

State retesting of DUI samples highlights potential for unreliability

Written by Australian Business

October 10, 2013 /**24-7PressRelease**/ -- According to No DUI Colorado, a state organization designed to prevent drunk driving, Denver County issued a total of 3,123 DUI citations in 2011. The average blood alcohol content of those arrests was .161, more than double the legal limit. Statewide in 2011, there were 27,314 DUI arrests with 367 of those involving drivers under the age of 18.

Colorado residents arrested for driving under the influence should never just assume that they will be convicted and automatically give up. [DUI](#) arrests do not always lead to convictions as there are times when law enforcement does not follow proper protocol or when blood alcohol test results are inaccurate.

Recent recall of toxicology results

In late June 2013, amid accusations that inappropriate handling of blood samples may have caused inaccurate results, the Colorado Department of Public Health and Environment placed a temporary halt on all blood alcohol and drug testing and ordered a retest of samples obtained during the prior 12 months.

A total of 800 samples were randomly chosen to be retested and considered a fair representation of the entire year's collection. An independent laboratory was selected to conduct the retests. As of mid-August, more than 250 samples had been received back and the initial results confirmed and retesting of all 800 samples is expected to be completed in September.

No guarantees

Even though the initial batch of retested samples has confirmed the original lab results, the incident highlights the opportunity for error in this arena. The consequences of a DUI conviction can be severe and, therefore, anyone arrested for driving while intoxicated should not hesitate to ensure that test results are confirmed and accurate. Such problems can be the basis upon which an arrested person is not convicted.

The fallibility of DUI testing

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Law enforcement officials employ multiple types and levels of tests to determine whether or not someone should be arrested or charged with a DUI. These include:- Field sobriety tests.- Breathalyzer testing.- Blood testing.- Urine testing.

Each of these types of testing offers its own unique set of error opportunities. While a driver can be arrested for refusing to take a test, he or she should not automatically assume they will be convicted even if initial tests indicate they are intoxicated.

Working with an experience [DUI attorney](#) can give drivers facing drunk-driving charges hope in preventing convictions. Inaccurate testing processes or test results can be the means by which this is achieved. If you are arrested for driving under the influence, you should contact an attorney as soon as possible to ensure your fair treatment.

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