What to Do in the First 48 Hours After a DUI Stop in Chester County

The First 48 Hours After a DUI Stop: What to Do and What to Watch For

Being pulled over on suspicion of DUI is stressful and confusing. The moments after a traffic stop can feel overwhelming, and it is easy to make decisions you later regret. What you do in the first 48 hours can shape how the case unfolds. This checklist walks through the key points to address quickly, with a short reason for each step. The goal is to protect your rights and your future without guessing or acting on bad advice.

1. Stay Calm and Know Your Rights During the Traffic Stop

The first contact with law enforcement sets the tone. Stay polite and calm. You have the right to remain silent beyond providing your name, license, registration, and proof of insurance. You are not required to answer questions about where you have been, what you drank, or how much. Officers are trained to build probable cause through your answers. A simple "I prefer not to answer that" is enough. Do not argue or resist, even if you believe the stop is unfair. Resisting adds charges and complicates the case.

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Field sobriety tests are voluntary in many states, including Pennsylvania. You can politely decline to perform them. The same applies to portable breath tests administered at the roadside. These tests are not always accurate, and refusing them does not carry the same penalty as refusing a chemical test back at the station. Understand that refusing the official breath or blood test after arrest triggers an automatic license suspension under Pennsylvania's implied consent law. That decision has consequences, but it also may limit the evidence against you. Weigh this with legal advice as soon as possible.

2. Do Not Discuss the Incident with Anyone Except Your Lawyer

After the stop, avoid talking about what happened with friends, family, or on social media. Anything you say can be used against you. Even casual comments posted online or texted to a friend may be subpoenaed. The first 48 hours are a time to gather information, not to share it. Do not call the police station to explain yourself or ask questions. Do not contact the arresting officer. Let your legal representative handle communications. If someone asks what happened, say you are not able to discuss it until you speak with your attorney.

View the location on Google Maps

The urge to explain or justify is natural, but silence protects you. The legal process moves slowly, and anything you say before you have full legal advice may hurt your case later.

3. Write Down Everything You Remember About the Stop

Memory fades quickly, especially after a stressful event. As soon as you are safe and sober, write down every detail you recall. Include the time and location of the stop, the officer's name and badge number, what was said, how you were asked to perform tests, and whether you were given your rights. Note the weather, road conditions, and any medical issues or medications you take. Also record whether the officer had a reason for the stop that seemed valid. This record helps your lawyer evaluate whether the stop was lawful and whether the officer had probable cause.

Do not edit or embellish. Just write what you remember, even if some details are fuzzy. The goal is to preserve facts while they are fresh. Share this record only with your lawyer.



4. Understand the Arraignment and License Suspension Timeline

After a DUI arrest, you will be issued a citation or summons. Your first court date is typically an arraignment, where you are formally charged and enter a plea. That hearing often happens

within a few days to a few weeks. If you were arrested and released, check your paperwork for the date. Missing a court date can result in a bench warrant and additional charges.

If you refused chemical testing or failed it, the Pennsylvania Department of Transportation will move to suspend your license. The suspension period depends on your prior record and the facts of the case. You have a limited time to request a hearing to challenge the suspension. That window is often 30 days from the date of the notice. Act quickly. Do not assume the suspension is automatic and unavoidable. A lawyer can advise whether a challenge makes sense in your situation.

5. Contact a Criminal Defense Lawyer Immediately

Time is not on your side. The sooner you have legal representation, the better your chances of protecting your driving privileges and avoiding a criminal record. A DUI lawyer in Chester County understands the local courts, the prosecutors, and the procedures. They can review the evidence from your traffic stop, assess whether the officer had probable cause, and identify any procedural errors that might lead to reduced charges or dismissal.

Many people wait until after the arraignment or until they receive a suspension notice. That delay can cost you options. Early involvement lets your lawyer file motions, request discovery, and negotiate before the case is set in stone. If you are facing a first offense, a lawyer may be able to secure a disposition that avoids jail and limits the impact on your record. For repeat offenses, the stakes are even higher.

The Law Office of Steven F. O'Meara provides criminal defense for DUI and related charges in Chester County, Delaware County, and surrounding areas. A consultation can help you understand what to expect and what your options are. Do not assume this is something you can handle on your own. The legal system is complex, and the consequences of a DUI conviction reach far beyond the courtroom.

What Not to Do in the First 48 Hours

- **Do not post anything online.** Social media, texts, and even private messages can be used as evidence. Assume nothing is private.
- **Do not call the police or prosecutor.** Any attempt to explain or negotiate on your own can backfire. Leave communication to your lawyer.
- **Do not ignore deadlines.** License suspension hearings and court dates have short windows. Missing them makes the situation worse.
- **Do not discuss the case with anyone except your lawyer.** Friends, coworkers, and even family members may be asked to testify about what you said.

- **Do not drive without checking your license status.** Driving on a suspended license adds new charges and penalties.

The Bigger Picture: Protecting Your Future

A DUI charge does not define you, but how you respond matters. The first 48 hours are about gathering information, preserving evidence, and getting legal guidance. Do not let panic push you into quick decisions. Do not assume that a first offense means no serious consequences. A criminal record affects employment, housing, professional licenses, and insurance rates for years. The goal is to minimize those effects and, where possible, avoid a conviction altogether.

Every case is different. The facts of the stop, the test results, your prior record, and the local court all play a role. That is why personalized legal advice is essential. A lawyer who handles DUI cases in Chester County regularly will know what arguments work and what the local prosecutors are likely to offer.

One More Thing: The Importance of Legal Representation

Some people think that if they were clearly over the limit, there is no point fighting. That is not true. Even when the evidence seems strong, there may be grounds to challenge the stop, the testing procedures, or the chain of custody of a blood sample. A skilled lawyer can identify these issues. They can also negotiate for alternative resolutions like probation or a first-offender program, which may keep your record clean.



The Law Office of Steven F. O'Meara serves clients facing DUI charges in Chester County and beyond. Reaching out early gives you the best chance of a favorable outcome. You do not have to go through this process alone.

If you or someone you know is dealing with a DUI stop, take a breath, write down what happened, and contact a lawyer. The first 48 hours are critical, but they are just the beginning of a process that requires careful attention and experienced guidance.

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