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# MARYLAND DRIVER'S RIGHTS CARD

## IF YOU ARE STOPPED BY THE POLICE, WILL YOU KNOW YOUR LEGAL RIGHTS?

(ADVERTISING MATERIAL)

The purpose of this Driver's Rights Card, provided by The Law Office of Paul C. Balassa, LLC, is to help educate public on how to assert their rights under Maryland law. Carry the following Driver's Rights Card at all times in each automobile you own with your registration and proof of insurance – together in a single envelope. If you are stopped by the police and questioning goes beyond a request for your driver's license and registration, hand the officer the envelope with all three records along with your driver's license.

Remember, Field Sobriety Tests are designed for you to fail and are subjectively graded by someone who is actively trying to develop a reason to put you in handcuffs. Moreover, the officer is perfectly correct in arresting you without ever reading you your Miranda rights. This is because it is only after you are in custody (handcuffed) that anything they ask you requires the Miranda warnings for your responses to be admissible in court. Everything you say or do before the arrest does not require a Miranda warning because the courts have consistently ruled that you are not yet under arrest and, therefore, don't need advice about your rights. Wow, bet that comes as a surprise! As you may imagine, the bulk of the most damning evidence against you (to include the results of your Field Sobriety Tests), is usually given away freely in the period of time between the initial traffic stop and when you are put in handcuffs and taken to jail. Until you are convicted, you are presumed innocent until proven guilty and have a right to force the state to prove its case; don't give the authorities any additional ammunition against you. Make sure you read the 6 points on this card so that you understand your rights before you are stopped.

Let the card speak for you. Remain silent until the officer has read the card and do not attempt to read it to the officer. The police do have power, but their power is limited by your rights if you assert them.

**BE RESPECTFUL | BE COOPERATIVE | BE SILENT**

### NOTICE AND DISCLAIMER

This Driver's Rights Card is intended solely to educate the members of the Maryland motoring public about their legal rights during a traffic stop and to assist presumptively innocent citizens in properly asserting those rights. These cards will not prevent a drunk driver from being caught, if such **VISIBLE** proof of impairment exists (such as staggering, belligerence, glazed eyes, etc.) so don't expect the card to solve all problems.

It is not legal advice and should not be understood as creating any attorney-client relationship. It is not intended to help individuals avoid detection or prosecution for violations of the law. The safest way to avoid a drunk-driving arrest is to drink responsibly and have a designated driver.

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THE LAW OFFICE OF PAUL C. BALASSA, LLC

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1. I hereby tender my driver's license, vehicle registration and proof of insurance.
2. I have committed no crime and request that my papers be returned to me and that I be allowed to depart immediately. If you are not going to allow me to leave at this time, I will assume that I am under arrest.
3. I immediately **INVOKE MY RIGHT TO AN ATTORNEY** and request that I be allowed to call Attorney Paul C. Balassa at 443.274.6113. If Mr. Balassa is not available, I request the right to call another attorney or a relative.

4. I invoke my **RIGHT TO REMAIN SILENT**, and do not wish to make any statements, nor will I answer any further questions without my attorney present.
5. **I DO NOT CONSENT TO A SEARCH** of my person, vehicle, or any other property without my written permission.
6. As is my right under Maryland law, **I CHOOSE NOT TO TAKE ANY SO-CALLED FIELD SOBRIETY TESTS** including **A PRELIMINARY BREATH TEST**. I reserve the right to make a decision about subsequent chemical testing after (1) I am given a reasonable opportunity to contact my attorney and (2) provided that they are conducted in compliance with Maryland Transportation Article 16-205.1 and COMAR 10.35.02.0(g). I do not waive any deficiencies in the procedures or advisement which you provide during this arrest.