

# DEFENDING THE ACCUSED

OWI DEFENSE STRATEGIES



**Gregory Boulahanis, Esq.**

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## DEDICATION

This book is dedicated to my past, present,  
and future Clients!

*Attorney,*

*Gregory Boulahanis*

# **DISCLAIMER**

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## TESTIMONIALS

*"Greg's representation as a lawyer is astounding. If you're debating on who to call, look no further, because Greg is the one! He helped me get through my first offense with care and ease. Greg always goes the extra mile, held my hand throughout the entire process, and I could tell how much he cares about his Clients. He's been in this business for over 40 years and he continues to do this because he is passionate about helping others. I got the best results because of Greg, and I can't thank him enough. Now I can rest easy at night because of him. Thank you so much, Greg!"*

**— Cassandra H.**

\*\*\*\*\*

*"Greg is an excellent attorney. Very professional and experienced in his specialty. He was very kind and got me through a tough situation with the best possible outcome for me. I would definitely recommend him to anyone I know."*

**— Thomas S.**

\*\*\*\*\*

*"Gregory and his team were the best! They walked me through the entire process and had open communication every step of the way. They went above and beyond to make sure I was ready for my reinstatement hearing! Anyone with a revoked license looking to regain their driving privileges should not hesitate to give them a call."*

**— Kyle W.**

\*\*\*\*\*

*"Greg is a wonderful attorney and was great to work with. He is personable and truly cares about his Clients. In a highly stressful and scary time in my life, he made me feel very reassured and hopeful. He took the time to explain everything and answered any questions I had, day or night. He never made me feel like I was another case on his desk. I never felt rushed or dismissed. I am immensely grateful for everything he did for me. I would highly recommend him to anyone in need of his services."*

**— Jami D.**

\*\*\*\*\*

*"I would highly recommend Greg to anyone in need of legal assistance. He guided me through the process, explaining everything as we proceeded and reassured me when I was completely overwhelmed. He is supported by a great staff who responded to me when I needed additional assistance. Thanks for everything that you have done."*

**— Chris R.**

\*\*\*\*\*

*"Absolutely a fabulous attorney. He returned every text and answered every phone call personally. Naturally, I was a nervous wreck through all of it but he calmed me down and did an excellent job for me in the courthouse. I would recommend this attorney to anyone if you ever need one. He's amazing."*

**— Buck R.**

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## ABOUT THE AUTHOR



I have represented Clients charged with drunk driving for the last 40 years. The vast majority of cases I have handled are in Wayne County. As a result, I have become familiar with the Judges who make the rulings in these cases and what they are -most likely inclined to do. Based on this, I am able to create a strategy that can help my Clients secure the best result under the circumstances.

### ***My Aim With This Book: I'm Motivated By Helping Others***

I wanted to write this book to give people a basic understanding of what they face if they find

themselves in an OWI Case, as well as to outline steps you can take to put yourself in the best position possible to defend your Case.

Drunk driving is a serious offense, afflicting all strata of our society. My experience confirms this, having represented corporate presidents, doctors, lawyers, accountants, and Police Officers. But no matter who you are or what you do, OWI can significantly impact many areas of your life, and particularly your employment. Fortunately, I've had the opportunity to save countless Clients from the worst consequences of their charges and walk others through the best way to handle the penalties they have faced.

The truth is, in order to receive the best result possible, you need to have someone on your side who knows the law and is familiar with the legal defenses available to you. Provided there is a legal defense applicable to your Case, they can mount a strong defense on your behalf. If there is not a legal defense available, your Attorney can work to mitigate the negative aspects of a conviction through a series of strategies tailored specifically to you.

## *I Hope This Book Will Give You A Head Start On Your Legal Defense*

If I've learned anything over the years in this field, it's that being proactive gives you an advantage. Based on my experience of how Judges tend to think and proceed in OWI Cases, a proactive approach can put you in a position where the Judge is much more likely to be sympathetic to you. Why? Because taking steps to address your OWI Charge before you are asked to will demonstrate that you are taking your Case seriously and doing everything possible to ensure this doesn't occur again.

