worn during the incident
- Screenshot texts, photos, and ride receipts
- Get contact information for witnesses
- Photograph any injuries or property damage

Memories fade quickly. Small details can matter later in ways you cannot predict right now.

WHAT NOT TO DO

- Do not contact an alleged victim
- Do not post about the incident online
- Do not discuss the incident in group chats or direct messages
- Do not discuss the facts on recorded jail calls
- Do not try to explain the situation to police
- Do not delete messages or photos

Social media posts and messages often become evidence. Even private messages can be recovered and shared.

THE COURT PROCESS – WHAT TO EXPECT

Most criminal cases follow a general timeline that unfolds over months, not days. Understanding this process helps reduce anxiety about what comes next.



The process usually takes several months to over a year. Each case moves at its own pace depending on complexity and court schedules.

IMPORTANT CONSIDERATIONS FOR FAMILIES



FOR PARENTS OF COLLEGE STUDENTS

If a student is arrested, parents often worry about school consequences. The university conduct process is separate from the criminal case. Statements made to school officials can sometimes affect the criminal case. Before submitting written explanations to a university office, it is wise to understand the potential impact. An arrest does not automatically mean a student will be expelled. An arrest alone usually does not appear on a transcript and does not automatically affect graduation.



EVIDENCE IN CRIMINAL CASES

Criminal cases are typically based on evidence such as officer body-camera video, witness statements, forensic testing, surveillance footage, and phone records. Cases are often decided by careful review of evidence, not by explanations given after arrest. This is why preserving your own evidence early is so important.



SOCIAL MEDIA WARNING

Avoid discussing the incident online – even privately. Posts can be shared, copied, or recovered even after deletion. Messages sent to friends frequently end up in investigations. The safest approach is simple: do not discuss the case on social media at all.

WHY THIS GUIDE EXISTS

Most people encounter the criminal system only once in their lives. The confusion after an arrest often causes more harm than the charge itself. This guide was created so families in our community have clear information immediately, before rumors, internet forums, or panic decisions make the situation worse.

NEXT STEPS AND GETTING HELP

Many important decisions happen before the first court date and before speaking with investigators. If you have questions about what is happening or what steps to take next, it is reasonable to speak with a lawyer to understand the process.

QUESTIONS TO ASK AN ATTORNEY

- Do you regularly handle cases in this courthouse?
- Who will actually appear in court?
- Do you handle license suspension hearings?
- How often do you take cases to trial?

UNDERSTANDING MATTERS

Experience in the local court system matters. Knowing the process, the prosecutors, and the judges can make a significant difference in how your case is handled. Look for someone who regularly practices in Brazos County and understands the specific procedures used here.

SPIEGELHAUER LAW – BRAZOS COUNTY CRIMINAL DEFENSE

If you simply have questions about the process, you are welcome to call our office. We are happy to explain what is happening, even if you are not ready to hire a lawyer.

(979) 450-7250



Scan to open the Spiegelhauer Law website on your phone.

<https://www.spiegllegal.com>

Important: Reading this guide does not create an attorney-client relationship. It is intended only as general public legal information.

You may share this guide with anyone who needs it.