



# Seufert Law Offices, PA

*We'll Get You Through It*



## From the Captain's Log Spring Has Sprung

I really hate winters, the older I get the colder they get. I don't like the cold so gave up snowmobiling, skiing, and ice skating many years ago. I spend most winter weekends buying boat parts on Amazon, Craigslist, and E-Bay, and reading about all the fun things I will be doing when the weather warms up - and skipping down to FL for a few long weekends.

Now that the sun is getting up earlier, and going to bed later, the boat yard is coming back to life. Last weekend I was able to get to Litigator, sitting where I have left her in October, all bundled up for her long winter's sleep. She looked



restless too. Still early spring, and always a chance of a late snow, so couldn't fully start turning the wrenches and wax on and wax off, but just being able to get to the boat yard, and start the process, was good for the soul.

Not many other sailors at the marina yet, but another boat at the yard may also be familiar to some of you hard core Wicked Tuna TV viewers, Tyler had already taken the cover off of Pinwheel and looked to be a weekend or two ahead of me in the process, that's real hard core. ●

April 2021 News



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# Improving the Odds for Teen Drivers, Yours and Theirs



Motor vehicle crashes are the number one cause of death among American teenagers.

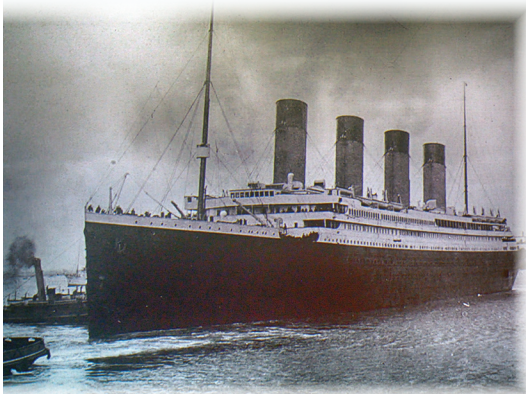
According to Centers for Disease Control and Prevention statistics, in 2018 almost 2,500 teens in the United States aged 13–19 were killed, and about 285,000 were treated in emergency departments for injuries suffered in motor vehicle crashes. The fatality rate for young males involved in auto accidents was almost twice that of their female counterparts.

Factors involved in heightening teenagers' susceptibility to auto collisions include, but are not limited to, the following:

- Teens are more likely to speed than older drivers, and not allow for the proper following distance - inexperience.
- Young drivers tend to underestimate dangerous situations or fail to recognize them at all, cell phones, distracted driving—inexperience.
- Alcohol elevates the risk of accidents for all age groups, but in a disproportionate way for young drivers who may not have enough common sense-inexperience.
- The level of seat-belt usage is lower for teenage drivers - inexperience.

Many auto accident fatalities and injuries can be avoided. Parents can help by setting a good example for their teens; being dutiful driving teachers and exposing their kids to a wide variety of driving situations; restricting nighttime driving (for at least the first six months); hammering home the importance of seat belts; emphasizing the consequences of distracted driving and limiting the number of passengers to one (if any) until they're more experienced; and instituting a zero-tolerance policy for drunk driving.

If you or a loved one has been injured in a car accident due to the fault of another, contact an auto accident attorney to safeguard your rights. •



## Plumbing the Depths of the *Titanic* Tragedy

On April 14, 1912, the *Titanic* struck an iceberg and sank in the North Atlantic. Much of what people know about the ill-fated trip was gleaned from the 1997 movie, but you can't cover everything in three hours and 15 minutes, and does Hollywood portray the real story?

Author Morgan Robertson wrote a novella in 1898 titled *The Wreck of the Titan: Or, Futility* about an ocean liner that collided with an iceberg, lacked enough lifeboats for everyone on board, and had been touted as "unsinkable." Eerily prophetic to the

disaster of the *Titanic* a decade later.

Milton S. Hershey, of chocolate company fame, had a ticket for the *Titanic*'s maiden voyage but didn't make the trip. If he had, would Hershey chocolates have survived?

The only Japanese passenger aboard the *Titanic*, Masabumi Hosono, boarded a lifeboat, was rescued, and lived to tell the tale. When he returned to Japan, however, the press and government officials cast him as a coward for not going down with the ship. He lost his job and was discredited in future textbooks.

The *Titanic* featured some lavish accommodations, including the second heated swimming pool (saltwater) on the high seas, Turkish baths, a library, and a squash court. However, over 700 third-class passengers had to share two bathtubs. Sneaking into the heated pool was likely a strong temptation.

Binoculars would have been handy for iceberg lookout duty but were locked in a storage locker. Second Officer David Blair was in charge of the key; however, he was reassigned at the 11th hour and forgot to leave it with his replacement. A spare key might have changed the course of history.

Or maybe, just maybe, King Neptune felt being mocked by the "unsinkable" Ocean Liner, and those rich and powerful that hobnobbed her decks. •



# Getting Dogged While Running



Many runners, and walkers, have canine tales of woe. A runner may trigger a dog's hunting instinct, be perceived as a territorial challenger, or a dog might simply be ill-tempered. If you are walking your dog, another dog may not like the intrusion into "their space".

Runners can lower their odds of joining over 4.5 million dog-bite victims in the U.S. each year,

20 percent of whom require ER visits. Scout new road routes via car prior to running. Note off-leash dogs, dog signage, open gates, etc.

To improve awareness, ditch your headphones or earbuds (at least lower the volume). If you see an untended dog in the distance, cross the street or take a detour.

