

DEFENDANT QUESTIONS (questions asked of the Defendant in a DWI Trial)

Q. STATE YOUR NAME.

Q. WHAT IS YOUR OCCUPATION?

Q. WHERE DID YOU GO TO HIGH SCHOOL?

Q. WHERE DID YOU GO TO COLLEGE?

Q. ARE YOU MARRIED?

Q. DO YOU HAVE ANY CHILDREN?

Q. WHAT CIVIC/CHARITABLE ACTIVITIES ARE YOU INVOLVED WITH?

Q. HOW MANY ALCOHOLIC DRINKS DID YOU HAVE ON THE NIGHT YOU WERE ARRESTED?

Q. WHAT TIME DID YOU HAVE EACH ALCOHOLIC DRINK?

Q. WHO MIXED THOSE DRINKS?

Q. HOW MUCH ALCOHOL WAS POURED INTO EACH DRINK?

Q. WHAT WAS THE QUANTITY, IN OUNCES, OF EACH DRINK?

Q. WHERE DID YOU HAVE EACH DRINK?

Q. WHO WAS WITH YOU FOR EACH DRINK?

Q. PRIOR TO BEING ARRESTED, WHEN DID YOU LAST EAT?

Q. WHAT DID YOU HAVE TO EAT?

Q. WHAT IS YOUR UNDERSTANDING OF THE LEGAL DEFINITION OF INTOXICATION?

Q. WHAT IS YOUR DEFINITION OF DRUNK?

Q. CAN YOU BE INTOXICATED AND NOT BE DRUNK?

Q. WHY DID YOU REFUSE TO TAKE THE BREATH TEST?

Q. WHY DID YOU REFUSE TO TAKE THE BLOOD TEST?

Q. ISN'T IT TRUE THAT DRIVING YOUR CAR IS VERY IMPORTANT TO YOU?

- Q. ISN'T IT TRUE THAT YOU WOULD RATHER LOSE YOUR PRIVILEGE TO DRIVE THAN AGREE TO TAKE A BREATH TEST?
- Q. WHY DID YOU REFUSE THE BLOOD TEST?
- Q. ARE YOU SAYING THAT YOU DON'T BELIEVE A BLOOD TEST IS ACCURATE?
- Q. ISN'T IT TRUE YOU WOULD RATHER LOSE YOUR PRIVILEGE TO DRIVE THAN LET THE JURY KNOW YOUR BREATH TEST SCORE?
- Q. ISN'T IT POSSIBLE THAT YOU DON'T REALLY REMEMBER HOW MANY DRINKS YOU HAD ON THE NIGHT YOU WERE ARRESTED?
- Q. WHO PAID FOR YOUR DRINKS?
- Q. WERE YOUR DRINKS PURCHASED WITH CASH OR CREDIT CARD?
- Q. DO YOU HAVE A RECEIPT FOR EACH DRINK?
- Q. ARE YOU AWARE THAT YOU COULD SUBPOENA THOSE RECEIPTS TO COURT?
- Q. WHY DIDN'T YOU SUBPOENA THE RECEIPT RECORDS OF YOUR DRINKING TO COURT TODAY?
- Q. YOU'VE SPENT A LOT OF TIME PREPARING YOUR CASE HAVEN'T YOU?
- Q. WHY ARE YOUR WITNESSES NOT IN COURT TODAY?
- Q. ARE YOU AWARE THAT YOU COULD ISSUE A SUBPOENA FOR EACH WITNESS TO BE IN COURT?
- Q. DO YOU THINK YOUR MEMORY IS BETTER THAN THE ARRESTING OFFICER'S MEMORY?
- Q. HAVE YOU DISCUSSED THE FACTS OF YOUR CASE WITH YOUR ATTORNEY AND YOUR WITNESSES?
- Q. WHEN DID YOU FIRST DISCUSS THIS CASE WITH YOUR WITNESSES?
- Q. ISN'T IT TRUE THAT YOUR ATTORNEY TOLD YOU WHAT TO SAY IN COURT?
- Q. IS THIS CASE IMPORTANT TO YOU?
- Q. COULD THE ARRESTING OFFICER SMELL ALCOHOL ON YOUR BREATH?
- Q. HOW OFTEN DO YOU DRINK ALCOHOLIC BEVERAGES?
- Q. WHAT IS YOUR FAVORITE ALCOHOLIC DRINK?

