# STATE OF FLORIDA V HAYDEN MEYER

THIESSEN LAW FIRM

# ACCIDENTS NOT DELIBERATES

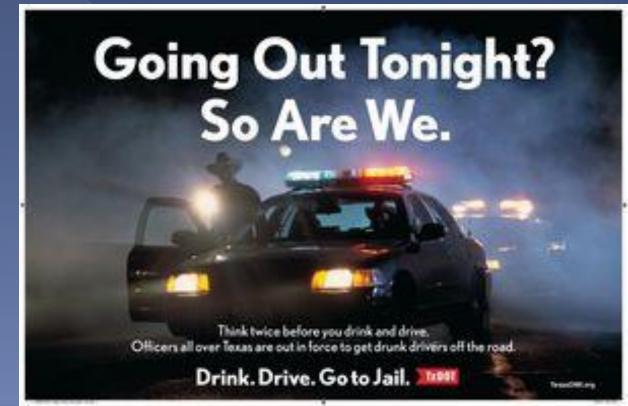
## DRINKING

- Drink, Drive, Go to Jail
- Drive Sober or Get Pulled Over
- Going Out Tonight, So Are We









# NOT ILLEGAL TO DRINK AND THEN DRIVE; as long as you're NOT intoxicated





#### BUT WHO STILL SAYS...



#### DRINKING PATTERNS

- 1. REGULARLY
- 2. OCCASIONALLY
- 3. RARELY
- 4. NEVER
- 5. NOT ANY MORE

Out of 100 people brought to trial, at least 75 are guilty of the crime with which they are charged.

Disagree Agree Strongly Strongly

# A defendant should be found guilty if 11 out of 12 jurors vote guilty.

Disagree Agree Strongly Strongly

1 2 3 4 5

## A person accused <u>should</u> be required to take the witness stand.

Disagree Agree Strongly

# All I really need to know if is there is a Blood or Breath Number in this case to determine whether they are impaired?

Disagree Agree Strongly Strongly

1 2 3 4 5

#### ALCOHOL

MEMBER OF MADD

ALCOHOLISM IN FAMILY

MEMBER OF AA

NO ALCOHOL IN HOME

STRONGLY AGREE WITH "NO REFUSAL" WEEKENDS  INJURED/VICTIM OF ALCOHOL RELATED CRIME













UNITED STATES MILITARY

#### RELATED TO?





### BAC

0.08

0.16

0.24

#### Benches 500lbs

#### Ran 4.5/40





## PROVE IT!!!

## DUI Fla. State § 316.193

- (1) A person is guilty of the offense of driving under the influence if the person is driving or in actual physical control of a vehicle within this state and:
- (a) The person is <u>under the influence of</u> <u>alcoholic beverages</u>, any chemical substance or any substance, when affected to the extent that the <u>person's normal faculties are impaired</u>;
- (b) The person has a blood-alcohol level of **0.08** or more grams of alcohol per 100 milliliters of **blood**; or (c) per 210 liters of **breath**.

#### NORMAL Fla. State § 316.1934

Normal faculties include, but are not limited to, the ability to see, hear, walk, talk, judge distances, drive an automobile, make judgments, act in emergencies, and, in general, to normally perform the many mental and physical acts of daily life.

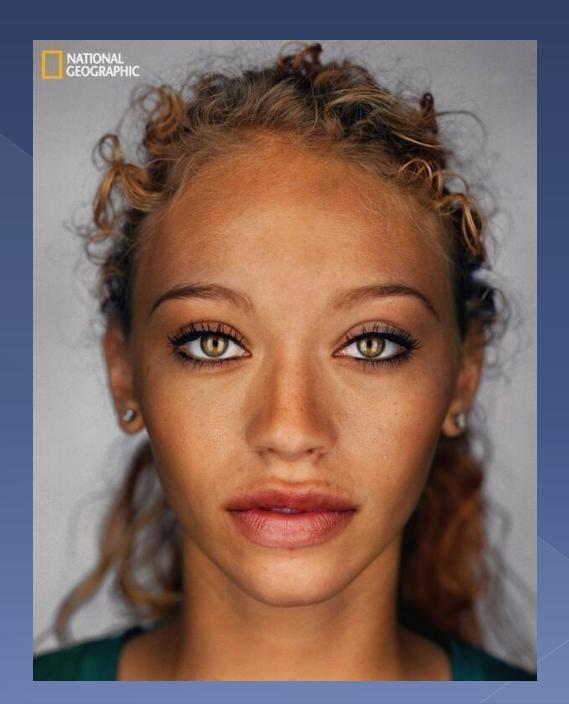
#### NORMAL V AVERAGE



SIZE 6



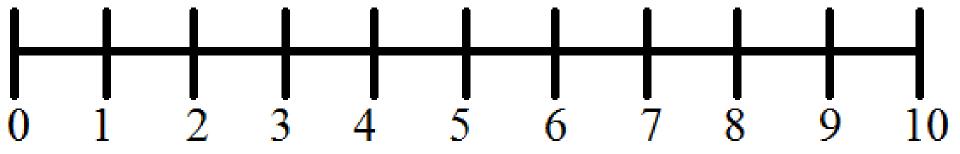
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#### IMPAIRED Shaw v State

Impaired means "diminished in some material respect."