Carry a small air horn for emergencies. It unleashes a high-decibel sound that jolts a dog's sensitive hearing and may send it scurrying. Pepper spray can be beneficial, but a miss might escalate the situation; wind can make things tricky, too.

If you encounter an aggressive dog — some combination of bared fangs, growling, tense body, erect ears, stiff tail (or held high, wagging faster than normal):

- Stop running; stand still with arms folded across your chest; stay calm.
- Avoid direct eye contact.
- Turn sideways and utilize peripheral vision.
- Vocalize firm commands such as "Go home!"

Most dogs will eventually get bored or befuddled — or sometimes obey! — and retreat. However, if the dog attacks:

- Unleash the air horn or pepper spray.
- Place something between you and the dog: water bottle, cap/visor, towel, etc.
- In a sustained attack, punch, kick, knee, and yell for help.
- Getting knocked down can be life-threatening. Curl up in a ball, chin and knees tucked, and cover your ears and neck with your arms (clench your hands).

Following an attack, seek medical attention, call animal control and/or the police, and contact our office. Unless you somehow provoked the dog, the dog's owner will likely be responsible for your injuries and damages. NH does not follow the 1-free bite rule, an owner is always responsible for his/her pets. •

## The Double Jeopardy Clause

The Fifth Amendment of the U.S. Constitution states that no person shall "be subject for the same offense to be twice put in jeopardy of life or limb...." In other words, the government can't prosecute or punish someone more than once for the same crime. Sounds simple enough, but there are some caveats to be aware of.

Legally speaking, "jeopardy" refers to the risk brought by criminal prosecution. The government must place a person "in jeopardy" for the Fifth Amendment protection to kick in. Generally, this occurs when a jury is sworn in, or after the first witness takes their oath and begins to testify in a trial before a judge.

Double jeopardy applies to criminal cases only. Someone acquitted of a crime can still be subject to a civil suit for monetary damages. Remember the O.J. Simpson case.

If jeopardy has not been terminated—that is, brought to a conclusion with a definitive verdict—a case may be retried. Two examples of this include a mistrial and a hung jury. A jury verdict of acquittal terminates jeopardy, and the decision cannot be overturned.

Every defendant has the right to at least one appeal after a conviction. If the conviction is overturned due to insufficient evidence, it is treated as an acquittal for the defendant, who cannot be prosecuted again. If the reversal is due to a technicality (e.g., unlawful search and seizure), a retrial is permitted.

If a state government tries a case, it does not preclude the federal government from trying the same matter, and vice versa. Double jeopardy does not apply. •

April 2021 Notable Dates

**April 2**  
Reconciliation Day

**April 11**  
Eight-Track Tape Day

**April 12**  
Grilled Cheese  
Sandwich Day

**April 14**  
National Dolphin Day

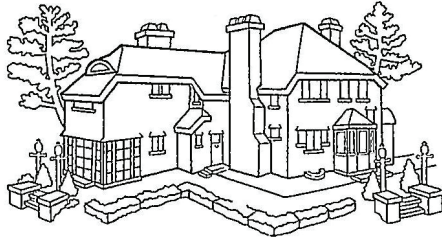
**April 19**  
National Garlic Day

**April 22**  
Jelly Bean Day

**April 27**  
Babe Ruth Day



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*Protect Your Family, Protect Your Rights*



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Sprung

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This publication is intended to educate the general public about personal injury, medical malpractice, and other issues. It is for information purposes only and is not intended to be legal advice. Prior to acting on any information contained here, you should seek and retain competent counsel. The information in this newsletter may be freely copied and distributed as long as the newsletter is copied in its entirety.

# Your Rights When You Have Been Pulled Over and Questioned about a DWI

The fact is, most people do not know their rights when pulled over and questioned about a DWI. Here's a quick list of some of the issues involved and what you need to know.

**"Do you know why I pulled you over?"** It's typically the first thing you'll hear. It's also deliberately designed to get you to admit to certain behavior. Be polite and simply ask, "Why do you ask?" and then wait for a response. Do not comment. Any response you give to the officer's questions may be used as evidence against you.

**"Have you had anything to drink tonight?"** If you truthfully have had nothing to drink that night, say, "No." If you've had something to drink, you don't have to share that information. Telling the officer that you've been drinking will be evidence used against you. Instead, say, "I have no statement to make." While it may seem unnatural, this is your right.

**"I need you to step out of the car and take a few field sobriety tests."** You are not required to do field sobriety tests. You may say no to those tests.

**"I would like you to take a breath test."** This one's tricky, because there are typically two breath tests involved in a DUI stop: the preliminary breathalyzer at the scene and the formal breath test back at the police station. If you've had anything to drink, taking the preliminary breath test will give the officer more cause to arrest you. Like the field sobriety tests, it is not mandatory. All the officer is looking for is probable cause to arrest you. The police station breath test is entirely different. If you refuse that, it may lead to an administrative license suspension of your driver's license. However, if you take that test it may provide strong evidence against you in court of the criminal charge. Being convicted of DWI carries significant consequences. A conviction for DWI involves a sentence of: 1) criminal conviction, 2) loss of license, 3) possible jail time, 4) fines and fees, 5) impaired driver classes, 6) mandatory SR22 insurance for 3 years, 7) mandatory jail time if subsequent conviction.

You have the right to remain silent and you should use it. As soon as you are allowed to, you should contact an attorney experienced in litigating DWI's to help guide you through your case. •

