



## CRIMINAL

If you are arrested for a Traffic offense or a Crime, or are a suspect, it is important to know and understand your rights BEFORE you say or do something that may further incriminate you or affect your case, and **JUPITER LAW CENTER** can counsel you as to those rights so that you can make an intelligent decision about how to handle your case. Don't simply Plead Guilty just to get it over with – call us so that we may explain to you all of your rights.

Below are a few interesting facts about Criminal law:

- In a CRIMINAL case, a Defendant cannot be compelled to be a witness against himself/herself.
- A FELONY is a crime that results in a punishment of going to prison for one or more years or death. On the other hand, a MISDEMEANOR is a lesser crime with a lesser punishment (up to one year in jail).
- Only FELONIES and MISDEMEANORS are considered "crimes." NONCRIMINAL VIOLATIONS are those that are punishable by no more than a fine or other civil penalty.
- Generally, TRAFFIC INFRACTIONS are non-criminal violations. However, some traffic violations, such as DUI, are criminal traffic offenses.
- The use of FORCE - except Deadly Force - is justified to protect one's property. However, one needs a reasonable belief that the use of force is necessary to prevent interference with your property.
- The law requires that a person wrongly ATTACKED by another should retreat if he/she can do so safely. However, a person is not required to retreat if the attack takes place in his/her own home.
- You do not have to actually drive the Vehicle (as long you are in control of the Vehicle) to be charged with and/or found Guilty of DRIVING UNDER THE INFLUENCE (DUI).
- One who KNOWINGLY SERVES ALCOHOL to a person who is already intoxicated may be liable for injuries or damages resulting from the intoxication.

- The Owner of a MOTOR VEHICLE is responsible for the Driver's negligent operation of the vehicle (even if the owner was not in the Vehicle at the time of the accident).
- A Defendant in a CRIMINAL case is entitled to a SPEEDY TRIAL within 90 days and the failure of the State to bring the Defendant to trial within that time period will result in Defendant's release provided that the delay was not caused or sought by Defendant or his/her counsel.
- In CRIMINAL PROCEEDINGS, no person may be twice put in JEOPARDY for the same offense.
- Your Driver's License may be revoked for one year if you refuse to take a BREATHALYZER TEST and refusal does not prevent the prosecution for Driving Under the Influence (which can be established by other evidence).
- A motor vehicle owner who consents to the use of his/her vehicle by another person is liable for the damages caused by that person's NEGLIGENCE OPERATION of the vehicle.
- Mere knowledge that an offense is being committed and presence at the scene, without more evidence, does not establish CRIMINAL intent.
- Your Florida DRIVER LICENSE contains the statement "Operation of a motor vehicle constitutes consent to any sobriety test required by law" directly beneath your signature.
- A POLICE OFFICER may not remove you from the immediate vicinity without making an ARREST, unless you voluntarily accompany the Officer to another location.
- A URINE TEST can be requested if drugs are suspected in a DUI investigation and a BLOOD TEST can be requested under some circumstances.