

PRESENTED AT  
26<sup>th</sup> Annual Land Use Conference  
April 20-22, 2002  
Austin, TX

“When the FBI Comes Knocking – or No Knocking”  
Ethical and Practical Considerations  
(Slide Presentation)



**Bojorquez Law**  
11675 Jollyville Road  
Austin, TX  
pete@texasmunicipallaw.com

51

WHEN THE FBI COMES KNOCKING

# Introduction - what we'll cover

---

- My oral presentation will focus on:
  - Ethics rules in context of representing clients involved with other federal law enforcement investigation
  - Ethical problems in advising clients' communications security in context of possible federal wiretaps or other electronic monitoring (e.g., keyboard tracking, non-disclosure subpoenas to texting email hosts), or of federal informants: possible loss of privilege, criminal exposure for attorneys
  - Privilege issues
- Time permitting: some additional issues addressed in

# Federal Law Enforcement Agencies' identities help identify nature of investigation

Vital to Identify agency, unit & location (plus AUSA & senior agent)

- Different agencies have different investigative jurisdictions
- [FBI probably has broadest jurisdiction of federal agencies](#)
- Joint Task Forces with DPS, local law enforcement, multiple agencies (e.g., narcotics, organized crime, terrorism)
- Federal agents have arrest, search & seizure powers (but not duties) of Texas peace officers:
  - [Tex. Code of Crim. P. Art. 2.122](#) (“powers of arrest and search and seizure as to”) most agents have powers for felonies only, some have them for misdemeanors or Texas offense

WHEN THE FBI COMES KNOCKING

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

## Title search: When the FBI Comes Knocking (or No-knocking): Ethical and Practical Considerations

Also available as part of the eCourse

[Hooked on CLE: August 2022](#)

First appeared as part of the conference materials for the  
26<sup>th</sup> Annual Land Use Conference session

"When the FBI Comes Knocking (or No-knocking)"