Believe it or not, OWI Cases are some of the scariest for Judges because of the high rate of people who re-offend. Sometimes, Judges choose to allow leniency to people charged with OWI – but this opens up the possibility of another charge (that may involve a fatality or injury), all while the initial case is still pending. Because Judges are acutely aware of this, many enforce strict bond conditions as a result. One of the ways to mitigate these strict bond conditions is to attend Alcoholics Anonymous at least twice a week in

conjunction with hiring a substance abuse counselor at the inception of your Case.

Knowledge is power. By knowing what the road ahead looks like, I hope that you'll be that much more prepared to make proactive choices, informed decisions, and walk away from this with an outcome that gives you your real life best-case scenario.

# CHAPTER 1

## AN OVERVIEW OF OWI



Other states refer to drunk driving cases as DUIs, and the term has become part of Michigan's nomenclature. Unfortunately, people often confuse DUI for OWI in Michigan as a result.

OWI is Operating While Intoxicated, and these charges have several levels. Michigan has a High BAC (Blood Alcohol Content) Charge, meaning the person has taken a breath or blood test and scored .17 or higher, which is more than double the legal limit. Sometimes this is called a super drunk driving charge.

The next level is a standard OWI. Lastly, the lowest level of alcohol-related offense is Operating While Visibly Impaired.

The difference between these three charges is quite significant. In High BAC Cases, those convicted face up to 180 days in jail with a \$200 to \$700 fine, plus court costs. Your driver's license is suspended for a year with absolutely no driving during the first 45 days. For the remainder of the year, you must have an ignition interlock installed in your vehicle in order to drive.

With an OWI, the penalty is up to 93 days in jail, six points on your record, and up to \$500 in fines, plus court costs. Your license will be suspended for the first 30 days. After this, you will receive a restricted license for five months, where you can only drive to and from work – or anywhere else permitted by the Court. This typically includes things such as medical appointments or school.

The Visibly Impaired Charge has the least severe penalties. Associated fines are similar to OWI's: \$300 with additional court costs. You will receive four points on your driving record. Your license suspension

will last 90 days, with a restricted license. At the end of each of these suspensions, you are required to pay a \$125 reinstatement fee, if eligible. This will allow you to obtain your full license.

### *Types Of OWI Charges*

There are other OWI charges, such as those that involve aggravating factors. This is referred to as OWI Causing Serious Bodily Impairment. What constitutes serious bodily impairment can be as simple as a broken arm or ankle. These cases, instead of being charged as a Misdemeanor as the previously mentioned charges are, are categorized as Felonies. As a result, those charged face up to a maximum of five years in jail, even if it is their first offense.

There is also OWI Causing Death, a Felony that could land you up to 15 years in prison. There is a possibility that the Prosecutor could also seek out a Second-Degree Murder Charge if the BAC Level is exceptionally high. This is also a non-probationable offense, meaning those convicted will undoubtedly have to serve time.



## CHAPTER 2

# WHAT TO EXPECT: FROM OWI INVESTIGATION TO ARREST



In Michigan, a Police Officer can pull you over for committing any actual traffic offense, such as failing to turn on your lights, etc.

There are several things Police Officers look for when investigating someone for drunk driving. Common visual cues include bloodshot eyes, the presence of alcohol containers in the vehicle, failure of the individual to produce documents such as their

license, proof of insurance, and registration, or fumbling with their wallet or purse. Auditory cues include slurred speech, any admission of drinking, and inconsistencies in the responses they give. For example, if someone says they were at one place and then contradicts himself later on by saying they were at another, that is a red flag to a Police Officer.

### ***Field Sobriety Tests***

During a traffic stop, Officers will generally have you perform three field sobriety tests, generally referred to as divided attention tasks. The goal of these is to ascertain your ability to perform two different functions at the same time.

The first test they generally administer is the Horizontal Gaze Nystagmus Test. The Police Officer will take an object such as a pen or a pen light and ask you to follow it as they move it in front of your eyes or face. The thinking is that when they perform this test, the Officer should be able to see nystagmus, or jerking of the cornea, if you are intoxicated. It should be noted, however, that while Michigan has a Court of Appeals Case that allows these tests to be

permissible in Court on the issue of the presence of alcohol, they are not permissible on the issue of proving intoxication by alcohol.

