

## SECTION 2257 INSPECTION INFORMATION CARD

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1. **Look at badge and credentials**, verify it's the FBI knocking, get names and phone numbers, ask for supervising US Attorney's name and phone number. Be wary if it's a lone individual; the FBI acts in teams.
2. Confirm that the purpose is a 2257 Inspection and no other, such as a search warrant execution.
2. **Lead the team to your records** which should be segregated and isolated in a private area, physically and acoustically separated from the rest of your operations. **Get your Custodian there. Contact your lawyer immediately.** Talk to him out of earshot. Keep them under polite observation at all times. **Make notes of identity, time, duration, unusual statements or conduct.** Observe but do not interfere. **Don't argue.** Don't be cute. Act professionally. There is no humor in this situation. You will not talk yourself out of what they find and evaluate.
3. Permit them to use the rest room but **consent to no further entry unless they have a warrant. Consent to nothing else.** If they ask for more, tell them that you decline to consent to anything beyond inspection of the mandatory records at the place where you have made them available. They only have a right to what 2257 *requires*.
4. You are not under arrest and so they do not need to read you any rights. ***Whatever you say will be admissible in evidence against you in any trial.*** What they say may not be.

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5. Your custodian can be required to authenticate or certify the authenticity of your records, you are under no obligation to answer any other questions; if you've done it right, there is no need for questions. And normally, you should not answer questions or enter into a conversation. Do not lie to them. It's often best to say nothing to avoid allegations later that you lied to them. At the end, they will try to draw you out to admit your knowledge of or responsibility for any defects they spot. Don't hand them 5 years of your life. Hush.
6. They may make copies using their own equipment and remove any evidence of any crime. They have no right to copy anything but your records. They may take pictures. Decline to be photographed yourself. Nothing in the law prevents you from taking pictures but it will irritate them, which may be unwise. Do not make audio recordings.
7. Be prepared for the fact that you may get arrested at the end of inspection. You should make no statements whatsoever and demand the assistance of your attorney. If you can, transmit all your notes immediately to lawyer.

**Nothing in this card forms an attorney-client relationship. It is offered only for general education of the public.**

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