

ARIZONA DUI SURVIVAL GUIDE

HOW I SURVIVED TENT CITY
SELF SURRENDER



Table of Contents

1. **Introduction**
2. **How Tough are the DUI Laws in Arizona?**
3. **Should You Hire a Lawyer?**
4. **Getting a Letter from ADOT**
5. **Your First Court Appearance.**
6. **Dealing with the Prosecutor**
7. **What Exactly is Tent City?**
8. **The Process Before Tent City**
9. **When Do you Start your Time at Tent City?**
10. **TB (tuberculosis) Test**
11. **The Tent City “Self Surrender” Process**
12. **OK, So What Happens Now That You Are Officially in Tent City?**
13. **How To Get By In Tent City**
14. **Work Release**
15. **Life After Tent City**
16. **House Arrest**
17. **The Interlock Requirement**
18. **Some Closing Thoughts**
19. **Testimonial**

Introduction

I had never thought much before about the subject of driving under the influence of alcohol (DUI). I had never had any problems with the law. All that changed on one fateful day in 2010. I want to share my story with you so that you can understand the ins and outs of the legal system in Arizona when it comes to DUI, along with some helpful advice for how to deal with it.

I was a single, thirty year old transplant from the East Coast, successfully working a sales job at a great company making a pretty solid income and loving the 320 days a year of sunshine Arizona has to offer. I had moved from Massachusetts to Seattle, WA in 1997, then to Portland, OR that same year before finally arriving to Arizona in 2001, where I settled in the Phoenix area in the Ahwatukee/Chandler location. The Ahwatukee area where I currently live has numerous subdivisions and a full menu of bars, strip malls with bars, shopping centers, restaurants and other fun casual drinking outlets that were all within a 5-10 mile radius of where I lived. I clearly remember when I first moved here nicknaming the State of Arizona the “City of Suburbs”.

It was in February of 2010, I was home one Saturday doing some pool and lawn maintenance at my house. I had plans to have a few friends over that night to watch a UFC event and have a few drinks. I had five or six guys come over with their girlfriends to watch the UFC fights. I remember going to my second fridge in the garage at exactly 8PM that night to grab my first beer. It was a Michelob Ultra Beer. From what I have remembered from this night in full detail I had 6-7 beers at my house that night.

Later on that night and after UFC had ended, six or seven of us went to a local bar just 2 miles North of my house. The bar was dead for a Saturday night and just thirty minutes we all agreed to leave and go to a more happening spot we knew of that just opened called "The Sandbar" off Ray Road. "The Sandbar" was near where I played ice hockey and only about five miles Northeast of my house. It was also good place because it was the newest place close to where I had lived, the bar was cool as it had sand on the outside patio area, and the social scene was off the charts because it was the "New Bar & Place to be".

When we arrived at "The Sandbar" there had to be at least one hundred and fifty to two hundred people at this new bar. We stayed from midnight till closing time at 2:00 in the morning before making our way out the door to my car at 2:10AM.

At the time I was driving a four door Silver Infiniti and we managed to fit five people in the car, including me. Since it was so late, and all parties in my car at this time were parked at my house we thought this was an ok idea and proceeded on our way back to my house. I had no sense of over drinking until my best buddy asked me, "Are you okay to drive?"

I said, "Yeah we're only going down the street 5 miles and I will take a few back streets near the ice rink." There are only a few major highways in town. My house is on the West side of I 10. Instead of taking the normal right out of "The Sandbar" and crossing over to take a left on 48th Street I proceeded to take a left and then a right down a back road that would have brought me to Chandler Boulevard which is one of the major crossroads that I lived off at the time. I wanted to use the back roads because I knew there would be a lot of police on the main roads. As luck would have it

as soon as I pulled out of “The Sandbar” and turned left I had a cop on my ass. That night in the middle of February 2010 it was raining and seemed to be especially dark outside but I immediately saw the police car behind me and the flashing lights come on telling me to pullover immediately. The officer approached me and I saw him observing the four young guys in the car. I’m sure that in itself was cause for suspicion. In a casual voice he told me that I had hit the median about a quarter of a mile from the bar. A few days after speaking with the lawyer I hired they had asked me to take pictures of my car, which I did as I was told this may prove my innocence or help out in the case down the road. By the way there was no damage to my car and this so called evidence never came up or was going to be brought up in general..

It was my impression that the officer who had pulled me over the night I received my DUI fabricated, or at the very least exaggerated a number of things on the police report, which I was able to obtain from the City of Chandler Municipal Court just a weeks time from when I got pulled over on suspicion of DUI for five dollars. Make sure you invest in this documentation as you will want to read each and every detail the officer writes in the police report. For example, when the officer requested for me to sit down at the curbside, they wrote in the report that I stumbled, swayed, and almost fell over. This information was completely untrue. The officer also continued to assert that I clipped a median when leaving the bar which was again completely untrue.

Anyway, getting back to the traffic stop itself, the officer asked, “Have you been drinking?” “I had a few beers.”

While the cop was back in his car checking me out my passengers began sending a stream of advice my way. “Don’t take the field sobriety test.” “Don’t take the breathalyzer test.” “Do not even look the officer in the face.”

When the City of Chandler officer returned he said, “Please step out of the vehicle.” While the statewide law is uniform, the methods and procedures for applying the law differ in the many Cities of Arizona.

The bottom line on which everything depends is your Blood Alcohol Content. It is what’s going to determine everything that happens next regarding the law.

So when I got out of the car the policeman said, “I’d like to give you a field sobriety test.”

Before I could answer he fired off an accusation: “Why are you not looking directly at me?” I said, because that may be considered a field sobriety test and at this point I said, “I don’t want to be rude but I want to talk to a lawyer.”

The policeman then requested and directed me to sit down on the curb by my car. In his report he said I was cooperative but when I went to the curb I almost fell. As I mentioned earlier, though, that simply never happened. There was no stumbling.

As part of his investigation he interviewed my friends. Then he told me my car was going to be impounded and he was going to take me to a substation. That’s where they draw blood. The cop put me in the back of his car and read me my rights. Then he took me to the station, charging me with suspicion of driving under the influence of alcohol or DUI.

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