The second test is the Walk-And-Turn Test. With this test, the Officer will try to determine whether you can follow the instructions given with the physical dexterity needed to carry them out properly. First, the Officer will ask you to put your right foot in front of your left foot with your hands at your side, then hold the position until instructed to move. Next, they will tell you to move forward and take nine heel-to-toe stops on an imaginary line, unless an actual line is present. Once you take your ninth step, you are supposed to take a series of small steps and pivot to return to where you started.

After this, they will typically have you perform a third test, the One-Leg Stand. This test involves putting your feet together and hands down at your side. You will then raise a leg, whichever one you are comfortable with, about six inches off the ground. The Officer will then tell you to count to 30. With this test, the Officer looks for whether you put your foot down

while counting, use your arms to keep balance, and whether you can keep your foot up for 30 seconds. If they observe any of these things, they will notate it as evidence that your ability to operate the vehicle is substantially influenced.

The Officer will continue to observe you while they conduct these tests, assessing whether you are performing the tasks to their subjective standard. They want to see whether you lose balance or step off the line, for example, despite the fact that this can easily happen if you are not intoxicated.

If you “fail” the tests according to their subjective standard, they will then finish the investigation off with a breath test, referred to as a PBT. Again, it’s important to note here that the devices used to conduct these tests are generally not very accurate since they are calibrated only once every 30 days. In any case, the Officer will arrest you if your breath test result is 0.08 or more – and they may even arrest you for Operating While Visibly Impaired if your result is under 0.08.

So much depends on whether the Officer administers the Field Sobriety Tests and PBT correctly. Often, they do not administer the PBT correctly. They are supposed to confirm that you have not put anything in your mouth for at least 15 minutes, yet many Officers simply choose not to follow the procedure and often conduct the PBT after just five minutes. Fortunately, when this happens, I can get the PBT results thrown out during an Evidentiary Hearing.

### ***Your Rights During An Investigation***

Most people will submit to Field Sobriety Tests if they are asked to. However, I highly advise against this. Doing so does nothing to help your Case. What's more, if you "pass" the field sobriety tests and there are not a lot of other cues visible to the Officer, you may be able to file a Motion to Dismiss for lack of probable cause.

In addition, and perhaps most importantly, there is no law in Michigan requiring you to submit to a Field Sobriety Test. More often than not, what happens is that the test merely gives the Officer a dose of confirmation

bias. Further, refusing the tests will make the Officer's decision to arrest much more difficult.

### ***“Anything You Say Can And Will Be Used Against You...”***

Prior to being arrested, nothing is covered by your Miranda Rights. Miranda applies only once your custodial arrest occurs. Therefore, contrary to popular belief, everything you say up until you are handcuffed, CAN be used against you in a Court of Law.

This is especially important information when it comes to OWI Cases, because Miranda Rights don't really come into play in the way that most people would expect. They only protect you from making statements after you are arrested – and the majority of incriminating statements made in OWI Cases are made before an arrest, or during the investigation. So, no matter where you are in the OWI timeline, it's best to only give information that is absolutely necessary and refrain from saying anything that you don't absolutely have to.

### ***What Happens Next***

Once arrested, the Officer will read you your Chemical Test Rights. In Michigan, the Officer can request you to take a Breath Test or a Blood Test. If you do proceed with the Data Master or the Blood Test as requested, you have a right to request having an independent Blood Test done at a facility of your choice, as long as it is reasonably near and you have the funds to pay for it. Doing this can give a little time for your blood level to decline somewhat. It may also preoccupy the Officers and put you in a better position.

One thing you always have to be wary of is that refusing a PBT is a Civil Infraction with a fee of \$175 to \$200 – but if you refuse a Chemical Test, you will also lose your license for a year under the Implied Consent Law. When signing for your driver's license at the Secretary of State, you agree to take a chemical test if a Police Officer requests it. This is the basis on which they suspend your license for one year in these situations.

### ***Appealing A Suspension In Violation Of Implied Consent Laws***

You can appeal this matter to the Secretary of State if you file within 14 days of the date of your

arrest. Unfortunately, the issue is not whether you are Guilty of Operating While Intoxicated beyond a reasonable doubt. So, generally speaking, the Secretary of State will side with the Officers because they have a minimal burden of proof (“Preponderance”).

