

OPERATING UNDER THE INFLUENCE CHARGES (OUI)

Can any of us imagine carrying on daily lives or meeting our responsibilities without a license?

Maine's OUI law has changed and new mandatory minimum sentences make a 'simple OUI' a costly and complex legal matter. A first offense can now mean a loss of license for up to 150 days. That's a first offense with a test under .15%; if you refuse to take a test or test higher than a .15% BAC there are other mandatory minimum sentences that apply, often involve jail time and longer license suspensions. A conviction also likely increases your insurance costs, and has a continued appearance on your permanent record.

With the legalization of Marijuana police forces across the state are struggling to combat what they view as a new form of "drunk driving". The problem is, there is no correlation between ingesting marijuana and impairment. Proving one has smoked means NOTHING on any measurable scale regarding impairment.

Police forces employ DRE's or Drug Recognition Experts to detect impairment from a variety of substances, but make no mistake, they are looking for any impairment and they often guess at a variety of substances that may cause particular, physical reactions. It sounds confusing and it sounds like hard science, it is neither. Let our team sift through the suppositions, conclusions and subjective "analysis" to make sure there is actual proof of impairment before you lose your right to drive.

There are several ways to minimize such an impact on you and your family, but to do so you cannot afford to miss a step in the process because it can mean delays in getting your driving privileges back. Wouldn't it be better if you only lost your license for 30 days? Or not at all? Outcomes in the realm of legal services can be difficult to define, but there are several important steps that an experienced attorney can guide you through to best protect your driving privileges.

There are distinct elements of proof the State must meet to obtain an OUI conviction. While the State bears the burden at every step, they also have all the investigators. Think about it, our streets are patrolled by professional police officers, trained in detecting impairment and collecting evidence. You may simply have your memory of the evening and perhaps even admitted to drinking. Doesn't it make sense to secure an equally professional advocate for your side of the story?

Attorney Christopher Leddy is the lead attorney handling OUI cases at Ainsworth, Thelin & Raftice, P.A. As a former Prosecutor, and current instructor at the Maine Criminal Justice Academy, Attorney Leddy has nearly 20 years of experience and the knowledge to fairly assess the factual basis for the State's case. Then, with a clear understanding of what you are facing, you can make an informed choice as to how best to resolve your case.

Along with the relationships he has built with both prosecutors and defense counsel, Chris has spent a great deal of time in actual litigation. "There really is no substitute for courtroom experience when it comes to a fair assessment of issues, evidence and outcomes," says Leddy.

