

MADDvocate, Summer 2004

Florida - A 58-year-old man, who had two previous DUI convictions, was sentenced to seven years in prison and eight years of probation for the July 2002 crash that killed a man he described as "like a brother." The offender's BAC was .29 percent when he struck the side of a tractor trailer. The court also ordered him to pay restitution to the company that owned the tractor trailer and to the driver, who avoided serious injuries in the crash. He also was forbidden by the court to use alcohol or drugs and his license has been permanently revoked.

Florida - A 17-yearold male pled no contest to DUI manslaughter and was sentenced to four years in prison, followed by two years of probation. The youth offender killed his 16-year-old passenger in a November 2002 crash in which he had been driving with a BAC of .15 percent at about 55 mph in a 25 mph zone. As part of his probation, he will have to make at least four appearances at area high schools to talk to other youth about the dangers of drinking and driving.

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Florida - A 39-year-old drunk driver pleaded no contest to a charge of felony motor vehicle homicide in the death of his friend. The offender was sentenced to spend Thanksgiving, Christmas, New Year's Day, the anniversary of the crash, the victim's birthday and his own birthday in jail for the next five years. The victim's family requested those specific jail dates to remind him of their loss. The judge also ordered him to abstain from alcohol, attend alcohol counseling and perform 300 hours of community service. The man's driver's license was suspended for 60 days, after which he can only drive to work or places associated with his probation

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Florida - A female DUI offender with a BAC of .17 percent struck a man on a motorcycle that was stopped at a traffic light. After struggling to live for seven days, the man died from injuries sustained in the crash. At the request of the defendant's family, the offender was given one year of prison for each day that their loved one struggled to survive. The offender was sentenced to seven years in prison and five years probation.

DUI Manslaughter

A young woman professional was involved in an auto accident in which two people died. The charge potentially carried a 30 year prison sentence. After extensive investigation and hiring of traffic accident experts to reconstruct the entire accident using identical make and model vehicles as well as video taping same for use at trial, the client was allowed to plea to a misdemeanor with probation.