However, the Secretary of State will typically grant your Appeal if the Officer does not appear in Court for it. For this reason alone, it is worth filing an Appeal. If your Appeal is denied, Michigan allows you to file a hardship Appeal to the Circuit Court in the County where the arrest occurred. This would include filing a Complaint against the Secretary of State and indicating hardship due to work or other circumstances that require you to operate a vehicle.

For the Judge to consider these requests, they require what is called a comprehensive Substance Abuse Evaluation, and potentially a Drug Screen. Approving these requests is entirely at the Judge's discretion, though with the right counsel, these licenses are granted most of the time.

### ***Bond And Bail***



Procedurally, the Police generally release those arrested for OWI on a bond, typically for \$200 to \$1000. Then, most OWI Cases in Michigan are done by Appearance Ticket, meaning you will have 10 to 14 days to contact the Court or an Attorney to arrange the Arraignment.

I typically advise people to contact an Attorney, have them contact the Court, and file an Appearance as soon as possible for this. Doing so ensures that the Court knows the Client is represented and that the Attorney will receive notice of all your Court Hearings, notifying you as soon as there is an Arraignment Date from the Court. This is crucial because if you miss a Court Date, a Bench Warrant for your arrest will be issued and you can be held in contempt of Court. I do everything possible to ensure this does not happen to my Clients.

So, first things first, it is critical to contact an Attorney immediately if arrested for OWI. Secondly, I advise my Clients to immediately cease drinking alcohol or consuming drugs if charged with OWI – because staying sober during your Case will dramatically

help to make a better impression on the Judge and the Probation Officer.

I additionally advise Clients with a prior OWI Conviction or Chemical Test resulting .15 or more to attend Alcoholics Anonymous meetings twice a week and retain a Substance Abuse Specialist as soon as possible. I advise them to thoroughly document their participation in the Alcoholics Anonymous meetings. This demonstrates they understand the severity of the crime and expresses a desire to take responsibility for it.

Based on my experience, those who have taken this proactive approach have fewer problems with Probation Violations.

## CHAPTER 3

# DEALING WITH OWI CHARGES



The first thing I do with a Client is submit a request to the Court to get important discovery information. I do this with a three-page FOIA Request I have developed that includes the police report and videos, such as the in-car dashboard camera video and body camera footage. If there is a Data Master, I also request its logs. By doing this, I can review the discovery information, the report, and the videos to determine legal defenses and if a Motion and Brief would be beneficial. I have had cases dismissed based on these types of

Motions. However, every case is unique and requires individual analysis.

There are frequent issues that arise from the topic of "operation". It happens much more often than you would think. For example, people are parked on the side of the road, asleep in their car, and are charged with OWI. These cases come down to factual determinations, the technicalities as to whether or not they were "operating" the vehicle. This is yet another reason why it is critical to at least consult an Attorney. If you have any chance of avoiding an OWI, it not only helps you regarding your record, but your insurance rates will remain close to where they are rather than triple for the following three to four years.

Unfortunately, about 85% of the time, there is no legal defense to OWI, greatly limiting the available options to either a Plea or going to Trial. However, when there is a defense, I advise my Clients and proceed accordingly to get the case dismissed or reduced to a non-drinking offense.

Getting a case reduced can be particularly critical for Clients with multiple OWI Offenses because OWI Offenses are stackable, meaning they stay on your record for life. Moreover, in Michigan, if you are convicted of two OWIs or any drinking-related cases within seven years, your license will be revoked, leaving you unable to drive for a minimum of one year.

In order to drive, you will have to petition the Secretary of State, who will then determine whether or not you can drive. This process is demanding, requiring Testimonial Letters, Substance Abuse Evaluation, and a Hearing. If awarded a license, you must install an ignition interlock in your vehicle and drive with it for at least a year. After this, you will have to go through the same request process again, have the ignition interlock company submit a report, and then go through a Second Hearing. This is an incredibly long and burdensome process that is particularly difficult for those who need to drive to get to and from work.

## *Appearing In Court*

OWI Defendants first appear in Court at the Arraignment Hearing, as most Courts in Wayne County combine the Arraignment with the Pretrial. The Arraignment is the Hearing where the Judge formally tells you what you are charged with, the penalties you face, and your Trial Rights. My Clients already know this information at this point in the process because I have already thoroughly discussed it with them.

During the Arraignment, we typically waive the reading of the Complaint, my Client stands mute, and the Court enters a not Guilty Plea. The Judge then proceeds to the second part of the Arraignment and sets Bond Conditions.

