

LEGAL BENGAL

Q: Over the weekend I went to a house party and had a few drinks. My friends and I got hungry and decided to go to Jack in the Box. As we left the restaurant, I was pulled over. The officer said I did not use my turn signal when pulling into the road. He said he could smell alcohol and performed field sobriety tests on me, which he claims I failed. The officer then arrested me and cited me for Driving Under the Influence. Is there any way I can beat this charge. If not, what are the penalties I am facing.

A: Under Idaho Law, the officer must have probable cause that you are committing a traffic offense before he can pull your vehicle over. The officer must then have probable cause that you are driving under the influence of alcohol before he can proceed with his DUI investigation. If the officer does not have probable cause for either of these, you may be able to suppress the evidence leading to your DUI. A first offense DUI is punishable by a maximum jail term of up to six months, a maximum fine of up to \$1,000.00, an absolute drivers' license suspension of 30 days with a possible license suspension of up to six months, and court-ordered alcohol treatment. A competent criminal law attorney will be able to assist you with this matter. Remember that a general informational series is not a substitute for actual legal representation.

ASISU and Meyers Law Office, PLLC., offer a FREE 15 minute consultation to students each Tuesday and Thursday between the hours of 4:00 p.m. and 6:00 p.m. Call the student senate office for an appointment or Meyers Law Office at 233-4123



Steve Stokes