

# Your Constitutional Rights

**All persons arrested for felony offenses and held in custody have the following rights. Please read the following carefully.**

- **You have the right to remain silent.**  
Do not say anything to anyone about the facts of your case except your lawyer. If anyone asks you questions about your case or your citizenship status, **refuse to answer any questions.** Tell them to talk to your lawyer or the Public Defender.
- **You have the right to an attorney.** If you cannot afford to hire a lawyer, you will get a free Public Defender lawyer.
- **Probable cause hearing for felony cases.** If you are arrested during the weekend for a felony offense, the court will conduct a hearing via video to determine if there is probable cause in the criminal complaint to keep you in custody. Nothing you say during the probable cause hearing will change the judge's decision on probable cause – **so again, do not speak about the facts of your case over the video screen.**

If the judge finds that there is probable cause, he or she will then set a bond. You may tell the court if you have a home, job, and family in New Mexico.

- If you are unable to post the bond, the court will set a 10-Day Indictment Deadline. If you are still in custody after the expiration of your 10-Day rule date, you should call a felony paralegal at the New Mexico Public Defender Department, TEL: **(505) 841-5100**. Do not call until after the 10-Day Rule date has expired.
- If you are indicted, you will be brought to court for an arraignment (Not Guilty Plea) within two weeks of your indictment date. Public Defender lawyers will be present in court to represent all persons who qualify for free Public Defender Services at that time.