Judges will typically include various terms when establishing bond, such as:

- The prohibition of alcohol and drugs unless prescribed.
- Prohibition from leaving the state without permission of the Court;

- Not frequenting bars;
- Possible random testing, including Soberlink or Scram Tethers;
- And more...

*(Note: Defendants are generally ordered to attend counseling in certain situations, though Judges generally wait until the Sentencing to order this.)*

## ***Behind The Scenes***

Michigan has a Hybrid Court, meaning some cases are done via Zoom while others are in person. After the first Hearing, (which combines the Arraignment and Pretrial), the Judge will adjourn the Pretrial portion until Defense Counsel receives the Discovery Information they have requested. During this interim, the Judge waits for the Defense Attorney to determine whether their Client has a solid legal defense.

To successfully make this determination, I will review the Discovery Information to determine whether a legal defense exists.

It is at this stage that we explore whether proceeding to file a Motion/Brief is a good idea or if we should seek to negotiate the charges with the Prosecution. The truth is, if there is no legal defense with the OWI Case against you, you are essentially left with negotiating a Plea or going to Trial.

### ***Being Proactive With Substance Use Starts At The Beginning***

I urge my Clients not to consume any drugs or alcohol.

In Michigan, people may use Medical Marijuana when on Probation, but the question of whether they can while on Bond remains unaddressed. Most Judges allow Defendants to, but some do not. As a result, because the purpose of abstaining from these substances is to find the best outcome available to you, I recommend complete abstinence unless absolutely medically necessary.

### ***A Note About Client-Attorney Dynamics***

I recommend partnering with an Attorney who demonstrates an ability to communicate with you well



and is accessible, as these traits are crucial. You must be honest with your Attorney in order for your Attorney to properly represent you.

## CHAPTER 4

# WHAT YOU NEED TO KNOW ABOUT PLEA DEALS & PENALTIES



The majority of OWI Cases are settled by Plea Negotiation. Legislators have made convicting people for this crime easy. OWI Cases only go to Trial less than 5% of the time. OWI Cases are politically sensitive Cases, and the Judges are acutely aware of this.

The Prosecutor will generally offer a Plea at the first Pretrial Hearing. Some factors play into this, such as:

- Whether it was your first offense;
- Whether you have a criminal record;
- Whether someone was injured as a result of the incident;
- What your BAC Level was;
- What your occupation is;
- Whether you have a legal defense;
- What your age is at the time of the charge;
- And more...

### *Negotiating A Reduced Charge*

It is possible to negotiate a Plea Reduction in OWI Cases, but whether or not I am able to do so successfully depends on numerous factors:

- 1) Your BAC Level;
- 2) Was there an accident;
- 3) The City or Township the OWI took place in;
- 4) Your prior criminal record; and
- 5) Was anyone injured as a result of the accident.

If a Client decides that negotiating a Plea is the approach they want to take, we'll get creative and

think outside the box. What does this look like? One Client I represented comes to mind...

I filed a Motion and a Brief for their Case. We were getting ready to start the Evidentiary Hearing, but because of the facts and circumstances, I was able to convince the Prosecutor to dismiss my Client's OWI charge entirely and let them plead responsible to a Civil Infraction of Careless Driving and Disorderly Conduct.

This meant that instead of walking away with a permanent OWI conviction on their record, my Client only had to settle the fines for a civil traffic infraction and then plead Guilty to Disorderly Conduct - a charge which can be expunged with relative ease. This was a huge victory for my Client. My Client's insurance wasn't placed into the high risk insurance pool, and his premiums continued to be reasonable, and he didn't have an OWI Conviction.

### *Accepting Plea Deals*

During my initial meeting with each Client, I try to get a sense of their expectations for the case and its

outcome. Then, based on the facts, I gauge whether their expectations are realistic. The truth is, the facts and circumstances of each case are as unique as each person that walks through my doors, so you never know what you're dealing with until review of the police report, audio/video, etc., and you take a close look into the situation at hand.

A case I had not too long ago comes to mind... My Client was charged with Operating Under the Influence of Marijuana. Because of a prior OWI Conviction within the past seven years, his license would have been revoked if he was found Guilty of this Offense.