- Q. DO YOUR WITNESSES NORMALLY COUNT YOUR DRINKS?
- Q. HAVE YOU EVER BEEN INTOXICATED?
- Q. HOW MANY DRINKS DOES IT TAKE FOR YOU TO BE INTOXICATED?
- Q. HOW MANY DRINKS DOES IT TAKE FOR YOUR JUDGMENT TO BE DIMINISHED?
- Q. HOW MANY DRINKS DOES IT TAKE FOR YOU TO GET A SLIGHT BUZZ?
- Q. HOW MUCH DO YOU NORMALLY DRINK WHEN YOU GO OUT?
- Q. HOW OFTEN TO YOU GET INTOXICATED?
- Q. HAVE YOU EVER BEEN DRUNK?
- Q. HOW DO YOU ACT WHEN YOU ARE DRUNK?
- Q. HOW MANY DRINKS DOES IT TAKE FOR YOU TO BE DRUNK?
- Q. CAN SOMEONE TELL IF YOU ARE INTOXICATED?
- Q. HOW CAN SOMEONE TELL IF YOU ARE INTOXICATED?
- Q. ARE YOU A LIGHT DRINKER OR A HEAVY DRINKER?
- Q. ARE YOU THE TYPE OF PERSON WHO CAN CONSUME A LARGE QUANTITY OF ALCOHOL AND NOT SHOW IT?
- Q. ARE YOU THE TYPE OF PERSON WHO IS AFFECTED BY A SMALL QUANTITY OF ALCOHOL?
- Q. ISN'T IT TRUE, THAT IF YOU HAD NOT BEEN INTOXICATED THAT YOU WOULD NOT HAVE MADE THOSE MISTAKES ON THE VIDEO?
- Q. ISN'T IT TRUE, THAT IF YOU HAD NOT BEEN INTOXICATED THAT YOU WOULD HAVE BEEN ABLE TO PASS THE SOBRIETY TESTS?
- Q. ARE YOU SAYING THAT THE OFFICER IS LYING ABOUT HOW YOU PERFORMED ON THE SOBRIETY TESTS?
- Q. ARE YOU SAYING THAT THE OFFICER IS LYING ABOUT HOW YOU DROVE YOUR CAR?
- Q. WHO IS THE BETTER JUDGE OF INTOXIFICATION, SOMEONE WHO HAS BEEN DRINKING OR SOMEONE WHO HAS HAD NOTHING TO DRINK?

- Q. ISN'T IT TRUE THAT YOU ARE NOT THE BEST JUDGE OR WHETHER OR NOT YOU WERE INTOXICATED?
- Q. ISN'T IT TRUE THAT YOU WERE A LITTLE "TIPSY" WHEN YOU WERE DRIVING THE CAR?
- Q. DID YOU HAVE A LITTLE "BUZZ" WHEN YOU WERE DRIVING THE CAR?
- Q. WHEN YOU WERE DRIVING THE CAR, DID YOU FEEL ANY AFFECTS OF THE ALCOHOL YOU HAD CONSUMED?
- Q. DURING THE TIME YOU WERE DRINKING, AT ANY POINT DID YOU FEEL ANY AFFECTS OF ALCOHOL?
- Q. WOULD YOU AGREE THAT HAVING A "BUZZ" OR BEING "TIPSY" WOULD NOT BE NORMAL FOR YOU?
- Q. WOULD YOU AGREE THAT "HAVING DIMINISHED JUDGMENT" WOULD NOT BE NORMAL FOR YOU?
- Q. WOULD YOU AGREE THAT "FEELING THE AFFECTS" OF ALCOHOL WOULD NOT BE NORMAL FOR YOU?
- Q. ISN'T IT POSSIBLE THAT YOU WERE INTOXICATED AND JUST NOT AWARE THAT YOU WERE INTOXICATED?
- Q. YOU HAVE TOLD THE JURY HOW MUCH YOU HAD TO DRINK THE NIGHT YOU WERE ARRESTED. WOULD YOU GO TO WORK AFTER HAVING THAT MUCH TO DRINK?
- Q. ARE YOU SAYING THE ALCOHOL YOU CONSUMED WAS LIKE DRINKING WATER TO YOU?
- Q. WOULD YOU DRIVE A MOTOR VEHICLE WITH A SMALL CHILD IN THE CAR AFTER HAVING HAD THE SAME AMOUNT TO DRINK?
- Q. YOU HAVE STATED THAT YOU HAVE MEDICAL REASONS FOR YOUR FAILURE OF SOBRIETY TESTS. DID YOU BRING MEDICAL PROOF OF THOSE INJURIES OR DISABILITIES?
- Q. DID YOU SUBPOENA THAT INFORMATION TO COURT TODAY?
- Q. ARE YOU AWARE THAT YOU COULD SUBPOENA THAT MEDICAL INFORMATION TO COURT?
- Q. DO YOU NORMALLY SPEED OR DRIVE ERRATICALLY?
- Q. ISN'T IT TRUE THAT YOU COMMITTED TRAFFIC VIOLATIONS BECAUSE YOU WERE INTOXICATED?

Q. WOULD YOU GO TO WORK AFTER HAVING THE SAME AMOUNT OF ALCOHOL TO DRINK?

Q. WOULD YOU MAKE AN IMPORTANT BUSINESS DECISION AFTER HAVING THE SAME AMOUNT OF ALCOHOL TO DRINK?

Q. LOOKING BACK, DO YOU REALLY THINK IT WAS A WISE DECISION FOR YOU TO BE DRIVING AFTER CONSUMING THAT MUCH ALCOHOL?