

5 Ways To Beat a DUI Charge in Palm Beach County

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It may seem like the end of the world when you get charged with a DUI - but it's not. There are many ways a good Palm Beach County defense attorney can get your case thrown out. The faster you have legal representation after a DUI arrest, the better your chances are for a dismissal and expungement. Here are some defenses a good [DUI lawyer](#) will use to get your charge dismissed.

ILLEGAL STOP AND SEARCH – A driver cannot be stopped unless the police officer has a reasonable and probable cause to believe that a law has been broken. Weaving without crossing any lines is not a violation of the law - you cannot be stopped and your vehicle cannot be searched because of this.

INACCURATE FIELD SOBRIETY TESTING – People with injuries, medical conditions, on prescribed medication, 50 pounds or more overweight, and 65 years or older cannot be accurately judged by standardized field sobriety tests. This testing is inconclusive with healthy individuals as well - the one-leg stand test is only 65% accurate and the walk-and-turn test is only 68% accurate. The HGN (Horizontal Gaze Nystagmus) test is also far from perfect.

The Federal Government and medical science do not consider non-standardized tests like touching your finger to your nose, counting the number of fingers an officer holds up or counting backwards, as an accurate sobriety test either.

INACCURATE BREATH TESTING – Although breath testing is the most common way to measure blood alcohol concentration (BAC), it is subject to a wide variety of errors that can make the results inadmissible.

The state of Florida uses the Intoxilyzer 8000 that measures the amount of alcohol present in an individual's breath. Factors such as physiology, having a slight fever or cold, the environment, mouthwash, asthma medication, procedural errors and even cough drops make this breath test unreliable.

Medical problems with arms, legs, neck, back, eyes and head can also nullify the results of a field sobriety test. Here's a hint - Take three or four deep breaths before blowing into the Intoxilyzer 8000. This will cool your lungs and fill them with fresh air and may lower your breath alcohol by as much as 55% without violating the rules of the test.

BOOKING ROOM AND SQUAD CAR VIDEOS – Many police departments videotape suspects at the station, where the suspect's speech is clear and their balance is perfect - in spite of what the arresting police officer may say. Often a suspect's driving and field test performance is recorded from the squad car, and this, too, can contradict police testimony.

INACCURATE POLICE BLOOD TESTS – The police cannot force you to give a blood sample if no one was injured. If they do, the results are inadmissible. Blood samples have to be taken by a licensed phlebotomist or someone trained in taking blood. Many times, police blood testing fails to follow prescribed rules of testing, analysis, or preservation rules.

Hospital blood tests overestimate a person's true level by as much as 25% in healthy individuals, and are not all reliable with injured persons. Improper sample storage will inflate blood alcohol content (BAC) levels and make the test invalid.

These are only a few of the many defenses an experienced Palm Beach County [defense attorney](#) will use to fight for your freedom, your rights and your driver's license privileges. Getting a DUI is NOT the end of the world but getting a good West Palm Beach [DUI lawyer](#) will get you out of a world of trouble.

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