However, there are several issues with charges that deal with Operating Under the Influence of Marijuana. The most significant among these issues being the fact that no study proves that having a particular level of THC in your blood correlates with any level of impairment in operating a motor vehicle. Therefore, in my mind, it is challenging for a Prosecutor to prove this and subsequently win a case. Knowing this, I told my Client who had a prior OWI Conviction, that he needed to fight this charge – so that's what we did.

In almost every OWI Case, Judges will set a Final Pretrial Date, called a drop dead date (which varies on a case-by-case basis), where you must either make a Plea or decide to go to Trial.

On the last day the Judge allowed Plea Offers, the Prosecutor offered to reduce the charge to Reckless Driving because we were especially aggressive in our approach. Despite the relatively favorable offer, I told my Client that I thought we could win the Trial. My Client, who did not want to risk anything, decided to take the offer.

As a result, the Judge assessed him fines and costs, did not order him to be placed on Probation, and his license was only suspended for 90 days.

### ***What Happens When You Accept A Plea Deal***

If a Client accepts a Plea, we place it on the record. This waives their right to a Trial, as is set forth by Michigan law. People are advised of this multiple times by both Judges and Attorneys before doing so.

The Plea will be a No-Contest Plea or a Guilty Plea. A No-Contest Plea is when the Defendant does not contest the charge. In these instances, Judges can ascertain the facts from the Police Report upon stipulation of Counsel. If it is a Guilty Plea, the Defendant provides the factual basis for the Guilty Plea.

Procedurally, what happens in a No-Contest Plea is that the Judge reviews the Police Report for the factual basis of the Plea instead of the Client providing the factual basis.

The Defendant is usually interviewed by the Probation Officer regarding their life, work, past criminal offenses, education, health, and use of drugs or alcohol. Additionally, a Substance Abuse Assessment will be administered to determine if the Defendant has any alcohol, drug, or mental health problems. The Probation Officer will then write what is called a Pre-Sentence Report which I thoroughly review with my Client, to ensure that they understand everything and correct any errors.

Finally, the Probation Officer makes a recommendation to the Judge regarding Sentencing. (Often, the Judge and Probation Officer are closely aligned on Recommendations and Sentencing standards.) Attorneys may ask to correct or clarify any errors associated with the recommendations. If it is fair and reasonable under the circumstances, I promptly ask the Judge to adopt it. If it is unfair, I highlight the issue and explain why the Court should rule differently.

## *Sentencing*

If you are found Not Guilty of OWI, that is the end of your Case. Your bond is reimbursed, and you can celebrate your victory and a significantly easier life that will follow. If found Guilty, however, what happens next will depend largely on the Judge. When Sentencing, Judges examine an array of things, such as your background, the circumstances of the case, and whether there was an accident, or injuries.

In other states and counties across the US, many lawyers warn of the “Trial Tax” – a term used to describe harsher sentencing imposed by Judges as a



penalty for those who reject Plea Bargains and go forward with a Trial and end up losing.

### *Seeking Expungement*

If you have only one OWI or Visibly Impaired Offense and more than five years have passed since your Probation ended, you can petition the Court to expunge your Case. There is a condition to this rule, however: your incident must not have caused Personal Injury to anyone.

The process to do this is quite involved, you must file a Petition with the Court and serve the Local Prosecutor, Attorney General, and the State Police with a copy of your Petition. When you finally appear in Court for the Hearing, the Judge will want to know what you have been doing since the OWI Conviction, especially if you have had any additional problems with alcohol or drugs in the interim.

This can be extremely involved and challenging to do on your own, so I always recommend that those seeking Criminal Expungement work with an Attorney to ensure success.

## CHAPTER 5

# THE DIFFERENCE AN AV-RATED ATTORNEY CAN MAKE



A lot of people want the best of everything, and those people choose AV-Rated Lawyers.

I've been incredibly fortunate to have a Client base that appreciates my work. Over the years, I have heard time and again that my Clients feel comfortable with me, that they find me easy to talk to, and that they know they can call me whenever they need to. When you put these three elements together, it results in a

Client experience that stands out from the rest – because I’m dedicated to making sure that each and every person leaves my office feeling better than they did when they arrived.

When searching for a Criminal Defense Attorney, I always recommend starting by searching on the internet. Compare others' experiences with a few Attorneys you find in your area. Read through Google, AVVO, and Martindale Hubbell reviews as well.

