



Your Rights when Pulled over in Virginia by James Abrenio

Drunk driving is a very serious problem in our community. With the added dangers of texting and driving, and many teens that thinking it's OK to drive "buzzed," the problems are only going to get worse. That said, everybody deserves to be treated fairly by police during every interaction.

Here's the problem: Most people don't even know their rights! Education is half the battle here, so we're doing our part by publishing our list of the most important rights you need to know. *Here's how the conversation may go when you are pulled over and your rights in each instance:*

#1 "Do you know why I pulled you over?" It's typically the first thing you'll hear. It's also deliberately designed to get you to admit to certain behavior. Be professional and polite, and simply ask, "why do you ask?" and then wait for a response. Do not comment. That phrase "anything you say can and will be used against you in a court of law" is truer than you'll ever know, trust me.

#2 "Have you had anything to drink tonight?" If you truthfully have had nothing to drink that night, say, "No." If you have had something to drink, you do not have to share that information! Telling the officer that you've been drinking will be evidence used against you. Instead, say, "I have no statement to make" While it may seem unnatural, this is your right and it could mean the difference between a conviction and acquittal.

#3 "I need you to step out of the car and take a few field sobriety tests." Let me be clear on this: Do not perform field sobriety tests. They are designed for you to fail. You are not required to do field sobriety tests in Virginia.

#4 "You need to take a breath test." This one's tricky, because there

are typically TWO breath tests involved in a Virginia arrest, the preliminary breathalyzer at the scene, and the formal breath test back at the police station. If you've had anything to drink, you should REFUSE the breath test at the scene. Like the field sobriety tests, it is not mandatory and it will not work in your favor. All the officer is looking for is probable cause to arrest you.

The breath test at the STATION is a different beast. If you refuse it, be aware that you will be charged with civil refusal. A conviction for civil refusal means your license will be suspended for one year, and you cannot drive during that time for any reason whatsoever. However, if you take the breath test, you may be providing evidence to prove you were intoxicated. Whether or not you should take it will differ depending on how much you had to drink, how long ago, how intoxicated your behavior was prior to taking the test, and if you can go one year without driving at all if you refuse it.

#5 "Answer my questions." Most people ruin their cases with their own mouths. You have the right to remain silent and you should use it. As soon as you are allowed to, you should contact an experienced DUI attorney to help guide you through your case.

One final thought (ultimately, the most important one): Don't drink and drive. Just don't. It ruins careers, it ruins lives, and it causes extreme damage in our community. ■

In this issue...

- **Page 1** Your Rights when Pulled over in Virginia
- **Page 2** Book Wish List
- **Page 2** 5 Fun Facts about Presidents' Day!
- **Page 3** BGL's Best Bites: Red Velvet Cupcakes
- **Page 4** Smartest Guy at the Party: Know the Legal Vocabulary that Most People Don't
- **Page 4** Everyone's Terrible at Driving in the Snow... Except our Wonderful Readers, of Course

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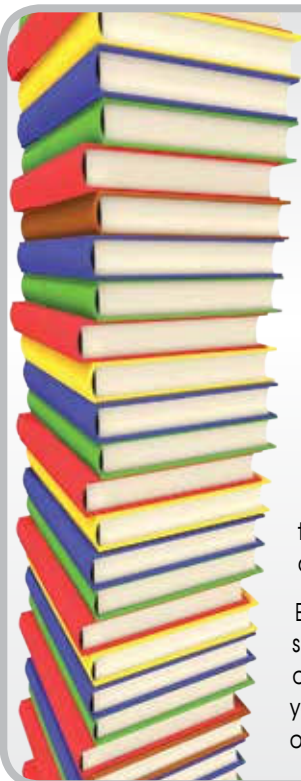


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BOOK WISH LIST

Our law firm is full of avid readers, and considering the number of you that request books from us whenever we make the offer, it seems many of you are the same. We thought it would be fun to crowd source a reading list from our newsletter readers!

What we are asking you to do is to send us the title of one book you really want to read this year. We will be selecting three people at random to receive a free copy of their book choice courtesy of BenGlassLaw.

Email Staff@BenGlasslaw.com with the subject line **Book Wish List** with the title of the book you want to read most this year. We will publish the complete list of responses in next month's newsletter!

BGL's Best Bites

RED VELVET CUPCAKES

by Sandi Glass



(Makes 24 cupcakes)

Prep Time– 30 minutes

Bake Time – 20 minutes

Ingredients:

- 1/2 cup butter
- 1 1/2 cups white sugar
- 2 eggs
- 1 cup buttermilk
- 1 fluid ounce red food coloring
- 1 teaspoon vanilla extract
- 1 1/2 teaspoons baking soda
- 1 tablespoon distilled white vinegar
- 2 cups all-purpose flour
- 1/3 cup unsweetened cocoa powder
- 1 teaspoon salt

Preparation:

- 1 Preheat oven to 350 degrees. Grease two 12-cup muffin pans or line with paper baking cups.
- 2 In large bowl, beat butter and sugar with an electric mixer until light and fluffy. Mix in the eggs, buttermilk, red food coloring and vanilla. Stir in the baking soda and vinegar. In small bowl, combine flour, cocoa powder and salt; stir into batter just until blended. Spoon batter into prepared cups, dividing evenly.
- 3 Bake in preheated oven until the tops spring back when lightly pressed, 20 to 25 minutes. Cool in pan set over a wire rack. When cool, frost with desired frosting.



