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How to Strengthen Your DUI Defense in Tampa:

Here at Fernandez Law Group, we offer services to assist everybody in the full spectrum of their DUI defense, whether someone is charged with State or Federal crimes.

We have a great deal of knowledge and experience, we are aggressive and know how prosecutors operate. We are well aware of all of the issues that may come up in any DUI matter and can help anyone at anytime. Additionally, our clients will have multiple attorneys working together to defend them on their charges.

Below, we have put together a basic list of tips and suggestions so that you can improve or strengthen your DUI defense here in Tampa. There are many more different types of potential defenses that can be used for any DUI matter. We will help identify all of the available options and strategies to determine what the best defense is for your particular case.

Preserving Evidence:

There are many potential pieces of evidence that a defendant may be able to gather, which can help with their DUI defense. Generally, the following items would be relevant if they occurred during 24 hour period leading up to the arrest and/or charges, including:

- ___ • Receipts from any businesses the defendant visited including restaurants and bars
- ___ • Any photos or videos, or social media status updates of the defendant
- ___ • Voicemail and text messages a defendant may have sent to anyone (ask recipients to save copies)

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Surveillance videos:

- ___ • Video from the officer who conducted the DUI investigation
- ___ • Video from any red light cameras
- ___ • Video from any businesses in the area that may show the field sobriety exercises or incident

Testimony:

- ___ • Testimony from friends, family or colleagues who saw the defendant that day prior to the incident
- ___ • Testimony from any bartenders or servers at any restaurants or establishments

After the incident:

- ___ • Any towing or salvage truck receipts
- ___ • Photos of the accident scene
- ___ • Photos of any injuries received
- ___ • Photos of the defendant vehicle
- ___ • Photos of the defendant vehicle tires
- ___ • Photos of other cars (if any) in the accident
- ___ • Hair samples of defendant for drug testing

Additional evidence you may be able to collect:

Although it will require more time and effort, some or all of the following evidence may also be beneficial:

- ___ • Any photo or video evidence of the route that was driven leading up to the arrest, incident or charges.
- ___ • Any photo or video evidence of the area where any field sobriety exercises occurred
- ___ • Any "rolling ball" video evidence which could suggest unfairness of the field sobriety location (uneven ground, etc.)
- ___ • Any medical documentation for any physical issues that may have affected defendant's ability to perform field sobriety exercises
- ___ • Any medical documentation stating the defendant is on any type of medication(s)
- ___ • Any medical documentation pertaining to breathing issues that may have affected a breathalyzer
- ___ • Any medical documentation pertaining to a cold, flu, or high body temperatures
- ___ • Any testimony from friends or family who can confirm that your normal faculties were not impaired
- ___ • Independent drug testing in cases where a defendant was arrested for a drug related DUI
- ___ • DUIPro BAC simulator reports

What information do you remember from the hours leading up to the incident?

As soon as possible, any defendant in a DUI case should immediately try to write down a few pertinent facts and information about the hours leading up to the incident. These fine details at times could lead to a break in your case. Factors to consider would be:

Medical Conditions: There are several types of medical conditions that could impair a defendant's ability to successfully complete a field sobriety test, including diabetes, ADHD, PTSD, back or knee surgery, and sports injuries.

Medications: Several medications could affect a defendant's speech, vision, coordination, and behavior or attitude when taken prior to the incident.

Weather: Details about the weather, if it was rainy, were the roads slippery, was visibility bad and more could come into play. Was the weather cold enough to make a defendant shaky, or were they sweating from it being excessively hot? Any of these factors could have affected the outcome of the incident and could help strengthen a defendant's case.

Physical Factors:

- Was the defendant well rested, or just coming off of a long, extended work shift? How much sleep a defendant had up to a week prior to the incident could also factor into a defense.

- In addition to sleep, was the defendant well hydrated, or deprived of food? Was any food consumed in between drinking and an arrest?

- What kind of drinks did a defendant consume, how much, and when? Were any non-alcoholic drinks consumed? How much time elapsed from the last alcoholic drink was consumed until a breath or blood test was taken?

- Clothing could also have been a factor, for example, high heel shoes during a field sobriety test, uncomfortable shoes, boots, sandals or flip flops as well as jewelry that restricts body movement to any degree.

Police Interaction:

Another key piece of information a defendant should write down would be their account of the interaction that took place with the officer(s) during the interaction with the police. A dialogue of the exchange between the officer(s) and the defendant could be useful in determining what transpired. Was the defendant read their rights? Did they say anything that could be used against them in court? What types of field sobriety tests did the officer(s) use on the defendant? Was a breath test done, was the defendant watched, did they wait 20 minutes to administer the test?

Witnesses:

Any witnesses to the incident would also be pertinent information. Did anybody stop along the roadway, highway, in a vehicle or on foot, in person to witness anything? How many officers responded? Were there multiple police vehicles? Were there any other passengers in the car with the defendant? Did the police have their emergency lights on during the field sobriety test?

Tampa has nearly 2000 people arrested for DUI each year.

It's no surprise that too much drinking can lead to devastating circumstances.

According to information provided by the Tampa Police Department, there are on average, about 2,000 people arrested for DUI each year in the city of Tampa alone.

Our Tampa DUI and Traffic Violation attorneys are known for providing an unbiased solution to many of your questions for each and every state, not just Florida. We offer a free step by step consultation on how to proceed based on your individual circumstances.

Fernandez Law Group, P.A. offers time tested and proven results by consulting with top legal counsel from around the country. Fewer than 10% of Florida criminal attorneys are qualified to practice in federal courts and our attorneys are part of that group. We also put more than one attorney on your case, and one of those attorneys was a former prosecutor for over 20 years - this gives us another advantage before you even go into court.

Call us today at 813-489-3222 for a FREE consultation and case evaluation.

Or visit us online, at <http://thefernandezlawgroup.com>