



ATTORNEY  
ACCOUNTANT  
COUNSELOR

If you are stopped for suspected **Driving While Intoxicated** [or any charge involving suspicion of operating a motor vehicle while impaired], you have begun an unpleasant experience. Please consider the following:

1. **DO NOT ANSWER THE DETAINING OFFICER'S QUESTIONS.** It seems obvious, but you should not answer any of the detaining officer's questions other than those necessary to identify yourself. You are obligated to provide your driver's license and proof of insurance if it is requested of you. You

MY ATTORNEY HAS ADVISED ME TO  
NOT ANSWER ANY QUESTIONS.

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- are not obligated to answer any other questions. **BE POLITE** but merely respond to the officer that, upon the advice of counsel, you will not answer any questions without your attorney present.
2. **DO NOT CONSENT TO ANY D.W.I. FIELD SOBRIETY TESTS.** You do not have to take these tests. The detaining officer may be forceful in his assertion that your failure to take the test *may* result in the suspension of your license. This is true. It also *may not* result in a suspension of your license.

3. **ASK THE OFFICER IF YOU ARE UNDER ARREST.** Once the officer has determined your identity and you have refused to consent to the Field Sobriety Tests, you may **POLITELY** ask the officer if you are free to leave. He is likely to say "no." You may ask him if you are "under arrest?" This is important to know because, as you have seen on T.V., persons under detention are entitled to certain rights.
4. **DO NOT CONSENT TO THE ADMINISTRATION OF A BREATH, BLOOD, OR URINE TEST.** Note that you should not consent. In some jurisdictions, in particular in Austin, it is likely

You have  
**15**  
days from the date of  
arrest to request a  
license hearing.  
If you do not request a  
hearing, your license  
will be suspended.  
**DO NOT DELAY!**

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the police officer will seek a search warrant to require that you provide a blood sample for analysis.

5. **IF YOU ARE ARRESTED.** Keep asking to speak with your lawyer. Do not be belligerent. Do not make any statements. Stand or sit as still and as quietly as possible. Do not answer any questions other than those having to do with your identity and place of residence. **REMEMBER THAT YOU ARE BEING VIDEO-TAPED!**

We can help! Give us a call.

*Wilfred Navarro*