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Drunk Driving on the Internet

All About Lawyers Who Represent Drunk Drivers

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Internet pornography. Hate groups. How to build bombs. Fraudulent money-making schemes. These are some of the abuses of the Internet.

But the most outrageous—even frightening—abuse of the Internet is by lawyers who advertise their ability to get drunk drivers off the hook.

I'm not talking about defending people merely *accused* of drunk driving, but these are lawyers who brag about their ability to win even the most assuredly guilty drivers, with very high blood alcohol levels, not-guilty verdicts. And, in turn, these lawyers encourage people to drive after drinking.

At this point you're probably thinking, "Well, everybody has a right to a fair trial, and there are probably a lot of people accused of DUI who aren't really guilty. So what's the harm of lawyers defending people accused of drunk driving?"

There's nothing wrong with lawyers defending accused drunk drivers—it's important that everybody have the best legal representation. But these lawyers are saying that it doesn't matter if you drive drunk, because we can protect you. In short, they are claiming it's okay to drive as drunk as you want.

You may also think I'm exaggerating, so I will let the lawyers words speak for themselves. Here are some excerpts from lawyers' actual web sites. One lawyer from San Diego, California who says "You need an aggressive attorney to keep you out of jail and who has experience in hundreds of DUI & DMV matters like yours!," lists the blood alcohol level the clients for whom he's had legal victories:

Client	BAC%	Type of Test
Backesto	.15-.16	Blood + Breath/Under 21/Accident
Bonas	.15	Breath
Briggs	.16	Breath
Callaway	.09	Blood
Caster	.17	Blood
Costa	.13	Breath

To put these numbers in context, if your blood alcohol level is above .10, you are legally drunk in all states. The new national legal limit will be .08. But don't worry, because this lawyer says he can successfully defend you if your blood alcohol level is as high as .17.

Another lawyer publishes an on-line newsletter for people arrested for drunk driving. Here's that lawyer's advice:

You have just been arrested and charged with a crime. Since one of the charges is DUI, you probably spent a few hours in jail before they released you with a ticket ordering you to appear in court, or you may have posted bail...

Don't be cheated by anyone in the process, especially yourself. Legal representation will prepare you for success in the court and DMV processes.

On another web site, two lawyers hawk their book *101 Ways to Avoid a Drunk Driving Conviction*, promising to reveal “the secrets that prosecutors, judges, and other special interest groups don’t want you to know.” These lawyers give advice on how to drive while intoxicated and reduce your chances of ever getting caught: “Blend in’ with traffic because studies have shown that it is significantly more difficult for police to detect an impaired driver than when your car is isolated on the highway.” In their book you also learn that:

Requiring strict proof of the testing officer's certification can often lead to a dismissal or a favorable “plea bargain” where some flaw or defect in the proof of current certification is called into question.

By asking the officer whether you can make telephone calls to an attorney or family member prior to submitting the official BAC tests, you may be taking advantage of legally-permissible delays that will make your BAC tests more favorable.

Tips on how to avoid being arrested for drunk driving are part of many lawyers’ websites—these tips are viewed as good advertising. These pointers, however, give drivers practical advice on not getting caught, even if driving under the influence. One Georgia attorney writes, “Don't tempt fate. Before leaving a bar parking lot, check to see if there are any cops in the area. If so, wait until the cops follow another person from the lot, and then leave.”

What about suggesting that drivers simply abstain from driving after drinking? No—instead the advice focuses on not getting caught.

This advertising gives drunk drivers the confidence that they can drink and drive with impunity. One lawyer, who bills himself as a “Top Gun DUI Defense Attorney” brags:

We have over 40 years combined experience successfully representing doctors, lawyers, professional athletes, business people and others accused of DUI.

Some of our recent successes include our client who was arrested for DUI and blew .28. Another client was arrested for his 3rd DUI and blew a .16. Another client was arrested for DUI after an accident and blew a .16. Another client was arrested for DUI after an accident with injuries and measured a .11 blood. Another client was arrested for his 2nd DUI and blew a .10. Still another client was arrested for her 2nd DUI and blew a .12. Five of these six clients had their license suspension/revocation set aside by the DMV.

The bottom line is that we successfully represent many of our clients charged with DUI!

When should you challenge a DUI arrest? According to a Colorado lawyer, when “you don’t think it’s fair.” (When does a defendant ever think an arrest is “fair?”) This lawyer goes on to say, “I know you're fearful about what could happen to you, but I'd like you to know that there are at least 20 different challenges that can be made to the charges you are facing...My practice is based on the belief that you were arrested when you shouldn't have been.”

Still another attorney crows about the way he defends drunk drivers: “Where jury trials are available, success rates for acquittal are surprisingly good...The formula for success is to investigate exhaustively; conduct pre-trial discovery and motion practice aggressively; use evidentiary maneuvers and procedural devices skillfully; and present a well-conceived, thoroughly choreographed trial with expert witnesses,

character witnesses, and other tried-and-true tactics for successful defense of criminal cases.”

There’s even a “Drunk Driving Defense Network” and “National College for Drunk Driving Defense” on the Internet. The National College site, designed for lawyers, also teaches habitual drunk drivers how to avoid being stopped for DUI.

Some lawyers place the blame for drunk driving on the government. One attorney writes on the web, “The crime of drunk driving occurs only when the person’s blood-alcohol level has exceeded the arbitrary numerical standard set by the state...”

It’s not surprising that lawyers aggressively pursue drunk driving clients. Each year, nearly two million drivers are charged with driving under the influence, making drunk driving the single most common criminal offence in the country. That’s a lot of potential business. “Call now for a free consultation,” advertises one Florida lawyer.

This kind of advertising by lawyers makes it easier for drivers to believe, “Well, if I’m caught driving drunk, a good lawyer can get me off.” Because that is what these lawyers promise. These lawyers are simply encouraging people to drive drunk.

Drunk drivers turn innocent lives into dark tragedies. Ethically, there’s no difference between soliciting to get drunk drivers off the hook than if lawyers advertised something like: “Accused of Murder? Call John Q. Smith, attorney. We have a 75 percent acquittal rate!”

There’s something terribly wrong here. Each year over 17,000 people are killed by drunk drivers, and hundreds of thousands more are injured. Drunk drivers cause 41

percent of all fatal crashes. Drunk driving is something we can prevent, and, as a society, must work together to stop it. Lawyers shouldn't be encouraging drunk driving.

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