Martindale Hubbell's AV rating is the highest possible rating an Attorney can obtain in both legal ability and ethical standards. To determine the rating, Martindale Hubbell compiles reviews and assessments from Judges, and Attorneys, and only 11% of the Attorneys in the country receive an AV Rating.

Finding an Attorney with this rating, in conjunction with good reviews from Local Clients on Google or the Attorney’s Website and your own feeling of comfort with them, is a strong signal that they will strive to do the best for your Case.

### *Client Accessibility*

Generally speaking, Attorneys do not view speaking with Clients as productive, unless there is some transfer of information occurring. I look at things differently. Instead of having a transactional approach, I truly care about my Clients and want the best for them. As a result, I strive to keep them calm, focused, and assured throughout their entire case as I understand that failing to do so may have serious implications on their life outside of the case, which is equally, if not more, important in so many ways.

I believe that part of being able to offer this sense of calm is simply by being available as most of our greatest worries and concerns magnify when we feel left in the dark. If you choose to work with me, you won't be wondering when you'll get to hear about where you're at in the process. In addition to doing my best to clearly explain what is happening and what to expect at each step of the way, I tell Clients that I am usually in Court from 8:30 AM to 1:00 PM, Monday through Friday, and that they can call or text me anytime outside of those hours.

What's more, I handle cases myself. On occasion, my Clients may speak to my legal assistant, but I prefer for communication to go through me in most situations. This reduces confusion and misinterpretation, while helping to facilitate a relationship that strengthens my dedication to my Clients.

### *High Quality, Differentiated Service*

Given my experience of over 40 years, I have an excellent working knowledge of what Judges are inclined to do with regard to OWI Cases. As a result, I can fairly accurately anticipate their reactions and how they will view Defendants based on their circumstances.

I love my work and am profoundly grateful to be in a profession where I can help people through some of the most challenging experiences they will ever face each and every day. Although this area of Law is not for the faint of heart, I am truly honored to be able to assist Clients at such a stressful time in their life, and the appreciation I receive from my Clients makes it all the more worth it in the end. There is nothing more satisfying than helping a Client in a time of need.

## **WHAT IS THE NEXT STEP?**

Boulahanis & Associates is committed to answering your questions about OWI, DUI, Drunk Driving, and Driver's License Restoration in Michigan. We offer a Free Initial Consultation, and we'll gladly discuss your Case with you at your convenience. Contact us today at (313) 282-7007 or [www.waynecountyduilawyer.com](http://www.waynecountyduilawyer.com) to schedule an appointment.

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# NOTES



# DEFENDING THE ACCUSED

## OWI DEFENSE STRATEGIES



### Gregory Boulahanis, Esq.

I have represented clients charged with drunk driving for the last 40 years. The vast majority of cases I have handled – are in Wayne County. As a result, I have become familiar with the judges who make the rulings in these cases and know what they are likely thinking. Based on this, I am positioned to create a strategy that can help my clients get the best result under the circumstances they find themselves in.

I wanted to write this book to give people a basic understanding of what they face if they find themselves in an OWI case, as well as to outline steps you can take to put yourself in the best position possible to defend your case.

Drunk driving is a serious offense, afflicting all strata of our society. My experience confirms this, having represented corporate presidents, doctors, lawyers, accountants, and police officers. But no matter who you are or what you do, OWI can significantly impact many areas of your life, and particularly your employment. Fortunately, I've had the opportunity to save countless clients from the worst consequences of their charges and walk others through the best way to handle the penalties they have faced.

The truth is, in order to get the best result possible, you need to have someone on your side who knows the law and is familiar with the legal defenses available to you. Provided there is a legal defense applicable to your case, they can mount a strong defense on your behalf. If there is not a legal defense available, your attorney can work to mitigate the negative aspects of a conviction through a series of strategies tailored specifically to you.

If I've learned anything over the years in this field, it's that being proactive gives you an advantage. Based on my experience of how judges tend to think and proceed in OWI cases, a proactive approach can put you in a position where the judge is much more likely to be sympathetic to you. Why? Because taking steps to address the charge before you are asked to will demonstrate that you are taking the case seriously and doing everything possible to ensure this doesn't occur again.

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