

Recorded Statements to Insurance Adjusters: What to Say and What to Avoid

Our San Antonio lawyers won't let the insurance companies gain the advantage

You were just in a [car accident](#). Then, a few days later, the phone rings. The voice on the other end is calm, professional, even sympathetic. They just want to ask a few questions. They say getting your statement on record will help move your claim along faster, and that this is all pretty routine. Everything about the call is designed to feel that way, but none of it truly is.

That call is from an insurance adjuster representing the other driver's insurance company, and their job is to find anything in your words that can be used to reduce what they pay you, or to deny your claim entirely. A recorded statement isn't a formality. It's a permanent legal record that can be replayed, excerpted, and used against you in [settlement negotiations](#) or in court, sometimes months or years after the crash.

[The Herrera Law Firm](#) has been taking on insurance companies in San Antonio and throughout Texas since 1983. We know how these calls work. We know what adjusters are trained to listen for. And we know how much a single unguarded sentence can cost an injured person. Understanding what you're dealing with before you pick up the phone can be the difference between a fair recovery and a claim that gets buried under your own words.

What Is a Recorded Statement from an Insurance Company?

A recorded statement is a formal question-and-answer session, usually conducted by phone, in which an insurance adjuster asks you about your car accident, injuries, and the immediate aftermath while recording everything you say. The insurance company will keep that recording on file and use it as a fixed reference point. They'll compare it against your medical records, later statements, and any testimony you give if the case proceeds toward litigation.

Adjusters typically frame the request as routine and harmless. They'll tell you it helps them confirm what happened, that it benefits you by getting your side of the story documented, and that cooperating now will speed up the process.

What they won't tell you is that the call is timed deliberately (typically within 24 to 48 hours of a crash) because that's when you're most likely to be shaken, in pain, medically uncertain, and not yet working with an attorney. This early window is when people are most likely to downplay their injuries and most likely to say something that sounds innocent but isn't.

Do I Have to Give a Recorded Statement to Insurance Companies in Texas?

Texas law doesn't require you to give a recorded statement to an insurance company representing another party, and declining carries no legal penalty. You have no contractual relationship with their insurance company and no obligation to help them build a case. If an adjuster calls and asks for a statement, you can simply say you're not in a position to provide one and that they should direct any further communication to your attorney.

The situation is different when it comes to your own insurance company. If you're pursuing a claim under your own policy (for uninsured or underinsured motorist coverage, personal injury protection, or collision benefits), your policy may include a duty-to-cooperate clause that requires you to provide information, which can include a recorded statement. Refusing to cooperate with your own insurance company when the policy obligates you to do so can give the company grounds to deny your claim.

That doesn't mean you have to take the call unprepared. Even when your own insurance company requests a statement, you have the right to consult an attorney first, to request the specific policy provision in writing, and to schedule the call after you've received a full medical evaluation. Cooperation is not the same thing as unguided cooperation.

Why These Calls Are Dangerous Even When You're Being Honest

The real risk of a recorded statement isn't that people lie. It's that honest, well-meaning people say things that sound perfectly reasonable at the time and become weaponized later. Insurance adjusters are trained to listen for specific patterns, and the most damaging moments in a recorded statement often don't feel like mistakes when they happen.

The statements that hurt injury claims most consistently fall into these categories:

- **Downplaying your injuries:** Saying "I'm okay" or "I'm a little sore but managing" in the first few days after a crash is one of the costliest mistakes people make. Some injuries don't fully appear for days or even weeks after impact. Once you've described yourself as fine on a recording, the insurance company will use that word as evidence that your injuries aren't as serious as you later claim.
- **Admitting any degree of fault:** A casually honest comment such as "I didn't see them until the last second" or "I might have been going a little fast" can be pulled from context and used to argue that you share responsibility for the crash.
- **Speculating about facts you aren't certain of:** Estimating a speed, a distance, or a timeline when you don't actually know creates a version of events that may contradict the physical evidence, and when that contradiction surfaces, the insurance adjuster frames it as inconsistency rather than uncertainty.
- **Volunteering information that wasn't asked for:** People often fill silence or try to be helpful by adding context beyond what was asked. Where you were going, why you

changed lanes, and what you said to the other driver afterward. Every extra detail is material the adjuster can work with, and none of it helps you.

- **Accepting a settlement offer made during the call:** Adjusters sometimes fold a settlement offer into the recorded statement conversation. Even a verbal agreement made in that moment can be treated as binding, and early offers are almost always made before the full value of your injuries is known.

How Insurance Adjusters Are Trained to Work Against You

Understanding why this happens requires understanding what an insurance adjuster's role actually is. They aren't neutral fact-finders. They work for the insurance company, their performance is measured against claim costs, and they're trained in specific techniques designed to elicit damaging responses from injured people who don't know they're being worked.

The friendly tone lowers your guard and encourages you to talk more freely than you otherwise would. The questions are designed to invite over-explanation. Adjusters are trained to ask open-ended questions, circle back to topics you've already addressed to surface inconsistencies, and frame questions about your physical condition in ways that naturally prompt answers that can hurt your claim. The timing (calling within 24 to 72 hours) isn't courteous; it's strategic. You're more vulnerable in that window, and your account is more likely to be incomplete, contradictory, or self-defeating.

The recording itself becomes a trap that can spring long after the call. If anything you say differs slightly from your medical records, your deposition testimony, or statements you make later in the process, the insurance company will characterize you as inconsistent, exaggerating, or dishonest.

What to Say If a Statement Is Unavoidable

If you're required to give a recorded statement to your own insurance company, or if you choose to give one for any reason, be careful what you say. The goal isn't to be evasive; it's to be precise.

When a recorded statement can't be avoided, these practices protect your claim:

- **Answer only what's asked:** Stick to confirmed facts such as the date, time, location of the crash, and a basic factual description of the collision sequence. Nothing more.
- **Say "I don't know" freely:** If you're uncertain about a speed, distance, or detail, "I don't know" or "I don't remember" is always safer than estimating. Estimates create inconsistencies; "I don't recall" doesn't.

- **Describe injuries carefully:** Say that you were injured in the crash and that you're currently under medical evaluation. Don't downplay or characterize the severity, and don't predict recovery timelines you can't know.
- **Decline to assign fault:** If asked who you think was responsible, say the facts are still being gathered. Don't offer a fault opinion, favorable or otherwise.
- **State at the outset that you're proceeding under obligation:** Put it on the record that you don't consent voluntarily but are cooperating pursuant to your policy requirements, if that's the case. This context matters if questions about the statement arise later.

What Changes When You Have a San Antonio Car Accident Lawyer?

Once you're represented by a San Antonio car accident attorney, the dynamic of the entire claims process shifts. All communication from the other driver's insurance company should be directed to a lawyer, not to you. The Herrera Law Firm can handle the recorded statement request, follow-up calls, and early settlement offers. We can also prepare you for any statement your own insurance company requires, review what your policy actually obligates you to provide, and be present during the call if necessary.

If you've been injured in a crash in San Antonio or anywhere in Texas and you've received (or are expecting) a call from an insurance company, [contact us](#) for a free consultation before you say another word. A conversation with our legal team costs you nothing. An unguided recorded statement might cost you everything.