5 FUN FACTS ABOUT PRESIDENTS' DAY!

#1 There were four presidents born in February, including

George Washington, Abraham Lincoln, William Harrison and Ronald Reagan. Most celebrate Presidents' Day in honor of the first two.

#2 John Adams died on the same day as Thomas Jefferson, July 4, 1826. This day was also the 50th anniversary of the approval of the Declaration of Independence!

#3 Washington's teeth weren't wooden! Contrary to popular belief, they were actually made of gold, ivory, lead, and animal teeth.

#4 Ulysses S. Grant got a speeding ticket on a horse. The 18th President Of The United States was given a \$20 speeding ticket for riding his horse too fast down a Washington street.

#5 James A. Garfield was ambidextrous. Not only was he the first president to be both righty and lefty, but it was said he could write a sentence in Latin with one hand and write it in Greek with the other hand.

Smartest Guy at the Party: Know the Legal Vocabulary that Most People Don't



"Pro Se"

To act "*pro se*" in a legal claim means that you are representing yourself without the help of an attorney. For those people who do file cases on their own behalf, it is important to understand that the Court still expects the *pro se* filer to follow all the rules and procedures that an attorney would follow.

If you or someone you know is thinking of acting *pro se* in a legal issue, it is worthwhile to talk with an attorney at BenGlassLaw first. You may be able to get some guidance or discover that you really do need the help of an attorney. One thing you certainly don't want to have happen is getting in over your head with a legal situation without an attorney being able to help you. ■

— continued from back page

Everyone's Terrible at Driving in the Snow... Except our Wonderful Readers, of Course

cannot personally call for help, your only hope will be that a loved one will realize something is wrong and investigate.

- **Maintain at least a half-full tank of gas.** This isn't just to avoid running out of gas in a snowstorm; it's also to avoid gas-line-freeze in the morning.

- **Avoid cruise control.** Cruise control gets very confused by slippery surfaces. Trust yourself to make better driving decisions in your snowy neighborhood than your car's manufacturers can.

- **Do one thing at a time, and do it slowly.** Accelerating, turning, and braking should all be

done with a lot of extra time and space, and should be done slowly. There is a lot that can go wrong when attempting maneuvers in ice and snow; don't overwhelm your car with variables.

***BONUS TIP:** Keep an emergency bag in your car with gloves, hats, food, water, a "burner" pay-as-you-go cell phone, and any daily medication you would need.*

Bonus tip: Live in an area where you might get stranded out in the snow? Keep an emergency bag in your car with gloves, hats, food, water, a "burner" pay-as-you-go cell phone, and any daily medication you would need. These bags save lives.

Remember, even if you're a good winter driver, other's aren't! Make driving choices that keep everyone safe, and if anything ever happens or if you should get into an accident, our number is always on the top right of the newsletter. ■

Reminder About Our Firm's Communication Policy

Our promise to you is that while we are working on your case, we don't take inbound phone calls, faxes or emails. Ben Glass takes no inbound unscheduled phone calls whatsoever. It makes him much more productive and helps get your case resolved faster. You can always call the office at 703-544-7876, and schedule an in-person or phone appointment, usually within 24-48 hours. This is a lot better than the endless game of "phone tag" played by most businesses today. Remember, too, that email is "quick," but is checked no more than twice a day. Replies are then scheduled into the calendar. So if it's really important, don't email—call the office instead.

This publication is intended to educate the general public about personal injury, medical malpractice, and small business issues. It is not intended to be legal advice. Every case is different. The information in this newsletter may be freely copied and distributed as long as the newsletter is copied in its entirety.

3915 Old Lee Highway Suite 22-B
Fairfax, VA 22030
tel 703.544.7876 fax 703.783.0686
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- » Your Rights when Pulled over in Virginia
- » Our 5 Best Safety Tips for Driving in the Snow
- » 5 Fun Facts about Presidents' Day!
- » And much more...



Everyone's Terrible at Driving in the Snow... Except our Wonderful Readers, of Course

by Ben Glass

Virginia is a great place to live. The schools are the best in the country, the state is well run financially, and Virginians don't spend much time worrying about tornadoes or earthquakes or wildfires (humidity is another matter...). But if you ask anyone born and raised here what the biggest drawback to living in Virginia is, there's no hesitation—the traffic.

This area was never meant to handle this many people, and every winter we're reminded of it because no one can drive in even two inches of snow. Well, that ends today, because BenGlassLaw is doing its part to educate the masses about safe winter driving. Even if we only prevent one accident, that's a win for a local

family and the great Commonwealth of Virginia... but more importantly, it's a win for my daily commute.

So, without further ado, here are some important winter driving tips, courtesy of AAA (www.AAA.com):

- **Take care of your car.** This sounds basic, but it is one of the

biggest factors in avoiding an accident. If you go into winter with a dying battery or bald tires, you're asking for trouble.

- **Tell others your route and when to expect you to return.** If something happens and you

— continued on page 3