#### PRESUMPTION OF INNOCENCE

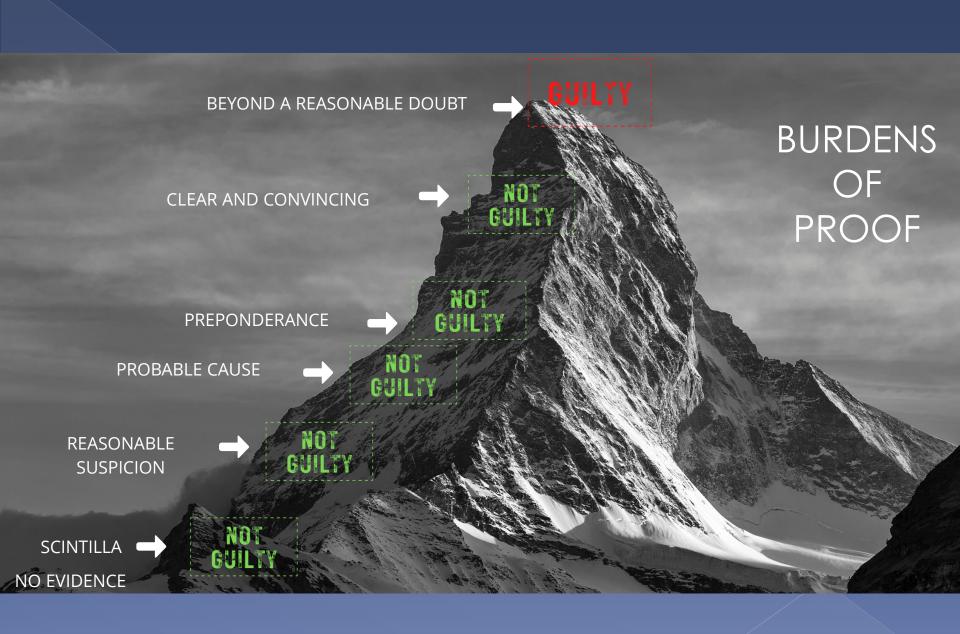


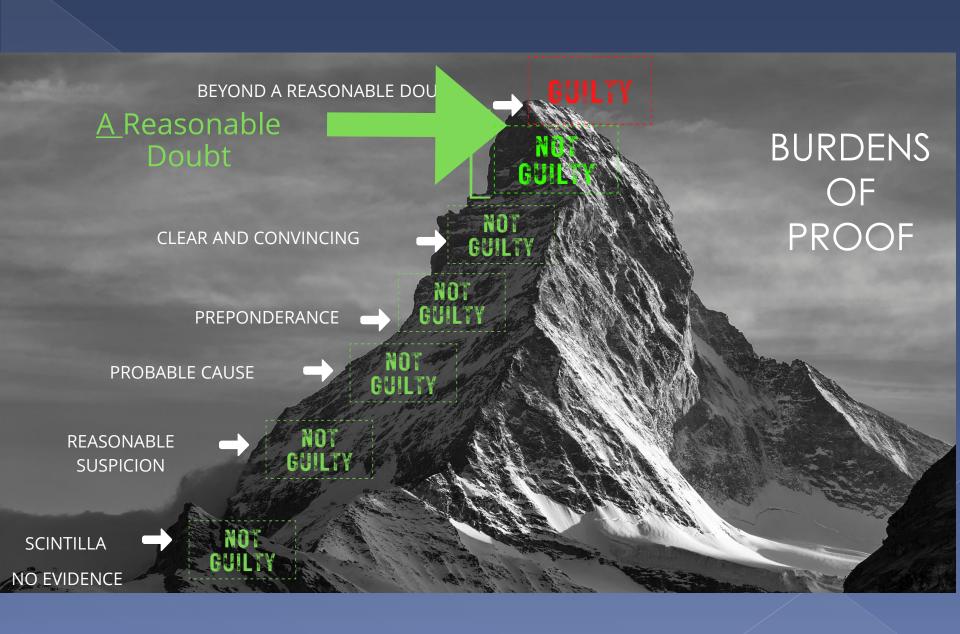
INNOCENT

## ASSUME PRESUME

## PRESUMPTION OF INNOCENCE







# ONLY GUILTY IF UNANIANOUS

R

BEYOND A
REASONABLE DOUBT

### 11 NOT GUILTY

1 GUILTY

#### 6 NOT GUILTY

6 GUILTY

#### 1 NOT GUILTY

11 GUILTY

# ONLY GUILTY IF UNANIANOUS

R

BEYOND A
REASONABLE DOUBT

### JURY SERVICE







#### "GOLDEN RULE QUESTION"

Is there ANY reason you do not believe you can be a fair and impartial juror in <u>THIS</u> case?

• Would you want 12 people who felt and thought the same way you do acting as jurors in a case where a friend or relative was charged with this offense?

## THANK YOU

THIESSEN LAW FIRM