CONTENTS

Introduction	1	9
Chapter 1:	Arrested for OUI: What Should You do Next?	11
Chapter 2:	When Can You Get Your License Back After an OUI Arrest?	15
Chapter 3:	Can You Appeal a License Suspension for Refusing a Breath Test?	17
Chapter 4:	Will Your License be Suspended if It Is from Another State?	21
Chapter 5:	Can You Get a Hardship License?	23
Chapter 6:	What Happens on the First Court Date?	25
Chapter 7:	Do You Need to Hire a Lawyer for the First Court Date?	29
Chapter 8:	How Long and How Many Times Will You Have to Appear in Court?	31
Chapter 9:	There Was No Basis for the Arrest: What Are the Defenses at Trial and How Will the Case be Presented in Court?	_33
Chapter 10:	How the Offense Is Defined by the Court	35
Chapter 11:	What Does an Officer Look for in Making an OUI Arrest?	43
Chapter 12:	What Does it Mean to Have Slurred Speech?	45
Chapter 13:	The Officer Said Your Eyes Were "Bloodshot and Glassy"	47

Chapter 14: Odor of Alcohol	49
Chapter 15: License and Registration: Th	ne Officer Said You51
Chapter 16: Conversation with the Arres	ting Officer53
Chapter 17: Request to Get Out of the Ca	ar55
Chapter 18: What Are Field Sobriety Tes Measure?	sts Supposed to57
Chapter 19: How Are Field Sobriety Tes Trial?	ts Challenged at61
Chapter 20: Is the One-Leg Stand an Acc	curate Test? 63
Chapter 21: How Is the Nine-Step Walk Attacked at Trial?	and Turn67
Chapter 22: Why Was the Officer Runni of Your Face? The HGN Tes	ng a Pen in Front st: Is It Reliable? 71
Chapter 23: Reciting the Alphabet and It Drunk Driving Cases	s Use in73
Chapter 24: The Arrest and Booking Pro	cess75
Chapter 25: What Are the Steps in Court Contesting an OUI Charge a	When t Trial?77
Chapter 26: Why Motion Hearings Are a of the Preparation of Your C	n Important Part ase for Trial79
Chapter 27: What Happens if You Made without Being Advised of You	Statements our Miranda Rights85
Chapter 28: What if There Is Alcohol in Will That Come into Eviden	

Chapter 29:	Can the Police Enter Your Home to Make an Arrest for OUI?	91
Chamtan 20.		
Chapter 30:	Can a Police Officer Make an Arrest Outside of the Jurisdiction of the Officer?	_93
Chapter 31:	Methods of Attacking Breath Test Evidence	95
Chapter 32:	Massachusetts OUI Law on Breath Testing	101
Chapter 33:	Right to an Independent Medical Examination and Release on Bail	109
Chapter 34:	Blood Testing	111
Chapter 35:	Do You Need to Hire an Expert to Testify About the Breathalyzer Machine?	113
Chapter 36:	Roadblock and Sobriety Checkpoint Arrests	115
Chapter 37:	What Will Your Lawyer Say to the Jury at Trial?	119
Chapter 38:	Explaining Reasonable Doubt	125
Chapter 39:	Will You Have to Testify in Court?	127
Chapter 40:	Is a Refusal to Submit to a Breath Test Admissible?	129
Chapter 41:	Under Twenty-One OUI Offenses	131
Chapter 42:	What Penalties Do You Face if Convicted of OUI?	133
Chapter 43:	License Loss for Each Level of OUI Offense	137
Chapter 44:	Enhanced Penalties for OUI Arrests When a Child Under Fourteen Is in the Car: OUI Child Endangerment Statute	139

Chapter 45: Ignition Interlock Laws	141
Conclusion	143
Frequently Asked Questions	145
Appendices	149
About the Author	153

APPENDICES

150
151
152